

COUNTY COUNCIL OF BEAUFORT COUNTY  
 ADMINISTRATION BUILDING  
 BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
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D. PAUL SOMMERVILLE  
 CHAIRMAN

GERALD W. STEWART  
 VICE CHAIRMAN

COUNCIL MEMBERS

CYNTHIA M. BENSCH  
 RICK CAPORALE  
 GERALD DAWSON  
 BRIAN E. FLEWELLING  
 STEVEN G. FOBES  
 ALICE G. HOWARD  
 WILLIAM L. MCBRIDE  
 STUART H. RODMAN  
 ROBERTS "TABOR" VAUX

GARY T. KUBIC  
 COUNTY ADMINISTRATOR

JOSHUA A. GRUBER  
 DEPUTY COUNTY ADMINISTRATOR  
 SPECIAL COUNSEL

SUZANNE M. RAINEY  
 CLERK TO COUNCIL

**AGENDA**  
**COUNTY COUNCIL OF BEAUFORT COUNTY**

Monday, April 27, 2015  
 4:00 p.m.  
 Council Chambers  
 Administration Building  
 Beaufort County Government Robert Smalls Complex  
 100 Ribaut Road, Beaufort

Citizens may participate in the public comment periods and public hearings from telecast sites at County Council Chambers, Beaufort as well as Mary Field School, Daufuskie Island.

1. CAUCUS - 4:00 P.M.
  - A. Discussion of Consent Agenda
  - B. Discussion is not limited to agenda items
  - C. Executive Session / Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property
2. REGULAR MEETING - 5:00 P.M.
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION – Councilman Alice G. Howard
6. ADMINISTRATIVE CONSENT AGENDA
  - A. Approval of Minutes – April 13, 2015 ([backup](#))
  - B. Receipt of County Administrator’s Two-Week Progress Report ([backup](#))
  - C. Receipt of Deputy County Administrator/Special Counsel’s Two-Week Progress Report ([backup](#))
  - D. Committee Reports (next meeting)
    1. Community Services (May 26 at 1:00 p.m., Bluffton Branch Library)
    2. Executive (June 8 at 1:00 p.m., ECR)
      - a. Minutes – April 13, 2015 ([backup](#))
    3. Finance (May 4 at 1:30 p.m., ECR)
      - a. Minutes – April 20, 2015 ([backup](#))
    4. Governmental (May 4 at 4:00 p.m., ECR)
    5. Natural Resources (May 4 at 2:00 p.m., ECR)
    6. Public Facilities (May 18 at 4:00 p.m., BIV #3)
      - a. Minutes – April 20, 2015 ([backup](#))
  - E. Appointments to Boards and Commissions ([backup](#))



7. PROCLAMATION

A. Sun City Hilton Head 20<sup>th</sup> Anniversary ([backup](#))

Ms. Susan Zellman, Government and Business Affairs Committee, Sun City

8. PUBLIC COMMENT

9. CONSENT AGENDA

A. AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$12,000,000 GENERAL OBLIGATION BONDS AND \$12,000,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN ONE OR MORE YEARS, WITH APPROPRIATE SERIES DESIGNATIONS, OF BEAUFORT COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BOND AND THE NOTES; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS AND THE NOTES; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO (PURCHASE OF 80 ACRES / PEPPER HALL PLANTATION) ([backup](#))

1. Consideration of second reading to occur April 27, 2015
2. Public hearing announcement – Monday, May 11, 2015, beginning at 6:00 p.m. in Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort
3. First reading approval occurred April 13, 2015 Vote: 5:4:1:1
4. Finance Committee discussion and recommendation to approve the ordinance on first reading occurred March 16, 2015 / Vote: 5:0

B. A RESOLUTION OF BEAUFORT COUNTY COUNCIL TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN BEAUFORT COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300, ET SEQ., OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR THE COMPOSITION AND APPOINTMENT OF SUCH COMMISSION; AND OTHER MATTERS RELATED THERETO ([backup](#))

1. Executive Committee discussion and recommendation to adopt the resolution occurred April 13, 2015 / Vote 5:0

C. FISCAL YEAR 2015 – 2016 COUNTY BUDGET PROPOSAL ([backup](#))

1. Consideration of first reading approval to occur April 27, 2015
2. Public hearings:
  - a. Monday, May 11, 2015 beginning at 6:00 p.m., in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort
  - b. Tuesday, May 26, 2015 beginning at 6:00 p.m., in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton
3. Finance Committee discussion and recommendation to approve budget on first reading occurred April 20, 2015 / 5:2
4. Finance Committee discussion occurred March 26, 2015
5. Annual Planning Meeting/Retreat discussion occurred February 14, 2015

D. FISCAL YEAR 2015 – 2016 SCHOOL DISTRICT BUDGET PROPOSAL ([backup](#))

1. Consideration of first reading, by title only, approval to occur April 27, 2015
2. Public hearings:
  - a. Monday, May 11, 2015 beginning at 6:00 p.m., in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort
  - b. Tuesday, May 26, 2015 beginning at 6:00 p.m., in the large meeting room of the Bluffton Branch Library, 120 Palmetto Way, Bluffton
3. Finance Committee discussion and recommendation to approve budget on first reading, by title only, occurred April 20, 2015 / 7:0

E. KNUCKLE BOOM LOADER TRUCK WITH DUMP BODY FROM STATE CONTRACT FOR BEAUFORT COUNTY'S PUBLIC WORKS DEPARTMENT SOLID WASTE AND RECYCLING ([backup](#))

1. Contract award: Carolina International Trucks, Inc., Columbia, South Carolina
2. Contract amount: \$119,065
3. Funding source: Account #40090011-54213-2014 Bonds, Specialized Capital Equipment-Public Works
4. Public Facilities Committee discussion and recommendation to award the contract occurred April 20, 2015 / Vote 7:0

F. A RESOLUTION ENDORSING THE HARGRAY COMMUNICATIONS LOWCOUNTRY BROADBAND PLAN IN BEAUFORT COUNTY ([backup](#))

1. Public Facilities Committee discussion and recommendation to adopt the resolution occurred April 20, 2015 / Vote 7:0

G. CONDEMNATION OF TWO REMAINING RIGHT OF WAY PARCELS NEEDED ON COKER LANE, DALE TO IMPROVE THE DIRT ROAD IN A FUTURE DIRT ROAD PAVING CONTRACT ([backup](#))

1. Public Facilities Committee discussion and recommendation to approve the condemnation occurred April 20, 2015 / Vote 7:0

H. CONDEMNATION OF FOUR REMAINING RIGHT OF WAY PARCELS NEEDED ON ALMOND DRIVE, ST HELENA ISLAND TO IMPROVE THE DIRT ROAD IN A FUTURE DIRT ROAD PAVING CONTRACT ([backup](#))

1. Public Facilities Committee discussion and recommendation to approve the condemnation occurred April 20, 2015 / Vote 7:0

I. CONDEMNATION OF REMAINING RIGHT OF WAY PARCEL NEEDED ON MARY SMALLS ROAD, ST HELENA ISLAND TO IMPROVE THE DIRT ROAD IN A FUTURE DIRT ROAD PAVING CONTRACT ([backup](#))

1. Public Facilities Committee discussion and recommendation to approve the condemnation occurred April 20, 2015 / Vote 7:0

## 10. PUBLIC HEARINGS

A. AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2014/14, FY 2014-2015 BEAUFORT COUNTY BUDGET BY DELETING EXISTING APPROPRIATION LEVELS SO AS NOT TO EXCEED ANTICIPATED GENERAL REVENUES (DELETES \$1.9 MILLION FROM THE GENERAL FUND BUDGET) ([backup](#))

1. Consideration of third and final reading to occur April 27, 2015
2. Second reading approval occurred April 13, 2015 / Vote 10:0
3. First reading approval occurred March 23, 2015 / Vote 11:0
4. Finance Committee discussion and recommendation to approve ordinance on first reading occurred March 16, 2015 / Vote: 5:0

B. AN ORDINANCE TO APPROPRIATE \$150,000 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE SANTA ELENA FOUNDATION (CULTURAL INTERPRETIVE CENTER AND ARCHIVE ACQUISITION) ([backup](#))

1. Consideration of third and final reading to occur April 27, 2015
2. Second reading approval occurred April 13, 2015 / Vote: 10:0
3. First reading approval occurred March 23, 2015 / Vote 11:0
4. Finance Committee discussion and recommendation to approve ordinance on first reading occurred March 16, 2015 / Vote: 4:1

C. AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH DIAMOND TRANSPORTATION, LLC (PARKING OF VEHICLES AT 16 HUNTER ROAD, HILTON HEAD ISLAND) ([backup](#))

1. Consideration of third and final reading to occur April 27, 2015
2. Second reading approval occurred April 13, 2015 / Vote 10:0
3. First reading approval occurred March 23, 2015 / Vote 11:0
4. Finance Committee discussion and recommendation to approve ordinance on first reading occurred March 16, 2015 / Vote: 5:0

D. AN ORDINANCE TO APPROPRIATE NOT TO EXCEED \$76,810 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE GENERAL FUND FOR THE BROAD RIVER FISHING PIER REHABILITATION PROJECT ([backup](#))

1. Consideration of third and final reading to occur April 27, 2015
2. Second reading approval occurred April 13, 2015 / Vote 10:0
3. First reading approval occurred March 23, 2015 / Vote 11:0
4. Public Facilities Committee discussion and recommendation to approve ordinance on first reading occurred March 16, 2015 / Vote: 5:1

## 11. PUBLIC COMMENT

## 12. ADJOURNMENT

Official Proceedings  
County Council of Beaufort County  
April 13, 2015

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

**CAUCUS**

A caucus of the County Council of Beaufort County was held Monday, April 13, 2015 beginning at 4:00 p.m. in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

**ATTENDANCE**

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, Alice Howard, William McBride, Stewart Rodman and Roberts "Tabor" Vaux. Steven Fobes absent.

**DISCUSSION ITEMS**

At the request of Mrs. Bensch, Council discussed agenda item 10D, an ordinance to appropriate not to exceed \$76,810 from the 3% local accommodations tax fund to the general fund for the Broad River Fishing Pier Rehabilitation Project.

At the request of Mr. Sommerville, agenda item 10E, an ordinance authorizing the issuance and sale of not to exceed \$12,000,000 general obligation bonds (Pepper Hall Plantation), was removed from the consent agenda.

Mr. Flewelling announced that he would call for an off-agenda item during the regular meeting regarding a contract change order to Applied Technology & Management, Inc. Five-Year Rate Study that staff is recommending for adoption as part of the stormwater rate study analysis.

Mr. Dawson announced that he would call for an off-agenda item during the regular meeting regarding the adoption of a resolution as it relates to the County's purchase of 77.875 acres in the Lobeco area to be used as a possible shooting range.

**REGULAR MEETING**

The regular meeting of the County Council of Beaufort County was held Monday, April 13, 2015 beginning at 5:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

**ATTENDANCE**

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, Alice Howard, William McBride, Stewart Rodman and Roberts “Tabor” Vaux. Steven Fobes absent.

**PLEDGE OF ALLEGIANCE**

The Chairman led those present in the Pledge of Allegiance.

**INVOCATION**

Mr. Sommerville gave the Invocation.

The Chairman passed the gavel to the Vice Chairman in order to receive the Administrative Consent Agenda.

**ADMINISTRATIVE CONSENT AGENDA**

**Review of Proceedings of the Regular Meeting held March 23, 2015**

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Sommerville, seconded by Mr. Dawson, that Council approve the minutes of the regular meeting held March 23, 2015. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mrs. Fobes. The motion passed.

**County Administrator’s Two-Week Progress Report**

This item comes before Council under the Administrative Consent Agenda.

Mr. Gary Kubic, County Administrator, presented his Two-Week Progress Report, which summarized his activities from March 23, 2015 through April 10, 2015.

**Deputy County Administrator/Special Counsel’s Two-Week Progress Report**

This item comes before Council under the Administrative Consent Agenda.

Mr. Josh Gruber, Deputy County Administrator/Special Counsel, presented his Two-Week Progress Report, which summarized his activities from March 23, 2015 through April 10, 2015.

## **Committee Reports**

### **Community Services Committee**

#### **Alcohol and Drug Abuse Board**

Charles Hammel

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Charles Hammel was reappointed to serve as a member of the Alcohol and Drug Abuse Board after garnering the eight votes required to reappoint.

Ray Spellerberg

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Ray Spellerberg was appointed to serve as a member of the Alcohol and Drug Abuse Board after garnering the six votes required to appoint.

#### **Disabilities and Special Needs Board**

Robert Collar

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Robert Collar was reappointed to serve as a member of the Disabilities and Special Needs Board after garnering the eight votes required to reappoint.

Nancy Pinkerton

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Ms. Nancy Pinkerton was reappointed to serve as a member of the Disabilities and Special Needs Board after garnering the ten votes required to reappoint.

Jill Striebinger

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Ms. Jill Striebinger was reappointed to serve as a member of the Disabilities and Special Needs Board after garnering the eight votes required to reappoint.

## **Parks and Leisure Services Board**

Erac Priester

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Erac Priester, representing northern Beaufort County, was reappointed to serve as a member of the Parks and Leisure Services Board after garnering the six votes required to reappoint.

Arthur Middleton

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Arthur Middleton, representing northern Beaufort County, was reappointed to serve as a member of the Parks and Leisure Services Board after garnering the ten votes required to reappoint.

## **Executive Committee**

It was moved by Mr. Stewart, as Chairman of the Executive Committee (no second required), that Council adopt a resolution requesting that the Beaufort County Legislative Delegation adopt a resolution to abolish the County Transportation Committee and devolve its powers and duties to Beaufort County Council. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

## **Finance Committee**

### **Accommodations Tax (2% State) Board**

Vimal Desai

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Vimal Desai, representing lodging/hospitality, was appointed to serve as a member of the Accommodations Tax (2% State) Board after garnering the six votes required to appoint.

## **Airports Board**

Dan Ahern

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes.

Mr. Dan Ahern, representing proximity to Lady's Island Airport, was reappointed to serve as a member of the Airports Board after garnering the eight votes required to reappoint.

Lawrence Roberts

The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. Mr. Lawrence Roberts, representing proximity to Lady's Island Airport, was appointed to serve as a member of the Airports Board after garnering the six votes required to appoint.

### **Governmental Committee**

Lowcountry Council of Governments

Mr. Rodman, as Chairman of the Governmental Committee, nominated Mr. Tomothy Kilty to serve as a member of the Lowcountry Council of Governments.

### **Natural Resources Committee**

**Change Order to Applied Technology & Management, Inc. Five-Year Rate Study / Developing Updated Impervious Area Feature for Approximately 5,000 Parcels Across the County**

**Motion to hear off-agenda item:** It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council hear an off-agenda item regarding a change order to the Applied Technology & management, Inc. (ATM) contract. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

**Main motion:** It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve a change order to the Applied Technology & Management, Inc. (ATM) contract by adding Proposal 4-D, developing updated impervious area feature for approximately 5,000 parcels across the County, in the amount of \$79,291 to be paid from the Stormwater Reserve Fund. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

### **Rural and Critical Lands Board**

Mr. Flewelling, as Natural Resources Committee Chairman, nominated Mr. Judd Carstens, representing Council District 11, to serve as a member of the Rural and Critical Lands Board.

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

**PUBLIC COMMENT**

The Chairman recognized Ms. Marilyn Harcharik, President, Friends of Beaufort Branch Library, who submitted a petition of 200+ signatures requesting increasing library funds in the amount of \$4.5 million in operating funds as well as \$150,000 for facility improvements at the Beaufort Branch Library.

Mr. Douglas Kahn, a retired law enforcement and today employed in the firearms industry, is a proponent of building an outdoor gun range in a rural area of Beaufort County.

Dr. Chris Mohler, a 25-year resident of Beaufort County, supports a public shooting range in Beaufort County.

Ms. Queen Quet Goodwine, a resident of St. Helena Island, stated the community needs full-time access to our public libraries.

Mr. Tom Hetherington, a resident of Beaufort, supports a gun shooting range in Beaufort County.

Ms. Julie Moringello, a resident of Rose Hill Plantation, asked Council to keep the traffic light at the intersection of Buckwalter Parkway, Bluffton Parkway and The Townes Boulevard in order to accommodate the Georgia Eye Institute proposal to build between a 25,000 to 50,000 square feet, \$15.0 million medical, complete with surgical center.

Ms. Pat Trezevant, a resident of Dale, is opposed to a gun shooting range. She distributed a satellite image of the Duncan Farms property, the possible site of the gun shooting range.

Ms. Amy Whittington, a resident of Dale, is opposed to the gun shooting range park on the Duncan Farms property.

Mr. Jim Bequette, a resident of Lady's Island, remarked in 2006 the library system was funded at \$4.3 million compared with \$2.9 million in 2014 -- a 32.6% reduction in funding. Library funding has been cut, cut, cut.

Ms. Barbara O'Leary, a resident of Dale, is opposed to the gun shooting range park on the Duncan Farms property.

Mr. James Herring, a resident of Beaufort, asked Council to continue supporting the library system and provide proper funding.

Mr. Rufus Williams, a resident of Dale, is opposed to the gun shooting range park on the Duncan Farms property. Perhaps Council could install an indoor Olympic size pool or gymnasium on this property.

Ms. Eileen Rios, a retiree of County government, spoke about the elimination of health care benefits for certain retirees. Please consider other options.

**CONSENT AGENDA**

**AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA TO AMEND SECTION 2-346, ET SEQ. OF THE BEAUFORT COUNTY CODE OF LAWS AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2014/14, FY 2014-2015 BEAUFORT COUNTY BUDGET, BY DELETING EXISTING APPROPRIATION LEVELS SO AS NOT TO EXCEED ANTICIPATED GENERAL REVENUES (DELETES \$1.9 MILLION FROM GENERAL FUND BUDGET)**

This item comes before Council under the Consent Agenda. Discussion occurred at the March 16, 2015 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance to amend Beaufort County Ordinance 2014/14, FY 2014-2015 Beaufort County Budget, by deleting existing appropriation levels so as not to exceed anticipated general revenues (deletes \$1.9 million from the general fund budget). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

The Chairman announced a public hearing Monday, April 27, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort.

**AN ORDINANCE TO APPROPRIATE \$150,000 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE SANTA ELENA FOUNDATION (CULTURAL INTERPRETIVE CENTER AND ARCHIVE ACQUISITION)**

This item comes before Council under the Consent Agenda. Discussion occurred at the March 16, 2015 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance to appropriate \$150,000 from the 3% Local Accommodations Tax fund to the Santa Elena Foundation (cultural interpretive center and archive acquisition). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

The Chairman announced a public hearing Monday, April 27, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort.

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH DIAMOND TRANSPORTATION, LLC (PARKING OF VEHICLES AT 16 HUNTER ROAD, HILTON HEAD ISLAND)**

This item comes before Council under the Consent Agenda. Discussion occurred at the March 16, 2015 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance authorizing the County Administrator to execute a lease agreement with Diamond Transportation, LLC for the use of the property located at 16 Hunter Road, Hilton Head Island, South Carolina (parking of vehicles). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

The Chairman announced a public hearing Monday, April 27, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort.

**AN ORDINANCE TO APPROPRIATE NOT TO EXCEED \$76,810 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE GENERAL FUND FOR THE BROAD RIVER FISHING PIER REHABILITATION PROJECT**

This item comes before Council under the Consent Agenda. Discussion occurred at the March 16, 2015 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council approve on second reading an ordinance to appropriate not to exceed \$76,810 from the 3% local accommodations tax fund to the general fund for the Broad River Fishing Pier Rehabilitation Project. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

The Chairman announced a public hearing Monday, April 27, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, 100 Ribaut Road, Beaufort.

**A RESOLUTION ENDORSING THE RELOCATION OF THE OLD SHELDON CHURCH ROAD ELECTRIC TRANSMISSION LINE AS PROPOSED BY SOUTH CAROLINA ELECTRIC AND GAS COMPANY**

This item comes before Council under the Consent Agenda. Discussion occurred at the April 6, 2014 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council adopt a resolution endorsing the relocation of the Old Sheldon Church Road electric transmission line as proposed by South Carolina Electric and Gas Company. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

**AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$12,000,000 GENERAL OBLIGATION BONDS AND \$12,000,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN ONE OR MORE YEARS, WITH APPROPRIATE SERIES DESIGNATIONS, OF BEAUFORT COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BOND AND THE NOTES; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS AND THE NOTES; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO (PEPPER HALL PLANTATION)**

It was moved by Mr. Stewart, as Chairman of the Finance Committee (no second required), that Council approve on first reading an ordinance authorizing the issuance and sale of not to exceed \$12,000,000 general obligation bonds and \$12,000,000 general obligation bond anticipation notes, in one or more series, in one or more years, with appropriate series designations, of Beaufort County, South Carolina; fixing the form and details of the bond and the notes; delegating to the County Administrator certain authority related to the bonds and the notes; providing for the payment of the bonds and the notes and the disposition of the proceeds thereof; and other matters relating thereto (Pepper Hall Plantation). The vote: YEAS – Mrs. Bensch, Mr. Flewelling, Mrs. Howard, Mr. Rodman and Mr. Stewart. NAYS – Mr. Caporale, Mr. Dawson, Mr. McBride and Mr. Sommerville. ABSENT – Mr. Fobes. RECUSAL - Mr. Vaux, recused himself, left the room, and was not present for any of the discussion. The motion passed.

**A RESOLUTION TRANSFERRING 43.57 ACRES OF PROPERTY LOCATED ON THE CHECHESSEE RIVER TO THE BEAUFORT COUNTY RURAL AND CRITICAL PROGRAM**

It was moved by Mr. Flewelling, seconded by Mr. McBride, that Council adopt a resolution transferring the entirety of the 43.57 acres of property located on the Chechessee River (known more specifically as R600 010 000 001A 0000) to the Beaufort County Rural and Critical Lands Program and authorizing the County Administrator to take such action as is necessary to have 20 acres of the 97.7 acres along S.C. Highway 170 (known more specifically as R600 013 000 0061 0000) subdivided for other general County purposes. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

**PUBLIC HEARINGS**

**ESTABLISHING THE SALARIES FOR VARIOUS ELECTED OFFICIALS, EXCLUDING COUNTY COUNCIL MEMBERS (TO AMEND SECTION 2-346, TO INCLUDE MAGISTRATE AND MASTER-IN-EQUITY)**

The Chairman opened a public hearing beginning at 6:02 p.m. for the purpose of receiving public comment on an ordinance establishing the salaries for various elected officials, excluding County Council (to amend Section 2-346, to include Magistrates and Master-in-Equity). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:03 p.m.

It was moved by Mr. Stewart, as Chairman of the Finance Committee (no second required), that Council approve on third and final reading an ordinance of the County of Beaufort, South Carolina to amend Section 2-346, et seq. of the Beaufort County Code of Laws establishing the salaries for various elected officials, excluding County Council members (to amend Section 2-346, to include Magistrates and Master-in-Equity). The vote: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale. ABSENT – Mr. Fobes. The motion passed.

**AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$806,727 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE COUNTY GENERAL FUND FOR CONSTRUCTION OF THE SPANISH MOSS TRAIL – PHASE 2 (1.7 MILES FROM DEPOT ROAD TO BROAD RIVER BOULEVARD)**

The Chairman opened a public hearing beginning at 6:04 p.m. for the purpose of receiving public comment on an ordinance to appropriate funds not to exceed \$806,727 from the 3% local accommodations tax fund to the county general fund for construction of the Spanish Moss Trail – Phase 2 (1.7 miles from Depot Road to Broad River Boulevard). After calling once for public comment, the Chairman recognized Mr. Dean Moss, Executive Director, Friends of the Spanish Moss Trail, who requested the County support of this appropriation. The trail is complete for 3 miles south of this section and complete 1.5 miles north of this section. The section we are considering here would connect those two. The trail currently sees an enormous amount of usage all days of the week, all times of day when it is open, which is dawn to dusk. It is an asset for this County, which is remarkable. It has potential for growing and becoming even greater. After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 6:06 pm.

It was moved by Mr. Flewelling, as Chairman of the Natural Resources Committee (no second required), that Council approve on third and final reading an ordinance to appropriate funds not to exceed \$806,727 from the 3% local accommodations tax fund to the County general fund for construction of the Spanish Moss Trail – Phase 2 (1.7 miles from Depot Road to Broad River Boulevard). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

**TEXT AMENDMENT TO THE ORDINANCE ESTABLISHING A ROAD MAINTENANCE FEE ON ALL VEHICLES WHICH ARE DOMICILED AND GARAGED IN BEAUFORT COUNTY AND THEREBY USE THE ROADWAYS AND BRIDGES OWNED AND MAINTAINED BY BEAUFORT COUNTY AND THE STATE TO INCREASE THE FEE FROM \$10.00 TO \$16.50 AND PROVIDE FOR SUBSEQUENT INCREASES AS APPROPRIATE BASED ON THE CONSUMER PRICE INDEX**

The Chairman opened a public hearing beginning at 6:07 p.m. for the purpose of receiving public comment regarding a text amendment to the ordinance establishing a road maintenance fee on all vehicles which are domiciled and garaged in Beaufort County and thereby use the roadways and bridges owned and maintained by Beaufort County and the state to increase the fee from \$10.00 to \$16.50 and provide for subsequent increases as appropriate based on the consumer price index. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:08 p.m.

It was moved by Mr. Dawson, as Chairman of the Public Facilities Committee (no second required), that Council approve on third and final reading a text amendment to the ordinance establishing a road maintenance fee on all vehicles which are domiciled and garaged in Beaufort County and thereby use the roadways and bridges owned and maintained by Beaufort County and the state to increase the fee from \$10.00 to \$16.50 and provide for subsequent increases as appropriate based on the consumer price index. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Fobes. The motion passed.

**PUBLIC COMMENT**

The Chairman recognized Mr. Kelly Stewart, a County employee, who spoke about the elimination of health care benefits for certain retirees. We need to look at the numbers again, they are just not correct. It is not 500 people; it never was. He has worked for the County 30 years and this retiree insurance benefit is his.

**REQUEST FOR OFF-AGENDA ITEM**

**Passive Park That May Include a Gun Range on the Duncan Farms Property**

**Motion to hear an off-agenda item:** It was moved by Mr. Dawson, seconded by Mr. Vaux, that Council hear an off-agenda item regarding a passive park that may include a gun range on the Duncan Farms property. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Stewart and Mr. Vaux. NAYS - Mr. Flewelling and Mr. Sommerville. ABSENT – Mr. Fobes. The motion passed.

**Main motion:** It was moved by Mr. Dawson, seconded by Mr. Vaux, that Council adopt a resolution directing administration to determine other suitable uses for the 77.875 acres in the Lobeco area (Duncan Farms property), identified as Beaufort County TM # R700 028 000 024A0000 or, in the alternative, it will remain undeveloped. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Stewart and Mr. Vaux. NAYS - Mr. Flewelling and Mr. Sommerville. ABSENT – Mr. Fobes. The motion passed.

