

COUNTY COUNCIL OF BEAUFORT COUNTY

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

D. PAUL SOMMERVILLE
CHAIRMAN

STEWART H. RODMAN
VICE CHAIRMAN

COUNCIL MEMBERS

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GARY KUBIC
COUNTY ADMINISTRATOR

BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA FINANCE COMMITTEE

2:00 p.m.

Monday, March 18, 2013

Conference Room, Building 2

Beaufort Industrial Village

102 Industrial Village Road, Beaufort

Committee Members:

Stu Rodman, Chairman
Rick Caporale, Vice Chairman
Steven Baer
Brian Flewelling
William McBride
Jerry Stewart

Staff Support

David Starkey, Chief Financial Officer
Alicia Holland, Comptroller

1. CALL TO ORDER – 2:00 P.M.
2. CONSENT AGENDA – CONTRACTS
 - A. \$152,000 contract for External Auditing and Consulting Services for Fiscal Years 2013 – 2015(backup)
 - B. \$26,850.15 purchase of new 2012 Ford XLT, 4x4, Super Cab, F150 Truck for Sheriff's Office (backup)
 - C. \$37,500 McNair Law firm contract extension for providing lobbying efforts as it relates to the Education Funding formula (backup)
3. FY 2012 / 2013 ADDITIONAL FUNDING REQUESTS
 - A. \$152,800 Solicitor's Office (backup)
4. BEAUFORT COUNTY BUILD AMERICA BONDS / SEQUESTRATION UPDATE (backup)
5. PREVIOUS FISCAL YEARS' MILAGE RATES
6. DISCUSSION / ROLL FORWARD / REVENUE NEUTRAL BUDGET PREPARATION
7. DISCUSSION OF REAPPOINTMENTS AND APPOINTMENTS
 - A. Accommodations Tax Board -
8. DISCUSSION
 - A. Open Financial Issues
9. ADJOURNMENT

Open and Priority Retreat Items

Transfer Station Analysis
Road Financing
Burton Wells Regional Park Financing
Sports Complex Economic Analysis

2013 Budget Cycle

Business License Fees
2014 Millage Policy
Joint Use of School Facilities
Airport Business Plan





**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 3, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2350 Fax: (843) 255-9437

TO: Councilman Stewart H. Rodman, Chairman, Finance Committee

VIA: Gary Kubic, County Administrator *GKubic*
Bryan Hill, Deputy County Administrator *BHill*
David Starkey, CPA, Chief Financial Officer *DStarkey*

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

SUBJ: RFP# 3918/110128 Auditing and Consulting Services

DATE: March 18, 2013

BACKGROUND: As good accounting practices warrant the rotation of external auditors on a regular basis, Beaufort County issued Request for Proposals (RFP) to firms capable of providing independent audit and consulting services for three (3) years, beginning with an audit of the financial statements for the fiscal year ended June 30, 2013 and ending with an audit of the financial statements for the fiscal year ended June 30, 2015. The evaluation committee consisted of the following four (4) members from the County's Finance Department and Treasurer's Office: David Starkey, CPA, Chief Financial Officer, Alicia Holland, CPA, Controller, Alan Eisenman, CPA, Finance Supervisor, and Maria Walls, CPA, Deputy Treasurer. The evaluation committee interviewed the top two (2) firms and selected Cherry Bekaert, LLP as the number one ranked firm.

FINAL EVALUATION RANKING:

1. Cherry Bekaert LLP, Augusta, SC (also has an office in Bluffton, SC)
2. Mauldin & Jenkins, LLC, Macon, GA
3. Thompson, Price, Scott, Adams & Co., PA, Wilmington, NC
4. Greene, Finney & Horton, LLP, Mount Pleasant, SC
5. Holland, Henry & Bromley, LLP, Savannah, GA
6. Webster Rogers LLP, Summerville, SC
7. Robert E. Milhous, C.P.A., P.A. & Associates, Columbia, SC – Disqualified

Please see attachment 1 for pricing information.

FUNDING: Account # 10001100-51160 (Professional Services) for fiscal years 2013-2015.

RECOMMENDATION: The Finance Committee approve and recommend to County Council approval of a contract award for external auditing services to Cherry Bekaert LLP, the top ranked firm, with the anticipated cost for the first year of \$50,000. Additionally, recommend two annual renewals subject to approval by Beaufort County Council. Total anticipated cost for three years is \$152,000.

cc: Richard Dimont

Attachment 1: Pricing Information

Attachment 1: Pricing Information

Firm	FY 2013	FY 2014	FY 2015	Total
Thompson, Price, Scott, Adams, & Co., P.A.	44,000	44,000	44,500	132,500
Cherry Bekaert, LLP	50,000	50,000	50,000	150,000
Robert E. Milhous, C.P.A., P.A. & Associates	49,500	50,000	51,500	151,000
Webster Rogers LLP	52,000	53,300	54,600	159,900
Greene, Finney & Horton, LLP	54,000	55,000	56,000	165,000
Mauldin & Jenkins, LLC	57,000	57,000	59,000	173,000
Holland, Henry & Bromley, LLP	57,000	58,000	60,000	175,000



**COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT**

Building 3, 102 Industrial Village Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2353 Fax: (843) 255-9437

TO: Councilman Jerry Stewart, Chairman, Governmental Committee
FROM: Dave Thomas, Purchasing Director *DT*
SUBJ: Request to Purchase One (1) 2012 Ford XLT, 4x4, Super Cab F150 Truck for the Beaufort County Sheriff's Office from State Contract
DATE: February 20, 2013

BACKGROUND: The Purchasing Department received a request from the Beaufort County Sheriff's Office to purchase a new 2012 XLT Ford F150, 4x4, Super Cab Truck. This is a replacement vehicle for the Sheriff's Office and will be used for law enforcement purposes.

VENDOR INFORMATION
Vic Bailey Ford, Spartanburg, SC

COST
\$26,850.15

FUNDING: Account # 22610011-54000, Sheriff ICE Fund, Vehicle Purchases

RECOMMENDATION: The Governmental Committee approves the purchase of the aforementioned vendor for a total amount of \$26,850.15.

