

COUNTY COUNCIL OF BEAUFORT COUNTY

ADMINISTRATION BUILDING

100 RIBAUT ROAD

POST OFFICE DRAWER 1228

BEAUFORT, SOUTH CAROLINA 29901-1228

TELEPHONE: (843) 255-2180

FAX: (843) 255-9401

www.bcgov.net

WM. WESTON J. NEWTON
CHAIRMAN

D. PAUL SOMMERVILLE
VICE CHAIRMAN

COUNCIL MEMBERS

STEVEN M. BAER
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, March 14, 2011

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 – [February 14, 2011](#)
5. PROCLAMATION
 - Disabilities Awareness Month
Ms. Gardenia Simons-White and Ms. Algredda Ford, Board Members
6. PUBLIC COMMENT
7. COUNTY ADMINISTRATOR'S REPORT
 - Mr. Gary Kubic, County Administrator
 - The County Channel / Broadcast Update
 - [Two-Week Progress Report](#)
 - Introduction / Monica Spells, Compliance Officer, Purchasing Department
 - Presentation / Boundary Street and Ribaut Road Traffic Signal Network
Mr. Colin Kinton, Traffic Engineer
 - Beaufort County (Lady's Island) Airport Master Plan
Mr. Paul Andres, Airport Director
 - [Bluffton Parkway Phase 5B Realignment](#)

Over



- Report / County Council Annual Planning Session (Retreat)
 - [Report / 2011 National Association of Counties Legislative Conference](#)
 - [County Council Modified Meeting Schedule](#) (Enclosure)
 - [Resolution to ask for Attorney General's Opinion in Regard to "Roll-forward" Taxes](#)
8. DEPUTY COUNTY ADMINISTRATOR'S REPORT
Mr. Bryan Hill, Deputy County Administrator
- [Two-Week Progress Report](#)
 - Construction Project Updates
 - Mr. Robert McFee, Division Director, Engineering and Infrastructure
 - One Cent Sales Tax Referendum Projects:
 - New Bridge over Beaufort River / U.S. 21 / S.C. 802 Construction Project
 - S.C. Highway 802 Roadway Construction Project
 - S.C. Highway 46 and Simmonsville Road
 - U.S. Highway 278 Resurfacing
 - Capital Improvement Projects:
 - Disabilities and Special Needs Adult Day Care Center
 - Hilton Head Airport Aircraft Rescue Firefighting Facility
 - Tire-Baler Building
 - Motorola Building
 - Mr. William Winn, Division Director, Public Safety

CONSENT AGENDA
Items 9 through 11

9. AN ORDINANCE TO PROVIDE FOR A HOME DETENTION PROGRAM AS AN ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY
- Consideration of second reading to occur March 14, 2011 ([backup](#))
 - Public hearing announcement – Monday, March 28, 2011 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort
 - First reading approval occurred February 28, 2011 / Vote 11:0
 - Public Safety Committee discussion occurred September 7, 2010
10. BEAUFORT COUNTY DESIGN BUILD CONSTRUCTION FOR DIRT ROAD PAVING CONTRACT #43 – MIDDLEFIELD CIRCLE, JASMINE HALL ROAD, BALLPARK ROAD, IHLEY ROAD (COUNTY COUNCIL DISTRICT #6) ([backup](#))
- Public Facilities Committee discussion and recommendation to approve occurred March 1, 2011 / Vote 5:0
 - Contract Award: REA Contracting, LLC with Andres & Burgess, Inc., Beaufort, South Carolina
 - Contract Amount: \$1,167,172.55
 - Funding Sources: County Transportation Committee and \$10 Motorized Vehicle Fee

11. BEAUFORT COUNTY DESIGN BUILD CONSTRUCTION FOR DIRT ROAD PAVING CONTRACT #44 – FISH HALL ROAD, JESSICA DRIVE, NED COURT (COUNTY COUNCIL DISTRICT #2) ([backup](#))
 - Public Facilities Committee discussion and recommendation to approve occurred March 1, 2011 / Vote 5:0
 - Contract Award: REA Contracting, LLC with Andres & Burgess, Inc., Beaufort, South Carolina
 - Contract Amount: \$620,376.30
 - Funding Sources: County Transportation Committee and \$10 Motorized Vehicle Fee

PUBLIC HEARINGS
Items 12 through 13

- 6:00 p.m.**
12. TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V. USE REGULATIONS; TABLE 106-1098. GENERAL USE TABLE; AND SECTION 106-1247. ASSEMBLY AND WORSHIP, SMALL (ALLOWS SCHOOLS AS A LIMITED USE IN SMALL ASSEMBLY AND WORSHIP USES AND REMOVES SIZE REQUIREMENT)
 - Consideration of third and final reading to occur March 14, 2011 ([backup](#))
 - Second reading approval occurred February 28, 2011 / Vote 11:0
 - First reading approval occurred February 14, 2011 / Vote 10:0
 - Natural Resources Committee discussion and recommendation to approve occurred February 1, 2011 / Vote 4:0
 13. AN ORDINANCE TO PROVIDE FOR A DAY WATCH PROGRAM AS AN ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY
 - Consideration of third and final reading to occur March 14, 2011 ([backup](#))
 - Second reading approval occurred February 28, 2011 / Vote 11:0
 - First reading approval occurred February 14, 2011 / Vote 10:0
 - Public Safety Committee discussion and recommendation to approve occurred February 7, 2011 / Vote 4:0
 14. [COMMITTEE REPORTS](#)
 15. PUBLIC COMMENT
 16. EXECUTIVE SESSION - Negotiations incident to proposed contractual arrangements and proposed purchase of property
 17. ADJOURNMENT

County TV Rebroadcast	
Monday	4:00 p.m.
Wednesday	9:00 p.m.
Saturday	12:00 p.m.
Sunday	6:30 a.m.

<i>The County Channel</i>	
Charter Cable	CH 20
Comcast	CH 2
Hargray Cable	CH 9 & 252
Time Warner Hilton Head Cable	CH 66
Time Warner Sun City Cable	CH 63

Official Proceedings
County Council of Beaufort County
February 14, 2011

The electronic and print media was 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, February 14, 2011, in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

PLEDGE OF ALLEGIANCE

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

INVOCATION

Councilman Herbert Glaze gave the Invocation.

REVIEW OF PROCEEDINGS OF THE REGULAR MEETING HELD JANUARY 24, 2011

It was moved by Mr. McBride, seconded by Mr. Glaze, that Council approve the minutes of the regular meeting held January 24, 2011. The vote was: YEAS - Mr. Caporale, Mr. Dawson, Mr. Glaze, Mr. Flewelling, Mr. McBride, Mr. Newton, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Ms. Von Harten. ABSENT - Mr. Baer. The motion passed.

PROCLAMATION

Beaufort Irish Festival

Chairman Newton proclaimed February 25 – 27, 2011, as Beaufort Irish Festival weekend Ms. Meg Godley accepted the proclamation.

PUBLIC COMMENT

The Chairman recognized Mr. David Tigges, representing the Hilton Head Island / Bluffton Chamber of Commerce, who relayed that entities position with regard to the purchase of the Beaufort Commerce Park this Council is considering. This past Friday, the Board of Directors

met and unanimously voted to support the County's ownership of the Beaufort Commerce Park. We believe it is in the best economic interest of Beaufort County. We also, with 1,600 members, most of who are in southern part of the County, want to convey an attitude that we believe whatever is best for north of the County is also in the economic interest of south of the County and vice versa. Additionally, he is CEO of McNair Law which has eight offices in the State of South Carolina and an economic development practice of more than a dozen attorneys. Based upon the work that they do, Beaufort County is behind the competition and the rest of the state. It is Mr. Tigges' personal opinion that we need to compete with the rest of the counties in this state, the counties in Georgia and North Carolina.

Mr. Tommy O'Brien, a Beaufort resident, stated by and large most citizens of Beaufort County are against the purchase of the Beaufort Commerce Park. If the newspaper questions, "So why did the Network buy this property in 2006"? Ask yourself this question, "How many jobs have been created since the Greater Beaufort/Hilton Head Economic Partnership, Inc. was formed"? Goose egg. Zero. None. Nada. Nothing. Remember the date 2006. The Greater Beaufort/Hilton Head Economic Partnership, Inc. is now called the Lowcountry Economic Network (LEN), but it still does business under the Greater Beaufort/Hilton Head Economic Partnership, Inc. Why, on March 10, 2006 did the Greater Beaufort/Hilton Head Economic Partnership, Inc. pay Richard H. Stewart \$2,917,969.74? How many Council members knew that? Is that not the same amount of the loan from the five banks? This mortgage was satisfied March 24, 2006. He bets a number of Council members knew about it. Matter of fact, Mr. Stewart was on County Council at the time when the public formed this partnership and he got that \$3.0 million. Mr. O'Brien does not know why Mr. Stewart got the \$3.0 million. Was it for the 200 acres? Somebody on Council knows. We have also spent almost \$3.0 million in ten years, just in cash, not including the money from the stormwater utility and other monies for infrastructure development for just that area that has produced zero jobs. None. How many more millions of dollars of taxpayers' money do you have to waste before you are voted off County Council? Because all of you can be voted off. Every single one of you, who vote for it, can be voted off. He would predict if you are up for election next time and you vote to purchase this land, you will be voted off.

Mrs. Jane Kenny, a Bluffton resident, commented a couple of weeks ago she saw an article in *Bluffton Today*, "Beaufort Commerce Park is a step in the right direction." She was interested so she read it. She is very perplexed. She thought we elected County Council to conduct the peoples' business. Yet, here, in this little article that is written by Mrs. Kim Statler, who is with the Lowcountry Economic Network, it talks about the County Council taking \$2.5 million of the taxpayers' money and buying property and then, in the long run, Mrs. Statler says, "that if businesses are willing to commit to this property, that the County will reduce the cost of the land or even give it away all together." This is the peoples' money. County Council is taking the peoples' money, buying property, and then giving the property away to a private business. It is confusing to Mrs. Kenny and also very distressing because that is our money. This Lowcountry Economic Network is put forth as being a private-public partnership. That seems to be a bit of an oxymoron. Maybe County Council has become so enamored of the Obama Administration, bailing out and purchasing businesses and getting the government involved in running private enterprise, that you are trying to bring that to South Carolina. We do not want any of that. We

would like our free enterprise to be free. It appears from this article that what County Council is proposing is taking over \$2.5 million of the peoples' money, and then promptly picking winners and losers, and becoming very involved in free enterprise where you have no business being involved. If any of our public officials are involved in any way as investors, as stakeholders, as members of the Network and you are going to vote on it, the people are going to have some questions regarding the ethical issues here. She knows Council is voting on this issue this evening. She did read in the paper where it has already been decided. According to *The Island Packet* the votes "are there." She implored County Council, who is supposed to be conducting the publics' business, to please examine its motives.

Mrs. Carlotta Ungaro, President of the Beaufort Regional Chamber of Commerce, talked about streamlining the permitting processing. Economic development is about removing barriers for business. In Beaufort County, unfortunately, we do have a permitting process that could use some work done on it. We have come up with a list of action items we would like the County to consider implementing, at least some of them, to help streamline the process. We have met with elected officials, staff and Mr. Kubic, who added an item to our list, to work with local governments to develop a training class so our developers and industry can know how to get through the process better. Some of the other items include: Supporting a case manager to handle projects. Supporting tracking projects online internally and externally. Have predesigned working meetings with staff to make sure a project is doable and identify challenges so they can address them quickly. Supporting a concurrent permitting process used by local jurisdictions. Use point-allocation system. Let staff have the ability to make decisions on variances that are 10% to 25% less (Beaufort City uses this tool). Support local jurisdictions obtaining delegated review authority from appropriate state agencies relying on professional engineering statements of compliance. This is used by our neighbors in Georgia to help speed up the process and to relieve some of the pressures that our local bodies have when getting those permits done. Supporting form-based code and moving that process through. We would love to start the process. Most of these changes require some type of action by County Council.

Mr. James Pennell, a Beaufort City resident, voiced his personal opposition to the purchase of the Beaufort Commerce Park. He appreciates that the members of Council and most of the citizens of the County would like to promote good economic conditions / good economic development. We would like our young people to be able to stay here in Beaufort and have good jobs. His concern is that this particular venture, although he is sure it was formed with the very best of ideals and the very best of intentions, does not have a good track record of achieving the goals that we want it to achieve. It is not clear why spending more of taxpayer / government money is going to be able to turn that around. He is also surprised that several months after the County had to lay people off in the Engineering Department, it turned out that there was extra money (it was admirable having extra money), in a fund that would be used for capital repair of County buildings. He understands that changing money from capital funds to operating funds is not the same thing he would do as a homemaker. Again, for the people who are out of a job, maybe that distinction is not quite as clear as it is to the members of Council.

Mrs. Mary Lou Lineberger, one of the organizers of the Bluffton Tea Party, is opposed to the County purchasing the Beaufort Commerce Park. The Lowcounty Economic Network boasts the

crème of the crop in local banking and industry, but has not succeeded in refinancing the property or attracting new business. What makes anyone believe that politicians or County officials will have better luck or skill in today's market? County Administrator Gary Kubic has publically stated he is seeking ways to trim the budget and is looking into selling off County-held properties with the hope to return these properties to the tax rolls and fill the budget gaps. Therefore, is this the proper time to add to the County holdings and place additional burden upon the taxpayer and the budget? As far as obtaining state and federal grants, the state has an \$800 million budget shortfall and the federal government is essentially bankrupt. And, of course, that is the taxpayers' money also. The best thing government at all levels can do to help business is to stay out of the way of private industry. By allowing the free market economy to take its course, the Beaufort Commerce Park can still be offered at white elephant prices with the existing tax incentives. The taxpayers of the County should not have to bear the cost of purchasing property so that a business may obtain it at either a low or no cost. Mrs. Lineberger says, "No to the bailout." Do not place the burden of a poor business decision on hardworking, responsible taxpayers. If the County is looking to employ more people, how about effectively ridding the County of illegal's? There will be many more jobs available to say nothing about reducing the burden on our schools, healthcare services, and law enforcement. Finally, she thinks Councilman Jerry Stewart should recuse himself from this vote, since he is Chairman of the Lowcountry Economic Network.

Mr. Merritt Patterson, a Beaufort City resident, displayed several photographs while speaking to Council. He applauded Beaufort County for taking an interest in economic development. It is what he has been doing all of his life and what his family has been doing for many generations here in Beaufort. Toward that end, he knows there has been a lot of focus on the Beaufort Commerce Park. He took that spotlight saying there are some economic developments going on around town. For Council thought – if he were to produce 100 new businesses that do not exist today and had 10 persons each, that would equate to 1,000 new jobs. What does that mean? He developed Beaufort Industrial Village that has 20 businesses which did not exist 10 years ago. The property was purchased for approximately \$1.2 million. It is 42 acres. He also developed Riverwalk in Jasper County which is about three times the size. He is working on a 54-acre park in Port Royal and a 28-acre park on Lady's Island. Economic development does occur. This has occurred in this same time period over the last ten years. Some of those are brand new businesses that never existed here. Economic development is important. The County should be involved in it. The question is, "At what point should they be involved"? Whether you buy the Beaufort Commerce Park or not, the really bang for your buck is, "Can you support businesses like this, small enterprises that have actually been producing jobs"? The tax base went from \$96 a year to many thousands of dollars a year just in that one park alone. He did that with no assistance from anybody. No job leads nor references for any jobs at all, purely, out of the free and open market. Along with Council supporting any other larger scale economic effort, he thinks there needs to be a focus – what can you do on these smaller scale projects. Beaufort is not Greenville; it is not Spartanburg; it is not Charleston; it is not Savannah. Referring to a photograph of the Beaufort Industrial Village, Mr. Patterson commented it is where these people work every day and it fits into the environment. A little more focus is needed there. If we are going to help jobs, let's try to get that ten-person enterprise. One thousand jobs, is as big as it is ever going to get in Beaufort. There are options for economic development. He is neither for

nor against the purchase of the Beaufort Commerce Park. He just did not want his little project to be left out.

COUNTY ADMINISTRATOR'S REPORT

The County Channel / Broadcast Update

Mr. Gary Kubic, County Administrator, announced more than 100 people turned out in cold, damp weather last Thursday for the ribbon cutting ceremony for US 17 Highway improvement project. The once deadly roadway has been widened to four lanes and has undergone many other major improvements. The County Channel recorded the ceremony and had remarks by Chairman Newton, Councilman Dawson, Representative Kenneth Hodges, Senator Clementa Pinckney, former Transportation Secretary Buck Limehouse and Mrs. Emily Stewart, who represents the group – Advocates for Change on Highway 17. The B.J. Scott Choir of Huspah Baptist performed. This is an example of a public infrastructure project that was stated at the celebration where the partnership not only involved committing funds of \$100 million (impact fees, federal and state dollars), but an integral part of this was that the voters of Beaufort County, in part, through the penny sales tax referendum, to support transportation projects made this section possible.

The County Channel was there for the opening pitch of a double-header between Fisher College of Massachusetts, and your USCB Sand Sharks. The teams played last week, and our broadcast team was there in full force. We utilized the broadcast truck, and recorded the game with four cameras, full graphics, and play-by-play announcing. The games were streamed live on USCB's website, and they will be played back on The County Channel later this week.

Three-Week Progress Report

Mr. Gary Kubic, Deputy County Administrator, submitted his Three-Week Progress Report, which summarized his activities from January 24, 2011 through February 11, 2011.

DEPUTY COUNTY ADMINISTRATOR'S REPORT

Three-Week Progress Report

Mr. Bryan Hill, Deputy County Administrator, submitted his Three-Week Progress Report, which summarized his activities from January 24, 2011 through February 11, 2011.

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 project is complete. The contractor will return in March to place final open graded friction course asphalt riding surface.

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 contractor has completed drilled shafts and footings, set mainspan girders last week, and deck pours continue.

S.C. Highway 802 Roadway Construction Project

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the widening of 5.2 miles of SC Highway 802 (two sections). The contractor is Sanders Bros. of Charleston, South Carolina. The cost is \$10,852,393. The completion date is December 2010. Final asphalt surface was placed on the Lady's Island section from Meridian Road to US Highway 21. Shell Point grading and asphalt base operations continue.

SC Highway 46 and Simmonsville Road

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project involves the widening of SC Highway 46 to the Bluffton Branch Library and Simmonsville Road to Bluffton Parkway for a total of 2.15 miles. SCDOT is administering this project. The contractor is REA Contracting of Columbia, South Carolina. The cost is \$7,503,367.03. The completion date is May 2011. Pipe placement and storm drain basin construction is complete on SC Highway 46. Asphalt base is 88% complete. Curb, gutter and sidewalk work is 96% complete. Simmonsville pipe placement is 98% complete.

Disabilities and Special Needs Adult Day Care Center and Administration Center

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project is a 25,000 square foot multi-use facility with client activity and program areas and administrative space. The contract is Emory J. Infinger and Associates of Charleston, South Carolina. The cost is \$6,436,974. The completion date is March 2011. Installation of roof system is underway. Geothermal well installation is complete. Interior metal studs, equipment placement and fenestration work is underway.

Hilton Head Airport Aircraft Rescue Firefighting Facility

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project is a 7,200 square foot facility with two equipment bays and administrative space. The contractor is Creative Structures of Knoxville, Tennessee. The cost is \$1,787,638.43. The completion date is March 2011. Final landscaping is underway. The contractor is finishing the last of the interior work.

Tire-Baler Building

Mr. Rob McFee, Division Director-Engineering and Infrastructure, reported this project is an 11,000 square foot receiving facility for recyclables, tires and other selected solid waste streams. The contractor is Beaufort Construction. The cost is \$491,022. The completion date is May 2011. Site work and foundation system is complete. Erection of steel trusses is underway. The County has received funds through the Energy Efficiency and Conservation Block Grant to begin an Office Recycling Program. The two grants together create the opportunity to collect, process, bale and then market recyclables collected from County facilities. In addition, a program to collect waste tires and hold them for transport to a tire recycling facility has been in place for many years without the proper holding area under roof to prevent them from becoming a mosquito breeding habitat. On May 10, 2010, Council awarded a contract to Beaufort Construction, Inc. to design and to build the new Tire/Baler Facility.

The County will have the ability to divert office paper, being collected under an Energy grant, and office paper is \$200 a ton. The County, School District and other partners generate a lot of paper. Paper will be brought to this facility and then prepared for transport. Aluminum cans and electronic waste, too, can be managed at this facility. Effective July 2011 landfills will no longer accept any electronic waste. At present the County's sponsors two electronic roundups annually. Perhaps four roundups annually could be had at this facility. Or perhaps have the ability to drop off electronic materials any day it is open.

Mr. Caporale questioned what will happen when landfills stop accepting electronic materials. How is the County going to force people to use those special events?

Mr. McFee replied not any more than we force people now to properly dispose of hazardous waste or any other controlled substances. It is by a system of outreach and education to let people know that this is not accepted anymore and it has to be recycled.

Mr. Caporale asked if there is any data available on the amount of electronic materials turned in. Mr. McFee replied data is available and he will provide the information to Council in an email.

US Highway 278 Project

Mr. Stewart asked for an update on the US Highway 278 widening project. It is his understanding there has been a change in date for letting the contract. How does that impact the SC Highway 170 project and the right-of-way acquisition? He assumes by these dates slipping means a Transportation Advisory Group (BTAG) meeting and consideration is going to slip as well. What is the progress on the St. Gregory frontage road?

Mr. McFee replied St. Gregory the Great Catholic Church frontage road is still in litigation. US Highway 278 letting has been pushed back to August 2011. In preparation for this, SCDOT last week accepted an invitation to speak to Council at its February 28 meeting to explain exactly how it is we reached this point as well as the other work we do together such as guideshare funding. There are some advantages, but there are certainly some disadvantages with regard to

being able to predict what the impact will be on SC Highway 170. As staff has been saying for quite some time, until we have a hard number on US Highway 278, based on the new approach (a reasonable approach) it is very difficult to move forward with other projects because we do not want to over encumber ourselves. It is a pay-as-you-go kind of affair. That does affect us on SC Highway 170. We are working with SCDOT to try to mitigate that in a number of different ways.

HILTON HEAD ISLAND AIRPORT RUNWAY 21 ON-AIRPORT TREE OBSTRUCTION REMOVAL CONTRACT ADMINISTRATION AND CONSTRUCTION ENGINEERING INSPECTION SERVICES

This item comes before Council under the Consent Agenda. It was discussed and approved at the January 25, 2011 Public Facilities Committee.

It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Council award a contract to Wilbur Smith Associates in the amount of \$97,072 to provide professional CA/CEI services for the Runway 21 On-Airport Tree Obstruction removal Project at the Hilton Head Island Airport. Funding will be from expenditure code 13480-54301 (Tree Obstruction Removal) – FAA Grant #30 (95%). Additional State Grant Funding of 2.5% is pending. The remaining 2.5% (\$2,426.80) will come from the Hilton Head Island Airport's Operating Budget. The vote was: YEAS - 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.

WALLACE CREEK BOAT LANDING FLOATING DOCK ADDITION

This item comes before Council under the Consent Agenda. It was discussed and approved at the January 25, 2011 Public Facilities Committee.

It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Council award a construction contract to Alpha Construction Company, Inc., Savannah, Georgia, in the amount of \$140,400.00 for the Wallace Creek Boat Landing Dock addition. the County has been granted a budget from SCDNR of up to \$149,000 for renovations to Wallace Creek Boat Landing. FY 2007 CIP Contingency Account #11437-56000 with a current balance of \$349,549. The FY 2007 Contingency Fund would then be reimbursed from the SCDNR grant. Account #11437-56000 (2010 General Obligation Bonds Fund Contingency). The vote was: YEAS - 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.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V. USE REGULATIONS; TABLE 106-1098. GENERAL USE TABLE; AND SECTION 106-1247. ASSEMBLY AND WORSHIP, SMALL (THAT ALLOWS SCHOOLS AS A LIMITED USE IN SMALL ASSEMBLY AND WORSHIP USES AND REMOVES SIZE REQUIREMENT)

This item comes before Council under the Consent Agenda. It was discussed and approved at the February 1, 2011 Natural Resources Committee.

It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Council approve on first reading a text amendment to the Zoning and Development Standards Ordinance (ZDSO), Article V, Table 106-1098. General Use Table and Section 106-1247 that will allow schools as a limited use in small assembly and worship uses and removes the size requirement. The vote was: YEAS - 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.

AN ORDINANCE TO PROVIDE FOR A DAY WATCH PROGRAM AS AN ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY

This item comes before Council under the Consent Agenda. It was discussed and approved at the February 7, 2011 Public Safety Committee.

It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Council approve on first reading an ordinance to provide for a Day Watch Program as an alternative to incarceration in certain cases in Beaufort County. The vote was: YEAS - 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.

BEAUFORT COUNTY ZONING MAP AMENDMENT / REZONING REQUEST ON PORT ROYAL ISLAND ZONING MAP AMENDMENT/REZONING REQUEST FOR R100-21-20 AND 416 (8.29 ACRES TOTAL), FROM RURAL WITH TRANSITIONAL OVERLAY AND RURAL-RESIDENTIAL WITH TRANSITIONAL OVERLAY TO COMMERCIAL SUBURBAN

It was moved by Mr. Sommerville, as Natural Resources Committee Chairman (no second required), that Council deny a rezoning request on Port Royal Island for R100-21-20 and 416 (8.29 acres total), from Rural with Transitional Overlay and Rural-Residential with Transitional Overlay to Commercial Suburban.

Mr. Glaze commented a few storage facilities are located in this area. Several area residents had contacted him that they did not receive notification from the County regarding this rezoning request. Is the Natural Resources Committee recommending denial of the rezoning request?

Mr. Newton replied the matter is before Council by way of a February 1, 2011 Natural Resources Committee recommendation that resulted in a 3:1 vote to deny the rezoning request. The motion before Council at this moment is a Committee recommendation to deny the rezoning request.

Mr. Sommerville remarked this is issue confusing. Normally, consent agendas are to approve something. However, this is a committee recommendation to disapprove. If this Committee recommendation becomes the vote of Council, then the zoning will not change.

Mr. Flewelling stated this issue is in the heart of Mr. Glaze's district. How does he feel about the rezoning request?

Mr. Glaze replied that he agrees with the Natural Resources Committee recommendation of denial.

Ms. Von Harten understands the applicant has been working with the County for some time to rezone this property. She would like to hear the background.

Mr. Sommerville remarked the applicant went to staff and asked for a rezoning and indicated that the purpose of the rezoning was to make a mini-warehouse conforming. The applicant indicated that he was having difficulty with refinancing the property because it was non-conforming property and it was his desire to have it become conforming. The Planning Commission voted to rezone the property. Then the matter was brought before the Natural Resources Committee and Mr. Criscitiello, Division-Director Planning and Development Division, summarized the applicant's position which was that he wanted it rezoned because it had residential storage facilities and its non-conforming status hurt him in regard to bank loans which allow refinancing of the facility.