**ADJOURNMENT**

Council adjourned at 7:21 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

ATTEST \_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

Ratified:



# Memorandum

DATE: April 24, 2015

TO: County Council

FROM: Gary Kubic, County Administrator *Gary Kubic*

SUBJ: County Administrator's Progress Report

The following is a summary of activities that took place April 13, 2015 through April 24, 2015:

April 13, 2015

- Employee New Hire orientation
- Executive Committee
- Caucus
- County Council

April 14, 2015

- Guest speaker - Lady's Island Business and Professional Association (LIBPA)
- Military Enhancement Committee / Senator Lindsey Graham
- Juanita Murdaugh re: Property tax refund

April 15, 2015

- Joshua Gruber, Alicia Holland, and Ed Hughes re: County Assessor monthly update

April 16, 2015

- Joshua Gruber, Alicia Holland, and Tony Criscitiello re: Credit Bank for waivers of Affordable Housing impact fees

April 17, 2015

- Joshua Gruber, Alicia Holland, Chanel Lewis, and Suzanne Cook re: First Vehicle Services performance review
- Community Training Home visits

COUNTY COUNCIL

April 24, 2015

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April 20, 2015

- Employee New Hire orientation
- Joshua Gruber, Alicia Holland and Ed Hughes re: 2013 Golf Course appeals
- Joshua Gruber / Economic Development prospect conference call
- Finance Committee
- Public Facilities Committee

April 21, 2015

- Site inspection Lady's Island Airport and Firehouse
- Joshua Gruber, Eric Larson and Dr. Alan Warren of USCB re: USCB Lab
- Joshua Gruber and Ed Hughes / Policy & Procedures

April 22, 2015

- Agenda review with Chairman, Vice Chairman and Executive Staff re: Review draft agenda for April 27, 2015 Council meeting
- Joshua Gruber, Allison Coppage and Tony Criscitiello re: Beautification Board / Future Funding and Function

April 23, 2015

- Joshua Gruber, Billy Keyserling and Bill Prokop re: County / City issues

April 24, 2015

- Personal leave



## Memorandum

DATE: April 24, 2015  
TO: County Council  
FROM: Joshua A. Gruber, Deputy County Administrator  
SUBJECT: Deputy County Administrator's Progress Report

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The following is a summary of activities that took place April 13, 2015 through April 24, 2015:

### April 13, 2015 (Monday):

- Meet with Edward M. Hughes, Esq. of Nexsen Pruet and Phil Foot, Public Safety Director re: Beaufort County EMS Site at Palmetto Bluff
- Meet with Councilman Gerald Dawson, Allison Coppage, Assistant County Attorney, Tallulah Trice, Animal Shelter Director and Phil Foot, Public Safety Director re: Proposed Animal Control Ordinance Revisions
- Executive Committee
- County Council

### April 14, 2015 (Tuesday):

- Meet with Councilman Jerry Stewart & Alicia Holland, Finance Director re: School District Budget Items
- Meet with Alicia Holland, Finance Director, Doug Henderson, Treasurer and Maria Walls, Treasurer Elect re: FY16 Budget

### April 15, 2015 (Wednesday):

- Litigation Update and Strategy Discussion with Allison Coppage, Assistant County Attorney
- Pre-Bond Rating Conference Call
- Beaufort County Hours

### April 16, 2015 (Thursday):

- Meet with Gary Kubic, County Administrator and Tony Criscitiello, Director of Planning re: Credit Bank Concept for Waivers of Affordable Housing Impact Fees
- Bond Rating Conference Calls (2)
- Beaufort County Hours

April 17, 2015 (Friday):

- Meet with Gary Kubic County Administrator and Alicia Holland, Director of Finance re: First Vehicle Services Current and Present Billing Practices Meeting
- Phone conference with Gary Kubic County Administrator, Alicia Holland, Director of Finance, Buck Consultants and Pflug Law Firm re: Actuarial Services

April 20, 2015 (Monday):

- Meet with Gary Kubic, County Administrator, Alicia Holland, Director of Finance and Edward M. Hughes, Esq. of Nexsen Pruet re: 2013 Golf Course Appeals
- Conference call with Gary Kubic, County Administrator and Mike Layton re: Adrenaline Powerboats
- Finance Committee
- Public Facilities Committee

April 21, 2015 (Tuesday):

- Lady Island Airport – Helicopter Viewing with Gary Kubic, County Administrator
- Meet with Gary Kubic, County Administrator, Eric Larson, Director of Stormwater Management and Dr. Alan Warren re: USCB Water Quality Lab
- Conference call with Jim Minor, Director of Public Works and Waste Management
- Meet with Eric Larson, Director of Stormwater Management and Suzanne Gregory, Director of Employee Services
- Receipt of Complaint re: Ulyssee Outing, Jr. v. Daniel Mooney

April 22, 2015 (Wednesday):

- Agenda Review
- Meet with Mark Roseneau, Facilities Maintenance Director re: MIS Relocation/Arthur Horne
- Meet with Gary Kubic, County Administrator and Tony Criscitiello, Director of Planning re: Beautification Board/Tiller Contract Mtg.
- Meet with Phil Foot, Public Safety Director re: Preparation for 4/27/15 presentation to the Community Services Committee
- Meet with Dan Morgan, Mapping and Applications Director re: Internship Positions

April 23, 2015 (Thursday):

- Meet with Frank Emminger re: Seabrook Point Subdivision
- Meet with Alicia Holland, Director of Finance, Phil Foot, Public Safety Director and Eric Larson, Director of Stormwater Management re: Meeting with Jay Faulkenberry (State Fleet Mgmt - Maintenance) and Lindsay Wood (State Fleet Mgmt - Fuel)
- City/County Meeting with Gary Kubic, County Administrator, Paul Sommerville, County Council Chairman, Mayor Billy Keyserling and Bill Prokop, City Manager

April 24, 2015 (Friday):

- Meet with Jim Bekert, Auditor Elect
- Beaufort Hours

## EXECUTIVE COMMITTEE

April 13, 2015

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

The Executive Committee met Monday, April 13, 2015 beginning at 3:00 p.m. in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

### ATTENDANCE

Chairman Jerry Stewart and members Gerald Dawson, Brian Flewelling, William McBride and Stu Rodman. Non-Committee members Cynthia Bensch, Rick Caporale, Alice Howard, Paul Sommerville and Roberts Vaux present. Paul Sommerville (as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Allison Coppage, Assistant County Attorney; Suzanne Gregory, Employee Services Director; Josh Gruber, Assistant County Administrator/Special Counsel; and Gary Kubic, County Administrator.

Media: Joe Croley, *Lowcountry Inside Track* and Scott Thompson, *Bluffton Today*.

Councilman Jerry Stewart chaired the meeting.

### ACTION ITEMS

- 1. A resolution of Beaufort County Council requesting the Beaufort County Legislative Delegation adopt a resolution to abolish the County Transportation Committee and devolve its powers and duties to Beaufort County Council**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Main motion:** It was moved by Mr. Rodman, seconded by Mr. Dawson, that Committee approve and recommend to Council the adoption of a resolution requesting the Beaufort County Legislative Delegation adopt a resolution to abolish the County Transportation Committee and devolve its powers and duties to Beaufort County Council.

**Motion to amend by substitution:** It was moved by Mr. Sommerville, seconded by Mr. Flewelling, that Committee amend the resolution as follows: (i) in the third Whereas: replace “‘dumping’ with ‘devolution’” and add “‘statewide’ after 19,000 miles of roads . . .”. and (ii) in the fifth Whereas: replace “the bill places too much power with the CTC, which is not liable . . .” with “the proposed bill places too much power with the reconstituted CTC, which would not

be liable . . .”. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

**Vote on the amended motion, which is now the main motion, and includes the motion to amend by substitution:** Council adopt a resolution requesting the Beaufort County Legislative Delegation adopt a resolution to abolish the County Transportation Committee and devolve its powers and duties to Beaufort County Council. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

## **2. Resolution / Capital Project Sales Tax Commission**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Committee discussed:

- Setting up the Commission
- Requesting staff to come forward with a list of capital items that they would like Council to consider and forward to the Commission;
- Obtaining a legal opinion regarding the Council’s ability to make some forward statements and guidelines to the Commission regarding high-priority projects (roads, capital infrastructure needs), reasonable bonding, and duration of the tax.)
- Reaching out to the municipalities regarding Commission names

**Motion:** It was moved by Mr. Sommerville, seconded by Mr. Dawson, that Committee approve and recommend to Council the adoption of a resolution to establish a Commission to consider proposals for funding capital projects in Beaufort County, South Carolina, pursuant to Section 4-10-300, et seq., of the Code of Laws of South Carolina, 1976, as amended; to provide for the composition and appointment of such Commission; and other matters related thereto. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. The motion passed.

**Recommendation:** Council adopt a resolution to establish a Commission to consider proposals for funding capital projects in Beaufort County, South Carolina, pursuant to Section 4-10-300, et seq., of the Code of Laws of South Carolina, 1976, as amended; to provide for the composition and appointment of such Commission; and other matters related thereto.

## FINANCE COMMITTEE

April 20, 2015

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

The Finance Committee met Monday, April 20, 2015 beginning at 1:30 p.m., in the Conference Room of Building 3, Beaufort Industrial Village, 104 Industrial Village Road, Beaufort, South Carolina.

### ATTENDANCE

Chairman Jerry Stewart, Vice Chairman Steve Fobes and members Cynthia Bensch, Rick Caporale, Brian Flewelling, William McBride and Stu Rodman. Non-committee members Gerald Dawson, Alice Howard, Paul Sommerville and Tabor Vaux present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Jim Beckert, Administration; Allison Coppage, Deputy County Attorney; Joshua Gruber, Deputy County Administrator/Special Counsel; Gary Kubic, County Administrator; Alicia Holland, Assistant County Administrator–Finance Division; and Jon Rembold, Airports Director.

Media: Joe Croley, *Lowcountry Inside Track* and Zach Murdock, *The Beaufort Gazette/The Island Packet*.

School District: Tonya Crosby, Chief Financial Officer; Joseph Dunkle, Board of Education–District 4; Bill Evans, Board of Education Chairman–District 2; Dr. Jeff Moss, Superintendent; Paul Roth, Board of Education–District 6; and Phyllis White, Chief Operational Services Officer.

Councilman Stewart chaired the meeting.

### ACTION ITEMS

#### 1. **FY 2015/2016 County Budget Proposal**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Stewart introduced this item to the Committee by reviewing the guidelines provided for the FY 2015/2016 budget as identified at the Annual Planning Meeting/Retreat. Those priorities are as follows:

Council Annual Planning Meeting/Retreat Priorities

- Fund FY 2015 budget of \$102 million (cost \$1.9 million)
- Provide 3.0% cost of living adjustment (COLA) to all County staff (cost \$1.75 million)
- Absorb FY 2015-2016 health insurance premium increases without increasing employee contribution (cost \$1.8 million)

Administration (Council Annual Planning Meeting/Retreat) Priorities

- Fund analysis studies
  - Compensation Study (cost \$100,000)
  - Detention Center/Law Enforcement Center Study (cost \$100,000)
  - Facilities/Campus Study (cost \$100,000)
- Budget for capital needs rather than borrowing (cost \$1.1 million)

Mr. Joshua Gruber, Deputy County Administrator/Special Counsel, provided the Committee with a PowerPoint presentation and overview the FY 2015/2016 budget proposal. The proposed budget includes elected/appointed officials and state appropriations in the amount of \$43,805,696. This includes a 3.0% cost of living adjustment (COLA) and 100% absorption of projected health insurance premium increases. The FY 2014/15 amount was \$41,942,162.

The proposed budget includes \$63,919,306 for County administration operations. This amount funds County Council Retreat priorities, Administration Retreat priorities, a 3.0% COLA, an 100% absorption of projected health insurance premium increases, and \$1.1 million in capital expenditures. The FY 2014/2015 budget included \$60,316,118 for County Administration operations. The proposed budget includes other revenue (non ad valorem) in the amount of \$23,619,822 which does not include use of any assigned fund balance. The amount of FY 2014/2015 was \$23,662,744 with the use of \$750,000 of assigned fund balance. The FY2015/2016 budget proposal includes ad valorem tax collections in the amount of \$84,105,180, an increase of \$76,679,000 over FY 2014/2015.

The proposed budget, as presented, includes a mill increase of 2.24. Mr. Gruber also presented debt millage comparisons which would remain the same as the current fiscal year at 4.90 for Purchase of Real Property and 5.48 for County Debt Service. The total millage for FY 2015/2016 is proposed at 59.1 mills.

Mr. Gruber provided the Committee budget information regarding impact on citizens, calculation of millage, and historical budget information. He also informed the Committee that the Treasurer's Office requested an increase of \$53,000, but agreed to hold their budget flat. Council would make an internal budget transfer if needed. Friends of Spanish Moss Trails requested funding for maintenance of the trail. To fund this request, Staff is looking at possibly entering into Memorandums of Understanding with the municipalities.

Mr. Gary Kubic, County Administrator, has asked Auditor-Elect Jim Beckert to provide administration with a business model regarding funding. This same request for information was asked of and received from then Treasurer-Elect Doug Henderson.

The Committee discussed funding economic development. Mr. Gruber informed the Committee that the \$90,000 from the dissolution of the Lowcountry Economic Alliance will revert to the County's General Reserve Fund.

**Motion:** It was moved by Mr. Rodman, seconded by Mr. Caporale, that Committee approve and recommend to Council first reading approval of the proposed FY 2015/2016 County budget.

**Motion to amend by addition:** It was moved by Mr. Rodman, seconded by Mr. Caporale, that Committee add a \$90,000 line item for economic development. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride and Mr. Rodman. NAYS - Mr. Stewart. The motion passed.

**Vote on the amended motion, which is now the main motion, and includes the motion to amend by addition:** YEAS –Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride and Mr. Rodman NAYS - Mrs. Bensch and Mr. Stewart. The motion passed.

**Recommendation:** Council approve on first reading the proposed FY 2015/2016 County Budget to include a \$90,000 line item for economic development.

## **2. Beaufort County School District FY 2015/2016 Budget**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mrs. Alicia Holland, Assistant County Administrator-Finance, presented to the Committee Real Property Historical Trends and the flip from 6% to 4% properties in order to determine a more precise discount factor. Based on the historical actual average, the calculated discount factor should be 6.9% for the Beaufort County School District.

Board of Education Chairman Bill Evans and Superintendent Jeffrey Moss provided the Committee with a PowerPoint presentation on the FY 2015/2016 proposed budget. Included in the overall proposed budget is the following:

- Choice-at-All-Schools, including a Charter School and a Vocational School
- CATE Programs
  - BCHS CATE programs
  - HHIHS CATE programs
- Reading Interventionists
- Instructional Coaches
- Pre-K with limited waiting lists
- Connect2Learn – Beaufort County School District's 1:1 Program
- Responded to student growth
- Professional development to enhance teacher performance
- Instructional software (students and teachers)

Included in the presentation was return of investment information to include: academic highlights, business/finance accomplishments, community support initiatives and For The Future.

The following increases are included in the FY 2015/2016 budget proposal: state mandates \$2,409,146; loss in state and federal funding \$2,013,500; enrollment increases (includes new PreK-8 school) \$3,929,960; program expansion \$1,805,800; operational (includes new PreK-8 school) \$1,431,460 and other (locality supplement and step increases) \$3,210,980. This totals \$14,800,846 in increases. There is a decrease in operational in the amount of \$845,755, making the net difference \$13,955,091.

The Committee requested the School District provide the following documents: insurance premium cost share, an overview of positions (administrative/teachers), as well as an updated projected budget summary with the updated discount factor.

**Motion:** It was moved by Mr. Rodman, seconded by Mr. Flewelling, that Committee approve and recommend to Council first reading approval, by title only, of the School District proposed FY 2015/2016 budget at the May 11, 2015 meeting of Council. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

**Recommendation:** Council approve on first reading, by title only, the School District proposed FY 2015/2016 budget at the May 11, 2015 meeting of Council.

### **3. Consideration of Reappointments and Appointments**

#### **• Accommodations Tax (2% State) Board**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Motion:** It was moved by Mrs. Bensch, seconded by Mr. Rodman that Committee approve and recommend Council nominate Walter Young, representing hospitality-lodging, for appointment to serve as a member of the Accommodations Tax (2% State) Board. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

**Recommendation:** Council nominate Walter Young, representing hospitality-lodging, for appointment to serve as a member of the Accommodations Tax (2% State) Board.

## **INFORMATION ITEMS**

### **4. Consideration of Reappointments and Appointments**

#### **• Airports Board**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Status:** No discussion or action taken on this item at this time.

### **5. Consideration of Reappointments and Appointments**

#### **• Tax Equalization Board**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Status:** No discussion or action taken on this item at this time.

### **6. Executive Session**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Motion:** It was moved by Mr. Fobes, seconded by Mr. Rodman, that Committee go immediately into executive session regarding the discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman and Mr. Stewart. The motion passed.

**Status:** Committee went into executive session for discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property.

## **PUBLIC FACILITIES COMMITTEE**

**April 20, 2015**

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

The Public Facilities Committee met Monday, April 20, 2015 beginning at 4:00 p.m., in the Conference Room of Building 3, Beaufort Industrial Village, 104 Industrial Village Road, Beaufort, South Carolina.

### **ATTENDANCE**

Chairman Gerald Dawson, Vice Chairman Tabor Vaux, and members Cynthia Bensch, Rick Caporale, Steven Fobes, Alice Howard and William McBride. Non-committee members Jerry Stewart and Brian Flewelling present. Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County Staff: Andrew Dalkos, Division-Director, IT Systems Management; Joshua Gruber, Deputy County Administrator/Special Counsel; Gary Kubic, County Administrator; Rob McFee, Division Director-Facilities & Construction Engineering; Jim Minor, Solid Waste & Recycling Manager; Monica Spells, Assistant County Administrator-Outreach and Civic Engagement; and Dave Thomas, Purchasing Director.

Public: Gerrit Albert, Vice President of Sales and Marketing, Hargray Communications Group, Inc.; Avery Cleland, President, Cleland Site Prep, Inc.; Logan Crowther, Vice President, Cleland Site Prep, Inc.; Nicole Gardner, Product Manager, Hargray Communications Group, Inc.; and Mike Turner, President, Plantation Business Park Property Owners Association.

Media: Joe Croley, *Lowcountry Inside Track*; Zach Murdock, *The Island Packet/The Beaufort Gazette*; and Scott Thompson, *Bluffton Today*.

Mr. Dawson chaired the meeting.

### **ACTION ITEMS**

#### **1. Consideration of Contract Award / Knuckle Boom Loader Truck and Dump Body for Public Works Department (> \$100,000)**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Dave Thomas, Purchasing Director, presented this item to the Committee. The Purchasing Department received a request from the Public Works Department, Solid Waste and Recycling Section (Section), to purchase one knuckle boom loader truck and dump from a State contract vendor. The new truck is a replacement for a 2007 knuckle boom loader truck with dump body assigned to the Section with more than 300,000 miles of operation. The Section utilizes the truck to pick up and transport waste tires from Convenience Centers to the tire building for consolidation, averaging 1,200 tires per month. The truck is also used to pick up white goods from three convenience centers and bring them to the Shanklin Road consolidation point. The old vehicle will be sold on GovDeals.

**Motion:** It was moved by Mr. Fobes, seconded by Mr. Caporale, that Committee approve and recommend to Council an award of contract to Carolina International Trucks, Inc., Columbia, South Carolina in the amount of \$119,065 for the purchase of one knuckle boom loader truck and dump body. The source of funding is account #40090011-54213-2014 Bonds, Specialized Capital Equipment-Public Works. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Recommendation:** Council award a contract to Carolina International Trucks, Inc., Columbia, South Carolina in the amount of \$119,065 for the purchase of one knuckle boom loader truck and dump body. The source of funding is account #40090011-54213-2014 Bonds, Specialized Capital Equipment-Public Works.

## **2. Resolution Endorsing Hargray Communications Lowcountry Broadband Plan in Beaufort County**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Gerrit Albert, Vice President of Sales and Marketing, Hargray Communications Group, Inc. presented this item to the Committee. Hargray Communications is seeking local government support for its Lowcountry Broadband Plan to provide gigabit internet speeds to neighborhoods and businesses.

Mr. Caporale asked staff to consider incorporated a broadband internet policy in the Comprehensive Plan.

**Motion:** It was moved by Mr. Flewelling, seconded by Mr. Caporale, that Committee approve and recommend to Council the adoption of a resolution supporting and endorsing the Lowcountry Broadband Plan, committing to cooperate, to the extent within its control and authority, to expedite and facilitate the investments contemplated by the Lowcountry Broadband Plan, and encouraging residents and businesses to take advantage of the technological advancements enabled by the Lowcountry Broadband Plan. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Recommendation:** Council adopt a resolution supporting and endorsing the Lowcountry Broadband Plan, committing to cooperate, to the extent within its control and authority, to expedite and facilitate the investments contemplated by the Lowcountry Broadband Plan, and encouraging residents and businesses to take advantage of the technological advancements enabled by the Lowcountry Broadband Plan.

**3. Condemnation of two remaining right of way parcels needed on Coker Lane, Dale to improve the dirt road in a future dirt road paving contract**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Rob McFee, Division Director–Facilities & Construction Engineering, presented this item to the Committee. Coker Lane is a 0.23 mile dirt road located off of Witsell Road in the Dale community. Public Works has maintained this road for more than 20 years. Coker Lane was ranked 23<sup>rd</sup> on the FY 14/15 - FY 16/17 Dirt Road Paving Program.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County must have a deeded 50-foot right of way before the road can be advertised for a dirt road paving contract. Beaufort County neither owns the right of way nor has an easement for Coker Lane. Staff has followed the current process to try and obtain deeds for right of way.

Staff efforts to date to obtain right of way for Coker Lane include obtaining a contractor to perform a field survey, researching ownership, preparing letters and deeds, and providing time for owner consideration and questions or discussions. The timeline associated with this process has been approximately six months. After sending two written requests, the Engineering Department has obtained seven of nine signed right of way deeds. Condemnation of the two remaining parcels would be necessary to complete the right of way effort for Coker Lane. All of the other resident owners of Coker Lane have provided full support for its improvements.

**Motion:** It was moved by Mr. McBride, seconded by Mr. Caporale, that Committee approve and recommend to Council the approval of the condemnation of the two remaining right of way parcels on Coker Lane, Dale in order to improve the dirt road in a future dirt road paving contract. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Recommendation:** Council approve the condemnation of the two remaining right of way parcels on Coker Lane, Dale in order to improve the dirt road in a future dirt road paving contract.

**4. Condemnation of four remaining right of way parcels needed on Almond Drive, St Helena Island to improve the dirt road in a future dirt road paving contract**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Rob McFee, Division Director–Facilities & Construction Engineering, presented this item to the Committee. Almond Drive is a 0.2 mile dirt road located off of Eddings Point Road on St. Helena Island. Public Works has maintained this road for more than 20 years. Almond Drive was ranked first on the FY 14/15 - FY 16/ 17 Dirt Road Paving Program and selected for paving by the County Transportation Committee (CTC).

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County must have a deeded 50-foot right of way before the road can be advertised for a dirt road paving contract. Beaufort County neither owns the right of way nor has an easement for Almond Drive. Staff has followed the current process to try and obtain deeds for right of way.

Staff efforts to date to obtain right of way for Almond Drive include, researching ownership, preparing letters and deeds, and providing time for owner consideration and questions or discussions. After sending written requests, the Engineering Department has obtained 8 of 12 signed right of way deeds. Condemnation of the four remaining parcels would be necessary to complete the right of way effort for Almond Drive. All of the other resident owners of Almond Drive have provided full support for its improvements.

**Motion:** It was moved by Mr. McBride, seconded by Mr. Caporale, that Committee approve and recommend to Council the approval of the condemnation of the four remaining right of way parcels on Almond Drive, St. Helena Island in order to improve the dirt road in a future dirt road paving contract. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Recommendation:** Council approve the condemnation of the four remaining right of way parcels on Almond Drive, St. Helena Island in order to improve the dirt road in a future dirt road paving contract.

**5. Condemnation of the remaining right of way parcel needed on the Mary Smalls Road, St Helena Island to improve the dirt road in a future dirt road paving contract**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Rob McFee, Division Director–Facilities & Construction Engineering, presented this item to the Committee. Mary Smalls Road is a 0.15 mile dirt road located off of Orange Grove Road in St. Helena Island's Orange Grove community. Public Works has

maintained this road for more than 20 years. Mary Smalls Road was ranked 21<sup>st</sup> on the FY 14/ 15 - FY 16/ 17 Dirt Road Paving Program.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County must have a deeded 50 -foot right of way before the road can be advertised for a dirt road paving contract. Beaufort County neither owns the right of way nor has an easement on/over Mary Smalls Road. Staff has followed the prescribed acquisition process to try and obtain deeds for right of way.

Staff efforts to date to obtain right of way for Mary Smalls Road include obtaining a contractor to perform a field survey, researching ownership, preparing letters and deeds, and providing time for owner consideration and questions or discussions. The timeline associated with this process has been approximately six months. After sending two written requests, the Engineering Department has obtained four of five signed right of way deeds. Condemnation of the remaining parcel would be necessary to complete the right of way effort for Mary Smalls Road. All of the other resident owners of Mary Smalls Road have provided full support for its improvements

**Motion:** It was moved by Mr. McBride, seconded by Mr. Caporale, that Committee approve and recommend to Council the approval of the condemnation of the remaining parcel on Mary Smalls Road, St. Helena Island in order to improve the dirt road in a future dirt road paving contract. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Recommendation:** Council approve the condemnation of the remaining parcel on Mary Smalls Road, St. Helena Island in order to improve the dirt road in a future dirt road paving contract.

### **INFORMATION ITEMS**

**6. An ordinance to authorize the County Administrator to execute a quit claim deed for the Mary Fields School and associated property on Daufuskie Island to the Union Baptist Church**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

Mr. Flewelling recused himself, left the room, and was not present for any of the discussion.

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, presented this item to the Committee. This item comes forward from a request from the Union Baptist Church, which is located on Daufuskie Island, to assist them in getting the Mary Fields School property tax bill listed in their name. We have a lease agreement with the Church to use that facility for broadcasting Council meetings. The title work on that property is very convoluted

and, it is not technically clear. At present the property is listed in the County's name and, the County has no interest in this property whatsoever. As far as staff can tell, the property was owned at one point in time by the School District and looked to get rid of it. For whatever reason, it wound up in the name of the County and has been ever since. Since there are no records justifying transferring it into the Church's name, we have consulted with the Assessor and, by recording this quit claim deed, it would give him the ability to transfer the tax bill into the Church's name.

Mr. Vaux does not want to lose public access to this meeting place.

**Status:** The Committee will discuss this item at its May 18 meeting. Staff was asked to obtain answers regarding public access as well as the School District's intent to sell the property.

#### **7. SCDOT Oversight Services on County Sales Tax (< \$100,000)**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Rob McFee, Division Director–Facilities & Construction Engineering, reviewed this item with the Committee. In March 2008, Beaufort County executed an Intergovernmental Agreement (IGA) with SCDOT for the County's 2006 Sales Tax Projects. It states in the IGA that SCDOT shall conduct Quality Assurance (QA) oversight services on all construction projects on state maintained roadways at the discretion of the State Highway Engineer. The IGA also states that SCDOT shall invoice the County for reimbursement for costs incurred as part of the QA oversight activities. Beaufort County has received invoices for QA activities on S.C. Highway 170 Widening Project in the amount of \$43,009.02, Boundary Street Streetscape/TIGER Grant Project in the amount of \$140.90, and the Bluffton Parkway Phase 5A Segment 2 – U.S. Highway 278 Flyover Bridges in the amount of \$22,740.95.

The source of funding is account #33401-54500 (Bluffton Parkway, Phase 5A), account #33403-54500 (S.C. Highway 170), and account #470300 11-54503 (Boundary Street Streetscape/TIGER Grant Project).

**Motion:** It was moved by Mr. McBride, seconded by Mr. Fobes, that Committee authorize the payment of the SCDOT fourth quarter FY 2015 invoice total of \$65,890.87 for oversight services on County Sales Tax Projects. The source of funding is account #33401-54500 (Bluffton Parkway, Phase 5A), account #33403-54500 (S.C. Highway 170), and account #470300 11-54503 (Boundary Street Streetce/TIGER Grant Project). The vote: YEAS – Mrs. Bensch, Mr.Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Status:** Committee authorized the payment of the SCDOT fourth quarter FY 2015 invoice total of \$65,890.87 for oversight services on County Sales Tax Projects. The source of funding is account #33401-54500 (Bluffton Parkway, Phase 5A), account #33403-54500 (S.C.

Highway 170), and account #470300 11-54503 (Boundary Street Streetce/TIGER Grant Project).

**8. March 2015 Construction Engineering Inspection / Construction Management Services for S.C. Highway 170 Widening Project (< \$100,000)**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Discussion:** Mr. Rob McFee, Division Director–Facilities & Construction Engineering, reviewed this item with the Committee. In 2012 Council awarded a contract in the amount of \$2,030,714 to Infrastructure Consulting & Engineering (ICE) for construction engineering inspection/construction management services (CEI/CM) for the S.C. Highway 170 Widening Project. Due to construction delays associated with S.C. Highway 170 project, CEI/CM services needed to be extended. For the month of March 2015, ICE and CEI/CM services charges for the S.C. Highway 170 widening totaling \$76,165.27.

**Motion:** It was moved by Mr. McBride, seconded by Mrs. Bensch, that Committee authorize the payment of \$76,165.27 for the March 2015 construction, engineering inspection/construction management services performed by Infrastructure Consulting & Engineering. The source of funding is account #33403-54500, S.C. Highway 170 Widening Sales Tax Project. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Status:** Committee authorized the payment of \$76,165.27 for the March 2015 construction, engineering inspection/construction management services performed by Infrastructure Consulting & Engineering. The source of funding is account #33403-54500, S.C. Highway 170 Widening Sales Tax Project.

**9. Off-Agenda Item / Plantation Business Park / Road and Drainage Points**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Motion:** It was moved by Mr. Vaux, seconded by Mr. Caporale, that Committee hear an off-agenda item regarding Plantation Business Park road and drainage issues. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Discussion:** Mr. Josh Gruber, Deputy County Administrator/Special Counsel, presented this item to the Committee. Approximately 9 to 12 months ago, the County received initial correspondence from the representative of the Plantation Business Park Property Owners Association (POA) inquiring with regards to some drainage concerns that they were having on their parcel. County Staff did a site inspection, and determined what the cause of the concerns were. Essentially, there is about 700-linear feet of failed drainage pipe adjacent to the plantation

roadway. Staff has estimated it would cost approximately \$140,000 to \$150,000 to replace that pipe. But, before undertaking any kind of work, the County did a title search on that property and determined that the property is privately owned and maintained. Therefore, the County does not have the lawful ability to expend any governmental funds to improve that property at this time.

**Status:** The County Administrator will meet with representatives of the Plantation Business Park POA to discuss the issues and exchange documents.

#### **10. Call for Executive Session**

**Notification:** To view video of full discussion of this meeting please visit [http://beaufort.granicus.com/ViewPublisher.php?view\\_id=2](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Motion:** It was moved by Mr. Caporale, seconded by Mr. Fobes, that Committee go immediately into executive session for the purpose receiving information regarding negotiations incident to proposed contractual arrangements and proposed purchase or sale of property. The vote: YEAS – Mrs. Bensch, Mr Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Vaux. The motion passed.

