

COUNTY COUNCIL OF BEAUFORT COUNTY

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RICK CAPORALE
GERALD DAWSON
BRIAN E. FLEWELLING
HERBERT N. GLAZE
WILLIAM L. McBRIDE
STEWART H. RODMAN
GERALD W. STEWART
LAURA VON HARTEN

GARY KUBIC
COUNTY ADMINISTRATOR

BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

LADSON F. HOWELL
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA COUNTY COUNCIL OF BEAUFORT COUNTY

Monday, June 28, 2010

4:00 p.m.

Council Chambers
Administration Building

Citizens may participate in the public comment periods and public hearings from telecast sites at the Hilton Head Island Branch Library as well as Mary Field School, Daufuskie Island.

- 4:00 p.m.**
1. CALL TO ORDER
 2. PLEDGE OF ALLEGIANCE
 3. INVOCATION
 4. REVIEW OF MINUTES – [May 24, 2010](#)
 5. PROCLAMATION
25th Anniversary Leadership Beaufort and Leadership Hilton Head /Bluffton
Mrs. Connie Hipp and Mr. Rob Bridges, Co-Program Coordinators
Ms. Barbara Conway, Coordinator
 6. PUBLIC COMMENT
 7. [COUNTY ADMINISTRATOR'S REPORT](#)
Mr. Gary Kubic, County Administrator
 - The County Channel / Broadcast Update
 - [Two-Week Progress Report](#)
 - [Presentation / Census 2010](#)
Ms. Terry Seabrook, Partnership Specialist
 - Presentation / Accomplishments / Rural and Critical Land Preservation Program
Mr. Glenn Stanford, President, Conservation Consulting Company

Over



8. DEPUTY COUNTY ADMINISTRATOR'S REPORT

Mr. Bryan Hill, Deputy County Administrator

- [Two-Week Progress Report](#)
- [Presentation / Ft. Fremont](#)

Mr. Tony Criscitiello, Division Director, Planning and Development

- Construction Project Updates

[One Cent Sales Tax Referendum Projects:](#)

New Bridge over Beaufort River / US 21 / SC 802 Construction Project

SC Highway 802 Roadway Construction Project

Mr. Robert McFee, Division Director, Engineering and Infrastructure

9. FY 2010 / 2011 COUNTY BUDGET PROPOSAL ([backup](#))

- Consideration of third and final reading
- Second of two public hearing held June 14, 2010
- Second reading approval occurred May 24, 2010 / Vote 11:0
- First of two public hearings was held May 24, 2010
- Finance Committee discussion and recommendation to increase the operating budget and decrease debt service occurred May 24, 2010 / Vote 6:0
- Finance Committee discussion and recommendation to transfer \$1,285,059 from capital improvement monies to reduce debt millage for FY 2011 occurred May 17, 2010 / Vote 5:1
- First reading approval occurred May 10, 2010 / Vote 10:1
- Finance Committee discussion May 10, 2010
- Finance Committee discussion May 3, 2010
- Finance Committee discussion April 12, 2010

10. FY 2010 / 2011 SCHOOL DISTRICT BUDGET PROPOSAL ([backup](#))

- Consideration of third and final reading
- Second of two public hearings held June 14, 2010
- Second reading approval occurred May 24, 2010 / Vote 11:0
- First of two public hearings held May 24, 2010
- Finance Committee discussion May 24, 2010
- Finance Committee discussion May 17, 2010
- First reading approval occurred May 10, 2010 / Vote 11:0
- Finance Committee discussion and recommendation to approve May 10, 2010 / Vote 6:0
- Finance Committee discussion May 3, 2010
- Finance Committee discussion April 27, 2010

PUBLIC HEARING
 Item 11

- 6:00 p.m.** 11. TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO) THAT REPLACES ALL THE COMMUNITY OPTIONS WITH A TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION: ARTICLE V, DIVISION 1, TABLE 106-1098 USE TABLE; ARTICLE VI, DIVISION 2, TABLE 106-1526 OPEN SPACE AND DENSITY STANDARDS; ARTICLE VI, DIVISION 3, TABLE 106-1556 LOT AND BUILDING STANDARDS; ARTICLE VI, DIVISION 4, TABLE 106-1617 BUFFERYARD AND LANDSCAPING STANDARDS; ARTICLE XI, DIVISIONS 1 AND 2 ([backup](#))
- Consideration of third and final reading June 28, 2010
 - Natural Resources Committee discussion and recommendation to approve May 14, 2010 / Vote 5:0
 - Third and final reading tie vote March 15, 2010 / Vote 5:5
 - Second reading approval January 25, 2010 / Vote 6:5
 - First reading approval January 11, 2010 / Vote 6:5
 - Natural Resources Committee discussion and recommendation to approve January 4, 2010 / Vote 5:0
12. [COMMITTEE REPORTS](#)
13. PUBLIC COMMENT
14. EXECUTIVE SESSION
- Negotiations incident to proposed contractual arrangements and proposed purchase of property pursuant
15. ADJOURNMENT

County TV Rebroadcast	
Wednesday	11:00 p.m.
Friday	9:00 a.m.
Saturday	12:00 p.m.
Sunday	6:30 a.m.

Cable Casting of County Council Meetings <i>The County Channel</i>	
Charter Cable	CH 20
Comcast	CH 2
Hargray Cable	CH 252
Hargray Video on Demand	600
Time Warner Hilton Head Cable	CH 66
Time Warner Sun City Cable	CH 63

Official Proceedings
County Council of Beaufort County
May 24, 2010

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

The regularly scheduled meeting of the County Council of Beaufort County was held at 4:00 p.m. on Monday, May 24, 2010, in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Weston Newton, Vice Chairman D. Paul Sommerville and Councilmen Steven Baer, Rick Caporale, Gerald Dawson, Brian Flewelling, Herbert Glaze, William McBride, Stu Rodman, Gerald Stewart and Laura Von Harten were present.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Councilman William McBride gave the Invocation.

REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD APRIL 26, 2010

It was moved by Mr. Glaze, seconded by Mr. Caporale, that Council approves the minutes of the regular meeting held April 26, 2010. The vote was: FOR – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Stewart and Mr. Sommerville. ABSENT – Ms. Von Harten. The motion passed.

PUBLIC COMMENT

The Chairman recognized Mrs. Maria Walls, who said she read an article with comments by Councilman Jerry Stewart about “an influx of additional citizens that would cause...additional expenses.” She said these citizens pay taxes, and asked why additional revenue does not cover the expense of having the additional residents. She also said she was unclear what warranted a potential tax increase other than those items covered in Councilman Stewart’s article and a brief overview of past council minutes. She does not want to pay additional taxes, and is concerned Council sees increasing taxes as the only way to cover additional funding for county needs.

Mr. Newton replied a 6:00 p.m. public hearing is scheduled specifically on the budget tonight with budget presentations from both County government and Board of Education, which will address some of Mrs. Walls’ questions, not specifically speaking to the article written by

Councilman Stewart. At this time County staff is recommending a budget that includes a zero increase on the operating side of the ledger. It does include some increases on the debt service side one, to pay for rural and critical lands purchases that were the subject of a 2006 voter approved referendum in Beaufort County and two, to buy all new radios for law enforcement and emergency personnel throughout the entire county regardless of whether they were city police officers or otherwise. County government, because of the need for a coordinated communications system, paid for those items. That is one of the topics being discussed. We are continuing to try to modulate the best we can. We share your concerns about increases in taxes and folks' ability to cover that.

Mr. Aaron Crosby, speaking as Chairman of the newly formed Daufuskie Island Council, thanked Council for making it possible to communicate telephonically rather than spending five hours travelling to the Council meeting. He encouraged the county not to spend funds for a new convenience center on Daufuskie Island. The new Daufuskie Island Community Preservation Plan (Plan) sets the tone for a new way of thinking and doing things on Daufuskie Island. The Plan proposes linking and consolidating services on the island to account for the fact that everything arrives and departs the island by boat. There are costs you just do not incur in the normal course of business in the rest of Beaufort County. One issue is waste removal and recycling. We have a subcommittee of the Daufuskie Island Council, whose members have been working very hard, for quite some time, addressing waste removal and recycling on a consolidated comprehensive basis that includes the county and private components on the island. We think it can be a much better use of public and private funds to follow that path. Mr. Crosby requests an opportunity to sit down with Chairman Newton, County Administrator Gary Kubic and whomever else might be appropriate in the next couple of days, if at all possible, to let you see the work we have done over the year and understand why we think it is such a compelling reason to do things a little bit differently and to keep the County from having to spend some money right now.

COUNTY ADMINISTRATOR'S REPORT

The County Channel

Mr. Gary Kubic, County Administrator, presented Coastal Kingdom. This episode is called Salt Marsh, and it is terrific. Once again it features our production partner, Mr. Tony Mills, a naturalist with the Lowcountry Institute. The series is available on Streamline, free services for teachers that provide educational videos for the classroom. The entire Coastal Kingdom series is being considered for a prestigious National Telly Award in several different categories. Congratulations to Scott Grooms and Rob Lewis of Broadcast Services. Council viewed the Salt Marsh video.

Mr. Rodman understands *spartina* grass, when it is dead, at high tides is actually swept out into the ocean. It is then deposited on the beaches and that is what actually rebuilds the beaches, because they are generally washing and blowing away. Without this recycle process, beaches would not renourish themselves.

Report / Current Criminal Activities in the Treasurer's Office

Mr. Ladson Howell, staff attorney, stated Council requested somewhat of an official report regarding the current criminal activities in the Treasurer's Office. Therefore, he consulted with the Solicitor's Office and would like to give Council the following information. Much of this has been published beforehand in the print media, but perhaps an official explanation would be in order. There have been two arrests as a result of the embezzlement in the Treasurer's Office of \$210,000. One of those arrested is a former County employee, who is no longer employed by Beaufort County. The Grand Jury will meet in June for all of the arrests made in May. Currently, there continues a criminal investigation. That is the limited amount of information available at this point in time.

Mr. Newton understands from the media accounts regarding Cassandra White that there was a dollar amount apparently that was embezzled. Ms. White was an employee. There was a \$600 episode paid back. Then, Ms. White resigned her position and was later reemployed. There is another episode of more than \$100,000. Is that sequence correct?

Mr. Howell said the sequence is correct. Mr. Newton understands it is in the indictment that way. Mr. Howell understands the Solicitor made that sort of comment at the bond hearing.

Mr. Rodman said we must keep in mind the Treasurer is a separately elected position and probably many people in the county do not understand that position does not report to either Council or to the County Administrator. He commended the County Administrator for taking an aggressive approach. If it had not been taken, he does not believe this would ever have been uncovered. It defies comprehension for the Treasurer rehire a person who stole money, and to then not report it to authorities. Secondly, we know for quite a bit of time staff has been trying to sort out the TIFs. It turns out there was a significant amount of money, in excess of \$10 million, distributed to the wrong places. You may remember the City of Beaufort raised the concern about a year ago and wanted to get everybody together to try to understand that. There were internal audits a couple of years back that suggested there were problems. He said he does not believe any of those were ever corrected. There was mention of the fact there were a significant number of transactions where the money has actually been deposited perhaps a month late. It makes you wonder what happened to the money during that period of time and whether it was protected. We then come to the 2009 audit wherein three significant discrepancies were identified. To the best of Mr. Rodman's knowledge those have not been taken care of in any kind of orderly fashion by the Treasurer's Office. In fact, for all practical purposes, one would have to reach the conclusion the office is out-of-control. Of course, the Sheriff was quoted as saying, "The records are so scrambled that we may never know exactly the extent of the money that certainly appears to be embezzled." As a practical matter, we are some place between \$250,000 and \$500,000 out of pocket, as a county, including the cost of the forensic audit. He pointed out there are two kinds of audits. We have our regular audits which verify the transactions that took place. When it is suspected there may have been criminal activity, a forensic audit goes in and tries to figure out what actually happened. Sometimes it is a very difficult thing to do because many times you are dealing with people, who can cover their tracks

fairly well. To some extent the Treasurer stands condemned by her own words. She is quoted as saying, “It was a random transaction. If they had not picked that account [the random check] they might not have found it.” She also said, “Little could have prevented White from stealing from the county. Embezzlements happen every day and happen all over this country . . . Nobody is perfect.” Certainly, nobody is perfect, but Mr. Rodman believes it was her job to prevent this kind of thing from happening. He suggested there are two things Council ought to do. One is to consider a resolution to ask Mrs. Logan to step down. Second, is to come back later, after some of the audits coming forth are completed, with a resolution including the appropriate whereas clauses, that council would formally execute.

It was moved by Mr. Rodman, seconded by Mr. Baer, that Council adopts a resolution requesting Joy Logan step down as Treasurer of Beaufort County.

Mr. Caporale thinks the resolution is appropriate, but does not want to comment beyond that.

Mr. Newton, trying to make sure the newspaper has clarification, said the audits have now apparently confirmed and identified in the warrants approximately \$100,000 was taken. Then, this particular employee was caught taking \$600 that was not reported, yet she still kept her job. Then she subsequently quit, was rehired and on the second go-round stole \$125,000. Combined with the cost of the audits, it appears perhaps it could have been prevented. If, in our private lives, we decide we want to forgive somebody for taking \$600 that may be one thing, but he is not sure whether private employers keep people who take money even if they offer to pay it back. Certainly, we should expect no less from the employees who work for Mr. Kubic and ultimately are accountable to him and Council. And no less from anyone who touches any taxpayer dollars or has anything to do with, affiliated with or associated with this organization.

The vote was: FOR – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT – Ms. Von Harten. The motion passed.

Two-Week Progress Report

Mr. Gary Kubic, County Administrator, circulated copies of his Two-Week Progress Report, which summarized his activities from May 10, 2010 through May 21, 2010.

DEPUTY COUNTY ADMINISTRATOR’S REPORT

Two-Week Progress Report

Mr. Bryan Hill, Deputy County Administrator, circulated copies of his Two-Week Progress Report, which summarized his activities from May 10, 2010 through May 21, 2010. Within his report, Mr. Hill outlined this year’s expenditures to date as well as provided a four-year recap. All this information is posted on the County webpage under the Finance tab. Also posted online is audited enterprise through April 2010. The County line-item budget is available online as well as Mr. Hill’s budget presentations dated May 10, 2010 and May 24, 2010.

U.S. Highway 17 Widening

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported the U.S. Highway 17 project is a design-build contract for the widening of six miles of divided highway and major intersection in Beaufort County. The contractor is Phillips and Jordan of Knoxville, Tennessee. The project cost is \$100,471,305. The contract completion date is October 1, 2010. The project is 80% complete. The contractor continues work on the existing roadway overlay, ramp embankment and Gardens Corner bridge improvements.

New Bridge over Beaufort River / U.S. 21 / S.C. 802 Construction Project

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported the new bridge over the Beaufort River will be a 4,200-foot bridge. The contractor is United Contractors, Inc. of Great Falls, South Carolina. The cost is \$34,573,368. The completion date is August 2011. The project is 30% complete. The contractor finished with pile foundations, 84” drilled shafts and flat slab decks and is moving forward into girder spans.

S.C. Highway 802 Roadway Construction Project

Mr. Rob McFee, Division Director-Engineering and Infrastructure, provided an update on the status of S.C. Highway 802 roadway improvements.

Mr. Baer asked if staff is still on schedule for August to receive the overall accounting of how much money is left and required to finish the project Council wanted finished.

Mr. McFee replied the spreadsheet, with regard to how the money is programmed and contained in the Monthly Progress Report, dated May 24, 2010, estimates the contingency at \$232,305.

Mr. Baer remarked the question members of the Transportation Advisory Group (BTAG) asked in January 2010 was, “Assuming we built U.S. Highway 278 all the way out to S.C. Highway 170, including stormwater work, assuming we stopped the 5A bridge, but did everything else in 5A, and assuming we continued with the bypass roads on U.S. Highway 278 and continued with projects like Highway 802 and the \$550,000 engineering of Boundary Street and S.C. Highway 170-Phase I, how much money would be left?”

Mr. McFee replied, \$232,305.

Mr. Baer asked if all bids are in hand to come up with that number. Mr. McFee replied as he reported at the May 10, 2010 Council meeting, staff is waiting on the U.S. Highway 278 bid, due August, and once that hard number, that certainly will firm up all these forecasts.

Mr. Baer referred to Project 3, S.C. Highway 170 widening, which in an important project. Is there any extra money needed beyond what is shown on page 2? Mr. McFee replied there are

not based on what we know right now. Of course, we are looking for donation of right-of-way through development agreements, through the Town of Bluffton. That facility is designed.

Mr. Stewart followed up on Mr. Baer's comments regarding S.C. Highway 170. In addition to the right-of-way, we need to have resolution of the Town of Bluffton's suggested changes brought forward (rotary / roundabout at Bluffton Parkway, slower speeds, etc.) all of which Mr. Stewart understands was done after the project was designed. Mr. McFee agreed.

Mr. Stewart asked several questions. "Where do we stand on that aspect? Are there changes? Are those monies included? Where will those monies come from, etc.?"

Mr. McFee replied the Town of Bluffton (Town) wrote to SCDOT Executive Director Buck Limehouse, directly, advocating for these changes. Mr. McFee does not believe SCDOT answered that letter from the Town. The County has been working with the Town to try to refine as best we can exactly what they want. In regards to the changes, the existing program budget would have to support the changes insofar as the additional cost for a rotary or anything like that.

Mr. Stewart asked if we understood what the final design would be, with respect to those potential changes, and if we had the right-of-ways in hand, would we be prepared to go forward with construction now or out for bid construction.

Mr. McFee replied at this time the right-of-way is the largest issue. But if that were solved (in Mr. Stewart's hypothetical), then we would still have the form issues with the Town (roundabouts).

AN ORDINANCE AUTHORIZING THE PLACEMENT OF A PUBLIC QUESTION ON THE OFFICIAL BALLOT FOR THE GENERAL ELECTION OF NOVEMBER 2, 2010 CONCERNING A PROPOSITION AUTHORIZING BEAUFORT COUNTY TO ISSUE NOT TO EXCEED \$40,000,000 GENERAL OBLIGATION BONDS TO ACQUIRE LANDS FOR PRESERVATION AND TO PAY CERTAIN COSTS AND DEBT SERVICE RELATED THERETO

Mr. Newton said this issue is before Council with a Natural Resources Committee recommendation to move forward, placing the question of rural and critical lands on the November 2, 2010 ballot. There were five members of Council in attendance at the June 7, 2010 Natural Resources Committee. In conversations over the last week with Mr. Sommerville, Mr. Budds, Mrs. Bluntzer and others connected with the Open Land Trust, there are a couple of observations. One, is we have a significant amount of money left in the Rural and Critical Lands Program (Program) today. Given our average expenditures, it would carry us until the general election in November 2012. Tied back in with the potential contract award to the Open Land Trust for consulting services of the Program, causes Mr. Newton to suggest perhaps, it is appropriate to refer this matter back to Natural Resources Committee, without Council's objection and Mr. Sommerville's concurrence, to receive comment from representatives of the Open Land Trust and Coastal Conservation League and others who have been watching. Clearly, in this economic time we find ourselves (and if we have the money today that exceeds

our average expenditures), do we bring the referendum question forward this November and potentially saddle or strap taxpayers with an additional increase or wait and carry this matter to the following general election November 2012? We all believe this is a successful Program and it may just be appropriate we do not need to burden our taxpayers with that at this point in time.

Mr. Sommerville is happy to take the issue back to Committee. This is a balancing act. On one hand we do not want to lose momentum or enthusiasm for what has been, by most accounts, one of the most successful programs we have in this County. We preserved thousands and thousands of acres of rural and / or critical land that would have or might have been developed in a way that would have been detrimental to the County. We have a large inventory of land at this point most of which have public access. As funds become available, we will make this available to the public in a form of passive parks and other ways. We do not want the Program to lose momentum. The last thing we want to do is give anyone the impression we are losing interest or enthusiasm in the Program. That is absolutely not true. What we are trying to do is balance it against the need to ask the taxpayers for an additional tax increase. We believe, as the Chairman pointed out, we have enough money in the Program today to last us until 2012. Obviously, land prices are low now or lower than they were in the past. This is a great time to make some good deals. We have and will continue to do that over the next year or so. There is \$10 million not yet bonded from the 2006 voter-approved \$40 million bond referendum. Mr. Sommerville believes the prudent approach is to not ask the taxpayers in November 2, 2010 to vote themselves what will amount to a tax increase, but to allow us to prudently proceed with the Program, under the leadership of the Open Land Trust through 2012, and in November 2012 perhaps come forward with a request for another referendum of additional funding.

The Chairman referred this item back to Natural Resources Committee, without objection by members of Council, for additional conversation or input from Open Land Trust and Coastal Conservation League representatives.

RURAL AND CRITICAL LANDS PRESERVATION PROGRAM CONSULTING SERVICES FOR BEAUFORT COUNTY

Main motion.

It was moved by Mr. Sommerville, as Natural Resources Committee Chairman (no second required), that Council approves the contract award to Beaufort County Open Land Trust for Rural and Critical Lands Preservation services with the anticipated cost per year of \$144,000 for an initial contract term of one year with four additional one-year contract renewal periods all subject to the approval of Beaufort County.

Mr. Rodman said this item relates to changing the outside professional consulting services to provide staff support and assistance with the acquisition of land and conservation easements pursuant to the Rural and Critical Lands Program (Program). At the time we were looking at that, we anticipated having \$10 million bond remaining from the 2006 \$40 million referendum and going forward with the \$40 million, which would have entitled a certain amount of effort both in preparing for the referendum and the execution of the money if approved by the

taxpayers. If we are now going to go at a slower rate for a couple of years and then come back and consider a referendum two and half years from now, does that influence the amount of money we need to pay to the outside consultant? Mr. Rodman said it seems, perhaps, this item ought to have some kind of a review based on whatever the committee decides to do with placing the Rural and Critical Lands referendum question on the November 2010 ballot.

Mr. Newton replied we are prohibited by law to advance the outcome of a referendum question. He does not believe the dollars would be any different with or without the referendum question. They are separate items.

Mr. Rodman understands we cannot spend taxpayer money on the referendum. Whenever we move forward with the referendum, it becomes more heavily a referendum on whether did well with the first \$90 million taxpayers gave us than what we are going to do in the future. Therefore, it seems to Mr. Rodman part of the outside consulting services in some form, since they are most familiar with it, would have to be identifying what it is we did regardless of how you work out the money. Mr. Rodman believes when the question goes before the voters, it will be heavily a referendum on what we did. Mr. Rodman agrees with sending consideration of the referendum question back to Committee. He is not quite sure Council has the right dollar amount. It seems that decision might be different after the committee looks at the referendum question.

Mr. Baer supports the committee recommendation. It is time to redo the Greenprint Map. Several Council members expressed concerns about the price we paid for land and where the land is purchased. Even though the level of spending may be going down in purchasing properties, the level of study is going to go up for a while in doing this new Greenprint Map. It is appropriate to leave the recommendation as it stands.

Mr. Sommerville commented The Trust for Public Land administered the Rural and Critical Lands Program until 2009. The contract then transferred to Conservation Consulting Company. During that time, the amount we paid to The Trust for Public Land at one point was decreased by one-third. If and when it is transferred to the Open Land Trust will decrease again by another 50%. From \$30,000 to \$21,000, and then to \$12,000, it plummeted in terms of monthly costs. Mr. Sommerville certainly would not want to leave the impression that Council has not looked at the monthly costs and taken that into consideration when bringing forward the committee recommendation to employ Open Land Trust, as outside professional consulting services for the Program.

Mr. Rodman said his point was if Council delayed the referendum has the level of effort gone down.

Mr. Caporale said Mr. Rodman's comments raised sufficient concern in his mind. He, too, would think this item probably ought to go back to committee. It appears the level of spending is going to fall to less than one-half annually of what we have been spending.

Mr. Newton replied the \$18.5 million is remaining (\$10 million bond remaining from the 2006 \$40 million referendum) not a ratcheting down of the Program. Initially, the Nature Conservancy was the first Program consultant. The Program was restructured and The Trust for Public Lands became the second Program consultant and introduced the Greenprint Map. Conservation Consulting Services become Program consultant three.

Mr. Caporale said it is not a question about the value of the Program. It is not a question of the people who managed it or what dollars the voters approved. It is solely a question in Mr. Caporale's mind about spending in general.

Mr. Newton remarked all he was trying to do was highlight there have been three or four different consultants over time. The dollar amount to run the Program is down. This is in response to a County initiated Request for Qualifications (RFQ).

Motion to amend by substitution.

It was moved by Mr. Rodman, seconded by Mr. Caporale, to refer this issue to the Natural Resources Committee to be looked at in coordination with the proposed referendum question that too, was referred to the Natural Resources Committee.

Mr. Stewart agrees with wanting to get the best deal for the County. If the numbers are not appropriate, we need to review them. The only question Mr. Stewart has with sending the issue back to committee is that there are some negotiations in the pipeline, which need to be dealt with. If we send this back to Committee, will we have anyone under contract between now and when we do bring it back and bring it back to Council.

Mr. Sommerville replied if we postpone approving staff's recommendation to award this contract to Open Land Trust, Conservation Consulting will continue to run the Program at approximately \$22,000 per month. Conservation Consulting has very graciously agreed to not leave us in the lurch under any circumstances. Mr. Stewart is absolutely right. They have established relationship with the property owners who are in the pipeline. That transition is going to be seamless and smooth no matter how it comes out.

Mr. Stewart wants to make sure Council understands that is the case. He would not want to see a period of time when things drop out and not continue forward.

Mr. Sommerville will vote against the motion to amend. He understands the concern. The concern has to do with the relative amount we might spend per year during the next two years absent a referendum. If that is the case, since 2000 we spent about \$83 million. That equates to about \$8 million per year. If we have \$18.5 million for the next two years, he does not really see that as an issue. He would like to see this transition take place as soon as possible because there is a lot Open Land Trust brings to the table. He would like to get their resources and work on the Program and that includes seeking grants, matching grants and other funding for the Program. He does not really see any reason to postpone that unless for some reason somebody objects to Open Land Trust and that is a whole other matter.

Mr. Flewelling said this issue already went through Committee. It went through significant debate. There was a proper RFQ and everybody had a chance to respond to the RFQ who was interested in providing these services for us. He does not think anything can be gained by delaying the vote beyond tonight. It should be voted on favorably.

Mr. Caporale wants to make it is absolutely clear this is not about the Program. It is not about the people who manage it. It is about his concern with spending in general. It is interesting to note the assumption is we are going to keep spending at the same pace we have over the last nine years. That is an assumption he does not necessarily applaud. If it is acceptable, he will withdraw his second to the motion. Again, Mr. Caporale wants to make it clear it is not about the Program. It is not about the people. It is about spending in general — indebtedness.

Mr. Caporale withdrew his second to the motion to amend by substitution.

The motion to amend by substitution died for lack of a second.

Mr. Newton pointed out this contract award was in response to a Beaufort County issued Request for Qualifications. The evaluation committee consisted of Mr. Ladson Howell, staff attorney; Mr. Ed Hughes, Assessor; Mr. Dan Morgan, GIS Director; and Mr. Dave Thomas, Purchasing Director. They ranked the various respondents and determined Beaufort County Open Land Trust, a local firm, provided the best approach at a fair and reasonable price. He noted the recommendation, absent referendum consideration in this ranking, is \$144,000 for an initial term of one year with four additional one-year renewal periods. Even if we were going forward with a referendum in 2010, puts us off into the future for those considerations at that time.

Mr. Rodman's point was if the RFQ went forward and we were all under the assumption we would move forward with a referendum (now there is a good probably we will not), so under any circumstances, no matter how you cut it, there is a lower level of effort. He is not totally convinced if we were back doing it again, with the lower level of effort in front of us, we might come up with a different price. He was only questioning the level of effort and whether that relates to fees.

Mr. Caporale said even the assumption we would go to the voters in 2012 for money, is a very optimistic projection. He said he is not sure on what that optimism is based.

Mr. Newton said we may not go to the voters in 2012. As Mr. Sommerville noted, today we are spending \$20,000 a month. We have an opportunity and a request from our evaluation committee to only spend \$12,000. It is only a one-year contract. He does not know of any given month were we may have spent \$18.5 million. If we do and we spend it all, at the end of next year we are not going to renew this contract. We will see if we go to another referendum. He, too, thought the issue was pretty well vetted at committee. His concern is simply this – the more we toil around with this, it begins to look like we are, perhaps, indecisive. Mr. Rodman raised very valid points tied to the referendum. But, if we separate those two issues, realize this is a one-year contract and our staff recommended it. Mr. Newton said he is not sure what we gain from going

back to committee unless we are willing to rebid and throw out all of the responses to the RFQ and start the process over.

The vote on the main motion was: FOR – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Sommerville and Mr. Stewart. OPPOSED – Mr. Caporale and Mr. Rodman. ABSENT – Ms. Von Harten. The motion passed.

AN ORDINANCE FINDING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA MAY ISSUE NOT EXCEEDING \$4,000,000 GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION

This item comes before Council under the Consent Agenda. It was discussed and approved at the May 3, 2010 Finance Committee meeting.

Mr. Rodman stated Hilton Head No. 1 Public Service District is located on the north end of Hilton Head Island. As many of you know, the aquifer underneath the island has saltwater intrusion. This particular method, which has been used in other places, including Beaufort/Jasper Water and Sewer Authority, is to actually take fresh water and insert it back into the ground and then recall it when needed. This is the money to do that. Their Board of Directors has approved it. Their board members are elected officials. Council's role is more of a formality to approve this unless we see something wrong with it.

It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Council approves on second reading an ordinance finding that the Hilton Head No. 1 Public Service District, South Carolina may issue not exceeding \$4,000,000 general obligation bonds and to provide for the publication of notice of said finding and authorization. The vote was: FOR - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

The Chairman announced a public hearing on this issue would be held Monday, June 14, 2010 beginning at 6:00 p.m. in the large meeting room of the Hilton Head Island Branch Library, 11 Beach City Road, Beaufort, South Carolina.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO) THAT REPLACES ALL THE COMMUNITY OPTIONS WITH A TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION: ARTICLE V, DIVISION 1, TABLE 106-1098 USE TABLE; ARTICLE VI, DIVISION 2, TABLE 106-1526 OPEN SPACE AND DENSITY STANDARDS; ARTICLE VI, DIVISION 3, TABLE 106-1556 LOT AND BUILDING STANDARDS; ARTICLE VI, DIVISION 4, TABLE 106-1617 BUFFERYARD AND LANDSCAPING STANDARDS; ARTICLE XI, DIVISIONS 1 AND 2

The Chairman announced a public hearing on this issue would be held Monday, June 28, 2010 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort, South Carolina.

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Sommerville, seconded by Mr. Baer, that Council goes immediately into executive session for the purpose of receiving purpose receiving information regarding negotiations incident to proposed contractual arrangements and proposed purchase of property
The vote was: FOR – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

EXECUTIVE SESSION

Ms. Von Harten arrived at 6:15 p.m.

RECONVENE OF REGULAR SESSION

PRESENTATION / FY 2010 / 2011 SCHOOL DISTRICT BUDGET PROPOSAL

The Chairman stated County Council's function and role related to the School District (District) is approval of its total budget. Contrary to what was said, Council does not have the authority to exercise adjustments in the individual items within the District's budget. Council has no line item authority over the District's budget. Council appropriates a total number of dollars. Any particular program cut and any particular types of activities that may or may not be funded, all that responsibly lies exclusively with the Board of Education. He knows there was an internet posting on the District website indicating all of Council's activity took place in closed door session and Council only came out for this one opportunity for the public to address Council. Please let me assure you, as you see all the cameras in this room, as well as in the room next door, the County invested a substantial sum of money in making sure County government and every one of its deliberative process sessions are absolutely open. Every one of Council's meetings are posted on the internet and video streamed live. They are all rebroadcast on television and there are no budget discussions behind closed doors. It is against the law. It does not happen.

Mr. Rodman said he will comment on both the County and District at the same time because the paths are similar and it may be useful in terms of understanding what the open issues are. We have capital budgets and operating budgets. In the case of capital, we are talking about buildings. In the case of the County we will look at and refine as we go forward. In the case of the District, Council does not actually have a say in the capital budget except for converting the amount of money the District wants to spend into an actual tax levy. As part of Council's overall view of what happens countywide and its impact on the taxpayers, Council certainly wants to understand what that capital number is and perhaps converse a little bit with the District. Council literally does not have a say in that issue.

That leaves the operating budget, which runs from July through June. The target is to try to get those wrapped up in the month of June. Today is second reading consideration and a third and final reading is required. August is when tax levies are finalized.

As Council went through both the District budget and County budget, it is fair to say they both did a lot of hard work, a lot of good work and a lot of comprehensive work in terms of putting together budgets in a very difficult time. Part of what Council goes through is to understand and ask questions about what the issues are. As Mr. Newton said, the most Council can do is vote something up or down. Council does not want to micro-manage the County budget and so we look heavily to the Administrator and we talk on a conceptual level about whether certain items should be in or out. In both cases, good budgets, comprehensive budgets, and relatively small number of questions from Council relative to the depth and the amount of money involved in the budgets.

The only issue still on the table and one talked about in the print media a little bit and emails, is step increases (not to say we are going to decide this tonight but so the public is aware what the issue is). From the County perspective for some period of time employees have not had cost of living increases. It is in its third year of an effort to hold the line on taxes. There is one agency Council actually funds, not from the District standpoint, that has a similar type of step increase and we have asked the County Administrator to go back and to take a look at that. On the County side we have relatively few issues left, not to say some more might not rise up.

On the District side the one piece probably on the table is the fact the District asked for a tax increase and it does include step increases for teachers. As Mr. Newton said, that is not within Council's purview. The most it can do is vote something up or down. In the case of step increases, the number of steps relate to the number of service years teachers have and at some point, in the low 20's, there are no more steps beyond that. If you think about older, more experienced teachers, they would not receive a step increase if the budget held. In the case of younger teachers they would see some step increase. It is not an across-the-board type of thing.

What happens in the August timeframe when a lot more information is available, representatives of the County and District sit down and figure out the tax levy because there are a lot of moving pieces. There is some legislation in Columbia that probably won't pass, but perhaps will generate some money for the District. We always end up seeing what the fund balances are and there may be continuing discussion on how many dollars will actually roll in from the mills. Both County and District are doing a continuing good job to cut expenses where they can.

What we have before us today is second reading of both the County and District budgets. In the case of the District budget, Mr. Rodman does not anticipate too much controversy. With the County budget, there are some Council members who are very concerned about a tax increase and not having a level cost of living between the County and District. They may influence some people as they vote and go forward. Some of that discussion will become clearer in August, but in any event we still have to do the best we can to finalize these budgets during the month of June because the fiscal year starts July 1.

Mr. Fred Washington, Board of Education Chairman, requested an opportunity to make comment after the public hearing, specifically in reference to step increases. He read a prepared statement dated May 24, 2010 from Mr. Robert Arundell, Vice Chairman, to County Council:

I write this letter today because there is no greater need than that of the education of all our children and there is no more important place to address that need than at the site where its funding is at stake.

A few days ago, I underwent surgery at about 4:00 a.m. As I was resting in one of the ICU recovery rooms, I had the opportunity to watch the community channel. A rerun of the County Council's Natural Resources Committee meeting of May 14 was being aired. At that meeting, the committee voted in favor of supporting a referendum to spend an additional \$40 million for land purchase at will preserve the natural beauty that abounds in Beaufort County. The vote was 4:1 in favor of the motion. The lone dissenter had mentioned concern about bringing such a spending measure before the public at this time of economic recession. No one questioned the need to preserve our natural environment. No one objected to the added mills such a measure would bring to the taxpayers if it passes. Like me, I suspect all concerned knew the value of our land preservation efforts.

I then asked myself another question. For whom are we really preserving this nature wonder land? Our children, of course.

Last year, both County Council and the School Board held the line and did not raise property taxes. However, there is one thing that County Council did not hold the line on last year: the fees it charges the School District.

It is critical that members of Council [are] very mindful that they have control over many more wells from which to draw their water than we do. For each of the past three years, County Council has raised the amount they charge the School for stormwater fees. For each of the past three years, County council has approved increases in what the County Sheriff charges the school District for the [school resource officers] SROs [who] ensure the safety of our children. For each of the past three years, County Council has approved other increases charged to the School District. I do not question that members of Council only did so because they determined that the increase were justified. Now, for the upcoming budget, Council once again will be raised all of these different fees it charges the School District. There are two problems with this: One, you raise what you charge us for various services, but then you ask us not to raise taxes to pay for those increases. Two: we do not have different wells from which to draw water. Our operations budget is all we have. County Council can avoid a property tax increase but still draw more water by raising the cost of business licenses (up over 200% in the past five years) and raising stormwater fees, recreation fees, and the

list goes on. We do not have the same luxury. Is Council prepared to pass a motion that prevents an increase to any fee we are charged by the County or any county agency over whose budget the Council has oversight?

The School District has held the line on staffing; we have held the line on overhead costs; we have held the line on energy costs. The 2% increase has nothing to do with holding the line on expenses. We have not raised the line on expenses. The 2% increase is because we refuse to lower the line on the quality of our public education. We are a growing school district, growing in numbers; growing in diversity; growing in the demands of our gifted and talented students; growing in the rage of special needs we must supply.

I support the Committee's desire to spend an additional \$40 million so that nature can continue to grow; I ask that Council support the \$2.4 million we need so that our children can continue to grow as well. Thank you.

Dr. Valerie Truesdale, Superintendent, thanked Council for the opportunity to be here tonight and to answer the many questions Council posed to us.

Mrs. Phyllis White, Chief Operations Services Officer, summarized the FY 2011 budget proposal. The total expenditure budget is \$175,300,000. The budget includes increases for teachers who experience step (about \$1.3 million), Riverview Charter School (allows expansion to grade 6), opening new schools (\$3.8 million), other contractual items (\$2.4 million). The District decreased the base budget again for 2011 — Almost \$7 million in the last two years. There were 74 position in 2010 (about \$4.5 million) and we now have another \$3.1 million decrease for 2011 (elimination of 15 positions, reduction in pay for some positions, reductions by District Office). The allowable increase under Act 388 cap is 2%. The District requests a 1.8 mill increase associated with the 2%.

Dr. Truesdale went through the questions posed by Council.