The Natural Resources Committee recommended that the applicant go back to the Development Review Team (DRT) and ask for a special use permit from the Zoning Appeals Board. That was passed unanimously by the Natural Resources Committee and it was reported out in Committee Reports at the October 11, 2010 Council meeting. Council voted to support the position of the Natural Resources Committee which was to have the applicant go back to the DRT to initiate the process of special use permit for his mini-warehouse. Time passed; that did not happen. The Planning Director wrote the applicant a letter and asked him if he intended to do as was suggested by the Natural Resources Committee and Council, *i.e.*, go to the DRT and start the process for a special use permit. The applicant indicated he did not wish to do that, that instead he wanted the property rezoned and at that time he mentioned he wanted to put in a store.

Then the issue came back to Natural Resources Committee because members said to him, at the time, that if you are turned down by the Zoning Appeals Board to come back and we will consider it. That was also reaffirmed at Council. When the applicant said he did not want to go to DRT and did not want to get a special use permit, it came back to Natural Resources and members voted to deny to the request for rezoning. There were four reasons given at the original Natural Committee by staff why it was inappropriate: (i) the request would allow multiple uses that may or may not be appropriate for the property in the future. (ii) the county had not yet created a vision for the particular area and as form-based zoning moves forward we will have charrettes in the area and the community will have input. Of course, that has not happened yet. Marine Corps Air Station will have input because it is right outside the gate of Laurel Bay. (iii) the City of Beaufort, in whose growth boundaries this property exists, has asked us specifically

in a letter from the City Planning Director Libby Anderson to County Planning Director Tony Criscitiello to postpone rezoning that property, which the certainly have the right to request us to do, until such time as Beaufort / Port Royal Metropolitan Planning Commission is seated and has a chance to act upon that particular request. (iv) it will be in the receiving area, once approved by Council, for the transfer of development rights.

Ms. Von Harten commented Council has had several like issues to come before it where people are experiencing difficulties with their bank loans and other financial situations, because banks do not like it when the property owner has a special use permit. They want to have the actual zoning in place in order to provide financing. It seems we have some issues with our local banks, perhaps national banks. But if we want to really help out businesses, she wishes there were some way we could fill this gap so that the businesses that do get a special use permit can get the financing they need. Right now with a special use permit it is her understanding one cannot get financing. We need help from our local banks or else we need to fill that gap.

Mr. Sommerville had a private meeting with applicant for two hours on a Saturday morning and he asked the applicant that very question, “Are you saying you cannot get it refinanced”? The applicant replied, “He cannot get it refinanced interest only, but could get refinanced with an amortizing loan.”

Mr. Flewelling stated it seems like we have a lot of economic development opportunities. This is one, although we are probably talking about a small store that would hire four or five people. Every one of the jobs, as Mr. Merritt Patterson spoke to during public comment, adds up incrementally to serious economic development over the long haul. He would hate to have his rezoning request denied today and forestall economic development in that area for some unforeseen future until we have charrettes. If you look at this property, it has also been commercial property. He would hate to see the owner have to wait until there is a charrette, which is undoubtedly, most likely, going to confirm what it already is –commercial property. He will vote in opposition to the denial. He is in favor of changing the overall district from Rural Residential to Commercial Suburban.

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

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

COMMITTEE REPORTS

Community Services Committee

Beaufort Memorial Hospital Board

Mrs. Terry Murray

The vote was: YEAS - 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. Mrs. Terry Murray garnered the eight votes required for reappointment to serve as a member of the Beaufort Memorial Hospital Board.

Dr. James Simmons

The vote was: YEAS - 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. Dr. James Simmons garnered the eight votes required for reappointment to serve as a member of the Beaufort Memorial Hospital Board.

Disabilities and Special Needs Board

Mrs. Algredda Ford

The vote was: YEAS - 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. Mrs. Algredda Ford garnered the six votes required for reappointment to serve as a member of the Disabilities and Special Needs Board.

Parks and Leisure Services Board

Ms. Von Harten asked Council to postpone consideration of voting on the reappointment of Mr. Arthur Middleton and Mr. Allan Stern until the February 28, 2011 Council meeting.

This item was postponed until February 28, 2011.

Natural Resources Committee

B/J Water and Sewer Authority

Mr. Sommerville, as Natural Resources Committee Chairman, nominated Mr. James O’Neal and Mr. Skeet Von Harten to serve as members of the B/J Water and Sewer Authority. According to the Template Ordinance, Section 2-193, Membership, “No reappointment can be considered more than 30 days prior to the expiration of a particular term. Since Mr. O’Neal’s and Mr. Von Harten’s terms expire July 2011, Council will vote on their reappointments June 13, 2011.

Coastal Zone Management Appellate Panel

Mr. Sommerville, as Natural Resources Committee Chairman, nominated Mr. Carroll Crowther, to serve as a member of the Coastal Zone Management Appellate Panel.

Historic Preservation Review Board

Mr. Sommerville, as Natural Resources Committee Chairman, nominated Ms. Rita Igleheart, representing Historic Beaufort Foundation, and Ms. Sally Murphy, representing northern Beaufort County, to serve as members of the Historic Preservation Review Board.

Planning Commission

Mr. Sommerville, as Natural Resources Committee Chairman, nominated Mr. Robert Semmler, representing Port Royal Island; Mr. Park Sutler, representing At-Large; and Mr. John Thomas, representing At-Large, to serve as members of the Planning Commission.

Rural and Critical Lands Board

Mr. Sommerville, as Natural Resources Committee Chairman, nominated Mr. Malcolm Goodridge, representing District 11; Ms. Selena Brown, representing District 2; Mr. Ed Pappas, representing District 10; Mr. Jacob Preston, representing District 4; Mr. Steve Riley, representing District 1; and Ms. Joseph Vercellotti, representing District 3, to serve as members of the Rural and Critical Lands Board.

Zoning Board of Appeals

Mr. Sommerville, as Natural Resources Committee Chairman, nominated Mr. Tim Rentz, representing at-large northern Beaufort County; and Mr. Cecil Mitchell, representing Lady's Island, to serve as members of the Zoning Board of Appeals.

Public Facilities Committee

Airports Board

Mr. Glaze, as Public Facilities Committee Chairman, nominated Mr. Will Dopp, representing proximity to Hilton Head Island Airport; Mr. Paul Jorgensen, representing proximity to Beaufort County Airport; Mr. Norman Kerr, representing active/recently retired commercial pilot; Mr. Leonard Law, representing proximity to Hilton Head Island Airport; Mr. Joseph Mazzei, representing active pilot/aircraft owner Hilton Head Island Airport; Mr. Jared Newman, representing proximity to Beaufort County Airport; Mr. Richard Wirth, representing qualifications; Mr. Derek Gilbert, representing Beaufort Regional Chamber of Commerce; and Mr. Joseph Zimmerman, representing Hilton Head Island Town Council, to serve as members of the Airports Board.

Mr. Rodman nominated Mrs. Anne Esposito, representing qualifications, to serve as a member of the Airports Board.

Solid Waste and Recycling Board

Mr. Glaze, as Public Facilities Committee Chairman, nominated Mr. Gordon Bowers, representing Solid Waste District 7 – Lady’s Island, to serve as a member of the Solid Waste and Recycling Board.

Public Safety Committee

Mr. Stewart, as Public Safety Committee Chairman, nominated Mr. Andrew Corriveau, representing design professional/contractor/building industry; Mr. Don Dean, representing design professional/contractor/building industry; and Chief Bruce Kline, representing design professional/contractor/building industry, to serve as members of the Construction Adjustments and Appeals Board.

Burton Fire District Commission

Mr. Stewart, as Public Safety Committee Chairman, nominated Mr. Thomas Peeples to serve as a member of the Burton Fire District Commission.

Daufuskie Island Fire District Commission

Mr. Stewart, as Public Safety Committee Chairman, nominated Ms. Patricia Beichler to serve as a member of the Daufuskie Island Fire District Commission.

Lowcountry Regional Transportation Authority

Mr. Stewart, as Public Safety Committee Chairman, nominated Mr. Chris Hutton, representing at-large, to serve as a member of the Lowcountry Regional Transportation Authority.

Proposed Towing and Wrecker Services Ordinance

Mr. Stewart, as Public Safety Committee Chairman, reported members discussed a proposed towing and wrecker services ordinance. Mr. Ladson Howell, Staff Attorney, brought forward a proposed ordinance for members to review. Members heard extensive comments by Sheriff Tanner as well as many of the tow truck owners and operators in the area. There were a lot of very good comments, a lot of ideas and thoughts to take under consideration. Some modifications to the proposed ordinance will be brought forward at the next meeting. This will be an ongoing discussion and process. Mr. Stewart does expect it to be finalized in a rapid manner. It will receive serious consideration from the Committee.

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

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Caporale, seconded by Mr. Glaze, that Council go immediately into executive session for the purpose of negotiations incident to proposed contractual arrangements and proposed purchase of property. The vote was: YEAS - 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.

EXECUTIVE SESSION

RECONVENE OF EXECUTIVE SESSION

PUBLIC HEARINGS

Without objection from Council, the Chairman announced he would combine the text amendments to the Zoning and Development Standards Ordinance, Daufuskie Island Code, for purposes of the public hearing and vote as those matters are interrelated.

TEXT AMENDMENT TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), APPENDIX S. DAUFUSKIE ISLAND CODE (ADDS A NEW APPENDIX WITH DEVELOPMENT STANDARDS FOR DAUFUSKIE ISLAND COMMUNITY PRESERVATION DISTRICT)

BEAUFORT COUNTY ZONING MAP AMENDMENT FOR DAUFUSKIE ISLAND (CHANGES THE ZONING DISTRICTS TO IMPLEMENT THE NEW DAUFUSKIE ISLAND CODE)

Mr. Sommerville, as Natural Resources Committee Chairman, commented these two items pertain to the new Daufuskie Island Code which adds an Appendix S to the Zoning and Development Standards as well as a map amendment for Daufuskie Island.

The Chairman opened a public hearing at 6:01 p.m. for the purpose of receiving comment from the public on: (i) text amendments to the Zoning and Development Standards Ordinance, Appendix S. Daufuskie Island Code (adds a new appendix with development standards for Daufuskie Island Community Preservation District) and (ii) Beaufort County Zoning Map amendment for Daufuskie Island (changes the zoning district to implement the new Daufuskie Island Code). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:02 p.m.

It was moved by Mr. Sommerville, as Natural Resources Committee Chairman (no second required), that Council approve on third and final reading: (i) text amendments to the Zoning and Development Standards Ordinance, Appendix S. Daufuskie Island Code (adds a new appendix with development standards for Daufuskie Island Community Preservation District) and (ii) a Beaufort County Zoning Map amendment for Daufuskie Island (changes the zoning district to implement the new Daufuskie Island Code). The vote was: YEAS - 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.

TEXT AMENDMENT TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), APPENDIX D. COMMUNITY PRESERVATION AREAS (DELETES ALL INTERIM STANDARDS RELATED TO BRIGHTON BEACH, BUCKINGHAM, BLUFFTON/MAY RIVER/HIGHWAY 46 CORRIDOR, AND DAUFUSKIE ISLAND, INCLUDING SECTIONS 9 AND 10—DAUFUSKIE ISLAND BUFFER DISTRICT AND GATEWAYS)

The Chairman opened a public hearing at 6:03 p.m. for the purpose of receiving comment from the public on text amendments to the Zoning and Development Standards Ordinance, Appendix D. Community Preservation Areas (deletes all interim standards related to Brighton Beach, Buckingham, Bluffton-May River/Highway 46 Corridor, and Daufuskie Island, Including Sections 9 and 10—Daufuskie Island Buffer District and Gateways). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:04 p.m.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve on third and final reading text amendments to the Zoning and Development Standards Ordinance, Appendix D. Community Preservation Areas (deletes all interim standards related to Brighton Beach, Buckingham, Bluffton-May River/Highway 46 Corridor, and Daufuskie Island, including Sections 9 and 10—Daufuskie Island Buffer District and Gateways). The vote was: YEAS - 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.

COMMUNITY DEVELOPMENT BLOCK GRANT NEEDS ASSESSMENT

Mrs. Michelle Knight, Community & Economic Development Director, stated the public hearing is required to solicit public comment on the S.C. Community Development Block Grant Program (CDBG) for Beaufort County. This will put the County in a position to be able to pursue CDBG funding for the coming year. On February 21, 2011 Council's Community Services Committee will meet for the purpose of ranking priorities and bringing it back to Council for approval. The ranking from last year is as follows: infrastructure (water sewer drainage), community facilities, housing and economic development.

The Chairman opened a public hearing at 6:07 p.m. for the purpose of receiving information on the Community Development Block Grant needs assessment. After calling once for public comment, the Chairman recognized Mr. Steve Curles who stated last month the Community Services organization along with Together for Beaufort County Poverty Coalition documented 206 homeless individuals in Beaufort County. Of that number 27 families have school-age children. These numbers gave support to the conclusions many in the service industry already know that there are people in our community who need our help. The experiences that help give us a greater inside into the complexity of these problems. The solution will not be a quick fix, but we plan to network with existing resources while continuing to explore options including such things as where people can come to get out of the extreme weather and a hospitality site

focusing on personal care and nutrition. The projects are going to cost dollars and we would like Council to consider future CDBG as a possible funding source for this.

Mr. Glaze stated several District constituents had planned to attend the public hearing to comment on the lack of fire hydrants which has resulted in the cancellation of their insurance.

After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:08 p.m.

AN ORDINANCE TO APPROVE THE APPROPRIATION OF FUNDS NECESSARY TO ACQUIRE REAL PROPERTY KNOWN AS THE BEAUFORT COMMERCE PARK AND TO PROVIDE THE SOURCE OF SUCH FUNDS FOR ACQUISITION

Mr. Stewart, as Chairman of the Public Safety Committee, members had asked Mr. Kubic to negotiate with the bank for this deal, and he came back with a funding mechanism: to appropriate \$2.5 million from various sources, including a Department of Agriculture grant. The matter passed out of committee and on to Finance and has passed on first and second readings in council with a significant majority of votes.

Mr. Rodman said there was sufficient cash on hand to fund it out of existing capital improvement funds. There will be additional projects in the future, and they will need to consider additional bonding. Once it's bonded, it's about \$5 per \$100,000 in property valuation.

Mr. Starkey said it is \$.56 per \$100,000 for 4% properties for the first 5 years. After that, it declines as the principle is paid off.

Mr. Rodman said it would be about \$25 for a non-resident and for a business, \$40 per \$100,000.

The Chairman opened a public hearing at 6:10 p.m. for the purpose of receiving information from the public regarding an ordinance to approve the appropriation of funds necessary to acquire real property known as the Beaufort Commerce Park and to provide the source of such funds for acquisition. After calling once for public comment, the Chairman recognized Mr. Bill Bootle said he favored the purchase. He has heard about letting the bank recover the land from the Lowcountry Economic Network, and he wondered what a CEO considering coming to Beaufort County to move in a business would think upon finding out that the county bailed on the Lowcountry Economic Network and let the bank take the land. CEOs might wonder what the county was going to do to their businesses.

Mr. Chuck Schaller, Beaufort Memorial Hospital, said he is secretary of the board of Lowcountry Economic Network. He has been in industrial development throughout his career and knows that all such projects involve close cooperation between government agencies and the private sector. This project is extremely important for the Lowcountry. The county taking over the property is extremely important. The Lowcountry needs to get away from dependence on the military and tourism. Lowcountry Economic Network is looking for people to come here. He urged the council to pass the resolution to benefit the county and businesses that come here.

Mr. Jon Rembold said he was representing Ward Edwards. They support the purchase of the park. Lowcountry Economic Network has overseen the park over the years, and it is the only shovel-ready site for industrial use in the county. The location gives it a better chance to benefit from the changes at the MCAS. There will not need to be an extended permitting time. Rural and Critical Lands purchased 17,000 acres of land for conservation. Given that, he thinks \$2.4 million to \$2.5 million is justifiable for economic development.

Mr. Matt Green, Buckwalter Place, said he feels it's time to get serious about economic development and get businesses and jobs to the county, especially in the economic downturn. This is a true public-private partnership and a good step for the county to take for the future.

Mrs. Kim Statler, Lowcountry Economic Network, told council that she did not ask every member of the Lowcountry Economic Network to speak, but many have attended. She introduced council and the public to "the people I'm accountable to on a daily basis." She listed the organizations that are involved. She wanted the public to know that the Lowcountry Economic Network didn't "dump this in the county council's lap because we have a foreclosure situation." Two years ago, they had approached the county, and she had concerns about the interest rates then. They have "been in dialogue about this situation" since that time, and she has been waiting for it to be taken care of and attract jobs to the region. CareCore came to Bluffton because Bluffton owned the land, she said. She advised council to "remember what worked."

Mr. Leroy Blackshear, Jasper County Councilman, said significant strides have been made in economic development, in part because of Lowcountry Economic Network. Jasper County Council believes that both Jasper and Beaufort counties feel the impact of what happens in the other: "jobs don't know county boundaries," he noted. He said representatives from the Brown Campbell Company in Cypress Ridge Industrial Park would discuss how working on land the county owns has been of benefit to them. He believes Beaufort County can see similar success with a Beaufort Industrial Park. He submitted a letter of support for the Jasper County Council for the record.

Mr. Chance Raehn, Thomas and Hutton, said he is the industrial group leader and economic development leader for his company, which is often involved in site selection for various projects. Communities are different, but there is a valuable opportunity with this industrial park. It would usually be \$30 million to \$60 million per acre to fully entitle a park without the infrastructure and entitlements that already exist at the park under consideration, so \$2.5 million is "well worth that money." He went on to site figures as to county ownership of industrial sites and parks in South Carolina. For a prospect that is "looking to move and move fast," being able to deal with a "county or municipality is very high on their list." He feels the benefit outweighs the cost.

Mr. John Nastoff, general manager of Brown Campbell in Ridgeland, said the company is a metal fabricator. The company has eight divisions and is headquartered in Detroit. They opened operations in Ridgeland in 2008. They employ 7 people and have sales of \$3 million. They were looking for areas to grow. The close proximity to the port was attractive to them. Their goal is to

get to 20 employees. The county lured them to the area, as did the flexible plans for the development of the land and their building. It needed to be economical, and the county put together a plan with funds from the state and county. Today they have made it through the major part of the recession and turned a profit in the second year. The area needs to get into industrial businesses, he feels. They are a “green” business and all their products are recyclable. He invited council to tour his facility.

Mr. Brad Samuel, SCANA Corp, said he works in economic development for six South Carolina counties, including Beaufort County, and the other five counties all have industrial parks, some have multiple, and some have spec industrial buildings. They have the opportunity for utility tax credits if the land becomes county-owned. This does not preclude them from offering the same deal to other industrial parks in the county.

Mr. Jim Rozier, former Berkeley County Council Chairman, said that county lost their naval base and 32,000 jobs. They invested \$7 million in the Mount Holly Industrial Park. They got it shovel-ready and made it the most expensive property in the county. Now there are 14 industrial parks in Berkeley County. He believes in investing in the future. In his 16 years there, they brought in \$8.5 billion of industrial investment, created 43,000 jobs, and had \$14 million a year in fee in lieu of taxes from industry. He cited other figures of their success and suggested Beaufort County do the same.

Mr. Dean Moss, BJWSA, said this issue is important to him. He was not representing BJWSA. He’s worked on economic development for more than 20 years in this county. Beaufort County has had to challenge the perception with the state that they did not want economic development. He said the county has 50% free and reduced lunches, the lowest wage rates in the state, the highest reliance on residential property tax in the state, and one of the highest high school drop-out rates. The economic development model to date has been to build residential communities and golf courses and encourage tourism. The jobs for this are \$8 an hour jobs, he said. He said council needs to determine if it wants the jobs that pay well, and if they do, if they are willing to follow most of Beaufort County’s neighboring counties and establish a county-owned industrial park. If so, he believes there’s no better deal than this. He said they should consider this “with a ten-year horizon.” Finally, he said that public discussion and consideration of letting the bank foreclose on the property in order “to pick it up at a better deal is not worthy of this council” and he feels “it’s a cynical effort.” Local banks did the deal in good faith.

Mr. Charles Marshall said he has no problem with the Lowcountry Economic Network but does with the council. He and his partners own another industrial commerce park, started 4 months before the park under discussion. For seven years, he has received the council award as the largest private employer. He is asking for proper due diligence. He would like “equal billing and oversight.” He expects to be treated equally. His park has 58 shovel-ready acres, zero impact fees, paved roads, water, power, etc. The problem in Beaufort County is an educational problem, he feels, and poorly educated people are unemployed. Now the jobs he had to help people fill out applications for have “unfortunately gone overseas.” He said council should be focusing its energies on bringing in small cottage industries with 15 to 25 jobs where the employees “don’t need to be rocket scientists.”

Mr. Pete Hamaker, president of Dixie Poly Drum Corporation in Yemassee, employs about 50 people after about 20 years, and they have plans elsewhere in the US. He is a resident of Pinewood as well, which is near the park. He is not in favor of the sale of the park to the county because he feels there are “a lot of unanswered questions.” He discussed his concerns with Councilman Sommerville about the Lowcountry Economic Network finances and where the money has gone that had come from the county, the sale of land, donations, and membership fees. The questions should be looked into before the county buys the park. He said the county owning it but Lowcountry Economic Network being in charge of it does not seem like a good idea, since their management “hasn’t worked out thus far.” The money might be better spent in industrial block grants to bring in small companies as Mr. Marshall suggested. The park to this point has been a losing proposition. His company looked at Beaufort County before they chose Hampton County but didn’t move in because the “rules, regulations, and fees were not conducive to an industrial company moving in at that time.” He favors growth and industry but does not favor the county owning it and feels they should support the other parks. He said a councilman had 300 e-mails against this from voters, and he asked council to keep in mind that they’re working for those who voted for them.

Mrs. Ann Ubelis, co-founder of the Beaufort Tea Party, said in researching this park, she found the financial information on the park to be “extremely unsettling and scarce.” According to the Lowcountry Economic Network web site, Councilman Stewart is the chairman of the Lowcountry Economic Network, and she questioned whether he should recuse himself from this vote. The Lowcountry Economic Network “boasts a crop of local bankers and industry,” but, she said, they have been unsuccessful in re-financing the park or in attracting new business in the years they have owned it. She cannot access a business plan. She feels this is not the proper time for the county to add an additional burden on taxpayers and its budget. She explained what would happen in the event of foreclosure. The county can continue to offer incentive tax credits and the fee in lieu of taxes. Lowcountry Economic Network’s website has no published financial reports for 2008 or 2009. Lowcountry Economic Network receives \$270,000 from the county annually and should have greater accountability to the taxpayers of the county, she feels. Lowcountry Economic Network wants the county to purchase 45% of their holdings, which she finds “amazing.” There has been no disclosure of the terms of the purchase, which in an ordinary sale would make it null and void.

Mrs. Carlotta Ungaro, Beaufort Regional Chamber of Commerce, asked for the council’s support in buying the park. There’s been a lot of discussion of property taxes being raised. She cited national statistics that taxpayers pay \$.87 for every county dollar spent on county services provided for them. For industry and business, the contribution for services provided is \$3 to \$7 per county \$1. The best way to lower property taxes is to diversify the economy, she said.

Mr. William Hall and a partner own Seacoast Document Systems in the commerce park. He said they’re the only business in the commerce park at this time. They paid to fast-track the process but it was laborious. They don’t know what the effect of the Beaufort Commerce Park sale will be on their business and as taxpayers. As a taxpayer, he is not sure government should be doing a

commercial activity like development. What they pay for the land, create staff, support, etc. needs to play a part in their consideration. He asked for due diligence.

Mr. Gary Fordham, Beaufort City Councilman, said the industrial park was originally started by a group of individuals, and the worst thing he can think of is for county council to buy the industrial park. He feels the government “has no business being in the business of economic development.” He asked why the county would acquire the industrial park. He suspects private developers sold the park to the Lowcountry Economic Network. He urged council against acquiring the park and said if he were required to vote for such a deal, he would know what he was voting for.

Mr. Fran Heckrotte owns a property management company in Beaufort and has no employees but sends business to other businesses. She commended Councilman Sommerville for responding quickly to her e-mails and endeavoring to answer her questions. She is a Republican but not a Tea Partier; however she agrees with what Ms. Ubelis previously stated. Investing without full investigation does not go well, she said. There are no financial statements on the Lowcountry Economic Network site. Her taxes go to the county for the future of Beaufort County. The county is investing taxpayers’ money. She would vote against this because details of the foreclosure and Lowcountry Economic Network’s, Dick Stewart’s, and the South Carolina Commerce’s roles are unknown. There should be full transparency on this matter and little information is available.

Mr. Richard Lindler, Carlisle Associates Architects and Engineers in Columbia, specializes in industrial work. It is important to look for land under the county’s control; investors like that and don’t want any surprises. He urged the council to vote “yes,” in its own best interests to remain competitive. He submitted an article for the record about a purchase in Kershaw County to attract industry.

Mr. Maurice Ungaro said the economy needs to be diversified throughout the county beyond the building of homes, which has been the sole method for a long time. There need to be good jobs so people can stay in Beaufort County. The industrial park on Boundary Street is not an industrial park, he said. All the jobs are retail and restaurant jobs, which is not economic development. The location of the Beaufort Commerce Park is “fantastic” for its intended use. Being next to the AICUZ, it’s not good for building homes. With the F-35 slated to come here, it would be a good spot for Lockheed offices and training facilities.

Mr. Howard Heckrotte said he has followed the Lowcountry Economic Network’s process and searched the South Carolina Commerce department website to find the Beaufort Commerce Park but there is no listing available. On the site locator, he didn’t come up with the Beaufort Commerce Park, either. The Lowcountry Economic Network “probably hasn’t done the best job” of marketing this park to industry. The county permitting process is the first thing the businesses consider, and it can be a long, arduous process. The process is supposed to be quicker if the county takes over the industrial park, but he questions whether that is fair to established businesses which spent a lot of money and time to get their own permits. Greenville County took

more than 20 years working with their technical college before they brought in the auto plant and he agrees with others that small businesses should be brought in first.

Mrs. Lisa Presnell said she has no connection to Lowcountry Economic Network. She doesn't feel that taxpayers' money should not be spent to compete with private enterprise in Beaufort County. Many of those businesses who choose not to move to Beaufort County, in her experiences as a realtor, do so because of the sub-standard educational system and the glut of unskilled workers. "You cannot fix our problem by buying this park," she feels. There is money in a fund, but it doesn't have to be spent, and when there's a pending financial deficit, spending \$2.5 million is not a good idea. As a realtor, she asked if they move forward, not to purchase until they have a current appraisal.