**Status:** Committee went into executive session for discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property.

## BOARDS AND COMMISSIONS

### Reappointments and Appointments April 27, 2015

#### 1. Finance Committee

##### ① Accommodations Tax (2%) Board

Nominate	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required	Term/Years	Expiration
04.27.15	Walter Young	Lodging/Hospitality	Appoint	6/11	Partial term	February 2017

#### 2. Governmental Committee

##### ① Lowcountry Regional Transportation Authority

Nominated	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required	Term/Years	Expiration
04.13.15	Timothy Kilty	At Large	Appoint	6/11	4	February 2019

#### 3. Governmental Committee

##### ① Rural and Critical Lands Preservation Board

Nominated	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required	Term/Years	Expiration
04.13.15	Judd Carstens	Council District 11	Appoint	6/11	4	February 2019



# PROCLAMATION

**Whereas**, Sun City Hilton Head is celebrating its 20th Anniversary the first week of May with a series of events; and

**Whereas**, the community started in 1995 with just 100 residents, and now is home to 15,000 homeowners who reside in both Beaufort and Jasper Counties; and

**Whereas**, Sun City is a melting pot of people from throughout the United States and the world, representing almost every state and 35 countries. Residents represent retired professionals of all skills and areas of expertise, with about 15 percent still working; and

**Whereas**, Sun City Hilton Head residents value their health and are fortunate to have a host of amenities that encourage a healthy, active lifestyle and involvement in the community. Residents give back to the local community by volunteering countless hours in schools, churches, non-profit organizations, on advisory committees, libraries, veterans groups, and serve as mentors in literacy programs and local college programs; and

**Whereas**, Sun City residents have been a strong impetus for economic and community development and public service; and

**Whereas**, Beaufort County benefits in countless ways due to the presence of Sun City Hilton Head and its residents; and

**Now, Therefore, Be It Resolved**, that Beaufort County Council congratulates Sun City and all its residents on their 20<sup>th</sup> Anniversary celebration and wishes Sun City continued prosperity.

Dated this 27<sup>th</sup> day of April, 2015.

A handwritten signature in blue ink, reading "D. Paul Sommerville", is written over a horizontal line.

D. Paul Sommerville, Chairman  
Beaufort County Council



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR BEAUFORT COUNTY  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$12,000,000 GENERAL OBLIGATION BONDS AND \$12,000,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN ONE OR MORE YEARS, WITH APPROPRIATE SERIES DESIGNATIONS, OF BEAUFORT COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BOND AND THE NOTES; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS AND THE NOTES; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY BEAUFORT COUNTY COUNCIL:

SECTION 1. Findings and Determinations. The County Council (the “County Council”) of Beaufort County, South Carolina (the “County”), hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended, the County operates under the Council-Administrator form of government and the County Council constitutes the governing body of the County.

(b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “Constitution”), provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law. Such debt must be incurred for a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county.

(c) Pursuant to Title 4, Chapter 15 of the Code (the same being and hereinafter referred to as the “County Bond Act”), the governing bodies of the several counties of the State may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding their applicable constitutional limit.

(d) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27 of the Code of Laws of South Carolina 1976, as amended, provides that if an election be prescribed by the provisions of the County Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The assessed value of all the taxable property in the County as of June 30, 2014, is \$1,688,809,792. Eight percent of the assessed value is \$135,104,783. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$87,994,710. Thus, the County may incur \$47,110,073 additional general obligation debt within its applicable debt limitation.

(f) Article X, Section 14 of the Constitution further provides that general obligation bond anticipation notes may be issued in anticipation of the proceeds of general obligation bonds which may lawfully be issued under such terms and conditions that the General Assembly may prescribe by law.

(g) Pursuant to the provisions of Title 11, Chapter 17 of the Code of Laws of South Carolina, 1976, as amended (“Title 11, Chapter 17”), any county, whenever authorized by general or special law to issue bonds, may, pending the sale and issuance thereof, borrow in anticipation of the receipt of the proceeds of the bonds

(h) Pursuant to Ordinance No. 2012/10 enacted on August 13, 2012, County Council has adopted Written Procedures Related to Tax-Exempt Debt.

(i) Pending the issuance and sale of general obligation bonds, it is necessary and in the best interest of the County for the County Council to provide for the issuance and sale of general obligation bond anticipation notes in an amount of not to exceed \$12,000,000 for: (i) the acquisition of a parcel of property known as Pepper Hall Plantation (the “Project”); (ii) paying costs of issuance of the Bonds (hereinafter defined); and (iii) such other lawful purposes as the County Council shall determine.

SECTION 2. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$12,000,000 aggregate principal amount of general obligation bonds of the County to be designated “\$(amount issued) General Obligation Bonds, (appropriate series designation), of Beaufort County, South Carolina” (the “Bonds”) for the purpose of retiring any outstanding bond anticipation notes, and to pay costs of issuance of the Bonds.

The Bonds shall be issued as fully registered Bonds registerable as to principal and interest; shall be dated as of the first day of the month in which they are delivered to the initial purchaser(s) thereof; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding principal amount of Bonds maturing each year; shall be numbered from R-1 upward, respectively; shall bear interest from their date payable at such times as hereafter designated by the Administrator of the County (the “Administrator”) at such rate or rates as may be determined by the Administrator at the time of sale thereof; and shall mature serially in successive annual installments as determined by the Administrator.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 3. Authorization and Details of Notes. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$12,000,000 aggregate principal amount of general obligation bond anticipation notes of the County, in one or more series, in one or more years, with appropriate series designations, to be designated “(amount issued) General Obligation Bond Anticipation Notes, (appropriate series designation) of Beaufort County, South Carolina”(the “Notes”) to fund the Project, and to pay costs of issuance of the Notes.

The Notes shall be issued as fully registered Notes registerable as to principal and interest; shall be dated as of their date of delivery to the initial purchaser(s) thereof; shall bear interest from their dated date payable at maturity at such rate or rates as may be determined by the County Administrator at the time of sale thereof.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

If it is determined that it would be in the County's best interest to renew the Notes at maturity rather than to issue the Bonds, said renewal will be authorized by Resolution adopted by County Council.

SECTION 4. Approval by County Council; Delegation of Authority Relating to the Bonds. County Council shall by written resolution approve the issuance and sale of each series of bonds. Subject to County Council's approval, County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority with respect to each Series of Bonds: (a) to determine the par amount of Bonds; (b) to determine maturity dates of the Bonds and the respective principal amounts maturing on such dates; (c) to determine the interest payment dates of the Bonds; (d) to determine redemption provisions, if any, for the Bonds; (e) the date and time of sale of the Bonds; (f) to receive bids on behalf of the County Council; and (g) to award the sale of the Bonds to the lowest bidders therefor in accordance with the terms of the Notices of Sale for each series of Bonds.

After the sale of each series of Bonds, the Administrator or his lawfully-authorized designee shall submit a written report to the County Council setting forth the results of the sale of each series of Bonds.

SECTION 5. Delegation of Authority Relating to the Notes. The County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority: (a) to determine the par amount of the Notes; (b) to determine the maturity date of the Notes; (c) to determine redemption provisions, if any, for the Notes; (d) the date and time of sale of the Notes; (e) to receive bids on behalf of the County Council; and (f) to award the sale of the Notes to the lowest bidders therefor in accordance with the terms of the Notice of Sale for the Notes.

After the sale of the Notes, the Administrator or his lawfully-authorized designee shall submit a written report to the County Council setting forth the results of the sale of the Notes.

SECTION 6. Registration, Transfer and Exchange of Bonds and Notes. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds and Notes. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds and Notes under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond and Note shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the County shall issue in the name of the transferee a new fully-registered Bond, Bonds, Note or Notes, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond or Note. Any Bonds or Notes surrendered in exchange for a new registered Bond or Note pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully-registered Bond and Note shall be registered upon the registry books as the absolute owner of such Bond and Note, whether such Bond and Note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and Note and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. For every such transfer of Bonds and Notes, the County or the Registrar/Paying Agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such transfer, and, except as otherwise provided

herein, may charge a sum sufficient to pay the cost of preparing each Bond and Note issued upon such transfer, which sum or sums shall be paid by the person requesting such transfer or by the County as a condition precedent to the exercise of the privilege of making such transfer. Neither the County nor the Registrar/Paying Agent shall be obliged to make any such transfer of Bonds during the fifteen (15) days preceding an interest payment date on such Bonds or Notes.

SECTION 7. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day prior to the giving of notice of redemption of bonds.

SECTION 8. Mutilation, Loss, Theft or Destruction of Bonds or Notes. In case any Bond or Note shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond or Note of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond or Note. In any such event the applicant for the issuance of a substitute Bond or Note shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond or Note, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar. Any duplicate Bond or Note issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or Note or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond or Note in lieu of which such duplicate Bond or Note is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds or Notes of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond or Note shall be borne by the applicant therefor.

SECTION 9. Execution of Bonds and Notes. The Bonds and Notes shall be executed in the name of the County with the manual or facsimile signature of the Chair of the County Council attested by the manual or facsimile signature of the Clerk of the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds or Notes may be those of the officers who are in office on the date of adoption of this Ordinance. The execution of the Bonds or Notes in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds or Notes shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond and Note shall bear a certificate of authentication manually executed by the Registrar.

SECTION 10. Form of Bonds and Notes. The Bonds and Notes shall be in substantially the form attached to the Resolution setting forth the details of the Bonds and Exhibit A hereto, respectively, and incorporated herein by reference.

SECTION 11. Security for Bonds. The full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county

taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 12. Security for Notes. The Notes shall constitute general obligations of the County and the proceeds of the Bonds are irrevocably pledged to the payment of the Notes as well as the full faith, credit and taxing power of the County.

SECTION 13. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Notes or Bonds, and such Note or Notes or Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) Such Note or Notes or Bond or Bonds shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

(b) Payment of the principal of and interest on such Notes or Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Notes or Bonds shall no longer be deemed to be outstanding hereunder, such Notes or Bonds shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”); and
- (c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions.

(c) Such Bond or Bonds shall be defeased as provided in Section 11-14-110 of the S.C. Code as such may be amended from time to time.

SECTION 14. Exemption from State Taxes. Both the principal of and interest on the Notes and the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code, from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 15. Eligible Securities. The Notes and Bonds initially issued (the “Initial Notes” or the “Initial Bonds”) will be eligible securities for the purposes of the book-entry system of transfer maintained

by The Depository Trust Company, New York, New York (“DTC”), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds or Notes of the same maturity or any integral multiple of \$5,000.

The Initial Bonds or Notes shall be issued in fully-registered form, one Bond or Note for each of the maturities of the Bonds or Notes, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Notes or Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or Notes or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds or Notes, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Bonds or Notes of the same principal amount, interest rate and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bond or Notes might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds or Notes by mailing an appropriate notice to DTC, upon receipt by the County of the Initial Notes or Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds or Notes in fully-registered form, in substantially the form set forth in Section 2 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

Notwithstanding the foregoing, at the request of the purchaser, the Bonds or Notes will be issued as one single fully-registered Bond or Note and not issued through the book-entry system.

SECTION 16. Sale of Bonds and Notes, Form of Notice of Sale. The Bonds and Notes shall be sold at public sale. A Notice of Sale for the Notes in substantially the form attached hereto as Exhibit B and incorporated herein by reference shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper having general circulation in the State of South Carolina or in a financial publication published in the City of New York, State of New York, or both, not less than seven (7) days prior to the date set for such sale. The Notice of Sale for the Bonds will be attached to the Resolution of the County setting forth the details of the Bonds.

SECTION 17. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the Administrator to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds and Notes, respectively, together with the Notice of Sale. The County Council authorizes the Administrator to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The Administrator is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds and Notes, respectively, so that it may be provided to the purchaser of the Bonds and Notes.

SECTION 18. Filings with Central Repository. In compliance with Section 11-1-85, South Carolina Code of Laws 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of an annual independent audit of the County within thirty (30) days of the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, event specific information of an event which adversely affects more than five (5%) percent of the tax revenues of the County or the County's tax base.

SECTION 19. Continuing Disclosure. In compliance with the Securities and Exchange Commission Rule 15c2-12 (the "Rule") the County covenants and agrees for the benefit of the holders from time to time of the Notes to execute and deliver prior to closing, and to thereafter comply with the terms of a Disclosure Dissemination Agent Agreement in substantially the form appearing as Exhibit C to this Ordinance. In the event of a failure of the County to comply with any of the provisions of the Disclosure Dissemination Agent Agreement, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by the Ordinance. The County will execute and deliver a Disclosure Dissemination Agent Agreement in connection with the issuance of the Bonds, the form of which will be attached to the Resolution setting forth the details of the Bonds.

SECTION 20. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds shall be deposited with the Treasurer of the County in a special fund to the credit of the County, separate and distinct from all other funds, and shall be expended from time to time and made use of by the County Council as follows:

- (a) Any premium shall be placed in the sinking fund established pursuant to Section 4-15-150 of the Code;
- (b) A portion will be used to retire any outstanding Notes; and
- (c) The balance of the proceeds shall be applied to costs and expenses of issuing the Bonds.

The proceeds derived from the sale of the Notes shall be deposited with the Treasurer of the County in a special fund to the credit of the County, separate and distinct from all other funds, and shall be expended from time to time and made use of by the County Council for the purposes set forth in this Ordinance including defraying the costs and expenses of issuing the Notes.

SECTION 21. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Bonds, the Notes and this Ordinance, such notice in substantially the form attached hereto as Exhibit D, having been published in *The Beaufort Gazette and Island Packet*, a newspaper of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 22. Reimbursement of Certain Expenditures. The County Council hereby declares that this Ordinance shall constitute its declaration of official intent pursuant to Treasury Regulation § 1.150-2 to reimburse the County from the proceeds of the Bonds and Notes for expenditures with respect to the Project (the "Expenditures"). The County anticipates incurring Expenditures with respect to the capital improvements prior to the issuance by the County of the Bonds and Notes for such purposes. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three (3) years after the original Expenditures. The Expenditures are incurred solely to acquire, construct or rehabilitate property having a reasonably

expected economic life of at least one (1) year. The source of funds for the Expenditures with respect to the Project will be the County's general reserve funds or other legally-available funds.

SECTION 23. Tax Covenants. The County hereby covenants and agrees with the Holders of the Bonds and Notes that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the Bondholders or Noteholders for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended and regulations promulgated thereunder (the "IRC") in effect on the date of original issuance of the Bonds and Notes. The County further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds and Notes shall be made which, if such use had been reasonably expected on the date of issue of the Bonds and Notes would have caused the Bonds or Notes to be "arbitrage bonds," as defined in Section 148 of the IRC, and to that end the County hereby shall:

(a) comply with the applicable provisions of Sections 103 and 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Bonds are outstanding;

(b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and

(c) make such reports of such information at the time and places required by the IRC.

SECTION 24. Miscellaneous. The County Council hereby authorizes any one or more of the following officials to execute such documents and instruments as necessary to effect the issuance of the Bonds: Chair of the County Council, County Administrator, Clerk to the County Council and County Attorney. The County Council hereby retains McNair Law Firm, P.A., as bond counsel and FirstSouthwest, as Financial Advisor in connection with the issuance of the Notes and the Bonds. The County Administrator is authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes and the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

[Signature Page to follow]

Enacted this \_\_\_\_ day of \_\_\_\_\_, 2015.

BEAUFORT COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Chair, County Council

(SEAL)

ATTEST THIS \_\_\_\_ DAY OF

\_\_\_\_\_, 2015:

\_\_\_\_\_  
Clerk to Council

Date of First Reading: April 13, 2015

Date of Second Reading:

Date of Public Hearing:

Date of Third Reading:

Signature Page to Ordinance

## FORM OF NOTE

UNITED STATES OF AMERICA  
 STATE OF SOUTH CAROLINA  
 BEAUFORT COUNTY  
 GENERAL OBLIGATION BOND ANTICIPATION NOTE  
 SERIES \_\_\_\_\_

No. R-

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>CUSIP</u>
--------------------------------	--------------------------------	--------------------------------------	--------------

REGISTERED OWNER:

PRINCIPAL AMOUNT:            DOLLARS

KNOW ALL MEN BY THESE PRESENTS that Beaufort County, South Carolina (the "County") hereby acknowledges itself indebted, and for value received promises to pay to the registered owner hereof, the principal sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) at the principal office of \_\_\_\_\_, in the City of \_\_\_\_\_, State of \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 2015, and to pay interest (calculated on the basis of a 360-day year of twelve 30-day months) on said principal sum from the date hereof, at the rate of \_\_\_\_\_%, payable upon the maturity of this note. This note is not subject to prepayment prior to its maturity.

Both the principal of and interest on this note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

This note represents a series of general obligation bond anticipation notes (the "Notes"), issued by the County, pursuant to the authorization of Title 11, Chapter 17, Code of Laws of South Carolina 1976, as amended, in anticipation of the receipt of the proceeds to be derived from the general obligation bonds of the County to be issued pursuant to and in accordance with the provisions of the Constitution and Laws of the State of South Carolina including Article X, Section 15 of the Constitution of the State of South Carolina, 1895, as amended; Title 11, Chapter 27, Code of Laws of South Carolina, 1976, as amended; Title 59, Chapter 71, Code of Laws of South Carolina, 1976, as amended; and an ordinance duly enacted by County Council on \_\_\_\_\_, 2015 (the "Ordinance"). The proceeds to be derived from the sale of bonds are irrevocably pledged for the payment of the principal of and interest on the Notes.

The Notes are being issued by means of a book-entry system with no physical distribution of certificates to be made except as provided in the Ordinance. One certificate registered in the name of the Securities Depository Nominee is being issued and is required to be deposited with the Securities Depository. The book-entry system will evidence positions held in the Notes by the Securities Depository's participants, beneficial ownership of the Notes in the principal amount of \$5,000 or any multiple thereof being evidenced in the records of such Participants. Transfers of ownership shall be

effected on the records of the Securities Depository on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its Participants.

Wells Fargo Bank, N.A., as Registrar/Paying Agent will recognize the Securities Depository Nominee, while the registered owner of the Notes, as the owner of the Notes for all purposes, including payments of principal of and redemption premium, if any, and interest on the Notes, notices and voting. Transfer of principal and interest payments to Participants of the Securities Depository will be the responsibility of the Securities Depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Notes by Participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The County and Registrar/Paying Agent will not be responsible or liable for such transfers of payment or for maintaining, supervision or reviewing the records maintained by the Securities Depository, the Securities Depository Nominee, its Participants or persons acting through such Participants. While the Securities Depository Nominee is the owner of the Notes, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on the Notes shall be made in accordance with existing arrangements between the Registrar/Paying Agent or its successors under the Resolution and the Securities Depository.

This note and the interest hereon are exempt from all State, county, municipal, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate and transfer taxes but the interest on this note may be included for certain franchise fees or taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, or to be performed precedent to or in the issuance of this note, do exist, have happened, and have been performed in regular and due time, form and manner, and the amount of this note, and the issue of which this note is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, BEAUFORT COUNTY, SOUTH CAROLINA, has caused this Note to be signed with the signature of the Chair of the County Council, attested by the signature of the Interim Clerk to the County Council and the seal of the County impressed, imprinted, or reproduced hereon.

BEAUFORT COUNTY, SOUTH CAROLINA

(SEAL)

\_\_\_\_\_  
Chair, County Council

ATTEST:

\_\_\_\_\_  
Interim Clerk to County Council

[FORM OF REGISTRAR/PAYING AGENT'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This note is one of the Notes described in the within mentioned Ordinance of Beaufort County, South Carolina.

[REGISTRAR/PAYING AGENT] as Registrar/Paying Agent

By: \_\_\_\_\_  
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the  
entireties

\_\_\_\_\_ Custodian \_\_\_\_\_  
(Cust) (Minor)

JT TEN - as joint tenants with right  
of survivorship and not as  
tenants in common

under Uniform Gifts to Minors  
Act \_\_\_\_\_  
(state)

Additional abbreviations may also be used though not in above list.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_  
(Name and Address of Transferee)

\_\_\_\_\_ the within Note and  
does hereby irrevocably constitute and appoint \_\_\_\_\_  
attorney to transfer the within Note on the books kept for registration thereof, with full power of  
substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature Guaranteed

\_\_\_\_\_  
(Authorized Officer)

\_\_\_\_\_  
Signature must be guaranteed by  
a participant in the Securities Transfer  
Agent Medallions Program (STAMP)

\_\_\_\_\_  
Notice: The signature to the assignment must correspond  
with the name of the registered owner as it appears  
upon the face of the within Note in every particular,  
without alteration or enlargement or any change  
whatever

FORM OF NOTICE OF SALE

NOTICE OF SALE  
\$ \_\_\_\_\_ GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES \_\_\_\_\_  
OF BEAUFORT COUNTY, SOUTH CAROLINA

Sealed, facsimile and electronic bids for the purchase of all but not part of the above notes (the "Notes") will be received by Beaufort County, South Carolina (the "County"), in the case of sealed and facsimile bids, at the offices of the County Administrator, 100 Ribaut Road, Beaufort, South Carolina, and in the case of electronic bids, via PARITY (as explained below) until \_\_\_\_\_ (Eastern Time) on \_\_\_\_\_, \_\_\_\_\_, 2015.

**BID SUBMISSION:** Sealed and facsimile bids must be submitted on bid forms furnished by the County. Sealed bids shall be enclosed in a sealed envelope marked on the outside "Proposal for the Purchase of the County of Beaufort County, South Carolina, \$ \_\_\_\_\_ General Obligation Bond Anticipation Notes, Series \_\_\_\_\_." Bids submitted by facsimile should be preceded by a cover sheet addressed to the Superintendent and should be sent only once to (843) \_\_\_\_\_. Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2<sup>nd</sup> Floor, New York, New York 10018, Customer Support, telephone (212) 404-8102. The County, McNair Law Firm, P.A. and FirstSouthwest shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder.

**GOOD FAITH DEPOSIT:** No good faith deposit will be required.

**NOTE DETAILS:** The Notes will be issued in book-entry form in the denomination of \$5,000 or any integral multiple thereof. The Notes will be dated as of \_\_\_\_\_, 2015, the expected date of delivery, and due on \_\_\_\_\_, 2015. Interest, calculated on the basis of a 360-day year of twelve 30-day months, will be payable at maturity on \_\_\_\_\_, 2016.

**REDEMPTION PROVISIONS:** The Notes are not subject to optional redemption prior to maturity.

**RATINGS:** Moody's and S&P ratings have been applied for.

**INTEREST RATES:** Bidders must specify the fixed rate of interest the Notes shall bear according to the following restrictions: (a) the interest rate may not exceed six percent (6%) and (b) the interest rate specified must be a multiple of 1/100th of one percent.

**REGISTRAR/PAYING AGENT:** Wells Fargo Bank, N.A., Atlanta, Georgia will serve as Registrar/Paying Agent (the "Registrar/Paying Agent") for the Notes.

**BASIS OF AWARD:** The Notes will be awarded to the responsive bidder whose bid results in the lowest NET INTEREST COST (the "NIC") to the County. The NIC will be calculated as the total interest from \_\_\_\_\_, 2015 to \_\_\_\_\_, 2016, minus any premium. If two or more bids provide for the same lowest NIC, the County shall award the bid to the bidder whose bid is in the best interest of the County to be determined by the County in its sole discretion, and such determination shall be final. Any bid for less than par will be rejected. The County reserves the right to reject any and all bids and to waive informalities in any or all bids.

In order to calculate the yield on the Notes for federal tax law purposes and as a condition precedent to the award of the Notes, the successful bidder will be required to disclose to the County the price (or yield to maturity) at which the Notes will be reoffered to the public.

The Notes will be awarded or all bids will be rejected by no later than 2:00 P.M. (Eastern Time) on the day bids are opened, \_\_\_\_\_, 2015.

**SECURITY:** The full faith, credit and taxing power of the County and the proceeds derived from the sale of bonds are pledged to the payment of the principal of and interest on the Notes.

**AUTHORIZATION:** The Notes are being issued pursuant to Article X, Section 15 of the Constitution of the State of South Carolina, Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended, and an Ordinance duly adopted by the County Council of the County on \_\_\_\_\_, 2015.

**INTEREST AND PRINCIPAL PAYMENTS:** Payment of principal of and interest on the Notes will be made directly by the Registrar/Paying Agent to Cede & Co., as the registered owner of the Notes and nominee for The Depository Trust Company ("DTC"), on \_\_\_\_\_, 2015, in immediately available funds.

**CUSIP NUMBERS:** It is anticipated that CUSIP numbers will be printed on the Notes, but neither the failure to print such numbers on the Notes nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Notes.

**DELIVERY AND PAYMENT:** Delivery of the properly executed Notes is expected to be made through DTC on or about \_\_\_\_\_, 2015. Payment for the Notes shall be made in immediately available funds.

**OFFICIAL STATEMENT:** The Preliminary Official Statement, dated \_\_\_\_\_, 2015, has been deemed final by the County for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") but is subject to revision, amendment and completion in a final Official Statement as provided in the Rule. Within seven (7) business days of the bid opening date, the County will deliver the final Official Statement to the successful bidder in sufficient quantity to comply with the Rule.

LEGAL OPINION AND CLOSING CERTIFICATES: The County will furnish upon delivery of the Notes: a Receipt for the Notes; a Signature and No-Litigation Certificate; a Rule 15c2-12 Certificate; a Federal Tax Certificate, and the approving opinion of McNair Law Firm, P.A., Columbia, South Carolina, as Bond Counsel, all without cost to the purchasers.

INFORMATION FROM PURCHASER: At or before delivery, the purchaser of the Notes shall provide a certificate to the County in a form acceptable to Bond Counsel stating the information necessary to enable the County to determine the issue price of the Notes as defined in Section 1273 or 1274 of the Internal Revenue Code of 1986, as amended.

ADDITIONAL INFORMATION: The Preliminary Official Statement, Official Notice of Sale and Official Bid Form of the County with respect to the Notes are available via the internet at <http://www.i-dealprospectus.com> and will be furnished to any person interested in bidding for the Notes upon request to Francenia B. Heizer, McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, attention: Francenia B. Heizer, Esquire, telephone (803) 799-9800, e-mail: [fheizer@mcnair.net](mailto:fheizer@mcnair.net). The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Official Notice of Sale as to the complete information concerning the Notes. For additional information, please contact the County's Bond Counsel, Francenia B. Heizer, Esquire, McNair Law Firm, P. A., Post Office Box 11390, Columbia, South Carolina 29211, telephone (803) 799-9800, e-mail: [fheizer@mcnair.net](mailto:fheizer@mcnair.net)

\_\_\_\_\_, 2015

**FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT**

This Disclosure Dissemination Agent Agreement (the “Disclosure Agreement”), dated as of \_\_\_\_\_, 2015, is executed and delivered by Beaufort County, South Carolina (the “Issuer”) and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent (the “Disclosure Dissemination Agent” or “DAC”) for the benefit of the Holders (hereinafter defined) of the Notes (hereinafter defined) and in order to provide certain continuing disclosure with respect to the Notes in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time (the “Rule”).

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute “advice” within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Act”). DAC will not provide any advice or recommendation to the Issuer or anyone on the Issuer’s behalf regarding the “issuance of municipal securities” or any “municipal financial product” as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary.

**SECTION 1. Definitions.** Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (hereinafter defined). The capitalized terms shall have the following meanings:

“Annual Report” means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

“Annual Filing Date” means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

“Annual Financial Information” means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

“Audited Financial Statements” means the financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

“Series 2015 Notes” means the notes as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

“Certification” means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure Dissemination Agent by the Issuer and include the full name of the Notes and the 9-digit CUSIP numbers for all Notes to which the document applies.

“Disclosure Representative” means the Finance Director, or his or her designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

“Disclosure Dissemination Agent” means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

“Failure to File Event” means the Issuer’s failure to file an Annual Report on or before the Annual Filing Date.

“Force Majeure Event” means: (i) acts of God, war, or terrorist action; (ii) failure or shut-down of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent’s reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

“Holder” means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Notes (including persons holding Notes through nominees, depositories or other intermediaries) or (b) treated as the owner of any Notes for federal income tax purposes.

“Information” means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

“MSRB” means the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934.

“Notice Event” means any of the events enumerated in paragraph (b)(5)(i)(C) of the Rule and listed in Section 4(a) of this Disclosure Agreement.

“Obligated Person” means any person, including the Issuer, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Notes (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities), as shown on Exhibit A.

“Official Statement” means that Official Statement prepared by the Issuer in connection with the Notes, as listed on Appendix A.

“Trustee” means the institution, if any, identified as such in the document under which the Notes were issued.