Question 1 – Provide a demographic breakdown by school. Answer – Typically, Council reviews District data as a whole while school data is examined by the Board of Education. However, detailed District and school data pupil enrollment trends were provided by Finance Committee of Council earlier in May. The total number of students is 19,778. The Hispanic population increased by 236 students in 2009/2010 and makes up 19% of the total enrollment. Enrollment increased in a five-year period by 740 children and in a six-year period increase by more than 1,200 children. The rate of increase declined significantly the last several years. The District is being very fiscally conservative this year and is not going to project an additional 109 students even though projections show these additional students nor add the five additional teachers. The only increase used in the budget proposal is the increase already approved two years ago for Riverview Charter School to increase by 56 students.

Question 2 – How many Limited English Proficient (LEP) students are served? Answer – The District serves 19% Hispanic learners, many of whom are LEP. The District also serves 4% LEP

students, whose native language is not Spanish. For instance 55 LEP students are Asian. A designation of LEP does not mean students cannot speak any English. It means they qualify for additional services for English as a Second Language (ESOL) to support them as they learn. There are 3,038 students who receive additional support as LEP children.

Question 3 – What is the cost of ESOL teachers? Answer – The District employs 39 ESOL teachers, 24.5 from the General of Fund and 14.5 from Special Revenue Funds (Lottery and At-Risk) for a support cost of \$2,518.013. These support costs are in addition to services provided to all students. Interestingly, the percentage of ESOL students' services in Bluffton and Hilton Head Island schools increased from 92% to 87% [*sic*]. The ESOL students served in schools in northern Beaufort County increased. Shanklin Elementary and Battery Creek High School in particular increased ESOL populations. Tremendous progress has been made in increasing English proficiency for ESOL students in Beaufort County in the last two years. English proficiency scores for ESOL students are the fourth highest in the state. In 2008, no elementary or middle school made federal Adequate Yearly Progress (AYP) for LEP learners. In 2009, all elementary schools and all middle schools made AYP for LEP in English and in math. Only Hilton Head Island High School and Bluffton High School did not make AYP in 2009. In the FY 2009-2010 budget the District reduced the budget by eight ESOL teachers while opening three new schools, one of which is more than 50% Hispanic, and while the limited English proficient population grew from 14% to 15.4%, an increase of 312 students. By increasing targeted instruction, amplified with software and Extended Learning Time, the District is making gains. The state recommends one teacher to serve every 60 ESOL students which would be 50 teachers. The District ratio is one ESOL teacher for every 50 student, yet it is making strides and recently was complimented by the State Department of Education for making tremendous progress.

Question 4 – Provide pupil enrollment over time. Answer – The District grew by 744 students, or 3.9% in the past five years. The District opened four new schools, including Riverview Charter School and will open three more schools in fall 2010.

Question 5 – Provide revenue and expenditures trend. Answer – In 2009/10, the District opened four new schools, including Riverview Charter School, reduced staff by 74 positions (a total reduction in budget of \$4.5 million) and brought in a no tax increase budget. For 2010-11, the District requests a 2% increase budget and three more schools will open with an additional decrease of 15 staff. In a two-year period, the District will open seven new schools with a net reduction of 89 staff members. It is important to note each time the State mandates a teacher salary increase, 1% equates to approximately \$1 million. This does not include any other increases the State may mandate such as retirement matches and insurances costs. Therefore, in order for the District not to have a tax increase (hold the line); it would need to cut costs or have sufficient growth in the assessed value to cover the mandated costs. The District cut more than \$7 million in the past two years to minimize impact on taxpayers of costs due to State mandates and opening of new schools.

Question 6 – Provide information on collections. Answer – The District has not received 100% in collections. In developing the 2010/11 budget, the District uses an estimate of 98% for collections for it is clear collections are short every year.

Question 7 – Provide expenditures by student. Answer – The State Department of Education Insite report, which is the audited record of school district general fund expenditures per student (average daily membership, not enrollment) in 2009, was \$10,505 per student. According to the Budget and Control Board, this is the only official data on expenditures by student.

Question 8 – Explain the per-Kindergarten Pupil data. Answer – Three- and four-year olds are served in Beaufort County Schools if they qualify for special needs. Service for these students is funded by federal Individuals with Disabilities Education Act (IDEA) allocation. In 2008/09, 107 students, and in 2009/10, 44 special needs pre-schoolers were served. Four-year olds in Beaufort County are served only if they qualify as “at risk,” as defined by the South Carolina State Board of Education. Tight controls are in place to ensure all four-year olds who are served qualify under “at risk” criteria. In 2008/09, 723 students were served. By changing the model to half-day programs and serving full day only in Title I schools, the District was able to serve more at risk students on the waiting list. The District was able to serve 825 4K students in 2009-10, without adding teachers. The 4K program costs approximately \$2.4 million. In 2009/10 the District partnered with Head Start for a grant using stimulus funds, and 13 additional classes of children ages 0-3 are now served in Whale Branch and St. Helena communities.

Question 9 – What would you cut if Council does not fund the requested budget? Answer – In preparation for the 2009/10 budget, the Board of Education directed the District to break down services into categories. Tier I includes those services required by law or regulation. Tier II are services supporting the classroom. Tier III are those services needed but could be cut if the budget were not supported. Tier III items include safety items such as school resource officers and hall monitors and early childhood services such as pre-Kindergarten teachers and assistants. There is also an insurance item paid by the District for all staff for several years which, if cut, would be a reduction in salary for every District employee. There has been a stated goal of preserving class sizes. Currently, there are 154 classes larger than 30 students in the District middle and high schools, 21 of which are larger than 25. With staffing as tight as it is, further cuts would mean we cannot add teachers if enrollment increases. Although we are projected to grow by 109 students for next year, staffing held flat (except for Riverview Charter School increase of 56 students). The District developed a budget which means schools will have to absorb the estimated 109 additional students in 2010-11.

Question 10 – The General Assembly is considering allowing school districts to freeze the step increase on the teacher salary schedule and mandating furloughs for school and district administrators. What would that mean to the District? Answer – In South Carolina the General Assembly sets teachers’ salaries in a statewide teacher salary scale. Each year, the scale increases by an average of 2% up to the 23rd year of service. In addition to step increases, the General Assembly typically legislates a cost of living increase. There was no cost of living increase for teachers in 2009-10 and there will be none in 2010-11. The step increase in the teacher salary scale has not been frozen before. In Beaufort County, if schools froze the step

increase and furloughed all school and district administrators for two days, the savings would be \$1.3 million. Each teacher would lose approximately 2% of his / her salary and every assistant principal, principal, athletic director, coordinators director and all administrators would lose two days of pay. Concerns about this course of action are immense. The cost of living in Beaufort County is highest in the state. Eighty-nine staff positions have been cut in two years while seven new schools will be opened and student achievement data trends solidly in a positive direction. Teachers and instructional leaders are being asked to do much more with less. To reduce their pay further would lose additional funds to the local economy. This course of action is not recommended by the District and is not approved by the Board of Education.

Question 11 – With the low enrollment on Daufuskie Island, would it not be more cost effective to close the school and ferry students to Hilton Head? Answer – It would be cost efficient to close the Daufuskie School. The District currently transports students to the middle and high schools. The District and Board of Education do not support transportation of children ages 5 through 10 across to Hilton Head Island. The District was able to increase efficiency in 2009 /10 by employing a teacher who moved to live on Daufuskie. Daufuskie Elementary made federal Adequate Yearly Progress (APY) in 2009 for the first time.

Question 12 – What are all sources of funds? Answer – Education Improvement (EIA) funding decreased due to State cuts. Between FY 2006 and FY 2007 \$12.9 million was lost from the State and \$15.8 million has been lost from the state since FY 2005.

Question 13 – Is the District making academic progress? Answer – There is a positive trend toward increasing academic achievement in Beaufort County. Our goal is to meet or exceed the state and national averages in all grade levels and subject areas on state assessments (PASS< EOCEP and HSAP) in addition to increasing our students' scores on the ACT, SAT and MAP tests. The positive momentum has been building. The District celebrates the academic achievement of its students: (i) 128 eighth grade students were recognized as Junior Scholars 2009, (ii) 12 schools made Adequate Yearly Progress in 2009 compared to 4 in 2008, (iii) The number of schools deemed “at-risk” on SC School Report Card reduced from 4 schools in 2008 to just 1 school in 2009, (iv) Six schools received an Absolute Rating of “good” on SC School Report Card in 2009, compared to only 2 schools in 2008, (v)The 2010 Spring MAP (measure of Academic Progress) tests scores exceeded the 2009 Spring MAP scores in every tested area. Sixteen of 18 tested areas met or exceeded the national average. (vi) On the 2009 PASS, 7 of 30 measures met or exceeded the state average compared with 1 of 24 on the 2008 PACT measures. Student achievement results continue to show the District moves forward toward meeting 2001-12 Strategic Plan goals.

Question 12 – What are all sources of funds? Answer – Education Improvement Act (EIA) funding decreased due to State cuts. Between FY 2006 and FY 2007 the District lost \$12.9 million in Education Finance Act (EFA) and \$15.8 million has been lost from the state since FY 2005.

The Chairman opened a public hearing at 6:52 p.m. and recognized Mr. Michael Allen, who was chosen as teacher of the year in 2008-2009 and has chosen to advocate for teachers. He asked

Council to fund the budget as requested. He cited statements by John Adams and Thomas Jefferson. He asked Council not to lose the progress made.

Ms. Renata Booth, a teacher at Mossy Oaks Elementary, represented her fellow faculty members. She asked that Council fund the budget. Teachers have been fighting an erosion of their support system. 12 schools made AYP this year because of hard work in the classroom. Teachers have to maintain their licenses through continuing education to ensure best practices in their specialties and more. This has led to the trend of improvement. Tier III cuts would be a devastating blow to their trend of progression. She said putting the burden of the tax problem on teachers is unfair.

Ms. Susan Prekop, a first grade teacher at Mossy Oaks Elementary, said she and most teachers rarely work an 8-hour day owing to preparation time. They work without lunches and breaks, in addition to spending time attaining professional development. They also research, write grants and fund materials, etc. from their own pockets. They mentor co-workers, serve on committees, and attend various events with parents such as the PTO. They must attend frequent meetings, be technology-proficient, and submit regular reports, all of which is time consuming. Every teacher plays many roles beyond their work in instruction in the classroom.

Ms. Constance Higginbotham, a retired teacher, said the School District has not provided cost of living raises to its employees and has delayed hirings, etc., yet there has been a 200% increase in the number of schools which made AYP as well as other district-wide accomplishments. She is concerned about reductions in income and benefits, and the impact the absence of raises has on the community and the schools' students. She went on to identify other possible cuts and reductions that will also affect teachers and their students. She feels this is unjust and that the \$4 million must be found to fund public education.

Ms. Susan Dee said she has seen a tremendous change in the school system in the last few years in terms of safety and curriculum through the efforts of teachers. Pulling back on their salaries will not let them finish and truly win the race they are currently pulling ahead in. She feels morale is low and teachers need to be rewarded for hard work.

Ms. Karinanne Koenig worked in the School District 17 years. When she first came to the school district, she was "shocked and appalled," but Dr. Truesdale's arrival made a huge difference. She no longer needs to leave the state to continue her own education. She asked Council not just approve the budget but fund it in order to continue to attract excellent educators.

Mr. Jim Bequette, a Board of Education member, said council quadrupled the business license rates, not doubled them as previously stated. He presented information from the state about revenue projections per student. He feels people have been misled by the state legislature's "revenue guesstimate." He said this is hurting the reputation of the school board. 24 other districts have higher costs per student than Beaufort County does, not 2 as previously stated. He feels the actual amount per student is \$10,505.

Mr. Eric Gnau said he believes all citizens should be provided the best education systems available, but he is opposed to the way this increase is funded. Teachers are his heroes, and he believes they deserve a large increase, but in times of economic uncertainty, a tax increase will be very difficult. As a realtor, he is aware of the potential difficulties for second-home buyers and small businesses. He believes the Council should seek other ways to fund the salary increases.

Mr. Brad Smith, a science teacher at Beaufort High, said he left a job in management to teach high school and to bring what he could to students from his experience in the work place. He loves his job. Other teachers left businesses to move into the classroom and take children to the next level. He feels education is about investment, not taxes. He went on to describe the benefits of this investment.

Mr. Jim Olsen, a retired Marine turned teacher, said he encourages Marines leaving active duty to go into teaching. He often hears that people do not want to go into teaching because they feel they will not make enough money to support their families. He spent \$1,000 of his own money this year to provide “stuff” to his students. He asked Council to support the increase.

Ms. Sharon Brown said she is uncertain why they should have to come before council to plead to keep the quality teachers they have in the school district currently. She works in the school system and knows how hard the teachers work. She feels the Council needs to “have a heart for our students” to get a quality education and go on to good post-secondary schools.

Ms. Marion Shumake is a retired teacher. She is a child advocate and in favor of education. She said it is “so much cheaper to educate a child than to keep them in prison.” She said she assumes that council is educated and professional, which they obtained from teachers.

Mr. George Wilson, Board of Education member, said 45 years ago he thought about being a teacher but chose not to because of economic reasons. He feels teachers are social workers and are sometimes more loving and understanding than parents. They wear many other hats as well. He sometimes feels he would have enjoyed being a teacher. He believes in public education and believes the children need a better education for the United States to continue to be a competitive world power.

Mr. Dan Durbin, principal of Beaufort High School, said Council is hearing what they already know, but he feels transparency from the school district is not accepted. They “cut to the nitty gritty” about what they want and need, and this allowed the county to look closely at their request. They have not heard from the principals who watch what happens in classrooms; the teachers interacting with students are what make the difference. The average teacher will pay \$1,100 a year “for the right to teach our children.”

Mr. Kevin Sandusky, a physics teacher at Bluffton High, shared some specifics about the effects of the budget cut if there is no tax increase. The number of students in the AP program at his school increased, and they are adding honors sections in science, all while “running on half an engine.” It is easier to find better-paying jobs elsewhere, so there are expenses when people

leave to make more money and staff has to be replaced and retrained. He said a lot is at stake with this decision.

Ms. Beth Fox has been a teacher for 32 years. She is concerned Beaufort County will fall further behind in education, particularly in regard to replacing retiring teachers. Beaufort County is a wealthy county and once prided itself on the competitive salaries it offered teachers to give children a world-class education. This is no longer the case and she feels Beaufort County is “handicapping itself.” The current, bare-bones budget will keep them from falling even further behind and allow them to be “at least average.”

Ms. Colleen Wynn taught in Beaufort County schools for 26 years and is the current teacher of the year in the district. She urged the council to fund the School District budget as proposed. Many programs could be in jeopardy if this budget is not funded. Losing funding in preschool will have a huge impact on some students. Businesses will suffer, too, because the staffs will have fewer disposable dollars.

Ms. Adrienne Sutton, principal of Hilton Head Island Early Childhood Center, brought her staff and said they all support the budget presented to council. She said she feels many difficult decisions were made, “but the integrity of our work still stands.” She asked Council support the work of all of those who created the budget.

Ms. Debra Clark is a parent. Her children are in Beaufort County schools and feels that this should not even be up for question; the budget should be funded. She invited Council to spend one day with a teacher and said that if they did, there would be no question of funding this budget.

Mr. Bill Weiss said he has children in the School District and while he does not know where the money will come from, he implored Council to find the money to pay the teachers who educate the children.

After call twice more for public comment and receiving none, the Chairman declared the hearing closed at 7:42 p.m.

Mr. Washington said the District is not where it wants to be, but it is trending in the right direction. The District is making progress academically, in student behavior, parental involvement, and community partnerships. Mr. Washington served on two BRAC (Base Realignment Closure) committees. One of the factors seriously considered by the federal government is the quality of public education. That carries great weight in whether this area retains those bases. According to Mr. Donald Schunk, Research Economist at Coastal Carolina University, the military impact on the local economy is \$1.2 billion annually. More than \$615 million of it is at MCAS Beaufort. There will be another BRAC. In the meantime we need to position ourselves to ensure our public education system meets the needs of the Department of Defense and enhances our position to retaining the military installations in this community. Teachers are a critical part of that process and teacher step increases are critical to retaining teachers. Teachers are the primary educators of our children. We need to do something to

ensure we have the very best teachers in our District. Not only did Mr. Washington say he believes in raising the salaries of teachers he also believes in holding them accountable. If they do not perform, he is a supporter of removing folks who do not produce. We have to pay teachers well. We have to demonstrate being the teacher, not an administrator, pays off. Council and Board of Education worked well the past three years and hopefully, we will continue to work well into the future.

Mr. Newton applauded the audience for attending today's public hearing. He is a little concerned because some of what he hears suggests there has been a rumor started that somehow Council set in motion certain cuts in the District budget, which is not true. It was said we are in a partnership and Mr. Newton highlighted that just a little bit, but not specifically regarding this operating budget. Dr. Truesdale talked about the loss in state funds and she knows that it is near and dear to Mr. Newton's heart — the amount of state funding or the lack of state funding we receive in Beaufort County. Ms. Higginbotham spoke in excess of \$100 million collected in Beaufort County and the fact zero, zero dollars come back to Beaufort County. Mr. Newton asked this question, "How many of you all in this room have written to your Senator or Legislator this year and every year since 2005?" He asked for a show of hands. It ought to be everyone raising their hand. Separate and apart from our discussion about this budget and local tax dollars, it is an absolute disgrace the State of South Carolina funds the children in Beaufort County, the District and your organization to the level it does. Mr. Newton challenge, "Thank you for coming here tonight. We are glad you are here and hope to see you again June 14. But, between now and then send an email to your House member, send an email to your Senator, that says 'you want to know what they are going to do this year and what they are going to next year about fixing the education funding problems in Beaufort.'" For too long it has not been the number one topic on their minds. Out of 87 school districts in South Carolina, Beaufort County receives less money than any other school district. In fact, we are the only school district in the entire state to receive zero dollars from the primary education funding formula. While Mr. Newton is delighted with those in attendance today and hopes to see twice as big a turnout on June 14, each of you has an opportunity to reach out to your Senators and House members. Mr. Newton said he wishes every member of the Legislative Delegation was in attendance today because Council goes through this exercise, to some degree, every year it receives the budget. In large part the folks in Columbia do not hear from teachers about what the needs are in the school system. Otherwise, we would not continuously be at the bottom of the rung of funding state education.

Mr. Rodman stated Council does not get into any individual line items. The more experienced teachers, those who have been in the system long enough, no longer qualify for step increases. They are not impacted either way. If step increases go forward, what that means is administrators would stay level (they would not get an increase) and the only people who would get the increase would be the more junior teachers, who would still qualify for the step those below 23 years. It is not as if it is all or nothing. We are basically talking about teachers who are at the bottom end. Having served as a member of Board of Education, Mr. Rodman believes they do, in fact, have a difficult time.

Mr. Rodman remarked it is also fair to say looking over the past five years, some of the comments might have inferred Council did not fund those budgets, but he believes Council funded those budgets in full, as requested. In prior years when there were disagreements, discussion centered around maintenance of local efforts where there were not agreement, then you had to go back and look at what the enrollment increase was and what the inflation rate was. That calculation did not take in account Beaufort County was losing all that money from the state. To some extent, we have all been playing catch up in the last couple of years given the underfunding by the state. It is a bit of a long shot but Senator Davis was a leader in getting some money into the Senate budget which we understand is in jeopardy, certainly in the House budget, but we will see what comes out of that. Perhaps there is a little bit bigger dip into the fund balance that has built up and administration would continue its projectory of continuing to take some money out. Mr. Rodman's personal feeling is Council should approve the budget, recognize there is still a lot of hard work to do, target a no tax increase and see if we can make that come together in the next three months.

It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Council approves on second reading the School District FY 2010 / 2011 budget tax levy of 92.07 mills for school operations and 26.33 mills for school debt service.

Mr. Rodman said Council will potentially revisit the mills as we work through the next three months. The critical number is \$175,270,150 the amount to be appropriated, the maximum the District can spend without coming back to Council for additional approval.

Mr. Caporale clarified the metaphor of Rural and Critical Lands Program and preserving land used. Council had earlier discussion today and the referendum question has been sent back to committee. That is a measure of how Council is viewing these years economically and financially. It is very difficult for everyone, not just teachers. Everyone.

Mr. Baer is going to vote for the District budget. The Board of Education did a very good job at putting together data and answering Council questions. Mr. Baer said he attended an intercity school, which Beaufort County School District would consider decrepit and condemned. We had 25 to 30 students per class. We did not have student parking lots, football stadiums, and we still learned. Although the District has some different problems, the District efficiency is about 13 certified, about half of the efficiency from the school systems that he came from as a kid. Over the years the District is going to have to work on that. One way to keep salaries up is to raise classroom size. It creates other problems, but probably 70% of the District budget is in salaries. It is a tough pill to swallow, but everyone has to tighten their belts. He is going to vote for the budget at second reading, but that is a goal the District will have to look at in future years.

Mr. Sommerville will vote for the District budget at second reading. He complimented the Board of Education with whom Council has had an excellent working relationship since he has served on Council. The administration did an excellent job and most of all the principals and the teachers who made all of this happen. Mr. Sommerville has two children enrolled in the school system and is very impressed with the product he sees. The people of Beaufort County are no different from people in any other county. They want three things from the schools – results,

security / safety, and financial stewardship. Tonight we are talking about financial stewardship. He would not, however, feel right unless he commented on the other two. On the security issue, do not reduce the number of hall monitors or school resources officers. He does think anybody intends to do that, but there are always problems and we need that support. Insofar as how his budget is going to be funded, because of the screwy system the Legislature gave us for funding schools (we do not have a choice on how to do it), we either do it the way it is prescribed or we don't do it. We cannot pick A, B or C. There is no A or B, only C. That C for operations is what we call 6% properties. He heard 6% properties referred to as second homes. There is no question they are second homes. Mr. Sommerville owns six of them and they are not second homes. By voting for this budget, he is voting for a tax increase on six homes. It is very significant to him, but it is well worth it, not just because he has children in the system, if he did not have two children in the system or any children in the system, he would say exactly the same thing and feel exactly the same way. He is happy to vote for the budget proposed.

Mr. Newton noted any tax increase is not just on the 6% properties. It is everything taxed other than 4% properties. It is every car, boat, business, airplane, every type of personal property. It is everything, but primary residence. The distinction between resident and non-resident somehow sort of gets blurred and really does not appropriately or clearly convey what is subject to an increase.

Mr. Flewelling said he intends to vote for the budget tonight, but still has some unresolved issues. One of the issues is the number of students. Dr. Truesdale, having anticipated Mr. Flewelling's question, contacted the State Department of Education today. The question is, "Are 4K students counted as a half-day or a full-day kid"? Several years ago the State Department of Education made the decision that all children count as one unit whether they are taught half day or full day. So they are counted in enrollment as a whole kid. However, the District staff as a half kid.

Mr. Caporale replied that also impacts the total enrollment in a different way. Dr. Truesdale replied the District challenged the State Department of Education (DoE) on that and said should we not adjust the 4K numbers to half FTE for each of the students? Across the state it is reported exactly that way. Their suggestion was: do not change it for Beaufort County because you will be downgrading if we ever do get EFA.

Mr. Caporale remarked DoE likes uniformity because it makes creative thought easier for them.

Mr. Flewelling said if you count full time equivalency, the District change from 2010 to 2011 projection is flat.

Mrs. Truesdale stated the DoE has used this accounting method for several years. 2008 to 2009 was the same accounting. The District had half-day students for a long time. In Beaufort County just a few years ago, schools had half days or full days depending on whether they had students on their waiting list and how persuasive they were in arguing their case for their budget. What the District did two years ago, in light of the economic downturn and Board of Education request, was to bring in a zero tax increase budget and to look at shifting all full day programs in

Title I schools to the second or first half of the day to Title I dollars, and all of the other programs in all of the other schools were reduced to a half day. The District had half-day programs for years and years. Mr. Flewelling thanked Dr. Truesdale for answering his question.

Ms. Von Harten reminded everyone Beaufort County is considered a wealthy county. The assessed value per pupil in 2006 in Beaufort County was approximately \$85,000 while in Clarendon County it was \$6,000 per student. Mr. Newton implored the teachers to please contact their Legislators. But the Legislators, who represent Beaufort County, get it. They know. The problem is there are Legislators in other counties who do not want to change the system because the way the present system ensures their school districts receive plenty of money. Areas like Greenville receive tons of money. There are several different factors that play into that. One is the economic development effort. They put a lot of land into *fee-in-lieu* of taxes arrangements. What that means is all that very valuable industrial land is not included in their assessment. That puts Beaufort County at a real disadvantage. The only way we are going to be able to change that is, not by communicating with Senator Tom Davis or Representative Shannon Erickson or Representative Bill Herbkersman or Representative Richard Chalk, but by talking to your relatives who live in other counties, the grandparents of your children, your neighbors who have relatives in other places. Get them to write letters to their Legislators, because it is the other Legislators in South Carolina who are holding back reform. Thank you for your interest and the hard work you do for our children.

Mr. Stewart encouraged teachers to write not only Beaufort County Legislators, but certainly the leaders in the House and Senate, as well as any Legislative members because they do have a vote. Our Legislators have only one vote and they cannot sway the consensus of the state. Going back to what we heard here this evening, a lot of emphasis was placed on step increases. We talked about step increases. Mr. Rodman mentioned it. As we also indicated, Council only looks at the bottom line number. Council is not looking at line item issues. The House and Senator passed it. It is on the Governor's desk. He will apparently sign it and it will be a reality that one can take advantage of. Council asks the District to reduce (it is up to the District where they reduce the money) the overall bottom line. When we talk about salaries and that is the issue here tonight, Council has to look at the entire County, not only school teachers and administrators, but firefighters, EMS, and all county government employees. Before serving on Council there was a great concern county employees, as a whole, were underpaid. Council has not been able to raise those salaries to the level they should be. Council held their line with no pay increases and no cost of living adjustments for the entire four years he served on Council. As an example, firefighters were underpaid and Council agreed to a five-year program to increase one-fifth each year for five years to bring them up to where they should be to be competitive. This year as well as last year, Council has had to tell them they would not be getting that step increase. Firefighters agreed, accepted that, and dealt with it. Teachers are not the only ones being asked to consider a freeze in step increase. Council has to look at that across the County to all employees. When Council raises its millage, it has to raise it across the board for all citizens -- primary homeowners, secondary homeowners, etc. Whereas if the District increases its millage, it does not include the primary homeowner, but it certainly does include a lot of people who rent and who do not own homes because they will get that passed down to them through increased rents, etc. It does affect other people. It does affect people who are not primary homeowners. It

is a very complex issue. Council has to look at it, not just as the District, but countywide, all employees, everyone working in the county. That has to be taken into consideration and thinking about it from a bigger picture, broader perspective when you think about what Council is trying to decide and what it is trying to do.

Mr. Glaze commented on the statement made Council is holding the line on taxes. That is a good statement, but what was the effect of holding the line of taxes. Council should not approve the District budget on third and final reading if it is not going to fund the budget in August when the millage is set. You educate the child or you jail the adult. If an education budget is difficult to fund, try educating ignorance and see how much that costs. Our students are an investment. Council needs to do what is necessary. What is more expensive preserving land or preserving a mind? Mr. Glaze does not want to pay more taxes, but sometimes it is necessary to improve the education system. Do what is necessary, not for the teachers, but the students of Beaufort County as a whole. We can find the money to fund the District budget at the requested level.

Mr. Newton said Council finds itself in a situation where there is record double digit unemployment in Beaufort County. We will have the largest number of foreclosed properties in Beaufort County next month ever. More than 2,000 homes were foreclosed in Beaufort County last year. A decision to increase taxes is not made lightly, nor is it one that can simply be dismissed as “something we must do.” It is a balancing act. Board of Education member Jim Bequette mentioned earlier the County business license fees increased exponentially four times. If Mr. Bequette will recall, it was at the time the state cut \$16 million from public education that Council reduced its budget and raised business license fees so the District budget was fully funded. Council worked in partnership with the District. We recognize the significance and importance of public education to the point we reduced County operations very dramatically over the years especially in years when there were big state cuts in order to keep the District whole or as close to whole as possible. Mr. Newton intends to vote in favor of the budget tonight. He is hopeful Senator Davis’ \$4 million he was able to include on the House version, remains in the budget proviso. However, House members today passed a version of the budget that did not include the \$4 million. Maybe the question ought to be, “Why not?” “What do you intend to do out it?” Or send an email to our Legislative Delegation and each member of the General Assembly to ask them, “Why aren’t the children in Beaufort County important enough to receive \$1 of EFA funding?” This is a question that needs to be asked. The strain and burden placed on property owners in Beaufort County, of all kinds of property, is significant because we allowed the state to get away with what they have done. Mr. Newton cannot underscore that need enough. Board of Education Chairman Fred Washington and Mr. Newton have talked on a number of occasions and probably will continue to talk whether we think we have viable lawsuit against the State of South Carolina for treating Beaufort County differently than any other county or any other school district in the state. For the moment we are not yet convinced that is the best deployment of your dollars.

The vote was: FOR – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Stewart, Mr. Sommerville and Ms. Von Harten. The motion passed.

MOTION OF EXTEND

It was moved by Mr. Baer, seconded by Mr. Dawson, that Council extends beyond 8:00 p.m. The vote was: FOR – Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Stewart and Mr. Sommerville. ABSENT – Ms. Von Harten. The motion passed.

PRESENTATION / FY 2010 / 2011 COUNTY BUDGET PROPOSAL

Mr. Bryan Hill, Deputy County Administrator, reviewed the budget FY 2011 chronology: completed departments' goals and objectives, completed descriptions of services, reviewed all personnel requests, submitted five-year budget and participated in six Finance Committee meetings between April and May. Consideration of first reading approval was May 10. Second reading approval is scheduled for today, May 25 and third and final reading is June 14.

The FY 2011 County budget proposal requires a total fund allocation in the amount of \$104,192,036. Expenditures by division: general government \$20,969,337, public safety \$43,008,695, public works \$16,396,265, public health \$5,235,861, public welfare \$938,259, cultural and recreation \$8,940,171, fund transfers \$3,987,148 and education allocation \$4,716,300. The State of South Carolina requires the County have a balanced budget. To get there the various revenue sources are: Taxes \$79,985,015, license and permits \$2,501,000, inter-government \$7,686,826, charges for services \$10,637,150, fines and forfeitures \$1,035,650, interest \$190,000, miscellaneous \$760,000 and other financing sources \$1,396,395.

FY 2011 Achievements and Goals: Maintained 30 vacancies during FY 2010. Project maintaining 40 to 60 vacancies in FY 2011. Implemented a semi-hiring freeze. Eliminated the Airport contribution from general fund budget. Combined the Ecology initiatives in FY 2010 and FY 2011. Continue pursuing federal and state grant opportunities. EMS Study is included in this budget as well the Form-Based Code Study, the latter which is a \$450,000 to \$500,000 initiative over three years coupled with partnering with the City of Beaufort and Town of Port Royal and hopefully the Town of Bluffton and Hilton Head Island going forward. Transportation analysis / Ferry Services options include money to have an expert opine of the best course of action going forward. The discounted millage value assumption is \$1,742,286 (97% collection rate). The School District is discounted 98%. Staff started with a one-year budget, moved to a three-year budget and now has a five-year budget. FY 2011 requested budget was \$112 million and after staff reviewed every single line item the proposed budget is \$104,192,036. This achieves Council's goal of a no mill increase. In FY 2012, the \$113,893,042 requested budget, depending on growth and a millage increase (if there is one), may include service cuts but hopefully growth will allow a budget with a cost of living adjustment.

County debt service general obligation and referendum. The debt service payment in FY 2011 is \$17.3 million and was \$1.36 million in FY 2001. This is an approximate \$3.7 million increase this year due to a FY 2010 (FY 2009 Bond Anticipate Note) borrowing of \$48,755,000 million payments just coming due in FY 2011. A breakdown of the \$1.3 million debt service payments are \$11.6 million for general obligation debt and \$5.7 million for rural and critical land (voted

referendum) debt. FY 2009 bond anticipation note borrowing in the amount of \$48,755,000 includes: \$20 million rural and critical lands (voter approved), \$19.4 million countywide public safety improvements (\$16 million was spent on radios of which the municipalities, fire districts and everybody who uses an emergency radio was a beneficiary) system and mobile data units interlinked with public safety vehicles, \$3.4 million parks and leisure services (Buckwalter and Burton Wells), \$2.255 million St. Helena Library at Penn Center (restored funds), \$1.5 million public works boat landings at Port Royal Sands and C.C. Haigh, \$1 million Adult Day Care Center, \$800,000 Manatron tax system upgrade and \$400,000 general government.

Administration achievements include no operational millage increase. This budget proposal does not include any growth in the millage, no use of general fund balance and no cost of living allowance for the third consecutive year. The maintenance of 40 to 60 vacancies might be a little steeper going forward. The operation millage FY 2011 is 40.21 the same as in FY 2010. The budget change is .07% of \$83,000.

Administration Budget Assumptions. First reading proposal on May 10 debt structure FY 2011 (tax year 2010) included a voter-approved Rural and Critical Lands Program debt increase to 3.45 mills or approximately \$6.2 million. Non-voted county issued debt (buildings and such) was 6.43 mills or approximately \$11.5 million. The total proposed debt millage was 9.88 mills or approximately \$17.7 million. Council asked staff to go back and find ways to reduce debt service FY 2011. Staff proposes at second reading today, May 24, debt structure FY 2011 (tax year 2010) a voter-approved Rural and Critical Lands Program debt increase to 3.57 mills or approximately \$5.7 million. Non-voted county issued debt (buildings and such) 5.90 mills or approximately \$11.6 million. The total proposed debt millage is 9.47 mills or approximately \$17.3 million. This is a slight decrease by using a retainage of all funds. Staff is going to continue researching how it can decrease that millage further.

Other potential millage reduction sources include a payroll analysis, potential use of fund balance, privatization and reorganization.

Mr. Caporale was told when the first Rural and Critical Lands Program (Program) referendum passed, the millage was levied right away on that debt and the suggestion was delaying the levy of the millage may have accounted in some fashion for what we are now looking now with this increase. Mr. Hill replied the county would not levy the debt until we borrow the money. Every time we borrow money we levy the millage that year.

Mr. Newton stated when the Program was first put in place, before there was a borrowing, it was a pay-as-you-go Program. When the Program was first put in place, a number of mills were levied and that is all there was to spend. Then, Council went to the voters with the first referendum and borrowed \$40 million and the debt millage came on and the debt service had to be paid back. The referendum question was do you authorize the borrowing of \$40 million and the corresponding tax levy that has to pay back that \$40 million, not the adding of 2 mills on the tax bills here on out. If someone went back to 1998, there was one mill on the tax rolls, but it was simply a pay-as-you-go Program.

Mr. Baer asked why Rural and Critical Lands millage went up from 3.45 to 3.75. Non-voted county debt went from 6.43 to 5.90 (about half of a mill), but our calculation of retainage showed it should have been closer to .07 of a mill. Mr. Hill replied staff was using a \$1.8 mill rate when we first started this process. When the Chief Financial Officer and he looked at collection rates and we discounted by 3%, that went from 1.8 down to 1.742.

Mr. Baer stated the answer to his question is the assumed dollars per mill went down.

Mr. Hill replied every week Mr. Starkey provides a description of where the mill rate is. Mr. Hill is using the most conservative model as of right now hoping on August 15 or when the mill rate is certified, we have higher mill rate and we can readjust again.

The Chairman opened a public hearing at 8:33 p.m. for the purpose of receiving information from the public on the FY 2010 / 2011 County budget proposal. After calling three times for public hearing and receiving none, the Chairman declared the hearing closed at 8:34 p.m.

It was moved by Mr. Rodman, as Finance Committee Chairman (no second required), that Council approves on second reading the proposed FY 2010 / 2011 budget at 40.21 mills County Operations, 3.45 mills Purchase of Real Property Program, and 6.43 mills County Debt Service. Additionally, Bluffton Fire District at 19.67 mills operating and .37 mills debt service, Burton Fire District at 55.87 mills operating and 5.53 mills debt service, Daufuskie Island Fire District at 30.11 mills operating and 2.25 mills debt service, Lady's Island/St. Helena Island Fire District 30.39 mills operating and 1.50 mills debt service, and Sheldon Fire District 32.09 mills operating and 2.14 mills debt service.

Mr. Rodman remarked Mr. Stewart brought up one of the things Council ought to do is take county operations millage up to the maximum allowable under Act 388 in order to protect future years and then take a corresponding equal amount down.

Mr. Newton said Council needs to be clear because the perception will be the County had an increase on both the operating and debt side because all those millages will increase from the previous year.

Mr. Baer voted against the budget on first reading approval, but will support the budget on second reading tonight with reservations simply because of the spirit of answering of the questions from Mr. Hill was good. He pointed out using staff's latest data as of May 21 from his district, in an average house taxes are going to go up by 7.95% on an owner-occupied house and 4.91% for a non-owner occupied house. To be fair that includes the stormwater utility fee increase as well. One of the largest causes of this percentage increase is County debt. He knows there are things we bought in the past and we cannot change that and will have a hard time undoing it, but as he looks ahead to Council sessions between now and August he sees a lot of things that worry him. He sees a large CIP list with questions about projects on the list. We have still not solved our Airport financing problem; they owe us \$2.1 million. Their budget is unbalanced so somehow or other that money has to come from somewhere. He said he is afraid it will wind up coming from the operating budget. A bunch of other things he will not enumerate

tonight. There are worrisome things in the budget that we owe it to the taxpayers to solve before we sent the final millage. They will not tolerate us wasting money or spending money on anything we have not measured three times before we write the check. In previous years we could get away with that, this year we simply cannot. Someone pointed out foreclosures. Mr. Baer lives in a modestly well-off neighborhood and there are three foreclosures within walking distance of his house. He shudders to think how many there are elsewhere within a short drive from his home. People are really strapped and any increase in taxes like 7.95% is going to hurt them. It is up to Council to really manage this budget in the next few months. Mr. Baer will become very hardnosed over that period.

Mr. Newton remarked the FY 2009 Bond Anticipate Note borrowing of \$48,755,000 includes \$16 million for the purchase of radios countywide of which the municipalities were the beneficiary, as well as the fire districts and everybody who uses an emergency radio Beaufort County. These radios were bought and paid for in this CIP budget. Otherwise, every one of those entities would be having an increase or add onto their budget to pay for those emergency communications equipment. We all made that decision collectively, and it was the right decision. He too, like Mr. Baer, is concerned about double digit unemployment and 300 homes on June's foreclosure list. It is remarkable and just off the chart given the fact that a big month before this recession started there were less than 20 homes. That is 300 people, not all of whom are primary residents, who are being placed out of their homes. The cumulative effect of all the different increases amounts to real money and has real impact on folks. Mr. Newton is very pleased with the budget as presented so far. Hopefully we can continue to make some progress in the direction of modulating what is a tax increase. We are heading in the right direction — down. He applauded staff for its efforts.