Mr. Tripp Presnell, a banker, said he and his wife, a realtor, would benefit from the influx of new business, but he's against this purchase by the county because it is a bailout of the bank and Lowcountry Economic Network, which is a private organization, even though it receives public funding. He is against the county competing with its own constituents if they purchase, market, and sell the property at a loss "in the name of economic development." Though this is accepted and prevalent in the state and throughout the country, he feels it is "morally and ethically wrong." It's not in the taxpayer's best interests to purchase the park. Beaufort County is not Berkeley County. Across ten economic sectors, manufacturing ranks last in Beaufort County, according to the Bureau of Labor Statistics, he said and "the Beaufort Commerce Park is not going to change this." As a commercial lender, he has never heard any complaints from business owners who might potentially locate here about a lack of property for their businesses; they complained about the lack of education and skilled workers available to them and government bureaucracy. Industry is on the decline throughout the country, and Beaufort is ill-suited for it. The fastest growing sectors would not locate in the Beaufort Commerce Park, and if the county wants to attract jobs, they should endeavor to attract businesses in these sectors. He feels most council members have made their decisions on this project already and are influenced by influential people who will benefit from the county's purchase of the property. These people do not represent "the average taxpayer in Beaufort County," he said.

Mrs. Jane Kenny said the council was elected to conduct the people's business and she's disturbed that as Mrs. Statler said, they will purchase land for \$2.5 million and then "give that land away" to "businesses of your choice." She's impressed by those businesses who are employers currently without help from the government. She encouraged them to postpone their vote and "let the people tell you what they want." If they want to attract business, they should "get out of businesses way."

Mr. John Perrill, a local banker, briefly reviewed the history of the park since 1960. He asked why the council would want to purchase the park when "80 of the most influential people in the county" have been unable to sell any land to businesses except for two. He reiterated that Mr. Hall, one of the businesses there in the park, had to wait 18 months for approval, which can be done much more quickly in other counties, so businesses tend to go there. He feels there are better ways to spend money and there is an impending deficit. He feels due diligence needs to be done on the number of jobs it will create, what the payroll will be, what the county employee

headcount will be when there have been layoffs. He asked the real value of the property. “There are so many failed real estate deals out there,” and he asked “why the county has to pick this one up. “ It could be sold to MCAS and create a good partnership. The most current financial information and appraisal are from 2007, and they can’t be accurate. He asked council to vote “No.”

Mr. William Godfrey said he has observed that all who have spoken at the meeting for the county’s purchase of the park have something to gain. Those who have spoken against the purchase have nothing to gain. He feels this should influence the council’s decision. He doesn’t feel government should be involved in the development of property.

Mr. Ernest Marchetti said “Amen, amen, amen,” to those who had spoken against the motion to purchase the property. He feels government should not be involved in the development of property. There needs to be a current appraisal on the property before they do anything, as property no longer has the same value it once did.

Mr. Herb Gray, Carolina Door and Millwork, said the business has 30 acres in the Beaufort Commerce Park. He thinks economic development needs to move forward in the county. If Lowcountry Economic Network’s model isn’t working, the county might need to step forward. He needs to be competitive, though, and he’d have to compete against the county .He wants the county to take the existing businesses into consideration.

Mr. Walt Lineberger said he is not present to advocate a side. There are “people who represent political activists with 4000 people in their database.” Some have appointed members to keep track of the council and how it votes, he said. The council members “are these organizations’ friends if they vote the way they like”: for free markets, limited spending and government. South Carolina has “the regrettable reputation of being the worst of amongst the worst state in the union for good ol’ boy cronyism.” If Beaufort County residents know what has been discussed in this room, “there would be an uproar.” He said there are things going on which are “beyond the ethics of normal voters.” Thousands of people are paying attention to council now and are being converted to political activism. He warned the council members about what he feels are potential issues in future political primaries.

Mr. Brantley Harvey, local lawyer and former Lt. Governor, said he was one of the original purchasers of the Beaufort Commerce Park, which was a good idea then, and a lot of businesses and individuals put their money into it for the purpose of attracting jobs. He supports the council’s first two votes and feels the park is needed as a tool for jobs for young people in Beaufort County. It will require “an attitude of encouragement.” “It’s not a panacea, but is one step,” he said, toward having jobs in Beaufort County.

Mrs. Edie Rodgers, a Beaufort City resident and former State Representative, said she sent an e-mail to the council people. She pointed out that Mr. Rosier had said they set their prices higher than private enterprises did, on purpose, because they did not want to compete. She feels this is a “smart move” and that council will consider that in their decision. She has learned that the county has \$11 million set aside for property repairs on buildings the county owns; she found

this “surprising.” The idea of dipping into that for the purchase of this park gives the impression that “this is a slush fund.” It also doesn’t appear to be good that they will purchase something “and then give away anything or build spec buildings.” She asked that they consider tabling this until they have done research into the true costs.

Mr. Raymond Enslow said he is concerned that no one on the council can tell them how many years it would take for the Beaufort Commerce Park to create jobs. Also, in the current economy, he’s not clear on the costs to the taxpayer. He’s been a real estate broker and he can’t believe an appraisal hasn’t been done on this property. He thinks they need to stop long enough to get an appraisal on the property. If it’s going to cost the taxpayers, “it would be nice to know the exact figures.”

MOTION TO EXTEND BEYOND 8:00 P.M.

It was moved by Ms. Von Harten, seconded by Mr. Caporale, that Council extend its meeting beyond 8:00 p.m. The vote was: YEAS - 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. Rodman said the Finance Committee’s purpose was to advise council on the financial aspects of the deal. For discussion, he said the matter should go to Mr. Newton and Mr. Sommerville.

Mr. Newton passed the gavel to the Vice Chairman in order to make a motion.

Mr. Newton said he wants to promote job creation. However, he has been unable to reconcile his reservations from the year before when this was first proposed. He said he is not philosophically opposed to county-ownership of industrial property. To be competitive economically, owning industrial or commercial commerce parks is an appropriate activity. He is concerned about the effect of a foreclosure on the Lowcountry Economic Network. However, as a custodian of the taxpayers’ money, he believes council needs a full understanding of the value of the property. He does not believe taking time to get a current appraisal prejudices the current discussion. He is not willing to support a tax increase to acquire the property. The current model with the Lowcountry Economic Network needs to be reviewed and tweaked if it is not working. He does not believe there is sufficient information available to council to move forward at this time. Mr. Newton feels he wanted results from the Lowcountry Economic Network, and he wants to see if it is headed in the right direction to create jobs.

It was moved by Mr. Newton, seconded by Mr. Flewelling, that Council postpone acquisition of the Beaufort Commerce Park until April 15, 2011 to obtain a current appraisal and review the model, structure and funding of the County's current economic development effort including the Lowcountry Economic Network.

Mr. McBride, as Parliamentarian, ruled the motion debatable.

Ms. Von Harten said the appraisal does not matter “because the bank wants what it wants.” It is her understanding the “Lowcountry Economic Network is still liable for the amount it owes, regardless.” She feels “an appraisal is a non-issue.” There is a lot of misinformation in the public. Many of those who have spoken at the public hearing have not been at council committee meetings when Network members came with lists of people wanting to do business in Beaufort County who cannot make the numbers work because the incentives in Beaufort are not competitive with other states and counties. She said the playing field is not level and acquiring the park will do that.

Mr. Stewart said he agrees with some of what Mr. Newton said. The bank financing of the park may require expediency. Another issue is whether this is being approached in the right manner. He feels there should be a full airing of how Beaufort County is approaching economic development. He doubts this can be done in 60 days. He recommends going forward. There are a lot of parameters to work out and that will require a significant amount of work. He will vote no on the motion “because we’ll come back to it in 60 days and be no closer to a solution.”

Mr. McBride was surprised by the motion because of previous debate and the consensus to move it forward or vote against it. The banks may choose not to wait, and the property might not be available to the county anymore. He said many counties in the state own industrial parks. He said the way to get jobs into the area is to own the property, to show it to perspective tenants, and to get them to move into it. It does not bother him if they sell the land for less than fair market value “because that’s what counties do to get industrial development.” He will not vote for the motion because he thinks “this might be a time-delay killing tactic,” he said.

Mr. Sommerville reviewed the two elements in the motion. He asked rhetorically how the review of the model would be done. He agreed with Mr. Stewart’s point that 60 days is not a reasonable amount of time for that to happen. In regard to the need for a current appraisal, that can be done in 60 days, he feels, though such an appraisal is “a little short on comparables.”

Mr. Flewelling said he has a recent appraisal on an industrial park in Lobeco.

Mr. Caporale said he thinks the motion is the best possible one to be made “given all that we’ve heard here tonight.” His constituents “spoke overwhelmingly against the purchase,” so he had come to the meeting planning to vote against it on their behalf. He said the chairman’s motion shows “patience, tolerance and wisdom for the gravity of the question.” Even if the motion was just to get an appraisal, he would feel that important because those in favor and opposed to the purchase have all spoken in favor of getting one. He said he is surprised council does not have confidence in what it could accomplish in 60 days. He thinks it is quite possible to do this evaluation in far less time than 60 days. Decisions that affect more people and involve a lot more money have been made in less time. He said “there’s a lot at stake here,” and this motion “takes a lot of the controversy out of this.”

Mr. Flewelling said a current appraisal is essential, and he feels they cannot, in good conscience, make a decision involving a \$2.5 million purchase without one. A review of the Lowcountry Economic Network and economic development in the future may take longer than 60 days, but it

will lead council to a decision on how they want to proceed on this purchase, and they will have to make a vote then. Even if the property is foreclosed, Councilman Flewelling stated, “It will certainly take more than 60 days.” The property will still be available and owned by Lowcountry Economic Network.

Mr. Sommerville said the appraisal is straightforward; the evaluation is less so, and he would feel better if there were “a less amorphous statement.” He offered the opportunity for amendment.

Ms. Von Harten said she would like to hear from Mrs. Statler about what happens if it goes into foreclosure and how much they are responsible for paying.

Mr. Flewelling said this speaks to the main matter and not the motion at hand.

Ms. Von Harten asked why they need an appraisal “if the appraisal doesn't matter?”

Mr. Sommerville said discussion of a motion does not permit public comment.

Mr. Newton said he could speak to legal matters.

Ms. Von Harten asked how much Lowcountry Economic Network would still owe if the property is foreclosed.

Mr. Newton said “nobody knows until it's actually been sold at the courthouse steps.” He went on to explain the legal processes and timelines of a foreclosure. He said if it is sold on the steps and the banks are outbid by less than the debt, or even if the bank gets it, “the delta is a deficiency judgment” that then is awarded against Lowcountry Economic Network. He explained that his motion pertains to getting a current appraisal in part as it concerns the deficiency judgment.

Mr. Sommerville asked if the timing of 60 days considers what the banks can do in that period.

Mr. Stewart said “we're here at the ninth hour” and no one has asked for an appraisal before. He said Mr. Kubic had an appraisal that he thought was acceptable, and Mr. Stewart asked Mr. Kubic to speak to that appraisal.

Mr. Kubic said they had \$2.5 million as a purchase price. He told council at that committee meeting that he had an appraisal he thought was from 2009 for \$3.1 million, and he thinks he said that if it had depreciated \$1 million, the park and every adjoining property “are in deep trouble.” The difference between 2009 and current appraisals would be the installation of the stormwater management system which in most case is an enhancement on the property.

Mr. Stewart said the committee at that time accepted what Mr. Kubic offered and did not ask him to go and get an appraisal.

Mr. Kubic said he felt it was part of his preparation to say he did not have a current appraisal, so he gave full disclosure on the documents he presented to council.

Mr. Sommerville said he recalls him saying that, but he thinks the appraisal was for \$3.7 million or \$3.8 million, and Mr. Kubic said that he cannot recall and that could be correct. He said he did not believe Mr. Flewelling was at the meeting.

Mr. Rodman spoke in favor of the motion. He is a strong proponent of economic development and would give two to three times as much for this property. But to him, the question is whether purchasing this land is the best use for \$2.5 million. An appraisal is appropriate and probably should have been asked for sooner. He would like to see details on the relationship between the county and Lowcountry Economic Network and the balance sheet. The case has not been made for the purchase, and the model is not working. He feels that for many reasons they have not been successful, even in good times, so particularly when companies are not investing and going offshore. In addition, other properties are coming on the market as companies vacate their existing properties. Regardless of what happens, the property will be available for economic development: what is the right price and who is the right buyer? He does not believe foreclosure is the right path. The three players are the Lowcountry Economic Network – which is insolvent, the banks – which he feels have overreached, and the county – which can help with interim funding. If the motion is approved and the 60 days are taken, he would like the Lowcountry Economic Network to consider seeking Chapter 11 protection.

Mr. Glaze said he has been approached by both sides. He is considering Beaufort County as a whole. He cited the number of foreclosed houses in the county and other economic issues. He asked, “What guarantees they have and questioned whether the \$2.5 million could be used to “maintain the economic status of the individuals who are working now,” which is economic development. He believes 60 days is enough time for the process and added that they want to avoid procrastination. If the 60 days are voted for, he will support economic development, and will vote for it, but if the vote on the county purchase were taken immediately, he would vote against economic development. Making enemies or potential re-election does not matter to him; what matters is that he does “the right thing.”

Mr. Stewart said if the council votes for the 60-day extension for review on economic development, he respectfully requested that Mr. Newton create “a specific statement as to how this will be carried out,” including timing, schedules, etc.

Mr. Sommerville agreed that there needs to specificity in the motion regarding the review process of the current model for economic development. It is vague, and he feels that the matter will go to a committee who will put specificity in that part of the motion.

Mr. Sommerville asked council to discuss, if the motion passed, where it goes from here. Staff will handle the appraisal portion. The review and evaluation would be council’s to do. There was no disagreement with Mr. Sommerville on either of these statements.

Mr. Dawson said he agrees with Mr. Stewart’s approach in that Mr. Newton should guide council in the process of review because they had ample time to answer the questions that have been asked tonight and time to have asked Mr. Kubic to get an appraisal, but this was not done. As chairman, Mr. Newton should lead council in the direction they should be going regarding economic development. If council does not get serious about economic development, they are doing the citizens of this county a great disservice.”

Mr. Newton said ten months ago, he raised the same questions, with no results. He supported the concept on first reading to further discussion. On second reading they were told there would be a one-eighth of a mill tax increase. They also heard that a deficiency judgment could “cripple the Lowcountry Economic Network.” Council also heard that the property was worth \$3.7 million, which led him to wonder why they were worried about a deficiency judgment. He feels they need an appraised value and that council is capable of looking at what other areas do, how they are comprised, etc. He feels it is “unfair to say that if you’re not in favor of this, you’re not in favor of economic development.” He does not think this is the only possibility. He feels they should know the value of what they might be buying.

Mr. Sommerville said it is at the Chairman’s discretion to determine which committee this matter will go to.

Mr. McBride said he is convinced that some council members will not ever vote for this and are using this 60 days “as a delay tactic.”

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

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

PUBLIC COMMENT

The Chairman recognized Ms. Fran Heckrotte, a Beaufort resident, who is opposed the County purchasing the Beaufort Commerce Park.

ADJOURNMENT

Council adjourned at 9:01 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

ADMINISTRATION BUILDING
100 RIBAUT ROAD
POST OFFICE DRAWER 1228
BEAUFORT, SOUTH CAROLINA 29901-1228
TELEPHONE: (843) 255-2026
FAX: (843) 255-9403
www.bcgov.net

BRYAN J. HILL
DEPUTY COUNTY ADMINISTRATOR

LADSON F. HOWELL
STAFF ATTORNEY

COUNTY ADMINISTRATOR'S REPORT

**Monday, March 14, 2011
4:00 p.m.
County Council Chambers**

INFORMATION ITEMS:

- The County Channel / Broadcast Update
- Two-week Progress Report (Enclosure)
- Introduction / Monica Spells, Compliance Officer, Purchasing Department
- Presentation / Boundary Street and Ribaut Road Traffic Signal Network
Mr. Colin Kinton, Traffic Engineer
- Beaufort County (Lady's Island) Airport Master Plan
Mr. Paul Andres, Airport Director
- Bluffton Parkway Phase 5B Realignment (Enclosure)
- Report / County Council Annual Planning Session (Retreat)
- Report / 2011 National Association of Counties Legislative Conference (Enclosure)

ACTION ITEMS:

- County Council Modified Meeting Schedule (Enclosure)
- Resolution to ask for Attorney General's Opinion in Regard to "Roll-forward" Taxes
(Enclosure)



Memorandum

DATE: March 11, 2011
TO: County Council
FROM: Gary Kubic, County Administrator
SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place February 28, 2011 through March 11, 2011:

February 28, 2011

- Conference call with Staff Attorney Ladson Howell re: St. Helena Branch Library / Brown property
- County Council meeting – Hilton Head Island Library

March 1, 2011

- Penn Center's Executive Committee meeting re: St. Helena Branch Library
- Public Facilities Committee meeting

March 2, 2011

- Alcohol and Drug Abuse Accreditation Orientation Briefing Preceding Reaccreditation Survey by Rehabilitation Accreditation Commission

March 3 - 5, 2011

- County Council Annual Planning Retreat

March 6 – 9, 2011

- 2011 National Association of Counties (NACo) Legislative Conference, Washington, DC

March 10, 2011

- Agenda review
- Rural and Critical Land Preservation Board Retreat at Palmetto Bluff

March 11, 2011

- Meeting re: Development of Widgeon Point Park

Lisa Sulka
Mayor

Fred Hamilton Jr.
Mayor Pro Tempore

Anthony Barrett
Town Manager



Council Members
Michael Raymond
Oliver Brown
Allyne Mitchell

Sandra Lunceford
Town Clerk

March 7, 2011

Mr. Wm. Weston J. Newton
Beaufort County Council Chairman
PO Box 1938
Bluffton, SC 29910-1228

Re: Bluffton Parkway Phase 5B Realignment

Dear Chairman Newton,

As discussed at previous meetings, this letter is our formal request to reconsider the alignment of Bluffton Parkway. We feel strongly the alignment presented by Thomas & Hutton on behalf of Reed Development is the better alignment. There are several reasons we feel this is the appropriate alignment for this road:

1. This alignment will center the intersection of Bluffton Parkway and Buckwalter Parkway more evenly between the existing intersection of Bluffton Parkway/Buckwalter and Lake Pointe Drive/Buckwalter Parkway intersection.
2. The revised alignment will minimize intersections in major horizontal curves.
3. Utilization of the power line easement provides more commercial development opportunities.
4. The revised alignment minimizes Right of Way acquisition costs.
5. The developer may be interested in constructing a portion of the realigned roadway.
6. Realignment minimizes any potential for litigation from the property owner.

While we agree some of the costs incurred in the original design will be lost, the savings achieved through Right of Way donation will outweigh the design costs already incurred. In fact, we believe the savings realized with re-design factored in will be in excess of \$1,000,000.

20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Telephone (843) 706-4500 Fax (843) 757-6720

To clarify, the 9th Amendment to the Buckwalter Development Agreement, Section 14 (B) provides that upon final determination of the Bluffton Parkway Phase 5B route, University Investments will enter into a good faith of negotiations with the Town of Bluffton and Beaufort County regarding compensation for the Phase 5B Right of Way. It is understood and agreed that if the final routing of Bluffton Parkway Phase 5B is acceptable to the Town of Bluffton, Beaufort County, and affected property owners (specifically University Investments) the Right of Way will be donated.

Given fiscal constraints alone, these revisions should be pursued. In addition to the reduced Right of Way costs, the revised alignment improves the roadway geometry and may provide for potential additional cost savings through developer construction.

We feel strongly these arguments regarding realignment of Bluffton Parkway are compelling and should be factored into decision making by County Council as well as considered by staff. We look forward to working with you on these revisions for the benefit of the citizens of Bluffton and Beaufort County.

We look forward to having the opportunity to present this matter to the appropriate Council committee for discussion followed by a presentation to the full Council.

Sincerely,



Mayor Lisa Sulka

CC: County Council Members
Town Council Members
Town Attorney Terry Finger
Anthony Barrett, Town Manager
Marc Orlando, Deputy Town Manager
R. E. Fletcher, Director of Engineering
Karen Jarrett, Transportation Project Manager
Gary Kubic, County Administrator
Ladson Howell, County Attorney
Rob McFee, Director Engineering and Infrastructure

20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Telephone (843) 706-4500 Fax (843) 757-6720

Workshop Descriptions

Educational Session Block I

Monday, March 7 · 9:00 a.m. – 10:15 a.m.

• A New World in Transportation

Your county may be affected by the changes in policy and politics surrounding the reauthorization of the highway transit, federal airport and aviation programs. Attend this workshop to learn from expert panelists what to expect in 2011. See how you can prepare your county for the impact of these changes and get suggestions on how to lobby members of Congress for the changes you need. (Staff Liaison: Bob Fogel, 202/942-4217).

• Affordable Care Act: Prevention and Public Health Investments

Two issues critical to your community's health are prevention and costs. Attend this session to hear about the strategy being developed by the National Prevention, Health Promotion and Public Health Council and consider the prevention and public health investments outlined in the Affordable Care Act (ACA). Speakers will identify the funding opportunities available for programs that promote good health in your county. (Staff Liaison: Anita Cardwell, 202/942-4267).

• Government Initiatives to Lower Jail and Prison Populations

In this session, you'll hear about three related legislative initiatives to lower jail and prison populations that are now pending in Congress. Panelists will demonstrate the impact of justice reinvestment at the county level, showing how you may be able to reinvest the potential savings of a reduced jail population back into your county budget. Join this workshop for ideas on bringing these programs back home. (Staff Liaison: Donald Murray, 202/942-4239).

• Renewable Energy Siting Issues: What You Need To Know

Renewable energy facilities suggest opportunities for new jobs, reductions in energy costs and benefits to the environment, but before we see growth in the energy sector, we need to address the limits of the current infrastructure. Come to this session to hear about the directions Congress is considering and see what's at stake for your county. Then decide how you can be involved in this issue, both locally and nationally. (Staff Liaison: Julie Ufner, 202/942-4269).

• Looking Ahead: Public Finance Developments that Benefit County Government

Public finance may seem like a distant concept, but bonds

Rule-making Board (MSRB) and a discussion of a joint effort between NACo and the Wisconsin Association of Counties that uses bond programs to spur economic activity. (Staff Liaison: Michael Belarmino, 202/942-4254).

• How Am I Going to Retire?

After spending a career of service to your county, is it time to consider what you should do for yourself as you plan for retirement? If you're already thinking about it, this workshop is designed for you. Join retirement experts to see how you can calculate your income needs, learn about different sources of income and recognize the benefits and risks of different distribution options. This workshop will simplify your planning and reduce the risks of unnecessary surprises. (Staff Liaison: Lisa Cole, 202/942-4270).

• Cloud Computing: How It Improves Services and Reduces Costs

What's the buzz about cloud computing? How will this technology benefit my county? Come to this workshop to hear about the experiences of participants in NACo's cloud computing pilot program. County officials and representatives from Microsoft will explain what's meant by "cloud computing" and will demonstrate how it can improve communications and, ultimately, save your county money. (Staff Liaison: Nancy Parrish, 202/661-8824).

• Workforce Development in a Changing Economy: The Future of WIA

Across the country innovative public/private partnerships are developing to change the way adult education, workforce training and post secondary education work together to address the needs of both underemployed adults and employers. Attend this session to hear how the Workforce Investment Act and other legislation are being leveraged to grow businesses and job opportunities both nationally and locally. (Staff Liaison: Deseree Gardner, 202/942-4204).

Educational Session Block II

Monday, March 7 · 10:45 a.m. – 12:00 Noon

• Foreclosure: Support for Home Owners and Communities

In this workshop you'll first hear from representatives from the U.S. Department of Housing and Urban Development (HUD) about current and upcoming federal legislation and programs that help reduce foreclosures (check out the new website from NACo: www.naco.org/foreclosure).

• A New Day - A New ADA

Is your county in compliance with the revisions to the Americans with Disabilities Act (ADA) that become effective on March 15, 2011? Attend this session to find out how you can be sure you're providing accessible programs and activities, meeting construction and alternative access requirements and supporting Safe Harbor claims that represent new accommodations for disabled persons. (Staff Liaisons: Jackie Byers, 202/942-4285 and Marilina Sanz, 202/942-4260).



• The Federal Benefits Debate for Incarcerated Veterans and Military Service Members

Is your county experiencing increasing numbers of military service members and veterans in the criminal justice system? In some cases, this may be the result of the loss of federal benefits, particularly for mental health and co-occurring disorders that contribute to repeated contact with the justice system. This workshop will identify unmet needs in this population, examine the legislative and programmatic debate around these benefits and describe and demonstrate current efforts to assist veterans, service members and their families. (Staff Liaisons: Maeghan Gilmore, 202/942-4261 and Jim Sawyer, 202/661-8868).

• Lessons Learned: What You Want to Know About Disaster Recovery

Have you ever considered what will be your top challenges if your county faces a disaster? This workshop provides practical information from both NACo members in communities that have experienced recent disasters and nationally recognized experts on disaster recovery. Learn how you can initiate an effective disaster preparation discussion in your county, including pre-disaster planning, gaining public support and designing strategies to mitigate the effects of a disaster. (Staff Liaison: Dale Harris, 202/942-4236).

• Year One Review: Federal Partnership for Sustainable Communities

In the past year county governments across the country received millions of dollars in federal funding to address sustainability issues. Hear how what's been learned from the program and what's still to be done. (Staff Liaison: Dale Harris, 202/942-4236).

For answers to your questions ... E-mail nacomeetings@naco.org

• **It's All About the Numbers: Records Management in an Integrated Jail System**
Are you running out of case load numbers? Harris County, Texas provides the case for considering how innovative technology offers an integrated jail management solution. See how this system addresses each step of the process from identification through custody and release and weigh the long-term benefits of this technology in your county. (Staff Liaison: Nancy Parrish, 202/661-8824).

• **Redistricting In a Nutshell**
By this summer, many county officials will be completely involved in the process of re-districting. Representatives from NACo, state legislature, industry and the U.S. Census Bureau will explain how this year's redistricting differs from the 2000 cycle. They'll describe how best you can use staff, technology, data and other resources to not only complete the job, but also get the most out of the process for your county. (Staff Liaison: Bert Jarreau, 202/942-4248).

Educational Session Block III

Tuesday, March 8 · 10:45 a.m. – 12:00 Noon

• **The Economic Development Administration and Your Community**
Join this workshop to learn how the priorities and initiatives of the U.S. Department of Commerce's Economic Development Administration (EDA) impact county government. EDA officials will demonstrate the importance of comprehensive regional planning and describe the process for your application of economic development grants. (Staff Liaison: Daria Daniel, 202/942-4212).

• **The Next Farm Bill: Advocating for Rural County Priorities**
Water, wastewater and broadband infrastructure; rural business programs and housing; renewable energy; support for farmers; regional development strategies – all are county concerns traditionally bolstered by USDA's grant and loan programs that face an uncertain future as Congress considers the reauthorization of the upcoming Farm Bill. Attend this workshop to hear about the future of rural and farm policy and learn from rural county officials, congressional staff, and representatives of the Administration how you can advocate for your county's priorities. (Staff Liaison: Erik Johnston, 202/942-4230).