CC: Gary Kubic, County Administrator *GKubic 3/14/13*
Bryan Hill, Deputy Administrator *BH*
David Starkey, Chief Financial Officer *DS*
Michael Hatfield, Chief Deputy, Beaufort County Sheriff's Office *MH 3/13/13*
Richard Dimont, Contract Specialist

Att: State Contract Pricing Information

Cheryl Patrick, Procurement Manager
Email: cpstrick@mmo.sc.gov
Telephone: (803) 737-5717

Materials Management Office
1201 Main Street, Suite 600
Columbia, SC 29201

Section: V
Page: 5
Date: 11/01/10

TRUCK, PICK-UP, 4 X 2, ½ TON, REGULAR CAB, 6' BODY

Contract No: 4400002968 Current Contract Term: 11/1/2010-10/31/2011
Model: Ford F-150 F1C, w/KL Contract Rollover Dates: 11/1/2011-10/31/2012
Package 861A Commodity Code: 07202
Contractor: Vic Bailey Ford Contact Person: David Vetter
501 E. Daniel Morgan Blvd E-Mail: dvetter@vicbailevfords.com
Spartanburg, SC 29302
Telephone: 864-585-3600 Fax: 864-594-6802
Delivery: 90-120 Days ARO

Base Price: \$14,921

ADDS:

Carpet Flooring with Floor Mats \$ 132.00
Larger Axle Ratio (Specify Ratio 3.73) \$ 46.00
Post-Traction or Limited Slip Rear Axle \$ 273.00
Long Bed (8' PICK UP BED) \$ 289.00
Extended Cab (Model X1C - 6.5 PICK UP BED) \$ 3057.00
Tow Package (standard state spec.) \$ 342.00
8-Cylinder Flex Fuel engine (5.0L) \$ 880.00
Post-Traction or Limited Slip or Locking Differential \$ 273.00

Vic Bailey Ford
David Vetter 864.685.3600 or 800.922.1365

2012 FORD F150 PICK UP

Standard Equipment Included:

3.7L V-6 Engine	Power Steering
Automatic Transmission	Power Brakes
A/C	Heavy Duty Rubber Floor
AM/FM Radio	Vinyl Bench Seat

Additional Factory Options Included:

XLT Package Upgrade

5.0L V-8 Flex Fuel Engine
Super Cab 4x4 (Short Bed - 6.5')
Cloth Captain's Chairs
Trailer Tow Package
Limited Slip Rear Axle
AM/FM w/ Single CD
Full Coverage Rubber Floor Mats
XLT Convenience Package - Power Driver's Seat
Sync
Keyless Entry Keypad
P265/70R17 All-Terrain Tires (4x4 Only)
Skid Plates (4x4 XL Models Only)
Power Windows and Door Locks w/ Remote Keyless Entry
Cruise Control

TOTAL SC GOVERNMENT SALES PRICE:

\$26,202.00 (plus tax)

Available Aftermarket Options:

Bedliner (Drop-In)	\$229.00
Bedliner (Spray-In)	\$450.00
Bed Mat	\$125.00
Fiberglass Camper Top w/ Side and Rear Door Glass	\$1,600.00
Fiberglass Bed Cover (Tonneau Cover)	\$1,200.00
Warn 9000lb Winch & Black Grille Guard	\$1,975.00
Brush Guard for Warn Winch	\$325.00
2" Ball, Receiver Tube and Pin for Frame Mounted Hitch	\$45.00
Adrian Single Lid Cross Box	\$525.00
Adrian Single Lid Cross Box and 2 Each Side Tool Boxes	\$1,425.00
4-Corner Flashing Strobe System	\$450.00
4-Corner Flashing Strobe System (LED Lights)	\$595.00
16" Mini Light Bar (Amber/Clear) Roof Mounted w/ 4-Corner Strobes	\$825.00
Adrian Steel SB Series Cab Over Ladder Rack (Painted Black)	\$925.00
FMVSS Safety Kit (Fire Ext., Triangle and First Aid Kit)	\$95.00
1000lb Tommy Gate	\$2,285.00

\$26,202.00
300.00 Delivery
200.00 Tax
400.00 Ad. P. L. 'R' 15

26,800.15

Via Electronic Mail

psommerville@bcgov.net
bill.evans@beaufort.k12.sc.us

Lynn Stokes Murray

lstokes-murray@mcnair.net
T (803) 799-9800
F (803) 933-1538

January 29, 2013

The Honorable D. Paul Sommerville
Chairman, Beaufort County Council
1509 Pigeon Point Road
Beaufort, South Carolina 29902

The Honorable Bill Evans
Chairman, Beaufort County Board of Education
2900 Mink Point Blvd.
Beaufort, South Carolina 29902

Dear Chairman Sommerville and Chairman Evans:

On behalf of the McNair Law Firm, P.A. ("McNair") and its Government Affairs Team, we are pleased to submit this proposal to Beaufort County ("County") and to the Beaufort County Board of Education ("School Board"). Our proposal provides for governmental relations representation and consultation before the 2013 General Assembly and the executive branch of the South Carolina government.

It has been our pleasure to represent the County these past few years in our efforts to secure funding for Beaufort County K - 12 schools. We, working with Senator Tom Davis, made great progress in eliminating the disparity of the EFA formula and how it impacts your school district. In addition to the School District funding effort, the County or School Board may have other legislative matters that arise during the legislative session. Upon Council or the Board's request, these matters can be considered under the purview of this contract.

We would recommend the County and the School Board to retain our services, as outlined below. Essentially, the 2013 contract mirrors the 2012. In 2012, the County contracted with us for \$37,500. The School Board contracted for \$25,000. The engagement will be for the period of January 15, 2013 through June 30, 2013. In addition to the fixed fee, the County and School Board will be responsible for any out-of-pocket costs and disbursements that may incur in connection with this representation, such as

McNair Law Firm, P. A.
Main and Gervais Building
1221 Main Street
18th Floor
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

mcnair.net

D. Paul Sommerville
Beaufort County Council

MCNAIR
ATTORNEYS

Bill Evans
Beaufort County Board of Education

January 29, 2013
Page 2

photocopying, courier and hand delivery charges, long distance telephone, filing fees, travel charges, etc. Any large out of pocket expense would be pre-approved by the County. Statements for all costs incurred will be mailed monthly to you at the address stated above. Balances due our firm, as shown on those statements, are payable upon receipt, and the County and Board agree to pay those balances timely. Our Federal Tax I.D. Number, 57-0703244, will appear on our statements.

At the appropriate time, Shannon Bruning and I will register as lobbyists. As we move forward into the 2013 Legislative Session, it may become necessary for others in our Governmental Affairs Section to be registered as lobbyists for this matter. Because our representation is defined as "lobbying" under the "Ethics, Government Accountability and Campaign Reform Act of 1991," we are required to register with the State Ethics Commission as "lobbyists". The County will be required to register as a "lobbyist's principal". There is a \$100 filing fee required for the lobbyist's principal and for each lobbyist. Our firm will advance the registration fees for the State Ethics Commission and will bill you on your statement.

You will have the right to terminate our representation at any time upon written notice to my attention, although you may also be required by others outside McNair to confirm that termination. McNair shall have at all times the right to terminate this representation by written notice to that effect if Beaufort County fails to cooperate with any reasonable request from McNair relating to this representation, or to make full and timely payment of our statements as submitted, or if we determine in our reasonable discretion that the continuation of the representation would be unethical or impractical. If the circumstances permit, we will provide thirty (30) days written notice of termination. In the event of termination, we will bill you, and you agree to pay, for time worked to the point of termination.

If these arrangements meet with your approval, please sign, date, and return a copy of this letter to indicate Beaufort County Council's and the Beaufort County Board of Education's acceptance of the terms of this engagement. Thank you again for the opportunity to represent the Council and the Board of Education, and I look forward to working with you.