“Voluntary Event Disclosure” means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a

Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

“Voluntary Financial Disclosure” means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

## SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent, together with a copy for the Trustee, not later than the Annual Filing Date. Promptly upon receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than the next February 1 after the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2015. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). Upon such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Failure to File Event has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 6:00 p.m. Eastern time on Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the Disclosure Dissemination Agent to immediately send a notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall, when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, together with a copy for the Trustee, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

- (i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;

- (ii) upon receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;
- (iii) upon receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;
- (iv) upon receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:
  - “Principal and interest payment delinquencies;”
  - “Non-Payment related defaults, if material;”
  - “Unscheduled draws on debt service reserves reflecting financial difficulties;”
  - “Unscheduled draws on credit enhancements reflecting financial difficulties;”
  - “Substitution of credit or liquidity providers, or their failure to perform;”
  - “Adverse tax opinions, IRS notices or events affecting the tax status of the security;”
  - “Modifications to rights of securities holders, if material;”
  - “Bond calls, if material;”
  - “Defeasances;”
  - “Release, substitution, or sale of property securing repayment of the securities, if material;”
  - “Rating changes;”
  - “Tender offers;”
  - “Bankruptcy, insolvency, receivership or similar event of the obligated person;”
  - “Merger, consolidation, or acquisition of the obligated person, if material;” and
  - “Appointment of a successor or additional trustee, or the change of name of a trustee, if material;”
- (v) upon receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the filing as “Failure to provide annual financial information as required” when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;
- (vi) upon receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure

as instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. “amendment to continuing disclosure undertaking;”
2. “change in obligated person;”
3. “notice to investors pursuant to bond documents;”
4. “certain communications from the Internal Revenue Service;”
5. “secondary market purchases;”
6. “bid for auction rate or other securities;”
7. “capital or other financing plan;”
8. “litigation/enforcement action;”
9. “change of tender agent, remarketing agent, or other on-going party;”
10. “derivative or other similar transaction;” and
11. “other event-based disclosures;”

(vii) upon receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. “quarterly/monthly financial information;”
2. “change in fiscal year/timing of annual disclosure;”
3. “change in accounting standard;”
4. “interim/additional financial information/operating data;”
5. “budget;”
6. “investment/debt/financial policy;”
7. “information provided to rating agency, credit/liquidity provider or other third party;”
8. “consultant reports;” and
9. “other financial/operating data.”

- (viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date upon change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent, Trustee (if any) and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

(g) Any Information received by the Disclosure Dissemination Agent before 6:00 p.m. Eastern time on any business day that it is required to file with the MSRB pursuant to the terms of this Disclosure Agreement and that is accompanied by a Certification and all other information required by the terms of this Disclosure Agreement will be filed by the Disclosure Dissemination Agent with the MSRB no later than 11:59 p.m. Eastern time on the same business day; provided, however, the Disclosure Dissemination Agent shall have no liability for any delay in filing with the MSRB if such delay is caused by a Force Majeure Event provided that the Disclosure Dissemination Agent uses reasonable efforts to make any such filing as soon as possible.

### SECTION 3. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the Issuer, including the information provided in the Official Statement as follows:

- (i) The financial statements of the Issuer for the preceding fiscal year prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board (or if not in conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information). If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.
- (ii) Financial and operating data for the fiscal year then ended, to the extent such information is not included in the Issuer's audited financial statements filed pursuant to clause (1) above, which shall be generally consistent with the tabular information (or other information, as otherwise noted below) contained in the Official Statement under the following headings: "THE BONDS—Security;" "DEBT STRUCTURE—Outstanding Indebtedness;" and "CERTAIN FISCAL MATTERS—Assessed Value of Taxable Property in the County," "—Estimated True Value of All Taxable Property in the County," "—Tax Rates," "—Tax Collections for Last Five Years," and "—Ten Largest Taxpayers."

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer, which have been submitted to the MSRB. If the document included by reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been previously filed with the Securities and Exchange Commission or available on the MSRB Internet Website. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The Issuer will clearly identify each such document so incorporated by reference.

Any annual financial information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

#### SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Notes constitutes a Notice Event:

- (i) Principal and interest payment delinquencies;
- (ii) Non-payment related defaults, if material;
- (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers, or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Notes, or other material events affecting the tax status of the Notes;
- (vii) Modifications to rights of Bond holders, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution, or sale of property securing repayment of the Notes, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

**Note to subsection (a)(12) of this Section 4:** For the purposes of the event described in subsection (a)(12) of this Section 4, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in

possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

- (xiii) The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Issuer shall, in a timely manner not in excess of ten business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2 (e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

**SECTION 5. CUSIP Numbers.** Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Notes and the 9-digit CUSIP numbers for the Notes as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the duties and responsibilities of the Disclosure Dissemination Agent under this Disclosure Agreement do not extend to providing legal advice regarding such laws. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Filing.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to the Notes upon the legal defeasance, prior redemption or payment in full of all of the Notes, when the Issuer is no longer an obligated person with respect to the Notes, or upon delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of counsel expert in federal securities laws to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this Disclosure Agreement. The Issuer may, upon thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. Upon termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Notes. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' obligation under this Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Notes or under any other document relating to the Notes, and all rights and remedies shall be limited to those expressly stated herein.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Notes or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely upon Certifications of the Issuer at all times.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Notes.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder,

and shall not incur any liability and shall be fully protected in acting in good faith upon the advice of such legal counsel. The reasonable fees and expenses of such counsel shall be payable by the Issuer.

(c) All documents, reports, notices, statements, information and other materials provided to the MSRB under this Agreement shall be provided in an electronic format and accompanied by identifying information as prescribed by the MSRB.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Notes and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Trustee of the Notes, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Notes, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of Florida (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

The Disclosure Dissemination Agent and the Issuer have caused this Disclosure Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C., as  
Disclosure Dissemination Agent

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

BEAUFORT COUNTY, SOUTH CAROLINA, as  
Issuer

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT A**

**NAME AND CUSIP NUMBERS OF BONDS**

Name of Issuer \_\_\_\_\_  
Obligated Person(s) \_\_\_\_\_  
Name of Bond Issue: \_\_\_\_\_  
Date of Issuance: \_\_\_\_\_  
Date of Official Statement \_\_\_\_\_

CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
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CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____
CUSIP Number: _____	CUSIP Number: _____

**EXHIBIT B**

**NOTICE TO MSRB OF FAILURE TO FILE ANNUAL REPORT**

Issuer: \_\_\_\_\_

Obligated Person: \_\_\_\_\_

Name(s) of Bond Issue(s): \_\_\_\_\_

Date(s) of Issuance: \_\_\_\_\_

Date(s) of Disclosure Agreement: \_\_\_\_\_

CUSIP Number: \_\_\_\_\_

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Notes as required by the Disclosure Agreement between the Issuer and Digital Assurance Certification, L.L.C., as Disclosure Dissemination Agent. The Issuer has notified the Disclosure Dissemination Agent that it anticipates that the Annual Report will be filed by \_\_\_\_\_.

Dated: \_\_\_\_\_

Digital Assurance Certification, L.L.C., as Disclosure  
Dissemination Agent, on behalf of the Issuer

\_\_\_\_\_

cc:

**EXHIBIT C-1  
EVENT NOTICE COVER SHEET**

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name:

\_\_\_\_\_

Issuer's Six-Digit CUSIP Number:

\_\_\_\_\_

or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:

\_\_\_\_\_

Number of pages attached: \_\_\_\_\_

\_\_\_\_ Description of Notice Events (Check One):

1. \_\_\_\_ "Principal and interest payment delinquencies;"
2. \_\_\_\_ "Non-Payment related defaults, if material;"
3. \_\_\_\_ "Unscheduled draws on debt service reserves reflecting financial difficulties;"
4. \_\_\_\_ "Unscheduled draws on credit enhancements reflecting financial difficulties;"
5. \_\_\_\_ "Substitution of credit or liquidity providers, or their failure to perform;"
6. \_\_\_\_ "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
7. \_\_\_\_ "Modifications to rights of securities holders, if material;"
8. \_\_\_\_ "Bond calls, if material;"
9. \_\_\_\_ "Defeasances;"
10. \_\_\_\_ "Release, substitution, or sale of property securing repayment of the securities, if material;"
11. \_\_\_\_ "Rating changes;"
12. \_\_\_\_ "Tender offers;"
13. \_\_\_\_ "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
14. \_\_\_\_ "Merger, consolidation, or acquisition of the obligated person, if material;" and
15. \_\_\_\_ "Appointment of a successor or additional trustee, or the change of name of a trustee, if material."

\_\_\_\_ Failure to provide annual financial information as required.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

\_\_\_\_\_

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

Digital Assurance Certification, L.L.C.  
390 N. Orange Avenue  
Suite 1750  
Orlando, FL 32801  
407-515-1100

Date:

**EXHIBIT C-2  
VOLUNTARY EVENT DISCLOSURE COVER SHEET**

This cover sheet and accompanying "voluntary event disclosure" will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of \_\_\_\_\_ between the Issuer and DAC.

Issuer's and/or Other Obligated Person's Name:

\_\_\_\_\_

Issuer's Six-Digit CUSIP Number:

\_\_\_\_\_

\_\_\_\_\_

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

\_\_\_\_\_

Number of pages attached: \_\_\_\_\_

\_\_\_\_\_ Description of Voluntary Event Disclosure (Check One):

- 1. \_\_\_\_\_ "amendment to continuing disclosure undertaking;"
- 2. \_\_\_\_\_ "change in obligated person;"
- 3. \_\_\_\_\_ "notice to investors pursuant to bond documents;"
- 4. \_\_\_\_\_ "certain communications from the Internal Revenue Service;"
- 5. \_\_\_\_\_ "secondary market purchases;"
- 6. \_\_\_\_\_ "bid for auction rate or other securities;"
- 7. \_\_\_\_\_ "capital or other financing plan;"
- 8. \_\_\_\_\_ "litigation/enforcement action;"
- 9. \_\_\_\_\_ "change of tender agent, remarketing agent, or other on-going party;"
- 10. \_\_\_\_\_ "derivative or other similar transaction;" and
- 11. \_\_\_\_\_ "other event-based disclosures."

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

\_\_\_\_\_

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

Digital Assurance Certification, L.L.C.  
390 N. Orange Avenue  
Suite 1750  
Orlando, FL 32801  
407-515-1100

Date:

**EXHIBIT C-3  
VOLUNTARY FINANCIAL DISCLOSURE COVER SHEET**

This cover sheet and accompanying “voluntary financial disclosure” will be sent to the MSRB, pursuant to the Disclosure Dissemination Agent Agreement dated as of \_\_\_\_\_ between the Issuer and DAC.

Issuer’s and/or Other Obligated Person’s Name:

\_\_\_\_\_

Issuer’s Six-Digit CUSIP Number:

\_\_\_\_\_

\_\_\_\_\_

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates:

\_\_\_\_\_

Number of pages attached: \_\_\_\_

\_\_\_\_ Description of Voluntary Financial Disclosure (Check One):

1. \_\_\_\_ “quarterly/monthly financial information;”
2. \_\_\_\_ “change in fiscal year/timing of annual disclosure;”
3. \_\_\_\_ “change in accounting standard;”
4. \_\_\_\_ “interim/additional financial information/operating data;”
5. \_\_\_\_ “budget;”
6. \_\_\_\_ “investment/debt/financial policy;”
7. \_\_\_\_ “information provided to rating agency, credit/liquidity provider or other third party;”
8. \_\_\_\_ “consultant reports;” and
9. \_\_\_\_ “other financial/operating data.”

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature:

\_\_\_\_\_

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

Digital Assurance Certification, L.L.C.  
390 N. Orange Avenue  
Suite 1750  
Orlando, FL 32801  
407-515-1100

Date:

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the County Council of Beaufort County, South Carolina (the "County"), in County Council Chambers located at 100 Ribaut Road, Beaufort, South Carolina, at 6:00 p.m. on \_\_\_\_\_, \_\_\_\_\_, 2015, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an ordinance (the "Ordinance") providing for the issuance and sale of not to exceed \$12,000,000 General Obligation Bonds (the "Bonds") and \$12,000,000 General Obligation Bond Anticipation Notes (the "Notes"), in one or more series; in one or more years, with appropriate series designations, of the County, the proceeds of the Notes will be used for: (i) funding the acquisition of a parcel of property known as Pepper Hall Plantation; and (ii) paying costs of issuance of the Notes; the proceeds of the Bonds will be used for retiring the Notes; (ii) paying costs of issuance of the Bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

The proceeds of the Bonds will be irrevocably pledged for the payment of the Notes. Also, the full faith, credit, and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Bonds.

/s/Chair, County Council, Beaufort County,  
South Carolina

**RESOLUTION NO. 2015 /**

**A RESOLUTION OF BEAUFORT COUNTY COUNCIL TO ESTABLISH A COMMISSION TO CONSIDER PROPOSALS FOR FUNDING CAPITAL PROJECTS IN BEAUFORT COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-300, ET SEQ., OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR THE COMPOSITION AND APPOINTMENT OF SUCH COMMISSION; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, in accordance with Section 4-10-300, *et seq.*, of the Code of Laws of South Carolina, 1976, as amended (the “act”), the governing body of a county may impose a one percent sales and use tax (a “Capital Project Sales Tax”) by ordinance, subject to a referendum, within the county area for a specific purpose or specific purposes and for a limited amount of time; and

**WHEREAS**, pursuant to the Act, the governing body of a county is authorized to create a commission, consisting of six members, all of whom must be residents of the county, appointed as set forth in Section 4-10-320 of the Act, to consider proposals for funding capital projects within the county area, and to formulate the referendum question that is to appear on the ballot pursuant to Section 4-10-330(d) of the Act; and

**WHEREAS**, the Beaufort County Council (“County Council”), being the governing body of Beaufort County, South Carolina (the “County”), a body politic and corporate and political subdivision of the State of South Carolina, desires to create a commission in accordance with Section 4-10-320 of the Act to consider proposals for funding capital projects within the County area and to formulate a referendum question during the imposition of a Capital Project Sales Tax which shall appear on a referendum ballot in accordance with the provisions of the Act;0

**NOW, THEREFORE**, be it resolved by County Council, in a meeting duly assembled, that:

Section 1. Creation of Commission. There is hereby created a “commission”, within the meaning of Section 4-10-320 of the Act, The Beaufort County Capital Project Sales Tax Commission (the “Commission”). The Commission shall consist of six (6) members, all of whom must be residents of the County, appointed as set forth in Section 4-10-320 of the Act.

Section 2. Effective Date. This resolution shall be effective immediately upon its adoption.

Section 3. Repeal and Rescission. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed, and rescinded.

**NOW, THEREFORE, BE IT RESOLVED BY BEAUFORT COUNTY COUNCIL** that a resolution establishing a commission to consider proposals for funding capital projects in Beaufort County, South Carolina pursuant to S.C. Code Ann. § 4-10-300, *et seq.*, is hereby adopted.

**DONE** this \_\_\_\_ day of \_\_\_\_\_, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Deputy County Administrator  
Special Counsel

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

FY 2015-2016 BEAUFORT COUNTY BUDGET

To provide for the levy of tax for corporate Beaufort County for the fiscal year beginning July 1, 2015 and ending June 30, 2016, to make appropriations for said purposes, and to provide for budgetary control of the County's fiscal affairs.

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

SECTION 1. TAX LEVY

The County Council of Beaufort County hereby appropriates the funds as detailed in Sections 4, 5 and 6 of this Ordinance. Further, that the County Council of Beaufort County hereby establishes the millage rates as detailed in Sections 2 and 3 of this Ordinance. However, the County Council of Beaufort County reserves the right to modify these millage rates as may be deemed necessary and appropriate.

SECTION 2. MILLAGE

The County Auditor is hereby authorized and directed to levy in Fiscal Year 2015-2016 a tax of 59.15 mills on the dollar of assessed value of property within the County, in accordance with the laws of South Carolina. These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the County Council of Beaufort County.

County Operations	48.77
Purchase of Real Property Program	4.90
County Debt Service	5.48

SECTION 3. SPECIAL DISTRICT TAX LEVY

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

	<u>Revenues</u>	<u>Expenditures</u>	<u>Millage Rate</u>
Bluffton Fire District Operations	\$11,673,960	\$11,670,400	24.02
Bluffton Fire District Debt Service	\$ 592,932	\$ 590,000	1.22
Burton Fire District Operations	\$ 5,674,155	\$ 5,876,482	60.66
Burton Fire District Debt Service	\$ 385,268	\$ 385,268	5.26
Daufuskie Island Fire District Operations	\$ 1,125,097	\$ 1,125,097	56.98
Daufuskie Island Debt Service	\$ 39,326	\$ 39,326	2.00
Lady's Island/St. Helena Is. Fire District Operation	\$ 5,197,054	\$ 5,197,054	36.94
Lady's Island/St. Helena Is. Fire District Debt Service	\$ 309,937	\$ 309,937	2.20
Sheldon Fire District Operations	\$ 1,229,995	\$ 1,229,995	36.33
Sheldon Fire District Debt Service	\$ 72,500	\$ 72,500	2.20

Note: Any difference between revenue and expenditures will constitute a use of fund balance.

#### SECTION 4. COUNTY OPERATIONS APPROPRIATION

An amount of \$107,815,002 is appropriated to the Beaufort County General Fund to fund County operations and subsidized agencies as follows:

##### I. Elected Officials and State Appropriations:

A. Sheriff	\$25,934,611
Emergency Management	\$ 7,623,228
B. Magistrate	\$ 2,240,108
C. Clerk of Court	\$ 1,472,204
D. Treasurer	\$ 1,220,834
E. Solicitor	\$ 1,060,000
F. Probate Court	\$ 917,793
G. County Council	\$ 803,659
H. Auditor	\$ 727,371
I. Public Defender	\$ 676,393
J. Coroner	\$ 521,139
K. Master-in-Equity	\$ 361,813
L. Social Services	\$ 147,349
M. Legislative Delegation	\$ <u>99,193</u>
 Total	 \$ 43,805,696

Management of these individual accounts shall be the responsibility of the duly elected official for each office. At no time shall the elected official exceed the budget appropriation identified above without first receiving an approved supplemental appropriation by County Council.

##### II. County Administration Operations:

A. Public Works	\$15,741,338
B. Emergency Medical Services	\$ 7,708,357
C. Detention Center	\$ 6,957,238
D. Administration	\$ 6,899,097
E. Library	\$ 4,036,807
F. Education Allocation	\$ 4,000,000
G. Community Services	\$ 3,636,669
H. Parks and Leisure Services	\$ 3,627,129
I. Assessor	\$ 2,108,468
J. Mosquito Control	\$ 1,750,465
K. Building Codes and Enforcement	\$ 1,109,259
L. Public Health	\$ 1,081,000
M. Employee Services	\$ 1,054,474
N. Animal Shelter	\$ 905,621
O. Voter Registration	\$ 828,409

P. Traffic Engineering	\$ 758,557
Q. Planning	\$ 693,362
R. Register of Deeds	\$ 606,573
S. General Government Subsidies	\$ 289,882
T. Zoning	\$ <u>216,601</u>
 Total	 \$64,009,306

The detailed Operations budget containing line-item accounts by department and/or agency is hereby adopted as part of this Ordinance.

#### SECTION 5. COUNTY OPERATIONS REVENUES

The appropriation for County Operations will be funded from the following revenue sources:

- A. \$ 84,195,180 to be derived from tax collections;
- B. \$ 10,402,715 to be derived from charges for services;
- C. \$ 7,865,416 to be derived from intergovernmental revenue sources;
- D. \$ 3,029,000 to be derived from fees for licenses and permits;
- E. \$ 1,268,750 to be derived from inter-fund transfers;
- F. \$ 750,000 to be derived from fines and forfeitures' collections;
- G. \$ 251,136 to be derived from miscellaneous revenue sources;
- H. \$ 52,805 to be derived from interest on investments;

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

#### SECTION 6. PURCHASE OF DEVELOPMENT RIGHTS AND REAL PROPERTY PROGRAM

The revenue generated by a 4.90 mill levy is appropriated for the County's Purchase of Development Rights and Real Property Program.

#### SECTION 7. COUNTY DEBT SERVICE APPROPRIATION

The revenue generated by a 5.48 mill levy is appropriated to defray the principal and interest payments on all County bonds and on the lease-purchase agreement authorized to cover other Capital expenditures.

#### SECTION 8. BUDGETARY ACCOUNT BREAKOUT

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

## SECTION 9. OUTSTANDING BALANCE APPROPRIATION

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

## SECTION 10. AUTHORIZATION TO TRANSFER FUNDS

In the following Section where reference is made to "County Administrator", it is explicit that this refers to those funds under the particular auspices of the County Administrator requiring his approval as outlined in Section 4 subpart II.

Transfers of monies/budgets among operating accounts, capital accounts, funds, and programs must be authorized by the County Administrator or his designee, upon the written request of the Department Head. Any transfer in excess of \$50,000 for individual or cumulative expenditures during any current fiscal year is to be authorized by the County Council, or its designee.

Transfer of monies/budgets within operating accounts, capital accounts, funds, and programs must be authorized by the County Administrator or his designee, upon written request of the Department Head. The County Administrator, or his designee, may also transfer funds from any departmental account to their respective Contingency Accounts. All transfers among and within accounts in excess of \$50,000 for individual or cumulative expenditures during any current fiscal year are to be reported to County Council through the Finance Committee on a quarterly basis.

## SECTION 11. ALLOCATION OF FUNDS

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

## SECTION 12. MISCELLANEOUS RECEIPTS ABOVE-ANTICIPATED REVENUES

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

SECTION 13. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2015, are hereby approved.

SECTION 14. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2015. Approved and adopted on third and final reading this \_\_\_\_ day of \_\_\_\_\_, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Staff Attorney

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

First Reading:

Second Reading:

Public Hearings:

Third and Final Reading:

	FY 2015 DEPT BUDGET			FY 2015 BUDGET			FY 2016 DEPT BUDGET			FY 2016 BUDGET			
	BUDGET	BENEFITS	ORDINANCE	BUDGET	3% COLA	INCREASES	BENEFITS <sup>1</sup>	ORDINANCE <sup>4</sup>	BUDGET	3% COLA	INCREASES	BENEFITS <sup>1</sup>	ORDINANCE <sup>4</sup>
A. Ad Valorem Tax Collections			\$ 76,679,000					\$ 84,195,180					
B. Charges for Services			\$ 10,102,715					\$ 10,402,715					
C. Intergovernmental Revenue			\$ 7,865,416					\$ 7,865,416					
D. Fees for Licenses and Permits			\$ 2,789,000					\$ 3,029,000					
E. Inter-fund Transfers			\$ 1,268,750					\$ 1,268,750					
F. Use of Assigned Fund Balance (Angus)			\$ 750,000					\$ -					
G. Fines and Forfeitures Collections			\$ 633,642					\$ 750,000					
H. Miscellaneous Revenue			\$ 226,136					\$ 251,136					
I. Interest on Investments			\$ 27,085					\$ 52,805					
			\$ 100,341,744					\$ 107,815,002					
A. Sheriff	\$ 21,690,012	\$ 3,060,652	\$ 24,750,664	\$ 21,690,012	\$ 533,558		\$ 3,711,041	\$ 25,934,611					
A1. Emergency Management (Sheriff)	\$ 6,873,679	\$ 533,440	\$ 7,407,119	\$ 6,873,679	\$ 102,753		\$ 646,796	\$ 7,623,228					
B. Magistrate	\$ 1,843,852	\$ 289,907	\$ 2,133,759	\$ 1,843,852	\$ 44,744		\$ 351,512	\$ 2,240,108					
C. Clerk of Court	\$ 1,189,667	\$ 214,712	\$ 1,404,379	\$ 1,189,667	\$ 22,199		\$ 260,338	\$ 1,472,204					
D. Treasurer	\$ 1,069,691	\$ 108,893	\$ 1,178,584	\$ 1,069,691	\$ 19,111		\$ 132,032	\$ 1,220,834					
E. Solicitor	\$ 1,060,000	\$ -	\$ 1,060,000	\$ 1,060,000	\$ -		\$ -	\$ 1,060,000					
F. Probate Court	\$ 733,054	\$ 135,235	\$ 868,289	\$ 733,054	\$ 20,767		\$ 163,972	\$ 917,793					
G. County Council	\$ 611,066	\$ 149,897	\$ 760,963	\$ 611,066	\$ 10,843		\$ 181,750	\$ 803,659					
H. Auditor	\$ 563,151	\$ 123,265	\$ 686,416	\$ 563,151	\$ 14,761		\$ 149,459	\$ 727,371					
I. Public Defender	\$ 600,000	\$ -	\$ 600,000	\$ 600,000	\$ 34,293		\$ 42,100	\$ 676,393					
J. Coroner	\$ 472,201	\$ 34,365	\$ 506,566	\$ 472,201	\$ 7,270		\$ 41,668	\$ 521,139					
K. Master In Equity	\$ 298,940	\$ 45,294	\$ 344,234	\$ 298,940	\$ 7,954		\$ 54,919	\$ 361,813					
L. Social Services	\$ 147,349	\$ -	\$ 147,349	\$ 147,349	\$ -		\$ -	\$ 147,349					
M. Legislative Delegation	\$ 73,783	\$ 20,057	\$ 93,840	\$ 73,783	\$ 1,091		\$ 24,319	\$ 99,193					
	\$ 37,226,445	\$ 4,715,717	\$ 41,942,162	\$ 37,226,445	\$ 819,344		\$ 5,759,907	\$ 43,805,696					
A. Public Works	\$ 13,088,729	\$ 1,525,238	\$ 14,613,967	\$ 13,088,729	\$ 149,758	\$ 653,500	\$ 1,849,351	\$ 15,741,338					
B. Emergency Medical Services	\$ 5,408,161	\$ 1,392,352	\$ 6,800,513	\$ 5,408,161	\$ 157,969	\$ 454,000	\$ 1,688,227	\$ 7,708,357					
C. Detention Center	\$ 5,359,515	\$ 1,104,346	\$ 6,463,861	\$ 5,359,515	\$ 121,703	\$ 137,000	\$ 1,339,020	\$ 6,957,238					
D. Administration	\$ 5,666,936	\$ 547,932	\$ 6,214,868	\$ 5,666,936	\$ 102,793	\$ 465,000	\$ 664,368	\$ 6,899,097					
E. Education Allocation	\$ 4,000,000	\$ -	\$ 4,000,000	\$ 4,000,000	\$ -	\$ -	\$ -	\$ 4,000,000					
F. Library	\$ 3,356,407	\$ 496,405	\$ 3,852,812	\$ 3,356,407	\$ 78,509	\$ -	\$ 601,891	\$ 4,036,807					
G. Community Services	\$ 3,592,109	\$ 77,988	\$ 3,670,097	\$ 3,426,319	\$ 115,790	\$ -	\$ 94,560	\$ 3,636,669					
H. Parks and Leisure Services	\$ 3,118,292	\$ 429,492	\$ 3,547,784	\$ 3,056,292	\$ 41,078	\$ 9,000	\$ 520,759	\$ 3,627,129					
I. Assessor	\$ 1,884,619	\$ 115,833	\$ 2,000,452	\$ 1,884,619	\$ 53,401	\$ 30,000	\$ 140,448	\$ 2,108,468					
J. Mosquito Control	\$ 1,447,995	\$ 191,422	\$ 1,639,417	\$ 1,447,995	\$ 18,371	\$ 52,000	\$ 232,099	\$ 1,750,465					
K. Public Health <sup>2</sup>	\$ 1,423,789	\$ -	\$ 1,423,789	\$ 1,081,000	\$ -	\$ -	\$ -	\$ 1,081,000					
L. Employee Services	\$ 979,544	\$ 53,551	\$ 1,033,095	\$ 979,544	\$ 9,999	\$ -	\$ 64,931	\$ 1,054,474					
M. Building Codes and Enforcement	\$ 835,097	\$ 164,698	\$ 999,795	\$ 835,097	\$ 24,466	\$ 50,000	\$ 199,696	\$ 1,109,259					
N. Animal Shelter	\$ 708,400	\$ 107,156	\$ 815,556	\$ 708,400	\$ 12,294	\$ 55,000	\$ 129,927	\$ 905,621					
O. Voter Registration	\$ 704,526	\$ 92,647	\$ 797,173	\$ 704,526	\$ 11,549	\$ -	\$ 112,334	\$ 828,409					
P. Traffic Engineering	\$ 560,507	\$ 73,629	\$ 634,136	\$ 560,507	\$ 8,775	\$ 100,000	\$ 89,275	\$ 758,557					
Q. Planning	\$ 518,155	\$ 74,485	\$ 592,640	\$ 518,155	\$ 13,894	\$ 71,000	\$ 90,313	\$ 693,362					
R. Register of Deeds	\$ 482,153	\$ 92,858	\$ 575,011	\$ 482,153	\$ 11,830	\$ -	\$ 112,590	\$ 606,573					
S. General Government Subsidies <sup>3</sup>	\$ 436,629	\$ -	\$ 436,629	\$ 289,882	\$ -	\$ -	\$ -	\$ 289,882					
T. Zoning	\$ 171,934	\$ 32,589	\$ 204,523	\$ 171,934	\$ 5,153	\$ -	\$ 39,514	\$ 216,601					
	\$ 53,743,497	\$ 6,572,621	\$ 60,316,118	\$ 53,026,171	\$ 937,332	\$ 2,076,500	\$ 7,969,303	\$ 64,009,306					
	\$ 90,969,942	\$ 11,288,338	\$ 102,258,280	\$ 90,252,616	\$ 1,756,676	\$ 2,076,500	\$ 13,729,210	\$ 107,815,002					
			\$ (1,916,536)				\$ 594,738	\$ 0					
			\$ 100,341,744										

1 Benefits include \$2.44 million increase

2 Public Health

Beaufort Memorial Hospital	\$ 100,000
Ronald McDonald House	\$ 81,000
BJH Comprehensive Health Services	\$ 900,000
	\$ 1,081,000

3 General Government Subsidies

LCOG - per capita	\$ 97,340
LCOG - HOME match	\$ 56,000
LCOG - MPO Match	\$ 21,542
Economic Development	\$ 90,000
Small Business Development	\$ 25,000
	\$ 289,882

4 FY 2016 Ad Valorem Tax revenue assumes mil value of \$1,726,423 and mil increase from 46.48 to 48.77  
The amount of the current year allowed increase of 4.12% or 1.92 mils based upon population growth and CPI