• **What's in the Older Americans Act?**
Come to this workshop in the new Congress to learn about the new opportunities and challenges in the workshop.

members of Congress know about the needs of your older residents. (Staff Liaison: Marilino Sanz, 202/942-4260).

• **Homeland Security in 2011: Federal Initiatives to Secure Your County**
Each year the federal government makes changes to the application for federal grant programs and initiatives for homeland security, adding to an already complicated process. In this workshop key federal and congressional officials will guide you in identifying available grants; meeting application deadlines and filing requirements. They'll share valuable insights into future federal spending priorities for homeland security. (Staff Liaison: Dalen Harris, 202/942-4236).

• **Kids and Gangs: The Preventive Potential of Federal Youth Legislation**
The House Judiciary Committee adopted the Youth Promise Act in the 111th Congress. With support from more than 200 House members, the legislation focuses on prevention and early intervention with youth involved in the justice system. In this workshop see how funds authorized under the Act are used by local governments to implement evidence-based prevention and intervention strategies. Representatives from Multnomah County, Oregon will outline what they're doing to reduce delinquency among youth. (Staff Liaison: Donald Murray, 202/942-4239).

• **Out with the Wash: Proposed Clean Water Act Changes**
Facing Congress are a host of proposed changes to the Clean Water Act that will have direct impact on your county government. These range from new regulations and legislation governing pesticides and stormwater management to pending court cases on navigable waters issues. Speakers from Capitol Hill, the Environmental Protection Agency (EPA), and the legal system will review these proposals and discuss how they may affect your county. (Staff Liaison: Julie Ufner, 202/942-4269).

• **Tools You Can Use to Promote County Government**
Essential for effective governing is an informed public, and raising public awareness is one of President Glen Whitley's initiatives in 2010-2011. To further that initiative, President Whitley has authorized an array of tools and materials for you to use in your county, including public service announcements, talking points, brochures and educational programs. Participate in this workshop and see how you can create an effective public awareness program. (Staff Liaison: Tom Goodman, 202/942-4222).

diverse opinions about fiscal responsibility and the level of federal debt. Presenters in this workshop will discuss the findings and recommendations of the President's fiscal commission and outline the administration's reaction to its report. Attend this session to hear what's being discussed in Washington so that you can better understand how these actions may impact your county. (Staff Liaison: Michael Belarmino, 202/942-4254).

Educational Session Block IV

Tuesday, March 8 · 2:45 p.m. – 4:00 p.m.

• **Keeping Cool When the Heat Is On**
Increasingly, county officials are confronted by angry citizens, "gotcha" journalists and camera-phone wielding bloggers and political opponents. The temptation is to lash out and "let them have it," ensuring unwanted media publicity and internet notoriety. Media relations and listening experts will share tips on how to respond to emotionally charged arguments and diffuse explosive situations. Learn about the impact of Social Media and the consequences of losing your cool when under pressure. (Staff Liaison: Jim Phillips, 202/942-4220).



• **County Officials Focus on Clarity!**
Learn how to frame a community issue that motivates people to respond in a positive way. Trudy Rice, 2010-2011 Ralph L. Tabor NACo Extension Fellow and Community Development Educator at Kansas State University's Research and Extension, will lead this interactive session and offer a toolkit you can use to engage your public in ways that will bring clarity and constructive solutions to community issues. (Staff Liaison: Trudy Rice, 202/661-8805).

• **The New Political Landscape: What to Expect from the New Congress**
The votes are counted and the races are called, but what does the composition of the 112th Congress mean for counties? Join us for a recap and analysis from new key players within the majority and minority members of Congress and the Administration. Members of the panel will discuss their legislative agendas for the year.

2011 NACo Legislative Conference
Program-at-a-Glance
As of Feb. 10, 2011

Saturday, March 5, 2011

8:00 a.m. - 5:00 p.m.

Registration

Convention Registration Desk (Lobby Level)

8:30 a.m. - 9:30 a.m.

Agriculture and Rural Affairs Steering Committee: Agriculture Subcommittee Meeting

Room: Maryland A/B (Lobby Level)

8:30 a.m. - 9:30 a.m.

Public Lands Steering Committee: Federal Land Payments Subcommittee Meeting

Room: Virginia (Lobby Level)

8:30 a.m. - 5:00 p.m.

Technology Summit: County Survival Strategies in Tough Economic Times

Room: Lincoln 3/4 (Exhibition Level)

8:30 a.m. - 6:00 p.m.

NACCED Committee and Board Meetings

Room: Washington 3 (Exhibition Level)

8:45 a.m. - 11:30 a.m.

NACCTFO: Motivating New Employees

Room: Washington 5 (Exhibition Level)

9:00 a.m. - 10:15 a.m.

NACRC: General Session, Walking the Social Media Tightrope – Legal and Privacy Aspects of Social Media

Held Off-Site: Washington Marriott, 1221 22nd Street NW

9:00 a.m. - 11:00 a.m.

Finance and Intergovernmental Affairs Steering Committee: County and Tribal Government Relations Subcommittee Meeting

Room: Delaware A/B (Lobby Level)

9:00 a.m. - 11:00 a.m.

Audit Committee Meeting

Room: McKinley (Mezzanine Level)

9:00 a.m. - 11:00 a.m.

Justice and Public Safety Steering Committee: Homeland Security and Emergency Management Subcommittee Meeting

Room: Thurgood Marshall South/West (Mezzanine Level)

9:00 a.m. - 11:30 a.m.

NACHFA Meeting

Room: Hoover (Mezzanine Level)

9:00 a.m. - 5:00 p.m.

NACE Executive Advisory Committee Meeting

Room: Jackson (Mezzanine Level)

Saturday, March 5 – Continued

9:45 a.m. - 10:45 a.m.

Agriculture and Rural Affairs Steering Committee: Rural Development Subcommittee Meeting
Room: Maryland A/B (Lobby Level)

9:45 a.m. - 10:45 a.m.

Public Lands Steering Committee: Federal Land Management Subcommittee Meeting
Room: Virginia (Lobby Level)

10:30 a.m. – 12:00 Noon

NACRC: Land Records GIS Integration, A New Initiative with Many Possible Benefits
Held Off-Site: Washington Marriott, 1221 22nd Street NW

10:30 a.m. – 12:00 Noon

NACRC: Elections Administration "Election Class" Mail and Mail Voting Experiences
Held Off-Site: Washington Marriott, 1221 22nd Street NW

10:45 a.m. - 12:45 p.m.

Environment, Energy and Land Use Steering Committee: Meeting On Resolutions
Room: Thurgood Marshall North/East (Mezzanine Level)

11:00 a.m. - 12:00 Noon

Agriculture and Rural Affairs Steering Committee: Food Safety Subcommittee Meeting
Room: Maryland A/B (Lobby Level)

11:00 a.m. - 12:00 Noon

Justice and Public Safety Steering Committee: Law Enforcement Subcommittee Meeting
Room: Thurgood Marshall South/West (Mezzanine Level)

11:00 a.m. - 12:00 Noon

Public Lands Steering Committee: Gateway Communities Subcommittee Meeting
Room: Virginia (Lobby Level)

11:00 a.m. - 1:00 p.m.

Finance Committee Meeting
Room: McKinley (Mezzanine Level)

11:30 a.m. - 1:30 p.m.

NOBCO Board of Directors Meeting
Room: Washington 4 (Exhibition Level)

12:00 Noon - 1:00 p.m.

Transportation Steering Committee: Highway – Highway Safety Subcommittee Meeting
Room: Maryland A/B (Lobby Level)

12:30 p.m. - 1:30 p.m.

Health Steering Committee: Behavioral Health Subcommittee Meeting
Room: Lincoln 6 (Exhibition Level)

12:30 p.m. - 2:30 p.m.

Finance and Intergovernmental Affairs Steering Committee: Elections Subcommittee Meeting
Room: Delaware A/B (Lobby Level)

Saturday, March 5 – Continued

1:00 p.m. - 2:00 p.m.

Transportation Steering Committee: Mass Transit-Railroad Subcommittee Meeting
Room: Maryland A/B (Lobby Level)

1:00 p.m. - 2:00 p.m.

Justice and Public Safety Steering Committee: Juvenile Subcommittee Meeting
Room: Thurgood Marshall South/West (Mezzanine Level)

1:00 p.m. - 3:00 p.m.

NACo Programs and Services Committee Meeting
Room: Coolidge (Mezzanine Level)

1:00 p.m. - 3:30 p.m.

NACCTFO: Counties in a Federal System
Room: Washington 5 (Exhibition Level)

1:00 p.m. - 4:00 p.m.

NACHSA Meeting
Room: Lincoln 5 (Exhibition Level)

1:00 p.m. - 4:00 p.m.

Western Interstate Region Board of Directors Meeting
Room: Virginia (Lobby Level)

1:30 p.m. – 3:00 p.m.

NACRC: Land Records RESPA
Held Off-Site: Washington Marriott, 1221 22nd Street NW

1:30 p.m. – 3:00 p.m.

NACRC: Elections 2010 Census Results and 2011 Redistricting
Held Off-Site: Washington Marriott, 1221 22nd Street NW

1:45 p.m. - 2:45 p.m.

Health Steering Committee: Public Health and Healthy Communities Subcommittee Meeting
Room: Lincoln 6 (Exhibition Level)

2:00 p.m. - 3:00 p.m.

NACo Officers and Regional Representatives Meeting
Room: Hoover (Mezzanine Level)

2:00 p.m. - 3:00 p.m.

Transportation Steering Committee: Ports Subcommittee Meeting
Room: Maryland A/B (Lobby Level)

2:00 p.m. - 3:00 p.m.

Justice and Public Safety Steering Committee: Corrections Subcommittee Meeting
Room: Thurgood Marshall South/West (Mezzanine Level)

2:00 p.m. - 4:00 p.m.

Environment, Energy and Land Use Steering Committee: Joint Land and Solid Waste Subcommittee and Water Quality Subcommittee Meeting
Room: Thurgood Marshall North/East (Mezzanine Level)

Saturday, March 5 – Continued

2:30 p.m. - 4:30 p.m.

Finance and Intergovernmental Affairs Steering Committee: Fiscal Policy Subcommittee Meeting

Room: Delaware A/B (Lobby Level)

2:30 p.m. - 4:30 p.m.

NABCO Business Roundtable (BRT) Meeting

Room: Washington 4 (Exhibition Level)

3:00 p.m. - 4:00 p.m.

Health Steering Committee: Health Reform Subcommittee Meeting

Room: Lincoln 6 (Exhibition Level)

3:00 p.m. - 4:00 p.m.

Transportation Steering Committee: Airports Subcommittee Meeting

Room: Maryland A/B (Lobby Level)

3:00 p.m. - 4:00 p.m.

Justice and Public Safety Steering Committee: Court Subcommittee Meeting

Room: Thurgood Marshall South/West (Mezzanine Level)

3:00 p.m. - 4:00 p.m.

County Government Works Campaign/Public Awareness Working Group

Room: McKinley (Mezzanine Level)

3:00 p.m. - 5:00 p.m.

NACA Executive Board Meeting

Room: Jefferson (Mezzanine Level)

3:15 p.m. – 4:45 p.m.

NACRC: Records Management How to Secure Funding or Special Fees to Fund Your Technology and Archive Conversion Needs

Held Off-Site: Washington Marriott, 1221 22nd Street NW

3:15 p.m. – 4:45 p.m.

NACRC: Court Administration/Clerk to Board/Vitals and Passports, A Discussion on How to Take Effective Minutes

Held Off-Site: Washington Marriott, 1221 22nd Street NW

3:30 p.m. - 4:30 p.m.

Welcome to First Time Conference Attendees

Room: Harding (Mezzanine Level)

4:00 p.m. - 5:30 p.m.

Green Government Advisory Board Meeting

Room: Lincoln 2 (Exhibition Level)

4:30 p.m. - 5:30 p.m.

Policy Coordinating Committee Meeting

Room: Maryland C (Lobby Level)

5:30 p.m. - 7:00 p.m.

NACo/State Association Legislative Staff Roundtable

Room: Coolidge (Mezzanine Level)

Sunday, March 6, 2011

7:30 a.m. - 8:30 a.m.

Non-Denominational Worship Service
Room: Washington 6 (Exhibition Level)

7:30 a.m. - 8:30 a.m.

Gulf Counties and Parishes Oil Spill Task Force Meeting
Room: Balcony A (Mezzanine Level)

8:00 a.m. - 10:00 a.m.

Healthy Counties Advisory Board Meeting
Room: McKinley (Mezzanine Level)

8:00 a.m. - 12:00 Noon

NACo Deferred Compensation Advisory Committee Meeting
Room: Maryland C (Lobby Level)

8:30 a.m. - 9:30 a.m.

NACo South Region Meeting
Room: Balcony B (Mezzanine Level)

8:30 a.m. - 9:30 a.m.

NACo West Region Meeting
Room: Coolidge (Mezzanine Level)

8:30 a.m. - 9:30 a.m.

NACo Central Region Meeting
Room: Harding (Mezzanine Level)

8:30 a.m. - 9:30 a.m.

NACo Northeast Region Meeting
Room: Hoover (Mezzanine Level)

8:30 a.m. - 9:30 a.m.

Health Steering Committee: Long-Term Care Subcommittee; Human Services and Education Steering Committee: Aging Subcommittee and NACAP Joint Meeting
Room: Lincoln 3/4 (Exhibition Level)

8:30 a.m. - 11:30 a.m.

GIS Committee Meeting
Room: Maryland A/B (Lobby Level)

8:30 a.m. - 4:00 p.m.

Registration
Convention Registration Desk (Lobby Level)

9:00 a.m. - 10:00 a.m.

Labor and Employment Steering Committee: Meeting as a Resolutions Committee Meeting
Room: Lincoln 2 (Exhibition Level)

9:00 a.m. - 10:30 a.m.

Community and Economic Development Steering Committee: Housing Subcommittee Meeting
Room: Lincoln 6 (Exhibition Level)

Sunday, March 6 – Continued

9:00 a.m. – 10:30 a.m.

NACRC: Land Records Roundtable and Legislative Update

Held Off-Site: Washington Marriott, 1221 22nd Street NW

9:00 a.m. – 10:30 a.m.

NACRC: Court Administration/Clerk to Board/Vitals and Passports Roundtable

Held Off-Site: Washington Marriott, 1221 22nd Street NW

9:00 a.m. - 11:00 a.m.

Environment, Energy and Land Use Steering Committee: Joint Air Quality Subcommittee and Energy Subcommittee Meeting

Room: Thurgood Marshall North/East (Mezzanine Level)

9:00 a.m. - 11:45 a.m.

Telecommunications and Technology Steering Committee Meeting

Room: Washington 5 (Exhibition Level)

9:00 a.m. - 12:00 Noon

Finance and Intergovernmental Affairs Steering Committee Meeting

Room: Virginia (Lobby Level)

9:00 a.m. - 12:00 Noon

Transportation Steering Committee Meeting

Room: Washington 3/4 (Exhibition Level)

9:00 a.m. - 12:30 p.m.

Agriculture and Rural Affairs Steering Committee Meeting

Room: Lincoln 5 (Exhibition Level)

9:00 a.m. - 12:45 p.m.

Justice and Public Safety Steering Committee Meeting

Room: Thurgood Marshall South/West (Mezzanine Level)

9:30 a.m. - 10:30 a.m.

Northeast Counties Caucus Business Meeting

Room: Hoover (Mezzanine Level)

9:30 a.m. - 12:30 p.m.

Public Lands Steering Committee Meeting

Room: Delaware A/B (Lobby Level)

9:45 a.m. - 10:45 a.m.

Health Steering Committee: Health Disparities Subcommittee; Human Services and Education Steering Committee: Education, Children and Families Subcommittee and Welfare, Social Services and Immigration Subcommittee Joint Meeting

Room: Lincoln 3/4 (Exhibition Level)

10:00 a.m. - 11:00 a.m.

State Association Meeting Planners Roundtable

Room: Jefferson (Mezzanine Level)

10:00 a.m. - 12:00 Noon

NACIO Business and Membership Meeting

Room: Jackson (Mezzanine Level)

Sunday, March 6 – Continued

10:00 a.m. - 1:00 p.m.

Labor and Employment Steering Committee Meeting
Room: Lincoln 2 (Exhibition Level)

10:30 a.m. - 12:00 Noon

Community and Economic Development Steering Committee: Economic Development Subcommittee Meeting
Room: Lincoln 6 (Exhibition Level)

10:45 a.m. – 12:00 Noon

NACRC: Records Management PCI Compliance and Roundtable
Held Off-Site: Washington Marriott, 1221 22nd Street NW

10:45 a.m. – 12:00 Noon

NACRC: Elections Administration Roundtable
Held Off-Site: Washington Marriott, 1221 22nd Street NW

11:00 a.m. - 12:00 Noon

Health Steering Committee: Medicaid and Indigent Care Subcommittee and Human Services and Education Steering Committee: Welfare, Social Services and Immigration Subcommittee Joint Meeting
Room: Lincoln 3/4 (Exhibition Level)

12:00 Noon - 1:30 p.m.

Essential County Technology Committee Meeting
Room: Harding (Mezzanine Level)

12:00 Noon - 1:30 p.m.

NACo Membership Committee Meeting
Room: Maryland A/B (Lobby Level)

12:00 Noon – 2:00 p.m.

NACRC: Board of Directors Meeting
Held Off-Site: Washington Marriott, 1221 22nd Street NW

1:00 p.m. - 3:30 p.m.

NABCO Business Meeting
Room: Washington 6 (Exhibition Level)

1:00 p.m. - 4:00 p.m.

Health Steering Committee Meeting
Room: Lincoln 3/4 (Exhibition Level)

1:00 p.m. - 4:00 p.m.

Environment, Energy and Land Use Steering Committee Meeting
Room: Thurgood Marshall North/East (Mezzanine Level)

1:30 p.m. - 2:45 p.m.

State Association Deputy Directors Meeting
Room: Johnson (Mezzanine Level)

1:30 p.m. - 3:00 p.m.

NACIO Roundtable Discussion on Public Affairs Issues
Room: Jackson (Mezzanine Level)

Sunday, March 6 – Continued

1:30 p.m. - 4:00 p.m.

Community and Economic Development Steering Committee Meeting

Room: Lincoln 6 (Exhibition Level)

1:30 p.m. - 4:30 p.m.

Human Services and Education Steering Committee Meeting

Room: Delaware A/B (Lobby Level)

2:00 p.m. - 3:00 p.m.

NACIRO Business Meeting

Room: Balcony A (Mezzanine Level)

2:00 p.m. - 5:00 p.m.

Information Technology Committee Meeting

Room: Thurgood Marshall South/West (Mezzanine Level)

2:30 p.m. - 4:45 p.m.

NACA Idea Exchange and General Membership Meeting

Room: Maryland C (Lobby Level)

3:00 p.m. - 4:00 p.m.

NACo Board of Directors Forum

Room: Virginia A (Lobby Level)

3:15 p.m. - 4:30 p.m.

State Association Communications Roundtable

Room: Jefferson (Mezzanine Level)

3:30 p.m. - 5:00 p.m.

Alabama Delegates Caucus and Hospitality

Room: Virginia B/C (Lobby Level)

4:00 p.m. - 5:00 p.m.

North Carolina Association of Black County Officials Meeting

Room: McKinley (Mezzanine Level)

4:30 p.m. - 5:30 p.m.

Northeast Counties Caucus Reception

Room: Coolidge (Mezzanine Level)

4:30 p.m. - 5:30 p.m.

Policy Coordinating Committee Meeting

Room: Lincoln 2 (Exhibition Level)

4:30 p.m. - 5:30 p.m.

LUCC Steering Committee Meeting

Room: Lincoln 5 (Exhibition Level)

Sunday, March 6 – Continued

5:00 p.m. - 6:30 p.m.

Minnesota Federal Issues Briefing
Room: Harding (Mezzanine Level)

5:00 p.m. - 6:30 p.m.

Florida Delegates Reception
Room: Hoover (Mezzanine Level)

5:30 p.m. - 6:30 p.m.

NACA Reception
Room: Balcony B (Mezzanine Level)

7:00 p.m. - 9:00 p.m.

LUCC/RAC Reception
Held Off-Site: Smith & Wollensky, 1112 19th Street NW

Monday, March 7, 2011

7:00 a.m. - 9:00 a.m.

RAC Steering Committee Meeting
Room: Lincoln 2 (Exhibition Level)

7:30 a.m. - 8:30 a.m.

Illinois Counties Association Delegate Breakfast Meeting
Room: Jefferson (Mezzanine Level)

7:30 a.m. - 8:45 a.m.

Affiliate Council Meeting
Room: Hoover (Mezzanine Level)

7:30 a.m. - 9:30 a.m.

NCCAE Meeting
Room: Lincoln 4 (Exhibition Level)

8:00 a.m. - 10:00 a.m.

LUCC Membership Meeting
Room: Washington 4 (Exhibition Level)

8:00 a.m. - 10:30 a.m.

Veterans and Military Service Task Force Meeting
Room: Washington 3 (Exhibition Level)

8:00 a.m. - 3:00 p.m.

Registration
Convention Registration Desk (Lobby Level)

Monday, March 7 – Continued

9:00 a.m. - 10:15 a.m.

Educational Session Block I

Cloud Computing: How It Improves Services and Reduces Costs

Room: Delaware A (Lobby Level)

Workforce Development in a Changing Economy: The Future of WIA

Room: Delaware B (Lobby Level)

A New World in Transportation

Room: Maryland A (Lobby Level)

Affordable Care Act: Prevention and Public Health Investments

Room: Maryland B (Lobby Level)

Government Initiatives to Lower Jail and Prison Populations

Room: Maryland C (Lobby Level)

Renewable Energy Siting Issues: What You Need to Know

Room: Virginia A (Lobby Level)

Looking Ahead: Public Finance Developments that Benefit County Government

Room: Virginia B (Lobby Level)

How Am I Going to Retire?

Room: Virginia C (Lobby Level)

10:30 a.m. - 1:00 p.m.

NACo Board of Directors Meeting

NACoRF Board of Directors Meeting

Room: Thurgood Marshall Ballroom (Mezzanine Level)

10:45 a.m. - 12:00 Noon

Educational Session Block II

It's All About the Numbers: Records Management in an Integrated Jail System

Room: Delaware A (Lobby Level)

Redistricting in a Nutshell

Room: Delaware B (Lobby Level)

Foreclosure: Support for Home Owners and Communities

Room: Maryland A (Lobby Level)

A New Day - A New ADA

Room: Maryland B (Lobby Level)

The Federal Benefits Debate for Incarcerated Veterans and Military Service Members

Room: Maryland C (Lobby Level)

Lessons Learned: What You Want to Know about Disaster Recovery

Room: Virginia A (Lobby Level)

Monday, March 7 – Continued

Year One Review: Federal Partnership for Sustainability

Room: Virginia B (Lobby Level)

11:00 a.m. - 12:00 Noon

NDCO Executive Committee Meeting

Room: McKinley (Mezzanine Level)

11:30 a.m. - 1:30 p.m.

NOBCO AAALI Project Session

Room: Washington 5 (Exhibition Level)

12:00 Noon - 1:15 p.m.

NAHCO Meeting

Room: Lincoln 2 (Exhibition Level)

1:00 p.m. - 1:30 p.m.

Women of NACo Leadership Network Meeting

Room: Lincoln 3 (Exhibition Level)

1:30 p.m. - 3:30 p.m.

Opening General Session

Marriott Ballroom (Lobby Level)

3:30 p.m. - 5:00 p.m.

U.S. Department of Health and Human Services Funding Opportunities and Resources

Room: Maryland A (Lobby Level)

3:30 p.m. - 5:00 p.m.

NACCA Seminar and Business Meeting

Room: McKinley (Mezzanine Level)

3:45 p.m. - 4:45 p.m.

California Caucus

Room: Hoover (Mezzanine Level)

3:45 p.m. - 5:30 p.m.

North Carolina Caucus

Room: Thurgood Marshall West (Mezzanine Level)

4:15 p.m. - 5:30 p.m.

Pennsylvania Counties Caucus

Room: Jackson (Mezzanine Level)

4:30 p.m. - 6:00 p.m.

NDCO Membership Meeting and Reception

Room: Lincoln 2 (Exhibition Level)

5:00 p.m. - 6:00 p.m.

California Delegation Reception

Room: Balcony B (Mezzanine Level)

5:00 p.m. - 6:00 p.m.

South Carolina Association of Counties Reception

Room: Harding (Mezzanine Level)

Monday, March 7 – Continued

5:00 p.m. - 6:30 p.m.

County Leadership Institute Reunion

Room: Coolidge (Mezzanine Level)

5:00 p.m. - 7:00 p.m.

NCRCO Membership Meeting and Reception

Room: Lincoln 4 (Exhibition Level)

5:30 p.m. - 6:30 p.m.

North Carolina Reception

Room: Thurgood Marshall South (Mezzanine Level)

5:30 p.m. - 7:00 p.m.

New Mexico Association of Counties Delegates' Reception

Room: Balcony A (Mezzanine Level)

Tuesday, March 8, 2011

7:30 a.m. - 8:30 a.m.

Arts and Culture Commission Business Meeting

Room: McKinley (Mezzanine Level)

8:00 a.m. - 3:30 p.m.

Registration

Convention Registration Desk (Lobby Level)

8:30 a.m. - 10:15 a.m.

General Session

Marriott Ballroom (Lobby Level)

10:45 a.m. - 12:00 Noon

Educational Session Block III

Tools You Can Use to Promote County Government

Room: Delaware A (Lobby Level)

Federal Debt and Fiscal Responsibility: What Reform Efforts Mean to Your County

Room: Delaware B (Lobby Level)

The Economic Development Administration and Your Community

Room: Maryland A (Lobby Level)

The Next Farm Bill: Advocating for Rural County Priorities

Room: Maryland B (Lobby Level)

What's New with the Older Americans Act?

Room: Maryland C (Lobby Level)

Homeland Security in 2011: Federal Initiatives to Secure Your County

Room: Virginia A (Lobby Level)

Kids and Gangs: The Preventive Potential of Federal Youth Legislation

Room: Virginia B (Lobby Level)

Tuesday, March 8 – Continued

Out With the Wash: Proposed Clean Water Act Changes
Room: Virginia C (Lobby Level)

12:15 p.m. - 2:30 p.m.
Attendee Luncheon
Marriott Ballroom (Lobby Level)

2:45 p.m. - 4:00 p.m.
Educational Session Block IV

The New Political Landscape: What to Expect from the New Congress
Room: Delaware A/B (Lobby Level)

Keeping Cool When the Heat is On
Room: Maryland A/B (Lobby Level)

County Officials Focus on Clarity
Room: Virginia (Lobby Level)

2:45 p.m. - 5:00 p.m.
Veterans and Military Services Task Force Meeting
Room: Washington 3 (Exhibition Level)

3:00 p.m. - 4:00 p.m.
NACo Women's Leadership Network
Room: Suite 1021, Center Tower

4:00 p.m. - 5:00 p.m.
U.S.-Mexico Border Counties Coalition Legislative and Business Meeting
Room: Harding (Mezzanine Level)

6:30 p.m. - 9:00 p.m.
NACo President's Reception
Marriott Ballroom (Lobby Level)

Wednesday, March 9, 2011

8:00 a.m. - 9:00 a.m.
North Carolina Congressional Breakfast Meeting
Held Off-Site: Capitol Hill Club

8:00 a.m. - 9:30 a.m.
Wisconsin Counties Association Breakfast Caucus
Held Off-Site: U.S. Capitol Visitor's Center, Congressional Meeting Room North

8:00 a.m. - 9:30 a.m.
Ohio Congressional Delegation Breakfast
Held Off-Site: Rayburn Office Building, Room B340

8:00 a.m. - 10:00 a.m.
Alabama Congressional Delegates Breakfast Meeting
Held Off-Site: Russell Senate Office Building, Kennedy Caucus Room SR325

Wednesday, March 9 – Continued

8:30 a.m. - 10:30 a.m.