If you would like for us to come and brief you, we would be pleased to do so. It has been our pleasure to work with you all over the past two years. We look forward to continuing our efforts on your children's behalf.

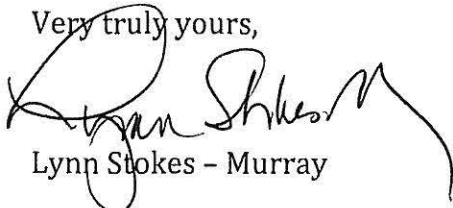
D. Paul Sommerville
Beaufort County Council

M C N A I R
ATTORNEYS

Bill Evans
Beaufort County Board of Education

January 29, 2013
Page 3

Very truly yours,



Lynn Stokes - Murray

LSM:mpk

CLIENT ACCEPTANCE:

I have read the above letter and hereby request McNair Law Firm, P.A., to represent the Beaufort County Council and the Beaufort County Board of Education pursuant to such terms as are set forth herein.

By: _____
The Honorable D. Paul Sommerville
Chairman, Beaufort County Council

By: _____
The Honorable Bill Evans
Chairman, Beaufort County Board of Education

Date: _____

Date: _____

Solicitor - Beaufort County Only (000's - \$)

	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>Electronic Discovery</u>
<u>Revenues:</u>					
Beaufort County	854.4	800.0	811.0	811.0	
Short			20.8		
Lawsuit Proceeds			132.0		
Grants:					
Transfer Court	200.5	200.5			
Juvenile MDC	171.1	128.8	96.6		
Domestic Violence	95.0	95.0			
State Drug Court	71.6	92.7	100.0	100.0	
Hilton Head Drug Court	48.5	48.5	48.5	48.5	
Hilton Head Career Criminal	35.0	35.0	35.0	35.0	
Drug Court Participants	13.4	18.7	22.0	22.0	
Conditional Discharge				16.5	
Bluffton Career Criminal	15.0	15.0	15.0	15.0	
	1,504.5	1,434.2	1,280.8	1,048.0	
<u>Expenditures:</u>					
Community Presecution		515.6		560.5	
Career Crimial		262.4		399.6	
Drug Court		194.2		162.0	
Crime Victim Services		109.1		84.0	
Family Court		<u>71.1</u>		<u>83.1</u>	
Payroll		1,152.3	1,066.8	1,289.2	
Office		214.0	214.0	214.0	
Electronic Discovery:					
Investment					240 - 375
Grant					(0 - 250)
Operations				90.0	40 - 90
Drug Court				35.8	
Mob				30.0	
		1,366.3	1,280.8	1,659.0	
Net				(611.0)	

BC



Fourteenth Circuit Solicitor's Office

2013 Office Overview



Office overview

The Fourteenth Circuit Solicitor's Office is the chief prosecuting agency for Allendale, Beaufort, Colleton, Hampton and Jasper Counties. Covering 3,200 square-miles of South Carolina's Lowcountry, we are the only five-county circuit in the state, encompassing 10 percent of the state's landmass.

Our primary role is to prosecute all cases in General Sessions Court and Family Court as well as certain misdemeanors in Magistrate's Court. Each year, we prosecute approximately 5,500 cases.

Additionally, our office operates a number of prevention programs designed to stop individuals, and in particular our youth, from engaging in criminal activity and other unhealthy behaviors. The programs include treatment-based courts, pre-trial intervention, worthless check, alcohol education, traffic education and juvenile arbitration.

The office is led by the Solicitor, who is elected every four years. Solicitor Duffie Stone was appointed by the Governor in 2006. He was re-elected in 2008 and 2012.

Our mission

The mission of the Fourteenth Circuit Solicitor's Office is to professionally represent the people of South Carolina in and out of court, to improve the safety of all people in South Carolina and to protect and defend the United States Constitution and the Constitution of the State of South Carolina.

History of the Office

Courts in South Carolina operate in multi-county circuits. Most circuits serve two or three counties. The Fourteenth Circuit is the only to have five: Beaufort, Colleton, Hampton, Jasper and Allendale. This stems from the fact that several counties were carved out of the old Beaufort District.

Hampton County split off from Beaufort in 1877. Jasper County left Beaufort in 1912. Finally, Allendale was cut out of Hampton and Barnwell Counties in 1919. Colleton was one of the colony's original three counties in 1683. It was absorbed by Charleston in 1769 and then became its own entity again in 1798.

In 1916, the area now served by the Fourteenth Judicial Circuit was removed from the Charleston court system and for 87 years it was run by the same family out of Hampton County.

As soon as the position of Solicitor became an elected one in 1920, Hampton attorney Randolph Murdaugh, Sr. was chosen for the job. He was killed in a train wreck in 1940 and was succeeded by his son, Randolph "Buster" Murdaugh, who held the position until his retirement in 1986. Buster's son, Randolph Murdaugh, III, was elected and served for almost 20 years until he decided to go into private practice in 2005.

In 2006, Governor Mark Sanford selected an assistant solicitor in the office, Duffie Stone, to serve as Solicitor, making him the first man without the surname Murdaugh to hold the job. He was elected to serve his first full term in 2008 and was re-elected in 2012.

Stone, a graduate of the University of South Carolina School of Law, first worked as a prosecutor in Richland County before entering private practice. In 1999, he began working for the Fourteenth Circuit Solicitor's Office, where he handled many of the office's Beaufort County cases.

Since 2006, Stone has worked to bring more resources to Beaufort County, where the majority of cases are, without sacrificing operations in the other four counties. The headquarters is now located in Bluffton, but each county seat has a fully-functioning satellite office.

In 2011, Stone was appointed by Gov. Nikki Haley to serve on the S.C. Commission on Prosecution Coordination, which is responsible for coordinating all activities involving the prosecution of criminal cases in South Carolina.

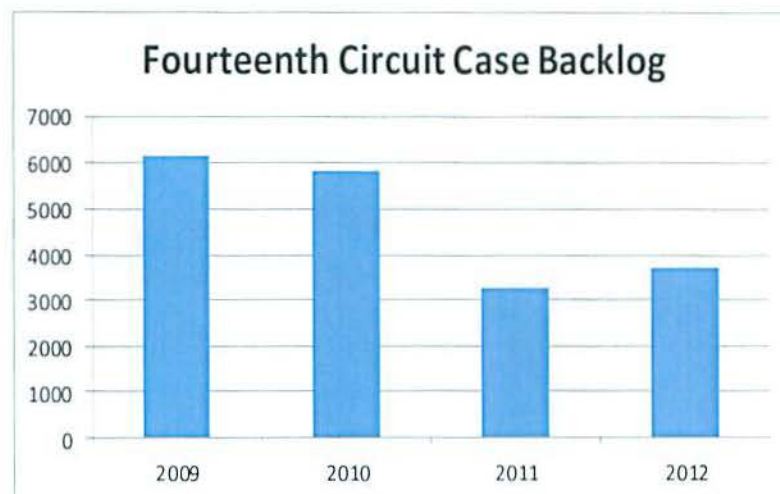
Stone was selected by his fellow solicitors to represent them on the board of the National District Attorneys Association in 2012.