	FY 2015 DEPT			FY 2015 BUDGET			FY 2016 DEPT			FY 2016 BUDGET			
	BUDGET	BENEFITS	ORDINANCE	BUDGET	3% COLA	INCREASES	BENEFITS <sup>1</sup>	ORDINANCE <sup>4</sup>	BUDGET	3% COLA	INCREASES	BENEFITS <sup>1</sup>	ORDINANCE <sup>4</sup>
A. Ad Valorem Tax Collections			\$ 76,679,000					\$ 83,557,900					
B. Charges for Services			\$ 10,102,715					\$ 10,402,715					
C. Intergovernmental Revenue			\$ 7,865,416					\$ 7,865,416					
D. Fees for Licenses and Permits			\$ 2,789,000					\$ 3,029,000					
E. Inter-fund Transfers			\$ 1,268,750					\$ 1,268,750					
F. Use of Assigned Fund Balance (Angus)			\$ 750,000					\$ -					
G. Fines and Forfeitures Collections			\$ 633,642					\$ 750,000					
H. Miscellaneous Revenue			\$ 226,136					\$ 251,136					
I. Interest on Investments			\$ 27,085					\$ 52,805					
			\$ 100,341,744					\$ 107,177,722					
A. Sheriff	\$ 21,690,012	\$ 3,060,652	\$ 24,750,664	\$ 21,690,012	\$ 533,558		\$ 3,550,356	\$ 25,773,926					
A1. Emergency Management (Sheriff)	\$ 6,873,679	\$ 533,440	\$ 7,407,119	\$ 6,873,679	\$ 102,753		\$ 618,790	\$ 7,595,222					
B. Magistrate	\$ 1,843,852	\$ 289,907	\$ 2,133,759	\$ 1,843,852	\$ 44,744		\$ 336,292	\$ 2,224,888					
C. Clerk of Court	\$ 1,189,667	\$ 214,712	\$ 1,404,379	\$ 1,189,667	\$ 22,199		\$ 249,066	\$ 1,460,932					
D. Treasurer	\$ 1,069,691	\$ 108,893	\$ 1,178,584	\$ 1,069,691	\$ 19,111		\$ 126,315	\$ 1,215,117					
E. Solicitor	\$ 1,060,000	\$ -	\$ 1,060,000	\$ 1,060,000	\$ -		\$ -	\$ 1,060,000					
F. Probate Court	\$ 733,054	\$ 135,235	\$ 868,289	\$ 733,054	\$ 20,767		\$ 156,872	\$ 910,693					
G. County Council	\$ 611,066	\$ 149,897	\$ 760,963	\$ 611,066	\$ 10,843		\$ 173,880	\$ 795,789					
H. Auditor	\$ 563,151	\$ 123,265	\$ 686,416	\$ 563,151	\$ 14,761		\$ 142,988	\$ 720,900					
I. Public Defender	\$ 600,000	\$ -	\$ 600,000	\$ 600,000	\$ 34,293		\$ 40,000	\$ 674,293					
J. Coroner	\$ 472,201	\$ 34,365	\$ 506,566	\$ 472,201	\$ 7,270		\$ 39,864	\$ 519,335					
K. Master In Equity	\$ 298,940	\$ 45,294	\$ 344,234	\$ 298,940	\$ 7,954		\$ 52,541	\$ 359,435					
L. Social Services	\$ 147,349	\$ -	\$ 147,349	\$ 147,349	\$ -		\$ -	\$ 147,349					
M. Legislative Delegation	\$ 73,783	\$ 20,057	\$ 93,840	\$ 73,783	\$ 1,091		\$ 23,266	\$ 98,140					
	\$ 37,226,445	\$ 4,715,717	\$ 41,942,162	\$ 37,226,445	\$ 819,344		\$ 5,510,232	\$ 43,556,021					
A. Public Works	\$ 13,088,729	\$ 1,525,238	\$ 14,613,967	\$ 13,088,729	\$ 149,758	\$ 653,500	\$ 1,769,276	\$ 15,661,263					
B. Emergency Medical Services	\$ 5,408,161	\$ 1,392,352	\$ 6,800,513	\$ 5,408,161	\$ 157,969	\$ 454,000	\$ 1,615,128	\$ 7,635,258					
C. Detention Center	\$ 5,359,515	\$ 1,104,346	\$ 6,463,861	\$ 5,359,515	\$ 121,703	\$ 137,000	\$ 1,281,041	\$ 6,899,259					
D. Administration	\$ 5,666,936	\$ 547,932	\$ 6,214,868	\$ 5,666,936	\$ 102,793	\$ 465,000	\$ 635,601	\$ 6,870,330					
E. Education Allocation	\$ 4,000,000	\$ -	\$ 4,000,000	\$ 4,000,000	\$ -	\$ -	\$ -	\$ 4,000,000					
F. Library	\$ 3,356,407	\$ 496,405	\$ 3,852,812	\$ 3,356,407	\$ 78,509	\$ -	\$ 575,830	\$ 4,010,746					
G. Community Services	\$ 3,592,109	\$ 77,988	\$ 3,670,097	\$ 3,476,319	\$ 115,790	\$ -	\$ 90,466	\$ 3,682,575					
H. Parks and Leisure Services	\$ 3,118,292	\$ 429,492	\$ 3,547,784	\$ 3,056,292	\$ 41,078	\$ 9,000	\$ 498,211	\$ 3,604,581					
I. Assessor	\$ 1,884,619	\$ 115,833	\$ 2,000,452	\$ 1,884,619	\$ 53,401	\$ 30,000	\$ 134,366	\$ 2,102,386					
J. Mosquito Control	\$ 1,447,995	\$ 191,422	\$ 1,639,417	\$ 1,447,995	\$ 18,371	\$ 52,000	\$ 222,050	\$ 1,740,416					
K. Public Health <sup>2</sup>	\$ 1,423,789	\$ -	\$ 1,423,789	\$ 1,081,000	\$ -	\$ -	\$ -	\$ 1,081,000					
L. Employee Services	\$ 979,544	\$ 53,551	\$ 1,033,095	\$ 979,544	\$ 9,999	\$ -	\$ 62,119	\$ 1,051,662					
M. Building Codes and Enforcement	\$ 835,097	\$ 164,698	\$ 999,795	\$ 835,097	\$ 24,466	\$ 50,000	\$ 191,050	\$ 1,100,613					
N. Animal Shelter	\$ 708,400	\$ 107,156	\$ 815,556	\$ 708,400	\$ 12,294	\$ 55,000	\$ 124,301	\$ 899,995					
O. Voter Registration	\$ 704,526	\$ 92,647	\$ 797,173	\$ 704,526	\$ 11,549	\$ -	\$ 107,471	\$ 823,546					
P. Traffic Engineering	\$ 560,507	\$ 73,629	\$ 634,136	\$ 560,507	\$ 8,775	\$ 100,000	\$ 85,410	\$ 754,692					
Q. Planning	\$ 518,155	\$ 74,485	\$ 592,640	\$ 518,155	\$ 13,894	\$ 71,000	\$ 86,403	\$ 689,452					
R. Register of Deeds	\$ 482,153	\$ 92,858	\$ 575,011	\$ 482,153	\$ 11,830	\$ -	\$ 107,715	\$ 601,698					
S. General Government Subsidies <sup>3</sup>	\$ 436,629	\$ -	\$ 436,629	\$ 178,340	\$ -	\$ -	\$ -	\$ 178,340					
T. Zoning	\$ 171,934	\$ 32,589	\$ 204,523	\$ 171,934	\$ 5,153	\$ -	\$ 37,803	\$ 214,890					
	\$ 53,743,497	\$ 6,572,621	\$ 60,316,118	\$ 52,964,629	\$ 937,332	\$ 2,076,500	\$ 7,624,240	\$ 63,602,701					
	\$ 90,969,942	\$ 11,288,338	\$ 102,258,280	\$ 90,191,074	\$ 1,756,676	\$ 2,076,500	\$ 13,134,472	\$ 107,158,722					
			\$ (1,916,536)					\$ 19,000					
			\$ 100,341,744										

1 Benefits include \$1.8 million increase

2 Public Health

Beaufort Memorial Hospital	\$ 100,000
Ronald McDonald House	\$ 81,000
BJH Comprehensive Health Services	\$ 900,000
	\$ 1,081,000

3 General Government Subsidies

LCOG - per capita	\$ 97,340
LCOG - HOME match	\$ 56,000
Small Business Development	\$ 25,000
	\$ 178,340

4 FY 2016 Ad Valorem Tax revenue includes 2% growth, no mil increase

Other Notes:

MPO Match of \$21,542 not included above

**BEAUFORT COUNTY SCHOOL DISTRICT  
FY 2016 BUDGET (NOT CERTIFIED)**

		A	B	C	D	E	F	G
		FY 2013-2014 Approved Budget 97.45 mils	FY 2013-2014 Audited Actual 97.45 mils	Variance From Budget	FY 2014-2015 Approved Budget 103.5	FY2014-2015 Year to Date Actual* 103.5	FY 2014-2015 Projected Actual 103.5	FY 2015-2016 Projected Budget 103.5
<b>Revenues by Source</b>								
<b>Millage Rate</b>								
1	<b>Local</b>							
2	Ad Valorem (Current and Delinquent)-Net of TIFs	114,868,815	109,379,367	(5,489,448)	114,868,815	110,823,126	114,868,815	129,259,908
2a	Less Estimated Uncollectible Amount						(500,000)	(2,585,198)
3	Penalties and Interest	800,000	697,449	(102,551)	800,000	278,810	800,000	800,000
4	Rental Income	583,500	553,172	(30,328)	563,500	409,461	564,000	293,500
5	Other Local	80,000	446,362	366,362	370,000	184,738	380,000	370,000
6	<b>Total Local Revenue</b>	<b>\$ 116,332,315</b>	<b>\$ 111,076,350</b>	<b>(5,255,965)</b>	<b>\$ 116,602,315</b>	<b>\$ 111,696,135</b>	<b>\$ 116,112,815</b>	<b>\$ 128,138,210</b>
7	<b>State</b>							
8	Sales Tax Reimbursement on Owner Occupied-Tier III	42,761,119	42,783,003	21,884	43,360,281	25,945,008	43,360,281	43,960,281
9	Fringe Benefits/Retiree Insurance	5,476,221	5,938,827	462,606	5,938,827	5,026,720	6,873,812	7,270,465
10	Education Finance Act (EFA)	3,929,748	3,560,563	(369,185)	6,692,187	5,344,425	7,342,824	6,966,508
11	EFA Transition Funds (hold harmless-Governor's Plan)			-	697,308	-	697,308	1,095,609
12	Reimbursement for Local Property Tax Relief-Tier II	7,036,261	7,036,261	-	7,036,261	6,332,635	7,036,261	7,036,261
13	Other State Property Tax (Homestead-Tier I/Merchant Inv)	2,442,079	2,460,953	18,874	2,442,079	249,060	2,442,079	2,442,079
14	Other State Revenue (Bus Driver Salary/Misc)	-	1,084,522	1,084,522	1,261,352	863,240	1,261,352	1,200,179
15	<b>Total State Revenue</b>	<b>\$ 61,645,428</b>	<b>\$ 62,864,129</b>	<b>1,218,701</b>	<b>\$ 67,428,295</b>	<b>\$ 43,761,088</b>	<b>\$ 69,013,917</b>	<b>\$ 69,971,382</b>
16	<b>Federal</b>							
17	Other Federal Sources	900,000	990,252	90,252	900,000	555,615	900,000	900,000
18	<b>Total Federal Revenue</b>	<b>\$ 900,000</b>	<b>\$ 990,252</b>	<b>90,252</b>	<b>\$ 900,000</b>	<b>\$ 555,615</b>	<b>\$ 900,000</b>	<b>\$ 900,000</b>
19	<b>Total Revenue</b>	<b>\$ 178,877,743</b>	<b>\$ 174,930,731</b>	<b>(3,947,012)</b>	<b>\$ 184,930,610</b>	<b>\$ 156,012,838</b>	<b>\$ 186,026,732</b>	<b>\$ 199,009,592</b>
20	<b>Other Financing Sources</b>							
21	Transfers from Special Revenue	3,994,372	3,916,005	(78,367)	3,994,372	2,580,803	3,871,204	4,044,025
22	Transfers from Other Funds	362,882	580,400	217,518	450,000	286,184	450,000	450,000
23	<b>Total Other Financing Sources (Uses)</b>	<b>\$ 4,357,254</b>	<b>\$ 4,496,405</b>	<b>139,151</b>	<b>\$ 4,444,372</b>	<b>\$ 2,866,987</b>	<b>\$ 4,321,204</b>	<b>\$ 4,494,025</b>
24	<b>Total Revenue and Other Financing Sources</b>	<b>\$ 183,234,997</b>	<b>\$ 179,427,136</b>	<b>(3,807,861)</b>	<b>\$ 189,374,982</b>	<b>\$ 158,879,825</b>	<b>\$ 190,347,936</b>	<b>\$ 203,503,617</b>
25	<b>Expenditures</b>	182,906,012	182,302,338	(603,674)	189,558,841	133,679,468	189,268,841	203,513,932
26	<b>Increase(Decrease) in Fund Balance</b>	<b>\$ 328,985</b>	<b>\$ (2,875,202)</b>	<b>(3,204,187)</b>	<b>\$ (183,859)</b>	<b>\$ 25,200,357</b>	<b>\$ 1,079,095</b>	<b>\$ (10,315)</b>
27								
28	<b>Beginning Fund Balance</b>	29,706,145	30,503,375		27,628,173		27,628,173	28,707,268
29	<b>Ending Fund Balance</b>	<b>\$ 30,035,130</b>	<b>\$ 27,628,173</b>		<b>\$ 27,444,314</b>		<b>\$ 28,707,268</b>	<b>\$ 28,696,952</b>
30	<b>% of Next Year's Expenditure or Budget</b>	16.5%	14.6%		13.5%		14.1%	13.5%

**Notes:**

\*Year to date actual is as of April 17, 2015

Local revenue projections based on 4-15-2015 mil value information from county

State revenue projections based on FY 16 House projections released 3-31-2015



COUNTY COUNCIL OF BEAUFORT COUNTY  
PURCHASING DEPARTMENT

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

David L. Thomas, Purchasing Director

[dthomas@bcgov.net](mailto:dthomas@bcgov.net), 843.255.2353

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

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

SUBJ: Request to Purchase One Knuckle Boom Loader Truck with Dump Body from State Contract for Beaufort County's Public Works Department, Solid Waste and Recycling

DATE: April 20, 2015

**BACKGROUND:** The Purchasing Department received a request from the Public Works Department, Solid Waste and Recycling Section, to purchase one Knuckle Boom Loader Truck with Dump Body from a State contract vendor. The new truck is a replacement for a 2007 Knuckle Boom Loader Truck with Dump Body assigned to the Public Works Department, Solid Waste and Recycling Section, with over 300,000 miles of operation. The Section utilizes the truck to pick up and transport waste tires from Convenience Centers to the tire building for consolidation, averaging 1,200 tires per month. The truck is also used to pick up white goods from three Convenience Centers and bring them to the Shanklin Road consolidation point. The old vehicle will be sold on GovDeals.

**STATE CONTRACT VENDOR INFORMATION:**

**COST**

Carolina International Trucks, Inc., Columbia, SC

\$119,065

**FUNDING:** Account #40090011-54213-2014 Bonds, Specialized Capital Equipment-PW *ast*

**FOR ACTION:** Public Facilities Committee meeting on April 20, 2015

**RECOMMENDATION:** The Purchasing Department recommends that the Public Facilities Committee approve and recommend to County Council the contract award of \$119,065 to purchase one Knuckle Boom Loader Truck with Dump Body from the aforementioned vendor in support of Public Works operations.

Attachment: Pricing Information

cc: Gary Kubic, County Administrator *GKubic*

Joshua Gruber, Deputy County Administrator/Special Counsel *JG*

Alicia Holland, Assistant County Administrator, Finance

Eric Larson, Environmental Engineer *E.L. by MCB*

Eddie Bellamy, Director, Public Works *MCB*

2014 GO BOND  
Project Budget

2015 Original

Org	Object	Description	Budget	Comments
40090011	54000	VEHICLE PURCHASES - PUB WRKS	109,298	4 vehicles - 2 @ \$22,000 each, 1 @ \$35,298, 1 @ \$30,000
40090011	54002	VEHICLE PURCHASES - PALS	25,000	1 vehicle
40090011	54003	VEHICLE PURCHASE - EMS	345,000	1 ambulance
40090011	54141	COMM EQUIPMENT - MICROWAVE SYS	1,500,000	BCSO - Communications
40090011	54202	SPECIALIZED CAPITAL EQUIP /MIS	300,000	MIS
40090011	54211	SPECIALIZED CAPITAL EQUIP-PALS	185,000	Ball Field Light Replacement
40090011	54212	SPECIALIZED CAPITAL EQUIP - TR	61,000	Signalization Upgrade
40090011	54213	SPECIALIZED CAPITAL EQUIP - PW	513,332	2 motor graders @ \$155,000 each, Tire Truck @ \$180,000, Tag Along Trailer @ \$23,332
40090011	54214	SPECIALIZED CAPITAL EQUIP-MOCO	31,744	Truck Mounted Sprayers
40090011	54218	SPECIALIZED CAPITAL EQUIP - BM	14,895	2 Lawn Mowers
40090011	54410	BUILDING ACQ - OLD MILLER RD	450,000	DSN
40090011	54420	RENOV EXIST BLDGS - ROOF REPLA	1,859,000	various - see following page
40090011	54431	OTHER IMPROV - HVAC REPLACEMNT	2,111,500	various - see following page
40090011	54432	OTHER IMPR - MCAS BRIDGE PERRY	1,000,000	
40090011	54600	CONSTR NEW BLDGS-ANIMAL SHELTR	3,500,000	
40090011	54606	BUCKWALTER EXPANSION PH II	5,000,000	
			<b>\$ 17,005,769</b>	



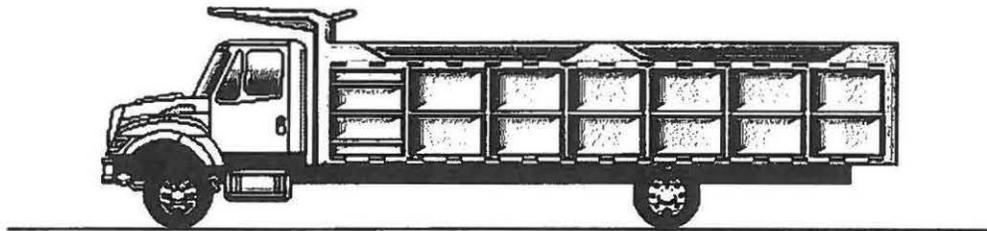
# **7300 SBA 4x2**

Sales Proposal For:  
**Beaufort County Public Works**

Presented By:  
**CAROLINA INTERNATIONAL TRUCKS, INC**

**Prepared For:**  
Beaufort County Public Works  
Dave Thomas  
102 Industrial Village Rd. Bldg. 2  
Beaufort, SC 29906-4291  
(843)470 - 2739

**Presented By:**  
CAROLINA INTERNATIONAL TRUCKS, INC  
Edmond Jones  
1619 BLUFF RD  
COLUMBIA SC 29201 -  
(803)799-4923



**Model Profile**  
**2016 7300 SBA 4X2 (SA615)**

<b>APPLICATION:</b>	Construction Dump
<b>MISSION:</b>	Requested GVWR: 33000. Calc. GVWR: 33000 Calc. Start / Grade Ability: 27.74% / 1.58% @ 55 MPH Calc. Geared Speed: 81.6 MPH
<b>DIMENSION:</b>	Wheelbase: 254.00, CA: 186.90, Axle to Frame: 96.00
<b>ENGINE, DIESEL:</b>	{Cummins ISB 240} EPA 2010, 240 HP @ 2400 RPM, 560 lb-ft Torque @ 1600 RPM, 2600 RPM Governed Speed, 240 Peak HP (Max)
<b>TRANSMISSION, AUTOMATIC:</b>	{Allison 3500_RDS_P} 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.
<b>CLUTCH:</b>	Omit Item (Clutch & Control)
<b>AXLE, FRONT NON-DRIVING:</b>	{Meritor MFS-12-143A} Wide Track, I-Beam Type, 12,000-lb Capacity
<b>AXLE, REAR, SINGLE:</b>	{Meritor MS-21-14X-4DFR} Single Reduction, 21,000-lb Capacity, R Wheel Ends Gear Ratio: 5.13
<b>CAB:</b>	Conventional
<b>TIRE, FRONT:</b>	(2) 11R22.5 G661 HSA (GOODYEAR) 497 rev/mile, load range G, 14 ply
<b>TIRE, REAR:</b>	(4) 11R22.5 G622 RSD (GOODYEAR) 497 rev/mile, load range G, 14 ply
<b>SUSPENSION, RR, SPRING, SINGLE:</b>	Vari-Rate; 23,500-lb Capacity, With 4500 lb Auxiliary Rubber Spring
<b>PAINT:</b>	Cab schematic 100GN Location 1: 9219, Winter White (Std) Chassis schematic N/A

<u>Code</u>	<u>Description</u>
SA61500	Base Chassis, Model 7300 SBA 4X2 with 254.00 Wheelbase, 186.90 CA, and 96.00 Axle to Frame.
1CAG	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.250" x 3.610" x 0.375" (260.4mm x 91.7mm x 9.5mm); 456.0" (11582mm) Maximum OAL
1LLA	BUMPER, FRONT Steel, Swept Back
1SAL	CROSSMEMBER, REAR, AF (01)
1WGS	WHEELBASE RANGE 189" (480cm) Through and Including 256" (650cm)
2ARW	AXLE, FRONT NON-DRIVING {Meritor MFS-12-143A} Wide Track, I-Beam Type, 12,000-lb Capacity
3ADC	SUSPENSION, FRONT, SPRING Parabolic, Taper Leaf; 12,000-lb Capacity; With Shock Absorbers
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications
4619	TRAILER CONNECTIONS Four-Wheel, With Hand Control Valve and Tractor Protection Valve, for Straight Truck
4722	DRAIN VALVE {Bendix DV-2} Automatic; With Heater; for Air Tank
4AZA	AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel)
4ESX	BRAKE CHAMBERS, FRONT AXLE {Haldex} 20 SqIn
4EVL	BRAKE CHAMBERS, REAR AXLE {Haldex GC3030LHDHO} 30/30 Spring Brake
4JCG	BRAKES, FRONT, AIR CAM S-Cam; 15.0" x 4.0"; Includes 20 Sq. In. Long Stroke Brake Chambers
4NDB	BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM Capacity
5AAA	STEERING COLUMN Stationary
5CAL	STEERING WHEEL 2-Spoke, 18" Diam., Black
5PSA	STEERING GEAR {Sheppard M-100} Power
7BEM	EXHAUST SYSTEM Switchback Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab; Includes Single Short Horizontal Tail Pipe, Frame Mounted Right Side Back of Cab
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment
8718	POWER SOURCE Cigar Type Receptacle without Plug and Cord
8GXD	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type; 12 Volt 160 Amp. Capacity, Pad Mount, With Remote Sense
8HAB	BODY BUILDER WIRING Back of Standard Cab at Left Frame or Under Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn
8HAH	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Combined Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake Accommodation Package With Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket
8MEP	BATTERY SYSTEM {International} Maintenance-Free (2) 12-Volt 1300CCA Total
8RKB	RADIO {Panasonic CQ120} AM/FM, Includes Multiple Speakers, Includes Auxiliary Input
8TKK	TRAILER AUXILIARY FEED CIRCUIT for Electric Trailer Brake Accommodation/Air Trailer ABS; With 30 Amp Fuse and Relay, Controlled by Ignition Switch
8VAY	HORN, ELECTRIC Disc Style

<u>Code</u>	<u>Description</u>
8VUL	BATTERY BOX Steel With Plastic Cover, 18" Wide, 2, 3, or 4 Battery Capacity, Mounted Left Side Back of Cab
8WCL	HORN, AIR Black, Single Trumpet, Air Solenoid Operated
8WLS	TURN SIGNALS, FRONT Dual Face, Amber/Red, Mounted on Top of Fender, Used With Standard Flush Mounted Front Turn Signal, Side Marker Lamps, Parking Lights and Reflectors
8WML	HEADLIGHTS Long Life Halogen; for Two Light System
8WPH	CLEARANCE/MARKER LIGHTS (5) (Truck Lite) Amber LED Lights, Flush Mounted on Cab or Sunshade
8WTK	STARTING MOTOR (Delco Remy 38MT Type 300) 12 Volt; less Thermal Over-Crank Protection
8WWJ	INDICATOR, LOW COOLANT LEVEL With Audible Alarm
9HBM	GRILLE Stationary, Chrome
9WAC	BUG SCREEN Front End; Mounted Behind Grille
9WBC	FRONT END Tilting, Fiberglass, With Three Piece Construction; for 2007 & 2010 Emissions
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone
11001	CLUTCH Omit Item (Clutch & Control)
12EES	ENGINE, DIESEL (Cummins ISB 240) EPA 2010, 240 HP @ 2400 RPM, 560 lb-ft Torque @ 1600 RPM, 2600 RPM Governed Speed, 240 Peak HP (Max)
12THT	FAN DRIVE (Horton Drivemaster) Direct Drive Type, Two Speed With Residual Torque Device for Disengaged Fan Speed
12UWZ	RADIATOR Cross Flow, Series System; 1228 SqIn Aluminum Radiator Core With Internal Water to Oil Transmission Cooler and 1167 In Charge Air Cooler
12VBC	AIR CLEANER Single Element
12VXU	THROTTLE, HAND CONTROL Engine Speed Control for PTO; Electronic, Stationary Pre-Set, Two Speed Settings; Mounted on Steering Wheel
12WZE	EMISSION COMPLIANCE Federal, Does Not Comply With California Clean Air Idle Regulations
12XAT	ENGINE CONTROL, REMOTE MOUNTED Provision for; Includes Wiring for Body Builder Installation of PTO Controls; With Ignition Switch Control for Cummins ISB Engines
12XBB	FEDERAL EMISSIONS EPA, OBD and GHG Certified for Calendar Year 2015; ISB Engines
13AVG	TRANSMISSION, AUTOMATIC (Allison 3500_RDS_P) 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; On/Off Hwy; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 80,000-lb GVW & GCW Max.
13WBL	TRANSMISSION SHIFT CONTROL (Allison) Push-Button Type; for Allison 3000 & 4000 Series Transmission
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction
13WYR	SHIFT CONTROL PARAMETERS Allison 3000 or 4000 Series Transmissions, 5th Generation Controls, with EcoCal and Dynamic Shift Sensing (FuelSense Basic)
14ANV	AXLE, REAR, SINGLE (Meritor MS-21-14X-4DFR) Single Reduction, 21,000-lb Capacity, R Wheel Ends . Gear Ratio: 5.13
14VAH	SUSPENSION, RR, SPRING, SINGLE Vari-Rate; 23,500-lb Capacity, With 4500 lb Auxiliary Rubber Spring
15LLZ	LOCATION FUEL/WATER SEPARATOR Mounted Outside Left Rail 41" Back of Cab

<u>Code</u>	<u>Description</u>
15LMN	FUEL/WATER SEPARATOR (Racor 400 Series,) 12 Volt Pre-Heater, with Primer Pump, and WIF Sensor
15SRE	FUEL TANK Top Draw; D Style, Non Polished Aluminum, 19" Deep, 50 U.S. Gal., 189 L Capacity, with Quick Connect Outlet, Mounted Left Side, Under Cab
15WDG	DEF TANK 7 U.S. Gal. 26.5L Capacity, Frame Mounted Outside Left Rail, Under Cab
16030	CAB Conventional
16HBA	GAUGE CLUSTER English With English Electronic Speedometer
16HGH	GAUGE, OIL TEMP, ALLISON TRAN
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster
16HLJ	GAUGE, DEF FLUID LEVEL
16JNT	SEAT, DRIVER (National 2000) Air Suspension, High Back With Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, With 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust
16SDC	GRAB HANDLE (2) Chrome Towel Bar Type With Anti-Slip Rubber Inserts; for Cab Entry, Mounted Left and Right, Each Side at "B" Pillar
16SML	SEAT, TWO-MAN PASSENGER (National) Fixed Back, Integrated Headrest in Both Occupant Positions, Vinyl, Less Under Seat Storage Compartment
16SNC	MIRRORS (2) (Lang Mekra) Rectangular 7.55" x 14.1" Integral Convex Both Sides, 102" Inside Spacing, Breakaway Type, Thermostatically Controlled Heated Heads, Bright Finish Heads, with Black Brackets and Arms
16WCT	AIR CONDITIONER (Blend-Air) With Integral Heater & Defroster
16WJS	INSTRUMENT PANEL Center Section, Flat Panel
16WKY	HVAC FRESH AIR FILTER
16WLE	STORAGE POCKET, DOOR Molded Plastic, Full Width; Mounted on Passenger Door
16WRX	CAB INTERIOR TRIM Deluxe
16WSK	CAB REAR SUSPENSION Air Bag Type
27DPX	WHEELS, FRONT DISC; 22.5" Painted Steel, 2-Hand Hole 10-Stud (285.75MM BC) Hub Piloted Flanged Nut, Metric Mount, 8.25 DC Rims; With .472" Thick Increased Capacity Disc and Steel Hubs
28DPM	WHEELS, REAR DUAL DISC; 22.5" Painted Steel, 2 Hand Hole, 10-Stud (285.75MM BC) Hub Piloted, Flanged Nut, Metric Mount, 8.25 DC Rims; With .472" Thick Increased Capacity Disc and With Steel Hubs
7372138102	(4) TIRE, REAR 11R22.5 G622 RSD (GOODYEAR) 497 rev/mile, load range G, 14 ply
7372138107	(2) TIRE, FRONT 11R22.5 G661 HSA (GOODYEAR) 497 rev/mile, load range G, 14 ply
<b>Services Section:</b>	
40115	WARRANTY Standard for WorkStar 7300/7400 (4x2, 4x4, 6x4, 6x6), Effective with Vehicles Built January 2, 2015 or Later, CTS-2002U
40KDT	SRV CONTRACT, EXT CMMS ENGINE (Cummins) To 60-Month/200,000 Miles (320,000 km), Extended Cummins ISB Engine Coverage, Protection Plan 1, (Truck Application Only)
40KGD	SRV CONTRACT, EXT CMMS AFTR (Cummins) To 60-Month/200,000 Miles (320,000 km), Extended Cummins ISB Aftertreatment Coverage, With Equal or Greater Duration Purchased of Protection Plan 1 (Truck Application Only)
1	CAROLINA ENVIRONMENTAL SYSTEMS - HOL-MAC KBF20H KNUCKLEBOOM GRAPPLE LOADER

**Code**

**Description**

W7W BODY COMPANY - STATE CONTRACT - PINTLE HOOK, 7 WAY PLUG, ELECTRIC BRAKE  
CONTROLLER

<u>Description</u>	<u>(US DOLLAR)</u>	<u>Price</u>
Net Sales Price:		\$119,065.00
Memo Item(s):		
Total Taxes:	\$300.00	
Note: Memo item(s) shown here are included in the above Net Sales Price.		