Minnesota Congressional Breakfast Meeting

Held Off-Site: Library of Congress James Madison Building, Montpelier Room

**County Council of Beaufort County
2011**

Regular Meetings

<u>Date</u>	<u>Time</u>	<u>Meeting Description</u>	<u>Location</u>
January 10, 2011	4:00 p.m.		Council Chambers
January 24, 2011	4:00 p.m.		Council Chambers
February 14, 2011	4:00 p.m.		Council Chambers
February 28, 2011	4:00 p.m.		Hilton Head Island Library
March 14, 2011	4:00 p.m.		Council Chambers
March 28, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
April 11, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
April 25, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
May 9, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
May 23, 2011	4:00 p.m.	Caucus	Hilton Head Island Library
	5:00 p.m.	Regular	
June 13, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
June 27, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
July 25, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
August 8, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
August 22, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
September 12, 2011	4:00 p.m.	Caucus	Hilton Head Island Library
	5:00 p.m.	Regular	
September 26, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
October 10, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
October 24, 2011	4:00 p.m.	Caucus	Hilton Head Island Library
	5:00 p.m.	Regular	
November 14, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
November 28, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers
December 12, 2011	4:00 p.m.	Caucus	Executive Conference Room
	5:00 p.m.	Regular	Council Chambers

RESOLUTION

WHEREAS, property values in Beaufort County have decreased drastically in the last few years; and

WHEREAS, the South Carolina Code of Laws provides a formula for counties to use in calculating rollback taxes in those reassessment years where values have increased by new construction or prosperous economic conditions; and

WHEREAS, the South Carolina Code of Laws does not address a calculation for "roll-forward" taxes during the time of poor economic conditions.

NOW, THEREFORE, County Council of Beaufort County hereby resolves that it authorizes the County Attorney to request a legal opinion from the Honorable Alan Wilson, Attorney General for the State of South Carolina, for the purpose of clarifying what rights Beaufort County may have in protecting its taxpayers during these trying economic times.

Adopted this ____ day of March, 2011.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Wm. J. Weston Newton, Chairman

Attest:

Suzanne M. Rainey, Clerk to Council



Memorandum

DATE: March 11, 2011
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 February 28, 2011 through March 11, 2011:

February 28, 2011 (Monday)--Bluffton Hours:

- Bluffton Hours
- Telephone call with Lyle Sumek re: County Council Retreat
- Work on Allocation Budget Requests
- County Council - HHI Library

March 1, 2011 (Tuesday):

- Attend Penn Center's Executive Committee Meeting re: St. Helena Library
- Attend Allocation Meeting with David Starkey, Billie Lindsay, Fred Leyda and Barbara Childs

March 2, 2011 (Wednesday):

- Attend Alcohol and Drug Abuse Orientation Briefing Preceding Reaccreditation Survey by Rehabilitation Accreditation Commission
- Bluffton Hours
- Attend Evening Retreat Meeting in Bluffton

March 3, 2011 (Thursday):

- County Council Retreat

March 4, 2011 (Friday):

- County Council Retreat

March 5, 2011 (Saturday):

- County Council Retreat

March 7, 2011 (Monday):

- Meet with David Starkey, Chief Financial Officer
- Meet with Monica Spells, Compliance Officer
- Attend Disabilities and Special Needs Upfits/Upgrades Meeting

March 8, 2011 (Tuesday):

- DA Meeting
- Attend St. Helena Library Presentation re: Budgeting Through Completion
- Meet with Jim Minor, Public Works re: Waste Management Proposal
- Meet with Donna Ownby, EMS Director re: 2012 Budget
- Meet with Dan Morgan, MIS & GIS Director

March 9, 2011 (Wednesday):

- Meet with Morris Campbell, Community Services Director
- Meet with Gregg Hunt, Mosquito Control re: 2012 Budget
- Meet with Dan Dennis, Dennis Corporation re: Final Invoice Review
- Attend Waste Management Meeting at Public Works

March 10, 2011 (Thursday):

- Agenda Review
- Meet with Phil Foot, Detention Center Director re: 2012 Budget
- Meet with Audra Antonacci re: 2012 Budget
- Meet with Tony Lytton, Animal Shelter Director

March 11, 2011 (Friday)--Bluffton:

- Bluffton Hours
-

2011 /

AN ORDINANCE TO PROVIDE FOR A HOME DETENTION PROGRAM AS AN
ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY

WHEREAS, §24-13-1510, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended, provides for the establishment of a Home Detention Program as an alternative to confining certain criminal offenders in Beaufort County Detention Center; and

WHEREAS, there are many financial and other advantages to Beaufort County which would result from the establishment of such a program; and

WHEREAS, it is the opinion of the Beaufort County Council that a Home Detention Program, should be established in Beaufort County as an alternative to incarceration.

NOW, THEREFORE, BE IT ORDAINED BY THE BEAUFORT COUNTY COUNCIL:

SECTION 1. A Home Detention Program is hereby established in Beaufort County as an alternative to confinement in Beaufort County Detention Center in accordance with the Home Detention Act of 1990 (§24-13-1510, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended.);

SECTION 2. Pursuant to §24-13-1530, *Code of Laws of South Carolina*, 1976, as amended, electronic and non-electronic home detention programs may be used by any court in Beaufort County having criminal or juvenile jurisdiction to sentence an individual to incarceration and whose sentences do not place them in the custody of the South Carolina Department of Corrections. The Home Detention Program hereby established shall be an alternative to incarceration for low risk, nonviolent adults and juvenile offenders who are selected by the court and who comply with the Regulations adopted by Beaufort County in accordance with §24-13-1540, *Code of Laws of South Carolina*, 1976, as amended.

SECTION 3. The Home Detention Program hereby established in Beaufort County shall comply with all applicable state and local laws and regulations, including, but not limited to, §24-13-1510, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended.

SECTION 4. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby.

SECTION 5. This Ordinance shall take effect upon third reading approval.

Adopted this ____ day of _____, 2011.

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: February 28, 2011

Second Reading:

Public Hearing:

Third and Final Reading:



**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY ENGINEERING DIVISION**
102 Industrial Village Road, Building #3, Beaufort, SC 29906
Post Office Drawer 1228, Beaufort, SC 29901-1228
Telephone: 843-255-2700 Facsimile: 843-255-9420

TO: Councilman Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy Administrator
David Starkey, Chief Financial Officer
Rob McFee, Director, Engineering & Infrastructure
Dave Thomas, Purchasing Director

FROM: Bob Klink, County Engineer

SUBJ: Beaufort County Design Build Construction for Dirt Road Paving Contract #43 RFP #2906/110129
Middlefield Circle, Jasmine Hall Road, Ballpark Road, Ihley Road (County Council District #6)

DATE: February 22, 2011

BACKGROUND. Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving Contract #43. The following two firms responded and provided proposals for the project on 2/10/11.

PROPOSER	ADDRESS	AMOUNT
REA Contracting, LLC with Andrews & Burgess, Inc.	42 Jeter Road, Beaufort, SC 40A Shanklin Road, Beaufort, SC	\$1,167,172.55
APAC Southeast with Coleman-Snow Consultants, LLC	47 Telfair Place, Savannah, GA 1691 Turnbull Ave, Charleston, SC	\$1,314,200.00

The Design-Build proposal process differs from a typical construction bid, in that the proposers outline how they would accomplish the project within a specified cost. In this regard, proposals are reviewed on the basis of the "value offered" rather than solely on the lowest price. A committee consisting the County Engineer, Engineering Construction Manager, Construction Engineer and General Support Superintendent reviewed the proposals and interviewed the two firms.

After the interviews, REA Contracting/Andrews & Burgess, Inc. was selected as the proposer providing best value for the design and construction of this project. This team's proposal was also reviewed for compliance with the County's Small & Minority Business Subcontractor Ordinance. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the Small & Minority Business Subcontractor Ordinance

On the basis of the qualification of the firm and the value offered, the committee recommends award of a design/build contract to REA Contracting, LLC/Andrews & Burgess, Inc. The project will be funded by BCTC/TAG funds from the following Middlefield Circle, 3322T-54728; Jasmine Hall Road, 3322T-54729; Ballpark Road 3322T-54730; Ihley Road 3322T-54731.

RECOMMENDATION. The Public Facilities Committee approve and recommend to County Council approval of a contract award to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #43 in the amount of \$1,167,172.55.

REK/DS/mjh
Attachments: 1) Location Map
2) SMB Information

cc: Eddie Bellamy

(contract/43.rds/desbldpfcapp)



**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY ENGINEERING DIVISION
102 Industrial Village Road, Building #3, Beaufort, SC 29906
Post Office Drawer 1228, Beaufort, SC 29901-1228
Telephone: 843-255-2700 Facsimile: 843-255-9420**

TO: Councilman Herbert Glaze, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator
Bryan Hill, Deputy Administrator
David Starkey, Chief Financial Officer
Rob McFee, Director, Engineering & Infrastructure
Dave Thomas, Purchasing Director

FROM: Bob Klink, County Engineer

SUBJ: Beaufort County Design Build Construction for Dirt Road Paving Contract #44 RFP #2906/110130
Fish Haul Road, Jessica Drive, Ned Court (County Council District #2)

DATE: February 22, 2011

BACKGROUND. Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving Contract #44. The following two firms responded and provided proposals for the project on 2/10/11.

PROPOSER	ADDRESS	AMOUNT
REA Contracting, LLC with Andrews & Burgess, Inc.	42 Jeter Road, Beaufort, SC 40A Shanklin Road, Beaufort, SC	\$620,376.30
APAC Southeast with Coleman-Snow Consultants, LLC	47 Telfair Place, Savannah, GA 1691 Turnbull Ave, Charleston, SC	\$604,800.00

The Design-Build proposal process differs from a typical construction bid, in that the proposers outline how they would accomplish the project within a specified cost. In this regard, proposals are reviewed on the basis of the "value offered" rather than solely on the lowest price. A committee consisting the County Engineer, Engineering Construction Manager, Construction Engineer and General Support Superintendent reviewed the proposals and interviewed the two firms.

After the interviews, REA Contracting/Andrews & Burgess, Inc., was selected as the proposer with the best overall value for the design and construction of this project and provides more construction and engineering than the APAC/Coleman Snow team. This team's proposal was also reviewed for compliance with the County's Small & Minority Business Subcontractor Ordinance. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the Small & Minority Business Subcontractor Ordinance.

On the basis of the qualification of the firm and the value offered, the committee recommends award of a design/build contract to REA Contracting, LLC/Andrews & Burgess, Inc. The project will be funded by BCTC/TAG funds from the following: Fish Haul Road, 3322T-54732; Jessica Drive, 3322T-54733; Ned Court 3322T-54734.

RECOMMENDATION. The Public Facilities Committee approve and recommend to County Council approval of a contract award to REA Contracting, LLC/Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #44 in the amount of \$620,376.30.

REK/DS/mjh

Attachments: 1) Location Map
2) SMB Information

cc: Eddie Bellamy

(contract/44.rds/desbldpfcapp)

2011 /

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO AMEND THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE, ARTICLE V. USE REGULATIONS; TABLE 106-1098. GENERAL USE TABLE; AND SECTION 106-1247. ASSEMBLY AND WORSHIP, SMALL (THAT ALLOWS SCHOOLS AS A LIMITED USE IN SMALL ASSEMBLY AND WORSHIP USES AND REMOVES SIZE REQUIREMENT).

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

Adopted this _____ day of _____, 2011.

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: February 11, 2011
Second Reading: February 28, 2011
Public Hearing:
Third and Final Reading:

(Amending 99/12)

TABLE 106-1098. GENERAL USE TABLE

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 or without 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 <u>15,000 square feet</u> . 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)

Sec. 106-1247. Assembly and worship, small.

- (a) *Size.* Small assembly and worship uses are less than 15,000 square feet, with or without a no school.
- (b) *Urban, suburban, commercial suburban districts.* In urban, suburban and commercial suburban districts, there shall be no minimum lot size. Sunday school activities are permitted. Access shall be provided through frontage on an arterial or collector street, unless the DRT finds that access to an adjoining local street is safer, and provides improved design, benefitting the county.
- (c) *Rural district.* In the rural district there shall be no minimum lot size for this use. ~~When the use proposes a school (except for Sunday school activities) as part of the use, a minimum lot size of ten acres shall be required.~~

AN ORDINANCE TO PROVIDE FOR A DAY WATCH PROGRAM AS AN ALTERNATIVE TO INCARCERATION IN CERTAIN CASES IN BEAUFORT COUNTY.

WHEREAS, §24-13-235, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended, provides for the establishment of a Day Watch Program as an alternative to confining certain criminal offenders in Beaufort County Detention Center; and

WHEREAS, there are many financial and other advantages to Beaufort County which would result from the establishment of such a program; and

WHEREAS, it is the opinion of the Beaufort County Council that a Day Watch Program, should be established in Beaufort County as an alternative to incarceration.

NOW, THEREFORE, BE IT ORDAINED BY THE BEAUFORT COUNTY COUNCIL:

SECTION 1. A Day Watch Program is hereby established in Beaufort County as an alternative to confinement in Beaufort County Detention Center in accordance with the Voluntary Program (§24-13-235, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended.);

SECTION 2. Pursuant to §24-13-235, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended, as an alternative, an individual selected by the Court is allowed to serve their sentence on weekends by performing various community service oriented tasks as designated by the Beaufort County Detention Center Coordinator. These tasks include, but are not limited to, litter control and trash pick up within Beaufort County.

SECTION 3. In addition to any other court costs, the court shall collect a \$15.00 one-time administration fee to cover the cost of registering the participants, which shall be paid to Beaufort County. Beaufort County Detention Center shall also assess the individual performing such community service \$5.00 per day to cover the cost of supervisory personnel and transportation costs. The determination of the individual's ability to pay the administrative fees will be determined by the court prior to sentencing.

SECTION 4. Each individual engaged in performing public service will wear an orange or yellow fluorescent vest with Beaufort County Detention Center or BCDC printed on the back.

SECTION 5. The Day Watch Program hereby established in Beaufort County shall comply with all applicable state and local laws and regulations, including, but not limited to, §24-13-235, *et seq.*, *Code of Laws of South Carolina*, 1976, as amended.

SECTION 6. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby.

SECTION 7. This Ordinance shall take effect upon third reading approval.

Adopted this ____ day of _____, 2011.

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: February 14, 2011
Second Reading: February 28, 2011
Public Hearing:
Third and Final Reading:

Committee Reports

March 14, 2011

A. COMMITTEES REPORTING

1. Community Services

① Alcohol and Drug Abuse Board

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
2/28/2011	Bette Goettle	At-Large	Reappoint	10 of 11
2/28/2011	Charles Hammel	At-Large	Reappoint	8 of 11
2/28/2011	K.Z.(Chuck) Najaka	At-Large	Reappoint	10 of 11

② Disabilities and Special Needs Board

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
2/28/2011	Nancy Pinkerton	At-Large	Reappoint	10 of 11

2. Executive

① Minutes are provided from the [February 28](#) meeting. No action is required.

3. Finance

① Minutes are provided from the [February 21](#) meeting. No action is required.

② Accommodations Tax Board

<i>Nominated</i>	<i>Name</i>	<i>Position / Area / Expertise</i>	<i>Reappoint / Appoint</i>	<i>Votes Required</i>
2/28/2011	Dick Farmer	At-Large	Reappoint	8 of 11

4. Natural Resources

① Minutes provided March 28 from the March 14 meeting. Action is required.

5. Public Facilities

① Minutes are provided from the [March 1](#) meeting. Action is required. See agenda items #10 and #11.

B. COMMITTEE MEETINGS

1. Community Services

William McBride, Chairman

Gerald Dawson, Vice Chairman

➔ Next Meeting – Monday, March 21 at 4:00 p.m., BIV #2

2. Executive

Weston Newton, Chairman

3. Finance

Stu Rodman, Chairman

Rick Caporale, Vice Chairman

➔ Next Meeting – Monday, March 21 at 2:00 p.m., BIV #2

4. Natural Resources

Paul Sommerville, Chairman

Brian Flewelling, Vice Chairman

➔ Next Meeting – Monday, April 4 at 2:00 p.m.

5. Public Facilities

Herbert Glaze, Chairman

Steven Baer, Vice Chairman

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

6. Public Safety

Jerry Stewart, Chairman

Laura Von Harten, Vice Chairman

➔ Next Meeting – Tuesday, March 22 at 2:00 p.m.

7. Transportation Advisory Group

Weston Newton, Chairman

Stu Rodman, Vice Chairman

➔ Next Meeting – August 2011

EXECUTIVE COMMITTEE

February 28, 2011

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

The Executive Committee met on Monday, February 28, 2011 at 3:00 p.m. in the Large Conference Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

ATTENDANCE

Executive Committee Chairman Weston Newton and members Herbert Glaze, William McBride, Stu Rodman, Paul Sommerville and Jerry Stewart were present. Non-committee members Steven Baer, Rick Caporale, Gerald Dawson and Brian Flewelling were present.

County Staff: Morris Campbell, Division Director – Community Services; Bryan Hill, Deputy County Administrator; Gary Kubic, County Administrator; Suzanne Larson, Public Information Officer; David Starkey, Chief Financial Officer.

Media: Richard Brooks, *Bluffton Today*; Joe Croley, Hilton Head Association of Realtors and Kyle Peterson, *Island Packet / Beaufort Gazette*.

INFORMATION ITEM

1. Discussion – Essential versus Non-Essential Services

Discussion: Mr. Newton welcomed those who were present and said this meeting would be spent discussing a topic from the last meeting. At the January Executive Committee meeting the members asked administration to begin shaping a definition of “essential versus non-essential services.” The documents from the January 24, 2011 meeting are referenced extensively in this meeting. Mr. Newton explained documents included in the Executive Committee meeting documents for January 24, 2011 from Mr. Hill (See Figure 1), visited at the last Council meeting, listing the 15 items recommended to bring the appropriation from \$104 million down to \$97.5 million. While Mr. Hill’s list is more specifically for the Finance Committee, the Executive Committee’s goal is to look at the bigger picture about what the pathway forward is relative to Council’s position on the listed items and 6% reduction.

Mr. Rodman said he thinks the Committee should decide whether they conceptually agree or disagree with the listed items. He went on to say, in any sense, the process falls into the mode of when staff hears what the Council feels about items, they are folded into the proposed budget – whether it balances it or not. He suggested instead that the Council should react to what staff brings forward as a budget as opposed to getting mired down in the line items.

Mr. Newton said he thinks Mr. Hill and Mr. Kubic are looking for: “our anticipation is \$97.5 million appropriation and here are the items needed to get there,” then they need the blessing, suggested amendment or rejection by Council. The County administration seeks an answer to the suggested reductions, as provided by Mr. Hill, at the meeting rather than during the budget process, Mr. Newton asked. Mr. Kubic said that is accurate.

Mr. Kubic said the administration anticipates a process of change, a transition, due to the general decline of the economy. This does not just have one pathway, but several, he added. First, the County will try to better understand what is really happening in the real estate market for residential and commercial properties, and more importantly how to account for, report and model to have better forecast capabilities the status of the real estate market to be ahead of the change – up or down. The second portion is the current budget and current level of services discussed during the budgetary process. What are those units of government, how well do they perform and what are the associated costs? The most recent evolution of that is to determine what differentiates the administrative view of essential service versus a non-essential service. Mr. Kubic noted administration recognizes there is a bridge between their definition of essential service and the policy makers’ definition. He said he hopes the County will employ a process of asking department heads to review their services countywide and determine how they would define essential versus non-essential. Mr. Hill then reviewed the report and offered a viewpoint as a second portion of the report. Those suggestions were aggregated into the report circulated amongst Council members. Council will hear an explanation of the process and the meaning of the columns “essential” and “non-essential,” then Council will offer the policy makers’ definition of what are essential services and what are non-essential services. In the mean time, the administration went ahead and began anticipating if it could ask Council in a series of workshops to explore the second letter, written in January, that lists by concept 15 ideas, deemed as marginal budgetary adjustments. Those 15 marginal budgetary adjustments could then begin discussion on, and come to a consensus to implement as early as April 1. These are targets and the beauty of implementing them on April 1 is to reduce the current budget, or at least the appropriation, downward to match the level of expenditures and be supported 100 % (in theory) by the collection of receipts for this fiscal year. So, there are two things going on at once. The essential / non-essential concepts are more long-term policy decisions to set forth a pace to carry the County through 2012 and 2013.

Mr. Kubic noted 2013 contains a reassessment that will in all likelihood, with current indicators, affect the mill value with a reduction. Current mill value equals somewhere around \$1.7 million, he said. Hypothetically, if the reassessment based on the current economic conditions would reduce the value of a mill, say \$200,000, and the County now has a 40-mill requirement there would be an \$8 million swing for the County. What about the School Board? The Fire Districts? Everyone has skin in the game, he explained. Part of the larger process is to try to begin finding a standard operating reporting procedure to educate all of us, particularly the members of the community and more importantly the other administrators in other agencies. It is very difficult to condense into a simple process, Mr. Kubic said.

Mr. Kubic added he thinks he would like to have Mr. Hill talk about the report compiled before the Executive Committee today, and at some later time such as the Retreat take the 15

ideas and decide upon a manner to review them. He suggested a workshop dealing with three ideas per workshop to totally vet the concepts. Mr. Kubic lobbied for the workshops saying he wanted to give the department heads an opportunity to explain why, for example, the convenience centers' hours could be adjusted as not only a cost-savings measure but also for maintenance.

Mr. Baer said looking at Figure 1, he added items 1 – 8 and it is only a savings of about \$3.3 million. To get from \$104.5 million to \$97.5 million, the County needs to find \$7 million. Mr. Kubic answered that the administration already adjusted appropriations for vacant positions, deleting that appropriation for an additional \$2.5 million. He added that Mr. Baer is right; that is the kind of step-by-step building block process to get to the target. Mr. Baer said the first eight items are good, in that they are a list of actions and savings. Second, Mr. Baer said on the second chart he sees \$101,728,000, so it is not anywhere near the \$97.5 million target, yet.

Mr. Kubic explained they began with an appropriation, a number on a piece of paper, but the real number is actual cash. However, hypothetically, that is the budget and how it is done; so, they appropriated \$104.5 million. Then, the appropriations were deleted by \$2.5 million on the vacancy factor. This does not mean we do not rehire essential positions, but that they have to go through a stricter level of scrutiny since the County is not allowing those salary codes to have available funds. So, the County targets active employees and matches an appropriation to it. \$104.5 million minus the \$2.5 million for vacancies equals \$101.5 million, closely aligning to the second chart.

Mr. Newton said he wanted to spend some time talking about the memo dated January 24, and given what the administration suggested (these concepts be discussed in some manner such as a workshop in advance of the budget preparation) whether it changed members' perspectives.

Mr. Rodman said he assumes if the members discuss the 15 items, some will have a consensus agreeing one item would be a good item to consider while other items may be more painful. In the course of discussions, members may also suggest a handful of other items not thought of prior. He added he thinks it makes sense to go down the list, get some level of discussion and then the administration can use it for the next pass.

Mr. Newton stated he thought the administration staff wanted the Executive Committee to begin processing the topics now, not in April or May. Mr. Kubic confirmed. Mr. Newton further said Mr. Kubic suggested workshops including all of County Council rather than just the Finance Committee meetings. He asked for thoughts. He suggested a workshop because if it was a Finance Committee and there was less than a full complement Council there but enough for a quorum of Finance, an item may pass Finance only to not be accepted by the majority of Council.

Mr. Rodman and Mr. Dawson answered that was fine.

Mr. Rodman said Mr. Kubic suggested having more frequent meetings in the next few months to examine those parameters in a workshop environment. He said he thinks they are stepping into a mode of half workshops and half committee meetings going into the next few months.

Mr. Kubic suggested at the initial workshop, he will task those 15 items detailed on Figure 1 involving cost and have each department head or staff associated with those provide a short overview to provide a flavor of the topic. Then, the Council members can decide the items for more detail. The last items on Figure 1 are more theoretical in terms of policy.

Mr. Newton and members of the Executive Committee then hashed out possibilities for scheduling the workshops. Mr. Newton said Mr. Glaze is not available until after 4:00 p.m. for a workshop. He asked if there are better times than others. Mr. Glaze answered that Mondays and Tuesdays are better for him.

Mr. Rodman stated there are discussions about starting Council meetings later than 4:00 p.m., so if Monday works perhaps those workshops could be conducted before Council meetings.

Mr. Newton asked how much time Mr. Kubic wanted. Mr. Kubic said two hours would be a great start.

Mr. Hill said Mr. Baer was absolutely correct. The County budget went from \$104.5 million down to \$101.7 million, as shown on the second sheet. The 15 items listed in Figure 1 add up to the amount needed. However, Mr. Hill noted there is a \$700,000 differential because the County is ultra-conservative when doing budgeting. The sheet totals about \$3.5 million, which gets the County close to the \$97.5 million target. He explained if you go straight from \$104.5 million without deducting the mid-year adjustment for vacancies it would not add to \$97.5 million. If you do, it does.

Mr. Newton said in the next discussion of essential versus non-essential, as discussed last year during the budget process and retreat, new reporting issues and trends suggest the total tax base in Beaufort County will be down based on the reappraisal program effective December 31, 2013. In addition to the reappraisal, the value of the mill may very well be down. That is separate and apart from the total tax base value being down, but predicated at least in part on the shift from 6% to 4% properties. The last reported number was 2,600 in the last 18 to 24 months.

Mr. Hill said the shift from 6% to 4% is about 1,300 per year, and he added Mr. Starkey and he are looking at data from the Assessor's Office. Last year, it was about 1,300 with this year being about the same. He went back to one item on Figure 1, and said the cuts are only under the purview of Mr. Kubic and exclude elected officials. He said they are going forward with cuts under Mr. Kubic's purview, but have not spoken to the Magistrate, the Clerk of Court, the Sheriff, etc.

Mr. Newton said the target of \$97.5 million is purely predicated on 4%-6% shift and the rate of collections projected for the fiscal year 2011-2012 budget. It does not have to do with reappraisal, yet, Mr. Newton said. Mr. Hill confirmed.