Prosecution summary

The people of the Fourteenth Judicial Circuit rely on the Solicitor's Office to bring those engaging in criminal activities to justice. Public safety is paramount to improving our neighborhoods and communities. By funding prosecution, the quality of life of all our citizens is improved because those who terrorize our residents and guests are quickly removed from society. Swift justice is a deterrent to others who may consider a life of crime.

Our office utilizes a defendant-based, vertical prosecution approach. This means that a single attorney is assigned all of the cases involving a particular defendant. This same attorney works the cases from the time of arrest through the final disposition by the court. The benefits of this approach include: better communication among the prosecutor, law enforcement and victims; a superior knowledge base about the particular defendant; and enhanced accountability because one prosecutor is responsible for the outcome. All of this leads to more effective prosecution.

During the past four years, we have dramatically improved the efficiency of the criminal justice system. In January 2009, there were 6,155 pending cases in the Fourteenth Judicial Circuit. These cases represent what most think of as a backlog. The larger the backlog, the longer it takes to get a case to trial. As of January 2013, there were 3,707 pending cases, a decrease of 40 percent.



The Solicitor's Office reduced this backlog despite a consistent influx of new cases. Our four year rolling average of incoming cases is 4,857, while our four year rolling average of disposed cases is 5,554.

An efficient docket means more effective prosecution. The fewer pending cases, the quicker prosecutors are able to move forward with incoming cases. This gives victims their day in court and holds offenders accountable for their actions. Ultimately, the speed of prosecution is crucial to improving public safety because it means offenders are less likely to post bond and be back out on the streets before their case comes to a conclusion. It also means those out on bond are brought to court for trial before they are able to hurt someone else.

	Population	Percent of population	Case-load	Percent of case-load
Allendale	10,419	4%	178	4%
Beaufort	162,233	63%	2,506	55%
Colleton	38,892	15%	879	19%
Hampton	21,090	8%	412	9%
Jasper	24,777	10%	586	13%
Total	257,411		4,561	

Career Criminal Unit: Improving public safety

Following a thorough analysis of crime patterns since taking office in 2006, Solicitor Duffie Stone implemented a new approach to target the small number of career criminals who are responsible for a high percentage of criminal activity throughout not only the neighborhoods they live in, but also throughout nearby communities.

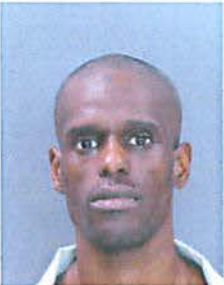
We took our most experienced and toughest prosecutors out of the day-to-day grind of daily prosecutions and tasked them only focusing on the hardened criminals who need to be convicted and sent to prison very quickly.

The Career Criminal Prosecution Unit was launched in 2009 with the assistance of Beaufort County, the Town of Hilton Head Island and the Town of Bluffton. Soon thereafter, the team was expanded to cover all five counties thanks to assistance from Colleton County, Jasper County, the Town of Ridgeland, the City of Hardeeville and a three-year grant from the U.S. Department of Justice.

In 2011 and 2012, the unit was expanded to include investigators assigned to build multi-jurisdictional cases against defendants and a crime analyst who works to connect crimes and build intelligence about networks of criminals who operate throughout the judicial circuit.

The Career Criminal Prosecution Unit has successfully prosecuted nearly 200 defendants in Beaufort County, with a conviction rate that exceeds 90 percent. Our streets are safer now that these individuals no longer terrorize our residents and visitors.

Notable recent convictions



Terrance Seabrook had been out of prison for barely a year and he was already back up to his old ways when the 40-year-old held up a St. Helena Island convenience store. He was arrested a few days later. A jury found him guilty of armed robbery and he was sentenced to life in prison with no chance of parole. Seabrook had a previous conviction for robbing a video store in 1998, a crime for which he served 13 years.



In broad daylight, **Rajerick Knight** walked into a Subway restaurant in Beaufort, brushed aside a customer waiting in line and executed his drug rival, who was ordering a sandwich. He then fled the area to Jacksonville, Fla., where he was arrested by the U.S. Marshal Service. Prosecutors methodically built a case against Knight using 16 witnesses, evidence he owned a particular car, text messages and security camera footage. The 25-year-old will spend the rest of his life in prison with no chance of parole.



Sometimes you should be careful what you ask for. **Arthur Smith**, of Bluffton, was convicted of child molestation in 2004 and sentenced to 20 years in prison. He asked for a new trial amid allegations that a courtroom spectator had coached a juvenile witness. During the new trial, three children testified Smith had molested them when they were between six- and eight-years-old. The 48-year-old was sentenced to 30 years in prison, a decade more than he had before.

Intelligence-based prosecution

One of the most recent improvements to the Fourteenth Circuit Solicitor's Office is the creation of an intelligence center to identify career criminals and gather the evidence required to bring them to justice.

In June 2011, our office partnered with the State Law Enforcement Division (SLED) Fusion Center to create a nerve center for our Career Criminal Prosecution Unit. The Fusion Center is SLED's database and information clearinghouse for all law enforcement records in the state. They are also linked to a plethora of other state and national databases. As part of this partnership, SLED trained and certified an analyst who works for our office. SLED then gave us access to millions of dollars of equipment, databases and software free-of-charge.

On the front-end, our analyst is able to immediately gather information to determine whether each person arrested meets the protocol to be prosecuted by the Career Criminal Prosecution Unit. If they do meet the requirements, information about the defendant's prior criminal history is passed along to the on-call career criminal prosecutor, who is armed with the information needed to argue for a high bond to keep them from getting out of jail.

Secondly, this flow of information is continuous and is invaluable as the prosecutor prepares the case for trial. Our analyst and two seasoned investigators working for our office gather information relating to the crime to fill in any gaps from the initial investigation by law enforcement. This intelligence bolsters the strength of each case, raising it from the low hurdle of probable cause for arrest to the higher standard necessary to prove someone guilty beyond a reasonable doubt. We can put the crime into context by examining the defendant's known associates and gang affiliation. This helps our office argue for an appropriate prison sentence.

Arming prosecutors with the evidence they need



In December 2011, our office prosecuted **Terry Dean Swanger** for the beating death of his girlfriend at her Hardeeville home. Swanger pleaded guilty to the crime and was sentenced him to life in prison. The intelligence center played an integral role in the successful prosecution of this case.

Using the Fusion Center's database of police reports from throughout the state, our analyst was able to uncover a pattern of abuse by Swanger, who had been involved in three previous incidents of domestic violence against two other women. In each incident, Swanger beat, choked and forced his victim to the ground, where he stomped and kicked them.

With information about his past in-hand, we asked the pathologist to compare the bottom of Swanger's boots with the pattern of bruising on the deceased victim. They were consistent. This information provided a clear picture that Swanger had killed his girlfriend, how he did it and why we considered him a career criminal.