Mr. Caporale inquired when the decision was made to purchase the radios. Mr. Newton, replied 2007.

Mr. Caporale said that was his point about optimism. Council should have learned something.

Mr. Newton replied we had a radio system and an Emergency Management Director who said it was non-supportive. We had a rebanding issue with Nextel that they were taking over the bandwidth and our radios would not work. Unfortunately, the price of ensuring the public safety with a population growing 40% from 1990 to 2000 and 25% from 2000 until now, it is difficult often times to keep up with the infrastructure. Mr. Newton will support the budget tonight.

Mr. Rodman commented staff did what professionals do in a very difficult situation — figure out where you need to be and then manage to that particular desired outcome as opposed to talking about what you need. The only place where the County is different from School District is step increases. About half of the school employees (excluding senior teachers who are already past the step and excluding all the non-teachers) about 50% would get the 2% and everybody else, including senior administrators, would get nothing. Mr. Rodman does not know how to bridge that but that is the one kind of inequity Council talked about. If there was a way to figure out how to keep everybody equal that would be great, but he is not so sure what that is. He complimented staff for the very professional way they approached a very difficult budget in

difficult times and actually decided two or three years ago that this was looming and actually started to do it then rather than now.

The vote was: FOR – Mr. Caporale, Mr. Dawson Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Baer. The motion passed.

Mr. Kubic said, listening to the Mr. Rodman, as Finance Committee Chairman, outline the committee recommendation to exercise the limits of the operating budget, it is uncertain if that is a full recommendation of Council. Therefore, staff will prepare its budgetary documents with operations going up and debt service going down and present both views so Council will have a choice. He believes that is the direction Council is to follow. Mr. Newton agreed in the affirmative.

The Chairman passed the gavel to the Vice Chairman in order to receive committee reports.

COMMITTEE REPORTS

Community Services Committee

Foster Care Review Board

Mr. McBride, as Community Services Committee Chairman, nominated Mrs. Linda Cecil for reappointment to serve as a member on the Foster Care Review Board.

Natural Resources Committee

Rural and Critical Lands Board

George Johnston

The vote was: FOR - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

B/J Water and Sewer Authority

There are two candidates to fill one board vacancy. This is the first of two votes. Council members can vote for either Mr. Jim Carlen or Mr. W.R. Von Harten.

Jim Carlen

The vote was: FOR - Mr. Caporale, Mr. McBride, Mr. Newton and Mr. Rodman. ABSENT - Ms. Von Harten. Mr. Dawson did not vote. Mr. Carlen failed to garner the ten votes required to reappoint.

W.R. Skeet Von Harten

The vote was: FOR - Mr. Baer, Mr. Flewelling, Mr. Glaze, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. Mr. Dawson did not vote. Mr. Von Harten failed to garner the six votes required to appoint.

Since one of the two candidates has been eliminated because he, Mr. Carlen, did not receive the necessary number of votes, leaves Mr. Von Harten. The second vote on Mr. Von Harten follows.

W.R. Skeet Von Harten

The vote was: FOR - Mr. Baer, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Glaze, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

The Vice Chairman passed the gavel back to the Chairman in order to continue the meeting.

PUBLIC COMMENT

There were no requests to speak during public comment.

RECONVENE OF EXECUTIVE SESSION

EXECUTIVE SESSION

ADJOURNMENT

Council adjourned at 9:40 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Wm. Weston J. Newton, Chairman

ATTEST: _____
Suzanne M. Rainey, Clerk to Council

Ratified:

**OFFICE OF THE COUNTY ADMINISTRATOR
COUNTY COUNCIL OF BEAUFORT COUNTY**

GARY KUBIC
COUNTY ADMINISTRATOR

CHERYL HARRIS
EXECUTIVE ASSISTANT

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BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

LADSON F. HOWELL
STAFF ATTORNEY

**COUNTY ADMINISTRATOR'S REPORT
Monday, June 28, 2010
County Council Chambers**

INFORMATION ITEMS:

- The County Channel / Broadcast Update
- Two-week Progress Report (Enclosure)
- Presentation / Census 2010 (Enclosure)
Ms. Terry Seabrook, Partnership Specialist
Charlotte Regional Census Center
- Presentation / Accomplishments / Rural and Critical Land Preservation Program
Mr. Glenn Stanford, President, Conservation Consulting Company



Memorandum

DATE: June 25, 2010
TO: County Council
FROM: Gary Kubic, County Administrator
SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place June 14, 2010 through June 25, 2010:

June 14, 2010

- Finance Committee meeting
- County Council meeting

June 15, 2010

- Meeting with Bryan Hill, Deputy County Administrator, and Ladson Howell, Staff Attorney
- Staff meeting to discuss the initial design concept of the new St. Helena Island Branch Library at BIV #2
- County / Town of Hilton Head bimonthly meeting

June 16, 2010

- Liollo Architects presentation of the initial design concept of the new St. Helena Island Branch Library to Penn Center Board of Trustees
- Monthly meeting with Ed Hughes, Assessor

June 17, 2010

- Departmental visits:
 - Records Management
 - Animal Shelter
 - Solid Waste & Recycling

June 18, 2010

- Personal leave

June 21 – 25, 2010

- Personal leave (vacation)

Census 2010 Participation Rates

Beaufort County, SC: 72%

National 2010 Participation Rate: 72%

National 2000 Participation Rate: 72%

State: South Carolina 2010 Participation Rate: 73%

State: South Carolina 2000 Participation Rate: 65%

County 2010 Participation Rate: 72%

County 2000 Participation Rate: 61%

Census 2010 Participation Rates

Beaufort city: 71%

National 2010 Participation Rate: 72%

National 2000 Participation Rate: 72%

State: South Carolina 2010 Participation Rate: 73%

State: South Carolina 2000 Participation Rate: 65%

Place 2010 Participation Rate: 71%

Place 2000 Participation Rate: 70%

Census 2010 Participation Rates

Bluffton town: 71%

National 2010 Participation Rate: 72%

National 2000 Participation Rate: 72%

State: South Carolina 2010 Participation Rate: 73%

State: South Carolina 2000 Participation Rate: 65%

Place 2010 Participation Rate: 71%

Place 2000 Participation Rate: 56%

Census 2010 Participation Rates

Hilton Head Island town: 69%

National 2010 Participation Rate: 72%

National 2000 Participation Rate: 72%

State: South Carolina 2010 Participation Rate: 73%

State: South Carolina 2000 Participation Rate: 65%

Place 2010 Participation Rate: 69%

Place 2000 Participation Rate: 57%

United States
**Census
2010**

IT'S IN OUR HANDS

Census 2010 Participation Rates

Port Royal town: 67%

National 2010 Participation Rate: 72%

National 2000 Participation Rate: 72%

State: South Carolina 2010 Participation Rate: 73%

State: South Carolina 2000 Participation Rate: 65%

Place 2010 Participation Rate: 67%

Place 2000 Participation Rate: 64%



Memorandum

DATE: June 25, 2010
TO: County Council
FROM: Bryan Hill, Deputy County Administrator
SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place June 14, 2010 thru June 25, 2010:

June 14, 2010 (Monday):

- Work on Budget
- Finance Committee Meeting
- County Council

June 15, 2010 (Tuesday):

- Meet with Gary Kubic and Ladson Howell
- Penn Center Board Presentation Meeting
- Meet with Suzanne Gregory
- Risk Management - Manager Position

June 16, 2010 (Wednesday):

- St. Helena Library Status Meeting at Penn Center
- Work on Budget

June 17, 2010 (Thursday):

- Personal Leave Day

June 18, 2010 (Friday):

- Personal Leave Day

June 21, 2010 (Monday):

- Meet with David Starkey re: Budget
- Meet with Robert Klink and Maggie Hickman, Engineering re: Dan Dennis
- Meet with Miriam Mitchell re: Risk Management Position
- Meet with Suzanne Gregory, Employee Services
- Work on Budget

June 22, 2010 (Tuesday)--Bluffton:

- Meet with Solicitor Duffie Stone and Bud Boyne re: Drug Court
- Inspect Proposed Soccer Field Site at Buckwalter Park with Eddie Bellamy, Public Works
- Bluffton Hours
- Work on Budget

June 23, 2010 (Wednesday):

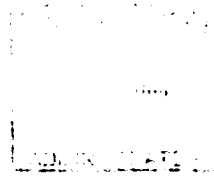
- Agenda Review
- Meet with William Winn, Public Safety re: F-35 Update
- Meet with Bud Boyne, Alcohol & Drug re: Budget
- Meet with Robert McFee, Public Services Director
- Meet with Weston Newton, Council Chairman and David Starkey, CFO re: Budget
- Work on Budget

June 24, 2010 (Thursday):

- Meet with Ted Anderson, MIS re: Staff Issues
- Work on Budget

June 25, 2010 (Friday):

- PLD



TO: Mr. Gary Kubic
Beaufort County Administrator

FROM: *Elizabeth M. Johnson*
Elizabeth M. Johnson, Deputy State Historic Preservation Officer

SUBJECT: New Listing in the National Register of Historic Places

DATE: May 24, 2010

It gives me great pleasure to notify you officially that the following historic property has been entered in the National Register of Historic Places.

Name of Property ----- *Fort Fremont Battery*
Beaufort County

Date of Listing ----- *May 5, 2010*

Enclosed is information that explains the National Register. For more information about our other programs, including grants, tax incentives, and rehabilitation guidance, visit our website at www.shpo.sc.gov.

Enclosures

The National Register of Historic Places

The National Register of Historic Places is the nation's official list of historic places worthy of preservation. Over 1,400 historic places in South Carolina — some individual properties, some entire districts — have been listed in the Register. They range from Indian campgrounds dating to 10,000 B.C. to buildings associated with the Civil Rights movement of the 1960s, from grand mansions to modest farmhouses, and from upcountry textile mill villages to Pee Dee railroad towns to lowcountry rice fields. These places link us tangibly to our past and contribute to our understanding of the history of our communities, our state, and our nation.

The National Park Service, under the Secretary of the Interior, maintains the National Register of Historic Places. In each of the states and territories a State Historic Preservation Office (SHPO) coordinates the nomination of properties to the National Register before the applications are submitted to the National Park Service. In South Carolina the SHPO is a program of the Department of Archives and History.

What properties are eligible for listing in the National Register?

Buildings, structures, sites, objects, and districts can be listed in the Register. Generally they must be at least fifty years old, but all properties that are fifty years old are not eligible for listing. The property must also possess significance in American history, architecture, archaeology, engineering, or culture and retain its historic integrity. This means that the property must not have lost the physical qualities that convey its significance. The National Register Criteria for Evaluation are listed at the end of this brochure.

How does the National Register program encourage the preservation of historic properties?

National Recognition

National Register listing honors a property by recognizing its importance to its community, the state, or the nation. This recognition increases local awareness of the value of historic properties and can validate and spur preservation efforts. In South Carolina, owners of properties listed in the National Register can purchase and display National Register plaques.

Financial Incentives

There are some financial incentives for preserving National Register properties. These include:

- ◆ **20% Federal Historic Rehabilitation Tax Credit:** Owners and some lessees of income-producing buildings listed in the National Register may be eligible for a federal income tax credit equal to 20% of their rehabilitation expenses under the Tax Reform Act of 1986.
- ◆ **10% State Historic Rehabilitation Tax Credit:** In South Carolina, taxpayers who qualify for the 20% federal income tax credit may also qualify for a state income tax credit of 10% of their rehabilitation costs under the South Carolina Rehabilitation Incentives Act.
- ◆ **Easement Donations:** The federal Internal Revenue Code also provides for federal income, estate, and gift tax deductions for charitable contributions of partial interests in a historic structure that is listed in the National Register or a "historically important land area."
- ◆ **25% State Historic Rehabilitation Tax Credit:** Under the South Carolina Historic Rehabilitation Incentives Act, owners who rehabilitate their historic residences that are listed in or individually eligible for the National Register may be eligible to subtract 25% of the costs of many expensive repairs and renovations from their state income taxes.

◆ **Historic Preservation Grants:**

Organizations, institutions, and government entities that own National Register properties may be eligible for grants for preservation planning projects. If the property is within the jurisdiction of a Certified Local Government, these groups may also be eligible for grants for stabilization and weatherproofing. Certified Local Governments are designated by the National Park Service.

Protection

Federal and state laws encourage, but do not mandate, the preservation of National Register properties. National Register listing results in the following limited protection:

- ◆ **Consideration in planning for federal, federally licensed, and federally assisted projects:** Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to consider the effect of their actions on properties listed in or eligible for listing in the National Register. Federal agencies must consult with the State Historic Preservation Officer or Tribal Historic Preservation Officer (on Catawba tribal lands) when planning projects that involve federal funds, permits, licenses, or property.
- ◆ **Consideration in planning for certain state-assisted projects:** State laws and regulations require the South Carolina Department of Health and Environmental Control (DHIEC) to consider the effect of proposed projects on historic properties when deciding whether or not to approve mining permits or Ocean and Coastal Resource Management (OCRAM) permits and certifications (in the eight coastal counties). For projects requiring OCRM approval or mining permits, the SHPO helps DHIEC evaluate the effect of proposed projects on historic properties that are listed in or eligible for the National Register. State law also establishes a review process for projects involving National Register

listed properties owned or leased by the State of South Carolina. The SHPO works with state agencies to incorporate historic preservation concerns with their needs.

In some communities, local ordinances provide protection for historic properties, but these ordinances are established by local governments; they are not part of the National Register program. South Carolina local governments can designate historic properties and protect them with ordinances whether or not they are listed in the National Register.

Will National Register listing place restrictions on my property?

Owners of private property listed in the National Register have no obligation to open their properties to the public, to restore them, or even to maintain them. Owners can do anything they want to their properties, provided there is no federal involvement (funds, licenses, or permits) and they do not need a state mining permit or a permit or certification from the Office of Ocean and Coastal Resource Management (OCRM), South Carolina Department of Health and Environmental Control (DHIEC).

What is the procedure for listing a property in the National Register?

Anyone can prepare a nomination to the National Register. All nominations undergo scrutiny in a process that begins with a preliminary review by the SHPO. SHPO staff provide technical assistance to individuals, organizations, and consultants who prepare nominations. Completed and technically correct nominations are presented to a State Board of Review, which meets at least twice

each year. The Board of Review is composed of professionals with expertise in history, architectural history, archaeology, architecture, and other preservation-related fields, and interested citizens. Nominations approved by the Board of Review are submitted to the National Park Service, which makes the final decision concerning whether a property will be listed.

Where can I get more information?

- ◆ Visit the SHPO website at <http://shpo.sc.gov/properties/>. The National Park Service website at www.nps.gov/history/nr/ also includes much information about the National Register program.
- ◆ Visit www.nationalregister.sc.gov/nrlinks.htm to access the nomination forms and photographs for South Carolina listings in the National Register.
- ◆ Contact Andrew Chandler (803-896-6179 or chandler@sedah.state.sc.us) or Tracy Power (803-896-6182 or power@sedah.state.sc.us).

National Register Criteria

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, association, and:

- A. are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. are associated with the lives of significant persons in our past; or
- C. embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. have yielded, or may be likely to yield, information important in prehistory or history.

Exceptions to Criteria

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years are considered ineligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria, or if they can be categorized as:

- A. a religious property that derives its primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure that has been removed from its original location but is significant primarily for its architectural value or because it is the surviving structure most importantly associated with a historic person or event; or

- C. a birthplace or grave of a historical figure of outstanding importance when there is no other site or building directly associated with the individual's productive life; or
- D. a cemetery that derives its primary significance either from the graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. a reconstructed building that is accurately executed, is located in a suitable environment, is presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same associations has survived; or
- F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. a property achieving significance within the last fifty years if it is of exceptional importance.

The activity that is the subject of this brochure has been financed, in part, with federal funds from the National Park Service, Department of the Interior. The contents and opinions, however, do not necessarily reflect the views or policies of the Department of the Interior. Under Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, the Department of the Interior prohibits discrimination on the basis of race, color, national origin, or handicap in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office of Equal Opportunity, U.S. Department of the Interior, Washington, DC 20240.

October 2008



South Carolina
Department of
Archives & History
8301 Parklane Road
Columbia, SC 29223-4905

**State Historic
Preservation Office**

National Register of Historic Places

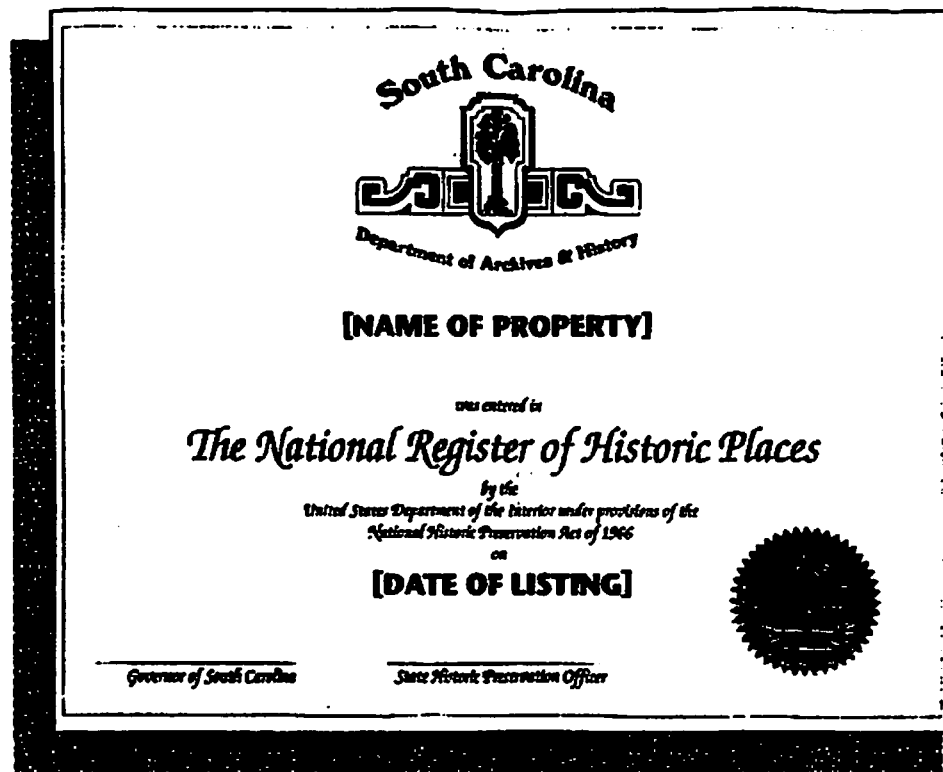


Plaques & Certificates for the National Register of Historic Places

The National Register of Historic Places is the nation's official list of properties and sites with significance in American history and culture. It is part of the federal preservation program that is conducted by the National Park Service under the Secretary of the Interior and administered for South Carolina by the State Historic Preservation Office (SHPO) — part of the South Carolina Department of Archives and History. Each year preservation specialists and interested citizens prepare nominations to the National Register for review — first by the State Board of Review, and then by the National Park Service.

Properties listed in the National Register earn the honor of displaying South Carolina's National Register bronze plaque and parchment certificate. Plaques are available for purchase from the SHPO; a complimentary certificate is presented to all property owners after their property has been individually-listed in the National Register. If the property is located within a historic district, the owner or interested citizen must contact the State Historic Preservation Office to request a free certificate.

The plaque, a modified oval about 5" x 6", features a palmetto tree, carries the inscription



"National Register of Historic Places," and gives the name of the property on a raised bronze plate. The plaque is designed for exterior display and can be purchased by the owner of the property or others interested in it. The cost is \$90.00, which includes postage and handling.

The certificate is printed on fine quality parchment paper and is suitable for framing. It gives the name of the property and the date it was listed in the National Register, and it carries the

signatures of the governor of South Carolina and the state historic preservation officer.

To get an order form, write or call the
State Historic Preservation Office
South Carolina Department of
Archives and History
8301 Parklane Road
Columbia, SC 29223-4905
803-896-6178

**National Register
Plaques & Certificates**



*Preserving and promoting
the documentary and
cultural heritage of the state*



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Monthly Progress Report

For Beaufort County Council on the
**Beaufort County 1% Sales Tax Road
Improvement Projects**

Presented Monday, June 28, 2010

SIGNIFICANT CHANGES FROM LAST REPORT

Project	Significant Changes
1 - Bluffton Parkway Phase 5A	<ul style="list-style-type: none"> • Santee Cooper completed and energized the third phase of overhead powerline relocations.
2A - US 278 Resurfacing	<ul style="list-style-type: none"> • Construction began for next resurfacing phase.
2C - US 278 Widening	<ul style="list-style-type: none"> • Construction funding was obligated by SCDOT. • Municipal agreement between SCDOT and the Town of Bluffton was completed.
7 - SC 802 / Ribaut Road Intersection Improvements	<ul style="list-style-type: none"> • Final inspection performed, project complete.

SALES TAX REVENUE (PLUS INTEREST) TO DATE**\$83,219,270**

COMPLETED PROJECTS

Project Complete

2B. US 278 INTERSECTION REALIGNMENT

Project Summary

Design Firm: Wilbur Smith Associates

Project Manager: Darrin Shoemaker, Town of Hilton Head Island

This project consisted of intersection improvements and widening on US 278 (William Hilton Parkway) at Squire Pope Road on Hilton Head Island.

Project Status

This project is complete.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02B - US 278 Realignment at Squire Pope Rd.	\$1,640,213	\$1,590,213	\$0	\$1,590,213	\$50,000



Realignment of the Intersection of US 278 and Squire Pope Road with New Mast Arm Traffic Signals

Project Delivered to Town of Bluffton

2D. US 278 FRONTAGE ROADS: BUCKWALTER COMMERCIAL

Project Summary

Design Firm: Florence & Hutcheson, Inc.

Project Manager: David Beaty, Florence & Hutcheson, Inc.

The Buckwalter Commercial frontage road will reduce traffic on US 278 by connecting Lost Oaks Drive to the Buckwalter Parkway. Two medians are scheduled to be closed by SCDOT on US 278 in this vicinity. This frontage road will be a two-lane road. Each lane will be 11 ft. wide with 6 ft. wide shoulders on each side.

Project Status

All documents for execution were submitted to the Town of Bluffton at the end of November, 2008, to be used during future development. The Town of Bluffton plans to coordinate with developers to assure the frontage road is constructed as part of future area development.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Project Location

Project Complete

2D. US 278 FRONTAGE ROADS: THE GATHERINGS

Project Summary

Design Firm: Andrews & Burgess

Project Manager: Malphrus Construction

The Gatherings Frontage Road connects Buckingham Plantation Drive East to Salt Marsh Drive, reducing traffic on US 278. The median on US 278 at the Salt Marsh Drive intersection is scheduled to be closed by SCDOT. This frontage road is a two-lane road. Each lane is 12 ft. wide and constructed along the edge of the existing parking lot.

Project Status

This project is complete.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Intersection of the New Frontage Road and Buckingham Plantation Drive



Completed Paving for New Frontage Road

Project Complete

2E. US 278 (FORDING ISLAND ROAD) STREET LIGHTING

Project Summary

Design Firm: Beaufort County

Project Manager: Colin Kinton, Beaufort County

This project provided metal-halide lighting at 11 major intersections along US 278 (Fording Island Road) between SC 170 (Okatie Highway) and the Hilton Head Island bridges.

Project Status

This project is complete.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02E - US 278 Street Lighting	\$117,648	\$99,872	\$17,776	\$117,648	\$0



New Street Light Fixtures at the US 278 / Burnt Church Road Intersection



Detailed View of Newly Installed Street Light Fixture

Project Complete

7. SC 802 (RIBAUT ROAD) INTERSECTION IMPROVEMENTS

Project Summary

Design Firm: Dennis Corporation

Construction Manager: Don Smith, Beaufort County

This project will increase capacity and improve safety with improvements to the Vaigneur Road/ Edinburgh Avenue/ West Paris Avenue intersection, the East Paris intersection, and the Old Shell Road intersection.

Project Status

Rea Construction began construction in April of 2009. Final documentation is being submitted to SCDOT and construction was successfully completed in June of 2010.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
07 - SC 802 Ribaut Rd (Lenor Dr to Lady's Island Dr)	\$1,044,412	\$767,434	\$184,978	\$952,412	\$92,000



Right Turn Lane



Concrete Paved Median

PROJECTS UNDER CONSTRUCTION

Project Under Construction

Utility Relocation: 48%*

**This includes all utility relocation expenditures.*

1. BLUFFTON PARKWAY: PHASE 5A

Project Summary

Design Firm: Florence & Hutcheson, Inc.

Project Manager: David Beaty, Florence & Hutcheson, Inc.

This project is one of two that will make the Bluffton Parkway a continuous roadway from US 278 near the Hilton Head Island bridges to SC 170. This project will reduce traffic on US 278 in the greater Bluffton area by as much as 30 percent. Each new segment will be a controlled-access roadway with two lanes of travel in each direction, turn lanes, and adjacent multi-use pathways.

Phase 5A will extend the Parkway eastward from Burnt Church Road to US 278 near the Hilton Head Island bridges. This segment will be a 3-mile, four-lane divided highway with 8 ft. multiuse pathways. The flyover bridge which will allow unrestricted traffic flow on and off of US 278 from the Bluffton Parkway has been delayed. A large portion of the roadway will be routed through existing Santee Cooper power line easements.

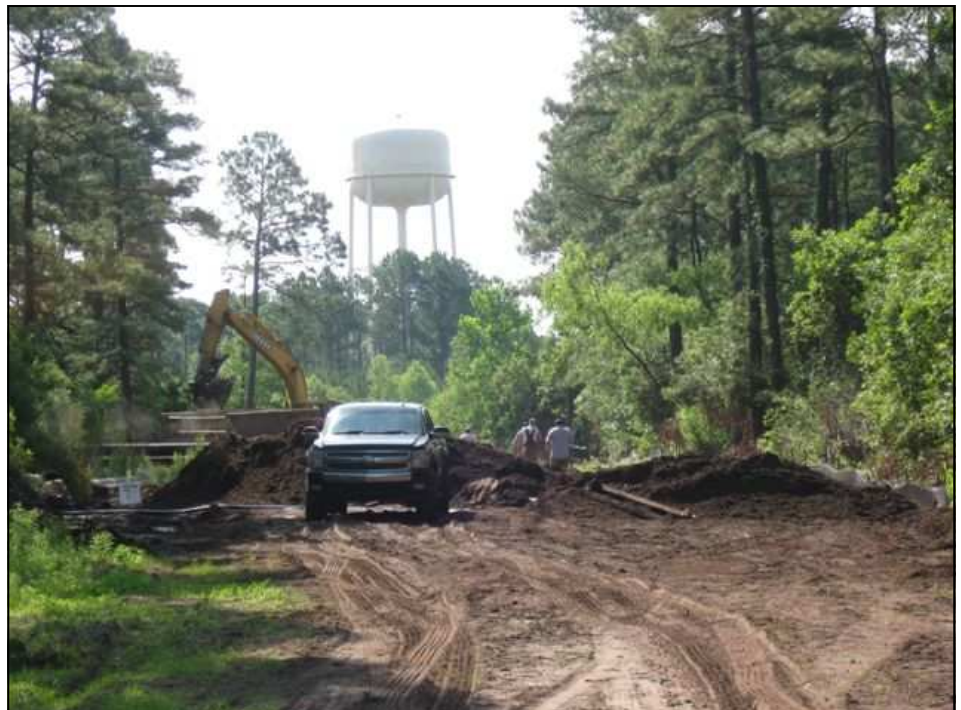
Project Status

Project review and recommendation provided to County Administrator by municipal and County staff.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
01 - Bluffton Parkway, Phase 5A (Roadway Section Only)	\$37,930,805	\$17,894,138	\$4,536,667	\$22,430,805	\$15,500,000
01 - Bluffton Parkway, Phase 5B					



Santee Cooper Removing Abandoned Power Poles



Water Line Relocation Along the Proposed Project Route

Project Under Construction

Percent Complete: 42%

2A. US 278 (WILLIAM HILTON PARKWAY) RESURFACING

Project Summary

Design Firm: SCDOT

Project Manager: John Boylston, SCDOT

US 278 is being resurfaced under this project from Gum Tree Road to Sea Pines Circle. Approximately 8.5 miles have been separated into three phases: 1) Whooping Crane Way to Shelter Cove Lane, 3.6 miles long; 2) Shelter Cove Lane to Sea Pines Circle, 3.9 miles long; and 3) Gumtree Road to Whooping Crane Way, 1.0 mile long. SCDOT is managing all aspects of this project.

Phase 1 Project Status

Construction was completed in April, 2009.

Phases 2 and 3 Project Status

Additional ARRA stimulus funds will allow Phases 2 and 3 to proceed as well as resurfacing the roadway segment on Pinckney Island. SCDOT received construction bids on February 9, 2010 and the low bidder was APAC Southeast. Construction began May 3, 2010 and SCDOT has a mandatory completion date of no later than March 31, 2011.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02A - US278 (William Hilton Parkway) Resurfacing	\$5,811,989	\$4,176,988	\$0	\$4,176,988	\$1,635,001



Palmetto Electric Working on Transformers at Gardner Drive



Widened Turn Lane from William Hilton Parkway to Beach City Road

Project Under Construction

Percent Complete: 0%

2D. US 278 FRONTAGE ROADS: ST. GREGORY

Project Summary

Design Firm: Ward Edwards

Project Manager: Kristy Carr, Ward Edwards

The St. Gregory the Great Frontage Road will help accommodate church parishioners entering and leaving US 278. This frontage road will connect the entrance of Berkeley Hall east to the entrance of St. Gregory and continue to the fire station. The median outside the entrance of St. Gregory is scheduled to be closed by SCDOT. This frontage road will be a two-lane road. Each lane will be 12 ft. wide with 3 ft. wide shoulders on each side.

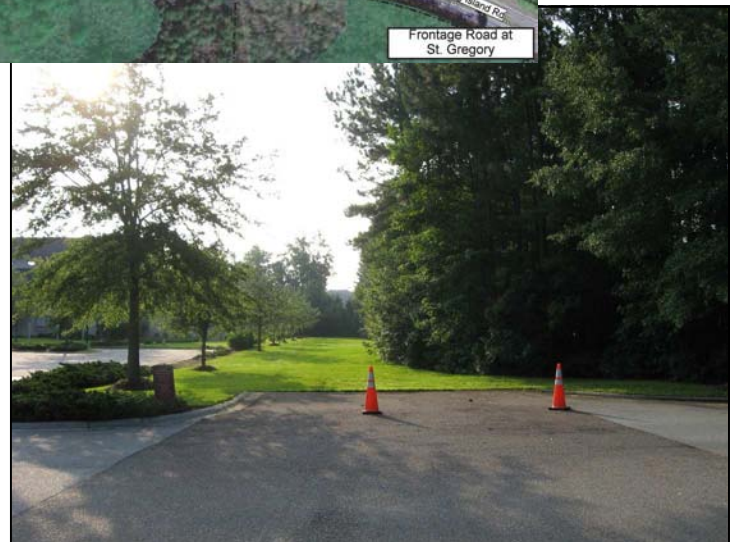
Project Status

Design is complete but the project is awaiting USACE permit issuance and condemnation determination. Berkeley Hall's condemnation challenge action was filed on December 2, 2008, but DHEC rejected Berkeley Hall's case request against the County's permit. The County attorney is responding to Berkeley Hall's legal challenge. Plans have Development Review Team final approval.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Project Location



Proposed Project Site

Project Under Construction

Percent Complete: 0%

2D. US 278 FRONTAGE ROADS: PLANTATION BUSINESS PARK

Project Summary

Design Firm: Florence & Hutcheson, Inc.

Project Manager: David Beaty, Florence & Hutcheson, Inc.

The Plantation Business Park Frontage Road will connect Westbury Parkway East to Simmonsville Road through Plantation Park Drive, connecting at the two roundabouts on both sides. This will give all businesses in Plantation Business Park who currently only have access to US 278 at one entrance, the ability to enter and exit at Westbury Parkway and at Simmonsville Road. The median outside the current entrance of Plantation Business Park is scheduled to be restricted to left-in, right-out by SCDOT. This frontage road will be a two-lane road. Each lane will be 11 ft. wide with 6 ft. wide shoulders on both sides.

Project Status

The project was awarded to Cleland Site Prep, Inc. on March 29, 2010. Construction should begin in July, 2010.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Project Location

Project Under Construction

Percent Complete: 85%

4. US 17 WIDENING: US 21 (CHARLESTON HWY.) TO COMBAHEE RIVER

Project Summary

Design-Build Firm: Phillips & Jordan, Inc.

Project Manager: Dan McInnis, Phillips & Jordan, Inc.

This project widens the segment of US 17 in northern Beaufort County to a four-lane divided highway from Gardens Corner northward to the Combahee River, addressing well-publicized safety concerns. Construction includes separated multi-use pathways for bicyclists and pedestrians. Project extends 1.7 miles into Colleton County. SCDOT is managing all aspects of this project.

Project Status

Project completion of the Beaufort County portion of the US 17 Widening project is scheduled for September 20, 2010.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
04 - US 17 Widening (US 21 to Colleton County)	\$6,251,546	\$6,216,297	\$25,249	\$6,241,546	\$10,000



Construction at the Gardens Corner Intersection



Ramp at the Gardens Corner Intersection

Project Under Construction

Bridge Construction Percent Complete: 37%

Roadway Construction Percent Complete: 47%

8. SC 802 / US 21 WIDENING: RIBAUT ROAD TO SEA ISLAND PARKWAY

Project Summary

Road Contractor: Sanders Brothers

Bridge Contractor: United Contractors

This project will widen SC 802 (Lady's Island Drive) from US 21 to Ribaut Road, including construction of a new Beaufort River bridge, which will be constructed adjacent to the existing J. E. McTeer Bridge.

Project Status

The contractor has completed the curb & gutter pours and sidewalks are complete. All catch basins are installed and completed. Storm drains are being installed on the roadway section. Work is progressing on the drilled shaft portion of the bridge. Many girders have been installed and work will continue on the bridge deck.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
08 - US 21/ SC 802 (Lady's Island Dr) Widening	\$47,008,745	\$16,679,808	\$29,418,155	\$46,097,963	\$910,782



Bridge Crew Tying Rebar for the Bridge



Installing Base Course

Project Under Construction

Percent Complete: 28%

10. SC 802 (SAVANNAH HIGHWAY) WIDENING: SC 170 TO PARRIS ISLAND GATEWAY

Project Summary

Road Contractor: Sanders Brothers

This project will widen SC 802 from SC 280 (Parris Island Gateway) to SC 170, including 5 ft. sidewalks on both sides of the road. The County is working closely with BJWSA on the relocation of a large waterline.

Project Status

Erosion control devices, sidewalk installation, cross line storm drain installation and asphalt paving continues. The contractor is continuing to install storm drain pipe and catch basins. Power line relocation work is complete.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
10 - SC 802 (Savannah Highway) Widening	\$7,684,046	\$2,676,317	\$4,697,894	\$7,374,211	\$309,835



Installation of 36 Inch Storm Drain



Proposed View of Savannah Highway Looking Northwest at Shell Point Road

PROJECTS IN DESIGN

Project In Design

2C. US 278 WIDENING: SIMMONSVILLE ROAD TO SC 170

Project Summary

Design Firm: SCDOT

Project Manager: John Boylston, SCDOT

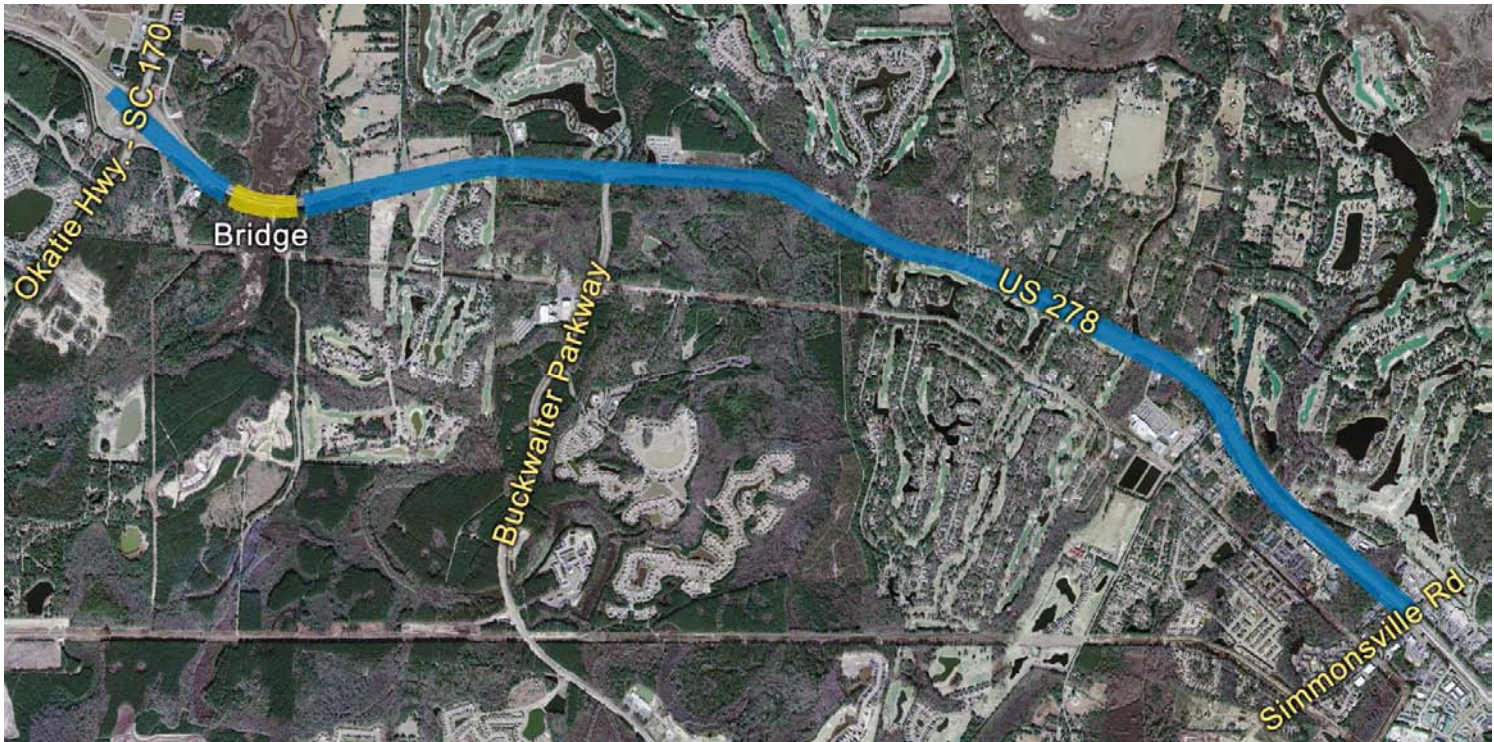
This project will widen US 278 to six lanes from SC 170 to Simmonsville Road. This project includes intersection improvements and widening at the Buck Island Road signal. SCDOT is managing all aspects of this project.