Mr. Newton said then the great unknown is essential versus non-essential. If today's tax base is roughly \$45 billion market value, what will that number decrease to after reappraisal? Mr. Hill answered, using 10% it goes down to \$41 billion. He said there are not numbers to definitively state it will be 10%, 20%, 25%, etc. but they are looking at numbers daily, and this is why the standard operating report was created for financial reporting to help gather information prior to the 2013 date for reassessing values.

Mr. Newton said the thing making this reappraisal more challenging is not just that there has been a loss in value ... The loss in value creates a challenge, in and of itself, as Mr. Rodman said: if value goes down 42% and causes the corresponding roll-up in mills of 42%, it would affectively be an even swap from where it was originally. Mr. Newton said as he mentioned last meeting, Jim Wedgeworth suggested his research shows an average of 42% decline on Hilton Head Island, but that is an average. There are properties listed on the books for a value of \$10 million that perhaps are worth less than \$150,000. It is the loss in value coupled with the 4% from 6% shift, among others, creating a real challenge for the County, Mr. Newton said. He asked how far along the Assessor is, and whether he started doing the reappraisal.

Mr. Kubic said he would prefer Mr. Hughes provide that information. He also referred to Mr. Newton's mention of "roll-up" versus "roll-down." He said Mr. Starkey is exploring the probability of whether the County can roll-up, which is something most people do not fully appreciate, and maybe the State Legislature did not anticipate as they wrote the property tax reformation. Mr. Hill, Mr. Starkey and he agreed they think it is necessary for County Attorney Ladson Howell to write the Attorney General to begin setting forward the concept of a roll-up. He said they do not want to assume the County can do something, when in fact a challenge may prohibit it. That is what they want to start doing with getting challenges on the table, Mr. Kubic explained.

Mr. Newton said the concept he is trying to get his hand around, without using any dollar values, is if \$97.5 million is the appropriation, the reappraisal process just equalizes the properties that are going to be paying that \$97.5-million bill. However, because of the loss in value of the mill along with the loss in value of the property it may require a very dramatic tax increase to be able to produce those same dollars. And, or there may be legal hurdles or obstacles to even do it in the first place.

Mr. Baer said, "millage increase." A roll-up, Mr. Newton clarified. Mr. Baer said it would not be a tax increase, but a millage increase. Mr. Newton corrected it would be a millage increase and a corresponding tax increase.

Mr. Baer asked why it is a tax increase to collect \$97.5 million from a lower valuation in order to raise the mills. Mr. Newton explained it depends on what happens in the reappraisal program. If they are \$2-million or \$3-million worth of properties no longer included on the value

of Beaufort County anymore, and if a home value goes down less than the “average,” depending on what the tax increase is, a homeowner could see very dramatic increases. Generally, those properties are the \$100,000- to \$300,000-properties so the lion’s share of the taxpayers in Beaufort County perhaps would be confronted with a tax increase by roll-up. Mr. Hill agreed.

Mr. Sommerville noted there was one element he has not heard discussed – the difference between taxable and assessed value. There are many properties in Beaufort County paying their taxes based on the taxable value, which was capped under Act 388, as opposed to the assessed value. Those folks will get a tax increase if the millage rolls up; there is no way around it, Mr. Sommerville explained. He said he never heard anyone offer numbers of how many people that accounts for. He went on to further explain that a driving force behind Act 388 was to protect “the little, old lady from losing her property.” What Beaufort County will end up doing if it rolls the millage up, is give a tax increase to all those people in that category and some of those could be draconian.

Mr. Newton stated it depends on the percentage, a great unknown. In 2013, Beaufort County could be confronted with some very significant challenges from a budgetary standpoint.

Mr. Caporale joked, “we don’t have to wait that long.”

Mr. Newton explained the issue to explore today is, if it turns out the maximum appropriation the County could have, for purposes of discussion, is \$80 million. How would Beaufort County close the gap from \$97.5 million where it was to \$80 million? Not knowing what the appropriation is, the County is left with looking at what are the essential and non-essential services. Mr. Newton compared it to the example of federal government’s suggestion of shutting down and the federal penitentiary will not turn off the lights and send inmates home.

Mr. Kubic added the opportunity to better inform the citizens as to the complexity of all the moving parts. For example, if hypothetically the value of property in the South (south of the Broad River) drops but the North stabilizes, one of the exercises to learn is how to redirect development efforts south of the Broad River, which may then based on economic factors be completely different from those north of the Broad River. By increasing the capability to understand what is going on, there are many other opportunities not traditionally discussed but are important simply because this information begins to get into jurisdictions not necessarily controlled by the County but may have an effect. This is a component of the comprehensive redevelopment efforts the County may also include as a by-product of this analysis. We are talking about numbers, but the challenge becomes: “Will you all allow Beaufort County’s fate to be driven based on outside factors, or do we begin to tear apart and discover how to better control our own outcome?” That is, in a way, what is exciting about bringing more data to the Council and public; it takes the budgetary discussion to another level.

Mr. Baer stated a good comment was made about elected officials and he cited a chart comparing 2010 to 2011. Most elected officials went down from 2010 to 2011, according to the chart. However, the Sheriff’s Office increased by about \$1.2 million out of \$20 million, Mr. Baer said.

Mr. Kubic explained that is primarily due to the compensation plan and different issues. He said they just wanted to distinguish that the administration is only dealing with what he handles at the moment.

Mr. Flewelling thanked Mr. Kubic and asked when the Committee may get the Assessor Mr. Hughes in to provide relative numbers. He added he is interested to find out how many "are busting the cap" up or down by the devaluation and the appraisal data available.

Mr. Kubic said they want to add a process to that, so each time the Finance Committee meets Mr. Hughes gives a report supported by CFO Mr. David Starkey and Auditor Mrs. Sharron Burris. This is relevant now, especially with the dynamics in the real estate market, he said. The administration expects once Council hears a certain part will say, "I want to see this. I want to see that." The staff will mold collectively a process of reporting.

Mr. Flewelling said he has an expectation the cap will minimize a lot of the problems anticipated. Because of the cap, some values will not be impacted quite as bad but it will still be some very difficult, challenging years for us.

Mr. McBride said he realizes Mr. Kubic does not have direct control over the elected officials, but he asked if they are not expected to also contribute to bringing the budget in line. Mr. Kubic answered, absolutely. He added they are aware they need to tighten their budgets, but for this exercise he said he could not presume something. There needs to be an exchange between elected officials.

Mr. Caporale asked on the topic of elected officials if it would be wise for the Chairman to advise the other elected officials in writing about what the potential may be for cuts this year, as well as what kind of support the Council wants.

Mr. Kubic said that was taken care of and offered to provide memos of his discussions. He added he primarily focused on Sheriff Tanner, talking about no change or a lower appropriation for his staff. However, it is hard from the Administrator, beyond the numeric, to talk about Council's challenges in the districts regarding public safety. He said one accomplishment recently completed was a homework assignment in December asking Council members what is most important in their respective districts. Several of those noted public safety as a top concern. That is a benchmark series that was matrixed and is being reviewed. Another aspect of this is the new services and the new amount for reinvestment. Mr. Kubic said he does not want to leave the impression the County is simply retracting from being creative in terms of how it reinvests in itself or whether or not it wants to introduce one ambulance in another area. Those are things the County administration is trying to prepare for. So the discussion is not only about what is going on in real estate, what is essential and non-essential, but also about having the ability to redefine the County and reinvest in itself. Mr. Kubic added he does not believe, as an administrator, that the County because of all the changes should be fearful of moving ahead. Rather, the County needs to understand if it does go what are the up and down-side of the decisions.

Mr. Kubic further explained that he looks at cuts in a different way. First, prioritize. Then, figure out what is out in the margins that can be controlled, but is, quite frankly, out there. This is why we are reviewing essential and non-essential services. He said his definition of an essential service is what people cannot provide for themselves. Whatever that is, it fits his definition. Non-essential services are the things in the margins, to go before the others.

Mr. Caporale asked about the cap and if the current appraised value is based on values as of December 2007. Mr. Newton answered it is from December 2007. Mr. Caporale noted since that time, property values continued to decline and he is not sure how, why or where the opportunity is for the cap to kick in if the actual values declined as much as 30% or 40%.

Mr. Kubic answered by saying that question will have to be addressed by the Assessor.

Mr. Caporale said he probably misunderstood and thought someone said there are homes “busting the cap.” Mr. Kubic stated he never said that, but there may be some.

Mr. Newton explained that the cap would exacerbate and the folks who would otherwise be capped because of a decline in overall values may see a tax increase because their valuation is below, as a result of the cap, the overall average decrease in the cap. Those folks will see a tax increase and Mr. Hill’s point was that it may not be as dramatic because of the cap.

Mr. Flewelling agreed and went on to explain the total appraised value of the County might not be as affected by an actual decline in the market because some properties are protected by the cap, so if there is an overall decline in value the properties protected will not decline. However, he said he thinks there will be many instances where the declined value will burst through the cap value. Those people will be hit dramatically.

Mr. Newton said the people protected by the cap, if there is a millage rate roll-up to generate the same amount of money, may see a very dramatic tax increase. Mr. Flewelling added it would be inordinate, a higher percentage of their value rather than one not affected by the cap.

Mr. Caporale further commented on the memo listing the 15 suggested cuts and said a great deal of work and discussion going into the document. He said he assumed these items are all things the administration believes are doable.

Mr. Kubic expounded that Mr. Hill asked department heads to review and find ways in the margins to begin to capture cost differences. The memo is the product of that. Mr. Hill clarified that they do believe the items are practicable, but the administration does not want to implement without the Council members’ input.

Mr. Caporale said given that he is unsure these 15 items necessitate as much discussion as they are getting. He cited some items which are not clear such as “review all office lease agreements (\$150,000 reductions).” Those may garner more explanation. But there are others such as “convenience center hours of service” for which he knows exactly what they mean.

Mr. Newton asked Mr. Hill to explain the two different charts presented and what they represent relative to the overall effort before the Executive Committee moves forward. The first chart is the current level appropriation applying Mr. Kubic's recommendation as to what constitutes essential and non-essential services.

Citing the provided documentation, Mr. Hill said the first chart lists essential and non-essential services. There is no other definition other than this is what the administration views as essential versus non-essential, particularly at what level it is provided. It is a draft, he said. The second chart is the description of services. Mr. Hill said instead of having the Council members review 600 entries, he summarized it to 52 lines from the Library, PALS, Public Works, Public Service, Public Safety, etc. and showing what the staff deemed as non-essential. He explained they deemed it as non-essential under the division column and an "FTE number" and also an administrative column with an "FTE number." That is just staff versus the administration view of what is essential and non-essential.

Mr. Newton clarified that the second chart is a subset of staff's own input, not defining whether libraries are essential versus non-essential, but within the library programs what that department determines as non-essential services.

Mr. Rodman said when comparing what happens in the public sector and what happens in the private sector in general, government tends to eliminate positions but keep most of the employees and look in other places whereas in the business environment often they look at the performance of employees when cutting. He asked if Mr. Kubic began to look at the low-performers in terms of considering terminating them as part of balancing the budget and improving through selective hiring.

Mr. Kubic answered that evaluations are important and if based on evaluations there are considerations of reorganization possibilities and accomplishing through those means.

Mr. Newton said he would get with Clerk to Council Ms. Sue Rainey to coordinate the next workshops on Mondays and Tuesdays after 4:00 p.m.

Status: Workshops will be scheduled on Mondays or Tuesdays after 4:00 p.m. to further discuss items proposed to help reduce the County's budget.

Figure 1

The purpose of this memo is to provide you with information on how we are formulating our FY2012 budget process. Due to economic constraints, administration has developed a receipt projection of \$97.5 million or a 6.6% decrease in FY 2011/12 General Fund appropriation.

Budget concepts:

1. Adjust agency allocations from \$10 million to \$8.5 million (-10/12%)
2. Convenience center / hours of service (\$5.9 million to \$5.1 million)
 - Current 84 hours / Proposed 60 hours
 - Closure on Wednesdays and Sundays (compactor maintenance opportunity)
3. Schedule Library Hours to operate 40 per week (\$3.5 million to \$3.3 million)
 - Schedule to operate during peak hours
4. Adjust PALS operational hours (\$3.5 million to \$3.2 million)
 - Athletic hours (11-8p.m. M-F)
 - Saturday hours depending on season
 - PALS recreational centers; Reorganize Rec center staff to athletics for coverage
5. Review all office lease agreements (\$150k reduction)
 - Myrtle Park
 - DHEC
 - Penn Center
 - Lobeco
 - Dale Community Center
6. Adjust travel allowance by ~20% (\$430k to \$350k)
7. Adjust telecommunications costs by ~20% (\$1.4 million to \$1.2 million)
8. Adjust overtime allocations by ~ \$150k (non public safety)
9. Review allocations to outside municipalities
10. Analysis of employee buyouts
 - Age
 - Service
11. Review and renegotiate all professional service agreements
12. Review surplus county property
 - Land
 - Equipment
13. Create a reserve policy by County ordinance
14. Review "GASB 45" retiree hospitalization
15. Review "GASB 54" enterprise allocations

Thank you.

cc: Gary Kubic
Elected Officials
Suzanne Rainey
David Starkey
Suzanne Gregory

FINANCE COMMITTEE

February 21, 2011

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

The Finance Committee met on Monday, February 21, 2011 at 3:00 p.m. in the conference room of building two, Beaufort Industrial Village.

ATTENDANCE

Finance Committee members: Chairman Stu Rodman, Vice Chairman William McBride, and members, Steven Baer, Brian Flewelling, Paul Sommerville, and Jerry Stewart attended. Member Laura Von Harten absent. Non-committee member Rick Caporale, Gerald Dawson and Herbert Glaze were also present.

County Staff: Milton Boswell, Assessor's Office; Morris Campbell, Community Services Division Director; Todd Ferguson, Emergency Management Division Director; Bryan Hill, Deputy County Administrator; Ed Hughes, Assessor; Gary Kubic, County Administrator; Monica Spells, Compliance Officer; David Starkey, Chief Financial Officer; Dave Thomas, Purchasing Director; William Winn, Director of Public Safety.

Public: Doug Henderson, Treasurer Elect; Dick Stewart; David Tedder, Attorney representing Beaufort Memorial; Rick Toomey, Beaufort Memorial Hospital CEO.

Media: Richard Brooks, *Bluffton Today*; Joe Croley, Hilton Head Association of Realtors; Kyle Peterson, *Beaufort Gazette/Island Packet*.

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

INFORMATION ITEM

1. **Off Agenda Item / Comment from Mr. Dick Stewart**

Discussion: Mr. Dick Stewart spoke before the Committee. He stated there are a lot of rumors going around about the Commerce Park and his involvement in it. Therefore, he is here today to clarify a few things. He distributed a handout to the Committee. He informed the Committee of a few property transactions. He spoke in regard to the Crystal Lake property which he donated to the County a number of years back. The County has acquired some adjacent properties, including the Butler Marine property, now being used as a construction site. He also spoke in regard to TCL in saying there was a house on Elliott Street, adjacent to TCL, that came on the market. He mentioned to Mr. Tom Litzel, TCL President, and learned that TCL wanted to purchase the house and was working through the state process. He, himself, was looking at purchasing the house. TCL was unsure if they would get approval for purchase or how long such

approval would take so he stated he contracted to purchase the property and agreed to sell it at no profit to TCL if they received approval. He stated he bought the property and held it without renting it while TCL went through the state process, which took six and eight months. Some four and five months after closing on the property, TCL completed the approval process and bought the house. In regard to Habitat for Humanity, he contracted to purchase two buildings on a commercial lot at 616 Parris Island Gateway. Prior to closing, Habitat contacted him and asked him to sign the contract over to them as a location for the Restore and Office operations. He stated he signed the contract to them at no cost, and lost his investment in due diligence and research. The Lowcountry Economic Network office space – since being asked by Beaufort County to participate in the public/private partnership for economic development, he donated office space and money to them, and has served on its Board of Directors. The Lowcountry Economic Network Beaufort Commerce Park is the item getting the most play today. As a member of the Board he encouraged the Lowcountry Economic Network to purchase the Park. He stated he has never owned any interest in the Park. Also, no member of his family of extended family has owned any interest in the Park. Neither he nor any member of his family has ever had an interest in any of the entities that purchased land in the Park. When the purchase was negotiated with the seller, the contract had a drop dead date for closing. He stated it was his perception and that of others that obtaining the extension would be possible, but expensive. The five local banks that agreed to provide loans for the purchase were experiencing delays getting all of the paperwork approved and ready to close. He stated he agreed to provide short term, six months, bridge financing to buy the property and allow the banks time to put in place longer term loans. He loaned \$2,917,969.74 for the purchase on March 10, 2006 and was repaid two weeks later on March 24, 2006 when the bank's loans were completed. The payment was in the amount \$2,926,603.73, which included interest of \$8,633.99 on the loan. That was at the same rate that the banks were charging. At the time he provided bridge financing, he thought his partners, Beaufort County, were committed to economic development.

Status: No action required.

2. Consideration of Contract Award – Purchase of Mobile Data System

Discussion: Mr. Dave Thomas reviewed with the Committee the contract award for the purchase of a Mobile Data System. Beaufort County's Public Safety Division is currently working on replacing our current mobile data system which was last purchased in 1999. The County's current system is 11 years old and is no longer manufactured by the supplier. Additionally, equipment warranty and repair parts are not available. After testing, research, and cost analysis, staff is recommending to purchase the mobile data system from the following vendors: CISCO (Creative Information System Company) for the required mobile computerized assisted design and mapping software. GETAC for the laptop computers, Net Motion for the required Virtual Private Network (VPN) software, and Hewlett Packard (HP) for the servers (from State contract). CISCO currently provides our Computer Aided Dispatch System and will provide the mobile data software to the County. This system will provide connectivity to the mobile computerized assisted dispatch (CAD), the automated vehicle location (AVL), and provides access to the National Crime Information Center (NCIC) connections. Data coverage services to support this equipment will be purchased from Verizon (under State contract) from

next year's general fund budget, which will total approximately \$144,000. Mobile data equipment providers and cost are as follows:

GETAC (Laptop Computers)	\$1,494,576
CISCO Software (Mobile CAD, Mapping)	\$ 538,695
Net Motion (VPN Software)	\$ 116,625
HP (Servers from State Contract)	\$ <u>35,000</u>
Total for First Year	\$2,184,896

Funding is as follows: \$100,000 from account 11435-54424 Renovations – EMS, part of amount borrowed and not needed for ongoing projects; \$515,635 from account 11437-54200 Upgrade Radio Equipment, remaining balance not needed because project is complete; \$4,519 from account 11439-54204 Specialized Capital Equipment – EMD, remaining balance not needed because project is complete; \$309,366 from account 11435-56000 Contingency, \$310,150 from account 11436-56000 Contingency; \$650,028 from account 11437-56000 Contingency; and \$295,198 from account 11439-56000 Contingency.

Staff recommends the Committee to approve and recommend to County Council for approval of the purchase of software and replacement equipment for the County's new Mobile Data and Computer System in the amount of \$2,184,896.

Mr. William Winn, Division-Director Public Safety, reviewed with the Committee a PowerPoint presentation on the Mobile Data System. A mobile data unit is a laptop in an automobile and connected to the County Dispatch Center to provide information. It transmits the calls that are in the Dispatch Center and takes them directly to the car, providing information that the Dispatcher is looking at on the screen to the officers within the vehicle. It provides the mapping and the aerial photographs in each one of the vehicles. It lets the officers in the vehicles see that at his pleasure and lets him pull up the longitude and latitude available for landing helicopters, etc. It provides aerial photographs that show the woods and surrounding areas in the event the officer is involved with a man hunt or search and rescue operation. It takes the locations for the calls and all the 911 calls and as it transmits the data to the car it places an X on the map showing where that current address is. If it is a 911 call it takes the longitude and latitude of the call and places it on an X in the car. The officer can pull up the aerial photographs, allowing them how they can respond to a particular incident. It provides response times for the officers. At the end of the call, if the officer decides to make a case, the officer will call the Dispatch Center and ask for a case number which is transmitted to the vehicle. I also provides the run times for that call. For the fire trucks and ambulances, it provides the run times that are required by state DHEC. For EMS calls it also provides the call information required by the ISO for the fire service.

The mobile data center also provides the law enforcement officer's access to the National Crime Information Center and through that process they can look up wants and warrants, if wanted in another location, and can provide access for the divers license and car tag information from the SCDOT. This can be done without going through the Dispatch Center of having he

dispatchers call, look up the information, and then call back. It also has the capability of going in and looking at who is in the Detention Center. For the fire service, they also have access to the same type of information except they are denied the law enforcement access. They use it for search and rescue. Some of this will be expanded down to our Marine Search and Rescue operations.

Every so many years, an assessment of the mobile data system is conducted. The last assessment was in 2007. In that particular year there were \$1,357,276 transmissions on the system we are currently using. We were averaging on that date of about \$113,106 per month. A transmission is when an officer calls in and wants to find out what is going on. There have been increases each year in the usage of the system and further the ability as we are adding capability of the system to increase the transmission data. The current system we are operating today is a Motorola system, purchased in 1999. It was put in and operated in 300 units. The system is 11 years old for about 90% of the laptops and 3 years old for about 10%. There are currently five different models of laptop, all made by GETAC, of which 90% use external wireless cards to access some hotspots in the County, as part of our backup system done with the Motorola system.

The infrastructure was built in 1999. The replacement parts are no longer made. The system is considered obsolete by Motorola. They are not manufacturing any more. Last year they advised us they would no longer be supporting the maintenance contract or operational capability. With the 300 units we have in the modems in the car, all 300 are no longer made. No parts have been made available for them. There are not parts available for them. They are not digital, they are analog. The technology that connects the CAD system to the laptop system is old technology that was developed in 1999. It is no longer supported by Motorola. The company that wrote that for Motorola is no longer in business. The person who wrote the software has been deceased since 2009. The system malfunctioned three months ago, and the only way we were able to get it back up was that we found a back up disk that took it back to day one, then rebuilt parts of it. There is no support for the software.

Of the maintenance program operated each month about 90% of the parts for the mobile data terminals are no longer available. In the last three months, because we were unable to get parts, 10 had to be taken out of service. 90% of mobile data terminal have no battery backups. When an officer shuts the car down, the laptop is lost. Overall, the system has been degraded. It has become unreliable. There have been times where parts had to be taken down for two to three days to service it.

Also, there will be no longer parts, software support, and maintenance contract for Motorola Premier. The maintenance contract was approximately \$187,000 a year. We are on our own for this system from this point forward.

Mr. Winn stated realizing a year ago that we are going to have to begin replacing this system and that this day would come we worked with Motorola to try to develop a state system into the Beaufort County area. We found that not to be feasible and found that they did not have enough capability and also they'd be doing away with the state system. We felt any investment

on that was not available and had to look for alternates. Users around the southeast, South Carolina users, and State 911 were contacted. We found that everyone was leasing the infrastructure. The company of choice was Verizon. Had meetings with Verizon, brought in GETAC laptop, put in some software we would be using and did a county-wide test to make sure they could produce and provide us with the coverage needed. Their system has passed all of our tests.

He also stated less expensive laptops were looked at and ten were bought for EMS. Some experiments were done which failed and all ten need to be replaced. They could not take the additional software changes that have been issued by DHEC. In EMS, the regulations that we operate from are issued by DHEC. Under the Sheriff's Office, the regulations are issued by SLED. For NCIC the regulations come in from the FBI. From the fire service, the regulations come in from ISO. We have to take all of these regulations and make a system that fits these. About nine years ago, we were notified of a security breach. Beaufort County was given 72 hours to make a change. That change cost us \$22,000. We have to be careful about how these changes come in and how they work. This affects all of the systems in South Carolina. We found that if we replaced our infrastructure with what is new and coming, a preliminary work session with Motorola was done who came back with an estimate of \$16 to \$20 for the LTE systems. This would be a transition to 4G as it became available. We found it to be better to lease some type of infrastructure rather than purchase it. The company of choice is Verizon, because they provide the 3G capability in Beaufort County and are also in the process of going to 4G. It also has the ability to use the 105 – 110 hotspots around the County. We found that Verizon has met the FBI and SLED security requirements for mobile data. It is desirable to them to maintain that security requirement. We feel confident that Verizon will be able to provide the services needed and meet all of the security requirements involved.

Also, another option of eliminating the entire system was explored. To do that would require eight additional dispatchers – two per shift. That runs about \$480,000 per year. This is recurring, annually. The difficulty in finding qualified and compatible candidates for dispatch is tough. There are currently four openings. These folks find out what they get involved in and don't want it. He stated he estimates in order to get the Dispatch Center ready for two more per shift would be about \$500,000. One problem though is the lack of space.

He is proposing a Verizon 3G Network. Terminal service will be used to house CISCO. CISCO is the creative radio company out of Florida. They provide the computer dispatching system. What they provide is called Mobile CAD. The Net Motion Server is a software package that was offered to us by Verizon. When doing a comparison of leasing verse purchasing we realized we could purchase the Net Motion Software and pay for it in three years rather than paying \$4,500 for the rest of the life of that program. What Net Motion does is when you move from one Verizon tower to the next one, there is a switch in the radio and this program keeps the computer from shutting off or losing its connection. It holds it as the radio system makes connection from one cellular tower to the next. Also, Motorola is in the process of going to 4G. All of our vendors are prepared to move up to 4G with them. There would be no additional software problems or infrastructure problems that we would have to pay for, unless we purchased a system. Verizon has the current state contract which is a good price for us. The

mobile data computers are a GETAC B300 ruggedized laptop. It has the latest processed, 4G memory, internal wires, and fanless enclosure. All of these products are compatible. The main reason of looking at the GETAC laptop is because of maintenance. This is the same company that provides our laptop's today. The laptops we are using today are almost nine years old. They have come in and agreed to take our people and bring them up to level II maintenance, with us providing all factory maintenance for GETAC at our shop. They will conduct the training and bring them to that level, at their expense. They will also provide \$20,000 worth of parts in Beaufort County so that we can maintain them. This will be factory maintained, meaning we don't have to keep shipping parts back to California. In the event that we have a motherboard issues or a critical malfunction and have to ship the laptop back to California, they have agreed to pay the cost. In essence, they have agreed to give us a five year, bumper to bumper warranty on each laptop. At the end of five years we will still have a good laptop up and operational. When looking at the \$5,000 we are paying for each laptop, which also includes sales tax and divide them over the nine years. It comes out to the same thing if we were to buy a less expensive laptop. Where we save the money is in maintenance. This provides us to keep the vehicles out of the shop and on the street.

Proposed maintenance – MIS will provide part of it, and CISCO will provide the updates to Mobile CAD and mapping.

Mr. Baer stated the radio link is from the laptop to the world – does it require connection to the vehicle antenna. Mr. Winn stated the GPS inside of the laptop will require an antenna, but that is included.