In 2012, 20-year-old **Jabari Linnen** stood trial for the attempted murder of a man on St. Helena Island. During the trial, Linnen maintained that he shot the Kenneth Nichols out of self-defense because Nichols had been harassing him and his girlfriend. Throughout the trial, Linnen portrayed himself as a family man, who worked hard to provide for his pregnant girlfriend. After hearing the evidence, jurors convicted him.

During sentencing, our prosecutor played a video clip posted to YouTube that directly contradicted the image of Linnen that had been portrayed by a defense attorney. The clip, filmed at a Ridgeland strip club, showed the young "family man" flashing gang symbols while he was out on bond awaiting trial. He was sentenced to 20 years in prison.

A look at 2013 (so far)

Hilton Head Island murderer gets life sentence



Jerry Scantling, 30, was sentenced to life in prison in February for the May 2010 robbery and shooting death of 52-year-old Leonard Green at the Pinckney Island boat landing. Scantling lured Green to the boat landing and shot him twice, including once in the back. At the conclusion of a three-day trial, jurors convicted Jerry Scantling of murder, armed robbery, possession of a weapon during a violent crime and possession of a stolen vehicle. Based on Scantling's prior criminal record, he was sentenced to a mandatory life sentence without the chance of parole. After the murder, residents of a nearby apartment complex noticed Scantling driving the victim's pickup truck and disposing of items in a dumpster. The truck was later found in Savannah and Scantling was arrested in Beaufort driving another stolen car. He was charged with murder approximately one year later after our office, the Beaufort County Sheriff's Office and the State Law Enforcement Division gathered sufficient evidence against him. A pair of headphones left at the boat landing matched Scantling's DNA. During the trial, a fellow inmate at the county jail testified that Scantling admitted to the murder. Scantling has prior convictions for burglary, armed robbery, strong arm robbery, possession of cocaine, trespassing, shoplifting, resisting arrest and petit larceny.

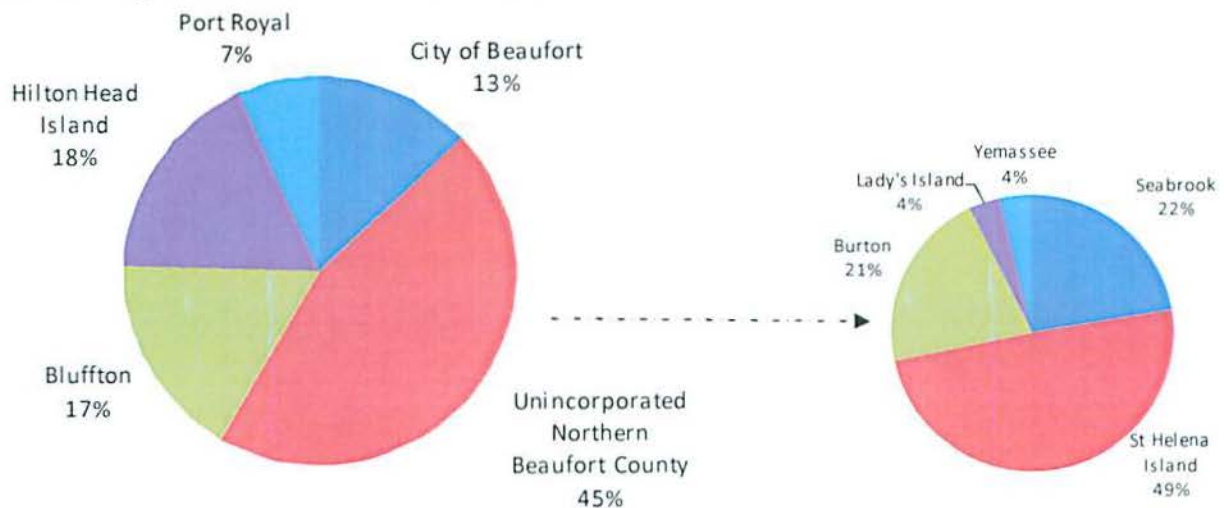
Three sentenced for home invasion



Donald Peters, **Lauren Baughman** and **Kurtis Edwards** were all sentenced to prison in February for their roles in a violent Burton home invasion. Fueled by a desire to score more prescription pills, the trio hatched a plan to rob a 70-year-old man. That evening, the victim invited Baughman and another prostitute to the home. Before leaving, Baughman unlocked a

door. A short time later, Peters and Edwards entered the house and beat the man in the head with a police baton. They made off with approximately \$3,000. Peters was convicted at trial and sentenced to 23 years. Edwards pleaded guilty and received 18 years. Baughman was given a reduced 5-year sentence in exchange for her testimony.

Pending Career Criminal Cases

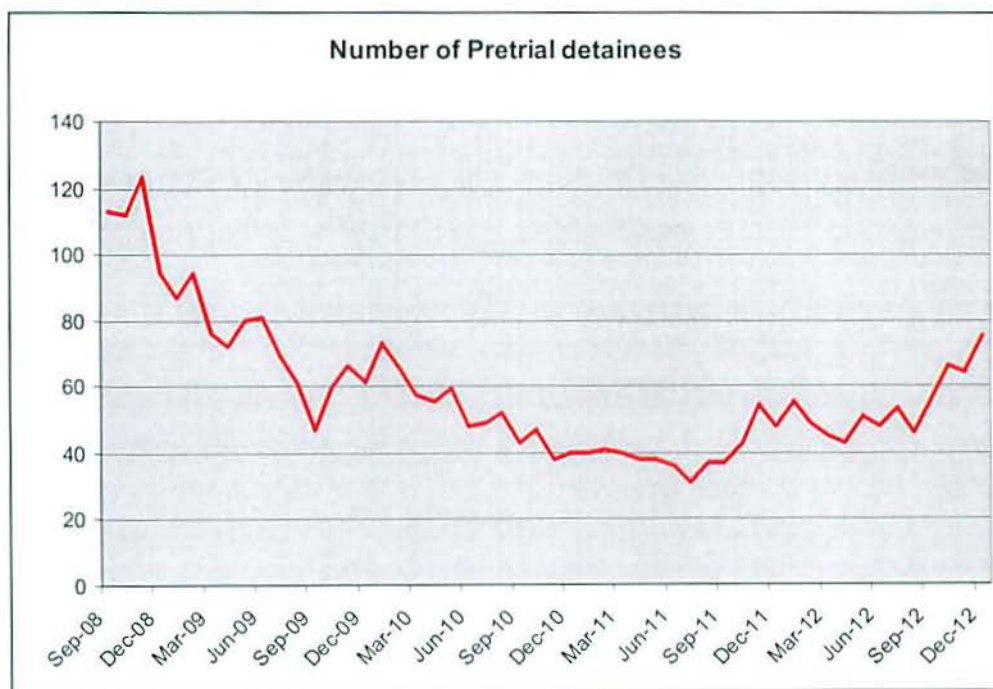


Alleviating jail overcrowding in Beaufort County

Facing a persistently overcrowded county detention center in 2009, Beaufort County joined forces with Hilton Head Island and the Town of Bluffton to fund a Career Criminal Prosecution Team. This team of experienced prosecutors was assigned cases involving the worst, most hardened criminals, many of whom were housed at the county jail.