Project Status

SCDOT is negotiating property acquisition for the necessary right-of-way which is now 80% complete. Construction funding will be obligated in June, 2010 with a construction letting scheduled for August, 2010.

The Town of Bluffton has completed their Municipal Agreements with the State. The Town, County and SCDOT are working to address details involving potential barrier walls, stormwater runoff and mitigating impacts on the Okatie headwaters.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02C - US 278 Widening (Simmonsville Rd to SC 170) (\$12.8M Earmark being managed by	\$29,849,368	\$3,449,901	\$199,467	\$3,649,368	\$26,200,000



Project Location

Project In Design

2D. US 278 FRONTAGE ROADS: TANGER 1 OUTLET

Project Summary

Design Firm: Florence & Hutcheson, Inc.

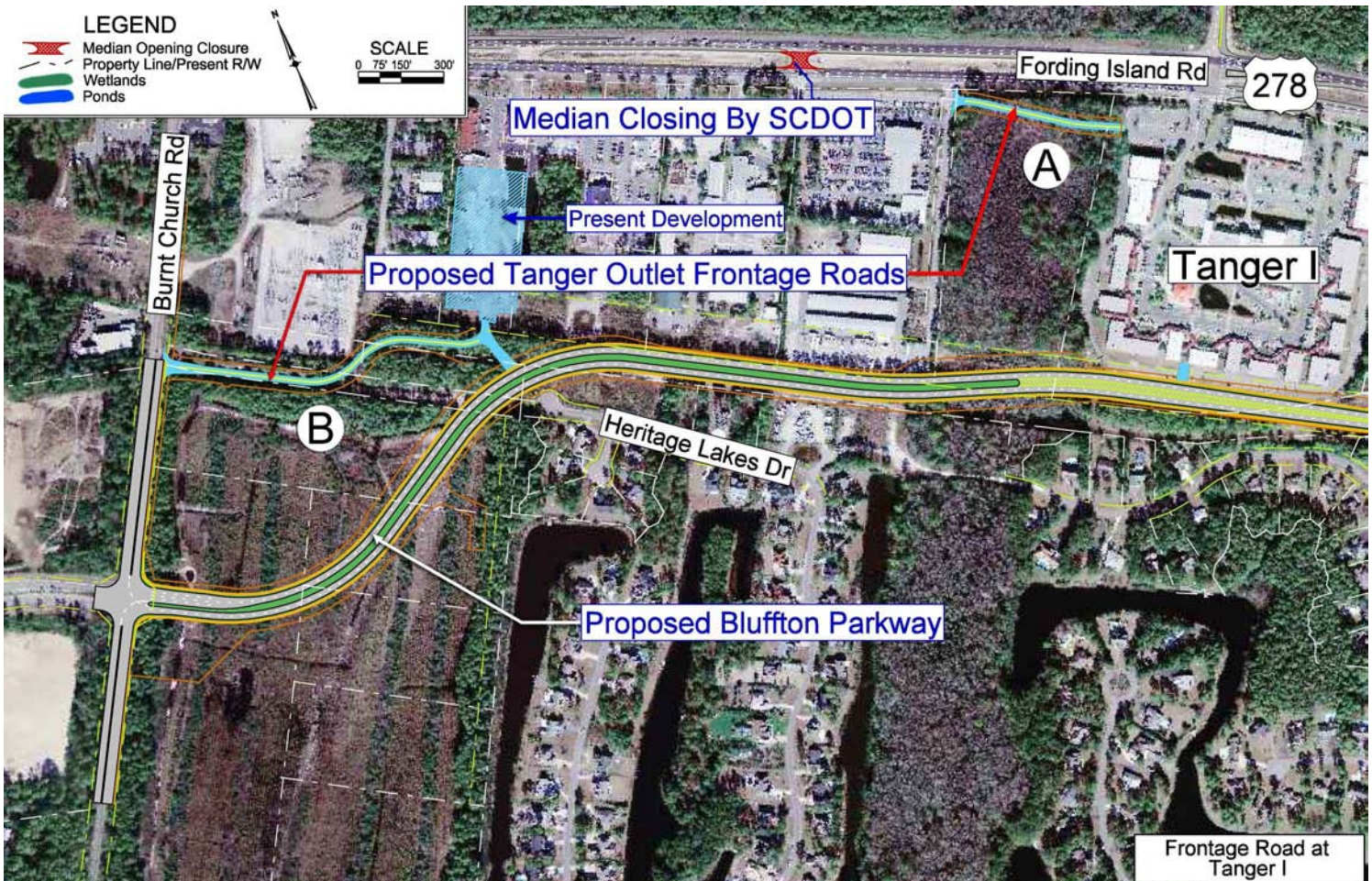
Project Manager: David Beaty, Florence & Hutcheson, Inc.

The Tanger 1 Outlet Frontage Road will connect Burnt Church Road to the shopping center north of Heritage Lakes. An additional frontage road will connect the Tanger 1 Outlet Center to the new BMW dealership. This will reduce traffic on US 278. The median north of the new BMW dealership is scheduled to be closed by SCDOT. These two frontage roads will be two-lanes in width with 11 ft. wide lanes and 6 ft. wide shoulders.

Project Status

Right-of-way acquisition for the frontage road from the BMW dealership to the Tanger 1 Outlet Center is complete. Right-of-way acquisition from Burnt Church Road to the Tanger 1 Outlet Center is ongoing. Environmental permitting for both frontage roads is ongoing.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Project Location

Project In Design

2D. US 278 FRONTAGE ROADS: TANGER INTERCONNECTIVITY

Project Summary

Design Firm: Florence & Hutcheson, Inc.

Project Manager: David Beaty, Florence & Hutcheson, Inc.

The Tanger Interconnectivity Frontage Road will connect Commercial Place with two neighboring shopping centers, reducing traffic on US 278. This frontage road will be a two-lane road and each lane will be 10 ft. wide.

Project Status

Final design is complete and right-of-way negotiations are continuing with property owners.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Proposed Location for the Tanger Interconnectivity Frontage Road



Project Location

Project In Design

3. SC 170 WIDENING: SC 46 (MAY RIVER RD.) TO TIDE WATCH DR.

Project Summary

Design Firm: Thomas & Hutton

Project Manager: Doyle Kelley, Thomas & Hutton

This project will widen SC 170, 5.9 miles from the roundabout at SC 46 to the existing traffic signal at Riverbend (Tide Watch Drive), one mile north of US 278. It will widen the existing road to a four-lane divided highway south of US 278 and to a six-lane divided roadway north of US 278. This will accommodate future traffic demands within this corridor. The divided highway will address current safety concerns, reduce the need to remove grand oak trees, and include a separated multi-use pathway for cyclists and pedestrians.

Project Status

The project has been divided into three phases to accommodate funding constraints, accelerate right-of-way acquisition, and phase construction. The phases are: 1) US 278 to Bluffton Parkway, 2) Bluffton Parkway to SC 46, and 3) US 278 to Tide Watch Drive.

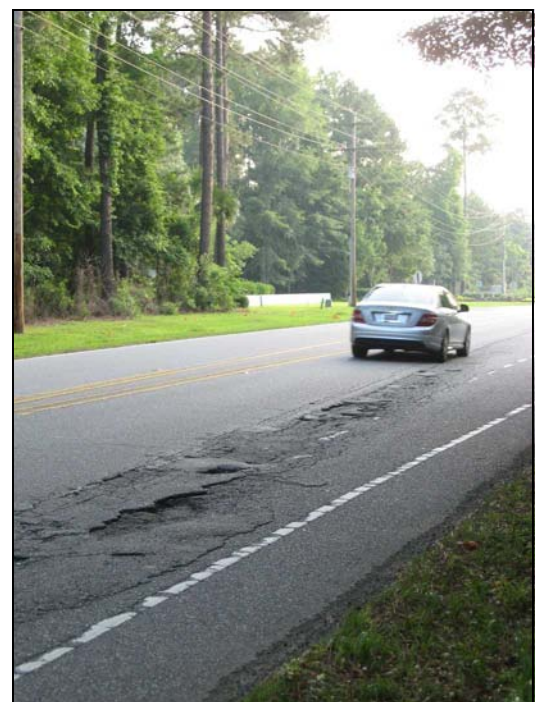
The Town of Bluffton is negotiating, on behalf of the County, with developers to obtain approximately \$2 million in right-of-way. All 15 deeds for the development agreement have been delivered to the Town of Bluffton. Acquisition for right-of-way parcels outside of these agreements has begun. The Town of Bluffton has requested major design changes from SCDOT, including new roundabouts and a lower speed limit.

SC 170 Widening Phase 1, from US 278 to the Bluffton Parkway is fully funded.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
03 - SC 170 Widening (US 278 to Bluffton Parkway)	\$16,488,865	\$1,306,031	\$1,382,834	\$2,688,865	\$13,800,000



Alligator Cracking at the Intersection of Tide Watch Drive and SC 170



Looking North on SC 170

Project In Design

US 21 (BOUNDARY ST.) IMPROVEMENTS

5. Neil Road to Palmetto Street Project Summary

Design Firm: Thomas & Hutton

Project Manager: Doyle Kelley, Thomas & Hutton

This project will increase capacity, improve intersection design, and provide related improvements to the Boundary Street corridor from SC 170 eastward to the Boundary Street / Ribaut Road intersection. The project includes a separated multi-use pathway to serve bicyclists and pedestrians on the south side of Boundary Street as well as landscaped medians and streetscaping. Sidewalks are included in the design.

6. Parallel Road from SC 170 to Sycamore Street Project Summary

Design Firm: Kimley-Horn and Associates, Inc.

Project Manager: Larry Meisner, Kimley-Horn and Associates, Inc.

Redesignate Boundary St. to US 21 Business coming from County coordinating with utility relocation. Parallel road is separate from project 5, not in contract for Thomas & Hutton right now, but may get added later. This project is to provide a new roadway parallel to Boundary Street on the north side between SC 170 (Robert Smalls Parkway) and Sycamore Street. It will serve as an alternate route to relieve traffic on the Boundary Street corridor and will include sidewalks.

Project Status

A Feasibility Report for Boundary Street was submitted to Beaufort County on April 10, 2009. On March 15, 2010, Beaufort County Council approved a \$550,000 contract to Thomas & Hutton to provide final design. They are working with the City of Beaufort, local utilities, SCDOT, and Beaufort County to develop an acceptable typical section. Full utility coordination has begun.

Due to funding constraints, the Parallel Road portion of the Boundary Street improvements has been put on hold, with the intention of construction in the future as development occurs.



Existing Boundary Street

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
05 - US 21 (Boundary St) Improvements	\$11,168,018	\$1,101,719	\$866,299	\$1,968,018	\$9,200,000
06 - US 21 (Boundary St) Parallel Rd	\$1,197,129	\$729,351	\$467,778	\$1,197,129	\$0

Project In Design

9. NORTHERN BEAUFORT BYPASS: GRAYS HILL TO BRICKYARD POINT ROAD

Project Summary

Design Firm: Thomas & Hutton

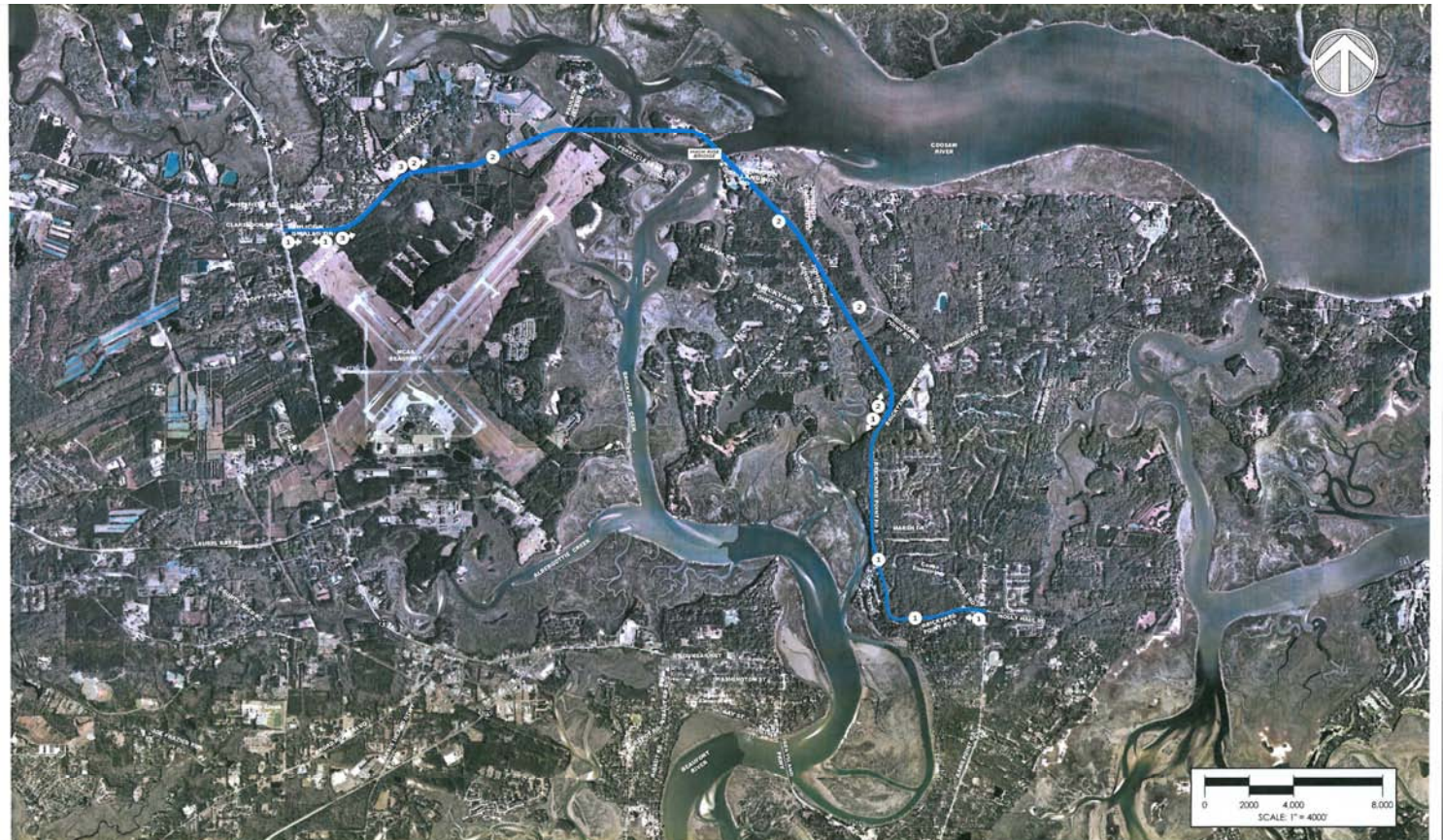
Project Manager: Doyle Kelley, Thomas & Hutton

This project will fund, at the request of the City of Beaufort, an environmental assessment (EA). The environmental assessment will study alignments for a future road connecting US 21 in the Grays Hill area with northern Lady's Island, to create a bypass route around the City of Beaufort for US 21 motorists.

Project Status

A final Feasibility Study was submitted to Beaufort County Council on October 16, 2009. On May 4, 2010 Thomas & Hutton presented to the City of Beaufort the preferred alternate alignment, as shown in the aerial image below. Thomas & Hutton is preparing supporting studies for the EA.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
09 - Northern Beaufort Bypass	\$1,524,751	\$532,725	\$972,026	\$1,504,751	\$20,000



BEAUFORT NORTHERN BYPASS
COMPOSITE ALIGNMENT
FEBRUARY 22, 2010

Beaufort County
South Carolina

Preferred Alignment

DELAYED PROJECTS

Project Delayed

1. BLUFFTON PARKWAY FLYOVER BRIDGE: PHASE 5A

Project Summary

Design Firm: Florence & Hutcheson, Inc.

Project Manager: David Beaty, Florence & Hutcheson, Inc.

This project will construct a flyover bridge to connect the Bluffton Parkway Roadway with unrestricted access to US 278 in both eastbound and westbound directions.

Project Status

Final plans are complete. Right-of-way acquisition and utility relocations are complete.



Rendering of the Flyover Bridge

Project Delayed

1. BLUFFTON PARKWAY: PHASE 5B

Project Summary

Design Firm: Florence & Hutcheson, Inc.

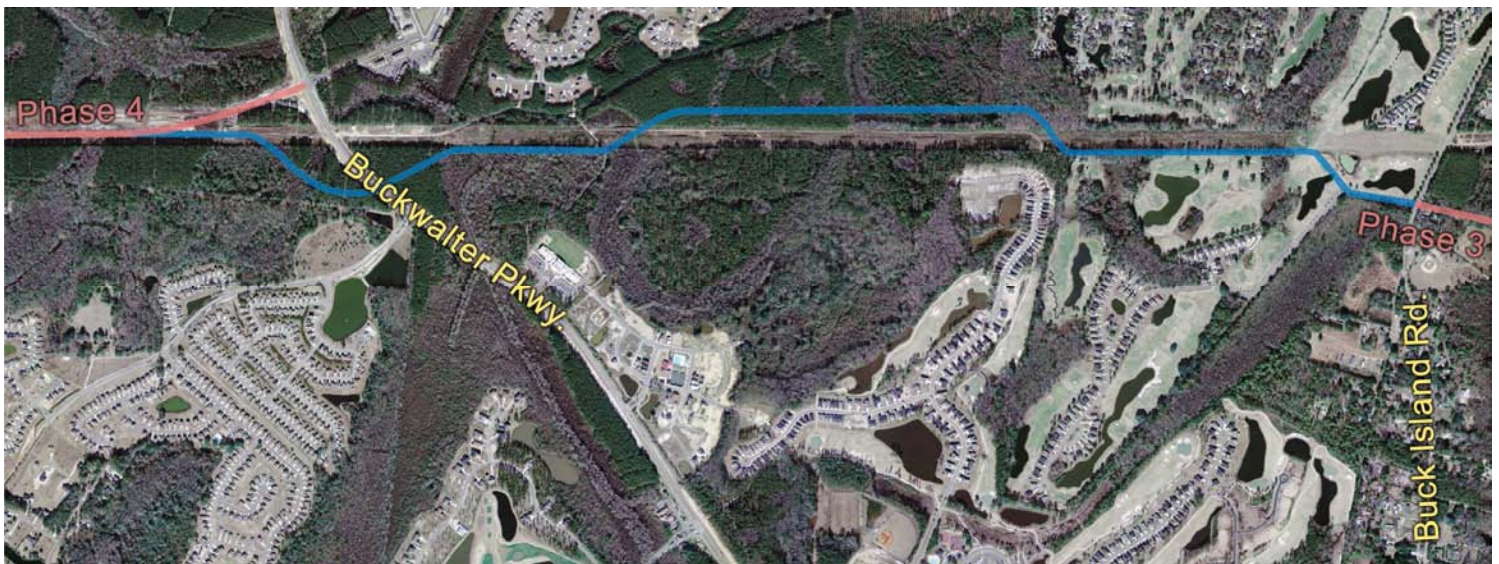
Project Manager: David Beaty, Florence & Hutcheson, Inc.

This project will improve roadway alignment and eliminate travel on the Buckwalter Parkway. The roadway will be 2.5-miles in length, and will be a four-lane divided facility, eliminating undesirable left turns where the Bluffton Parkway otherwise would enter and exit Buckwalter Parkway. Multi-use pathways, 8 ft. wide, will be included in this project.

Project Status

Right-of-way and final utilities plans have been submitted and permit applications have been assembled.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
01 - Bluffton Parkway, Phase 5A (Roadway Section Only)	\$37,930,805	\$17,894,138	\$4,536,667	\$22,430,805	\$15,500,000
01 - Bluffton Parkway, Phase 5B					



Project Location

Project Delayed

2D. US 278 FRONTAGE ROADS: ROSE HILL

Project Summary

Design Firm: Florence & Hutcheson, Inc.

Project Manager: David Beaty, Florence & Hutcheson, Inc.

The Rose Hill Frontage Road will help residents of the Rose Hill private community gain access to the Rose Hill shopping center without having to access US 278, thus reducing traffic on US 278. The frontage road will connect Club Gate Drive to the rear entrance of the Publix parking lot. This frontage road will be a two-lane road, each lane will be 11 ft. wide with curb and gutter.

Project Status

Rose Hill property owners rejected the project; 84% voted against it effective January 6, 2009. Currently this project has been delayed.

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000



Project Location

APPENDIX



Beaufort County 1% Sales Tax Program Revised Budget



as of April 30, 2010

Revenue Sources	Total Expected	Collected to Date	Remaining to Collect
Sales Tax Collections:	\$152,000,000	\$92,117,975	\$69,882,025
Sales Tax Interest:	\$1,800,000	\$1,101,295	\$698,705
Sales Tax Collection Overage:	\$2,000,000	\$0	\$2,000,000
Impact Fees prior to Sales Tax:	\$3,000,000	\$2,000,001	\$999,999
ARRA Funding (US 278 Resurfacing):	\$2,211,000	\$0	\$2,211,000
US 278 Widening Federal Earmark:	\$12,800,000	\$0	\$12,800,000
Hilton Head Frontage Road Pledge*:	\$0	\$0	\$0
	\$173,811,000	\$85,219,271	\$88,591,729

*Contingent on Pledge Fulfillment of \$2.5 Million

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
01 - Bluffton Parkway, Phase 5A (Roadway Section Only)	\$37,930,806	\$17,894,138	\$4,536,667	\$22,430,805	\$15,500,000
01 - Bluffton Parkway, Phase 5B					
02A - US278 (William Hilton Parkway) Resurfacing	\$6,811,989	\$4,176,988	\$0	\$4,176,988	\$1,635,001
02B - US 278 Realignment at Squire Pope Rd.	\$1,640,213	\$1,590,213	\$0	\$1,590,213	\$50,000
02C - US 278 Widening (Simmonsville Rd to SC 170) (\$12.9M Earmark being managed by SCDOT)	\$29,649,368	\$3,449,901	\$199,467	\$3,649,368	\$26,200,000
02D - US278 Frontage Rds (The Gatherings to Graves Rd)	\$5,819,782	\$1,763,601	\$1,371,181	\$3,134,782	\$2,685,000
02E - US 278 Street Lighting	\$117,648	\$99,872	\$17,776	\$117,648	\$0
03 - SC 170 Widening (US 278 to Bluffton Parkway)	\$16,488,865	\$1,306,031	\$1,382,834	\$2,688,865	\$13,800,000
04 - US 17 Widening (US 21 to Colleton County)	\$6,261,646	\$6,216,297	\$25,249	\$6,241,546	\$10,000
05 - US 21 (Boundary St) Improvements	\$11,168,018	\$1,101,719	\$866,299	\$1,968,018	\$9,200,000
06 - US 21 (Boundary St) Parallel Rd	\$1,197,129	\$729,351	\$467,778	\$1,197,129	\$0
07 - SC 802 Ribaut Rd (Lenor Dr to Lady's Island Dr)	\$1,044,412	\$767,434	\$184,978	\$952,412	\$92,000



Beaufort County 1% Sales Tax Program Revised Budget



as of April 30, 2010

Revenue Sources	Total Expected	Collected to Date			Remaining to Collect
Sales Tax Collections:	\$152,000,000	\$92,117,975			\$69,882,025
Sales Tax Interest:	\$1,800,000	\$1,101,295			\$698,705
Sales Tax Collection Overage:	\$2,000,000	\$0			\$2,000,000
Impact Fees prior to Sales Tax:	\$3,000,000	\$2,000,001			\$999,999
ARRA Funding (US 278 Resurfacing):	\$2,211,000	\$0			\$2,211,000
US 278 Widening Federal Earmark:	\$12,800,000	\$0			\$12,800,000
Hilton Head Frontage Road Pledge*:	\$0	\$0			\$0
	\$173,811,000	\$85,219,271			\$88,591,729

*Contingent on Pledge Fulfillment of \$2.5 Million

PROJECT NUMBER AND TITLE	Budget (Anticipated Total Expenditures)	Expended FY2007 to date	Encumbered as of 4/30/2010	Expended to date + Encumbered TOTAL	Balance Available TOTAL
08 - US 21/ SC 802 (Lady's Island Dr) Widening	\$47,008,745	\$16,679,808	\$29,418,155	\$46,097,963	\$910,782
09 - Northern Beaufort Bypass	\$1,524,751	\$532,725	\$972,026	\$1,504,751	\$20,000
10 - SC 802 (Savannah Highway) Widening	\$7,684,046	\$2,676,317	\$4,697,894	\$7,374,211	\$309,835
	\$173,537,317	\$58,984,396	\$44,140,304	\$103,124,699	\$70,412,618

ESTIMATED CONTINGENCY:	\$273,683	
TOTAL NET COLLECTIONS OVER EXPENDITURES:	\$26,234,876	
NET REMAINING TO COLLECT OVER BALANCE AVAILABLE:		\$18,179,111

All data has been reviewed by the Beaufort County Chief Financial Officer.

Projects highlighted in green are under construction or complete	Projects highlighted in orange are in design
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FY 2010-2011 BEAUFORT COUNTY BUDGET

To provide for the levy of tax for corporate Beaufort County for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to make appropriations for said purposes; and to provide for budgetary control of the County's fiscal affairs.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

The County Council of Beaufort County hereby appropriates the funds as detailed in Sections 4, 5 and 6 of this Ordinance. Further, that the County Council of Beaufort County hereby establishes the millage rates as detailed in Sections 2 and 3 of this Ordinance. However, the County Council of Beaufort County reserves the right to modify these millage rates at its August 23, 2010 meeting.

SECTION 2. MILLAGE

The County Auditor is hereby authorized and directed to levy in Fiscal Year 2010-2011 a tax of 47.54 mills on the dollar of assessed value of property within the County, in accordance with the laws of South Carolina. These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the County Council of Beaufort County.

County Operations	40.21
Purchase of Real Property Program	2.76
County Debt Service	4.57

SECTION 3. SPECIAL DISTRICT TAX LEVY

The County Auditor is hereby authorized and directed to levy, and the County Treasurer is hereby authorized and directed to collect and distribute the mills so levied, as provided by law, for the operations of the following special tax districts:

Bluffton Fire District Operations	19.67
Bluffton Fire District Debt Service	.37
Burton Fire District Operations	55.87
Burton Fire District Debt Service	5.53
Daufuskie Island Fire District Operations	30.11
Daufuskie Island Fire District Debt Service	0.00
Lady's Island/St. Helena Island Fire District Operations	30.39
Lady's Island/St. Helena Island Fire District Debt Service	1.50
Sheldon Fire District Operations	32.09
Sheldon Fire District Debt Service	2.14

SECTION 4. COUNTY OPERATIONS APPROPRIATION

An amount of \$104,192,036 is appropriated to the Beaufort County General Fund to fund County operations and subsidized agencies. The detailed Operations budget containing line-item accounts by department and/or agency is hereby adopted as part of this Ordinance. This appropriation will be funded from the following revenues sources:

- A. \$79,985,015 to be derived from tax collections;
- B. \$ 2,501,000 to be derived from fees for licenses and permits;
- C. \$ 7,686,826 to be derived from Intergovernmental revenue sources;
- D. \$10,637,150 to be derived from charges for services;
- E. \$ 1,035,650 to be derived from fines and forfeitures' collections;
- F. \$ 190,000 to be derived from interest on investments;
- G. \$ 760,000 to be derived from miscellaneous revenue sources;
- H. \$ 1,396,395 to be derived from inter-fund transfers;

Additional operations of various County departments are funded by Special Revenue sources. The detail of line-item accounts for these funds is hereby adopted as part of this Ordinance.

SECTION 5. PURCHASE OF DEVELOPMENT RIGHTS AND REAL PROPERTY PROGRAM

The revenue generated by a 2.76 mill levy is appropriated for the County's Purchase of Development Rights and Real Property Program.

SECTION 6. COUNTY DEBT SERVICE APPROPRIATION

The revenue generated by a 4.57 mill levy is appropriated to defray the principal and interest payments on all County bonds and on the lease-purchase agreement authorized to cover other Capital expenditures.

SECTION 7. BUDGETARY ACCOUNT BREAKOUT

The foregoing County Operation appropriations have been detailed by the County Council into line-item accounts for each department. The detailed appropriation by account and budget narrative contained under separate cover is hereby adopted as part of this Ordinance. The Fire Districts, as described in Section 3 of this Ordinance, line-item budgets are under separate cover but are also part and parcel of this Ordinance.

SECTION 8. OUTSTANDING BALANCE APPROPRIATION

The balance remaining in each fund at the close of the prior fiscal year, where a reserve is not required by State or Federal law, is hereby transferred to the Unreserved Fund Balance of that fund.

SECTION 9. AUTHORIZATION TO TRANSFER FUNDS

In the following Section where reference is made to "County Administrator" it is explicit that this refers to those funds under the particular auspices of the County Administrator requiring his approval.

Transfers of funds among operating accounts or among capital accounts within a department may be authorized by the County Administrator or his designee, upon the written request of the Department Head. The County Administrator, or his designee, may also transfer funds from any departmental account to their respective Contingency Accounts.

Transfer of monies/budgets between funds or programs must be authorized by County Council, except amounts less than \$10,000, which may be authorized by the Council Chairman, and/or the Finance Chairman, upon the written request and consent of the County Administrator. Transfers of less than \$5,000 may be authorized by the County Administrator, and/or his designee.

SECTION 10. ALLOCATION OF FUNDS

The County Administrator is responsible for controlling the rate of expenditure of budgeted funds in order to assure that expenditures do not exceed funds on hand. To carry out this responsibility, the County Administrator is authorized to allocate budgeted funds.

SECTION 11. AUTHORIZATION OF TAX ANTICIPATION NOTES

(A) The Council hereby finds and determines that:

(i) The monies necessary to fund this budget will come primarily from ad valorem property taxes levied against property located in the County (the "Local Taxes").

(ii) Notices for the collection of Local Taxes will be prepared and mailed by the County Auditor sometime after September 1, 2010, and the Local Taxes are payable without penalty on or before January 15, 2011.

(iii) Local Taxes represent a substantial portion of the County's revenues for its operations. Payment of the operating costs of the County, especially for wages, salaries and a number of other expenses cannot be delayed pending receipt of Local Taxes. The County's fund balance and other sources of revenue are not sufficient cash to provide for current payment of all operating costs pending receipt of Local Taxes.

(iii) The Council has been advised that the cash requirements to pay currently the costs of operation of the County during the period of July 1, 2010 to January 15, 2011, will exceed the amount of cash available.

(B) The Council intends hereby to provide for the issuance of tax anticipation notes (the "Notes") authorized by Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended, and Chapter 27, Title 11 of the *Code of Laws of South Carolina*,

1976, as amended. The Administrator, with the advice and consent of Council, is hereby authorized and directed to take such action as the Administrator deems necessary to issue the Notes without further Council action, whenever the current or projected cash position of the County requires such interim financing, subject to the following:

(i) The Administrator shall prepare schedules showing the projected cash requirements of the County and the funds that will be available to meet such requirements, including the general fund balance and receipts from all sources.

(ii) The Administrator, with the advice and consent of Council, may provide for the issuance of Notes in an amount sufficient to provide the County with sufficient cash to meet its projected needs and to maintain on hand an amount not less than 5% of the actual operating expenditures for the fiscal year ending June 30, 2010 (the "2010-2011 Fiscal Year"); provided, however, that in no event shall the principal amount of the Notes exceed 75% of the amount of Local Taxes to be levied for the 2010-2011 Fiscal Year without further authorization from the Council.

(iii) The Administrator, with the advice and consent of Council, may provide for the issuance of the Notes at one or more times and may provide for such Notes to be fully funded at the time of issuance or to be drawn against a stated principal amount over time.

(iv) The Administrator may provide for the Notes to mature at any time up to and including 90 days after January 15, 2011, and may provide for the prepayment of the Notes under such terms as are deemed desirable.

(v) The Notes may be sold at public sale or by invitation limited to local financial institutions or any particular kind of investor at the discretion of the Administrator; provided that the Administrator shall seek offers to purchase or fund the Notes from at least three sources. The Administrator shall exercise discretion in the manner of offering the Notes after considering the total amount to be funded and all costs in connection therewith, and shall endeavor to select that method of offering the Notes which is expected to provide the funding needed at the lowest total cost to the County.

(vi) The Administrator is further directed to obtain the advice of bond counsel as to the details of the Notes and the manner of offering thereof and to observe any limitations required under Federal tax laws to maintain the tax-exemption of interest thereon.

C) For payment of the Notes and the interest thereon, there shall be pledged the ad valorem taxes levied for operating purposes for the 2010-2011 Fiscal Year and the full faith, credit and taxing power of the County and the Administrator is hereby authorized to provide for such pledge and security in the Notes.

(D) The Administrator and all other officials of the County are hereby authorized and directed to take all action necessary or desirable to arrange for the issuance and placement or sale of the Notes and to enter into such agreements as are customary in connection therewith.

SECTION 12. MISCELLANEOUS RECEIPTS ABOVE-ANTICIPATED REVENUES

Revenues other than, and/or in excess of, those addressed in Sections 4, 5 and 6 his Ordinance, received by Beaufort County, and all other County agencies fiscally responsible to Beaufort County, which are in excess of anticipated revenue as approved in the current budget, may be expended as directed by the revenue source, or for the express purposes for which the funds were generated without further approval of County Council. All such expenditures, in excess of \$10,000, shall be reported, in written form, to the County Council of Beaufort County on a quarterly basis. Such funds include sales of products, services, rents, contributions, donations, special events, insurance and similar recoveries.

SECTION 13. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2010, are hereby approved.

SECTION 14. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2010. Approved and adopted on third and final reading this _____ day of June, 2010.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Ladson F. Howell, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: May 10, 2010
Second Reading: May 24, 2010
Public Hearings: May 24, 2010 and June 14, 2010
Third and Final Reading:

2010 /

FY 2010-2011 BEAUFORT COUNTY SCHOOL DISTRICT BUDGET

To provide for the levy of tax for school purposes for Beaufort County for the fiscal year beginning July 1, 2010, and ending June 30, 2011; to make appropriations for said purposes; and to provide for budgetary control of the County's fiscal affairs.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

The County Council of Beaufort County hereby appropriates the funds as detailed in Sections 3 and 4 of this Ordinance and establishes the millage rates as detailed in Section 2 of this Ordinance. The County Council of Beaufort County reserves the right to modify these millage rates at its August 23, 2010, meeting.

SECTION 2. MILLAGE

In Fiscal Year 2010-2011 and in accordance with the laws of South Carolina, the County Auditor is hereby authorized and directed to levy a tax on the following mills on the dollar of assessed value of property within the County.

School Operations	92.07
School Debt Service	26.33

These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the County Council of Beaufort County.

SECTION 3. SCHOOL OPERATIONS APPROPRIATION

An amount of \$175,270,150 is appropriated to the Beaufort County Board of Education to fund school operations. This appropriation is to be spent in accordance with the school budget approved by County Council of Beaufort County, and will be funded from the following revenue sources:

- A. \$118,388,394 to be derived from tax collections;
- B. \$ 52,864,379 to be derived from State revenues;
- C. \$ 400,000 to be derived from Federal revenues;
- D. \$ 200,000 to be derived from other local sources;
- E. \$ 2,962,953 to be derived from inter-fund transfers.
- F. \$ 454,424 to be derived from fund balance.

The Beaufort County Board of Education is responsible for ensuring that school expenditures do not exceed appropriations other than as provided for in this Ordinance. As revenues are based on projections, the Board of Education must make every effort to reduce the approved budget to allow for overestimated revenues, should this situation occur. Should the Board of Education be unable to sufficiently reduce the approved budget to allow for overestimated revenues, the Board of Education must appear before the County Council in an effort to resolve the problem. Any transfer of funds between programs as herein enacted must be in compliance with Section 7 of this Ordinance.

SECTION 4. SCHOOL DEBT SERVICE APPROPRIATION

The revenue generated by a 26.33 mill levy is appropriated to defray the principal and interest payments of school bonds.

SECTION 5. BUDGETARY ACCOUNT BREAKOUT

The Beaufort County Board of Education, as described in Section 3 of this Ordinance, line-item budgets are under separate cover but are also part and parcel of this Ordinance.

SECTION 6. OUTSTANDING BALANCE APPROPRIATION

The balance remaining in each fund at the close of the prior fiscal year, where a reserve is not required by State or Federal law, is hereby transferred to the Unreserved Fund Balance of that fund.

SECTION 7. AUTHORIZATION TO TRANSFER FUNDS

In the following Section where reference is made to "School Superintendent" it is explicit that this refers to those funds under the particular auspices of the School Superintendent requiring his approval.

Transfers of funds among operating accounts or among capital accounts within a department may be authorized by the School Superintendent or his designee, upon the written request of the Department Head. The School Superintendent, or his designee, may also transfer funds from any departmental account to their respective Contingency Accounts.

Transfer of monies/budgets between funds or programs must be authorized by the Board of Education, except amounts less than \$10,000, which may be authorized by the School Board Chairman, and/or the Finance Chairman of the respective bodies, upon the written request and consent of the School Superintendent. Transfers of less than \$5,000 may be authorized by the School Superintendent, and/or his designee.

SECTION 8. ALLOCATION OF FUNDS

The School Superintendent is responsible for controlling the rate of expenditure of budgeted funds in order to assure that expenditures do not exceed funds on hand. To carry out this responsibility, the School Superintendent is authorized to allocate budgeted funds.