Mr. Baer wanted to know if there would be conversion costs years out to go to 4G. Mr. Winn stated yes if we decide to go there. He continued by saying they ran a test the other day on the highest way to get in or the most volume would have to be transmitted and information was being received at the car in three seconds. If that is the case, he stated he does not see the need to go to 4G.

Mr. Baer wanted to know if the \$2,184,000 in the CIP. Mr. Starkey replied in the affirmative. The only thing that will come out of the general fund on a yearly basis is the \$144,000 for the Verizon coverage.

Mr. Baer stated there are four items in contingency that add up to over \$1 million dollars and wanted to know what contingency that is. Mr. Starkey stated those are monies either from contingencies we have borrowed or from projects that completed under budget whose monies converted back into contingency.

Mr. Baer inquired as to how much contingency was left. Mr. Starkey stated after this expenditure there would be approximately \$1 million dollars.

Mr. Kubic added there will be fewer and fewer opportunities on contingency. The reason for that is we are changing the system and will be going out to bid and size our bonds based on actual pricing, so we will target a contingency based on solicitation. The previous methodology

will no longer be in existence. We estimated on some of these projects many years ago. We are seeing this accumulation. We are whittling away, but are not longer going to use that process.

Mr. Flewelling asked Mr. Winn to describe the location of the \$300 computers.

Mr. Winn stated 175 went to the Sheriff for all front line response vehicles, they go to the front line response vehicles for the fire service (fire engines and command vehicles), and they go on all of the EMS response ambulances and supervisory vehicles. We assign the equipment to the municipalities because of security requirements having to be under Sheriff Tanner.

Mr. Flewelling wanted to know what communication we have with the Town of Hardeeville for the properties they have annexed in Beaufort County. Mr. Winn stated currently we are working with Jasper County to interlink our 911 system to coordinate the 911 calls better. That is in the process today and is part of the regional system. We are getting ready to go out to bid this week for that system. Hardeeville has been notified of the changes and they are doing their change over through the state now to be compatible. We also just interlinked the Jasper County dispatch center with ours to a cross patch through their system. Any one of their vehicles can contact ours if they are not upgradable. We should be at 100% capacity for any Jasper County unit to come into our radio network. For mobile data, Jasper County uses a different CAD vendor than we do, but they are also using Verizon. On the State level, one concern in moving forward in mobile data across South Carolina is to achieve the interoperability capability with mobile data as we have in radios. We are trying now to set those standards and work on that. He stated we just received our FCC approval for South Carolina 700 MHz plan which will be part of the requirement for some of this interoperability. He stated personally he believes that we are two to three years away from setting the final standard because of the economy situation and everyone not having clear guides as to which way they are going to move forward. Just as we have achieved the radio side, we want to achieve the mobile data.

It was moved by Mr. Baer, seconded by Mr. Sommerville that the Committee approve and recommend Council approve the purchase of software and replacement equipment for the County's new Mobile Data and Computer System in the amount of \$2,184,896. The vote was – FOR: Mr. Baer, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT: Ms. Von Harten. The motion passed.

Recommendation: Council approves the purchase of software and replacement equipment for the County's new Mobile Data and Computer System in the amount of \$2,184,896.

3. Discussion of Beaufort Memorial Hospital Property Full Road Access to U.S. Highway 278 and Buckwalter Parkway.

Discussion: Mr. David Tedder, representing Beaufort Memorial Hospital, stated this Committee met two weeks ago and examined the proposed intergovernmental agreement among the County of Beaufort, the Town of Bluffton, and the Beaufort Memorial Hospital regarding road design and construction of Buckwalter Commercial Park frontage road. Several questions

arose and were discussed. Most were regarding an access point at Buckwalter Parkway. Since that time, Engineer Steve Andrews has been working with the County's Engineering Department. The Town of Bluffton has discussed this and is in support of this and the acceptance of the roundabout, and is wants this to move forward. He stated since the last meeting he has provide chronology and backup data on how we went from 1999 to 2011 with road studies, traffic analysis and what needed to be done which shows this frontage road has been out there for 12 years. He distributed a handout of the proposed changes of the intergovernmental agreement related to the comments received at the last committee. He stated he incorporated in to the whereas clause the discussions with County Council and county staff that led to the senses that a traffic roundabout should be considered as an alternative to a full access four-way intersection at the Buckwalter Parkway. We are now currently soliciting proposals for the design of a roundabout suitable. It is recognized in the intergovernmental agreement that the roundabout may require additional property from across the street from the Bluffton Parkway.

Page 4, Section 1 - A. – the acknowledgement that we are agreeing that a traffic engineering firm with substantial experience in designing roundabouts will be selected by the Hospital and County after obtaining at least three proposals and the cost will be added to the approved professional's services fees was added to the intergovernmental agreement.

Page 4, Section 1 – C was changed to clarify the road design and time table for the design parameters.

Page 5, Section 2 – A an acknowledgement of what the County Ordinance, Section 82-88 provides language to say if land is dedicated to the County for a system improvement there is an impact fee credit available, therefore the language to the extent of additional land from property owners, across the street, is required, they will required a traffic road facilities development fee credit was added to the intergovernmental agreement.

Page 5, Section 3 – B and C language was inserted so that it was clear that the associated roundabout and access is includes as part of the cost the Hospital is asking credits back for. In

Page 5, Section 3 – D language was included so that the impact fees generated from tie-ins to the system improvement is available to the Hospital as repayment.

Mr. Stewart stated at the last meeting we talked about this in respect to the Access Management Plan for Buckwalter Parkway, and his understanding was that we were going to get some modification / amendments proposed since we never considered roundabouts in the original Plan and are not putting in something that was not associated with it. Is this consistent with what is being proposed? Does it meet the requirements of the Engineering staff with respect to the distance from the lighted intersection of U.S. 278? Do we foresee a kind of traffic congestion / problem with people backed up on U.S. 278 at high traffic periods because of the traffic circle?

Mr. McFee stated insofar as the amendments to the Access Management Plan, the County Administrator has the staff recommended changes in order to more clearly codify the use of roundabouts. He stated he does not believe a roundabout is in the engineer's transportation toolbox. In order to make sure they are in the engineer's transportation toolbox, it is under review. In regard to the performance of a traffic circle at that location, once more specific information is received it will be easier to tell.

Mr. Stewart wanted to know if a traffic circle will be a full service intersection. Mr. McFee stated it will allow full access.

Mr. Stewart stated it seems it is not meeting the 2,000 feet between signals. Mr. McFee stated it is an issue of semantics. As far as functionality is concerned, and solving the problem with regard to access and safety, this is appropriate. Mr. Stewart's concern is the location of the roundabout. Is the distance from U.S. 278 a sufficient distance?

Mr. Tedder stated we need to move forward on this. The Hospital has done all the due diligence under the ordinance. The Hospital has dealt with the engineers and has asked for their recommendation on a traffic engineer to hire. The way this is written it says how we are going to incorporate those recommendations into this. If it does not call for a full roundabout and full access is unachievable, it is doubtful that the rest of the Hospital Board will vote to buy this property. This will then go away. He would like to move forward with a process that includes an improved traffic analysis under the guidance of the County, with the assistance of the Town of Bluffton. The Hospital needs some confirmation to move forward in conjunction with our public partners to get this figured out. It is consistent. The Access Management Plan calls for a full access point there, without a light.

Mr. Baer stated he will submit his one page of questions. He stated it is unclear that the location of this roundabout is the best location for all the people who are going to use it. Moving it closer to Sea Turtle Cinema so that it is a multiuse roundabout makes more sense. He would like some unbiased study of that.

Mr. Tedder stated the Master Plan for the property across the street from the proposed site shows an intersection that has already been approved. The Hospital has taken into account what is happening across the street. What has been done to accommodate the Theatre is at the behest of the County engineers and the Town, provide a stub out to run down the 14 to 25 acres below the proposed site to the Theatre parking area, so they will be connected.

Mr. Baer would like to see that in diagram form. Mr. Tedder stated they provided Planning Department with those diagrams.

Mr. Baer stated this item was presented as an off agenda item on January 4, 2011. Then we received a presentation February 7, 2011, where handouts were given at the meeting. Today again handouts were given out at the meeting, different from the ones received last Friday. Our job is due diligence for the tax payers. He stated he wants this to happen, it is a good use. In doing due diligence for the taxpayer, if the materials were provided a week before January 4 when this appeared as an off agenda item, giving us a month to ask and add questions we would be voting on this in Council now. Instead it is coming to us in pieces. How can we vote on this? Mr. Tedder stated he has provided materials in a timely manner to County staff. Whether they got to Council before the meeting or not, he does not know. Today was the only time he has provided documents at the meeting. He stated he is trying to provide Council with information.

Mr. Stewart brought forth the fact that the roundabout will be more costly and will require acquisition of land that had not been factored. The County is being asked to accept this and accept the additional cost of the County. He stated he would like to see this done, but there are so many uncertainties that are hitting us at the last minute, that we do not know. We don't know what this impact will be. We have already projected impact fees into the future for existing projects on the books.

Mr. Rodman stated the location of the roundabout that is a current permitted access and what we are talking about is whether it is expanded or updated to a traffic circle or a signal. Mr. Tedder stated the 2007 Traffic Management Plan shows an intersection (C1) that includes turn lanes in both ways and acceleration lanes out both ways. We are proposing to expand out the area required to be used, due to a roundabout taking up more space. His understanding is that under the 2007 approved Traffic Management Plan, there cannot be a signalized intersection at that point. It is a full access only, with turn lanes. In order to address the County's concerns, Bluffton's concerns, and the Hospital's concerns, we looked at the Traffic Impact Analysis done for this project and acknowledged it needs to be updated. In those discussions, the potentiality for the need of a roundabout, rather than a stop sign intersection was determined desirable. We are trying to move forward adding that study onto our study so we can justify that. That additional cost is to be included in the design and permitting portion of this. If it turned out that future traffic studies did not justify the roundabout, would the Hospital be comfortable with the current access – stop signs, acceleration and deceleration lanes. Mr. Tedder stated it is likely, but it is contingent on the Hospital having access to the new traffic study, so they can do their due diligence. The Hospital does not want to design a failure for the County. He continued by saying that if the Hospital Board gets to a point and sees where it will not work, they will not purchase the property.

Mr. Rodman clarified that before the Hospital buys the property, they will have to understand that the traffic piece will work. Mr. Tedder stated this information and the permitting of the road are prerequisites for closing on this property.

Mr. Stewart wanted to know what it would take to move the traffic circle further south. Is that impossible to do? We are already going to be incurring additional costs, above and beyond what we envisioned it to be. Let's do it now versus doing it less than appropriately and be sorry for it in the future. Why can't the engineers get together? Why can't the traffic circle move further south on the Parkway so it is further removed from the intersection?

Mr. Tedder replied money. At least two or three properties would have to be condemned to be able to do that. They will not want to have their property condemned.

Mr. Baer stated they will get better access. Mr. Tedder stated he is not speaking for the people, but it is his understanding they do not feel that way.

Mr. Kubic stated he asked Mr. Rob McFee to come up with the engineering changes so that a text amendment could eventually be proposed. His position, as administrator, is that he does not like putting in traffic lights. You are stopping traffic. We spent money on Buckwalter

and Bluffton Parkway to move traffic from one end to another, continuously, at a certain speed as a parkway or major thoroughfare. We did not want a major roadway where curb cuts would occur every five feet. We passed the Access Management Plan and designated that C1 intersection. When the Hospital came forward, his recommendation was if it reasonable to assume you'd have more trips and they wanted a backdoor, that something other than a traffic light should be introduces. He stated he was trying to keep all sides moving forward. He does not want the Hospital to withdraw the project. He sees it as an economic development. He agrees with Councilman Stewart in understanding if a roundabout is better. We have tried to keep five to six items moving at the same time, recognizing that the only static piece we have is the Traffic Management Access Plan that has identified a CI intersection at that location. He stated he does not like crossovers on medians. If it was his choice and a roundabout couldn't be done, he'd suggest right turn in, right turn out. Unfortunately that will not meet the Hospital's expectations. When he first learned about the project, he instructed Mr. McFee to take a look at all of the options for backdoor frontage connectivity, which included Island West, the Hospital, Sea Turtle, and the property across the street from the C1 intersection to see what would be feasible. They came back with a lot of different recommendations. All of it came back to trying some alternate would be a very expensive proposition. As a fallback position, after the last meeting he does have the text changes that deals with distance and size and new tool in our toolbox, but he stated he has to follow through appropriate steps in introducing a text amendment. The Planning Department is currently looking at it. It will then go to the Planning Commission. It may take some time. He recommends us to find a way to allow the process to continue so that we do not jeopardize a potential investment in the area. He is hoping there is a way to allow all of those things to go to the next step. In any event, if the traffic analysis is going to require some type of study and the Hospital feels it is not going to work, the project won't be going forward anyway.

Mr. Sommerville stated if the Hospital does not purchase this property and move forward with this project, we don't know if or when that property will be developed. We know the money will come in if the Hospital purchases it. If they do not, we do not know if it will ever come in. there is money there that will only be available if the Hospital buys. The Traffic Management Access Plan he assumes the Town of Bluffton, Beaufort County, and SCDOT are the parties. Mr. McFee stated it is just Beaufort County. It was developed with Beaufort County and the Town of Bluffton as a signatory.

Mr. Sommerville stated if we want to amend that all it is going to take is action from the two councils. The only reason we would have to amend it is if we decide put in a traffic light. Right now that is not being contemplated. Mr. Kubic stated a modification would have to be made if the plan is not accepted at face value. We have an ordinance. Anything that is different than the ordinance would require an amendment.

Mr. Sommerville stated the current Traffic Management Access Plan allows us to put in a roundabout. Mr. McFee stated the Plan does not allow us in a signal. It is silent on all other aspects.

Mr. Sommerville wanted to know if improvement of an intergovernmental agreement requires three readings and a public hearing. Mr. Tedder stated the County has been approving

intergovernmental agreements by resolution. Chapter 82 provides for an agreement to be presented to the Council for approval.

Mr. Sommerville stated when this leaves Committee; it goes to Council for one reading by resolution. There are always some unanswered questions that can be answered between now and the next Council Meeting, February 28, 2011. He stated he is scared to let this languish in Committee.

It was moved by Mr. Sommerville, seconded by Mr. Flewelling, that Committee approve and recommend to Council approval of an intergovernmental agreement among the County of Beaufort, the Town of Bluffton and Beaufort Memorial Hospital regarding road design and construction of Buckwalter Commercial Park frontage road.

Mr. Flewelling stated he would appreciate it if Mr. Baer would send his list of questions to all of Council to make sure they are fully answered. Mr. Tedder asked if he has permission to respond directly to those questions to all Council members or should it be sent to staff. Mr. Rodman stated he could send it to everyone.

Mr. McBride concurred with Mr. Sommerville in that it is time to move this forward. The Hospital has been working on this and trying to find property for many months. They have done what they were told they needed to do to bring this forward and meet the spirit of the compliance of our ordinance in place. It would not be fair to them to delay them any longer. We can move this forward with a recommendation for approval of Council with the understanding that any additional questions Council has will be submitted to the Hospital Board or whomever the appropriate person is and the answers to be received before it goes before County Council. If the answers are not satisfactory, we will have a vigorous discussion at County Council before a vote is taken.

Mr. Rodman stated before the Hospital is going to purchase the property they want to make sure that the roundabout will work or that the access point will work. Mr. Tedder concurred. Mr. Rodman continued by saying he believes that to be a couple months of work to figure that out. Mr. Tedder stated at the Natural Resources Committee, they presented the critical path on getting this done. The Hospital is not buying the property, closing on the property, until a wetland permit is obtained for the crossing that must be obtained to get to the point of where the roundabout goes. It is important to know what to design, because it has to be taken in to account for the submission of the core and OCRM. No, the Hospital is not going to buy this property if they cannot have suitable access that functions properly. It needs to work properly.

Mr. Rodman the Hospital is asking for a credit against impact fees, up to the amount they will front in to pay for the study and the building of the road. Mr. Tedder stated that is correct.

Mr. Rodman stated we know we will come short on the 1% sales tax and have prioritized and have projects underway that assume most of the impact fees. How will the Hospital get paid if the impact fees don't materialize? Mr. Tedder stated the Hospital acknowledges that there is a possibility that we may not get paid back for decades. That is why they ask that the certificates

be issued. They anticipate receiving the impact fees for anyone that ties in, because they are using the infrastructure the Hospital has provided. The Hospital also asks the County and the Town to use their best efforts in finding other money to help out. The Board understand that there is a possibility of being out some money for awhile, but anticipate that the impact fees at full build out would be sufficient to cover everything but the roundabout.

Mr. Rodman wanted to know if anyone is uncomfortable with concept of the Hospital front ending the money and getting paid back in the future. Mr. Caporale stated he is not uncomfortable with it, but the question arises that if the impact fees begin to accrue, do we get into a scrap as to how they are proportioned. Mr. Flewelling added he is very comfortable with the idea of using impact fees to pay for specific improvements related to that project, but he would like to identify which properties would be drawn down (the properties the future impact fees would be used from). He wants specificity. Mr. Tedder stated he could provide that information. Mr. Caporale stated it would satisfy his concern as well.

The vote was – FOR: Mr. Flewelling, Mr. McBride, Mr. Rodman, and Mr. Sommerville. OPPOSED – Mr. Baer and Mr. Stewart. ABSENT - Ms. Von Harten. The motion passed.

Mr. Baer's questions and concerns are attached to the minutes.

Recommendation: Council approves an intergovernmental agreement among the County of Beaufort, the Town of Bluffton and Beaufort Memorial Hospital regarding road design and construction of Buckwalter Commercial Park frontage road.

4. Review of Second Quarter Results

Discussion: Mr. Kubic stated this is a building block process is a work in process to give a flavor of what department heads are going to talk about and the format we would like to suggest. It is by no means a final version. The theory is to report at least once a month on the previous month and to show the progression and the accruals is designed to do several things. We are going to develop the pertain areas of information that Council needs to see on a 30 day period and how it may be affecting the County. We also believe strongly that there should be a standardized method of presentation that includes presenters as well as hard copy reporting so that we can learn about what is going on. The current hard copy presenters would be the Assessor, Finance Director, Treasurer's Office and Auditor's Office. He believes we need a real estate information explosion covering several fields and aspects as to what is going on in our community. That would include ATI, foreclosures, property values, etc. the primary point of this exercise as a teaching a learning moment is to lead into what may happen to the value of the mill. It is so significant in this community because all of the public agencies all rely on it as their primary source of income. Building permit fees have now been replaced by foreclosure fees as a lead receipt for the general fund.

- **Assessor Second Quarter Results**

Discussion: Mr. Ed Hughes, Assessor, reviewed the second quarter results with the Committee. He stated his report will focus on the three As – Assessable Transfer of Interest (ATI), 2009 and 2010 appeals, 4% residential assessment ratio. The first topic he spoke about was the tax year 2011 ATI market analysis. The analysis conducted is the first sweep in identifying those properties that are subject to market value appraisals. Secondly, the dollars and percentages are reflected only in that subgroup and should not be extrapolated to apply to the entire County tax base. It does, however, show a trend. 6,712 properties that had a transfer of interest that occurred sometime in 2010 has been identified. These properties will be reappraised for the current 2011 tax year. A lion share of those properties were south of the Broad River – 4,921. The remaining 1,712 was north of the Broad River. He spoke about taxable value of the properties which is not the assessed value, but is the assessor's value on which the assessment ratio would apply. It is neither the capped value, or in the case of ATI transactions where market value is established in the 2009 reassessment it is the market value. There was an increase north of the Broad River of about \$50 million. The 2010 taxable value was \$362,914,987 and the 2011 taxable value was \$414,101,869. South of the Broad River is a different story. In 2010 the taxable value was \$1,759,412,495 and in 2011 it dropped nearly \$105 million to \$1,653,176,017. He presented those values in the form of percents – south of the Broad River -6.05%, north of the Broad River 14.10%, and countywide ATI -2.62%.

He presented to breakdown of north of the Broad River which was as follows: Burton 22.9%, Town of Port Royal 9.6%, City of Beaufort 12%, Lady's Island 11.7%, St. Helena Island 12%, Fripp Island 2%, and Sheldon 37%. South of the Broad River's breakdown is as follows: Bluffton unincorporated -13.9%, Town of Bluffton -5%, Town of Hilton Head Island -2.9%, and Daufuskie Island 6.5%.

Mr. Hughes spoke to appeals. We received, as a result of the 2009 reassessment, a total of 15,248 appeals. All but 950 are complete. Thos 950 remain outstanding and are additional protects that are moving to the Tax Equalization Board or the Administrative Law Court. The major issue for 2010 was the decline in market value. We received around 4,600 appeals and changed about one-third of them. The change impact reduces the assessed value on average of 16.

Mr. Rodman stated we only adjust in one direction. It seems that if someone makes an appeal and it should have been higher than we ought to increase it. All we have is an incentive for everyone to file for an appeal, nothing to lose. Mr. Hughes replied that at one point in time the assessor was permitted to do that, however that is not the case. The Tax Equalization Board is permitted to do so.

Mr. Kubic stated his hope is that as we go through this and get really familiar in the next three to four meetings that one of the outcomes would be suggestive legislative changes.

Mr. Hughes spoke about the 4% assessment ratio. AT the end of the second quarter for 2010, we had received 3,789 applications. The filing deadline for 4% applications for tax year 2010 was January 18, 2011. We still had approximately 1,300 applications that were pending. On average 11% are disqualified. In 2010 tax year, 1,400 were removed / purged. As of tax year 2009 there was approximately 45,668 4% properties, as of October 31, 2010. There was slightly less for tax year 2010 at 44,811 4% properties as of December 31, 2010.

Mr. McBride wanted to know of the 1,400 accounts removed from the 4% ratio, what percent challenged the removal. Mr. Hughes stated he has been challenged on the removal where property owners are renting the property for more than 14 days in the calendar year. He stated there is a case going to the Court of Appeals on that. Up until 2005, if a property was rented for business or profit, it was prohibited from receiving the 4%. In 2005 our code adopted the Internal Revenue code relative to the declaration of income on renting a residential property. So, if it is rented for 14 days or less, in the calendar year, the property owner does not forfeit the 4%. There will often be information that comes to the Office anonymously or staff through vacation rental by owner who discovers a property that is rented. Form letters go out asking the tax payer to provide specific information regarding the rental and give them a drop dead date in which to respond. Those are the ones that were challenged.

Mr. Baer stated an issue he receives from his constituents often is when someone puts their home in a trust where they change their ownership agreement, they still believe they are 4%, but as soon as they do that, it drops out of 4%. They are not informed about it. They are out a large amount of money for a large amount of time. Mr. Hughes stated that information is posted in the Office. He also wrote a letter to the County Bar Association about that specifically.

Mr. Stewart stated the problem he is getting is that they are using out of state attorneys in Georgia.

Mr. Kubic said to keep in mind the difficulty is that we are not encumbered or required by law to disclose ever single facet of the 4,000 pages dealing with real estate transactions in South Carolina. You as an individual have the responsibility to hire good people to ask a lot of questions. A lot of tax payers are under the impression that staff can disclose all facets of the law, which is ridiculous.

Mr. Hughes distributed, to the Committee, an Office procedure document for when an application is received and the various steps taken on reviewing the application, along with the internet information and data available, including being subscribed to LexisNexis.

Mr. Rodman stated he was talking to someone who brought up one of the things people are doing is a couple filing a separate federal tax return and each claim a different house as primary. Is that widespread? Is it something that needs to be addressed legislatively? Mr. Hughes stated it is being addressed legislatively. There is a pending Senate bill out there. Mr. Hughes stated in his Office they believe the law is specific to marriage penalty. If either spouse has a resident in either South Carolina or another stated and are receiving a benefit as a result of legal residency, they must choose one or the other. You don't get both.

Status: Informational purposes only.

- **Finance Second Quarter Results**

Discussion: Mr. David Starkey, Chief Financial Officer, reviewed with the Committee the 4% to 6% comparison for tax years 2005 – 2009. There has been an increase of about 15,000 4% properties from tax year 2006 – tax year 2009 and a decrease of about 16,000 6% properties over that same period of time.

He then presented the Committee with a PowerPoint presentation on the second quarter financials. Our General Fund performance as of December 31, 2010, compared to December 31, 2009 is almost level. As of December 31, 2010, we are at \$48.5 million as opposed to \$48.8 million December 31, 2009. It is a less than 1% difference. Our revenues, most of which are ad valorem taxes, are actually down as of December 31, 2010. They were \$49.5 million as opposed to \$52.4 million December 31, 2009. The ad valorem collections did level as of January 18, 2011, the last day taxpayers could pay without a penalty, but they leveled to what we were the previous year. Our debt service fund performance is eschewed. Currently our expenditures within the Debt Service Fund for fiscal year 2011, as opposed to fiscal year 2010 are up \$3.7 million, as opposed to \$2.8 million. This was budgeted for. The debt service payments for our 2010 bonds have come due therefore our Debt Service payments are higher. As such, millage did increase from 3.62 to 4.57 this fiscal year. Furthermore, our debt revenues are \$15.1 million this fiscal year, as opposed to \$5.4 million last fiscal year. Not only was that due to the increase in millage, but we also refinanced our 2002 bonds this fiscal year. We did a similar thing with our 2001 bonds a few fiscal years ago. Essentially what we did was borrow monies at a lower interest rate one fiscal year and pay off our 2002 bonds so once they become callable 10 years later we will pay them off and essentially our payments would be at a lower interest rate going forward. What that has done is create \$9.1 million more dollars in revenues, \$8.1 of which relates to the refinancing and the remainder mostly relates to the premium received on the transaction. Our collection rate, if you leveled off, we are down 6% in the debt service fund as of December 31, 2010. That leveled off in January to last year's levels. The premium received as a part of the 2002 bond refinancing will more than likely offset any further declines in tax base for this fiscal year. The purchase property fund had budgeted increased expenditures of \$1.7 million as of December 31, 2010 as opposed to \$1.4 million December 31, 2009. That related to the fact that the \$48.8 million borrowed a few years back has finally come due - \$28.8 million related to the Debt Service Fund and \$20 million related to the referendum voted Rural and Critical Lands. Because of that, millage was raised from \$2.13 million last fiscal year to \$2.76 million this fiscal year. As such revenues have increased to \$2.8 million this fiscal year, as opposed to \$2.3 million last fiscal year, as of December 31. If you compare apples to apples, the collection rate on this fund is down approximately 7%. It did recover again, as of January 18, 2011, but if the current trend of property values and appeals continues (same applies for General Fund), then the fund balances of those two funds will more than likely be affected.

Mr. Sommerville wanted to know where the money is coming from and where it is going.

Mr. Starkey replied they are Rural and Critical Land. That is what is paying the debt service for the so far \$80 million that has been borrowed from the two referendums out there. Going forward, remember this is the fund that relates to the payment of those particular bonds.