Please note the following -

THIS QUOTE INCLUDES SOUTH CAROLINA SALES TAX

THIS QUOTE BASED ON SOUTH CAROLINA STATE CONTRACT #4400009449

THIS QUOTE INCLUDES REVISED BODY QUOTE FROM CAROLINA ENVIRONMENTAL SYSTEMS, INC. WITH STANDARD LEVER CONTROLS

**Approved by Seller:**

**Accepted by Purchaser:**

\_\_\_\_\_  
**Official Title and Date**

\_\_\_\_\_  
**Firm or Business Name**

\_\_\_\_\_  
**Authorized Signature**

\_\_\_\_\_  
**Authorized Signature and Date**

CAROLINA INTERNATIONAL TRUCKS, INC  
1619 BLUFF RD  
COLUMBIA SC 29201 -  
(803)799-4923

**This proposal is not binding upon the seller without  
Seller's Authorized Signature**

\_\_\_\_\_  
**Official Title and Date**

**The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.**

**Carolina Environmental Systems, Inc.**  
*2750 Highway 66 S, Kernersville, NC 27284*  
*2701 White Horse Rd, Greenville, SC 29611*  
**800-239-7796**

---

**4-7-15 Revised**

To: Carolina International Trucks of Columbia  
Attn: Ed Jones

Ref: Beaufort County, SC

New knuckleboom body/loader quote

**Loader:**

Pac-Mac by Hol-Mac, model KBF20H  
270 degrees boom rotation  
16' - 20' reach  
48" x 60" grapple, 360 degrees continuous rotation  
Dual stand up lever controls  
Electric shift PTO w/EOS  
Tandem hydraulic pump, direct coupled  
Lifting capacity: 3,000 to 7,000 lbs  
H Style outriggers  
Fast idle circuit  
Cab mounted strobe light

**Body:**

Pac-Mac by Hol-Mac  
Model TKB1824  
18' long, 24 cubic yards  
42" front sides, tapered up to 60" sides at rear  
Dual outboard lift cylinders  
12" on center - 4" channel crossmembers  
8" longitudinals  
3/16" floor  
Dual rear barn doors  
Dual rear LED, oval, amber flashing lights mounted in upper door posts  
ICC rear bumper, folding

Pac-Mac warranty, 12 months full coverage, 36 months structural, 24 months on hydraulic gear box

Color: Cab - white  
Loader - safety red  
Body - black

Freight from Pac-Mac to customer.

Factory mounting and paint.

Delivery: approx 45-60 days from receipt of a suitable chassis

Options included, factory mounted

**Standard lever controls N/C**

Heat shield under curbside cat walk

Boom overheight alarm

Armless tarp " window shade " type system with ¾ coverage, add 1,800.00

**Total price \$ 52,785.00**

Other options available, including custom strobe light (brands)

If you have questions or need additional information, please do not hesitate to contact me. The toll free office number: 800-239-7796, mobile: 704-239-8471

***Matt Keeble***

Matt Keeble....704-239-7796, [mattkeeble@bellsouth.net](mailto:mattkeeble@bellsouth.net)

CC: Jim Minor

I

TV-

**Truck, Cab/Chassis, 33,000 GVWR, Diesel Engine**

INTL - 7300 - Cummins ISD Allison - >

<u>Contract Number:</u>	4400009449	<u>Contractor:</u>	Carolina International Trucks, Inc.
<u>Initial Contract Term:</u>	11/1/14 - 10/31/15	<u>Address:</u>	1619 Bluff Rd Columbia, SC 29201
<u>Contract Rollover Dates:</u>		<u>Vendor #:</u>	7000083474
<u>Order Cutoff Date:</u>		<u>Contact:</u>	Randy Downs
<u>Model:</u>	International WorkStar SA615	<u>Email:</u>	<a href="mailto:rdowns@carolinainternational.com">rdowns@carolinainternational.com</a>
<u>Commodity Code:</u>	0705110100	<u>Telephone:</u>	(803) 251-7284
<u>Delivery:</u>	58 days ARO	<u>Fax:</u>	(803) 212-8266

45.60

**BASE PRICE = \$63,285.00**

Ed Jones - CAROLINA INT'L  
843-300-7351

\* Click on the link above for an itemized listing of items included in the base price.

CLARENDON - PETERSON  
- AMICK - EQUIP -

**Optional Additions**

Body Install Coordination Fee*	\$ 100.00
<small>* The Body Installation Fee is a charge based on the dealer arranging for bodies to be installed on this cab &amp; chassis from the State contract vendor.</small>	
C/A 120" - Increase CA to 120"	No Additional Cost
Extended Cab (deletes Air Ride Driver Seat)	\$ 1,795.00
Operator's Manual	Standard
Shop Manual	Standard
Operator Training	Standard
Repair Technician Training	Standard

**Optional Deductions**

Auxiliary Power Outlet (Standard State Spec)	\$ 30.00
Auxiliary Power Connection (Standard State Spec)	\$ 95.00

**RESOLUTION 2015 /**

WHEREAS, the County Council of Beaufort County recognizes the importance to our community of investments that facilitate best-in-class broadband services, including the importance of those investments to encourage economic growth and to solidify our community's reputation as a location offering advanced technological infrastructure for businesses, residents, and visitors; and

WHEREAS, the County Council of Beaufort County desires to encourage such broadband investments to enhance the technological capabilities of businesses, residents, and visitors in its community; and

WHEREAS, Hargray Communications ("Hargray") has been a contributing and committed member of the Lowcountry, with over 65 years of experience and a vast and growing fiber network that can be leveraged to provide advanced broadband services to the community of Beaufort County; and

WHEREAS, Hargray has indicated a willingness to initiate investments to enable Gigabit Internet services to residential, commercial, and common areas through a Lowcountry Broadband Plan; and

WHEREAS, the County Council of Beaufort County desires to endorse such private investment, to cooperate so as to expedite and facilitate such investments, and to encourage residents and businesses of the community to take advantage of the benefits of such advanced broadband services.

NOW, THEREFORE, BE IT RESOLVED, that the County Council of Beaufort County supports and endorses the Lowcountry Broadband Plan, commits to cooperate, to the extent within its control and authority, to expedite and facilitate the investments contemplated by the Lowcountry Broadband Plan, and to encourage residents and businesses to take advantage of the technological advancements enabled by the Lowcountry Broadband Plan.

Adopted this \_\_ day of \_\_, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Deputy County Administrator  
Special Counsel

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council



**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**BEAUFORT COUNTY ENGINEERING DEPARTMENT**  
104 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 Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKubic*  
Josh Gruber, Deputy County Administrator *JGruber*

FROM: Robert McFee, PE, Division Director of Facilities & Construction Engineering *JRMcFee*

SUBJ: **Beaufort County Dirt Road Paving Requirements for Dirt Roads Without Right of Way  
Condemnation Request– Coker Lane, Dale**

DATE: April 8, 2015

**BACKGROUND.** Coker Lane is a 0.23 mile dirt road located off of Witsell Road in the Dale community. Public Works has maintained this road for over 20 years. Coker Lane was ranked 23<sup>rd</sup> on the FY 14/15 – FY 16/17 Dirt Road Paving Program.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County must have a deeded 50 – foot right of way before the road can be advertised for a dirt road paving contract. Beaufort County neither owns the right of way nor has an easement for Coker Lane. Staff has followed the current process to try and obtain deeds for right of way.

The staff efforts to-date to obtain right of way for Coker Lane include obtaining a contractor to perform a field survey, researching ownership, preparing letters and deeds, and providing time for owner consideration and questions or discussions. The timeline associated with this process has been approximately six months. After sending two written requests, the Engineering Department has obtained 7 of 9 signed right of way deeds. Condemnation of the 2 remaining parcels would be necessary to complete the right of way effort for Coker Lane. All of the other resident owners of Coker Lane have provided full support for its improvements.

The Public Works and Engineering Departments jointly recommend that the committee approve condemnation of the remaining 2 right of way parcels on Coker Lane in order to facilitate paving of the road.

**FOR ACTION.** Public Facilities Committee on April 20, 2015.

**RECOMMENDATION.** The Public Facilities Committee approves and recommend to County Council to approve condemnation of the 2 remaining right of way parcels needed on Coker Lane in order to improve the dirt road in a future dirt road paving contract.

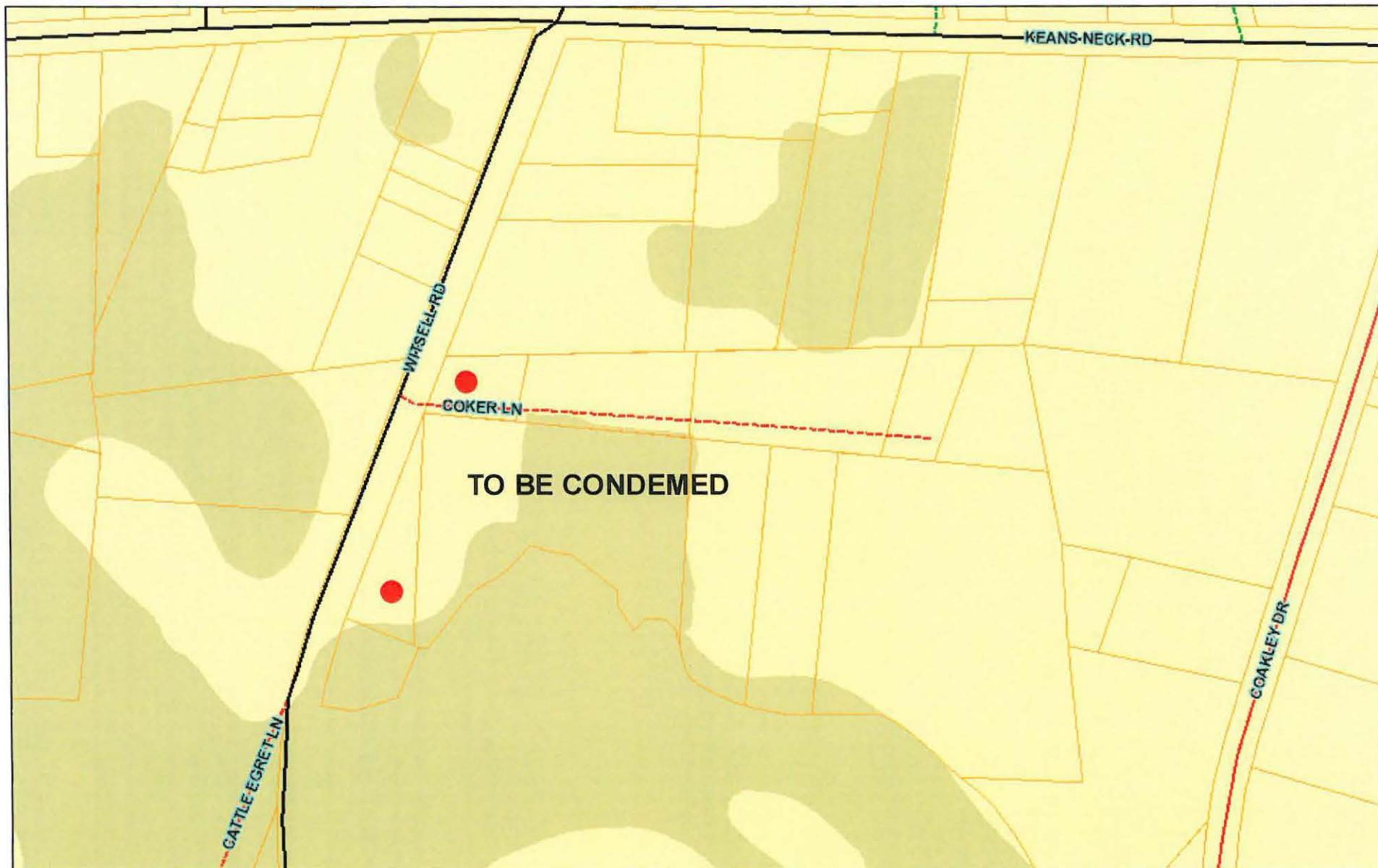
*JK*  
JRM/EK/mjh

Attachments: 1) Location Map  
2) Sample Right of Way Request Letters  
3) Spreadsheet

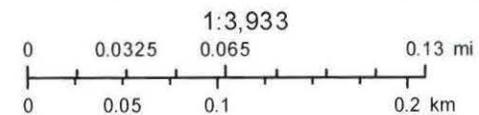
cc: Eddie Bellamy

roads/condemn/Coker LnPFCapp

# COKER LN R/W TO BE CONDEMNED



April 8, 2015



August 5, 2014

Rachel Coker  
25 Coker Lane  
Dale, SC 29914

**Re: Coker Lane Right-of-Way Acquisition**

Tax Map #: R700 038 000 076A 0000

Dear Property Owner:

The Beaufort County Transportation Committee (CTC) is considering Coker Lane for inclusion in the County's Dirt Road Paving Program. Before the road can be paved, however, the County must first acquire a 50'-wide road right-of-way from the adjacent property owners. The 50' right-of-way allows the CTC to fund the paving project with money derived from the State gasoline tax. If the project goes forward, the County will pave a new 20' wide asphalt section and provide accompanying drainage improvements. The County will be responsible for relocating all utilities, mailboxes, and other structures located within the deeded right-of-way.

Our road survey indicates that the County must acquire a 0.147 acre (6,419 SF) portion of your property in order to assemble a 50' right-of-way. Therefore, we are requesting that you convey this strip of land to the County using the enclosed quitclaim deed. The area to be conveyed is shown in Exhibit "A" of the deed.

If you want Coker Lane to be paved, we ask that you sign the deed, have it notarized, and return it to our office in the enclosed self-addressed envelope. If you live in Beaufort County, we will come to your home and notarize the deed ourselves. Just contact us at 255-2700 to make arrangements. If you do not wish to convey your interest in the roadway, please return the unsigned deed to us as soon as possible.

**While you are under no obligation to honor our request, please be advised that if we are unable to assemble a 50'-wide right-of-way, Coker Lane will revert to private road status and the County will be prohibited by law from maintaining it. The residents who use Coker Lane will then be responsible for maintaining and repairing it.**

If you have any questions or concerns, please contact Don Smith or Eric Klatt at (843) 255-2700.

Sincerely,

Eric W. Klatt  
Right-Of-Way Manager

EWK/cvs

Enclosures: Deed, map

September 9, 2014

Brian Millidge  
P.O. Box 4415  
Beaufort, SC 29903

**Re: Coker Lane Right-of-Way Acquisition --- 2<sup>nd</sup> Request**

Tax Map #: R700 038 000 076D 0000

Dear Mr. Millidge:

The Beaufort County Transportation Committee (CTC) is considering Coker Lane for inclusion in the County's Dirt Road Paving Program. Before the road can be paved, however, the County must first acquire a 50'-wide road right-of-way from the adjacent property owners. The 50' right-of-way allows the CTC to fund the paving project with money derived from the State gasoline tax. If the project goes forward, the County will pave a new 20' wide asphalt section and provide accompanying drainage improvements. The County will be responsible for relocating all utilities, mailboxes, and other structures located within the deeded right-of-way.

Our road survey indicates that the County must acquire a 0.066 acre (2,868 SF) portion of your property in order to assemble a 50' right-of-way. Therefore, we are requesting that you convey this strip of land to the County using the enclosed quitclaim deed. The area to be conveyed is shown in Exhibit "A" of the deed.

If you want Coker Lane to be paved, we ask that you sign the deed, have it notarized, and return it to our office in the enclosed self-addressed envelope. If you live in Beaufort County, we will come to your home and notarize the deed ourselves. Just contact us at 255-2700 to make arrangements. If you do not wish to convey your interest in the roadway, please return the unsigned deed to us as soon as possible.

**While you are under no obligation to honor our request, please be advised that if we are unable to assemble a 50'-wide right-of-way, Coker Lane will revert to private road status and the County will be prohibited by law from maintaining it. The residents who use Coker Lane will then be responsible for maintaining and repairing it.**

If you have any questions or concerns, please contact Don Smith or Eric Klatt at (843) 255-2700.

Sincerely,

Eric W. Klatt  
Right-Of-Way Manager

EWK/cvs

Enclosures: Deed, map

<b>COKER LANE</b>	<b>R/W ACQUISITION</b>		
Parcel Number	DEED: YES/ NO	Situs Address	Owner 1
R700 038 000 0071 0000	<b>NO</b> <b>N/R</b>	41 WITSELL RD	BRYAN JACOB MARY
R700 038 000 0074 0000	<b>YES</b>	6 COKER LN	ROGERS JAMES HOLLIS
R700 038 000 0076 0000	<b>YES</b>	35 COKER LN	COKER AUNDRY
R700 038 000 0191 0000	<b>YES</b>	36 COKER LN	ALBANY RACHEL C
R700 038 000 073A 0000	<b>YES</b>	13 COKER LN	CHISHOLM STEVEN
R700 038 000 076A 0000	<b>YES</b>	25 COKER LN	COKER RACHEL
R700 038 000 076B 0000	<b>YES</b>	22 COKER LN	GATHERS HENRIETTA
R700 038 000 076C 0000	<b>YES</b>	28 COKER LN	BRYANT MYRTLE
R700 038 000 076D 0000	<b>NO</b> <b>N/R</b>	5 COKER LN	MILLIDGE BRIAN
AS OF 4/8/2015			
N/R = NO RESPONSE			



**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**BEAUFORT COUNTY ENGINEERING DEPARTMENT**  
104 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 Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKUBZ*  
Josh Gruber, Deputy County Administrator *JG*

FROM: Robert McFee, PE, Division Director of Facilities & Construction Engineering *JRM*

SUBJ: **Beaufort County Dirt Road Paving Requirements for Dirt Roads Without Right of Way  
Condemnation Request– Almond Drive, St Helena Island**

DATE: April 10, 2015

**BACKGROUND.** Almond Drive is a 0.2 mile dirt road located off of Eddings Point Road on St. Helena Island. Public Works has maintained this road for over 20 years. Almond Drive was ranked 1st on the FY 14/15 – FY 16/17 Dirt Road Paving Program and selected for paving by the BCTC.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County must have a deeded 50 – foot right of way before the road can be advertised for a dirt road paving contract. Beaufort County neither owns the right of way nor has an easement for Almond Drive. Staff has followed the current process to try and obtain deeds for right of way.

The staff efforts to-date to obtain right of way for Almond Drive include, researching ownership, preparing letters and deeds, and providing time for owner consideration and questions or discussions. After sending written requests, the Engineering Department has obtained 8 of 12 signed right of way deeds. Condemnation of the 4 remaining parcels would be necessary to complete the right of way effort for Almond Drive. All of the other resident owners of Almond Drive have provided full support for its improvements.

The Public Works and Engineering Departments jointly recommend that the committee approve condemnation of the remaining 4 right of way parcels on Almond Drive in order to facilitate paving of the road.

**FOR ACTION.** Public Facilities Committee on April 20, 2015.

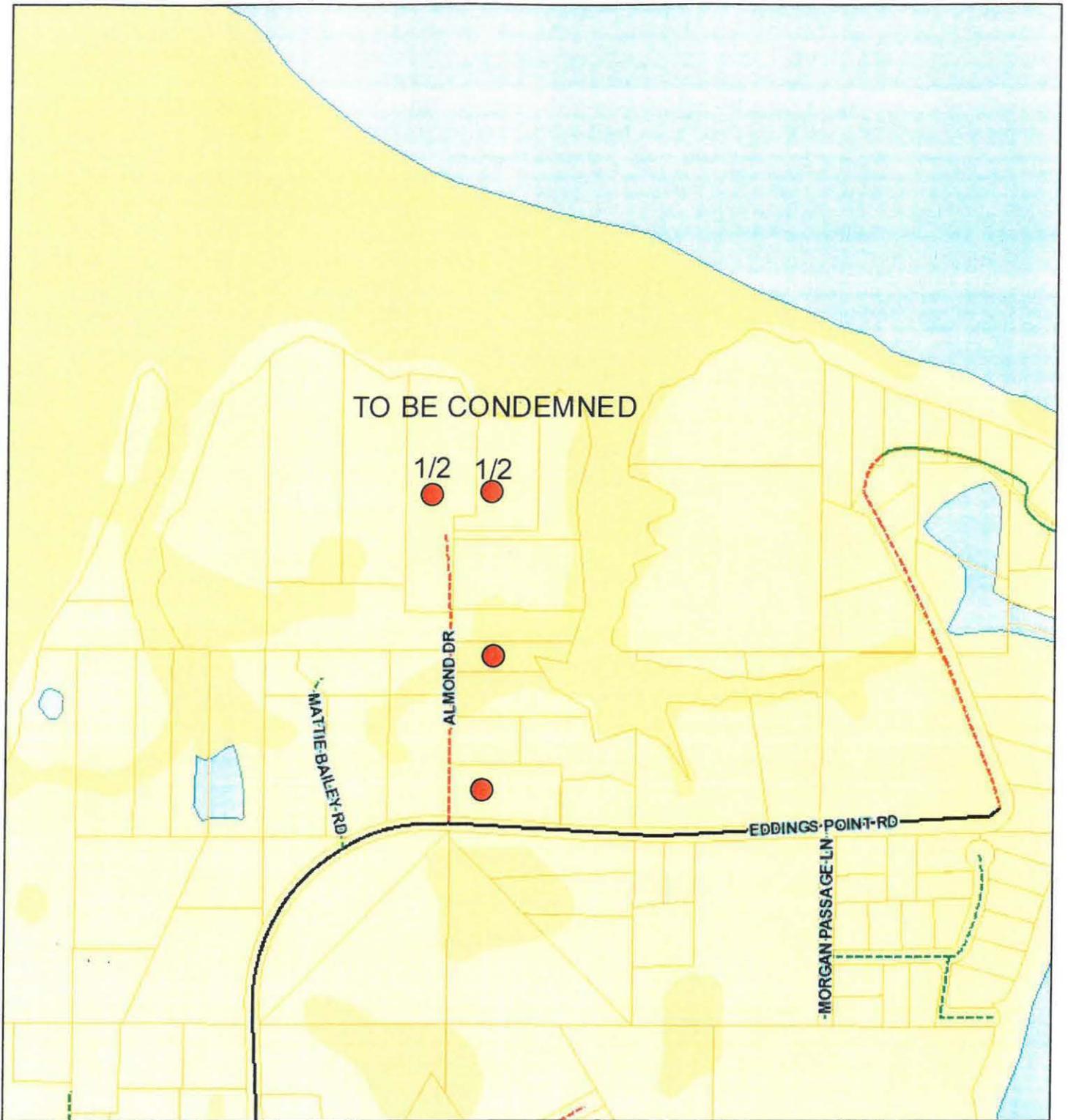
**RECOMMENDATION.** The Public Facilities Committee approve and recommend to County Council to approve condemnation of the 4 remaining right of way parcels needed on Almond Drive in order to improve the dirt road in a future dirt road paving contract.

JRM/*JK*mjh

Attachments: 1) Location Map  
2) Spreadsheet

cc: Eddie Bellamy

# ALMOND DRIVE

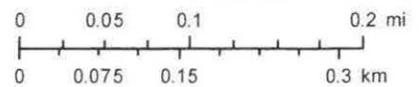


April 10, 2015

1:7,038

## Road Classifications

— <all other values>	--- PRIVATE, UNPAVED
— STATE, PAVED	— PRIVATE, UNDETERMINED
--- STATE, UNPAVED	— TOWN, PAVED
— COUNTY, PAVED	--- TOWN, UNPAVED
--- COUNTY, UNPAVED	— MILITARY / PAVED
— PRIVATE, PAVED	--- MILITARY / UNPAVED
	□ Parcels



ALMOND DRIVE	R/W ACQUISITION			
PARCEL NUMBER	OWNER(S)	DEED	DEED	REMARKS
R300 006 000 0067 0000	SMALLS WILLIAM H JR		NO	
R300 006 000 008D 0000	WRIGHT JETHRO	YES		
R300 006 000 0007 0000	HEYWARD IRENE	YES		
R300 006 000 008B 0000	JOHNSON RUTH	YES		
R300 006 000 006A 0000	MOULTRIE CHERYL & JOHN H		NO	NEED JOHN H MOULTRIE'S DEED
R300 006 000 0082 0000	SMALLS VIOLA HERNTON	YES		Sharon Simmons, Personal Representative, executed deed
R300 006 000 0083 0000	JENKINS PATREANOR	YES		
R300 006 000 0066 0000	STOLTZ ROBERT R JR ROBIN L JTROS	YES		
R300 006 000 0065 0000	MATTEL GOPI		NO	
R300 006 000 008C 0000	MATTHEWS EUGENE VERNELLE J CO TRUSTE	YES		
R300 006 000 0062 0000	BAILEY MARVIN & NORMA I		NO	NEED NORMA I BAILEY'S DEED
R300 006 000 0064 0000	JAMES MARGARETE	YES		



**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**BEAUFORT COUNTY ENGINEERING DEPARTMENT**  
104 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 Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKubic*  
Josh Gruber, County Deputy Administrator *JG*

FROM: Robert McFee, PE, Division Director of Facilities & Construction Engineering *R. McFee*

SUBJ: **Beaufort County Dirt Road Paving Requirements for Dirt Roads Without Right of Way  
Condemnation Request– Mary Smalls Rd., St. Helena Island**

DATE: April 9, 2015

**BACKGROUND.** Mary Smalls Road is a 0.15 mile dirt road located off of Orange Grove Road in St. Helena Island's Orange Grove community. Public Works has maintained this road for over 20 years. Mary Smalls Road was ranked 21<sup>st</sup> on the FY 14/15 – FY 16/17 Dirt Road Paving Program.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County must have a deeded 50 – foot right of way before the road can be advertised for a dirt road paving contract. Beaufort County neither owns the right of way nor has an easement on/over Mary Smalls Road. Staff has followed the prescribed acquisition process to try and obtain deeds for right of way.

Staff efforts to-date to obtain right of way for Mary Smalls Road include obtaining a contractor to perform a field survey, researching ownership, preparing letters and deeds, and providing time for owner consideration and questions or discussions. The timeline associated with this process has been approximately six months. After sending two written requests, the Engineering Department has obtained 4 of 5 signed right of way deeds. Condemnation of the remaining parcel would be necessary to complete the right of way effort for Mary Smalls Road. All of the other resident owners of Mary Smalls Road have provided full support for its improvements.

The Public Works and Engineering Departments jointly recommend that the committee approve condemnation of the remaining right of way parcel on Mary Smalls Road in order to facilitate paving of the road.

**FOR ACTION.** Public Facilities Committee on April 20, 2015.

**RECOMMENDATION.** The Public Facilities Committee approves and recommends to County Council to approve condemnation of the remaining right of way parcel needed on Mary Smalls Road in order to improve the dirt road in a future dirt road paving contract.