In Beaufort, the jail takes in between 6,000 and 7,000 inmates each year. The facility, which was built in the early 1990s, is designed to hold 255 inmates. In the summer of 2008, the jail held more than 440 inmates. A gymnasium was retrofitted with bunk beds to ease overcrowding. County officials had begun discussions about expanding their jail, a project that would easily cost between \$10 and \$30 million.

In the past three years, the Beaufort Career Criminal Prosecution Team has successfully prosecuted nearly 200 defendants, with a conviction rate that exceeds 90 percent. The county jail has been under capacity for three years, saving our residents millions of dollars.



***The increase at the end of 2012 coincides with one attorney being assigned to the mob statute investigation into gang violence on St. Helena Island.*

After witnessing the success, Jasper County along with Hardeeville and Ridgeland decided to also help fund the career criminal team in late 2010. The result is that we now have a regional, cooperative effort to address this small group of people who are responsible for the majority of crime throughout our area. Criminals do not respect jurisdictional boundaries and neither should the folks tasked with sending them to prison.



As a result of the project, the South Carolina Association of Counties awarded Beaufort and Jasper Counties with the 2011 Barrett C. Lawrimore Regional Cooperation Award recognizing this innovative approach to public safety that has not been done anywhere else in South Carolina.

Community Prosecution

In the coming months, the Fourteenth Circuit Solicitor's Office plans to shift to a community prosecution model that assigns prosecutors to specific communities, where they will prosecute all incoming cases and become liaisons between the criminal justice system and residents.

This differs significantly from our current approach in which cases are assigned to prosecutors based on which attorney is on-call when the arrest is made. Also called smart prosecution, our new community prosecution strategy will enable our prosecutors to get to know the people and places in their territory, which will result in more effective prosecutions and is the next logical step in cultivating valuable intelligence to solve additional crimes, identify trends and intervene before criminal activity escalates.

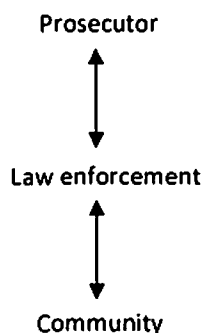
Community prosecution has been successful in many jurisdictions throughout the United States. Our program will follow six key elements that have been identified by the American Prosecutors Research Institute as critical:

- A focus on problem-solving, public safety and quality of life issues
- Inclusion of the community's input into the criminal justice system
- Partnerships with the prosecutor, law enforcement, public and private agencies and the community
- Varied prevention, intervention and enforcement methods
- A clearly defined focus area
- An integrated approach involving both reactive and proactive strategies

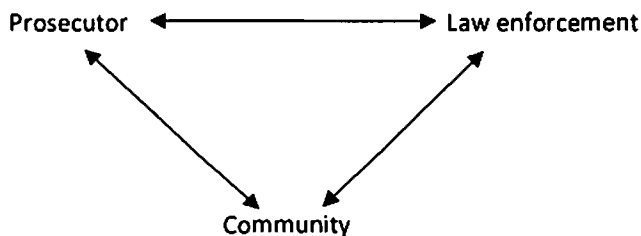
Simply put, a community prosecution model will enable our attorneys to become experts about the communities they serve. Input from the community will help us to set priorities in order to target the people who cause the most harm to the neighborhood and will help us build support for innovative approaches to prevent crime, including shutting down or fixing crime hotspots.

To embark on this initiative, one of the most important requirements is to have stability throughout our organization. When embedding a prosecutor into a community, they must have a continued, long-term presence in order to build rapport with community leaders and residents, so they will feel comfortable enough to speak candidly and to relay information about criminal activity.

Traditional prosecution model



Community prosecution model



Improving our quality of life

Solicitor's Office shuts down nuisance club

We are committed to improving the quality of life of our residents using any legal tools at our disposal.

In 2010, we began legal forfeiture action against the owner of a troublesome nightclub in Colleton County that was an epicenter of the county's gang activity.

By working closely with law enforcement, we documented numerous crimes that occurred in and around Club Camelot, a former strip club that was rented out for parties and concerts with little security to speak of.



In the six months leading up to our action, deputies responded to 14 incidents at the club, including four shootings, fights, vandalism and noise complaints from neighbors. Between 1998 and 2010, there were 49 documented crimes at the business and another 122 calls to police.

The legal pressure caused Club Camelot to immediately improve its security and ultimately led to the club's permanent closure to the relief of many nearby residents.

No sweepstakes machines in the Fourteenth Circuit

If you drive down the streets of Myrtle Beach or any number of other communities throughout South Carolina, you will see neon signs advertising sweepstakes machines.

In these establishments, people pay money to play games of chance for phone cards and other items that can be exchanged for cash. These machines, under the guise of raising money for charity, exploit a perceived loophole in state law. They are nothing more than a modern version of the slot machines and video poker machines that were outlawed more than a decade ago.

You don't see these pervasive and predatory businesses in the Fourteenth Judicial Circuit. That's because we are the only circuit in the state in which a local prosecutor was successful in seizing and destroying the computers.

In 2011, the Solicitor's Office and the Beaufort County Sheriff's Office took action against a storefront operated by HEST Technologies that sprouted up in a Bluffton shopping center. During a subsequent hearing, we successfully argued that the machines were used for gambling. The judge sided with us. The computers were wiped of all gambling software and donated to the Beaufort Marine Institute. The company did not appeal the ruling.



Training and retaining career prosecutors

In order to attract and retain the most talented and dedicated prosecutors possible, we must identify and recruit people who have not only the legal prowess, but also the requisite passion to become career prosecutors.

A centerpiece to that effort in our recent partnership with the Charleston School of Law to create a two-year externship program in which law students work in our office on real cases for two consecutive summers.

This benefits both our office and the students. The students can decide if they have the desire to become a career prosecutor. We will have an unparalleled ability to screen potential job applicants in order to find the best and brightest young attorneys.

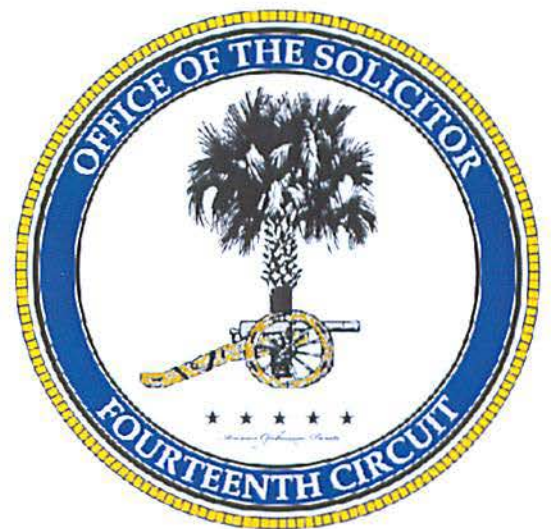
It takes a great deal of time and money to train a prosecutor. Every time someone leaves, we must start from scratch, which is terribly inefficient. Having the ability to watch law students adapt to a real life prosecutor's office will be invaluable. By using the externship as the first step to becoming employed by our office, we are able to train aspiring attorneys before they are on the payroll. This reduces the learning curve if they are selected to work for our office.