Mr. Starkey stated with 4,600 appeals outstanding and 1,300 appeals outstanding and 1,300 4% applications outstanding – this all affects our tax base. In which, at this point in time, with all the Manatron data it looks like in the trend analysis that we are looking at about another 500 properties shifting from 6% to 4% in tax year 2010. Comparable to last year there was 1,300 that shifted from 6% to 4%. That means that every time a taxpayer shifts from 6% to 4% their property tax bill goes down by one-third for the County and the schools loose out completely. As we go forward, we have to be very cognizant and tack on the general appeals of property values and the ATI trend that the Assessor has shown us. That very well can have some significant impacts on our revenues. That all being said, he showed an analysis of real and personal properties, excludes autos, billed to collected last tax year and this tax year. We are \$38 million collected as of December 31, 2010 as opposed to roughly \$39.8 million collected last year. The billed amounts, net of Tiffs, of \$71.3 million and \$71 last year are artificially high, based on the fact that the numbers do not begin coming down until the appeals are processed and the 4% applications are processed. As the year wears on, those billed amounts will shrink, as the appeals go through and as the 4% applications go through. In any one given year, if someone sells their house, that property automatically converts to 6%. Our tax rolls pick up that activity and as it is processed going forward, the billed amounts starts going down. We get a clear picture at the end of the tax year in October. Up until that point in time, and as appeals are outstanding the numbers billed are artificially high.

Mr. Baer wanted to know if he takes the difference in the two bars (slide 6), last year we are \$31 million short, and this year we are \$33 million short. Mr. Starkey stated last year we were at 56% collected as of tax year 2009, and this year we are 53% collected as of December 31, 2010. That did improve. He continued by saying the billed numbers changed as of January 18, 2011. They actually went down in both this tax year and last tax year. As they process the appeals the billed amounts go down. We almost completely leveled off as of January 18, 2011 the last day one could pay taxes without a penalty.

Mr. Rodman wanted to know if the collection include or exclude what is collected from prior years. Mr. Starkey stated it is current tax year only.

Mr. Starkey stated auto tax collections for fiscal year to date were \$1.4 million, roughly 40% of budget as of December 31, 2010 as opposed to \$1.7 million as of December 31, 2009. Autos are billed on a monthly basis. The Auditor gets the rolls from the DMV and each month's tax bills go out.

Mr. Sommerville commented that if he is reading it correctly, that means there are a lot of people driving on expired tags. Mr. Starkey stated there are some issues out there as well. It might be timing issue, based on some tax bills getting out late. That is something we have to keep monitoring.

Mr. Starkey spoke in regard to Capital Improvement Project (CIP) funds. We expended roughly \$3 million dollars in CIP from September 30 – December 31, 2010 in which our retainage changed very little. Meaning we were expending it mostly on the projects they were determined for. Some money has since come back into retainage since December 31, 2010, which was reflected in Mobile Data System presentation.

Rural and Critical Land monies tied to the purchase property fund were expended in the amount of approximately \$4 million between September 20 and December 31, 2010. The last \$10 million is up for borrowing in that Rural and Critical Lands referendum passed in 2005.

Mr. Sommerville wanted to know if that is total borrowings. Mr. Starkey stated that is borrowed and not spent at this point in time. There has been \$80 million borrowed. They've expended all but \$4.9 million as of December 31, 2010.

Mr. Starkey gave an update on the TIFs which will have a very big impact as we hit the reassessment in 2013. Our New River TIF revenues have been steadily increasing every fiscal year. As of December 31, 2010 we are looking at \$5.2 million in revenues. That is about \$400,000 more than the previous year. Because of the extraordinary amount of increment that this TIF has had, it is estimated to conclude at the end of fiscal year 2013. It was originally going to conclude in 2024. That is great for us. That General Fund allocation to that particular TIF is almost 1 mil. That will be very important as we go to the next reassessment.

Mr. Flewelling stated he is interested to know how many properties we are projecting to be below the capped value. Mr. Starkey stated he does not believe the state ever thought, when they made the roll back calculation that we would potentially ever be in a situation like this. That is where without any guidance we will have to get an Attorney General's opinion.

Mr. Starkey stated the Bluffton County TIF is estimated to conclude mid fiscal year 2016. The General Fund allocation of that TIF is approximately .22 mils.

Mr. Flewelling stated we have talked before about bonds having call dates, are these the call dates. Mr. Starkey stated as of December 2012 we will be able to call a very large portion, but will not be able to get it all. As of January 2013, that next year's TIF collection will come in full. We will be able to pay it off in full the next payment. In the mean time we basically have an escrow fund that we have to put the monies in and are not allowed to tap into.

Mr. Starkey stated ad valorem tax rates are down for all three funds. Collection rates have improved by January 18, 2011, however with 5,900 outstanding value appeals for tax years 2009 and 2010 and another 1,300 4% applications, those numbers will definitely need to be monitored as we go forward. We are seeing a downward trend in that property value. That could lead to further issues down the line. In conclusion, the General Fund balance is vulnerable if the rate of expenditures, the effects of these deals and the property value decline continues. Going forward items include mil rollup for reassessment 2013 which would impact the County, Schools, municipalities, fire department, and PSDs. That is something we have to be on the lookout for, especially with the trend data. We are also looking at slower payments. Comparing last year to

this year, there was a 3% difference in who paid as of December 30, 2010 as opposed to January 18, 2011. If you look at prior fiscal years, our collection rates are going down. That leads to budgetary constraints and the importance of looking for new revenues and increasing other current revenues.

Mr. Baer asked about the reserve fund. Mr. Starkey stated at this point the number is up compared to where it normally is as of June 30. The revenues come in a bell curve fashion. So far in taking last year's reserve of roughly \$18 million, it is roughly \$1 million ahead. Last year at the end of the fiscal year, our General Fund went down by \$2.7 million.

Mr. Kubic suggested Council to consider setting a reserve number. If the appropriation cannot be sustained by the collection in a 12 month period and a reserve is fixed, we will have to layoff and reduce in a real time sense, rather than allowing it to continue. That is the beauty of having a defined reserve policy. In other areas at the end of the year you cannot take down the reserve. It would have to either be taken down when it occurs or not.

Status: Informational purposes only.

- **Standard Operating Procedures Related to Reporting**

Discussion: Mr. Hill, Deputy County Administrator, stated the County Administrator has tasked him with trying to take all of the details and make it into a simplex model so that we can project data at a more efficient manner. We have been in communication with the Treasurer-elect and members of the Treasurer's staff to help facilitate the information provided by Mr. Starkey and Mr. Hughes into a simple format. This is a start of trying to get the data in a fashion that we can show the effect of the mil value on a monthly basis. The Auditor will also be a part of this process and will providing us with what is billed and several amounts on automobiles and personal property. He stated he, the Treasurer elect, Deputy Treasurer have spoke about receiving information on the properties currently outstanding. Finance will then come in and tie in all of the numbers. This Committee will see where we are at a current state. He presented the Committee with a financial standard operating report format.

Mr. Kubic added if staff does not receive the information from the Auditor and Treasurer's Office, he is not having his staff put figures in this chart. His expectation is that the data must come from the feeder departments. He wants the Auditor here to present her part and the Treasurer-elect to report his part of the data. He stated it is the real estate factors that he is concerned about. If the mil value results in a decrease of 100,000, that is a \$4 million swing. It is significant.

Status: Informational purposes only.

5. Consideration of Reappointments and Appointments

• **Accommodations Tax Board**

It was moved by Mr. Flewelling that the Committee approve and recommend Council nominate Mr. Dick Farmer, representing at-large, for reappointment to serve on the Accommodations Tax Board. The vote was – FOR: Mr. Baer, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT: Ms. Von Harten. The motion passed.

Recommendation: Council nominates Mr. Dick Farmer for reappointment to serve on the Accommodations Tax Board.

DRAFT

PUBLIC FACILITIES COMMITTEE

March 1, 2011

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

The Public Facilities Committee met on Tuesday, March 1, 2011 at 4:30 p.m., in the Executive Conference Room of the Administration Building, Beaufort, South Carolina.

ATTENDANCE

Public Facilities Committee Members: Chairman Herbert Glaze, Vice Chairman Steven Baer and members Gerald Dawson, Brian Flewelling, and Stewart. Non Committee Member Paul Sommerville was also present. Members William McBride and Stu Rodman were absent.

County staff: David Coleman, CIP Manager; Bob Klink, County Engineer; Rob McFee, Division Director – Engineering and Infrastructure; David Starkey, Chief Financial Officer; and Dave Thomas, Purchasing Director.

Public: Jeff Ackerman, Carolina Engineering; Steve Andrews; Jenny Horn, SGA Architecture; Mildred Simpson; Allan Williams; and Edgar Williams.

ACTION ITEMS

- 1. Consideration of Contract Award**
 - **Design Build Construction for Dirt Road Paving Contract #43**

Discussion: Mr. Rob McFee, Division Director – Engineering and Infrastructure, reviewed this item with the Committee. Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving Contract #43. The following two firms responded and provided proposals for the project on 2/10/11.

REA Contracting, LLC with Andrews & Burgess, Inc.	\$1,167,172.55
APAC Southeast with Coleman-Snow Consultants, LLC	\$1,314,200.00

The Design-Build proposal process differs from a typical construction bid, in that the proposers outline how they would accomplish the project within a specified cost. In this regard, proposals are reviewed on the basis of the “value offered” rather than solely on the lowest price. A committee consisting of the County Engineer, Engineering Construction Manager, Construction Engineer, and General Support Superintendent reviewed the proposal and interviewed the two firms.

After the interviews, REA Contracting/Andrews & Burgess, Inc. was selected as the proposer providing the best value for the design and construction of this project. This team’s

proposal was also reviewed for compliance with the County's Small and Minority Business Subcontractor Ordinance. It has been determined that they made a "Good Faith Effort" and are in compliance with respect to Beaufort County's requirements regarding the Small and Minority Business Subcontractor Ordinance.

On the basis of the qualification of the firm and the value offered, the Committee recommends award of a design/build contract to REA Contracting, LLC / Andrews & Burgess, Inc. The project will be funded by BCTC/TAG funds from the following: Middlefield Circle, 3322T-54728; Jasmine Hall Road, 3322T-54729; Ballpark Road, 3322T-54730; Ihley Road, 3322T-54731.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that the Public Facilities Committee approve and recommend to County Council a contract award in the amount of \$1,167,172.55 to REA Contracting, LLC / Andrews & Burgess, Inc. to design and build Dirt Road Paving Contract #43. It will be funded by BCTC/TAG funds from the following: Middlefield Circle, 3322T-54728; Jasmine Hall Road, 3322T-54729; Ballpark Road, 3322T-54730; Ihley Road, 3322T-54731.

Mr. Dawson stated in the past, the Committee received a list of subcontractors contacted for these bids. He noticed there is no mention of subcontractors in the packages and questions why not.

Mr. McFee replied a list of the active contractors has been provided. If the Committee wishes to see additional paperwork, it can be included in future data packages.

Mr. Dawson thought it would be good to see the number of subcontractors solicited and the number of those that responded. Our concern is to foster business for minority local source.

Mr. Flewelling agreed with Mr. Dawson. The problem, in the past, was receiving copies of a form letter that had gone out to 35 different people and addresses. That could be made into a one page composite sheet.

Mr. Dave Thomas, Purchasing Director, added in working with the County's new Compliance Officer, we will be putting forth more reports.

Mr. Glaze stated the proof of contacting subcontractors was provided previously, but contributed to a surplus of paperwork. We needed to cut back on paperwork. He suggested anyone that wants to view that information, to stop by the Purchasing Department.

Mr. Flewelling stated what he did gain from the information previously provided was that he could call a nonresponsive business and inquired as to why they did not respond. Majority of the time their response was that it was too large of a project.

The vote was: APPROVE – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, and Mr. Stewart. ABSENT – Mr. McBride and Mr. Rodman. The motion passed.

Recommendation: Council awards a contract in the amount of \$1,167,172.55 to REA Contracting, LLC / Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #43. It will be funded by BCTC/TAG funds from the following: Middlefield Circle, 3322T-54728; Jasmine Hall Road, 3322T-54729; Ballpark Road, 3322T-54730; Ihley Road, 3322T-54731.

2. Consideration of Contract Award

• Design Build Construction for Dirt Road Paving Contract #44

Discussion: Mr. Rob McFee reviewed this item with the Committee. Beaufort County issued a Request for Proposals from qualified firms to design and build the Dirt Road Paving Contract #44. The following two firms responded and provided proposals for the project on 2/10/11.

REA Contracting, LLC with Andrews & Burgess, Inc.	\$620,376.30
APAC Southeast with Coleman-Snow Consultants, LLC	\$604,800.00

The Design-Build proposal process differs from a typical construction bid, in that the proposers outline how they would accomplish the project within a specified cost. In this regard, proposals are reviewed on the basis of the “value offered” rather than solely on the lowest price. A committee consisting of the County Engineer, Engineering Construction Manager, Construction Engineer, and General Support Superintendent reviewed the proposal and interviewed the two firms.

After the interviews, REA Contracting/Andrews & Burgess, Inc. was selected as the proposer providing the best value for the design and construction of this project and provides more construction and engineering than the APAC/Coleman Snow team. This team’s proposal was also reviewed for compliance with the County’s Small and Minority Business Subcontractor Ordinance. It has been determined that they made a “Good Faith Effort” and are in compliance with respect to Beaufort County’s requirements regarding the Small and Minority Business Subcontractor Ordinance.

On the basis of the qualification of the firm and the value offered, the selection committee recommends award of a design/build contract to REA Contracting, LLC / Andrews & Burgess, Inc. the project will be funded by BCTC/TAG funds from the following: Fish Haul Road, 3322T-54732; Jessica Drive, 3322T-54733; Ned Court, 3322T-54734.

It was moved by Mr. Dawson, seconded by Mr. Baer, that Public Facilities Committee approve and recommend Council award a contract in the amount of \$620,376.30 to REA Contracting, LLC / Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #44 to be funded by BCTC/TAG funds from the following: Fish Haul Road, 3322T-54732; Jessica Drive, 3322T-54733; Ned Court, 3322T-54734. The vote was: APPROVE – Mr. Baer, Mr. Dawson, Mr. Flewelling, Mr. Glaze, and Mr. Stewart. ABSENT – Mr. McBride and Mr. Rodman. The motion passed.

Recommendation: Council award a contract in the amount of \$620,376.30 to REA Contracting, LLC / Andrews & Burgess, Inc. to design and build the Dirt Road Paving Contract #44 to be funded by BCTC/TAG funds from the following: Fish Haul Road, 3322T-54732; Jessica Drive, 3322T-54733; Ned Court, 3322T-54734.

INFORMATION ITEMS

3. Road Abandonment – Part of Bostick Road

Discussion: The background of this item is as follows: Bostick Road is a County-owned right-of-way (r-o-w) located in Salem Plantation Subdivision. Although shown on numerous plats as a 60' r-o-w, the street itself was never constructed.

A recent survey by David Gasque, RLS, has brought to light an error or omission in the original subdivision surveys that have resulted in a misrepresentation of Bostick Road, the misrepresentation being that the r-o-w is 60' wide. In reality, the r-o-w width varies and is less than 60'.

Bostick Road is situated between Blocks C and D of Salem Plantation Subdivision. These Blocks were surveyed at different times by different surveyors. While each survey labels Bostick Road as a 60' r-o-w, neither surveyor actually surveyed the r-o-w area. In reality, the space between the two blocks, which would correspond to the r-o-w, is less than 60'.

Additional factors contributing to the confusion over r-o-w width are the survey changes applied to Lot 15-C. This is the only lot in Block C adjacent to Bostick Road. The lot was originally surveyed as being 144.71' wide at its widest point. A subsequent survey reduced this figure to 114.7'. A third survey restored the lot to its original width.

As a result of the errors outline above, contemporary surveys of Lots 1-D and 2-D are shown with "Areas of Confusion". These areas reflect the fact that the Bostick Road r-o-w varies in width, much of it being less than 60'. Obviously, may potential purchaser of either lot would have reservation about these "Areas of Confusion". To remedy this situation the owners of Lots 1-D and 2-D, Alan Williams, Melanie Williams, and Mildred Simpson, have proposed three alternative solutions:

1. The County quitclaim the platted "Areas of Confusion" to the property owners
2. The County quitclaim a 10'-wide strip along the entire length of Bostick Road, thus reducing the County's r-o-w to 50'
3. The County quitclaim a 13.38'-wide strip of land along the entire length of Bostick Road, the 13.38' corresponding to the widest point of the "Areas of Confusion"

The County Staff Attorney has recommended Solution #2: that the County quit claim a 10'-wide strip of land running the entire length of Bostick Road to the owners of Lots 1-D and 2-D.

Mr. McFee reviewed this item with the Committee. He began by apologizing, saying the exhibits provided were less than clear. He presented an exhibit that showed it in a clearer fashion and pointed out the areas to the Committee. He showed Bostick Road, saying it does not currently exist and is currently grass/dirt. It is a right-of-way, but no pavement exists. He showed the area in question, in regard to ownership. The narrative demonstrates the different surveyors at different times and the width of the r-o-w, all which creates a level of confusion that can be resolved by the County recommending the abandonment of this r-o-w to the adjacent property owners.

Mr. Allan William pointed out Lot 1 which was the original lot, Lot 2, owned by Ms. Simpson, and Lot 3 owned by Joe Morgan. He also pointed out the original r-o-w posts. He wants to put a house on the property. They would at least like it to go back to the original 45' r-o-w, but would prefer the entire thing be abandoned.

Ms. Mildred Simpson stated the recommendation has been Solution #2 – a 50' r-o-w is the remainder right-of-way. What is being asked is a 40' r-o-w to eliminate any confusion in the original platting. She stated they would like the r-o-w to be 45' as opposed to 40'.

Mr. Glaze stated it was his intention to postpone the abandonment, in that there was an additional option that was not provided to Council. He would like to make sure Council has time to look at that option before moving forward.

Mr. Flewelling wanted to know if the delay was going to cause any trouble for Mr. William who replied no, it has been going on for years. He also stated Solution 3# is more to their advantage.

Mr. Baer wanted to know why the County Attorney recommended Solution #2. Mr. McFee stated he will ask the County Attorney to be present at the next Committee meeting.

Status: This item will be brought forth at the next Public Facilities Meeting.

4. Purchasing 101 – Doing Business with Beaufort County

Discussion: Mr. Dave Thomas, Purchasing Director, reviewed this item with the Committee. The Purchasing Department has moved from Building 2 to Building 3. He stated the Department wants to be open and transparent to the community and is doing so with the internet. The contract information, business opportunities will be listed on the internet. Vendors and contractors will fill out vendor applications and download them from the internet. They will be able to view vendor lists, current and other vendor links. Also, with the new Compliance Officer, more purchasing events will be created i.e. workshops for our local vendors – small and minority business community. He then reviewed with Council the Purchasing Department's website, request for quotes, invitation for bids, as well as request for proposals, request for qualifications and request for information. He also went over some "helpful hints". This included topics such as pre bid and pre proposal meetings. He stated his job is to make sure the

vendors and contractors are successful in presenting their responses and also to check their documents for compliance. The Department also checks on local preference if there is a matching bid and on references/experiences. The Department meets with staff in an evaluation committee then it is brought back to the appropriate committee of Council.

Status: No action required. Information only.

5. Burton Wells Regional Park Update

Discussion: Mr. Jeff Ackerman, Carolina Engineering and Ms. Jenny Horn, SGA Architecture, reviewed this item with the Committee. Ms. Horn provided an update to the Committee. She presented an overview map and the overall master plan for the Burton Wells Regional Park (Park). The part she has undertaken is the 69 acres to the east of Burton Wells Road. She stated last summer they went through a series of community workshops to get the community feedback on what they'd like to see happen on the 69 acres. Out of those community workshops, data was pulled to form a program for the Park. Out of that, a definite expansion of the existing pond/lake current out there was a definite need for activities, a dog park area on the northern part, an open lawn/grass amphitheatre for outdoor events, and on the south portion a lake pavilion are all needs addressed. She also pointed out the location of the playground/splash area and a future road leading to open spaces on the more eastern portion of the Park. Part of the community workshop included skate parks and covered basketball court areas to be provided. The graphic she presented illustrated what they are looking to do in the first stage of construction on the 69 acre portion of the Park. In the construction documents, they are looking at providing the expansion to the lake (6.7 acres), a dog park, existing basketball court to remain, additional parking, the lake pavilion and additional parking on the south property. The picnic pavilion is located on the north site and the south site will be bid alternates to the project. Also provided will be a perimeter fence on the edge of Burton Wells Road for security purposes in and out of the Park.

Mr. Ackerman, stated what is being presented are the actual construction drawings that are currently out to bid. There is a lot of information on these drawings, because these drawings are what the park improvements will be built from. He showed the northern entrance into the Park and the location of the asphalt paving, shaded dark. He stated the lighter area on the parking areas and pathways are pervious.

Ms. Horn stated the path from the parking is also asphalt in order to take on the heavier duty traffic anticipated going to the amphitheatre.

Mr. Flewelling inquired as to the number of people who will be able to comfortably sit in the amphitheatre.

Ms. Horn stated approximately 300 people. It is intended to be a natural seating area.

Mr. Ackerman presented the lower portion of the site. He showed the existing pond and the new contouring that will take place. Also, he presented the boathouse, and the lower parking

which is mostly pervious surfaces. Mr. Ackerman presented the lower portion; southern access point and the lower portion of the parking area where an asphalt paved entrance will be and the lighter areas presented again are pervious paving. A smaller retention pond will be created due to the inability of draining the area back to the main pond.

Ms. Horn stated we are looking at replanting the island and anything disturbed will be seeded in this base bid. The lake pavilion – parking lot planting with some accent planting around the building will be added. She showed the bid alternate to the planting plan.

She also presented to the Committee the site electrical which is basically the parking. The bid alternate will be pedestrian path lighting that circulates around the amphitheatre. Another bid alternate is pedestrian path lighting.

She spoke about floor plans and pointed out the location of items at the lake pavilion, the picnic pavilion and the floating dock area. She also presented the signage details that went out for construction to correspond with a lot of the rural recreation signs in the County now.

Ms. Horn reviewed the project schedule with the Committee which has been advertised. The pre bid conference will occur March 16, 2011, with bid opening on April 5, 2011. She stated the hope is to get a notice to proceed in June. There is about 180 day construction period.

Mr. Baer wanted to know if there is a budget goal they are working toward. Ms. Horn stated yes they were given a budget. That is what the base bid accounts for.

Mr. Flewelling stated it is wonderful. He believes it will be a real gem for northern Beaufort County.

Status: No action required. Informational purposes only.

6. US 17 Ribbon Cutting Ceremony Held February 10, 2011

Discussion: Mr. Rob McFee reviewed this item with the Committee. The Ribbon Cutting Ceremony occurred February 10, 2011 with numerous dignitaries who attended – Mr. Dawson, Mr. Glaze, Mr. McBride, Mr. Newton, as well as SCDOT Commissioner Craig Forest, John Walsh with the Deputy's Office, Director of Engineering for SCDOT, and numerous other State legislators. It was a cold day, but we had a meaningful ceremony. The roadway means a great deal to Beaufort County, as does the history of the facility. It was a very unforgiving roadway. It is now a very safe, attractive facility. The only thing lacking on the project is an overlay of what is known as open graded friction course which is an interstate grade overlay which allows water to run through the first inch and a half, getting it away from the contact service. It creates less mist from traveling trucks and has better braking, skid resistance characteristics. It is also quieter.

Mr. Dawson inquired as to the timeframe of SCDOT putting the top layer on. Mr. McFee stated March 15 will resume the surface paving season, so it will be thereafter.

Mr. Flewelling pointed out that the only other thing missing is four-lane connectivity all the way to Jacksonboro. Mr. McFee stated that is under active construction with Lane Construction out of Connecticut.

Mr. Baer wanted to know if much impact is being seen from the oil price increase in the cost of road projects. Mr. McFee replied in the affirmative. Mr. McFee stated the asphalt index and fuel index are adjusted monthly on ours and SCDOT contracts. The percentage rise we all have seen at the pumps is a direct translation to contracts.

Mr. Glaze commented that U.S. 17 is an excellent project and is an example of monies well spent.

Mr. Dawson stated the project is an outstanding and magnificent piece of work by SCDOT. The event was well attended by individuals from Columbia, local dignitaries, as well as local community representatives and the general community. He thanked all of the people involved from SCDOT officials, the contractor Phillips Jordan, and county staff – Mr. McFee, Mr. Kubic, and Mr. Kinton. It was a collective effort which included community involvement. To everyone involved, thank you.

Status: No action required. Information only.

DRAFT

Thoughts, Comments and Questions on BMH Access Road Project - February 21, 2011

1 - Proposed Use:

- The Healthcare facility seems to be a good use and good for the area. It will create jobs, although we have been told it will not pay taxes. Perhaps other related businesses will spring up nearby, that will pay taxes.

2 - Road and Traffic Design:

- It is not clear to me that the plan presented (2/7/11) is the best design for all the people of the area. Questions include:

- What is the plan for this road? Is it a hospital driveway, or a full service access Rd. to the Buckwalter Parkway as envisioned in our 1% project book?

- Does the road proposed meet the standards envisioned in the 1% project list?

- What is the best traffic design to cover all the users in the area?

- It seems to me that such an access road should also meet the needs of the movie/restaurant complex nearby. Was there a joint design?

- It has been said that the proposed rotary violates our County access management plan. It has also been said that it seems designed for some other unknown land access purpose across Buckwalter parkway. That is not a bad thing, but given the high traffic movie/restaurant complex nearby, it seems that this road needs to be designed to cover all nearby purposes.

- Where is the traffic study for the project?

3 - Funding:

- A frontage road at Buckwalter Commercial was on the 1% project list at some point in time. (It was in the July 26, 2010 report.) However, that list lumped all the frontage roads into a single \$2,228,047 project. It is not known if any remaining money is available in that bundle, particularly after other commitments, and overruns. The entire 1% list had to be reprioritized and many projects put on hold. There are also new demands and uses for those funds emerging.

- What is the total cost of the project, and cost to County?

- How much is the hospital asking for: \$200,000, the full road construction cost, or some other number?

- Where is that money proposed to come from? What will it displace?

- What impact fees will be generated by this project?

4 - Presentation and Approval Methods:

- This appears to be a worthwhile project that I would like to see succeed. However, it is an example of how not to present complex material to CC for a rapid decision. This project was presented to us in a rushed fashion with major slides and handouts given to us in real time at meetings. That prevented any advance homework or research by Committees.

- First appeared Jan. 4, 2011 as an off agenda item at end of Natural resources Committee meeting.
- Next appeared as a presentation on Feb. 7, 2011 at Finance Committee meeting. Some (but not all) complex handouts provided during presentation.

The fastest way to get this project done would have been to put it on the agenda for Jan. 4, 2011 and provide handouts a week before. Then we would have had questions that could have been resolved in a month, and we could have voted by Feb. 4 or the next CC meeting thereafter.

If we are going to do Due Diligence on behalf of taxpayers, we need to enforce some standards on the backup materials and timing of requests brought to us.