SECTION 5. MISCELLANEOUS RECEIPTS ABOVE-ANTICIPATED REVENUES

Revenues other than, and/or in excess of, those addressed in Sections 3 of this Ordinance, received by the Beaufort County School District, which are in excess of anticipated revenue as approved in the current budget, may be expended as directed by the revenue source, or for the express purposes for which the funds were generated without further approval of County Council. All such expenditures, in excess of \$10,000, shall be reported, in written form, to the County Council of Beaufort County on a quarterly basis. Such funds include sales of products, services, rents, contributions, donations, special events, insurance and similar recoveries.

SECTION 6. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2011 are hereby approved.

SECTION 7. ADDITIONAL APPROPRIATIONS

This Ordinance provides that maximum school operations appropriations authorized for spending by the Beaufort County School District for Fiscal Year 2010-2011. The maximum school operations appropriation is set forth herein in Section 3. Any request to expend funds over the maximum school operations appropriation as provided in Section 3 must be approved by the Beaufort County Council by amendment to this Ordinance.

SECTION 8. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2010. Approved and adopted on third and final reading this ____ day of June, 2010.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Ladson F. Howell, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading, By Title Only: May 10, 2010
Second Reading: May 24, 2010
Public Hearings: May 24, 2010 and June 14, 2010
Third and Final Reading:

2010 /

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO AMEND THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE, (ZDSO) THAT REPLACES ALL THE COMMUNITY OPTIONS WITH A TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION: ARTICLE V, DIVISION 1, TABLE 106-1098 USE TABLE; ARTICLE VI, DIVISION 2, TABLE 106-1526 OPEN SPACE AND DENSITY STANDARDS; ARTICLE VI, DIVISION 3, TABLE 106-1556 LOT AND BUILDING STANDARDS; ARTICLE VI, DIVISION 4, TABLE 106-1617 BUFFERYARD AND LANDSCAPING STANDARDS; ARTICLE XI, DIVISIONS 1 AND 2.

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

Adopted this _____ day of _____, 2010.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Ladson F. Howell, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading: January 11, 2010
Second Reading: January 25, 2010
Public Hearing: March 14, 2010
Third and Final Reading:

(Amending 99/12)

ARTICLE XI. COMMUNITY USE AND NONRESIDENTIAL DESIGN

DIVISION 1. GENERALLY

Sec. 106-2346. Purpose.

(a) This article addresses the design standards to be applied to Traditional Neighborhoods Developments, Planned and Multi-Family Communities, Manufactured Home Communities, and nonresidential developments, and Planned Unit Developments. It also provides regulations to ensure the quality of development and prevent monotony. These ~~community~~ development options require special design controls if they are to be successful. In traditional communities and neighborhoods around the nation, as well as in the county, buildings were built incrementally in small numbers so blocks developed over an extended period. The result is a great diversity in scale, style, and detail.

(b) All nonexempt development occurring along or requiring access from the following county highways: U.S. 278, S.C. 170, S.C. 46, S-163, Bluffton Parkway, Buckwalter Parkway, U.S. 21, U.S. 17, S.C. 802, S.C. 280, S.C. 21, and S.C. 116, shall require approval from the appropriate corridor review board, before consideration by the DRT. Refer to subdivision VI of division 2 of article II of this chapter and division 5 of article III of this chapter for additional guidelines and procedures for these reviews.

Secs. 106-2347--106-2375. Reserved.

~~DIVISION 2. COMMUNITY USE DESIGN AND STANDARDS~~ TRADITIONAL NEIGHBORHOOD DEVELOPMENTS

[Note: Division 2 is replaced in its entirety]

Sec. 106-2376. Purpose

The purpose of the Traditional Neighborhood Development option is to support the development of human scale, walkable communities where residences, business and commercial uses are within walking distance of one another. These can range from moderate infill or redevelopment projects located in already-developed areas and relying on adjacent land uses, to larger new towns complete within their own village centers and hundreds of acres of mixed housing types. Buildings within these communities can vary as well, from neighborhoods consisting primarily of single-family attached and detached dwellings, to mixed use centers, complete with integrated retail, civic, office and residential uses, including live-work units, and housing units located on top of shops.

The various uses are connected and unified by a network of streets providing a pedestrian and bicycle-friendly environment. Within this street network on-street parking is provided as a traffic-calming and pedestrian-safety device, while street trees and sidewalks create a pleasant and safe walking environment. The pedestrian-oriented nature of the district is reinforced by human-scaled buildings that relate to the street, provide safe pedestrian access, and create a distinct district identity. In addition, the master planned nature of this district allows building

setbacks to be reduced from conventional standards as part of a carefully programmed and cohesive design.

This district also supports the preservation of environmentally and historically sensitive or significant sites and the incorporation of a variety of open space, civic space, and recreational amenities into new development. Traditional neighborhood developments require specific design controls if they are to be successful. In traditional neighborhoods around the nation, as well as in the county, buildings were built incrementally in small numbers so blocks developed over an extended period. The result is a great diversity in scale, style, and detail.

Sec. 106-2377. Definitions

(a) *Bungalow Court*. Bungalow courts consist of between 6 and 10 single story or 1-½ story differentiated semi-detached units grouped around a shared pedestrian courtyard. The courtyard must be entered from the street through some form of gateway and be of sufficient size to create a hierarchical transition from the public street to the semi-private courtyard, and then to the individual bungalow.

(b) *Community Garden*. Green spaces that are communally cultivated and tended for the purpose of providing produce, a gardening experience, and/or education to residents of the surrounding community. A community garden may be divided into individual plots or tended in a communal fashion.

(c) *Green Finger*. Reserve areas along a natural feature such as a stream, vegetation, or topographic feature that extend into developed residential and commercial areas of the traditional neighborhood development.

(d) *Live/Work Unit*. An attached building type with a small home business on the ground floor that is owned and operated by the resident of the residential unit above.

(e) *Pedestrian Shed*. The pedestrian shed is the area that is within a 5 minute walk of an activity center such as a park, civic building or commercial center. A five minute walk or ¼ mile represents the distance most people are willing to walk to get to the center.

(f) *Town Cottage*. A Town Cottage is an urban detached single-family dwelling on a small lot that is potentially shared by one or more ancillary buildings. Because of the urban condition, there are no minimum front or side setbacks. Garages and/or surface parking shall be provided in the rear yard or ground level and accessed from an alley if possible. Town Cottages are only permitted in the Neighborhood Center.

(g) *Workforce Housing Units*. A workforce housing unit is any housing unit that is affordable to individuals and families with an income ranging from 65% to 120% of Beaufort County's median income as produced annually by the US Department of Housing and Urban Development (HUD). In order to be affordable, the annual cost of all housing expenses including, but not limited to, mortgage payments, rent, property tax, mortgage insurance, housing insurance (including flood insurance), essential utilities (gas and electric), regime fees, and property owners association fees cannot exceed 35% of the gross annual income of the occupant.

Sec. 106-2378. General Requirements

(a) *Minimum Site Area.* Traditional Neighborhood Developments that are zoned Suburban must have a minimum site area of 40 acres, while those that are zoned Urban must have a minimum site area of 20 acres.

(b) *Location Requirements.* Traditional Neighborhood Developments shall meet at least one of the following locational standards:

- (1) The site must have direct access to an existing arterial or major collector roadway.
- (2) The site must be within ¼ mile of public park or school.

(c) *Mix of Neighborhood Zones.* Traditional Neighborhood Developments are required to have a minimum of two of the following three Neighborhood Zones – Neighborhood Center, Neighborhood General, and Neighborhood Edge.

(d) *Pedestrian Shed.* Where environmental conditions, site size and shape permits, all structures should be situated within ¼ miles of an activity center such as a park, civic building or commercial center.

(e) *Mix of Land Uses and Lot Sizes.* There shall be a variety of housing types in the overall development: single-family detached of various sizes; single-family attached; and multifamily dwellings. While multifamily is permitted, the majority of multifamily units are expected to occur in mixed-use structures or in multifamily housing structures designed to appear to be large, single-family structures.

(f) *Diversity of Housing Choices.* Traditional Neighborhood Developments are required to provide a diversity of housing options and prices to encourage a mix of incomes among its residents.

(1) *Workforce Housing Units.* A minimum of 10% of the dwelling units in a Traditional Neighborhood Development shall be workforce housing units in accordance with Section 106-2382.

(2) *Accessory Dwelling Units.* Accessory dwelling units are permitted in accordance with Section 106-1188 with the exception that there are no restrictions on the percentage of principle dwelling units that can have accessory dwelling units.

(g) *Interconnected Street Network.* Where environmental conditions, site size and shape permits, the site should be developed using an interconnected network of streets with public access that form appropriate size blocks that are no longer than 600' between any two intersections.

(h) *Public Access to All Streets.* All streets shall have no gates or any other fixture that prevents general public access to the streets.

(i) *Direct Frontage on Arterials and Major Collectors.* Where it is deemed essential to the successful development of the community, the DRT may approve frontage on an existing arterial or major collector. However, no typical strip commercial uses will be permitted and development shall adhere to the requirements established in this section and the design guidelines that are adopted with the final approval of the Traditional Neighborhood Development.

(j) *Conceptual Plan Submission.* The Conceptual Plan submission shall include the following:

- (1) A regulating plan consisting of one or more maps showing the following, in compliance with the standards described in this article:
 - a. Location of Neighborhood Zones (Edge, General, Center, and Preserve)
 - b. Mix of uses
 - c. Location, types and sizes of open spaces
 - d. Thoroughfare Network including location of sidewalks and pathways.
- (2) Preliminary design guidelines that assure a cohesiveness of the vernacular and style typical of the Lowcountry (final design guidelines are submitted with the final plan submission).

Sec. 106-2379. Neighborhood Zones

Each Traditional Neighborhood Development may consist of the following Neighborhood Zones: Neighborhood Center, Neighborhood General, Neighborhood Edge; and Neighborhood Reserve.

(a) *Neighborhood Center.* This is a social, mixed-use hub within walking distance of the surrounding neighborhood general and edge zones. Housing is in more dense rearyard and sideyard buildings, often combining upper floor residential with ground floor commercial. All buildings are served by alleys. Thoroughfares typically are streets and avenues with parallel parking on both sides. Open Space is organized into parks and squares. Traditional Neighborhood Developments are required to limit commercial development to the Neighborhood Center. Such areas shall be designated in the concept plan. The county may require phasing of the development to ensure the commercial area is produced. The following shall govern commercial development:

- (1) Commercial uses in the neighborhood center shall be limited to the uses in the Urban Zoning District in Table 106-1098 of this chapter of the ZDSO.
- (2) The build-to setback for commercial buildings shall be from zero to 8 feet. The build-to line shall be specifically approved in the concept plan for the design and landscaping of the community center area.
- (3) Drive-in uses are prohibited, except where they are accessed via a rear alley.

- (4) The total area of commercial uses in the neighborhood center area shall be in proportion to accepted planning standards, allowing for excellence in project design.
- (5) The vehicular access to units shall be via alleys. This permits the rather narrow building fronts to be free from driveways and garage doors.

(b) *Neighborhood General.* This is the most widespread urban fabric, with a mixture of housing types and limited non-residential uses. Housing is typically in rearyard, sideyard, and all yard buildings, with accessory structures at the rear. The thoroughfares are streets or roads with or without curb, and parallel parking. Open space is organized into parks and playgrounds.

- (1) Non-residential uses in the neighborhood general shall be limited to the following:
 - a. Home occupational use on the ground floor as long as the activity is that of the property owner and the property owner is in residence in the dwelling. Home occupational uses shall follow the standards set forth in this chapter.
 - b. Home business use in an accessory structure as set forth in this chapter.
 - c. Institutional uses, such as churches and schools.

- (2) The vehicular access to units shall be via alleys.

(c) *Neighborhood Edge.* This is a residential fabric with low to moderate density. Housing is exclusively in all yard or sideyard buildings. Non residential uses are limited to home occupational use and special recreational or civic uses, relating to adjacent forests or waterfront. Home occupational uses shall follow the same standards as the neighborhood general zone set forth in this section. The thoroughfares are roads with soft edges and no curbs. Periodic parking is accommodated on the roadside.

(d) *Neighborhood Reserve.* The Neighborhood Reserve consists of all areas within the traditional neighborhood development that are set aside as passive open space including lands delineated to meet the protected resource requirements of Section 106-1782 and the bufferyard requirements in Section 106-1617. The neighborhood reserve shall be counted as part of the minimum open space required by table 106-1526.

- (1) With the exception of green fingers and community gardens, the neighborhood reserve should be situated generally outside of the pedestrian sheds established in the traditional neighborhood development.
- (2) To the greatest extent feasible, the neighborhood reserve should consist of a continuous network of contiguous open space, buffers and preserved lands within the traditional neighborhood development.
- (3) Where there are natural features and preserved lands located on abutting properties to the traditional neighborhood development, the neighborhood reserve shall adjoin these features.

- (4) Agricultural uses, community farms and community gardens are permitted within the Neighborhood Reserve with the following restrictions.
- a. Habitable structures, bed and breakfasts, other commercial structures and parking areas that are part of a community farmstead are not permitted within the neighborhood reserve. Community farmsteads shall be situated so that these structures are located in an adjoining Neighborhood Edge or Neighborhood General zone.
 - b. Agricultural structures such as barns, coops, storage sheds, and education facilities are permitted within the neighborhood reserve.
- (5) Uses and development standards within the neighborhood reserve shall meet the requirements of Article VII, Division 4.

Table 106-2379: Lot and Building Standards for Neighborhood Zones

Development Type	Lot Area	Lot Width	Street Yard	Side Yard	Building Spacing	Rear Yard	Maximum Height*	Maximum Side Load Garage Setback	Minimum Garage Rear Setback	Minimum Garage Side Setback	Range in % in Width along frontage	Minimum Front Porch Depth	Minimum Front Porch % of Façade	Minimum First Floor Height above Grade
NEIGHBORHOOD CENTER														
Single Family														
Town Cottage	864	18	0/8 maximum	0	0	5	45		5		50%	8	20%	29 inches
Bungalow Court House	1500	30	6/24 maximum	3	6	5	45		5		50%-80%	8	30%	29 inches
Single Family Attached														
Townhouse	864	18	0/8 maximum	0	0	5	45		5		50%	8/3 for balconies	20%	29 inches
Multi-Family														
Duplex	4800	48	0/8 maximum	3	6	5	45		5		50%-80%	8/3 for balconies	30%	29 inches
Multiplex	4800	48	0/8 maximum	3	6	5	45		5		50%-80%	8/3 for balconies	30%	29 inches
Apartment	4800	48	0/8 maximum	3	6	5	45		5		50%-80%	8/3 for balconies	30%	29 inches
Commercial														
Live-Work	864	18	0/8 maximum	0	0	5	45		5		50%	8/3 for balconies	20%	0
Shopfront	864	18	0/8 maximum	0	0	5	45		5		50%	8/3 for balconies	20%	0
Institutional/ Civic			0/8 maximum	0	0	5	45				50%			0

*Height is measured from grade to average height of the highest roof surface

Table 106-2379: Lot and Building Standards for Neighborhood Zones (continued)

Development Type	Lot Area	Lot Width	Street Yard	Side Yard	Building Spacing	Rear Yard	Maximum Height*	Maximum Side Load Garage Setback	Minimum Garage Rear Setback	Minimum Garage Side Setback	Range in % in Width along frontage	Minimum Front Porch Depth	Minimum Front Porch % of Façade	Minimum First Floor Height above Grade
NEIGHBORHOOD GENERAL														
Single Family														
Single Family Detached	4800	48	6/24 maximum	3/shall total 12	6	24	45		5		50%-80%	8	30%	29 inches
Bungalow Court House	1500	30	6/24 maximum	3	6	5	45		5		50%-80%	8	30%	29 inches
Multi-Family														
Duplex	4800	48	6/24 maximum	3/shall total 12	6	24	45		5		50%-80%	8	30%	29 inches
Commercial														
Institutional/ Civic			6/24 maximum	3			45							29 inches
Live-Work	864	18	0/8 maximum	0	0	5	45		5		50%	8/3 for balconies	20%	0
NEIGHBORHOOD EDGE														
Single Family														
Single Family Detached	6000	60	18	12		24	45	24	5	3	40%	8	40%	36 inches
Commercial														
Institutional/ Civic			18	12			45				40%			

*Height is measured from grade to average height of the highest roof surface

Figure 106-2379(a): Neighborhood Center Lot and Building Standards

NEIGHBORHOOD CENTER	
Town Cottage	
Bungalow Court House	
Attached Townhouse Commercial Shopfront • Commercial Live-Work	

Figure 106-2379(a): Neighborhood Center Lot and Building Standards (continued)

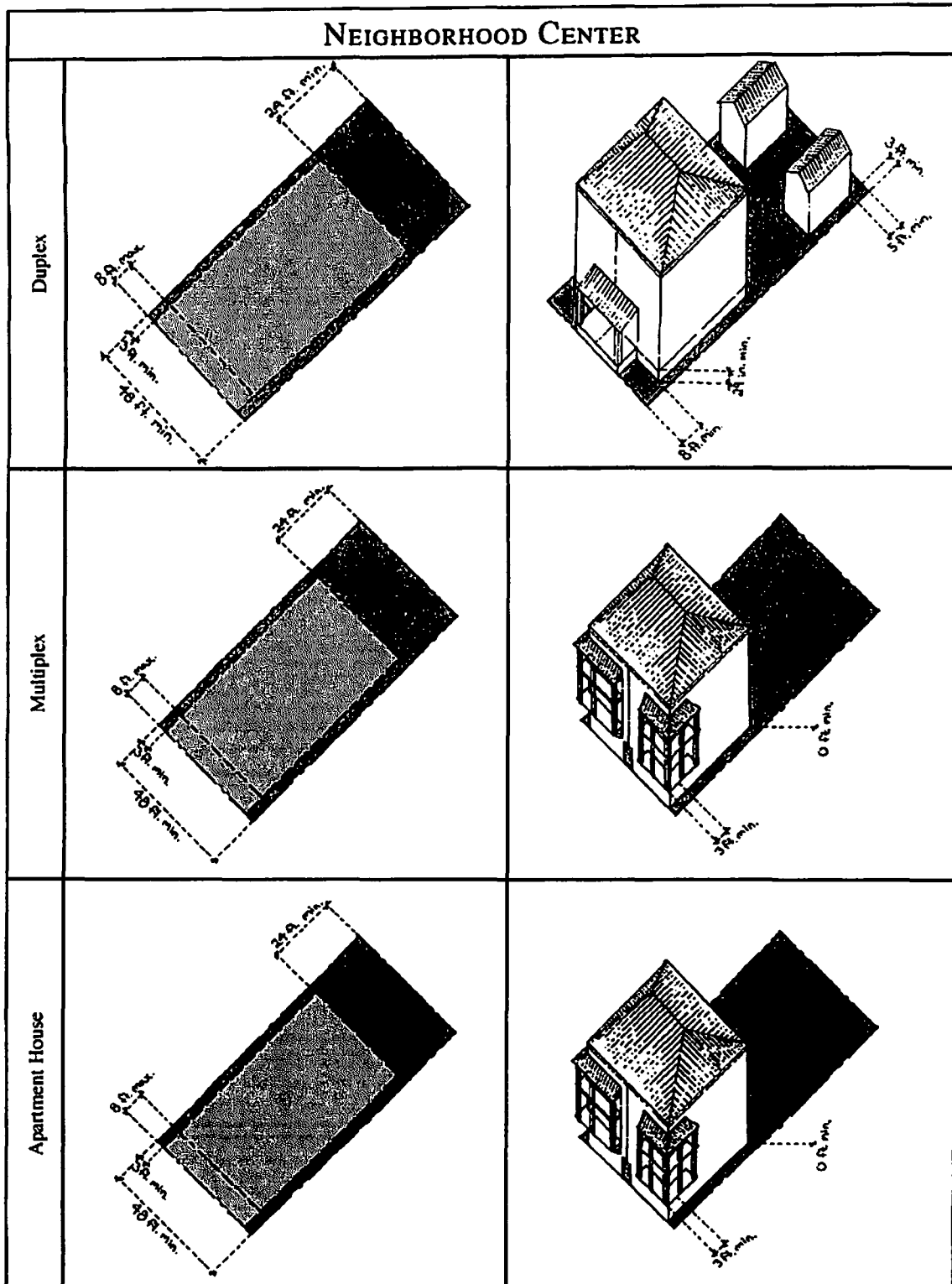
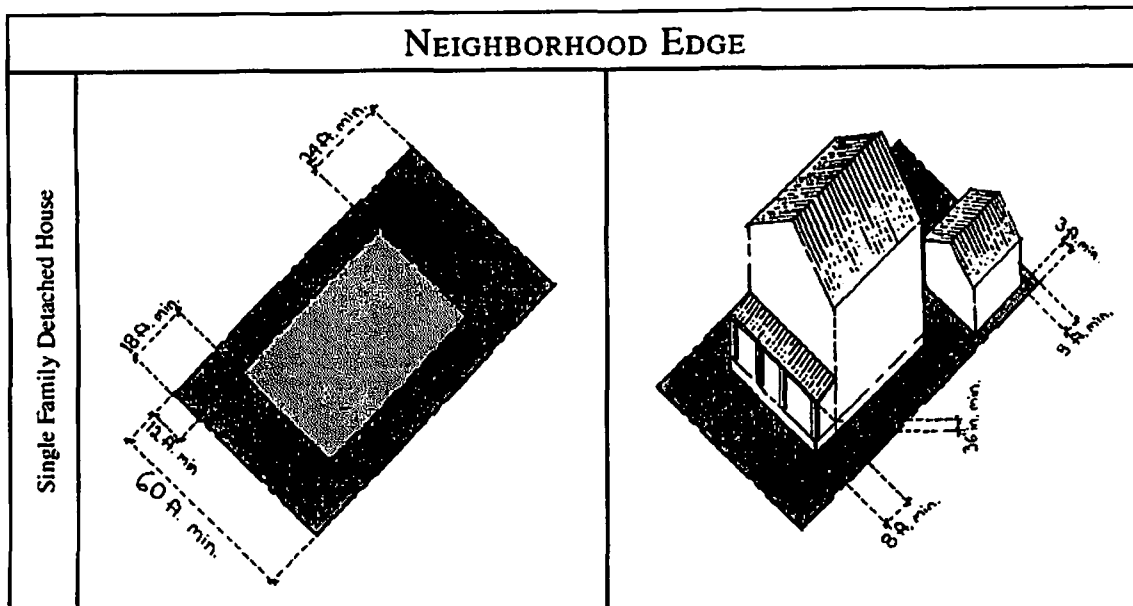


Figure 106-2379(b): Neighborhood General Lot and Building Standards

NEIGHBORHOOD GENERAL	
Single Family Detached House	
Bungalow Court House	
Duplex	

Figure 106-2379(c): Neighborhood Edge Lot and Building Standards



(e) *Development Standards Applicable to All Neighborhood Zones:*

(1) *Principal Building and Yard.*

- a. Stoops, balconies, porches, and bay windows may encroach within front and corner side setbacks. Balconies and Arcades may encroach within the right-of-way the width of the sidewalk only in the Neighborhood Center zone.
- b. Double frontage buildings shall have the required front setback along both frontages unless otherwise designated on the Regulating Plan.
- c. Buildings shall show 2, 4, or 6, projecting corners to frontage, but no more than 6.
- d. Attached buildings on corner lots may move required front setback forward or backward a maximum of 6'.
- e. Fences, garden walls, and hedges may be built on property lines or as a continuation of building walls.

(2) *Principal Building Height.*

- a. Within the Traditional Neighborhood Development, building height is measured from grade to average height of the highest roof surface.
- b. Residential ground floors shall have a minimum height of 9'. Commercial ground floors shall have a minimum height of 12'.

- c. Structures such as, but not limited to, observation towers shall be allowed to reach an accessible height of 60 feet if all of the following conditions are met:
 1. Structure is constructed on other than residential lot.
 2. Structure with a footprint of 250 square feet or less.
 3. Structure that is uninhabitable.
 4. Structure meets conditions for construction stated by Beaufort County building codes and local fire officials.
- d. Church steeples and other architectural features shall be allowed to reach a height of 100 feet from finished grade.

(3) *Accessory Structures.*

- a. Accessory structures shall have a maximum of 625 habitable square feet.
- b. Maximum building height shall be 22', measured from grade to eave.
- c. Home occupational uses are permitted within an accessory structure if the activity is that of the property owner and the property owner is in residence in the primary dwelling. Accessory units cannot be rented to businesses.
- d. Only one habitable accessory structure with a kitchen permitted per residential lot.
- e. Accessory Dwelling Units shall follow the standards set forth in Sec. 106-1188.

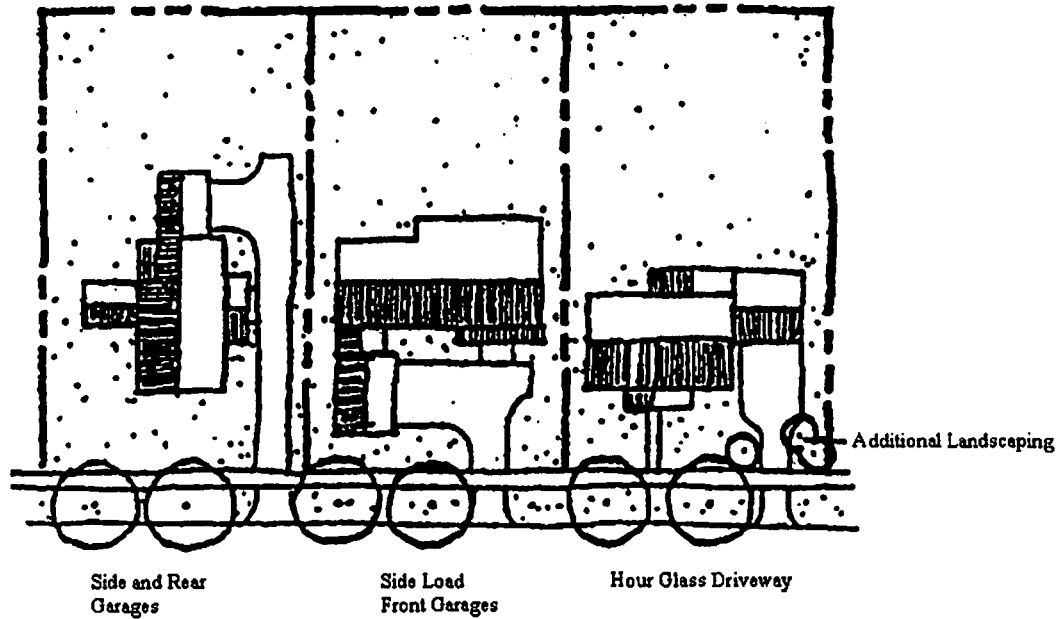
(4) *Garages.* Front loaded garages are permitted on lots with widths of 50' or greater, and the following shall be used to reduce the impact of drives and garages (figure 106-2378(b)):

- a. Garages shall be recessed from the primary building façade a minimum of 20' with a drive of no more than ten feet in width providing access and may include pervious medians.
- b. Side load front garages shall be used on at least 40 percent of lots where the garage is not to the rear of the lot.

(5) *Live Work Units.*

- a. Uses within the live work units are limited to those uses that are permitted in the Neighborhood Zone in which the unit is located.
- b. In the Neighborhood Center Zone, where there is a mix of residential and non-residential uses in a live-work Unit, residential uses are limited to the second, third and fourth floors.
- c. In the Neighborhood General Zone, non-residential uses are limited to the first floor.

Figure 106-2379(e) VEHICULAR GARAGE ACCESS



(6) *Parking.*

- a. Parking shall be 2 per principal dwelling unit; 1 per apartment unit; and 1 per every 400 square feet of commercial use.
- b. Required parking shall include on street parking along the frontage.
- c. Required parking in the Neighborhood Center shall include mid-block parking, on street parking, and private parking as long as the parking spaces are within 700' of the intended use.

(7) *Lot and Building Standards Applicable to All Neighborhood Zones.* Housing types used in traditional neighborhood developments are contained in table 106-2379. Housing types and lot configurations are illustrated in figures 106-2379(a), 106-2379(b), and 106-2379(c).

Sec. 106-2380. Civic Open Space

Each Neighborhood Zone shall assign at least 5% of its area to appropriate types of civic open spaces. Civic open space shall be counted as part of the minimum open space required by table 106-1526. Formal activity areas are encouraged to be built into open spaces. These include fountains, formal gardens and sitting areas, gazebos or similar facilities. These should serve the residents and provide a sense of identity to the various open spaces. The concept plan and preliminary plan shall provide increasing detail on the types of structures to be provided. Six

types of civic open spaces – parks, boulevards, greens, squares, plazas, playgrounds – are permitted and shall conform to the following standards:

- (1) *Parks.* Park areas shall be designed to provide a range of unstructured recreational opportunities for the development's residents. A park may be independent of surrounding building frontages. Its landscape shall consist of paths and trails, meadows, water bodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors. The minimum size shall be ½ acres. Golf courses may be counted toward park space; however, fairways must be deleted from reserve area calculations.
- (2) *Boulevards.* A divided street with a reserve area in the center is considered a boulevard. In order to qualify as civic open space, the median shall be at least 20 feet wide feet, with a minimum area of 5,000 square feet. Such areas shall be designed to permit passive or active recreational use by the community where appropriate.
- (3) *Greens.* Greens are smaller reserve areas available for unstructured recreation. A green may be spatially defined by landscaping or building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be ½ acre and the maximum shall be 8 acres.
- (4) *Squares.* Squares are a reserve area available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be ¼ acre and the maximum shall be 5 acres.
- (5) *Plazas.* Plazas are a reserve area available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of hardscaping. Trees are optional but encouraged. Plazas should be located at the intersection of important streets. The minimum size shall be ¼ acre and the maximum shall be 2 acres.
- (6) *Playgrounds.* Playgrounds are a reserve area designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.

Sec. 106-2381. Traditional Neighborhood Thoroughfare Standards

(a) *General Standards.*

- (1) Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access to lots and Community Reserve Areas.
- (2) Thoroughfares shall generally consist of vehicular lanes and public frontages.

- (3) Thoroughfares shall be designed in context with the urban form and desired design speed of the Neighborhood Zones through which they pass. The public frontages of thoroughfares that pass from one Neighborhood Zone to another shall be adjusted accordingly or, alternatively, the Neighborhood Zone may follow the alignment of the thoroughfare to the depth of one lot, retaining a single public frontage throughout its trajectory.
- (4) Within the most rural zones (Neighborhood Edge), pedestrian comfort shall be secondary consideration of the thoroughfare. Design conflict between vehicular and pedestrian generally shall be decided in favor of the vehicle. Within the more urban Neighborhood Zones (Neighborhood General and Neighborhood Center), pedestrian comfort shall be a primary consideration of the thoroughfare. Design conflict between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
- (5) The thoroughfare network shall be designed to define blocks not exceeding the sizes set forth in this chapter. The perimeter shall be measured as the sum of lot frontage lines. Block perimeter at the edge of the development parcel shall be subject to approval by the DRT.
- (6) All thoroughfares shall terminate at other thoroughfares, forming a network. Internal thoroughfares shall connect wherever possible to those on adjacent sites. Cul-de-sacs shall be subject to approval by the DRT to accommodate specific site conditions only.
- (7) No more than 20 % of lots within any neighborhood zone shall front a passage or a shared pedestrian courtyard (bungalow court).
- (8) Curbless thoroughfares that do not have on-street parallel parking shall have a minimum asphalt width of 18' with 1' of stabilized shoulder on each side to meet emergency access standards. This standard also applies to curbless one-way thoroughfares with on-street parallel parking on one side.

(b) *Vehicular Lanes.* Thoroughfares may include vehicular lanes in a variety of widths for parked and for moving vehicles, including bicycles. The standards for vehicular lanes shall be as shown in Table 106-2381.

(c) *Thoroughfare Landscaping Standards.* The following landscaping standards apply to street trees, lawns, and other landscaping within the rights-of-way of thoroughfares within the traditional neighborhood development. Landscaping shall meet the requirements prescribed in Table 106-2381. Tree spacing may be adjusted by the DRT to accommodate specific site conditions.

(1) *Neighborhood Edge.*

- a. Landscaping shall include trees of various species, naturalistically clustered, as well as understory.
- b. The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance. Lawns should be minimal.

Table 106-2381: Thoroughfare Standards

Thoroughfare Type	Neighborhood Zones	Design Speed	Right of Way Width	Pavement Width (from face of curb)	Traffic Flow / Lane Width	No. of Parking Lanes	Curb Type	Curb Radius	Planter Width	Planter Type	Sidewalks	Sidewalk Width
Commercial Street A	Center	20-25 MPH	68'	36'	Two-way / 10'	2	Raised Vertical	10' max	5'	Individual Tree Wells	Both Sides	16'
Commercial Street B	Center	20-25 MPH	60'	36'	Two-way / 10'	2	Raised Vertical	10' max	5'	Individual Tree Wells	Both Sides	12'
Commercial Drive	Center	20 MPH	40' (each way)	18'	One-way / 10'	1	Raised Vertical / Swale	10' max at curb / 25' max at swale	5' at curb	Individual Tree Well	One side	12'
Street	Center	20 MPH	50'	28'	Two-way / 10'	1	Raised Vertical	10' max	5'	Individual Tree Well or Continuous	Both sides	5'-11'
Residential Street A	Center and General	20 MPH	50'	26'	Two-way / 9'	1	Raised Vertical	15' max	7'	Continuous	Both sides	5'
Residential Street B	General	20 MPH	40'	18'	Two-way / 9'	0	Swale	15' max	6'	Continuous	Both sides	5'
Urban Drive	Center and General	20 MPH	48'	26'	Two-way / 9'	1	Raised Vertical / Swale	15' max at curb / 25' max at swale	5' at curb	Individual Tree Grate	One side	12'
Residential Drive	Center, General, Edge	20 MPH	40'	18'	One-way / 10'	1	Raised Vertical / Swale	15' max at curb / 25' max at swale	7' at curb	Continuous	One Side	5'
Residential Road A	General and Edge	20-25 MPH	50'	18'	Two-way / 9'	0	Swale	25' max	11' both sides	Continuous	One Side	5'
Residential Road B	Edge	20-25 MPH	40'	18'	Two-way / 9'	0	Swale	25' max	6'-16' both	Continuous	Walking Path Optional	5'-8'
Rear Alley	Center, General, and Edge	NA	24'	12' pervious material	One-Way Yield / 12'	0	Swale	15' max	NA	NA	NA	NA
Pedestrian Passage	Center, General, and Edge	NA	12'	varies	NA	NA	NA	NA	3' minimum	Continuous	NA	Varies

(2) *Neighborhood General.* Landscaping shall include trees planted in a regularly-spaced allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one story.

(3) *Neighborhood Center.*

- a. Landscaping shall include trees planted in a regularly-spaced, allee pattern of single species with shade canopies of a height that, at maturity, clears at least one story. At retail frontages, the spacing of the trees may be irregular, to avoid visually obscuring the shopfronts.
- b. Streets with a right-of-way width of 40 feet or less shall be exempt from the tree requirement.

Sec. 106-2382. Workforce Housing

A minimum of 10% of the dwelling units in a Traditional Neighborhood Development shall be workforce housing units. The location of workforce housing units shall be shown on the conceptual plan. A workforce housing agreement shall be submitted with the conceptual plan that delineates how the TND will meet all of the requirements provided in Section 106-2382.

(a) *Location of Workforce Units.* Except as provided in Section 106-2382(g) workforce housing units shall be built on the site of the Traditional Neighborhood Development.

(b) *Timing of Development.* The workforce housing agreement shall include a phasing plan which provides for the timely development of the workforce housing units as the TND is built out. The phasing plan shall provide for development of the workforce housing units concurrently with the market rate units.

(c) *Unit Size.* Workforce housing units shall accommodate diverse family sizes by including a mix of studio, one, two and three-bedroom units as determined by the Development Review Team.

(d) *Exterior Appearance.* Workforce housing units shall be visually compatible with the market rate units. External building materials and finishes shall be the same type and quality for workforce housing units as for market rate units.

(e) *Affordability Agreement.* Prior to issuing a certificate of occupancy, an agreement in a form acceptable to the County that addresses price restrictions, homebuyer or tenant qualifications, long-term affordability, and any other applicable topics of the workforce housing units shall be recorded with the County Register of Deeds. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant. Workforce housing units that are provided under this section shall remain as workforce housing for a minimum of 5 years from the date of initial owner occupancy for ownership workforce housing units.

(f) *Occupancy Requirement.*

- (1) *Rental Units.* Any person who occupies a rental Workforce Unit shall occupy that Unit as his or her principal residence.

(2) For-Sale Units. During the period of affordability the owner who purchases a for-sale workforce housing unit shall occupy that unit as his or her principal residence.

(g) Provision of Workforce Housing Units Off-Site. If it is not feasible to develop workforce housing units within the TND, an applicant may develop, construct or otherwise provide workforce units equivalent to those required in this section off-site. All requirements of this ordinance that apply to on-site provision of workforce units, shall apply to provision of off-site workforce units. In addition, the location of the off-site units to be provided shall be approved by the Development Review Team as an integral element of the review and approval process. Off-site units may be located in a neighboring municipality.

(h) Fees-in-Lieu-of Workforce Housing Unit Provision. An applicant may opt to contribute to an established local housing trust fund to be used for the development of workforce housing in lieu of constructing and offering workforce units within the locus of the proposed development or off-site. The fee will be calculated as the amount required to provide the workforce housing unit discount necessary to make the unit workforce (e.g. median sale price of market rate unit minus maximum sale price of a three-bedroom workforce dwelling unit). Fees in lieu of unit payments shall be made according to the schedule set forth in Section 106-2382(b).

(i) Restrictions on Resale. Each workforce unit created in accordance with this ordinance shall have limitations governing its resale. The purpose of these limitations is to preserve the affordability of the unit and to ensure its continued availability for workforce income households. The resale controls shall be established through a restriction on the property and shall be in force for a period of five (5) years. Sales beyond the initial sale to a qualified workforce income purchaser shall include the initial discount rate between the sale price and the unit's appraised value at the time of resale. This percentage shall be recorded as part of the restriction on the property noted in Section 106-2382(e). For example, if a unit appraised for \$100,000 is sold for \$75,000 as a result of this ordinance, it has sold for 75 percent of its appraised value. If, several years later, the appraised value of the unit at the time of proposed resale is \$150,000, the unit may be sold for no more than \$112,500--75 percent of the appraised value of \$150,000.