Also, the students are providing pro-bono assistance on real court cases, which provides a service to our office. Under the student practice rule, they are allowed to prosecute certain cases while being supervised by an attorney. We will put them to work on minor cases in Magistrate's Court and allow them to sit third chair for felony cases. The students get course credit. We get free labor.

Attracting and training young attorneys would be for naught if we lose them a year or two later for more lucrative positions elsewhere in the state. As the economy has improved, we have lost several very capable prosecutors both to private practice and to other Solicitor's Offices in more metropolitan areas of the state.

We must pay our attorneys a livable wage and offer a path for those who would like to be career prosecutors. This fits in with the county's mission to attract young professionals to our area, but also makes perfect business sense because it enables us to retain the talent we are developing.

CHARLESTON
SCHOOL OF LAW



Preventing the next generation of career criminals

While it is clearly important to aggressively prosecute criminals, it is just as important that we do everything we can to help keep people from turning to a life of crime in the first place. Nowhere is that need as profound as it is for our children.

Our office has a Prevention Services Division that includes a full-suite of juvenile programs that combine accountability with counseling, treatment, alcohol and traffic education, community service as well as other services tailored to the offender's particular needs.

In 2009, we expanded a diversionary program, Juvenile Pre-Trial Intervention, to all five counties of the circuit. The program requires non-violent participants to perform community service and pay restitution to their victims as well as visit a county jail. Another program, Juvenile Arbitration, seeks community-based solutions for some crimes. A citizen arbitrator hears the story from all sides and then works to find a resolution that is in the best interest of all parties.

On the adult level, we operate several programs, including Adult Pre-Trial Invention for some first-time, non-violent offenders that includes community service, restitution, educational courses and a visit to the Allendale Correctional Institution, where they get a sobering sense of where a life of crime will lead them.

Our office frequently works to produce public service awareness campaigns and also participates in many training sessions and community events with area non-profits, including well-attended domestic violence training sessions for law enforcement, judges, attorneys, service providers and school district personnel each summer. We recently partnered with Adventure Radio to broadcast messages about domestic violence and have worked to bring anti-Meth commercials to local public television stations.

Juvenile Multi-Disciplinary Court

Thanks to a three-year federal grant that expires in May 2013, we have been able to implement a new court for juvenile offenders who have just begun to veer off the right track. The Juvenile Multi-Disciplinary Court addresses the underlying causes of a juvenile's delinquency by installing structure and accountability to the child's life through counseling and treatment. It served 60 participants in 2012. The program takes approximately one year to complete.

A teenager's success story



James, a 15-year-old, was having a difficult family life when he began smoking marijuana and hanging out with the wrong crowd. The high school student's father had recently been diagnosed with cancer, his mom had lost her job and their house was teetering on the brink of foreclosure. His group of friends was involved with a burglary, and James was arrested for receiving stolen goods. He was sentenced into the Beaufort County Juvenile Multi-Disciplinary Court.

In the program, he went through a variety of counseling programs, including one-on-one, group and family sessions. He also completed community service. James' grades began improving, so much that he is now enrolled in International Baccalaureate courses and is on a college track. Instead of getting high, he found a sport that he loves and he regularly participates in a service club. James now works part-time at a restaurant. The school resource officer and his teachers report a dramatic turnaround.

At his graduation from the court, James told the other participants that his life had been falling apart and he responded in a way that hurt himself and his family. He was trying to be someone that he was not. He now likes the person he had been trying to escape. This level of introspection indicates a great deal of maturity for someone who previously was heading down the wrong path and is an example of what a comprehensive approach to dealing with juvenile delinquency can produce.

Adult Multi-Disciplinary Court

When we stepped in to take over operation of the Drug Court in 2009 from a private entity, it only was averaging eight new participants per year. We gave the program a total overhaul and successfully relaunched it as the Adult Multi-Disciplinary Court. In 2012, the program served 37 non-violent offenders who were carefully screened to undergo professional substance abuse and mental health treatment.

An adult's success story



John was 23 years-old when he was convicted for possessing marijuana. He had just graduated from the University of South Carolina-Beaufort and had no previous criminal record. His plan was to make some money and to support his habit, which had started in his teenage years and continued while he went to college and worked in food service on the island.

A judge sentenced John into the Beaufort County Adult Multi-Disciplinary Court. If he failed to complete the program, he would go to prison for three years. He worked hard while in the program, continuing to work as a server at an upscale Hilton Head restaurant, while completing the stringent requirements of the court. His progression included 23 weeks of out-patient drug treatment, attendance at drug and alcohol support groups and routine court appearances. John's progress was exemplary.

He graduated from the court in 10 months, and has not relapsed. Because he was a first-time offender, his record was expunged in order to get him back on track for a productive life. He now manages a business.

Adult Multi-Disciplinary Court by the numbers

70% graduation rate (National average is 57%)

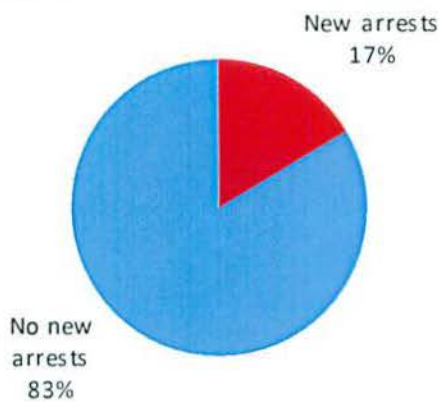
11% recidivism rate (National average is 27%)