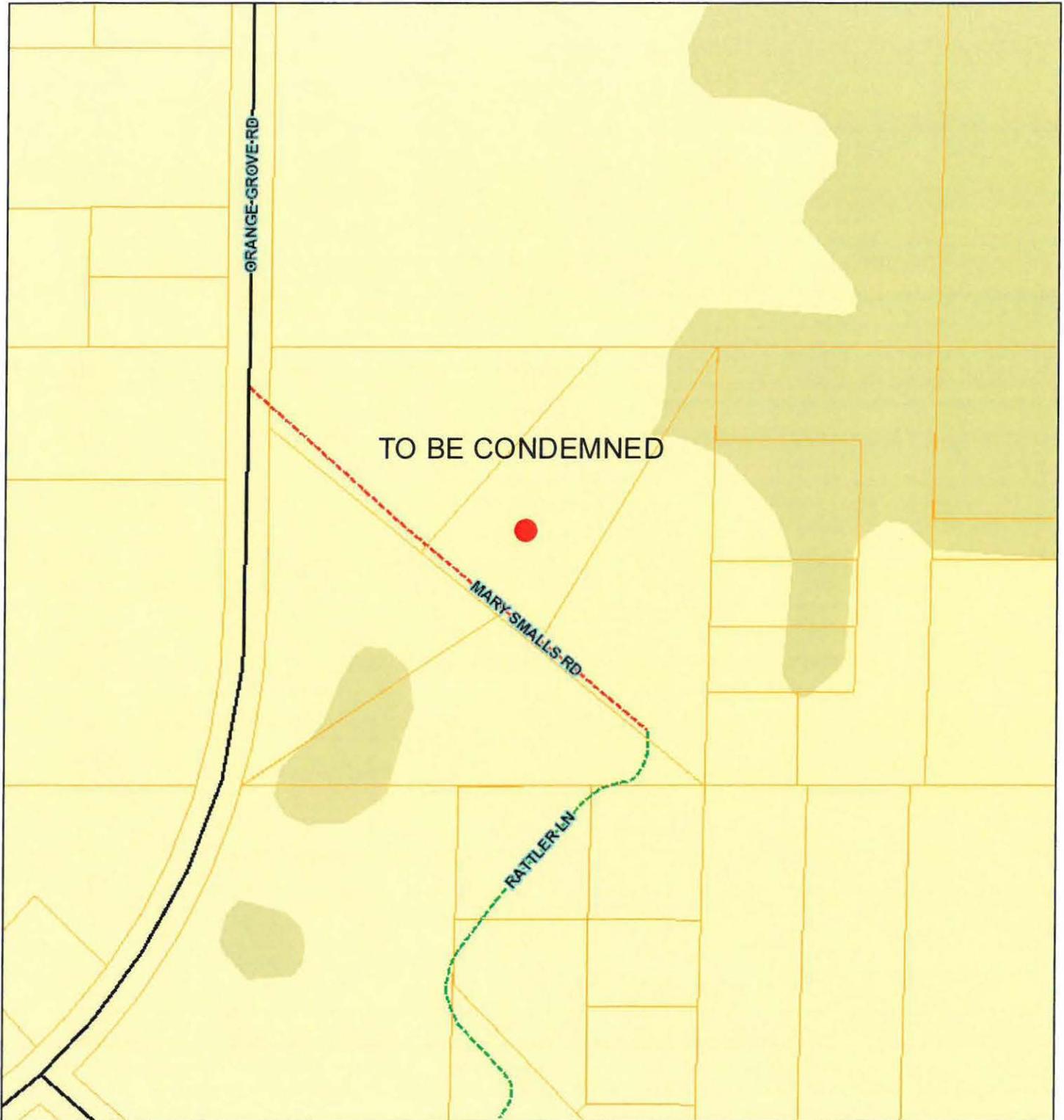
*JK*  
JRM/EK/mjh

Attachments: 1) Location Map  
2) Sample Right of Way Request Letters  
3) Spreadsheet

cc: Eddie Bellamy

roads/condemn/MarySmallsPFCapp

# MARY SMALLS ROAD

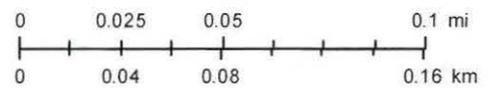


April 9, 2015

1:2,995

**Road Classifications**

- |                      |                           |
|----------------------|---------------------------|
| — <all other values> | --- PRIVATE, UNPAVED      |
| — STATE, PAVED       | --- PRIVATE, UNDETERMINED |
| --- STATE, UNPAVED   | --- TOWN, PAVED           |
| --- COUNTY, PAVED    | --- TOWN, UNPAVED         |
| --- COUNTY, UNPAVED  | --- MILITARY / PAVED      |
| --- PRIVATE, PAVED   | --- MILITARY / UNPAVED    |
|                      | □ Parcels                 |



December 1, 2014

Annie Mae Smalls  
174 Stanley Place  
Hackensack, NJ 07601

**Re: Mary Smalls Road Right-of-Way Acquisition**

Tax Map #: R300 023 000 0019 0000 (St. Helena Island, SC)

Dear Ms. Smalls:

The Beaufort County Transportation Committee (CTC) is considering Mary Smalls Road for inclusion in the County's Dirt Road Paving Program. Before the road can be paved, however, the County must first acquire a 50'-wide road right-of-way from the adjacent property owners. The 50' right-of-way allows the CTC to fund the paving project with money derived from the State gasoline tax. If the project goes forward, the County will pave a new 20' wide asphalt section and provide accompanying drainage improvements. The County will be responsible for relocating all utilities, mailboxes, and other structures located within the deeded right-of-way.

Our road survey indicates that the County must acquire a 0.088 acre (3,831SF) portion of your property in order to assemble a 50' right-of-way. Therefore, we are requesting that you convey this strip of land to the County using the enclosed quitclaim deed. The area to be conveyed is shown in Exhibit "A" of the deed.

If you want Mary Smalls Road to be paved, we ask that you sign the deed, have it notarized, and return it to our office in the enclosed self-addressed envelope. If you live in Beaufort County, we will come to your home and notarize the deed ourselves. Just contact us at 255-2700 to make arrangements. If you do not wish to convey your interest in the roadway, please return the unsigned deed to us as soon as possible.

**While you are under no obligation to honor our request, please be advised that if we are unable to assemble a 50'-wide right-of-way, Mary Smalls Road will revert to private road status and the County will be prohibited by law from maintaining it. The residents who use Mary Smalls Road will then be responsible for maintaining and repairing it.**

If you have any questions or concerns, please contact Don Smith or Eric Klatt at (843) 255-2700.

Sincerely,

Eric W. Klatt  
Right-Of-Way Manager

EWK/cvs

Enclosures: Deed, map

## Do Not Discard. Response Required.

February 24, 2015

Annie Mae Smalls  
174 Stanley Place  
Hackensack, NJ 07601

### Re: Mary Smalls Road Right-of-Way Acquisition - Proposed CTC Paving Project

Tax Map #: R300 023 000 0019 0000 (St. Helena Island, SC)

Dear Ms. Smalls:

In order for Beaufort County to legally maintain and improve (pave) dirt roads, we must ensure the road is within the public domain and not private property. Per County ordinance we are compelled to secure a 50'-wide road right-of-way (generally 25 feet on each side of the existing roadway centerline) for the purpose of maintenance and safety from the adjacent property owners. The 50' right-of-way allows the County to expend funds on the road.

Our road survey indicates that the County must acquire a 0.088 acre (3,831 square foot) portion of your property in order to assemble a 50' right-of-way. Therefore, we are requesting that you convey this strip of land to the County using the enclosed quitclaim deed. The area to be conveyed is shown in Exhibit "A" of the deed.

If you want Mary Smalls Road to continue to be maintained by Beaufort County, we ask that you:

- 1) Sign the enclosed deed,
- 2) Have it notarized, and
- 3) Return it to our office in the enclosed self-addressed envelope. If you live in Beaufort County, we will come to your home and notarize the deed ourselves. Just contact us at 255-2700 to make arrangements. **If you do not wish to convey your interest in the roadway, please return the unsigned deed to us as soon as possible.** Donald and Daniel Glover, Ethel Smalls, and Matilda Derrick have already returned signed and notarized deeds to our office.

**While you are under no obligation to honor our request, please be advised that if we are unable to assemble a 50'-wide right-of-way, Mary Smalls Road will revert to private road status and the County will no longer maintain it. You should also be aware that many lending institutions and mortgage service companies now require owners of property on private roadways to establish and maintain a private roadway maintenance agreement as part of their loan documentation or closing requirements. A private roadway maintenance agreement must be paid for by all of the property owners benefited by the private roadway.**

If you have any questions or concerns, please contact Eric Klatt at (843) 255-2700.

Sincerely,

Robert McFee, PE  
Director of Facilities and Construction Engineering

JRM/EWK/cvs

Enclosures: Deed

MARY SMALLS RD						
R/W ACQ.						
PARCEL NUMBER	OWNER(S)	DEED	DEED	1ST LETTER	2ND LETTER	PHONE CONTACTS
R300 023 000 0019 0000	ANNIE MAE SMALLS		<b>NO</b>	12/1/2014	2/24/2015	
R300 023 000 0347 0000	DONALD & DANIEL GLOVER	<b>YES</b>		12/1/2014		
R300 023 000 0346 0000	DONALD GLOVER	<b>YES</b>		12/1/2014		Office visit/1/21/15
R300 023 000 0344 0000	ETHEL SMALLS	<b>YES</b>		12/1/2014	1/22/2015	937-235-2008
R300 023 000 0345 0000	MATILDA S DERRICK	<b>YES</b>		12/1/2014	12/17/2014	
AS OF 4/9/2015						

ORDINANCE NO. 2015/

AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2014/14, FY 2014-2015  
BEAUFORT COUNTY BUDGET BY DELETING EXISTING APPROPRIATION LEVELS SO AS  
NOT TO EXCEED ANTICIPATED GENERAL REVENUES

WHEREAS, on June 23, 2014, Beaufort County Council adopted Ordinance 2014/14 which established the County's FY 2014-2015 budget; and

WHEREAS, an amount of \$102,258,280.00 was appropriated to the General Fund; and

WHEREAS, this Ordinance contained a three percent (3%) vacancy restructuring factor in the amount of \$1,916,536.00 which restricts General Fund expenditures to \$100,341,744.00; and

WHEREAS, the midyear analysis of the three percent (3%) vacancy restructuring factor projects an achievable reduction of approximately \$400,000.00, it is now necessary to delete General Fund appropriations throughout the current authorized budget so as to avoid a reduction in the County's General Reserve Fund or additional staffing eliminations; and

WHEREAS, the County has reviewed the approved elected official budgets, the corresponding current and anticipated rate of General Fund expenditures and has identified the capability to make one-time reductions in appropriations for this budget year to achieve the \$1,916,536.00 restructuring target; and

WHEREAS, South Carolina Code of Laws Section 8-15-65 states that any reduction of expenditures in the operations of the offices of county elected officials without the elected official's consent may result in a corresponding reduction to the distribution that would otherwise be due the county pursuant to Chapter 27 of Title 6, the State Aid to Subdivisions Act.

NOW, THEREFORE, Beaufort County Council does hereby amend Ordinance 2014/14 so as to reflect a reduction in the amount of authorized appropriations so as to not exceed the anticipated amount of revenue identified in the FY 2014-2015 budget.

Those items that are underscored are hereby added to the document and those items that contain a ~~striketrough~~ are hereby stricken from the document.

SECTION 4. COUNTY OPERATIONS APPROPRIATION

An amount of ~~\$100,341,744~~ includes a three percent (3%) vacancy factor in the amount of ~~\$1,916,536~~ and \$99,977,030 is appropriated to the Beaufort County General Fund to fund County operations and subsidized agencies as follows:

I. Elected Officials and State Appropriations:

A. Sheriff	\$	24,750,664	<u>24,450,664</u>
Emergency Management	\$	7,407,119	
B. Magistrate	\$	2,133,759	
C. Clerk to Court	\$	<u>1,404,379</u>	<u>1,304,379</u>
D. Treasurer	\$	<u>1,178,584</u>	<u>1,078,584</u>
E. Probate Court	\$	868,289	
F. County Council	\$	760,963	
G. Auditor	\$	686,416	
H. Public Defender	\$	600,000	
I. Coroner	\$	<u>506,566</u>	<u>481,566</u>
J. Master-in-Equity	\$	344,234	
K. Social Services	\$	147,349	
L. Legislative Delegation	\$	93,840	
M. Solicitor	\$	1,060,000	
Total	\$	<u>41,942,162</u>	<u>41,417,162</u>

Management of these individual accounts shall be the responsibility of the duly elected official for each office. At no time shall the elected official exceed the budget appropriation identified above without first receiving an approved appropriation by County Council.

II. County Administration Operations:

A. Public Works	\$	<u>14,613,967</u>	<u>14,463,967</u>
B. Detention Center	\$	6,463,861	
C. Administration	\$	<u>6,214,868</u>	<u>6,014,868</u>
D. EMS	\$	6,800,513	
E. Library	\$	3,852,812	
F. Education Allocation	\$	4,000,000	
G. Parks and Leisure Services	\$	3,547,784	
H. Community Services	\$	<u>3,670,097</u>	<u>3,220,097</u>
I. Assessor	\$	2,000,452	
J. Public Health	\$	<u>1,423,789</u>	<u>923,789</u>
K. Mosquito Control	\$	1,639,417	
L. General Government Subsidies	\$	<u>436,629</u>	<u>380,379</u>
M. Employee Services	\$	<u>1,033,095</u>	<u>633,095</u>
N. Building Codes and Enforcement	\$	999,795	
O. Voter Registration	\$	797,173	
P. Planning	\$	592,640	
Q. Animal Shelter	\$	815,556	
R. Traffic Engineering	\$	634,136	
S. Register of Deeds	\$	575,011	
T. Zoning	\$	204,523	
Total	\$	<u>60,316,118</u>	<u>58,559,868</u>

The detailed Operations budget containing line-item accounts by department and/or agency is hereby adopted as part of this Ordinance.

This Ordinance shall become effective upon its adoption.

DONE this \_\_\_\_ day of April, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Deputy County Administrator  
Special Counsel

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

First Reading: March 23, 2015  
Second Reading: April 13, 2015  
Public Hearing:  
Third and Final Reading:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO APPROPRIATE \$150,000 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE SANTA ELENA FOUNDATION**

**WHEREAS**, County Council is authorized to utilize the 3% Local Accommodations Tax Fund for certain limited purposes including tourism – related buildings and the promotion of cultural, recreational or historic facilities; and

**WHEREAS**, Beaufort County Code Ordinance Sec. 66-44(b) states “the authorization to utilize any funds from the ‘County of Beaufort, South Carolina, Local Accommodations Tax Account,’ shall be by ordinance duly adopted by the County Council;” and

**WHEREAS**, the Santa Elena Foundation is a non-profit organization with a mission to expand the story of European colonization of North America through discovery, preservation, and promotion of Santa Elena, the first colonial capital in present – day United States located in Beaufort, South Carolina; and

**WHEREAS**, the Santa Elena Foundation seeks to achieve its mission through continual archeological research and through programs at a cultural interpretive center; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens to appropriate \$150,000.00 from the 3% Local Accommodations Tax Fund to support the establishment and development of the cultural interpretive center at 1501 Bay Street, Beaufort, South Carolina.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council, duly assembled, hereby appropriates \$150,000.00 from the 3% Local Accommodations Tax Fund to the Santa Elena Foundation.

DONE this \_\_\_\_ day of \_\_\_\_, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Deputy County Administrator  
Special Counsel

First Reading: March 23, 2015  
Second Reading: April 13, 2015  
Public Hearing:  
Third and Final Reading:

**ORDINANCE 2015 \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE  
A LEASE AGREEMENT WITH DIAMOND TRANSPORTATION, LLC**

**WHEREAS**, Beaufort County is the owner of certain property located at 16 Hunter Road, Hilton Head Island, South Carolina (the "Property"); and

**WHEREAS**, Diamond Transportation, LLC has occasionally used this Property for the parking of vehicles and it is the desire of both Beaufort County and Diamond Transportation, LLC to formalize an agreement regarding such use; and

**WHEREAS**, Diamond Transportation LLC's intended use of the Property is to park vehicles that service the Hilton Head Island Airport on a portion of the Property that is not identified as within the airport obstacle free area; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens to lease certain Property upon such terms and conditions as provided in the "Rental Agreement."

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council, duly assembled, to hereby authorize the County Administrator to execute any and all documents necessary to execute a lease agreement with the Diamond Transportation, LLC for the use of the property located at 16 Hunter Road, Hilton Head Island, South Carolina.

Adopted this \_\_\_\_ day of \_\_\_\_, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Deputy County Administrator  
Special Counsel

First Reading: March 23, 2015  
Second Reading: April 13, 2015  
Public Hearing:  
Third and Final Reading:

## RENTAL AGREEMENT

THIS RENTAL AGREEMENT ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between BEAUFORT COUNTY (the "Landlord") and DIAMOND TRANSPORTATION, LLC (the "Tenant").

WITNESSETH:

WHEREAS, Beaufort County is the owner of that certain property located at 16 Hunter Road, Hilton Head Island, South Carolina (the "Property"); and

WHEREAS, Diamond Transportation, LLC has occasionally used this Property to park its rental vehicles that service the Hilton Head Island Airport and it is the desire of the Landlord and Tenant to formalize an agreement by which Diamond Transportation, LLC may rent this Property on a month-to-month basis from Landlord.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged by the parties hereto, Landlord and Tenant agree as follows:

1. Rent. The rent to be paid by the Tenant to the Landlord shall be Three Hundred Fifty and No/100 (\$350.00) Dollars per month.
2. Term. The term of this Agreement will commence on \_\_\_\_\_ and shall terminate on an undetermined time unless sooner terminated pursuant to the provisions of this Agreement. See Paragraph 11.
3. Use of the Property. Tenant's intended use of the Property is to park vehicles that service the Hilton Head Island Airport. Such use shall be limited to the area designated on the attached Exhibit "A" as being green and/or that area closest to Dillon Road. Landlord shall also physically mark the parking line on the Property.
4. Subletting and Assignment. Tenant shall not be allowed to sublet, assign, share or rent the Property to any other entity, company, corporation, contractor, subcontractor, their agents, officers, employees or assigns without the prior written consent of Landlord.
5. Insurance. Tenant understands and agrees that Tenant bears full responsibility for insuring Tenant's personal property. Tenant shall also carry comprehensive general liability insurance insuring Landlord and its agents and Tenant. Tenant shall obtain and keep in force during the term of this Agreement public liability insurance insuring Tenant against liability arising out of ownership, use, occupancy or maintenance of the Property.
6. Indemnification. Tenant shall indemnify Landlord from any loss or damage, fraud, gross negligence, or willful misconduct on the part of Tenant or Tenant's employees, agents, contractors, subcontractors or members and shall protect, defend, indemnify and hold Landlord harmless from and against any and all claims, liabilities, losses, or expenses arising from injury



14. Compliance with Law. The Tenant shall comply with all laws, orders, ordinances and other public requirements now or hereafter pertaining to the Tenant's use of the Property.

15. Default. If a party shall breach a provision of this Agreement and fails to cure the default within ten (10) days of written notice thereof, the non-defaulting party shall have the right to pursue any and all available remedies at either law or equity.

16. Entire Agreement. The parties acknowledge that they have read and understand the terms of this Agreement. This Agreement contains the entire agreement and understanding between the parties regarding the Property and is subject to no agreements, conditions or representations that are not expressly set forth herein. This Agreement may only be amended in a writing signed by both the Landlord and the Tenant.

17. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, legal representatives and assigns where permitted.

IN WITNESS WHEREOF, the parties have executed this Rental Agreement on the day and year first written above.

LANDLORD:

BEAUFORT COUNTY

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

TENANT:

DIAMOND TRANSPORTATION, LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**ORDINANCE NO. 2015 /**

**AN ORDINANCE TO TRANSFER FUNDS NOT EXCEED \$78, 810 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUND TO THE GENERAL FUND FOR THE BROAD RIVER FISHING PIER REHABILITATION PROJECT**

**WHEREAS**, County Council is authorized to utilize the 3% Local Accommodation Tax Fund for certain limited purposes including cultural, recreational or historic facilities and highways, roads, streets, bridges and boat ramps providing access to tourist destinations; and

**WHEREAS**, Beaufort County Code Ordinance Sec. 66-44(b) states “the authorization to utilize any funds from the ‘County of Beaufort, South Carolina, Local Accommodations Tax Account,’ shall be by ordinance duly adopted by the County Council”; and

**WHEREAS**, the northernmost 1800 feet of the former Broad River Bridge originally constructed in 1957, was converted to a fishing pier in 2004; and

**WHEREAS**, the Broad River Fishing Pier provides access to the Broad River for the enjoyment of both Beaufort County citizens and tourists; and

**WHEREAS**, in 2013 an inspection of the pier was completed and the subsequent report indicated the pier was in fair condition and a preservation plan should be pursued to ensure appropriate and timely repair of the facility; and

**WHEREAS**, Beaufort County issued a Request for Proposals for qualified firms to inspect, design and provide rehabilitation recommendations for the Broad River Fishing Pier; and

**WHEREAS**, a selection committee reviewed all responses to the Request for Proposal and recommend approving the contract award to O’Quinn Marine to complete Stage I – Inspection and Engineering for the rehabilitation and preservation of the Broad River Fishing Pier; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens to transfer funds not exceed \$78,810.00 from the 3% Local Accommodations Tax Fund to the general fund for the Broad River Fishing Pier Project.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council, duly assembled, hereby transfers funds not to exceed \$78,810.00 from the 3% Local Accommodations Tax Fund to the General Fund for the Broad River Fishing Pier Project.

DONE this 13<sup>th</sup> day of April, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Joshua A. Gruber, Deputy County Administrator  
Special Counsel

First Reading: March 23, 2015  
Second Reading: April 13, 2015  
Public Hearing:  
Third and Final Reading:

# ADD-ONS

The document(s) herein were provided to Council for information and/or discussion after release of the official agenda and backup items.

Topic: County Purchase of Pepper Hall Property  
Date Submitted: April 27, 2015  
Submitted By: Jim Cuff  
Venue: County Council Meeting



To County Council:

We have taken a survey of our community and had enough replies to justify a quorum if it had been an election. Of that number about 80 % of the population opted to have the county purchase the Pepper Hall Property, in order to keep it out of the hands of developers.

The majority of the respondents wanted to keep the property, as is. If it has to be developed, they would prefer to keep the frontage area to 278 in as much of the existing state as possible.

If I may put my finger on the pulse of Island West, I would say that we as a community would like to see more of the pristine landscape that drew us all to this part of the Low Country.

If the property is not protected from for profit developers, we are afraid that we will be facing more big box stores, more grocery stores and gas stations which we really do not need more of.

We are hoping the county can sit on the property and protect it from this type of development until such a time that maybe the right project comes along where the end use fits the goals and dreams of the end user, as well as, all of its surrounding neighbors to benefit of the county, the community, and the environment.

Our greatest hope would be to have the county keep this land as a perpetual land bank to be developed for natural use of its assets to benefit of all Beaufort County.

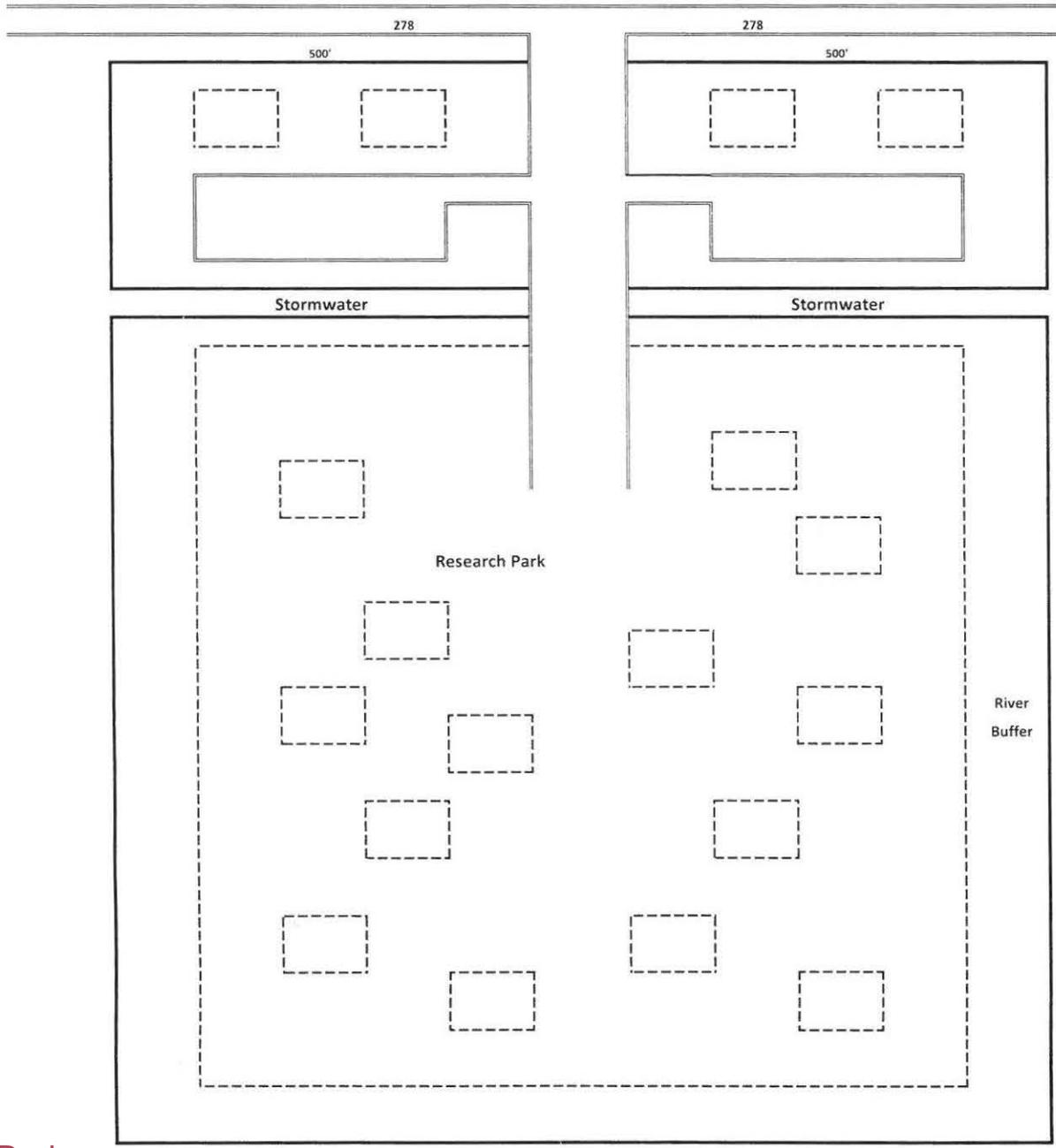
Thank you on behalf of Island West,

Jim Cuff



Jim Cuff  
County Council Meeting  
April 27, 2015

Topic: Pepper Hall Plantation Property Schematic  
Date Submitted: April 27, 2015  
Submitted By: Stu Rodman  
Venue: County Council Meeting



1	Frontage Value	
	Lots	4
	Acres / Lot	4
	Per Acre	\$500,000
		\$8,000,000

2	Park Value		
		w/o Paddock	w/ Paddock
	Per Acre	\$75,000	\$100,000
	Acres	60	60
		\$4,500,000	\$6,000,000

3	Net Value	
	Frontage	\$8,000,000
	Park	4,500,000
	Option	\$12,500,000
		(11,500,000)
		\$1,000,000

4	Per Acre		
	Conservation	\$300,000	\$4,800,000
	Stormwater		700,000
	Park	\$100,000	6,000,000
			\$11,500,000

Stu Rodman  
 County Council Meeting  
 April 27, 2015

Topic: Pepper Hall Portion, 102.8 Acre Tract  
Johnnie Ganem Appraisal Group  
Date Submitted: April 27, 2015  
Submitted By: James Scheider  
Venue: County Council Meeting



JULY 1, 2013

Mr. James P. Scheider  
Vaux & Marscher PA  
1251 May River Road  
Bluffton SC 29910

Subject     **INTERNAL FILE #G55701307**  
              **102.8 ACRE TRACT (PORTION PEPPER HALL)**  
              **US HIGHWAY 278 AT GRAVES ROAD**  
              **BLUFFTON SC 29910**

Mr. Jim Scheider:

Upon your request and in response to your authorization, I performed this appraisal on the above referenced property with you as my client and intended user of this appraisal report on behalf of Robert L. Graves.

The property under appraisal is 102.8 acre tract located in Beaufort County at US Highway 278 at Graves Road. At the time of my inspection, this property was noted as being vacant agricultural land with some structures identified within, however, it is further noted that this tract lies within the "path of progress", which is an outfall of the massive growth of Beaufort County.

I made a physical inspection of the property on JUNE 13, 2013. I also drove the subject neighborhood, researched the subject's submarket for comparable sales data, and analyzed the most applicable data surveyed as described in the scope of work section of this report. My scope of work included your request to provide a final opinion of market value as though utilized under the "Highest/Best" scenario. Furthermore, you have asked me to examine the approximate 18 acres of riverfront desired by a county acquisition and the impact of the remainder 84.8 acres of interior tract after it's severance from the whole.

Based upon my analyses and reconciliation of values concluded from the valuation methodologies applied, I am of the opinion that the Market Value in the Fee Simple interest of the entire tract as of June 13, 2013:

**TWENTY THREE MILLION DOLLARS**  
**(\$23,000,000)**

In an assessment of the separate values of the potential partition of properties described within, whereas an approximate eighteen acres of riverfront land is acquired and separated from the whole with a remainder of 84.8 acres interior. I am of the opinion that the value estimate would be as follows:

- A. 18 acres Okatie Riverfront.....\$5,040,000
- B. 84.8 acres interior Graves Road.....\$12,720,000

This report has been prepared in conformance with the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Foundation, the requirements of FIRREA (Financial Institutions Reform, Recovery and Enforcement Act of 1994), and subject to the Code of Ethics of the Appraisal Institute.