DIVISION 3. LOT AND BUILDING STANDARDS FOR PLANNED, ~~COMMUNITY~~ USE AND MULTIFAMILY HOUSING DEVELOPMENTS

Sec. 106-2406. Scope.

Housing types used in planned ~~and community~~ developments or multifamily housing are contained in table 106-2406. Housing types and lot configurations are illustrated in figure 106-2406. The requirements for a mix of dwelling units are contained in table 106-2408. The following explanations describe the columns for table 106-2406; see sections 106-13 through 106-18 for the full and complete definitions of these terms.

TABLE 106-2406. LOT AND BUILDING STANDARDS FOR PLANNED, ~~COMMUNITY~~

AND MULTIFAMILY HOUSING DEVELOPMENTS

Sec. 106-2408. Dwelling unit mix requirements.

All planned ~~and community~~ developments shall meet the mix requirements (table 106-2408) regarding the number of different dwelling unit types that must be provided. The mix provides a variety of housing types to meet all residents' needs. If the development is to be phased, each phase shall contain a share of the largest unit types generally proportional to the percentage of the total dwelling units. Where more unit types are provided than required, the developer may determine the percentage of those types to be provided.

TABLE 106-2408. DWELLING UNIT MIX REQUIREMENTS FOR PLANNED ~~AND~~ ~~COMMUNITY~~ DEVELOPMENTS

ARTICLE V. USE REGULATIONS

DIVISION 1. GENERALLY

Sec. 106-1097. Uses generally.

(a) All land uses or structures shall be permitted in zoning districts only as indicated in this division. All uses are subject to ZDA or DRT approval except placement of a single-family house on a single lot, which is subject to all applicable county building codes. Prohibited uses in any district shall not be permitted. The following symbols are used in table 106-1098:

(1) "Y" indicates a permitted use, where the use is permitted as a matter of right subject to all performance standards.

(2) "N" indicates a prohibited use.

(3) "L" indicates a use whose permission is limited, depending on locational, design, or other criteria of division 2 of this article being met for the proposed site. Not all properties may meet these requirements, thus limiting the sites upon which the use may be built.

~~(4) "LC" designates a limited use that is permitted only in one of the residential community use options, meeting all other criteria of division 2 of this article and community design standards in division 2 of article XI of this chapter.~~

(4) "TND" designates a limited use that is permitted only in the Traditional Neighborhood Development option, meeting all other criteria of division 2 of this article and the standards in division 2 of article XI of this chapter.

(5) "S" indicates a use permitted only if a special use permit is approved by the zoning board of appeals per subdivision IV of division 3 of article III of this chapter. The use must conform to the locational, design, or other conditions of division 2 of this article. Not all properties may meet these requirements, thus limiting the sites upon which the use may be built.

(b) Military (M) district permissions are not included since regulation of these lands is not under the jurisdiction of the county.

Sec. 106-1098. Use table.

According to generalized land uses, table 106-1098 lists the type of use permission in each district, as well as definitions for each use listed. References for additional limited and special use standards are also contained in this table and are detailed in division 2 of this article. Should a use not be identified in sections 106-13 through 106-18 or table 106-1098, refer to division 4 of article III of this chapter pertaining to administrative interpretations. See articles V, VI and VII of this chapter for additional standards.

TABLE 106-1098. GENERAL USE TABLE

[Note: Only those Land Use Categories with Proposed Changes are Shown]

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
AGRICULTURAL USES													
Agriculture	N	L	N	N	N	N	N	Y	Y	Y	S	106-1156	Crop (see below: Clearcutting, #3) and animal production, plant nurseries, tree farms. (NAICS 111, 112)
Forestry	L	L	L	L	L	L	L	L	L	L	S	106-1157	Perpetual management, harvesting and enhancement of forest resources for ultimate sale or use of wood products, requiring replanting, and subject to S.C. Forestry Commission BMPs. (NAICS 113)
Clearcutting	L	L	L	L	L	L	L	L	L	L	S	106-1158	1. Management, harvesting and use of forest or woodland (NAICS 113) for sale or use of wood products, without replanting or regeneration of the tree crop. 2. Clearing, grubbing or other destruction and cutting of ground cover, grading or otherwise moving the topsoil, or burning of the vegetative cover of more than 10,000 sq. ft. of land. Landscaping improvements to private residential properties shall not be considered clearcutting, and shall not require a development permit. 3. Cultivation of any land as an agricultural use, and gardens of less than 10,000 sq. ft. shall not be considered clearcutting, and shall be a permitted use.
Farmstead	N <u>TND</u>	L	N	N	N	N	N	Y	Y	Y	S	106-1159	Residential-agricultural unit in which the land is used for agriculture and residential purposes by the owner/operator of the agricultural operation.
Farmworker housing	N	N	N	N	N	N	N	L	N	N	N	106-1159(a)	Housing located on farmsteads for temporary occupancy during seasonal farming activity. Farmworker housing is exempt from permit requirements. This type of housing may be provided at one unit per 50 acres for the first 100 acres, and one unit per each 100 acres after that.

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Commercial stables	N <u>TND</u>	S	N	S	N	S	N	L	Y	Y	N	106-1160	Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar purpose.
Agricultural support services	N	N	Y	Y	N	Y	N	L	Y	Y	N	106-1161	Farm supply services, equipment dealers, grain storage, veterinary uses for agricultural animals and seasonal packing sheds, pet care services. (NAICS 1151, 1152, 49313, 4225, 54194, 812910)
RESIDENTIAL USES													
Single-family detached	Y	Y	N	N	N	N	N	Y	Y	Y	Y	N.A.	Detached dwelling unit intended for only one family. Includes any one-family dwelling unit which complies with the county building code.
Single-family cluster	N	Y	N	N	N	N	N	Y	N	N	Y	N.A.	Two or more single-family detached residential uses in a subdivision, or on an individual lot that include, as part of the subdivision or lot design, significant common open space.
Family compound	N	N	N	N	N	N	N	Y	Y	Y	N	article IX	Form of traditional rural development which provides affordable housing for family members allowing additional family dwelling units on, and/or subdivisions of, a single lot owned by the same family for at least 50 years.
Planned	L	L	N	L	N	N	N	L	N	N	N	106-1186, articles VI and XI	A development that consists of two or more of the following housing types: single-family, single-family lot line, village houses, patio houses, atrium houses, townhouses of several types, duplexes, multiplexes and apartments. Such developments shall be planned as a unit.
Multifamily	L	L	N	L	N	N	N	N	N	N	N	106-1187, articles VI and XI	This use permits duplexes, multiplexes and apartments only.
Commercial apartment	Y	LC <u>TND</u>	Y	Y	N	N	N	LC <u>N</u>	N	N	N	N.A.	One to four dwelling units located above or to the rear of a nonresidential structure on the same lot.

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Community—small scale	N	N	N	N	N	N	N	Y	N	N	N		The details of this use are found in articles VI and XIA form of planned development that is of such scale, extent and design that it creates a community with a mix of residential and nonresidential land uses and a clear sense of identity. Design potential includes small, medium, and large communities depending on the applicable zoning district.
Community—medium scale	Y	N	N	N	N	N	N	Y	N	N	N		
Community—large scale	Y	Y	N	N	N	N	N	N	N	N	N		
Traditional Neighborhood Development	L	L	N	N	N	N	N	N	N	N	N	Article XI	
Group home	Y	Y	N	N	N	N	N	Y	Y	Y	N	N.A.	A building that would otherwise be categorized as a single-family home, except for the fact that the number of unrelated individuals living in the unit does not qualify under the definition of family. The operation of a group home shall be self-operating and controlled by the residents in a family living environment, as opposed to an institutional environment, whereby operations are mainly controlled by a professional staff. If the unit would otherwise qualify as other types of dwelling units defined in this chapter, such as apartment or attached housing, then the use shall be treated as such.
													Not included are co-ops, nursing homes, other institutional residential and boardinghouse types of operations since these are institutional or commercial lodging uses.

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Manufactured home community	L	L	N	N	N	N	N	L	N	N	N	106-2409	A parcel of land planned and improved for the placement of three or more manufactured homes for use as residential dwellings where home sites within the development are leased to individuals who retain customary leasehold rights. Subdivision of land as a single-family detached, single-family cluster, family compound, planned community or small single-family affordable land use and intended for fee-simple sale of lots for manufactured homes does not constitute it being defined under this use. For purposes of this definition, a manufactured home is a residential dwelling built in accordance with the Federal Manufactured Home Construction and Safety Standards (FMHCSS). This does not include recreational vehicles, travel trailers or motorized homes licensed for travel on highways, nor manufactured housing units designed and built to meet applicable requirements of the South Carolina Modular Buildings Construction Act.
Small single-family, affordable	L	L	N	L	N	N	N	N	N	N	N	106-2104	An affordable residential unit especially designed and built to serve the needs of individuals or small households who need small, compact, affordable housing. It is not intended to meet the needs of large families. Three types of housing are provided: (i) single-family detached one story, (ii) single-family detached two story, and (iii) single story attached. The small scale of these units permits them to fit into existing neighborhoods without threatening the neighborhood character.
Accessory dwelling unit	L	L	N	N	N	N	N	L	L	L	N	106-2106	A second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility.

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		

INSTITUTIONAL USES													
Assembly and worship, large	L	L	Y	L	N	N	N	L	N	L	N	106-1246	Museums, libraries, aquariums, cultural or arts centers, historic sites and churches with or without schools (except Sunday schools occupying no more than 50 percent of the floor area) as part of the complex and having 15,000 or greater square feet of floor area. (NAICS 6111, 8131, 8134) Places of worship may establish "on-site" social programs such as health care, food banks, child care, and the like as accessory uses in the principal structure and/or auxiliary buildings. These uses must be nonprofit. The sum of all principal and accessory structures may not exceed the allowable floor area ratio for the use / district. Additionally, the floor area of all accessory uses may not exceed the floor area of the principal building. (NAICS 624210, 624410, 813212, 8134)
Assembly and worship, small	Y	Y	Y	Y	N	N	N	L	L	L	N	106-1247	Museums, aquariums, cultural or arts centers, historic sites and churches with no schools (except Sunday schools occupying no more than 50 percent of the floor area) as part of the complex and having less than 15,000 sq. ft. of floor area. In the rural district, there shall be no minimum lot size for this use when less than 15,000 sq. ft. of floor area, and/or when no school is involved. (NAICS 6111, 8131, 8134) This use includes all cemeteries. (NAICS 81222) Places of worship may establish "on-site" social programs such as health care, food banks, child care, and the like as accessory uses in the principal structure and/or auxiliary buildings. These uses must be nonprofit. The sum of all principal and accessory structures may not exceed the allowable floor area ratio for the use / district. Additionally, the floor area of all accessory uses may not exceed the floor area of the principal building. (NAICS 624210, 624410, 813212, 8134)
Colleges and professional schools	S	S	N	S	L	N	N	S	N	N	N	106-1248	Colleges, universities, and professional schools; other advanced education. (NAICS 6112, 6113)

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Schools, neighborhood (elementary and middle school)	L	L	N	L	N	N	N	S	N	S	N	106-1248	Institutions of learning or instruction primarily catering to minors, whether public or private, which are licensed by either the county or the state. The definition includes nursery schools, kindergarten, elementary schools, middle schools or any special institution of learning under the jurisdiction of the state department of education catering to those age groups. This does not include charm schools, dancing schools, music schools or similar limited schools.
Schools, community (high schools)	L	L	N	L	N	N	N	S	N	S	N	106-1248	Institutions of learning or instruction primarily catering to minors, whether public or private, which are licensed by either the county or the state. The definition includes senior high schools or any special institution of learning under the jurisdiction of the state department of education catering to those age groups. This does not include professional and vocational schools, charm schools, dancing schools, music schools or similar limited schools nor public or private universities or colleges.
Institutional residential	L	Y	Y	Y	N	N	N	S	N	N	N	106-1249	1. Convents or monasteries.
													2. Skilled nursing facility. Twenty-four hour care to ill persons in a controlled setting providing daily and medical care. Residents often have limited or no mobility. Requires licensing.
													3. Assisted living facility. Residential care facility catering to the frail elderly who require assistance with daily activities. Requires licensing.
													4. Independent living facility. Facility catering to more mobile, healthy senior adults. Individual living units may contain kitchens, while common dining is available. Planned recreation, housekeeping, transportation, etc. may also be provided. Does not require licensing.

Land Use	Priority Areas							Rural Areas				Additional Standards (Sec Section)	Use Definition	
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC			
														5. Sheltered care facilities or group living facilities where the residents live in an institutional environment and are generally under the care or control of staff. All sheltered care, group care, and group homes, (total occupancy >8) shall be considered institutional residential use. These residents would be members of an institution, have institutional care, or would be treated by staff in an institutional setting rather than living independently. (NAICS 623, 62422, 62423)
														6. Institutional housing where there is commercial rental or condominium ownership combined with any of the following: common food service, nursing, or health care. Assisted living facilities shall also be included. (NAICS 623311, 6239, 624229)
														7. Dormitories, fraternities, or sororities.
														8. Schools with live-in facilities on site, other than universities, colleges or preparatory schools. (NAICS 61111)
														9. Emergency shelters and residential substance abuse facilities. (NAICS 62322)
Day care, commercial (Day care, family, see home uses)	L	L	L	Y	L	Y	L	L	Y	L	N	106-1250		All day care facilities not classified as "Day care, Family" and including more than eight children. (NAICS 62441)
Protective care	N	N	N	N	N	N	N	S	N	N	N	106-1251		Housing where the residents are assigned to the facility and are under the protective care of the county, state, or federal government. This use includes jails, prisons, work release, other similar facilities, and psychiatric hospitals. (NAICS 92214, 6222)
Local utilities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	L	106-1252		Utility substations or transmission and local distribution facilities, including telephone, and all government-owned utilities. Not included are generation facilities, storage of combustibles, regional facilities, and landfills or mining operations. (NAICS 221122, 22121)

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Public services	Y	Y	Y	Y	Y	Y	Y	L	Y	Y	N	106-1255	These uses include emergency service, buildings, or garages (e.g., ambulance, fire, police, rescue, and public works) or other garages or areas where vehicles are stored and dispatched. (NAICS 62191, 92212, 92216, see office uses, below)
Government office	L	L	Y	Y	Y	Y	L	LG N	N	S	N	106-1253	County, state, or federal office buildings or other facilities that are primarily devoted to public office uses or services. (NAICS 921, 92211, 92213, 923)
Recreational institutional	Y	L	Y	Y	N	N	N	S	S	S	N	106-1254	Nonprofit organizations chartered to provide community-based recreational services.
COMMERCIAL USES													
Adult uses (not indoor gambling)	N	N	N	N	N	L	N	N	N	N	N	106-1281	1. Adult bookstore. Establishment having, as a substantial or significant portion of its stock in trade, books, magazines or other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in this chapter, or an establishment with an area or section devoted to the sale or display of such material. 2. Adult entertainment establishment. Enclosed building used for presenting material and/or conduct distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in this chapter, for observation by patrons therein. This includes bars, restaurants, movie theaters, theaters, peep shows, strip halls, special cabarets, physical culture establishments, photographic studios, or any other normally permitted use where specified sexual activities are displayed, or where specified anatomical areas are exposed to customers. (NAICS 71399, 72241)

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition	
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC			
														3. Massage parlors. Establishments offering massage, manipulation, rubbing, vibration, stroking or tapping of the human body with the hand or an instrument, staffed by one or more persons who do not belong to any nationally recognized massage therapy association, or by persons who are not graduates of any recognized training school in massage therapy.
Bed and breakfast	S	S	N	N	N	N	N	S	N	N	N	106-1282		This is any place of lodging in which there are no more than eight guestrooms, or suites of rooms available for temporary occupancy for varying lengths of time, with compensation to the owner, by the general public, and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests, and that the owner resides therein as his principal place of residence. (NAICS 721191)
Body branding, body piercing and tattoo facilities	N	N	N	N	N	L	N	N	N	N	N	106-1283		An establishment whose principal business, either in terms of operation or as held out to the public, is the practice of one or more of the following: (1) any invasive procedure in which a permanent mark is burned into or onto the skin using either temperature, mechanical or chemical means (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decorations (3) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. This definition for the purpose of this code does not include ear piercing.
Commercial lodging (hotel and motel)	Y	N	Y	Y	L	Y	N	LG N	N	N	N	106-1284		Hotels, motels, boardinghouses and roominghouses, or a building or group of buildings offering transient lodging accommodations on a daily rate to the general public. Additional services may include a restaurant, meeting rooms, and recreational facilities. (NAICS 7211, 7213)

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Commercial retail, neighborhood	L	LC TND	Y	L	N	Y	N	LC N	N	L	N	106-1285	<p>The maximum size of any neighborhood commercial retail use shall be 10,000 sq. ft. These uses are retail uses that primarily serve their immediate neighborhoods, and include the following types:</p> <ol style="list-style-type: none"> 1. Hardware stores 2. Grocery store with general merchandise for resale, with limited uses allowable in CS and CP districts up to 40,000 sq. ft., exclusive of 10,000 sq. ft. of ancillary uses 3. Food and beverage stores 4. Boutiques, gift shops, antique shops, liquor stores, bookstores and drugstores 5. Garden centers 6. Vehicular service uses, as listed elsewhere in this table.
Commercial retail, traditional shop	N	N	N	N	N	N	N	L	L	L	N	106-1286	<p>This use reflects existing small, traditional, community-oriented necessity stores found in rural areas that sell mainly grocery items and household supplies, but not gasoline. Since these are neighborhood oriented, their maximum size is 1,500 sq. ft. Certain limitations to this use are intended to preserve the character of the communities that they serve.</p>
Commercial retail, regional	N	N	Y	N	N	L	N	N	N	L	N	106-1287	<p>These uses include all retail uses in neighborhood commercial, but which exceed the service character and scale of neighborhood commercial, above. Any retail use having exterior sales or storage shall be considered regional commercial, even if its scale does not require that. In addition to the types of retail uses listed in neighborhood commercial above, the following uses shall be permitted:</p> <ol style="list-style-type: none"> 1. All miscellaneous retail not included in neighborhood commercial, above 2. Clothing and accessory stores 3. Furniture stores 4. Paint, glass, wallpaper specialty stores 5. Greenhouses (retail only and with garden supplies) 6. Repair shops and related services 7. Vehicular sales, rental and service uses, listed elsewhere in this table 8. Hospitals and medical facilities

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Conference center	Y	N	Y	Y	Y	Y	N	LG N	N	N	N	N.A.	One or more buildings owned by a business entity in which there are no more than ten guestrooms, or suites of rooms, available for temporary occupancy for varying lengths of time, by employees, customers, and other persons whose presence in the building coincides with a particular meeting occurring at the venue. (NAICS 72111 part)
Drive-through restaurant	LG TND	LG TND	Y	L	N	L	N	N	N	N	N	106-1288	Drive-in and drive-through restaurants that provide service to customers while in their vehicles. This use may include inside service to customers, as well.
Office	L	L	Y	Y	L	Y	L	LG N	N	L	N	106-1289	Building or buildings wherein operations are predominantly administrative, professional or clerical, and includes the following:
													1. Finance, banks, trusts, savings and lending (NAICS 521, 522, 525)
													2. Security, commodity brokers and investment services (NAICS 523)
													3. Insurance carriers, agents, brokers, and services (NAICS 524)
													4. Real estate services (NAICS 531)
													5. Professional and technical services (NAICS 5411--5419)
													6. Business services (NAICS 55, 5611--5616, 5619, 8139)
													7. Health services (NAICS 621)
													8. Social services (NAICS 624) (except care facilities)
													9. Educational services, such as business schools (NAICS 6114), technological, and trade schools (excluding public and private schools defined as institutional) (NAICS 6115)
													10. Civic and social organizations (NAICS 8132--8134)
													11. Agricultural support and services (offices only) (NAICS 115)
													12. Governmental offices (NAICS 92 excluding public service)
													13. Parking lots (NAICS 81293)
													14. Contractor's office without exterior storage (NAICS 233)
Restaurant	L	LG TND	Y	Y	L	Y	N	LG N	N	L	N	106-1290	Establishment that serves food and beverages to persons seated within the building. Outside terrace or sidewalk seating is permitted subject to all other required codes. Bars, taverns, saloons and nightclubs are permitted subject to applicable state liquor licensing requirements and standards. (NAICS 722110)
Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		

Services	L	L	Y	Y	N	L	N	LG N	N	L	N	106-1291	A wide variety of personal and commercial services including the following:
													1. Educational services (NAICS 611 except 611512, 61162)
													2. Social assistance (NAICS 624)
													3. Hospitals and medical laboratories (NAICS 339116, 62151, 62211, 62221, 62231), including general medical and surgical hospitals, and specialty hospitals, except alcoholism, drug, rehabilitation.
													4. Kennel service and domestic veterinary clinics (NAICS 11521)
													5. Postal service buildings, except regional distribution centers, couriers and messengers (NAICS 491, 492)
													6. Miscellaneous repair services and shops (NAICS 44311, 8112, 8113, 8114)
													7. Health and exercise clubs; dance studios (NAICS 71394)
													8. Parking lots (NAICS 81293)
													9. Funeral homes (NAICS 81221)
													10. Laundry services (NAICS 8123)
													11. Personal services (NAICS 8121, 8129, except body branding, body piercing and tattoo facilities.)
													12. Transit and ground passenger transportation (NAICS 485). (This use is excluded from the rural districts.)
													NOTE: Drive-through facilities are not permitted as part of this use.
Mixed use	Y	L TND	Y	Y	N	N	N	N	N	N	N	106-1293	1. A building containing two or more use categories with five or more residential dwelling units comprising a minimum of 25 percent of the total floor area.
													2. A building or group of buildings arranged around a pedestrian precinct, containing four or more different uses including: commercial retail, commercial lodging, office, service, residential, institutional, or exhibition center. Residential use shall be one of the required uses.
RECREATION AND AMUSEMENT USES													
Campground	N	N	N	N	N	N	N	L	N	N	S	106-1321	Form of commercial lodging where guests bring tents, travel trailers, campers, or other similar forms of shelter to experience more rustic setting and natural environments. Campgrounds rent pads or spaces to the guests.

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Commercial amusement, indoor	LG TND	LG TND	L	L	N	N	N	LG N	N	N	N	106-1322	Includes but is not limited to: bowling alleys, indoor sports arenas, movie theaters, performing arts companies, indoor skating rinks (ice or roller), amusement game machine complex, pool halls, and shooting arcades. (NAICS 512131, 7111, 7112 part, 7113, 712 part, 713 part)
Commercial amusement, indoor gambling	N	N	S	N	N	S	N	N	N	N	N	106-1323	The use of coin-operated gambling devices and includes video poker parlors, and secondary uses, as described by state law. (NAICS 7132 part, 71329)
Commercial amusement, indoor casino gambling	N	N	N	N	N	N	N	N	N	N	N	106-1323	Casino gambling for land-based or as a port of call for an ocean-going vessel.
Commercial amusement, outdoor	N	N	L	S	N	L	N	S	N	N	N	106-1324	Includes but is not limited to: fairgrounds, outdoor stadiums, racing facilities, rodeos, music arenas, theme parks, amusement parks, water slides, batting cages, shooting ranges, zoos, and botanical gardens. (NAICS 512132, 71311, 71212, 71213, 71219)
Indoor recreation	Y	Y	Y	Y	L	L	L	LG N	N	N	N	106-1325	Recreational uses including community recreation centers, gymnasiums, indoor swimming pools, tennis, racquetball, or handball courts. (NAICS 71394) Specifically excluded are health and exercise clubs, and uses listed as service uses, above.
Outdoor recreation	Y	Y	Y	Y	Y	Y	Y	Y	N	N	S	106-1326	1. Active recreational activities and supporting services including but not limited to: jogging, cycling, tot-lots, playing fields, playgrounds, outdoor swimming pools, and tennis courts (NAICS 7113); game preserves and shooting, trapping and fishing clubs (NAICS 71391, 71393, 71394); marinas. 2. Passive recreational uses including but not limited to: arboretums, wildlife sanctuaries, forests, areas for hiking, nature areas, and other passive recreation-oriented parks. 3. Picnic areas, garden plots, and beaches.

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
Resort	L	L	N	N	N	N	N	L	N	N	N	106-1327	Lodging that serves as a destination point for visitors, located and designed with some combination of recreational uses or natural areas, such as marinas, beaches or pools, tennis, golf, equestrian, other special recreation opportunities, and/or a variety of restaurants and shops to serve the guests. Buildings and structures in the resort shall complement the scenic and natural qualities of the location and area where it is situated.
Ecotourism	N	N	N	N	N	N	N	L	L	L	S	106-1328	Organized, educational and mainly outdoor recreation with or without lodging, which invites participants to learn about and promote ecological preservation, conservation and sustainability. This use shall include at least two of the following characteristics:
													1. Located near or within a wilderness setting, park or protected area;
													2. Interpretive educational program with or without guides;
													3. Outdoor activities; or
													4. Cultural experiences.
Golf course	L	L	L	L	N	N	N	L	N	N	N	106-1329	Regulation and par 3 golf courses and associated amenities having nine or more holes. A driving range may be an ancillary use to the operation. (NAICS 71391)
Miniature golf course	L	L	L	L	N	N	N	N	N	N	N	106-1330	Putting courses installed on artificial surfaces, practice facilities that are driving ranges, or which have several practice holes or putting areas. (NAICS 71399)
Recreational equipment rental	L	L	L	L	N	N	N	N	N	L	N	106-1331	Establishments primarily engaged in renting recreational equipment, such as bicycles, canoes, motorcycles, skis, sailboats, beach chairs, and beach umbrellas (NAICS 532292)
Use Permission													
Y = Permitted use													
L = Limited use													
S = Special use													
N = Prohibited use													
LC = Permitted use only in residential community use option TND = Permitted use only in traditional neighborhood development.													
Community preservation district - Please refer to the CP area standards in appendix E to this chapter.													

ARTICLE VI. OPEN SPACE AND DENSITY, LOT AND BUILDING INTENSITY, BUFFERYARDS AND LANDSCAPING, EXTERIOR STORAGE AND ILLUMINATION

TABLE 106-1526. OPEN SPACE AND DENSITY STANDARDS

Zoning District and Development Type	Min. OSR or LSR	Density		Floor Area Ratio		Sewer	ARDR Req.	Min. Site Area
		Max. Gross	Max. Net	Max. Gross	Max. Net			
Resource Conservation (RC)								
Single-family	0.50	0.09	0.18	N.A.	N.A.	OS	N	10 ac.
Single-family cluster	0.85	0.10	0.80	N.A.	N.A.	OS	N	50 ac.
Other permitted uses	0.95	N.A.	N.A.	0.02	0.34	OS	N	50 ac.
Rural (R)								
Farmstead	0.00	0.02	0.02	N.A.	N.A.	OS	N	50 ac.
Single-family subdivision	0.40	0.34	1.06	N.A.	N.A.	OS	N	6 ac.
Single-family cluster	0.70	0.40	1.58	N.A.	N.A.	OS	N	10 ac.
Planned	0.75	0.45	2.20	N.A.	N.A.	CS	N	20 ac.
Community, small	0.80	0.51	2.59	N.A.	N.A.	CS	N	200 ac.
Community, medium	0.80	0.57	3.13	N.A.	N.A.	CS	N	800 ac.
Manufactured home community	0.40	1.00	1.66	N.A.	N.A.	CS	N	10 ac. Max. 30 ac.
Other permitted uses	0.85	N.A.	N.A.	0.07	0.46	OS	N	*
Rural Residential (RR)								
Single-family	0.20	1.2	2.0	N.A.	N.A.	OS	N	0.5 ac.
Other permitted uses	0.20	1.2	2.0	0.25	0.25	OS	N	0.5 ac.
Rural Business (RB)								
Single-family	0.20	1.2	2.0	N.A.	N.A.	OS	N	0.5 ac.
Commercial uses	0.50	N.A.	N.A.	0.10	0.29	OS	N	1.0 ac.
Other uses	0.50	N.A.	N.A.	0.10	0.29	OS	N	2.0 ac.
Rural - River Quality (RQ) Overlay (pending recommendations)								
Farmstead	0.00	0.02	0.0	N.A.	N.A.	OS	N	50 ac.
Single-family	0.50	0.30	1.06	N.A.	N.A.	OS	N	3 ac.
Single-family cluster	0.75	0.40	2.20	N.A.	N.A.	CS	N	10 ac.
Planned	0.80	0.45	2.59	N.A.	N.A.	CS	N	30 ac.
Community, small	0.85	0.51	4.10	N.A.	N.A.	CS	N	200 ac.
Community, medium	0.85	0.57	4.80	N.A.	N.A.	CS	N	800 ac.
Other permitted uses	0.85	N.A.	N.A.	0.07	0.46	CS	N	10 ac.
Community Preservation (CP) Standards, see Appendix E								
Suburban (S) Priority								
Single-family	0.20	2.00	3.00	N.A.	N.A.	P	Y	21,780 sf
Single-family cluster	0.35	2.60	3.60	N.A.	N.A.	P	Y	5 ac.
Planned	0.40	2.60	4.00	N.A.	N.A.	P	Y	5 ac.
Traditional Neighborhood Development	0.35	3.00	4.50	N.A.	N.A.	P	Y	40 ac.
Community, large	0.45	3.00	4.50	N.A.	N.A.	P	Y	200 ac.
Multifamily	0.40	5.0	10.0	N.A.	N.A.	P	Y	5 ac.
Manufactured home community	0.40	4.00	7.00	N.A.	N.A.	P	Y	2 ac. Max. 20 ac.
Institutional residential	0.00	7.1 rms.	17.7 rms.	N.A.	N.A.	P	N	5 ac.
Other permitted uses	0.60	N.A.	N.A.	0.18	0.46	P	N	2 ac.
Suburban - River Quality (S-RQ) (pending recommendations)								
Single-family	0.30	1.34	2.18	N.A.	N.A.	P	Y	32,670 sf
Single-family cluster	0.45	1.54	2.86	N.A.	N.A.	P	Y	2 ac.
Planned	0.50	2.01	4.50	N.A.	N.A.	P	Y	25 ac.
Community, large	0.55	2.51	7.00	N.A.	N.A.	P	Y	200 ac.
Manufactured home community	0.70	2.00	6.66	N.A.	N.A.	P	Y	10 ac.
Institutional residential	0.60	8 rms.	20.0	N.A.	N.A.	P	N	2 ac.
Other permitted uses	0.60	N.A.	N.A.	0.18	0.46	P	N	3 ac.
Urban (U)								
Single-family	0.12	2.60	2.93	N.A.	N.A.	P	Y	32,670 sf
Single-family cluster	0.40	3.50	6.00	N.A.	N.A.	P	Y	2 ac.
Planned	0.20	3.50	6.00	N.A.	N.A.	P	Y	5 ac.
Traditional Neighborhood Development	0.20	4.50	6.10	N.A.	N.A.	P	Y	20 ac.

Zoning District and Development Type	Min. OSR or LSR	Density		Floor Area Ratio		Sewer	ARDR Reqd.	Min. Site Area
		Max. Gross	Max. Net	Max. Gross	Max. Net			
Community, small	0.20	4.50	6.10	N.A.	N.A.	P	Y	20 ac.
Zoning District and Development Type	Min. OSR or LSR	Max. Gross	Max. Net	Max. Gross	Max. Net	Sewer	ARDR Reqd.	Min. Site Area
Community, medium	0.20	4.50	6.10	N.A.	N.A.	P	Y	100 ac.
Community, large	0.20	5.20	7.40	N.A.	N.A.	P	Y	200 ac.
Manufactured home community	0.40	4.00	7.00	N.A.	N.A.	P	Y	2 ac. Max. 20 ac.
Multifamily	0.25	15.00	24.00	N.A.	N.A.	P	Y	2--15 ac.
Institutional residential	0.40	12.00	20.00	N.A.	N.A.	P	N	4 ac.
Other permitted uses	0.40	N.A.	N.A.	0.28	0.46	P	N	4 ac.
Urban - River Quality (U-RQ) (pending recommendations)								
Single-family	0.20	2.60	3.66	N.A.	N.A.	P	Y	21,780 sf
Planned	0.30	3.00	5.68	N.A.	N.A.	P	Y	10 ac.
Community, medium	0.30	4.95	8.00	N.A.	N.A.	P	Y	200 ac.
Community, large	0.30	5.72	8.50	N.A.	N.A.	P	Y	500 ac.
Multifamily	0.30	17.34	24.00	N.A.	N.A.	P	Y	2 ac.
Institutional residential	0.50	13.5	27	N.A.	N.A.	P	N	4 ac.
Other permitted uses	0.50	N.A.	N.A.	0.23	0.46	P	N	4 ac.
Commercial Suburban (CS)								
Planned	0.45	2.28	4.50	N.A.	N.A.	P	Y	1--10 ac.
Multifamily	0.50	8.30	18.73	N.A.	N.A.	P	Y	1--5 ac.
Offices	0.50	N.A.	N.A.	0.26	0.53	P	N	0.5 ac.
Retail	0.45	N.A.	N.A.	0.18	0.34	P	N	1 ac.
Other commercial uses	0.50	N.A.	N.A.	0.18	0.37	P	N	1 ac.
Other permitted uses	0.50	N.A.	N.A.	0.23	0.46	P	N	2 ac.
Commercial Regional (CR)								
Offices	0.35	N.A.	N.A.	0.50	0.82	P	N	0.5 ac.
Retail	0.20	N.A.	N.A.	0.31	0.39	P	N	1 ac.
Other commercial uses	0.20	N.A.	N.A.	0.37	0.47	P	N	1 ac.
Mixed uses	0.20	N.A.	N.A.	1.00	1.40	P	N	2 ac.
Other permitted uses	0.25	N.A.	N.A.	0.39	0.53	P	N	1 ac.
Research & Development (RD)								
Offices, commercial lodging	0.35	N.A.	N.A.	0.34	0.54	P	N	10 ac.
Industrial	0.30	N.A.	N.A.	0.40	0.57	P	N	10 ac.
Restaurants	0.25	N.A.	N.A.	0.14	0.20	P	N	10 ac.
Other permitted uses	0.30	N.A.	N.A.	0.26	0.38	P	N	10 ac.
Light Industry (LI)								
Offices, commercial lodging	0.20	N.A.	N.A.	0.37	0.47	P	N	10 ac.
Restaurants	0.15	N.A.	N.A.	0.16	0.20	P	N	10 ac.
Industrial	0.15	N.A.	N.A.	0.48	0.57	P	N	10 ac.
Other permitted uses	0.20	N.A.	N.A.	0.30	0.38	P	N	20 ac.
Industrial Park (IP)								
Offices, commercial lodging	0.20	N.A.	N.A.	0.37	0.47	P	N	10 ac.
Restaurants	0.15	N.A.	N.A.	0.16	0.20	P	N	10 ac.
Industrial	0.15	N.A.	N.A.	0.48	0.57	P	N	10 ac.
Other permitted uses	0.20	N.A.	N.A.	0.30	0.38	P	N	20 ac.

Depends on specific use. Refer to special/limited use standards in article V, division 2 (sections 106-1126--106-1425.) (Ord. No. 99-12, § 1 (div. 04.100), 4-26-1999; Ord. No. 2001-29, 12-10-2001; Ord. No. 2002-14, 4-22-2002; Ord. No. 2005/40, 11-28-2005; Ord. No. 2008/8, 2-25-2008)

TABLE 106-1556. LOT AND BUILDING* STANDARDS

Zoning District and Development Type	Minimum					Maximum
	Lot Area (ac./sq. ft.)	Lot Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Height (feet)***
Resource Conservation (RC)						
Single-family	5 ac.	300	50	50	100	35
Single-family cluster	1 ac.	150	50	18	75	35
Other permitted uses	10 ac.	400	100	50	100	35
Rural (R)						
Farmstead	50 ac.	600	50	50	50	50
Single-family	1 ac.	150	50	18	50	35
Single-family cluster	21,780 sq. ft.	100	35	12	50	35
Planned	See table 106-2406					
Community, small	See table 106-2406					
Community, medium	See table 106-2406					
Manufactured home community	See section 106-2409					
Other permitted uses	**	400	100	50	100	35
Rural Residential (RR)						
Single-family	21,780 sq. ft.	100	35	12	50	35
Other permitted uses	21,780 sq. ft.	100	50	18	50	35
Rural Business (RB)						
Single-family	21,780 sq. ft.	100	35	12	50	35
Commercial uses	0.5 ac.	100	25	7/20	20	35
Other permitted uses	2 ac.	200	25	7/20	30	35
Rural - River Quality (RQ) Overlay (pending recommendations)						
Farmstead	50 ac.	600	50	50	50	50
Single-family	1 ac.	150	50	18	75	35
Single-family cluster	14,520 sq. ft.	85	35	10	40	35
Planned	See table 106-2406					
Community, small	See table 106-2406					
Community, medium	See table 106-2406					
Other permitted uses	10 ac.	400	100	30	100	40
Community Preservation (CP) Standards, see Appendix E						
Suburban (S) Priority						
Single-family	10,780 sq. ft.	70	35	12	50	35
Single-family cluster	8,000 sq. ft.	50	30	10	40	35
Planned	See table 106-2406					
Community, Large Traditional Neighborhood Development	See table 106-2406-106-2379					
Multifamily	See table 106-2406					
Manufactured home community	See table 106-2409					
Institutional residential	5 ac.	300	75	40	75	32
Other permitted uses	2 ac.	280	100	40	100	32
Suburban - River Quality (S-RQ) (pending recommendations)						
Single-family	14,520 sq. ft.	85	35	10	40	35
Single-family cluster	10,780 sq. ft.	80	35	6/15	35	35
Planned	See table 106-2406					
Community, large	See table 106-2406					
Manufactured home community	See section 106-2409					
Institutional residential	5 ac.	300	75	40	75	32
Other permitted uses	3 ac.	200	40	15	25	40
Urban (U)						
Single-family	8,000 sq. ft.	50	35	6/15	35	35
Single-family cluster	5,000 sq. ft.	50	50	6/15	35	35
Planned	See table 106-2406					

Zoning District and Development Type	Minimum					Maximum
	Lot Area (ac./sq. ft.)	Lot Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Height (feet)***
Community, Small Traditional Neighborhood Development	See table 106-2406-106-2379					
Community, medium	See table 106-2406					
Community, large	See table 106-2406					
Manufactured home community	See section 106-2409					
Multifamily	See table 106-2406					
Institutional residential	4 ac.	300	50	25	50	35
Other permitted uses	4 ac.	300	50	25	50	35
Urban - River Quality (U-RQ) (pending recommendations)						
Single-family	8,500 sq. ft.	75	25	12	30	35
Planned	See table 106-2406					
Community, medium	See table 106-2406					
Community, large	See table 106-2406					
Multifamily						
Institutional residential	4 ac.	300	50	25	50	35
Other permitted uses	4 ac.	300	50	25	50	35
Commercial Suburban (CS)						
Planned	See table 106-2406					
Multifamily	See table 106-2406					
Offices	0.5 ac.	100	25	None	20	35
Retail	1 ac.	150	25	None	20	35
Other commercial uses	1 ac.	150	25	None	20	35
Other permitted uses	2 ac.	200	25	None	20	35
Commercial Regional (CR)						
Offices	0.5 ac.	150	25	20	20	40
Retail	21,780 sq. ft.	150	25	20	20	40
Other commercial uses	21,780 sq. ft.	150	25	20	20	35
Mixed uses	2 ac.	200	25	20	20	40
Other permitted uses	1 ac.	150	25	20	20	35
Zoning District and Development Type	Lot Area (ac./sq. ft.)	Lot Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Height (feet)***
Zoning District and Development Type	Lot Area (ac./sq. ft.)	Lot Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Height (feet)***
Research & Development (RD)						
Offices, commercial lodging	1 ac.	150	40	20	20	55
Industrial	1 ac.	150	40	20	20	120*
Restaurants	1 ac.	150	40	20	20	30
Other permitted uses	1 ac.	150	40	20	20	40
Light Industry (LI)						
Offices, commercial lodging	20,000 sq. ft.	100	40	20	20	55
Restaurants	20,000 sq. ft.	100	40	20	20	30
Industrial	20,000 sq. ft.	100	40	20	20	60
Other permitted uses	20,000 sq. ft.	100	40	20	20	40
Industrial Park (IP)						
Offices, commercial lodging	20,000 sq. ft.	100	40	20	20	55
Restaurants	20,000 sq. ft.	100	40	20	20	30
Industrial	20,000 sq. ft.	100	40	20	20	120*
Other permitted uses	20,000 sq. ft.	100	40	20	20	40

* Buildings must be in conformance with Standard Building Code and National Fire Safety Standards.