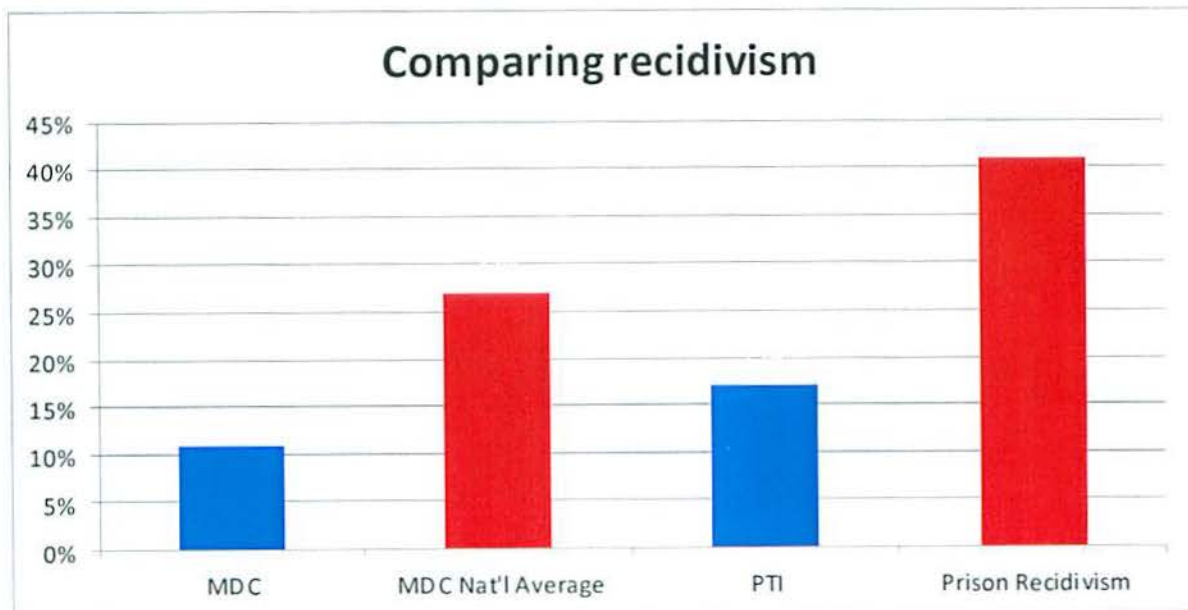
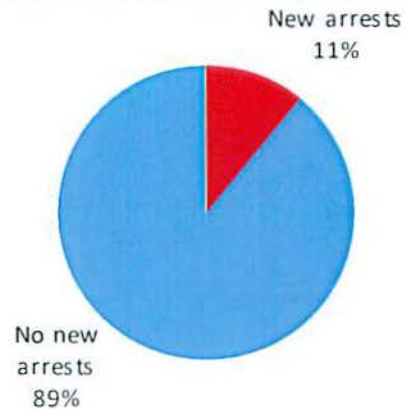
How our prevention programs stack up

The primary measure of our effectiveness is recidivism, the number of people who successfully complete a program, but then re-offend. We determine our recidivism by running criminal history rapsheets on all of our participants two years after they complete the program to determine who has been re-arrested. We count a person as re-offending if they are arrested again, regardless of whether they are convicted of the new charge. As you can see below, our Multi-Disciplinary Court and Pre-Trial Intervention are extremely successful in rehabilitating non-violent criminals before they become career offenders by addressing the underlying cause of their criminal behavior and by showing them the sobering consequences of a life of crime.

Beaufort PTI Recidivism



Beaufort MDC Recidivism



Worthless Check Program

The Fourteenth Circuit Solicitor's Office helps businesses and residents collect money that is owed to them from people who wrote bad checks. The Worthless Check Program is offered free-of-charge to victims of checks that have been returned. Fees collected from the offender fund the program and provide money to each county's general fund.

Prior to the Worthless Check Program, victims of bounced checks had to recover what they were owed on their own, a tedious and time-consuming process that included sending certified letters, mandatory waiting periods and toothless letters that merely requested the check-writer come to court.

With the Worthless Check Program, the victim sends the check to our office and we take it from there. The Solicitor's Office finds and notifies the offender and collects the restitution. If the offender does not pay, the office swears out a warrant for their arrest. If the case goes to court, the office sends an attorney to prosecute the case.

In Beaufort County, the Worthless Check Program has recovered 82 percent of all money owed from bounced checks. The most important statistic relating to the program is unquantifiable: the amount of time and effort residents save by letting legal professionals work on their behalf.

Worthless Check Collections 2008-2012

County	Number of checks	Restitution	Fees paid to county
Allendale	1463	\$ 220,255.00	\$ 38,007.00
Beaufort	2511	\$ 610,979.00	\$ 60,516.00
Colleton	4328	\$ 544,371.00	\$ 103,607.00
Hampton	4354	\$ 584,035.00	\$ 108,568.00
Jasper	1751	\$ 440,137.00	\$ 47,970.00
Total	14407	\$ 2,399,777.00	\$ 358,668.00



Beaufort County, South Carolina

Beaufort County Build America Bonds & Sequestration – March 2013



Presentation Outline

- ❖ History of Beaufort County Build America Bonds (BABs)
- ❖ Effect of Sequestration on BABs
- ❖ Recommended Action/Potential Opportunity
- ❖ Questions



\$48.755 Million BAN, Series 2009

- ❖ \$48.755 million borrowed in FY 2009 as a bond anticipation note (BAN)
- ❖ Major Items Funded:
 - ❖ \$20 Million – Rural and Critical Lands referendum
 - ❖ \$11 Million – New law enforcement buildings/renovations
 - ❖ \$8 Million – Radio upgrade
 - ❖ \$3.4 Million – Parks (Buckwalter and Burton Wells)
 - ❖ \$2.3 Million – St. Helena Library (prior to USDA/CDBG)
 - ❖ \$1 Million – DSN building



\$48.755 Million BAN Refinancing

- ❖ \$48.755 million BAN refinanced into two 20-year bonds in FY 2010
- ❖ Split between general obligation (GO) bonds and Build America Bonds (Stimulus-related)
- ❖ 2010A Bonds – \$24,205,000 refinanced into GO bonds
 - ❖ Principal paid off first on 2010A Bonds
 - ❖ Interest Rates = 2.0% - 5%
- ❖ 2010B Bonds – \$24,550,000 refinanced into BABs
 - ❖ Principal payments start in FY 2021



\$24.55 Million Build America Bonds

- ❖ 2010B Bonds
 - ❖ Interest rates = 4.7% - 5.625%
 - ❖ Plus a federal subsidy on interest
 - ❖ 35% of interest payment
 - ❖ FY 2011 – FY 2020
 - ❖ \$434,266 of \$1,240,760 in annual interest is subsidized by the federal government



Effect of Sequestration

- ❖ Effect on Beaufort County BABs (2010B Bonds)
 - ❖ BABs subsidies were cut by 8.7%
 - ❖ IRS says the reductions took effect on March 1, 2013 (when 2010B interest was due)
 - ❖ However, the March 1, 2013 subsidy was received in full by the County's BABs paying agent
 - ❖ Next interest due date is September 1, 2013
 - ❖ FY 2014



Effect of Sequestration

- ❖ Potential effect on FY 2014
 - ❖ Subsidy decreased by:
 - ❖ \$37,781
 - ❖ Approximately .02 mills
 - ❖ Post reassessment millage
 - ❖ If nothing resolved by the federal government by the end of August 2013, millage would require an increase by .02 mills between GO and Rural & Critical Lands in FY 2014



Recommended Action/Potential Opportunity

- ❖ Reduced subsidy allows the County the ability to refinance
 - ❖ Prior to the reduction, the ability to refinance would not be allowed until 2021
- ❖ Interest rates are currently lower even with the federal subsidy
- ❖ If there is no resolution to the federal sequestration by the summer, refinancing might save the County money
- ❖ Stay tuned.....



Questions?