**Depends on specific use. Refer to special/limited use standards in article V, division 2 (sections 106-1126 through 106-1425.)

***All structures that are 150 feet or higher must be in conformance with subsection 106-1363(a)(4).

TABLE 106-1617. BUFFERYARD AND TREE

Zoning District & Development Type	Number of Landscaping Canopy or Existing Trees Per:			Street Tree Spacing Per Feet of ROW	Bufferyard Width (ft.) Adjoining Streets			Bufferyard Width (ft.) Adjoining District*													
	Lot	Acre Open Space	Parking Spaces		Arterial	Collector	Local	RC	RQ	RB	RR	R	S	U	CP	CS	CR	RD	LI	IP	M
Resource Conservation (RC)																					
Single-family	--	8	--	50	N.A.	N.A.	50	--	100	--	--	--	--	--	--	--	--	--	--	--	--
Single-family cluster	2/du	8	1/10																		
Other permitted uses	5/ac.	8	1/10	40	N.A.	N.A.	50	--	100	--	--	--	--	--	--	--	--	--	--	--	--
Rural (R)																					
Farmstead	--	--	--	50	--	--	--	--	100	--	--	--	--	--	--	--	--	--	--	--	--
Single-family	--	--	--		50	50	--	--	100	--	25	25	--	--	--	25	25	25	25	25	50
Single-family cluster	2/du	5	1/10		100	100	50	--	100	--	25	25	25	25	25	25	25	25	25	25	50
Planned	1/du	5	1/10					--	100	50	50	50	50	50	50	50	50	50	50	50	100
Community, small	1/du	5	1/10		250	250	50	--	100	250	300	250	200	300	300	300	300	300	300	300	300
Community, medium	1/du	5	1/10					--	100	250	300	250	200	300	300	300	300	300	300	300	300
Man. home comm.	See § 106- 2409	1/10		100	100	50	--	100		50	50	50	50	50	50	50	50	50	50	50	100
Other permitted uses	5/ac	4	1/10		100	100	50	--	100	50	50	50	50	50	50	50	50	50	50	50	100
Rural Residential (RR)																					
Single-family	--	0	--	50	50	50	50	--	100	--	--	--	--	--	--	--	--	--	--	--	50
Other permitted uses	3/ac	4	1/10		100	100	50	--	100	25	--	25	--	--	25	--	--	--	--	--	50
Rural Business (RB)																					
Single-family	--	--	--	N.A.	50	50	--	--	100	--	25	25	--	--	--	25	25	25	25	25	50
Commercial uses	6/ac.	8	1/10	50	50	50	20	100	150	10	50	50	--	--	25	--	--	--	--	--	--
Other permitted uses	6/ac.	8	1/10	50	50	50	20	100	150	10	50	50	--	--	25	--	--	--	--	--	--
Suburban (S)																					
Single-family	2/du	5	None	50	50	50	--	--	--	--	--	25	--	--	--	--	--	--	--	--	50
Single-family cluster	1/du	5	1/10		100	50	25					50	25		25		25		25	25	
Planned	1/du	5	1/10		100	50	50					100	50		50						
Traditional Neighborhood Development							=			=	25			25	25	25	25	=	50	50	
Community, large	1/du	5	1/10		100	100	50					100		100				100	100	100	100
Multifamily	25/ac	5	1/10		100	100	50											50	100	100	50
Man. home comm.	See § 106- 2409	1/10		100	100	50												50	100	100	50
Institutional residential	6/ac	8	1/10		100	100	50					50		50				50	50	50	50
Other permitted uses	6/ac	8	1/10		100	100	50														
Urban (U)																					
Single-family	1/du	5	1/10	50	50	50	--	--	100	--	--	100	--	--	--	--	--	--	--	--	50
Single-family cluster												50									
Planned											25	100	25	25	--	--	--	--	25	25	100
Traditional Neighborhood Development							=			=	25		25	25	25	25	25	=	50	50	
Community, medium					100	75	--			--	25		25	25	25	25	25	--	50	50	
Community, large																					
Man. home comm.	See § 106- 2409			75	50	25				--											

Zoning District & Development Type	Number of Landscaping Canopy or Existing Trees Per:				Bufferyard Width (ft.) Adjoining Streets			Bufferyard Width (ft.) Adjoining District*													
	Lot	Acre Open Space	Parking Spaces	Street Tree Spacing Per Feet of ROW	Arterial	Collector	Local	RC	RQ	RB	RR	R	S	U	CP	CS	CR	RD	LI	IP	M
Multifamily	25/ac	5								--	50			50	50	25	25	--			
Institutional residential	6/ac				50					--	25			25	25	--	--	--			
Other permitted uses										--	50										50
Community Preservation (CP) Standards See Appendix E																					
Commercial Suburban (CS) District																					
Planned	1/du	8	1/10	50	50	50	20	--	150	--											
Multifamily	3/du									--			--	25	100	--					
Offices	6/ac									--											
Retail										--											
Other commercial										--											
Other permitted uses										--											
Commercial Regional (CR)																					
Offices/commercial lodging	8/ac	6	1/10	50	50	50	50	--	200	--	100	100	100	50	100	30	--	30	--	25	--
Retail										--											
Other commercial uses										--											
Other permitted uses										--											
Research and Development (RD)																					
Offices/commercial lodging/research	10/ac	10	1/10	40	100	100	50	--	300	--	100	100	100	50	100	--	50	50	--	--	--
Industrial										--											
Restaurants										--											
Other permitted uses										--											
Light Industry (LI)																					
Offices/commercial lodging	4/ac	4	1/10	50	50	50	25	--	300	--	100	100	100	50	100	50	25	50	--	--	--
Restaurants										--											
Industrial										--											
Other permitted uses										--											
Industrial Park (IP)																					
Offices/commercial lodging	4/ac	4	1/10	50	50	50	25	--	300	--	100	100	100	100	100	50	25	50	--	--	--
Restaurants										--											
Industrial										--											
Other permitted uses										--											

Committee Reports
June 28, 2010

A. COMMITTEES REPORTING

1. Natural Resources

① Minutes provided from the [June 14 meeting](#). No action is required.

2. Natural Resources

① Minutes provided from the [June 7 meeting](#). No action is required.

② Minutes provided from the [June 9 joint meeting](#) with Public Safety. No action is required.

③ Beaufort/Jasper Water and Sewer Authority

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
06.14.10	Donna Altman	At-Large	Reappoint	8 of 11

* Legislative Delegation approves Council’s recommendation and forwards to Governor for approval.

3. Public Safety

① Minutes provided from the June 9 joint meeting with Natural Resources. No action is required.

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman

Gerald Dawson, Vice Chairman

➔ Next Meeting – Monday, August 16 at 4:00 p.m., Building 2, BIV

➔ Next Meeting Joint Initiative – Tuesday, August 17 at 4:00 p.m.

2. Finance

Stu Rodman, Chairman

William McBride, Vice Chairman

➔ Next Meeting – Monday, July 19 at 2:00 p.m., Building 2, BIV (Joint meeting with Public Safety)

3. Natural Resources

Paul Sommerville, Chairman

Jerry Stewart, Vice Chairman

➔ Next Meeting – Monday, July 19 at 4:00 p.m., Building 2, BIV

➔ Next Meeting – Monday, August 10 at 2:00 p.m.

4. Public Facilities

Herbert Glaze, Chairman

Steven Baer, Vice Chairman

➔ Next Meeting – Tuesday, June 29 at 4:30 p.m.

➔ No meeting in July.

5. Public Safety

Jerry Stewart, Chairman

Brian Flewelling, Vice Chairman

➔ Next Meeting – Monday, July 19 at 2:00 p.m., Building 2, BIV (Joint meeting with Finance)

➔ Next Meeting – Tuesday, August 2 at 4:00 p.m.

6. Transportation Advisory Group

Weston Newton, Chairman

Stu Rodman, Vice Chairman

➔ Next Meeting – Late summer or early fall.

FINANCE COMMITTEE

June 14, 2010

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

The Finance Committee met on Monday, June 14, 2010 at 2:30 p.m., in the Large Meeting Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

ATTENDANCE

Finance Committee members: Chairman Stu Rodman, Vice Chairman William McBride, and members Brian Flewelling, Jerry Stewart and Laura Von Harten attended. Weston Newton, as Council chairman, is a voting member of each Committee and attended the meeting. Non-committee members Rick Caporale and Gerald Dawson were also present.

County Staff: Morris Campbell, Division Director – Community Services; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator; David Starkey, Chief Financial Officer; Sheriff P.J. Tanner; Mitzi Wagner, Disabilities and Special Need director.

Media: Joe Croley, Hilton Head Association of Realtors and Richard Brooks, *Bluffton Today*.

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

ACTION ITEM

1. Replacement Home / Disabilities and Special Needs Department

Discussion: Mr. Kubic said the County wants to close one house and create another. Mr. Morris Campbell, Division Director – Community Services, stated they worked the past three years on upgrading the community training home facilities with the Disabilities and Special Needs Department. We were successful in finding a house to replace a very, very dilapidated house which has many areas of concern, Mr. Campbell explained. We would like to replace the house which is inadequate as far as spacing and Americans with Disabilities Act (ADA) compliance, etc. Mr. Campbell explained the printout contains many of the reasons the Department wishes to replace the house. We successfully found a four-bedroom house with all the requirements. However, there are some modifications needed to accommodate the staff as well as the stewards, Mr. Campbell said. We believe this will be another step in upgrading our facilities to code as well as accommodating the consumers who are living there daily. We have been successful in working with the Finance Department, whom has been helpful in locating funding for the house. Those funds have basically accumulated over the past two to three years as far as fund balance for the department. We feel the expenditure of \$350,000 will certainly address the concern and, of course, put the consumers in a safe facility. We have an opportunity

here we really would like to take advantage of because finding a four-room house on sewer in northern Beaufort County has been an almost impossible task. Purchased in 1994, the house we are closing is on Broad River Boulevard, and is very inadequate particularly in terms of septic systems and the rooms.

Mr. Newton asked if this serves four people. Mr. Campbell replied, yes. "When selecting this particular house for purchase, why this one," Mr. Newton asked.

Mrs. Wagner replied they looked as much as they could all over the county, and had certain basic requirements. For example, it needs to be a house on slab, on one level to make it ADA, an open floor plan and sewer connections. This was the only house we could find in that lower price range in the county, she said. Even though there are many houses for sale, most of them will not meet our requirements.

Mr. Newton stated he is honestly quite surprised by that because at last Monday's foreclosure sale there were 311 properties foreclosed on and \$325,000 is market value. There is nothing particular about this house. "Maybe there is something so unique about this floor plan," Mr. Newton commented, "but the foreclosures are just all over the county and the dollars are tremendous in terms of the discounts available." Is this a house you found after looking 30 days, 60 days or 90 days?

Mrs. Wagner said it was probably six months, and the house itself is listed at \$250,000. The additional cost is to make it ADA, which means putting in a sprinkler system, installing the correct hood on the kitchen stove and fixing the bathrooms so there are roll-in showers. A lot of the expense, beyond the purchase price, is what we would do on any house. Mr. Newton asked how large the house is and Mrs. Wagner said it was 1,900 square-feet.

Mr. Newton then asked if they considered the possibility of building. Mrs. Wagner replied they had, but some of the repairs to be made need to be done quickly on the old house and there needs to be an investment which they will not get back if they have to put the old house for sale. The entire septic system needs to be replaced and it will be expensive, she said. It would be about \$125,000, Mr. Kubic said. "I'm not trying to be hyper critical, but I am just trying to understand. In this climate where people do not have jobs, there are tons of properties being foreclosed upon, we are trying to be the best stewards of taxpayer money," Mr. Newton commented. He further asked about cost of building versus buying, whether due diligence was done and the level of repairs needed before sale of the old house. Mrs. Wagner answered they built 3 houses on Lady's Island, and with the property they cost \$411,000. This is a good bit cheaper.

Mr. Kubic stated in the long-term they are considering tearing down the house, which will be vacated, and rebuilding something else on the site. The house is in bad shape, he added.

Those present then discussed at some length further details about plans, costs of various options, locations, foreclosure, etc. Mr. Newton asked whether there is a waiting list to get into the residential homes. Mrs. Wagner sighed and said yes about 14 to 18 people who are critical.

Mr. Campbell replied the department has looked for homes for the past six months and it has been nearly impossible to find what we really need. I had the same questions you had, but seriously if we are going to invest to bring the Broad River home up to snuff it will still be inadequate and what we propose will be much more appropriate, Mr. Campbell added. They discussed the state of the current home and its needed improvements, as well as explained why the new house is necessary.

Mr. Newton asked if there is any type of due diligence done on new purchases to determine the approximate life expectancy based upon use. Mrs. Wagner stated she spoke with Mark Rosenau about this, and he reviewed the house. We would not make the purchase without some feedback from those who can gauge for us whether it will last long enough to get our use out of it. Also, the area has changed drastically since the house was purchased in terms of traffic.

Mr. Newton asked if the state provides any funding for construction. Mrs. Wagner replied the state provided funding in the past, but will not now because they are not developing. She explained some of the funding and how it was used in the past.

Ms. Von Harten asked about how the new house would impact workers' compensations. Members then briefly discussed this claim category and various aspects of workers' compensation.

Mr. Caporale asked about a recent workers' compensation report Council received. Mr. Kubic answered that included modification, rate and claims experience as accrued. The program has been working, he said.

Mr. Caporale then raised the issue of appraised value versus market prices for homes. Mrs. Wagner replied the price assumes the worst possible deal, but they plan to go forward with a lower offer than the appraised value.

Mr. Newton asked from where the money comes. Mr. Starkey replied it is from the general fund. Typically, what happens with DSN is at the end of each fiscal year, they do an allocation of their money in which our general fund gets money back. The idea is take the money the general funds get back to shift from the DSN money and put that toward the house in the next fiscal year. He said the last couple of years DSN put in about \$100,000 each year. Mr. Newton and Mr. Starkey got into a lengthy discussion about the money's trail.

It was moved by Ms. Von Harten, seconded by Mr. McBride, that Finance Committee approves the Disabilities and Special Needs Department's request to pursue the purchase of a replacement home. The vote was: FOR – Mr. Flewelling, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Baer and Mr. Sommerville The motion passed.

Recommendation: Committee approves the Disabilities and Special Needs Department's request to pursue the purchase of a replacement home.

INFORMATION ITEMS

1. Open County Budget Issues Sheriff P.J. Tanner – Sheriff's Office performance pay scale

Discussion: Mr. Rodman asked for good use of the Sheriff's time to discuss this item. There are two separate issues. The first is we took the approach, as much as we can, to try to minimize tax increases and as part of that there has been a lot of holding the line on cost of living and related items, he commented. One of the issues raised was what is the nature of the so-called step increases in the Sheriff's Office compensation plan and how does this affect the budget. The second issue is, in terms of the millage which is going for third reading, when we last looked at millage we had a certain number and the total came down with work leaving three possible options to how it would get spread between operating accounts and debt service. The compensation portion of the Sheriff's budget has approximately \$300,000. It is not a traditional step such as the School District's where individuals automatically receive the increase; it is merit based. Mr. Rodman then asked Sheriff Tanner to come forward.

Sheriff Tanner handed out two reports (2009 Statistical Report for the Sheriff's Office and policy, forms, assessment, etc.). In 1999, we had a lengthy debate about the compensation plan in Council Chambers, Sheriff Tanner commented. We even, at that time, used several vacant positions at the Sheriff's Office to fund this plan. The compensation plan is referred to as, "the 18, 3 and 5," which is 18 months, 3 years and 5 years longevity. The way the plan is designed is basically for retention and recruitment. But the main design is for retention. Prior to me taking office in 1998, the Sheriff's Office lost more than 100 deputies. A lot of that was due to compensation and morale. Since this plan has been in effect, we have not made it to 100 officers who resigned from the Sheriff's Office because the plan is designed as a road map. It brings someone in with no experience in law enforcement, takes them from day one to 25 year's retirement. Through the experience module in the plan, your "18, 3 and 5," the longevity side of the plan does not take effect until after your sixth year. It is extremely important for law enforcement that we try to keep recruits in the field five years. It is a known fact, through different studies we did, if we can keep them on the road and the interest level for five years they normally stay in law enforcement to retirement. The first five years are extremely critical for retention. "18, 3 and 5" is performance based, and at those points deputies are eligible for promotion. They received their evaluation based on performance and move into longevity after the sixth year. After the sixth year, there are performance-based annual reviews on longevity plans. There is no set number on this; it is between zero and 5 percent. It is based upon performance evaluations. Along with the compensation on experience, you have compensation on education (associates, bachelors, master's and Ph.D.) each come with points based on the formal education achieved. Also in the Sheriff's Office there is a policy regarding bilingual ability and subsequent compensation. The Sheriff's Office has 106 policies, 464 standards, all under Commission on Accreditation for Law Enforcement Agencies (CALEA) format. We had our most recent assessment through CALEA back in April. We will be given our CALEA accreditation in July and we accomplished this in a year and half. We are very proud of our staff at the Sheriff's Office. The compensation plan is a huge part of our success, Sheriff Tanner

added. If you look through the pamphlet on 2009 staff report you find all of the things we do. We have more than 250 staff for the Sheriff's Office.

Mr. Caporale stated he wants to make sure there is consistency in the approaches we take during budget time. The point made about keeping people in law enforcement for the first five years is used in regard to young teachers and is interesting, Mr. Caporale said. It is important people get the right kind of support. That includes financial support during the first five years. It is not an across-the-board type of thing with the Sheriff's Office, as it is with the School District's step increase. Mr. Caporale asked how many deputies are on staff. There are 222, Sheriff Tanner responded. The remaining staff is administrative. Mr. Caporale asked how many of the 222 would get the increase and Sheriff Tanner answered he could break it down by phases. Sheriff Tanner discussed the differences between longevity and performance increases. He answered it is more than half who would get the increase. Sheriff Tanner suggested looking at the report provided where the details are spelled out.

The Committee then discussed merit versus performance, and whether merit was included within the policy. Sheriff Tanner said merit is not included in the policy. We do not use the word "merit" at all in this policy, he said. Mr. Rodman said he uses the two words interchangeably.

Mr. McBride said he had a few questions. He stated he knows the administrator and deputy administrator have been banging their heads against the wall trying to bring the budget in with a low figure. He said he was concerned about the pay classification/performance evaluation the Sheriff used because he knows it is an additional \$300,000 budgeted for that office this year. On the "18, 3 and 5" at 18 months are the deputies evaluated at that time or are all of the deputies at that point given the increase?

Sheriff Tanner replied we pay for experience and education. You come in as a corporal and are eligible for a performance evaluation after being with us for a year. Then your salary is based on the forms we use, and charted based on experience and education. Mr. McBride asked for copies. Sheriff Tanner said he will get them to the members. He used the example of Jeff Dowling, who had 30 years of experience, but came in as a corporal as all new employees do, despite being the Beaufort Chief of Police. His salary is based on his education and experience, but it is capped. It can only go up if there is a cost of living increase. This compensation plan has no effect on the Sheriff; it applies to the chief deputy and below, Sheriff Tanner said.

Mr. McBride said he was interested in someone who has no prior experience or education and what happens at 18 months. Sheriff Tanner replied they are referred to as "a slick sleeve rookie." They begin at base salary. They are evaluated every six months as a rookie officer. We do not send them to the academy until they go through a Field Training Officer program, which takes six months. This helps us determine if this is a good candidate, whether this candidate will stay, etc. Tanner explained. I will be honest with you a high percentage thinks law enforcement is something they want as a profession, but after a few months working with us midnight shift responding to these calls they turn in their uniforms rather quickly, he said. The 18-month

evaluation starts at day one. It takes a year to get through the training module, Sheriff Tanner said. You may or may not get the promotion to private at the 18-month time.

Mr. Flewelling stated the Sheriff's budget does not include a cost of living increase at all. He added he, and he assumes other Council members, appreciated that as no one else gets a cost of living increase.

Ms. Von Harten asked if Sheriff Tanner would like to see the millage raised. Sheriff Tanner replied he thinks it is the Council's business and he appreciates the work you do.

Mr. Newton asked what the practical impact would be if the pay plan was suspended a year then brought back. A loss of personnel, Sheriff Tanner replied. The way the compensation plan is designed initially is when we go for several years without a cost of living increase, it brings our compensation plan down and we become less competitive. You will find highlighted in the CALEA assessment that it is imperative we stay competitive, not only through law enforcement and throughout South Carolina but also in the private sector. If we cannot stay competitive with private sector and other law enforcement entities we will lose personnel. Thirty years ago when I started this job I did not care what my salary was. In my first year, I made less than \$9,000 at \$4.11 per hour; I was just happy to go to work. We have a whole different group of people we have to deal with today. We have folks we are hiring today who want instant gratification. After their first year in service after the academy, they come back with a little bit of John Wayne syndrome. They automatically think they should be the Colonel. We are fair with our performance evaluations, but we are strict with our performance evaluations. We know the choices we have. We make the hiring process very difficult. We do not make it easy. It takes several months to get to a particular point where you have a screen board, a screening, but a lot of people do not make it. We have to be competitive. We have to ensure Beaufort County citizens, for what they pay, get the absolute best to fill those jobs. We also know the market out there is extremely competitive at most levels. We have bartenders on Hilton Head who make more salary than deputy sheriffs working the midnight shift. If we do not continue with the compensation plan as designed, it missed out on a lot of the cost of living increases and the plan falls. Then we find we are competing with other agencies within the county and outside Beaufort County. We have been through this before. My first couple years of office, we had officers going to different municipalities in the county because they offered more in starting pay. They had no future. These guys and gals today want you to offer them a road map showing the growth factors within the policy and they see 25 years down the road if they are doing a good job their salary will increase. It has a huge impact on morale.

Mr. Newton asked if it is fair to say the performance-based adjustments more heavily impact the guys on the lower end of the spectrum than the upper end. Absolutely, Sheriff Tanner replied. The main impact of the compensation plan affects 75 percent of the staff. It is your master sergeant to your entry sworn officer.

Mr. McBride asked Mr. Kubic if the County has a similar plan for county employees. Mr. Kubic replied he wished he did. If I remember correctly, when I first got here we spent a great deal of time talking about 3 or 4 compensation studies we paid about \$300,000 to \$400,000 for,

and none of those studies were ever implemented, Mr. Kubic stated. The beauty of a compensation plan is you have some constancy from which you can program budgetary expenses not only for the current year, but for the expectation in the out years. In this instance today, the Sheriff and I talked about the cost of living adjustment and agreed to remove it from the process. Chairman Newton's question about whom within the Sheriff's Office benefits from the step if they achieve the performance recognition to qualify. I think four and half years ago, there were more than 105 new deputies to enter the system for us since 2006. Based on the initial review, we began to forecast out the cost, which was approximately \$300,000. We put it in as we felt if the cost of living adjustment was removed and based upon a large amount of entry personnel since 2006, it was necessary to have this feature. Conversely, I would like to have sort of a federal sort of compensation system where if you start in a position you could forecast out 20 years where you would be. It would allow us in our budgetary planning from a three- to five-year basis to have a pretty good target on payroll, which is 60 percent or more of the general fund expense.

Mr. Stewart stated his concern goes back to questions about why we do not have a uniform for all employees within the county. We have the School District's step increases for up to a certain year, and with the Sheriff's Office we have a policy. We have worked with the fire districts for a five-year plan to bring them up, but have asked them for two years to forgo those increases. The other county employees, however, do not have a plan. I find it very difficult to set the budgets and deal with people, all of which are important to the county, but not all of them are being treated basically in an equal or fair situation, Mr. Stewart said. It is very hard in that case to take the position and stand in the case of the fire district, or School District to ask them to wait. It is difficult to ask one particular group to hold off on an increase, when we are not giving an increase to everyone. I do not know how we get around this other than sitting down. "I think we should have a policy for the rest of the employees as you described, Gary. That is pretty standard everywhere I am aware of, but I also recognize we have a problem with Act 388 and caps. If we gave everyone a step increase then we will not be able to generate enough cash in years such as this, which are very lean," Mr. Stewart commented. "It's a problem. I find this year very perplexing. I would like to see the School District hold down their growth, but at the same time I find it difficult to ask them to forgo when we have other issues at play."

Ms. Von Harten stated she wished the fire districts would stand up for themselves because year after year some of them probably really would like to go after those increases, but they do not because the fire commissioners do not want to do it as it is seen politically unpalatable. These are supposed to be the most courageous people in Beaufort County, the emergency personnel. "The report is stellar. We have something that is working and I think we need to keep it working," Ms. Von Harten added.

Mr. Kubic asked to make some observations about the out years. If you look at the features of the Sheriff's compensation plan and ask which of those have new application if you transfer them into a larger organization. The positions of corporal, lance corporal, sergeant, etc. are few, but on my side there are about 280 different positions, Mr. Kubic commented. Logic tells you when you drive toward a compensation plan you compress all those positions and develop a range of maybe three ranges of categories. It is a problem we have to work on. On the

fire side, I believe they have a longevity program. We have the EMS / Fire Study coming up which compensation will be addressed, he said. Again, we put in our administrative budget for you to consider tonight, and I hope we satisfied your questions related to the Sheriff's Office.

Mr. McBride stated his intention when coming to the meeting today was to ask the Sheriff to suspend for one year in this tight economic year when we are trying to trim the figures. That is my thought and I am leaving it on the table, he said.

Mr. Stewart stated the plans presented this evening, options 2 and 3, have 8/10 of a mill increase and if we went with this would it give you flexibility to provide merit increases for Mr. Kubic's employees in a similar manner. Mr. Kubic asked if it would be appropriate to defer the question until the Council meeting immediately following and Mr. Stewart conceded. Generally though, option 3 gives the general fund more capability in the out year than if we did not do it, Mr. Kubic added. The purpose of introducing option 3 is to position ourselves so we have more opportunity and financial capability to provide things such as merit based and other services.

Mr. Stewart concluded his position is to ask the School District to forgo the step increases recognizing it is not his responsibility to ask them to do so and he said he feels the same about the Sheriff's Office. Mr. Kubic replied in the budgetary process provided to Council, staff considered all trade-offs and quite frankly I work within my realm of responsibility and try to come forward with logic, which sometimes gets flipped upside down when compared to others. We vetted the process with the Sheriff and this is the product, he concluded.

Status: No action. This was for information prior to the evening's Council agenda.

2. Discussion of County Debt

Discussion: Mr. Rodman said he wanted to go over the fiscal year 2011 (FY2011) budget and any changes between second reading on May 24, 2010 and tonight's meeting. As they continue to work the numbers, it has come down quite a bit on the debt side and on the Rural and Critical Lands side. What you see here are three options reduced from what we looked at before. One is higher than the other two.

Mr. Hill provided three options. Option 1 — provides a 1.57 millage increase option with no increase to our operations budget, but County debt will be 4.57 and Rural and Critical Lands will be 2.76. Option 2 — provides for a mill swap and a 1.57 millage increase with operations budget at 41.01, debt to 3.77, and Rural and Critical at 2.76. Option 3 — provides a slight increase in operations at 41.01 of 2 percent, or approximately \$1.3 million, debt at 4.57, Rural and Critical at 2.76, and the proposed millage increase of 2.37.

Mr. Hill explained to the Finance Committee basically since May 10, 2010 we went back and forth trying to understand how we can bring our millage rates down. Obviously, we had the purchase of the Rural and Critical Lands, as well as the 2007 bonds come forward. On May 10, we had approximately a formula increase. Mr. Starkey and I met consistently over that time to determine how to bring the millage increase down, Mr. Hill stated. He discussed the idea of a

mill swap, whereby the County raises its operations with the notion of bringing it right back into the debt portfolio to pay off our debt program. Speaking with Mr. Newton and Mr. Rodman, in this fashion we thought about a 2 percent increase in our operations considering the fact we have not had an increase in some time. With new ideas coming on board, looking at our FY2011 compared with our FY2012 budget, we are looking at ways to expand our opportunities to meet the goals and objectives for FY2012. We are not thinking within a one-year vacuum but in a five-year matrix, Mr. Hill said. If we have the ability to go to 41.01 mills, which is 8/10 of a percent, we would love to put that forward today. On a \$500,000 home that is \$47 annually; that is how this increase translates. We are mandated to do a tax increase on our debt side regardless of where we stand today, Mr. Hill stated. The inability to grow our operations over the last three years put us in a situation where when we do our five-year program we are looking at gaps, huge gaps, he added. With either one of these options, we will still have to identify whether we have a tax increase next year for the simple fact we took in the CIP, we reallocated it for a one-time reduction this year (\$1.2 million voted on at the last Finance meeting), Mr. Hill commented. By looking at the budget in terms of a two- or three-year plan, we thought an option would be to put up operations to 41.01, increasing our tax on a \$500,000 by approximately \$6. "We understand that this is not the most appropriate time to have tax increase. However, going forward we have a program for Rural and Critical Lands we did borrow in our 2007 referendum and have to pay those," Mr. Hill stated.

Mr. Kubic wanted Mr. Starkey to clarify why the millage increased in the past few weeks. He stated he wants the public and Council to understand where they came from, how they got there, what is available, etc. In addition, he said he was concerned with the out years and added Option 3 is consideration of what those demands may be on the operational side, and whether or not this change would benefit us based on things we know.

Mr. Starkey explained the idea is basically a cause and effect. First, when we examined the budget along with some of Council's questions, we found savings in two areas — 1. The Bluffton-County TIF used roughly \$3.9 million of library impact fees back in its inception. The Library, however, after being asked how much the Bluffton Library cost said it cost \$4.5 million. So we were able to transfer the Bluffton Library impact fees to at least get the principal amounts connected to that. Now, we are completely out of the general fund at this point. 2. The Bluffton TIF, County bonds and the BTAG expenditures we use also use road impact fees. However, through the BTAG committee, the \$50 million of initial impact fees needed have been whittled down to \$3 million in the BTAG process. In that, we have since transferred roughly \$2.750 million of the \$3 million already. We have about another \$1 million in cushion in our Southern impact fees, and once the Northern impact fees (now at zero) are transferred in it will hit \$250,000 long before the BTAG projects are over. That will all be transferred over. This said, we have two bonds out there in our debt, which are also funded by road impact fees, Mr. Starkey said. With transferring some monies into the Bluffton-County TIF as well as not needing as much road impact fees for BTAG, we are then able to fully fund the monies needed to go into our bond issuances, some of which funded by road impact fees, Mr. Starkey said. Doing this on top of the \$1,285,000, which was transferred on a one-time basis from the CIP into the debt service, we could further lower the rates, he explained. This is a way of looking at all the causes leading to us not needing as much in road impact fees and the effect. For BTAG purposes, at

least on Southern impact fees, there are still roughly about \$1 million left within the Bluffton road impact fees. There is some contingency left should something go slightly over.

Mr. Rodman summarized we are saying if you mentally separate the operating and debt side, we had about a 4 mill increase on the debt service side as we looked at it over the past few weeks. We saw \$1.2 million come out of closing some projects, among the other things described above. In reality, you took that down by about 2.5 mills out of 4, or about 60 percent, Mr. Rodman stated. Mr. Starkey confirmed. If we look at the three options, and only looked at the CIP it would take us to Option 1, Mr. Rodman said. Option 2 is the mill swap discussed in the past, and there is logic in terms of Act 388's unintended consequences, he added. Lastly, he said Option 3 then says we would look at a small increase. The question we all struggle with, to some extent, is it is a tough time in the economy and the County has done a credible job over a long period of time of freezing everything, but in reality is the string stretched too tight. Also should there be a modest increase? It is a difficult question, he added.

Researching the past 10 years trends in taxes reveal five were tax increase years, three were decreases and the last two were flat, Mr. Starkey interjected. This illustrates how ops went up and down over the period of time. Additionally, our debt will have to increase next year, Mr. Starkey stated. This is partially because the \$1,285,000 is a one-time solution and secondly because our debt service will increase \$400,000 in the next fiscal year.

Mr. Newton said the following: "in 2012... We are now in this mode of talking about 3-year and 5-year budgets and I am delighted as you have done a stellar job. However, when I sit here and think where we will be two years from today sitting in this room passing the 2013 budget, looking at a reassessment year for the County given what we just talked about in Real estate values – where lots were \$300,000 last year are \$4,000 today with a 20 percent to 30 percent reduction in assessed value of Beaufort County, absent doing anything else – and looking at that kind of challenge (which I hope turns out to not be the case), 1. I am not in favor of Option 3, but we are not necessarily talking about that right now 2. I do think as soon as this budget is passed (and Mr. Hill made mention of the fact next year we will have to have a tax increase relative to debt, your point was there will have to be more mills for debt next year, not necessarily a tax increase) then I think we need to be quickly looking about the process, as Mr. Kubic described before, of smart decline, of thinking about the plan as to what our services are and the manner we look at reducing County service in the face of a potential 20 to 30 percent tax increase because of nothing more than reassessment if those numbers hold true. I understand Mr. Hughes is doing an analysis of that right now. We are trying to understand it, but in following what is happening at these foreclosure sales fairly closely and what is happening on the island where there are a couple of different hotels that converted to condominiums with individual units selling for \$300,000 and you can buy them today for \$15,000. That probably does not make up a lot of the County's total assessed value, but it is now worth a lot less based on the number of units. I think it is a looming challenge for us that we need to plug that piece in as quickly as we can and begin to understand what our strategy is to do that. So, I mean, I just think that is something we probably need to keep in mind as we look at this thing today. And while I am talking I will go ahead and tell you I am in favor of Option 1. I think the mill swap is too difficult to explain. I think as Mr. Rodman pointed out, the difference between Option 1 and Option 2 is

the vote of County Council. If we have to go back and do some things under a super majority program, we still can do it. Option 3, while I appreciate the schedule that shows on a \$100,000 it is only 9.48 percent, this is just the County's piece. It does not include the other pieces coming from the Town of Hilton Head, the City of Beaufort, the Town of Port Royal or the fire districts, or anybody else, or the schools. It is just our piece. So I am... it would be nice to say the total tax increase you might be talking about would only be \$9, but for everything else, \$9.5 on every governmental unit that's out there on the same time folks living on a fixed income in Beaufort County – their income from their retirement is down if they even still [have] a job because we [have] the highest unemployment we [ever had]. So as much as I would love to give a cost of living adjustment and think some under Option 3, there may be some modest ability to do for our employees, I don't know of any private sector employer in this entire county who has gotten an increase, a cost of living increase, or even a consideration of a cost of living increase. Most folks in the private sector I've talked with are doing well just to keep their jobs and not lose them. I know in my organization we have been decreasing and in my industry and everybody I know of that has. I don't like these circumstances any more than anybody else does, but we are blessed we have not had to be engaged in a riff or layoffs or furloughs or anything else. I think sometimes we have to pause and really applaud these guys for being able to navigate us to that point today that unlike some of our sister counties we are not talking about laying off hundreds of people. And in any event, if you are looking for a motion, I will move approval of Option 1."

Mr. Rodman said Option 1 is already on the table relative to reading, but with a modification of the CIP going down. Basically this is what is at second reading. The Committee then discussed what is up for second reading and what adjustments were made. Mr. Starkey said the only thing which needs to occur tonight is to move the \$1.2 million from CIP then Option 1 is consistent. Mr. Newton asked about the Bluffton TIF topic and where it would be included. Mr. Starkey stated it was an accounting error in 2006, so based on the fact the true cost of the library was close to \$4.5 million but we only transferred \$3.9 million of impact fees to pay for it. Not having to use the BTAG, or \$50 million worth of impact fees for roads, has allowed us to drop our county debt millage rather significantly based on the fact now we are using more impact fees to fully fund bonds we can use impact fees for. Prior to this we were afraid we were going to need as much road impact fee as possible. Now we have pretty much funded all BTAG needs for road impact. That is how we got down to where we needed to, Mr. Starkey said.

Mr. Rodman suggested the Committee continues the discussion in the County Council meeting immediately following.

Mr. McBride stated he wants to throw in his two-cents and say he supports Option 3, and commented the Chairman did an elaborate job speaking to Option 1. We held the administrative staff very close in the last several years and nobody knows what will happen in the future.

Mr. Rodman added he thinks this year is unique in there are so many other moving pieces happening later on – higher amounts of people not paying taxes, things being sold, legislature vetoes, etc.

Status: To be further discussed during the County Council meeting immediately following on June 14, 2010.

DRAFT

NATURAL RESOURCES COMMITTEE

June 7, 2010

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

The Natural Resources Committee met on Monday, June 7, 2010 at 2:00 p.m., in the Executive Conference Room, Administration Building

ATTENDANCE:

Natural Resources Committee members: Chairman Paul Sommerville, Vice chairman Jerry Stewart, and members Steven Baer, Gerald Dawson, Brian Flewelling, William McBride and Stu Rodman attended. Non-committee member Laura Von Harten also attended.

County Staff: Delores Frazier, Planning; Amanda Flake, Natural Resource planner; Gary Kubic, County Administrator; Rob McFee, Division Director – Engineering and Infrastructure; David Starkey, Chief Financial Officer

Media: Joe Croley, Hilton Head Island Association of Realtors and Richard Brooks, *Bluffton Today*

Public: Reed Armstrong, Coastal Conservation League; Ann Bluntzer, Beaufort County Open Land Trust; Peg Cronan, Camp St. Mary's resident; Rob Montgomery; Jerry Reeves, Camp St. Mary's resident; Cooter Ramsey, Allison Ramsey Architects; Mary Frank Quinlin, the proposed John Paul II high school.

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

ACTION ITEM

1. Discussion of a Potential November Ballot for Rural and Critical Lands Bond Referendum

Discussion: Mr. Sommerville said at least four people are present to speak on this item, but he wanted to give some background. We are in our second referendum for Rural and Critical Lands — one for \$50 million in 2000 and another for \$40 million in 2006. We have approximately \$18.5 million uncommitted and unspent from the 2006 referendum. We are in a time when land prices are relatively inexpensive. Arguably this is a good time to buy rural and critical lands and consequently this would not be a good time for the program to run out of money. However, if we look at the history of how much we spend yearly it runs between \$5 million to \$8 million. The question becomes whether or not we go to the voters in November 2010 and ask for additional authorization for more bonding to purchase more lands as we identify them. Initially, the Rural and Critical Lands Board set forth a request to the Natural

Resources Committee to go forward, on the November ballot, with a \$50 million referendum authorization for rural and critical lands. The Natural Resources Committee took this up May 14, 2010, but since then there have been a number of discussions with the major players involved. You will hear from some of them in a few minutes. Some of the discussions generated the idea maybe it is not prudent to put this item on the November ballot. The program may be better served by waiting until 2012 because: the taxpayers are already heavily burdened; we have \$18.5 million and may not need additional money until 2012. The Council sent this item back to this Committee for discussion and recommendation. Mr. Sommerville asked those present to make comments.

Mr. McBride stated, for the record, the Natural Resources Committee recommended \$40 million, not the full \$50 million.

Mr. Flewelling said we forwarded a recommendation to County Council, which then sent the item back to this Committee. What are our possible options here? Do we send forward no recommendation? Do we withdraw our recommendation? Mr. Sommerville answered he thinks we need to decide on a recommendation for Council to either go forward or not with the referendum.

Mr. Armstrong, Coastal Conservation League, said this Rural and Critical Lands Program has been one of the most successful and important things the County ever came up with. We certainly support the objectives and success. The Coastal Conservation League has been actively involved in the public campaigns for the previous bond referenda. I think that all campaigning and educating the public did about the Program's success and goals, is the reason we had very strong support for the bond referenda. Unfortunately, it is a situation without adequate time to launch a campaign, he said. There are considerable funds left in the program, hopefully to carry us another two years.

Mr. Sommerville commented even if we decide not to go forward with a referendum this year, there are options for matching funds to pursue in the interim. There will be additional activity.

Mr. Stanford, former program consultant Conservation Consultants, said it was a privilege to serve as a consultant. They began discussion with the Rural and Critical Lands Board, and some of this Committee, as early as last fall about a new bond issue. We know from our history it takes a long time to develop the proper campaign behind the bond issue. 1. It was our recommendation we do a new Geenprint Map, a massive undertaking in terms of technology, mapping and fact gathering. 2. It was timely before the beginning to the year, but as we approach the election it would be difficult. 3. It also puts a burden on the Open Land Trust, which is taking over the project. 4. There are techniques to use. For example, during the 2006 campaign we were out of money from the 2000 bond. We still did a number of transactions contingent upon passing the new bond issue. He stated he is inclined to think it is too late to start the campaign for the new bond issue at this time.

Mrs. Bluntzer stated the most important thing to recognize as you weigh the timing on this issue is the one thing we all agree on is the success of this Program and how much it does for Beaufort County. It is simply a timing issue. I personally believe it is a non-issue; we have the funds and are set up for success for the next two to three years. This is based off the program's history over the last 10 years. She stated she wants to make sure there is adequate time to inform the public about the success of the Program, how the money is used and what the plans are for the Program; we need two years to have a successful campaign.

Mr. Riley, chairman of the Rural and Critical Lands Board, reviewed the reasons to postpone the referendum, as well as the reasons to go forward. Reasons to postpone include: not a good economy to ask for more money, existing pressures on increased taxes from own operations and schools, we have \$18 million, and we can make the money in-hand last and we need time for a promotional campaign. Reasons to move forward include: there is never a good time for a referendum, this is a great time to be a cash buyer, our spending increased in the past years and we may run out of funds, 2012 may be a year to think of another road sales tax referendum or reassessment year. Mr. Riley, as Hilton Head town manager, said they successfully did five referenda with an education program consisting of him and a slideshow. It does not have to be a hard effort. There are people who will never support.

Ms. Von Harten stated when a referendum goes forward she wants to make sure the language is flexible enough to allow us to do things with the properties bought so they do not just sit there. She said if we use the same language from the last referendum, it limits us in a way we do not want to be limited. Mr. Riley replied it is a two-part answer. What do you want to do with the land? It is also a matter of focusing on the land buying portion. The Board has not focused on development. He said he is not sure you can use the money for maintenance. It is a question to kick around.

Mr. Rodman said he thinks the motion may be to table this item. Mr. McBride said once the motion to table is out you cannot discuss the item.

Mr. Flewelling conceded he sees the merits of delaying this referendum until 2012. The last thing we can afford is failure at the ballot box for this Program, he said. This is an important Program and once something like this gets defeated it takes several more attempts to get it approved. He said he favors delaying this item for awhile.

Mr. Dawson stated the comments Mr. Flewelling made basically are some of those he made at an earlier meeting. With the state of the economy, adding an additional burden to our citizens by funding a referendum might be ill-advised. I think we should delay.

Mr. Rodman said he advocates this. However, he is disappointed to find out we somehow ran out of time when we talked about doing this as we go forward. There are two strong arguments for doing this according to Mr. Rodman: 1. This is the time for cash buyers or bottom fishers. 2. As much as we understand a green print, this next Program's success rises or falls on what we did in the past. This said, Council should not say we are doing something when all those

involved in managing the program say it will not work or make any sense. Unfortunately, we probably need to table this for two years, Mr. Rodman concluded.

Mr. Stewart stated he would be very unhappy to see Council table this. It is a decision meaning the item is over. It should be up or down. He said he appreciates Mr. Rodman's comments about the economy, etc., but he is very disappointed, very bluntly. He said he thinks part of the decision to postpone is because of the time it took to do the transition — not as timely as he hoped. Some of the arguments used are not totally valid, he said. A lot of work was done at the last referendum to educate citizens, a great job was done as set out by the green print and I think the citizens of this county are well-informed, he said. With all of the tools and skills we have at our disposal, I am not sure a green print is that difficult, he added. He said he thinks the referendum has a good chance of passing, and if it does not it's not that significant to the Program. He commented the people we entrusted the Program to, to move it forward, and make these things happen are sort of holding back and asking us to back off. He said he is very concerned. Who is making these decisions? I am concerned you put is in a position, where we do not make the decision; the people working on this program are not really concerned with what Council's decision is, he said. Mr. Stewart also pointed out just because the referendum passes, it does not mean we are obligating the citizens to higher taxes. It is our responsibility to decide when we go out to borrow the money. We will spread the \$40 million out over a lengthy period, as we did on the past two referenda. "We are making a mistake, missing an opportunity as we go forward," Mr. Stewart said.

Mrs. Bluntzer acknowledged all of Mr. Stewart's points were valid. She said she wanted to give perspective on other programs throughout the country, which also use public funding for bond referendum. The average time put forward to a public vote, as Charleston County did, was almost an 8-year gap. We had from 2000 to 2006, which is a 6-year gap. We face a 4-year gap. This is a very short window to put forward another issue related to the same concept — conservation land purchases. At the nuts and bolts of this, maybe it got put forward to you a couple years earlier than it needed to — creating a sense of false urgency. The other side of this, too, is if you look at the Charleston County Greenbelt Program (viewed equally as successful as Beaufort County's), it spends between \$8 million to \$12 million annually. It covers a larger area and population. We are right on target with other comparative programs in the country. Another important detail is the last referendum cost about \$100,000 to put on. 70 percent of the funding came from a Donnelly Foundation grant, with a cycle for this year's funding of March 2010 (not knowing if there would be a referendum, no application was filed). There is not even funding to put forward any type of campaign however small or large. On the other side, if Council decides to go forward with a referendum she said they will pursue it with all the energy at their disposal. She wanted to alleviate some concern, not sure how much her word means in that sense, Mrs. Bluntzer said. We will be behind it.

Ms. Von Harten said she is leaning toward letting the voters choose, get the question on the November ballot, but we should use minimal resources for our staff and not expect too much. If it is strong and popular enough for voters to approve the Program on its own merits, we would do the right thing by giving voters the choice. At the same time, she said she has heard people

say should the referendum fail it is doom and gloom for the Program. Is that really something we should fear?

Mrs. Bluntzer replied it is not something to fear. She reiterated she does not think the referendum is necessary right now. We have the funds. The Program is great. We will move at the pace we have always. We will continue to make deals off the success of a 2012 referendum. It is not necessary. It is not voting down the Program. It is important for 2012.

Mr. Baer stated he is rethinking his position. We do not have a green print, and it will take time to do that. We have not fully explored matching grants. These would be very useful in our public relations program. Also we do not have a lot of time for a public relations program. If there is nothing else I learned in 40 years, you do not go into something unprepared. It sounds like we will not be fully prepared to do it this time. There is very little risk in waiting. He restated his stance is to wait until 2012 for the referendum. Mrs. Bluntzer addressed the matching funds issue raised by Mr. Baer. She said we feel the Program has not taken full advantage of matching funds. I feel like we can get at least a 30 percent match to what we have. We are talking about \$18 million. Over the next two to three years, we can match this by a third, meaning \$25 million to \$27 million with matching funds. The Department of the Navy will continue to pour money into land conservation, and will be an excellent matching partner. She added the partnership has had great success with the Navy in the past. There are four federal programs the Open Land Trust will put grants into annually. We are optimistic we can stretch this more.

Ms. Von Harten asked if we have to have a green print. If we do, can we make it all Beaufort County to make it sufficiently vague. Mr. Riley said the green print was really a program of the Trust for Public Land as a process to engage citizens, get input. Is it important? Yes, I think it has been a viable tool. Would you like to update it? Yes, you would. We want citizens to help us re-evaluate priorities. However, if you do not have to you could get by with what you have. Mr. Stanford added he does not think you have to have a green print to move forward. Fortunately, the green print is not copyrighted. It creates an education process for the voter, he said. It was used as such in 2006. The Committee and those present then discussed the benefits, purpose and limits of the green print, as well as whether it is necessary to move forward with the referendum. No consensus was reached.

Mr. Stewart expressed his disagreement with the fact there are adequate funds. We ramped up the Program, as well as the amount we are spending. He said he knows we have a number of deals on the table we could close, and perspectives with a sum total greater than our balance. We are making decisions and slowing down because we know there are other opportunities coming up. I see us making decisions we would not have made a year ago, or if we had those additional resources. It would be wonderful if we could get some matching funds, but you have to prove to me you can do it. I do not think we have enough resources.

It was moved by Mr. Baer, seconded by Mr. Flewelling, that Committee recommends holding off the \$40 million bond referendum for Rural and Critical Lands until 2012, as well as to use the

interval time to work on the Greenprint Map and our matching funds program so we do everything possible to optimize the passage of a referendum in 2012.

Mr. Rodman said he suspects this is a split vote. Another option is to defeat and refer it to Council. This is an extremely important item to this County. In fact, we should not vote it up or down at this committee level. It should have a full-blown debate to see where we are. I will vote against the motion because I think we owe it to the community to take it back and not make a final decision here.

Mr. Sommerville said whatever we say, we seem to say as a divided group. The Committee then discussed the perceived message they were sending as related to their voting on the item.

Mr. McBride stated he is torn on this item. He was of the opinion the full Council should make the decision, which is why he made the motion to forward it to Council. However, the individuals we want on to run this Program think we should step back, slow down and do this in 2012. I am a little bit reluctant to attempt to move it forward again. It is not a good idea; if the people you could on to do this Program feel you do not need to do it at this time. On the flip side, if you move forward with a referendum, with the money we have left from the previous bond referendum, people will say you have money in the bank and you are asking us for more money.

Ms. Von Harten said she does not see the need to waste resources on doing a public campaign with additional tools such as The County Channel at our disposal. If the voters want it, they will do the publicity.

Mr. McBride said anytime we put a referendum on the voters' ballot, we need to do everything possible to make sure it is successful. He said he feels reluctant to move something forward without total support to get it passed.

The vote was: FOR – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. McBride and Mr. Sommerville. OPPOSED – Mr. Stewart and Mr. Rodman. The motion passed.

Recommendation: Council holds off the \$40 million bond referendum for Rural and Critical Lands until 2012, as well as use the interval time to work on the green print and our matching funds program so we do everything possible to optimize the passage of a referendum in 2012.

2. Consideration of Reappointments and Appointments Beaufort/Jasper Water and Sewer Authority

Discussion: Mr. Sommerville stated this past year we appointed Donna Altman to fill an unexpired term. That term expires in three weeks on July 1. She requests to be reappointed.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that Committee nominate Mrs. Donna Altman for reappointment to serve as a member on the Beaufort/Jasper Water and Sewer

Authority. The vote was: FOR - Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

Recommendation: Committee nominated Mrs. Donna Altman for reappointment to serve as a member on the Beaufort/Jasper Water and Sewer Authority.

INFORMATION ITEMS

3. Camp St. Mary's Discussion

Discussion: Mr. Sommerville said the Archdiocese of Charleston want to build a Catholic high school along S.C. 170, in Jasper County. It will be a while before this is completed, but he said he does not know the timeframe. In the interim, John Paul II school is interested in starting a school prior to the completion of the building, which may be a few years down the road. As part of that discussion, they would like to have the County consider the possibility of leasing and upgrading the Camp St. Mary's property. They want to start a 9th-grade class of about 40 people by fall 2011. This property was owned by the Catholic Church for many years. As far as the Natural Resources Committee is concerned, there is nothing to act on. This will go to the Development Review Team on Wednesday, June 16. It will ultimately go before the Zoning Board of Appeals to apply for a special use. The purpose of this presentation is to alert the Committee of the intentions of John Paul II with respect to Camp St. Mary's property, as well as give us an opportunity to ask any questions. If, and when, it comes to us it will probably be in the form of a proposed lease agreement between the County and John Paul II. Representing John Paul II are Cooter Ramsey, Rob Montgomery and Mary Frank Quinlin.

Mr. Ramsey, representing John Paul II, gave members an introduction of what they want to do with Camp St. Mary's. He explained he is on the Building Committee. The church has 60 acres in Jasper County for a high school. Recently, we sent out a request to interview architects to bring in ideas for the high school. We are here to start dialogue and ask the Committee questions because we are not sure where or how we need to proceed. During Mr. Montgomery's presentation he reminded us of Camp St. Mary's and the history with the Catholic Church it has. He spoke about the on-site chapel and relocation, as an incubator, to the new high school site. Is it possible to get the chapel from the County? Can we relocate it? We discussed as a building committee using Camp St. Mary's for a few years. We knew there were some County plans to use the property as a park; it was bought for that purpose. We also know no one has money right now. One of the ideas we propose is in exchange for us using the facility for a few years as we build our eventual high school across the street, we in turn leave you some up-fitted and renovated building to be used in the proposed park when we leave. The idea is we would like to get on the campus, look around and do some studies. We engaged Mr. Montgomery to prepare plans for us. However, this is in the very, very early stages. There are surely tons of questions. We are not even sure if we can use the site for our school for a programmatic standpoint. We do not know if the buildings will work; it is just a hunch to pursue this property. It is something we want to try before we get too involved; we want to touch base with the public to see how folks react to it. Is it controversial or is there a chance we can do some homework and start negotiations. We want to partner to get something done over there.

Mr. Rodman asked Mr. Ramsey to share the timeline and size of the proposed school. Mr. Ramsey replied when the school was first conceived, it was a substantial campus of somewhere near a \$30 million campus. Since then, we stepped back and talked more about the first phase, what we can do in the beginning stages of the school. Right now we are looking at a \$10 million to \$12 million project. In the very beginning, we see starting with a 9th-grade class and letting the school grow from there. We will start with one grade and the year after that class progress, and we add a new class. In that manner we will build a school. Mrs. Quinlin stated they are looking at an August 2011 start date, with approximately 40 to 60 freshmen students. We hope the next year we will have around 60 to 80 underclassmen. The school will be built to hold between 400 and 600 students. However, some have thrown out the number of 1,000 to 1,500 students. That is very long-term planning.

Mr. Rodman stated if you look the School District has on the drawing board a third high school in Bluffton, but it is right on the edge of whether you need it and where you need it. He added his sense is if you build John Paul II, which will be beneficial in terms of the public not having to build the additional Bluffton high school. The other issue relating to that is, we know the enrollments declined a bit on Hilton Head so as we go forward there will be some adjustment of attendance distribution. Long-term it is a clear plus for the taxpayer, Mr. Rodman said.

Mr. Baer asked questions about where Camp St. Mary's is located in regard to S.C. 170, along which the permanent school is proposed. He said he thinks we just bought some Sheriff's property around there too. Mrs. Quinlin said the new school site is where Strike Zone was, past Stuckey's Furniture. She explained Camp St. Mary's is essentially on the other side of S.C. 170 on the water. He also asked for the pros and cons of the school using Camp St. Mary's. Mrs. Quinlin commented on taking some of the pressure off the public schools. We most definitely want to poach the public school students; forgive my use of the term, she said. It is not just a school for Catholic children. It is a school to serve all denominations or non-denominations. We hope to take some of the burden off the public high schools.

Mr. Stewart asked if they had done any examination of the buildings on Camp St. Mary's property. Mr. Ramsey answered they visited the site once. Mr. Montgomery handed out photographs of buildings. There are five buildings on the campus, 8,600-square feet of usable square footage. He also handed out a site plan. In the documentation related to the County's purchase of the property they said the chapel, at the very least, is in the wrong spot. Also, if it was determined to not tear it down, then it should be relocated. He clarified he has not seen subsequent studies for the property but understands there are some. Based on this, he thought it would be a good use of the chapel for the high school students.

Ms. Von Harten asked about the dock on the property and whether it would become public access. Mr. Kubic said that is premature.

Mr. Montgomery said he wanted to see if he could get access again to the site to do further evaluations.

Mr. Stewart said they had discussions last week with the Planning Department and arrangements made prior to the DRT meeting. At that point, they will explain the requirements, options, etc. Many of the issues will be dealt with at that level. As a county we have had many discussions about what we could do with Camp St. Mary's, as well as how we can best utilize our resources. He said we will leave it to DRT and the Planning Department.

Mr. Flewelling said the John Paul II representatives requested permission to get on the property to study further. He asked if it is something the Council authorizes or whether the administrator can. Committee members said the administrator may.

Mr. Montgomery stated he had conversations with County preservation planner Ian Hill, who believes it is a palatable use for the chapel.

Ms. Von Harten said she likes this idea because it is the government and the faith community working together for a common goal for the common good. There needs to be a lot more of that. I know we have to maintain the separation of church and state, but in this case I feel it is a mutually beneficial situation, she said. She added it is a very creative solution.

Mr. Sommerville referred back to Mr. Baer's question about the pros and cons. He said the package addresses a citizens' task force for Camp St. Mary's. It pre-dated May 9, 2000. The Committee briefly discussed zoning on the property, which Mr. Sommerville said he believes is rural. They also mentioned the question of whether a school could be built on that property will go before the DRT. Mr. Sommerville then asked the residents in attendance to come forward to comment on the item.

Mr. Jerry Reeves, a Camp St. Mary's resident, said many of those present do not know where Camp St. Mary's is and the residents want to keep it that way. We have a quite, nice residential neighborhood, he added. The area is small and historic, largely due to the camp formerly located there. The diocese sold the property to the county about 8 years ago. It is on a dead-end road. The residents of this area spent a great deal of time with the Planning Department to come up with plans for a passive park, Mr. Reeves said. Residents are interested in the park going in and open to the other residents, he said speaking for other residents. There is no water and sewer on the street and we are not interested. To support a high school, you need water and sewer. The land size is about 10 acres and he said he is not sure how a high school can be accommodated on this size property. He expressed concern about the temporary high school location on Camp St. Mary's stretching out many more years. We are not interested in traffic or water or sewer. We just want the passive park. The Catholic Church already spent money for the property across the street; there is no reason why they cannot fast track a high school. We did a middle school on Buck Island Road in Simmonsville, and it will be ready to start in less than a year. If Beaufort County wants to get rid of the property, he suggests subdividing into three lots and sell those, then use the funds to buy Pinckney Colony.

Mrs. Conan, Camp St. Mary's resident, added this property is right on the Okatie River, a beleaguered little river. We need to do everything we can to remain sensitive to that fact, and I am not sure it is a great idea to put a high school on that property, she said.

Mr. Rodman said his sense as this moves forward is it will be reasonably controversial. He addressed the concept of doing the school on the current site as having some merit. The expenditure done the site can be used as the high school is brought forward. One thing to make sure you examine is whatever South Carolina requires has to be accomplished. We had and have some conversations coming up on the H-Tax and A-Tax. I think this was one of the parks suggested on the list of those the County is ready to put money into, he said. Lastly, he added he was surprised, if the school needs a temporary site, why they would not do it on the current site or on the church property. There are a series of questions and options to be explored, Mr. Rodman said. Mr. Ramsey said they are not throwing out the idea of building on the site. One of the things we are looking at is timing and finances. If we go into a campaigning issue there will be a few years while we raise the funds. The site as is, we need water and sewer, in addition to a pump station. There are many infrastructure costs for our site we have to put forward. We certainly know if you say this thing does not move forward, and we could do something in a temporary fashion on our site. We are working them all at the same time; we are not throwing any ideas to the curb. Mr. Rodman said no matter where you go you could talk with the School District about purchasing their trailers.

Mr. Baer summarized they do not want to build on the new site because of water and infrastructure, but will you not also have to bring those into the Camp St. Mary's site. Mrs. Quinlin said she is the chairman of the executive committee, and has been for four years. There are a few questions raised, many of which are misconceptions. The Diocese of Charleston gave us the land. We have to raise the money to build the high school. We have not begun raising funding. We are looking for the least expensive, most beneficial manner to do this. With respect to water and sewer, that is a good point. As Mr. Ramsey said, we considered mobile units on the site and it is one of our last choices. She added the consideration of using a storefront or other spaces around the area. She said because it is a diocese school they cannot open a school on the church campus. She concluded they looked at many other possibilities.

Status: For information only. No action. The item will appear before the Design Review Team next week.

**JOINT MEETING
NATURAL RESOURCES AND PUBLIC SAFETY COMMITTEES**

June 9, 2010

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

The Natural Resources and Public Safety Committees met on Wednesday, June 9, 2010 at 5:00 p.m., in the Executive Conference Room, Administration Building.

ATTENDANCE:

Members: Gerald Dawson, Brian Flewelling, William McBride, Stu Rodman and Paul Sommerville, Jerry Stewart and Laura Von Harten attended. Members Rick Caporale and Herbert Glazer were absent.

County Staff: Tony Criscitiello, Division Director – Planning and Development; Gary Kubic, County Administrator

Public: Noel Thorn, Yemassee Regional Plan consultant.

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

Mr. Stewart chaired the meeting. Mr. Flewelling served as vice chairman.

ACTION ITEMS

1. Presentation - Yemassee Regional Plan – Noel Thorn

Discussion: Mr. Jerry Stewart gave background on the work done thus far in the Yemassee region in terms of planning for development, which leads to this presentation. The cumulative work extends back about two years. Mr. Thorn is here to brief Council on what the group has done in the past couple years. Years ago, the ACE Basin representatives invited some members of Council to Nemours Plantation to talk about their concerns related to the development around route 17 and the Yemassee area. In their presentation, they hired a land planner to work with the Town of Yemassee to look into planning for growth and development in and around the Town. As we listened to this presentation, it became obvious there was disconnect between the County's plans and the Town's plans. When the meeting concluded, a decision was made to hold another with planning staff and the Lowcountry Economic Network. For a significant time prior to this, the Lowcountry Economic Network worked with one of the major landowners, Richard Chilton, in the area to develop their land into a commerce/corridor park to take advantage of the rail connections and proximity to Interstate 95. The ACE Basin folks identified the same area for development as "New Town Yemassee" for retail and housing. At the second meeting, we hoped to have an agreement on the direction. It ended up being a

controversial, tense meeting, Mr. Stewart said. There was little agreement about where to go, but we did not want to leave the situation like this. We had a small meeting of 6 people — 3 from the county, 3 from ACE Basin. The discussion was on where to go and how to work together. This was at the same time the Northern Regional Planning Committee was working on a plan; Yemassee decided to not participate in that. The question was how to get Yemassee back to the table to develop a plan for the area. The consensus was to take it out of the political arena and to look at it from the planning/economic development perspective. We agreed to do this through the Lowcountry Economic Alliance, between Jasper and Beaufort counties, and invite the Town of Yemassee, and Hampton and Colleton counties to participate in the Alliance. This would be a way to pull together and work the process through the economic development and land planning process. It was agreed upon. We began discussion with representatives from the Lowcountry Economic Network, Town of Yemassee, Hampton County and Colleton County. We had a large stakeholders (major landowners, governments, economic development entities, environmental groups, etc.) meeting to discuss moving forward. Mr. Thorn came to County Council last year, presented a program where each of the governments and other entities would be represented. All governments entered into an agreement whereby we would all work together under this group to examine planning for this region. This has gone on for almost two years.

Mr. Thorn's presentation reviewed much of the background/who was involved, which Mr. Stewart also mentioned, as well as gave an overview of the group's findings/suggested direction. The presentation's highlights follow.

The ACE and South Lowcountry Task Forces found local people have profound needs, needs are basic, needs are common, rural lands and way of life are special to all, leadership is needed, local government does not work together, the region needs are losing out due to division/rivalries/lack of cooperation, we need a place where all can work together for local people's needs. What came out of this is if all of the needs are mirrored throughout the region, why not work together to accomplish/remedy the situation. Geographically, Yemassee is at the center of the region comprised of Beaufort, Colleton, Hampton, Jasper counties and the Town of Yemassee.

This generated the concept for the Yemassee Regional Plan, which had its first meeting September 2009. The goals identified were: to create a 50-year vision, decent, good paying jobs, conservation of rural land, development in right place, tax base improvement, better housing options, education improvements, one place identity, governments cooperate/collaborate, address cyclical poverty. For the Yemassee Regional Plan the top 5 goals are jobs, education, housing, environment and government collaboration. To accomplish the other four goals, government cooperation is needed, but that is something lacking at this time, Mr. Thorn said. The Planning Team then was assigned three tasks – the memorandum of understanding (MOU), study region assets and report back, define key planning elements. The Team started with natural boundaries and limits created by water and rivers, then topography, soils, vegetation, infrastructure, historic sites, communities and cultural sites. These all basically targeted Yemassee as the crux. Mr. Thorn went into greater depth on the targets for each of those items and reviewed several maps; the detail is noted in his PowerPoint, which is a part of the meeting's documentation. Committee members briefly discussed landowner Richard Chilton and MeadWestvaco. To make this work,

we need marketing to promote the region, a sharing of the load, monetary and intellectual capital and leadership, Mr. Thorn commented.

Stakeholders met again in February 2010 and the meeting generated the following: They would also like to see a map of existing communities, land uses, churches, cemeteries and other cultural assets, need to encourage all counties to participate, hold a workshop to determine the vision and place more emphasis on education. The vision workshop produced a list of regionally important items, rural history and culture, town character, working landscapes, natural resources, rain/interstate/ports and a sense of place. They generated a list of the most important issues as follows: employment, sustainable development, balancing protection of natural resources with development, getting and keeping local communities and government involved, lack of area identity, lack of quality of life in the midst of surrounding affluence. The planning team then divided those into 5 major vision theme categories — 1. Help people in need (jobs, housing and education). 2. Have a place for jobs, housing and education (a nucleated center). 3. Nucleated center elements (circle core, community, infrastructure, diversity and greenbelt). 4. Preservation and protection (preserve natural, cultural and historic assets). 5. Business and organization (leadership, skills, capital, organizational plan, central government authority and sharing). These themes were further discussed.

The vision workshop identified four nucleated center zones, the S.C. Commerce Park Zone, the McPhearsonville Zone, the Yemassee Zone and the Point South Zone. At the center of those, they classified as “Opportunity Junction.” They want to create a land use and operational plan for “Opportunity Junction.” The planning team decided they need a regional plan consisting of a land use and an operating plan. Mr. Thorn further broke down the portions of each of the plans, what is needed, etc. He emphasized the overriding theme is unified governments. Then, he covered some of the unified government assets such as cash & liquidity, bonding capacity, etc.

The goal now is to have “Yemassee region governments come together to work with local landowners inside a nucleated center for jobs, housing and education to plan outside the nucleated center to preserve the surrounding rural lands.” To achieve this, a land, operating and preservation plans are needed. We need approval to start the land use and operating plans from government, major landowners and other groups. The identified objectives were to improve economic, housing and educational opportunities for current and future citizens; to support and enhance historical, cultural and social values; and to celebrate and preserve the best aspects of the rural environment and landscape.

In conclusion, Mr. Thorn asked whether the Council approves of the work thus far, whether they would be interested in a steering committee and if they will appoint one representative to that committee.

Mr. Stewart said as we consider going forward, we should consider their associated effort. There will be the steering committee in addition to support from the county, personnel, planners, etc. We recognize not everyone is equal; we do not all have the same ability to bring things to the table. We are fortunate here in Beaufort County to have more of the elements and

leadership, perhaps, to make this work. So I think we ought to consider this, as well. What are we willing to bring to the table?

Mr. McBride said it appears Colleton County is not on-board. Do you know why, Mr. Thorn? Mr. Thorn replied he has not been able to get before their council for a year. He met with some staff, which was positive. He made comments to the effect that having Colleton partner with the other counties will add substantially to the value/impact of the project as it creates an even more cohesive regional project.

Mr. Kubic stated each county is required to submit a comprehensive plan. He said he was curious if the other participating counties completed their plan, and whether these can be analyzed to come up with some background direction for this project. Mr. Thorn answered each county has comprehensive plans, each of different quality and style. He commented Hampton County only recently began including zoning. The Yemassee Mayor commented he is the only staff; compare that to the staff at Beaufort County. He then broke down the assets of each of the counties such as skill, land, infrastructure, etc.

Mr. Flewelling said he approves of the work done so far. He stated Beaufort County is trying to move away from the standard zoning method into form-based code. Do you plan on doing something like that? Mr. Thorn replied they want form-based code.

Mr. Dawson referred to the map with four zones. He said Mr. Stewart alluded in the beginning of the meeting that our economic development process, through the Lowcountry Economic Network, was negotiating with the Chilton folks at Buckfield for purchase of that property for economic development. From my summation, I do not think they or the ACE Basin folks were in total support of us venturing down that avenue, Mr. Dawson said. Then, they scheduled a second meeting where a consultant revealed the revitalization plan for the Town of Yemassee. While the revitalization plan for the town is a great plan, the problem is Yemassee does not have funds for the plan. Mr. Thorn's presentation was great. But while this plan shown to us today looks promising, I am somewhat skeptical and do not view it as a full-scale economic development for the region but as more of a way to get other governments to fund the revitalization of Yemassee, Mr. Dawson said. If we move forward with this plan presented today, Yemassee will be revitalized. Incorporated into the plan is other governments' assistance to revitalize the Town of Yemassee. This might not be a bad idea, but I just want it out on the table so we know and understand if we go forward we will help revitalize Yemassee, Mr. Dawson added. He stated he is not sure this is where, we as Beaufort County, need to be headed, but he does not want to poison the rest of the Council.

Mr. Thorn replied, what you thought you had with Chilton is not what you had with Chilton. I learned this from people who were a part of those negotiations, from John Tarkeney as Chilton's land planner. Kim Statler did and continues to do a great job; she works for the County and asked Chilton to present some concepts to him. He agreed, but when she presented the concepts they were not acceptable to Mr. Chilton. It had nothing to do with any of this work here. The Town of Yemassee made a lot of decisions many people view as wrong, especially annexing Binden Plantation. The Town has been difficult, but the mayor has tried to the best of

his ability to raise money for his town. The concept for the regional plan came from many groups coming to the conclusion that the development needs to happen in a core area, which just happens to be Yemassee, SC. It was never intended to revitalize just Yemassee. A group, the Yemassee Revitalization Corporation, was formed primarily to revitalize Yemassee.

Committee members discussed motives and other factors going on in the area. They acknowledged that relations among governments should improve to succeed. They spoke about the benefits of working together and what could be achieved.

Ms. Von Harten said she thinks this is wonderful and we should move forward. She mentioned the preservation of resources and the importance of the rail infrastructure in future transportation. She said one of the reasons she wants to wait until 2012 to do the Rural and Critical Lands bond referendum is because she wants to include lands outside Beaufort County. Mr. Flewelling said that is a little outside the topic of discussion.

Mr. Stewart said we should focus on whether we go forward with planning elements, how to fund them and what resources we are willing to provide. He stated he thinks as we go forward we know the intention of the other governments.

Mr. McBride asked Mr. Criscitiello to comment. The way we can approach this is through the Lowcountry Council of Governments (LCOG), Mr. Criscitiello said. They are the organization legally defined to work with all of these entities. LCOG is a planning organization, although not for free. However, if there is a commitment politically by all the five governments as part of the LCOG, then you can fund LCOG to participate in some manner with the planning. LCOG is the planning department for Yemassee. LCOG is centrally important in this and he said he felt more comfortable if this was a regional plan through LCOG. The County Planning Department could then contribute as part of the team. One of the big selling points of this project, from my point of view, would be to do a financial analysis to determine what the outcome would be if we cooperate.

Mr. Rodman asked if LCOG has a planning staff or whether they subcontract. Mr. Criscitiello said they have planners on staff. Mr. Rodman said there seem to be many grants tied to projects. Mr. Criscitiello explained that is how they survive, through grants or some other funding mechanism. If the participating local governments decide this is important, you can develop some financial mechanism where everyone contributes to bringing this into fruition. Mr. McBride referred to Mr. Rodman's comments and said LCOG gets a lot of funding from counties on a percent per capita.

Mr. Rodman asked if the group decides not to go forward with the regional plan, what would happen. Mr. Criscitiello said the County has a plan for the area and would follow that.

The Committee members then spoke about the need for all counties to participate and discussed going forward on the condition other counties must also participate. Members then discussed how the County could be perceived as leading the show, which they did not want. Many of the committee members stated Beaufort County will be one team player in the entire

group, having only one seat. We want them to participate, Mr. Stewart said. “Beaufort County only has one seat out of the other 11 or so. I want to make sure the other counties and municipalities understand we have no intention of driving this train,” Mr. Flewelling said. Mr. Thorn added there is a perception because Beaufort County is the rich boy at the table they will whip the others around to get what they want.

Ms. Von Harten said the proper organization to channel this concept through is the COG and federal entities are interested in regional initiatives, not local. She said the lower Savannah council of governments is a good example of governments working together.

Mr. Sommerville said Beaufort County is lonely and needs friends to work together. We need friends desperately in my opinion and I say that from a purely practical standpoint that federal and state people want partnerships, he added. They are not interested in Beaufort County; they are interested in Beaufort County as part of something else. He commented the partnership could start with this regional plan steering committee. “We want to be a part of this. We do. We want to be an equal partner in this,” Mr. Sommerville said.

Mr. Stewart stated we have to reach out and become a partner otherwise we will find ourselves on an island, stranded and isolated in really bad shape. “Regionalism has got to become a way of thinking amongst people in this county,” he went on to say.

It was moved by Mr. Dawson, seconded by Mr. Flewelling that the Joint Committee approve and forward to Council a motion to continue support and participation of the Yemassee Regional Plan, contingent upon the equal participation and support of other regional governments. The vote was: FOR – Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart and Ms. Von Harten. ABSENT – Mr. Caporale and Mr. Glaze The motion passed.

Recommendation: Council approves continued support and participation of the Yemassee Regional Plan, contingent upon equal participation and support of other regional governments.

INFORMATION ITEM

1. Off Agenda item – Finance Committee discussion of budget topics

Discussion: Mr. Rodman, as Finance chairman, said one of the items he wants to discuss is the business license ordinance text changes. There have been two readings and the plan was to go ahead through third reading. He said he does not know of any issues so he does not think we need to run it through the Finance Committee again.

Mr. Flewelling said he thought there were some outstanding issues to discuss. Mr. Rodman said he will review the item again.

The second item was an open item on the county budget – the so-called step increase relative to the Sheriff’s Office, Mr. Rodman said. We will have a Finance Committee meeting

for 2:30 p.m., Monday, June 14 where the Sheriff will come explain the step increase. It is not actually a step increase, but a time where they are authorized to do one if there is a merit/qualification, according to Mr. Rodman's understanding he said. There are three choices. We can assume the County budget is okay in total and not get into detail. Second, we could say if we do not like what they want to do, we can take the County budget and reduce by the \$300,000, the amount of the line item. Third, we could take the County budget and in voting modify the line item. That is our tact. Does anyone see a different way?

Mr. McBride commented there were at one point years ago copies of the Sheriff's Department grid. Mr. Rodman said he would ask them to get something like that. Mr. McBride said this should be available in Human Resources, at least. There is a grid; I have seen it.

Status: No action required. Information only.

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