This confidential report is prepared for the sole use and benefit of JIM SCHEIDER, ATTORNEY FOR MR. GRAVES and is based, in part, upon documents, writings and information owned and possessed by MR. GRAVES. This report is provided for informational purposes only to third parties authorized to receive it. The appraiser-client relationship is with JIM P. SCHEIDER as the client. This report should not be used for any purpose other than to understand the information available to my client concerning this property. Johnnie Ganem Appraisal company assumes no responsibility if this report is used in any other manner.

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**Johnnie Ganem Appraisal Company**  
340 Eisenhower Drive Building 800, Savannah Ga. 31406

The results of my appraisal regarding the subject property is communicated in the following summary report format as set forth by Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice. In accordance with USPAP, a summary report must contain information significant to the solution of the appraisal problem and summarized within the report. The essential difference between a self-contained report and a summary report is the level of detail in presentation. The reliability of this appraisal is not affected in any way by its method of communication.

In regard to competency, I am experienced in the application of the Cost, Sales Comparison and Income Capitalization Approaches as they pertain to the subject's property type; therefore, no further steps were considered necessary to comply with the Competency Provision of USPAP.

At your request, the methods of analysis for this appraisal assignment include only valuation approaches necessary to produce credible results and in this case the Sales Comparison Approach. The appraiser's will utilize the Direct Sales to determine the "as is" value.

This letter should not be construed as an appraisal and is utilized only to transmit the conclusions of the summary appraisal attached hereto. This letter must remain attached to the report for the value opinions set forth to be considered valid.

I trust this appraisal report is sufficient for your needs and sincerely appreciate the opportunity to be of service. Should you have any questions, please do not hesitate to contact me at your convenience.

Respectfully Submitted,



Johnnie Ganem, CRA, J.D.  
GA Cert #298, SC Cert #1067  
Chief Appraiser  
Johnnie Ganem Appraisal Company  
JJG

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## BUSINESS EXPERIENCE:

Johnnie Ganem-President of Johnnie Ganem Appraisal Company, Inc., an independent real estate appraisal/consulting/ brokerage/property management firm located in Savannah, Georgia since 1988. Prior to opening private practice, was Chief Appraiser/Vice President of Bankers First Federal Savings and Loan since 1985 overseeing the Savannah office for Southern Georgia and administering nine appraisers. Range of appraisal services included properties both residential and commercial, historic and institutional, existing and proposed, also qualified as an expert witness for Federal and Superior Court appearances for appeals and disputes, confirmation on foreclosures and estate issues, bankruptcy and property settlement, conservation and facade easements, fractional interest, and master hearings on condemnations, etc. Also qualified as FHA/HUD staff appraiser for Bankers First Mortgage Corporation and currently qualify as contract appraiser and HUD reviewer for LIHPRHA. From 1981 to 1985, residential/commercial/industrial appraiser with the Chatham County Tax Assessor's office, and from 1977 to 1981 practiced as a commercial broker. Recently served for a short term on the Board of Assessors (1991), and currently serving on the Savannah Owned Asset Management Committee, the Historic Savannah Foundation, and the Savannah Board of Realtors Liaison Committee.

## EDUCATION:

Doctor of Jurisprudence, John Marshall Law School, Savannah, Georgia, 1977.  
Bachelor of Arts Degree (History), Belmont Abbey College, Belmont, N.C., 1972

## TERRITORY & COURTS

Service area extends from Hilton Head Island to Brunswick along the coast, and other lower portions of Georgia and South Carolina. Qualifications include circuit and superior courts in the following districts of: Chatham, Jasper, Beaufort, Bulloch, Glenn, Effingham, Bryan, Wayne and Liberty. Court files and appearances are available upon request.

## MEMBERSHIP/AFFILIATIONS:

The Appraisal Institute (Associate Member) Local Chapter #182.  
National Association of Review Appraisers & Mortgage Underwriters (Designated Member CRA).  
National Association of Realtors, Georgia Association of Realtors, Savannah Board of Realtors.  
National Association of Home Builders, Savannah Home Builder's Association.  
Georgia Association of Assessing Officials.  
General Certified Real Estate Appraiser (Georgia No. 000298)  
General Certified Real Estate Appraiser (South Carolina No. GC 001067)  
Small Business Assistance Corporation – Board of Directors – 2008-2012

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### Johnnie Ganem Appraisal Company

340 Eisenhower Drive Building 800, Savannah Ga. 31406

Telephone: 912-354-8363

Fax: 912-354-6871

# CERTIFICATE OF APPRAISAL

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I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct;
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions;
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or the specified) personal interest with respect to the parties involved;
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
- my engagement in this assignment was not contingent upon developing or reporting predetermined results;
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;
- our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*;

John Ganem made a personal inspection of the property that is the subject of this report on JUNE 13, 2013.

- As of the date of this report, I have completed all requirements for continuing education for the Appraisal Institute and for the State of Georgia as required for membership and licensing, respectively.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representative.
- I have not performed an appraisal or evaluation on this property within the past three years.
- I do not authorize any out-of-context quoting from, or partial reprints of, this appraisal report.



Johnnie Ganem, CRA, J.D.  
GA Cert. # 298, SC Cert. #1067  
Chief Appraiser  
Johnnie Ganem Appraisal Company

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**Johnnie Ganem Appraisal Company**

340 Eisenhower Drive Building 800, Savannah Ga. 31406

Telephone: 912-354-8363

Fax: 912-354-6871

### GENERAL ASSUMPTIONS

1. The legal description used in this report is assumed to be correct. A recent survey of the property was not provided for review and no responsibility is assumed in connection with such matters. Sketches in this report are included only to assist the reader in visualizing the property.
2. No responsibility is assumed for matters of legal nature affecting title to the property nor is an opinion of title rendered. The title is assumed to be good and merchantable.
3. Information and data furnished by others is usually assumed to be true, correct and reliable. When such information and data appears to be dubious and when it is critical to the appraisal, a reasonable effort has been made to verify all such information; however, no responsibility for its accuracy is assumed by Johnnie Ganem.
4. All mortgages, liens, encumbrances, leases and servitudes have been disregarded unless so specified within the report. The property is appraised as though under responsible ownership and competent management.
5. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering, which may be required to discover them.
6. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report.
7. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless nonconformity has been stated, defined and considered in the appraisal report.
8. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
9. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted within the report.
10. Any information used in this valuation report that was provided by the client, the owner of the subject or their representatives is assumed to be correct. In the event that additional data is presented which may be in conflict with the information relied upon, I reserve the right to modify my value estimate if found appropriate.
11. I relied upon my measurements taken of the building on the date of my inspection to determine the size of the subject building improvements. In the event this estimate is later determined to be incorrect, I reserve the right to review the source of the conflicting data and to also perform an additional measurement as necessary, and modify our estimate of size and my opinion of value if needed.
12. According to the surveys provided, the subject site is reported to be a 102.8 +/- acre tract.

## GENERAL LIMITING CONDITIONS

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1. The appraiser and any other person(s) named in this report will not be required to give testimony or appear in court because of having made this analysis, with reference to the property in question, unless arrangements have been previously made thereof.
2. Possession of the report, or copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the consultant, and in any event only with properly written qualifications and only in its entirety.
3. The distribution of the total valuation in this report between land and improvements, if any, applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
4. No environmental impact studies were either requested or made in conjunction with this analysis, and the consultant hereby reserves the right to alter, amend, revise, or rescind any of the value opinions based upon any subsequent environmental impact studies, research or investigation.
5. Neither all nor any part of the contents of this report, or copy thereof, shall be conveyed to the public through advertising, public relations, news, sales or any other media without written consent and approval of the consultant. Nor shall the consultant, firm or professional organization of which the consultant is a member, be identified without written consent of the consultant.
6. Neither the consultant's name nor the report may be used in connection with any financing plan which would be classified as a public offering under state or federal securities laws.
7. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.
8. Acceptance of and/or use of this report constitutes acceptance of the foregoing General Assumptions, General Limiting Conditions and the Extraordinary Assumptions and Limiting Conditions, and the Certificate of Appraisal that are presented in this appraisal report.

# EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS

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## EXTRAORDINARY ASSUMPTIONS

None Noted

## HYPOTHETICAL CONDITIONS

### SPECIAL VALUATION PREMISES AND ASSUMPTIONS

In order to facilitate our valuation analysis found in this report, we have assumed the following:

1. We have relied on the final plats of Pepper Hall Plantation and information provided by the client and his agents. We assume this information is true and correct.
2. The value contained in this report is also subject to the additional special valuation premises and limiting conditions that are contained in the preface of this report. Should further investigation prove any of these assumptions to be incorrect, we reserve the right to amend this report, including the value conclusions, accordingly.
3. We were not provided with the documents pertaining to any jurisdictional wetlands areas that may be located on the subject property. We are not qualified, as real estate appraisers, to make any judgments concerning the existence, location, or delineation of jurisdictional wetlands which may be located on the subject property. We assume any wetlands are properly noted on the surveys provided to these appraisers, and therefore would not affect any further the marketability or utility of the subject property. We reserve the right to review any future wetlands delineation and which could in turn change the value of the subject or modify the highest and best use of the property.
4. Furthermore, we have relied on conceptual plans, maps, and advice from a private, urban designer and former principal planner for the town of Bluffton, Milt Rhodes, who appears to have a deep understanding of the direction Bluffton and Beaufort County are planning, and have relied on his expertise in formulating my highest and best use scenario for the property under study. It is also noteworthy to state that even though the present zoning is designated as rural and traditional overlay (R&TO), my anticipated use far exceeds these uses given the future demands cited by the Beaufort County Comprehensive Transportation Plan and is discussed within.

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## Johnnie Ganem Appraisal Company

340 Eisenhower Drive Building 800, Savannah Ga. 31406

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**CLIENT/USER OF THIS REPORT:** P. SCHEIDER, ATTORNEY FOR ROBERT L. GRAVES

**PROPERTY NAME /LOCATION** portion of Pepper Hall/US Highway 278 at Graves Road  
Bluffton, Beaufort County, SC 29910

**ASSESSOR'S PARCEL NUMBER** R603021000004A  
R6030210000195  
R6030210000194

**ASSESSOR'S TOTAL MARKET VALUE** \$3,862,543

**SUBJECT ZONING** Rural (R) and Traditional Overlay (TO)

**HIGHEST AND BEST USE**  
Current Use: VACANT/AGRICULTURE  
As Vacant: COMMERCIAL MIXED USE DEVELOPMENT  
As Improved: COMMERCIAL MIXED USE DEVELOPMENT

**PROPERTY RIGHTS APPRAISED** Fee Simple Interest

**LAND AREA** 102.8 +- Acres

**IMPROVEMENTS** PUBLIC WATER/SEWER AT US HIGHWAY 278

**ESTIMATED EXPOSURE TIME** 12-24 Months

**ESTIMATED MARKETING TIME** 24-36 Months

**CURRENT SALES CONTRACT OR LISTING PRICE:** (not under contract for sale, nor listed)

**VALUE CONCLUSIONS BY METHODOLOGY**  
Sales Comparison Approach \$23,000,000

VALUE CONCLUSIONS				
Property	Value Premise	Interest Valued	Date of Value	Value
102.8 ACRES US HIGHWAY 278 AT GRAVES ROAD	MARKET VALUE UNDER HIGHEST & BEST USE	FEE SIMPLE	JUNE 13, 2013	\$23,000,000
<b>TOTAL VALUE:</b>				<b>\$23,000,000</b>

This confidential report is prepared for the sole use and benefit of JIM SCHEIDER, ATTORNEY FOR ROBERT GRAVES and is based, in part, upon documents, writings and information owned and possessed by MR. GRAVES. This report is provided for informational purposes only to third parties authorized to receive it. The appraiser-client relationship is with JIM SCHEIDER as the client. This report should not be used for any purpose other than to understand the information available to my client concerning this property. Johnnie Ganem Appraisal company assumes no responsibility if this report is used in any other manner.

# EXECUTIVE SUMMARY

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Problem identification is the beginning of every appraisal assignment. An appraiser must gather and analyze the information needed to properly recognize the appraisal problem to be solved. The information necessary for problem identification as presented in USPAP Standard 1 includes the following elements:

- identification of the client and any other intended users;
- intended use of the appraiser's opinions and conclusions;
- purpose for the appraisal;
- type and definition of value;
- effective date of the appraiser's opinions and conclusions;
- subject of the assignment and its relative characteristics; and
- assignment conditions.

## ELEMENTS OF THE ASSIGNMENT

Elements considered in this appraisal assignment that were used to identify the appraisal problem are noted as follows.

**CLIENT/INTENDED USER(S)/INTENDED USE:** Mr. James Scheider, attorney for Robert Graves is the client for this appraisal assignment; there are no other intended users who would be permitted to have use of this report. The intended use of this appraisal report is for evidence of market value for the subject property in the underwriting for a federally regulated loan transaction.

**PURPOSE OF APPRAISAL:** The purpose of this appraisal report is to provide an opinion of *Market Value* consider the subject property in its highest and best use scenario.

**DEFINITION OF VALUE:** We have been asked to value the subject property based upon the definition of "market value", which is defined as

*"the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus." "Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*

- (1) Buyer and seller are typically motivated;*
- (2) Both parties are well informed or well advised, and acting in what they consider their own best interests;*
- (3) A reasonable time is allowed for exposure in the open market;*
- (4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- (5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."*<sup>1</sup>

**DATE OF REPORT:** July 1, 2013  
**DATE OF VALUE :** June 13, 2013

<sup>1</sup> Title XI of FIRREA as adopted by OCC Regulation 12 CFR Part 34.42g 1-5.

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**IDENTIFICATION OF PROPERTY:** The property under appraisal is a portion of the Pepper Hall Plantation consuming 102.8 acres fronting both Fording Island Road (US Highway 278) and the Okatie River. Access is provided by a public unpaved road, Graves Road, which intersects with Fording Island Road, which is the major east/west highway currently being widened/enhanced now and which terminates in Hilton Head Island. This property is unique in many ways to include both a built-in spine road, which is slated for highway improvement within the very near future and a scenic riverway component which allows for a broad latitude of uses upon its future development.

**LEGAL DESCRIPTION OF PROPERTY:**

The specific legal description of Mr. Robert Graves portion of Pepper Hall Plantation is buried in the deeds shown in the addenda. There are multiple family members with various tracts and the gift deeds and outline of the family division are described within the deeds dating back 138 years.

- **PROPERTY RIGHTS APPRAISED:** *Fee Simple Estate:* Fee simple estate is defined on Page 69 of *The Appraisal of Real Estate, Twelfth Edition, published by the Appraisal Institute, as "absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the government powers of taxation, eminent domain, police power, and escheat."*

**PROPERTY DATA AND DESCRIPTION**

This section of the report contains a summary of those physical characteristics and legal aspects of the property considered pertinent to its valuation.

**OWNERSHIP AND BRIEF HISTORY**

According to the records in the office of the Register of Deeds of Beaufort County, South Carolina, the property is currently in the ownership of Robert L. Graves. As mentioned previously, the subject is made up of 3 separate parcels of land that have been family owned for four+ generations or 138 years and show no sales/transfers in the last 10+ years.

Further research on the subject property is not required by USPAP Standards rule 1-5 (Binding requirement) which states "In developing a real property appraisal, an appraiser must: analyze any prior sales of the property that occurred within the following minimum time periods: (i) three years for one -to -four family residential property; and (ii) three years for all other property types. See all deeds in addenda.

**CURRENT CONTRACT, OPTIONS OR OFFERING**

The subject property is not currently under contract for sale, option, or any other written agreements as of the appraisal date.

**INFORMATION SOURCES**

The property history has been provided by conversations with various individuals involved with the chain of title, and if available, various documents such as contracts, deeds, leases. We have not performed a title search, nor do we warrant that the history, as presented herein, is completely accurate since we have relied upon the information of others. Any person or entity contemplating an interest in the subject property should rely solely upon a title search and opinion prepared by a qualified attorney-at-law.

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**SCOPE OF WORK**

The same elements above are also required for consideration to make critical judgments in determining appropriate scope of work. The "scope of work" determined necessary for this appraisal assignment included, but was not limited to, the following:

- identified the subject property to be appraised;
- performed an interior and exterior inspection of the property improvements and observed its physical condition overall;
- reviewed building plans provided by the property owner and measured all buildings;
- walked the subject site to observe its physical conditions and to further observe its respective surroundings and environment;
- obtained and reviewed property tax records for ownership and assessment data;
- obtained current zoning information from the Bryan County Zoning Department.
- researched and verified market data;
- Applied the Sales Comparison Approach and Reconciled to a Final Value.

The individual characteristics of each approach used in this valuation are included in the Valuation Methodology and Reconciliation sections to follow.

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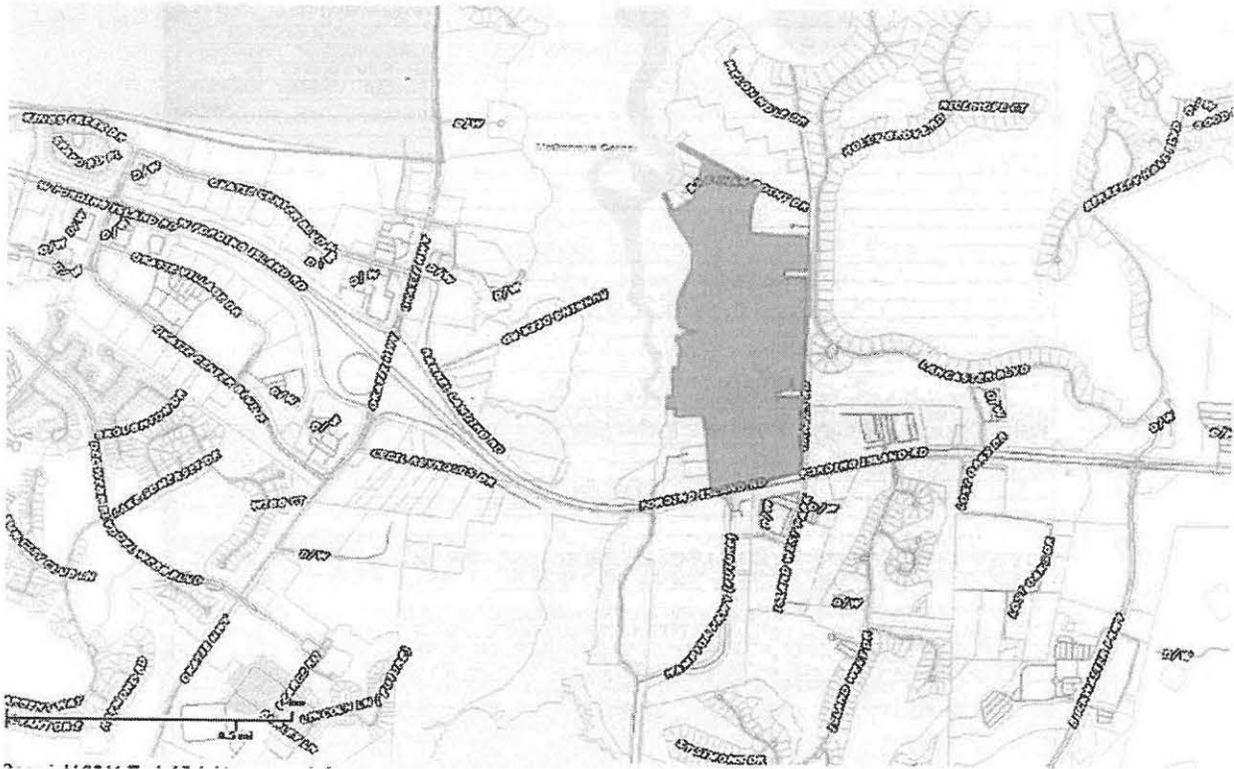
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## SITE DESCRIPTION

14

PLATSITE DESCRIPTIONSIZE AND SHAPE, DELINEATIONS, ETC.

The subject site is irregular in shape containing 102.8 acres in total located on U.S. Highway 278 in Beaufort County just west of Bluffton, S.C. The land area was calculated by the most recent records in the Beaufort County Tax Assessors office, and based on the recent full survey dated 12/14/2000. The appraiser has the right to revise his value if a new formal survey is provided that shows more or less acreage than this report indicates.

TOPOGRAPHY

The subject site contains pastures, some pines, wetland areas (3.942 acres +/-) and frontage on the marshes and headwaters of the Okatie river. The physical inspection of the property did not reveal any apparent evidence of adverse soil and subsoil conditions with the soils in the area consisting primarily of Seabrook and Beaufort sands. However, a formal study was not undertaken and the appraisers are not qualified to detect such conditions associated with the subject property.

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UTILITIES AND SERVICES

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*The utilities and services present no adverse effect on value. The subject site contains multiple deep wells and septic tank systems, along with electricity. U.S. 278 would allow for easy access to utilities and services at a future date for the remainder of this site.*

ACCESS

*The subject property is currently accessed via a two lane unpaved road known as Graves Road, a county maintained 18' wide earthen road. The subject also fronts U.S. Highway 278 with approximately 1046 front feet.*

VISIBILITY

*The site enjoys excellent visibility for the area given the large amount of frontage(1,046') along U.S. Highway 278. Good accessibility and visibility makes the subject's use compatible with uses allowed under the current zoning designations.*

LANDSCAPING

*The landscaping of the site will be considered to be typical of similar sites and will not be considered detrimental in any way.*

EASEMENTS, ENCROACHMENTS, AND NUISANCES

*It is noted that the subject property is located in multiple flood zones. These include Zone "C", zone "B", and Zone "A8" according to the FEMA Map: Panel # 450025055D September 29, 1986 (Zones C, B, & A8). The appraiser noted two access easements on the subject site at the Verna Crosby property as well as on Brannan Point Road, which allows for access to Lot 1A, the small(.14 acre) parcel that fronts the tidal Okatie River. No other easements or encroachments other than the access and drainage easement that would adversely affect the marketability of this site.*

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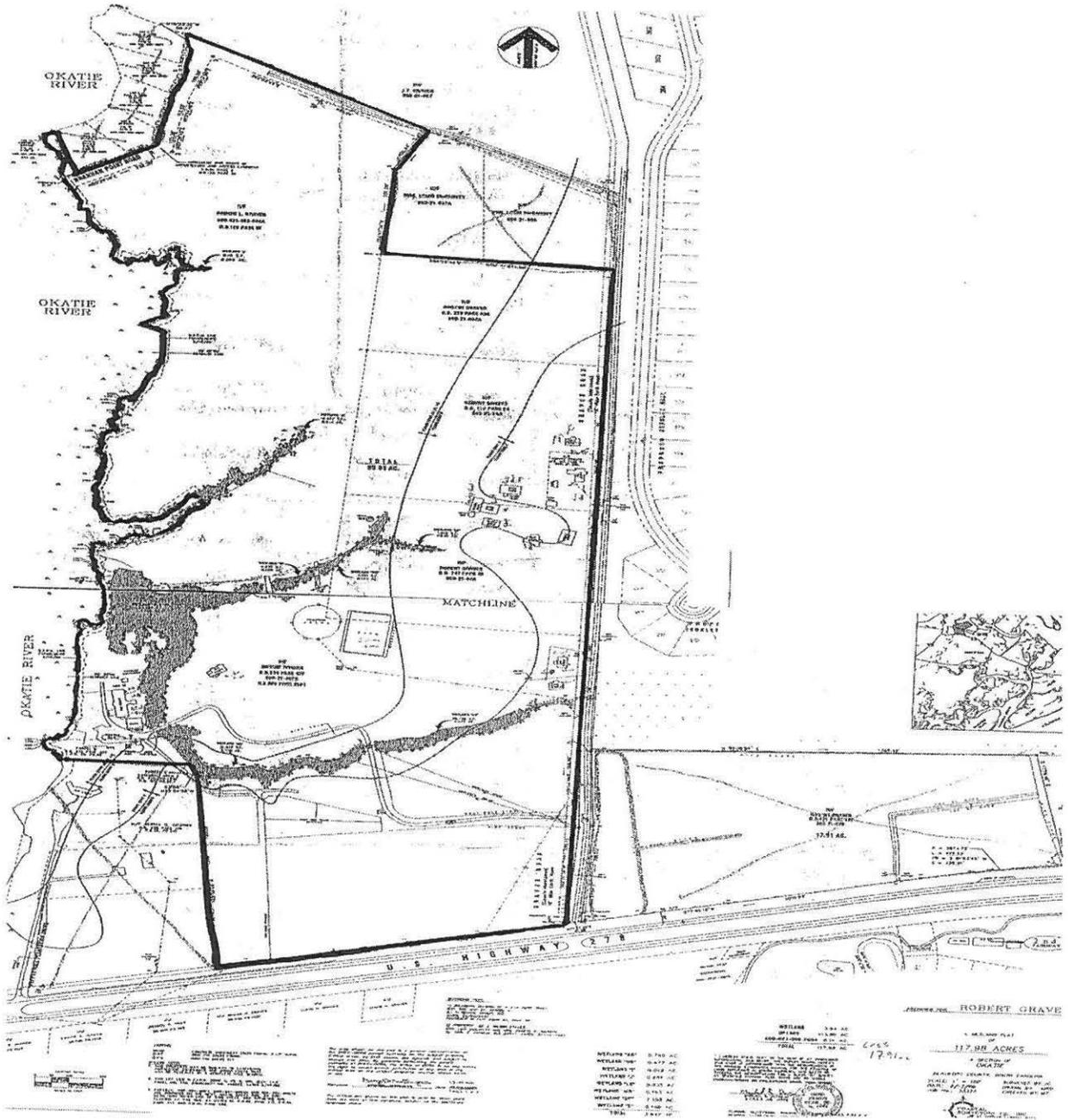
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SURVEY

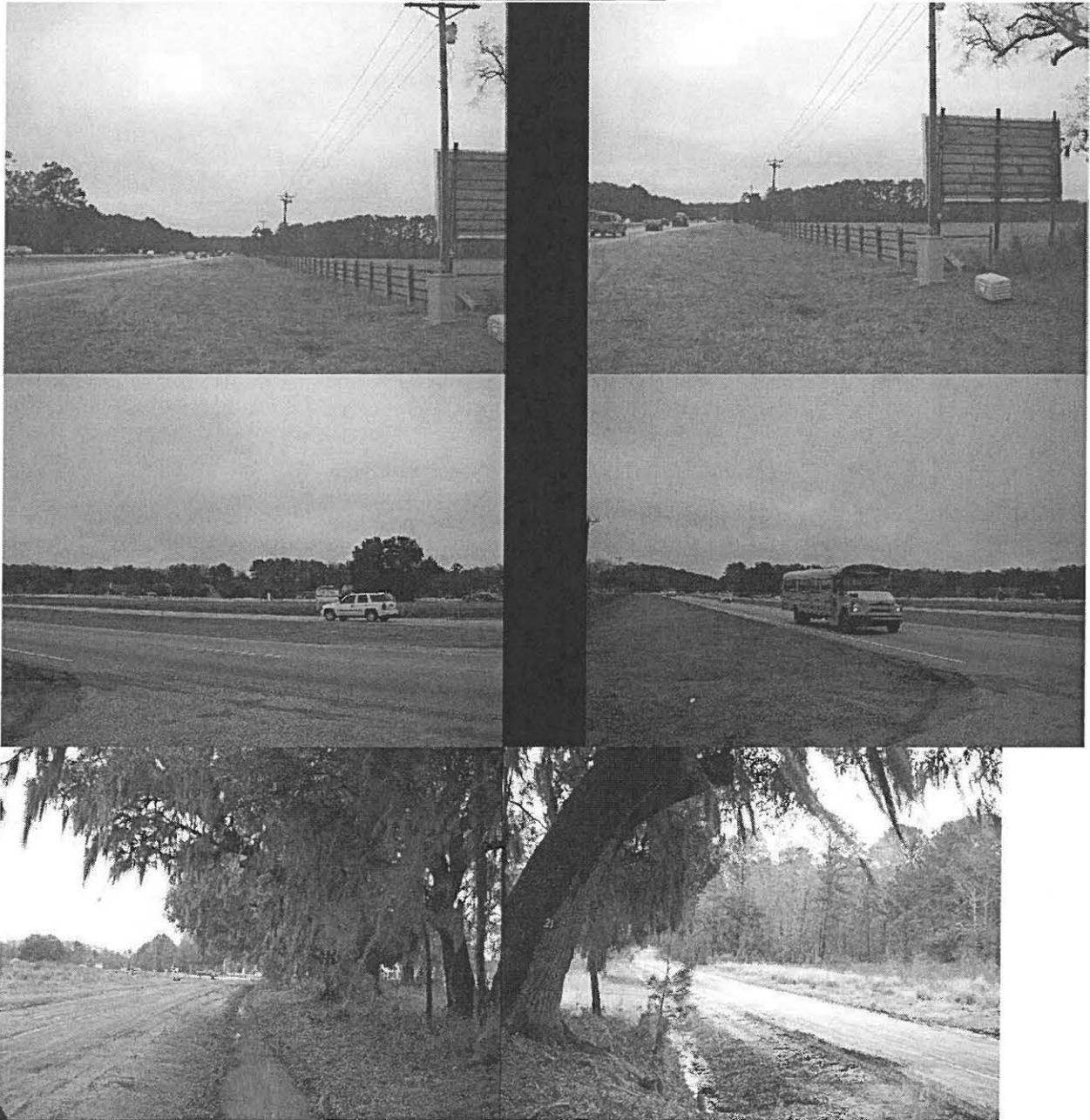


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SUBJECT PHOTOGRAPHS



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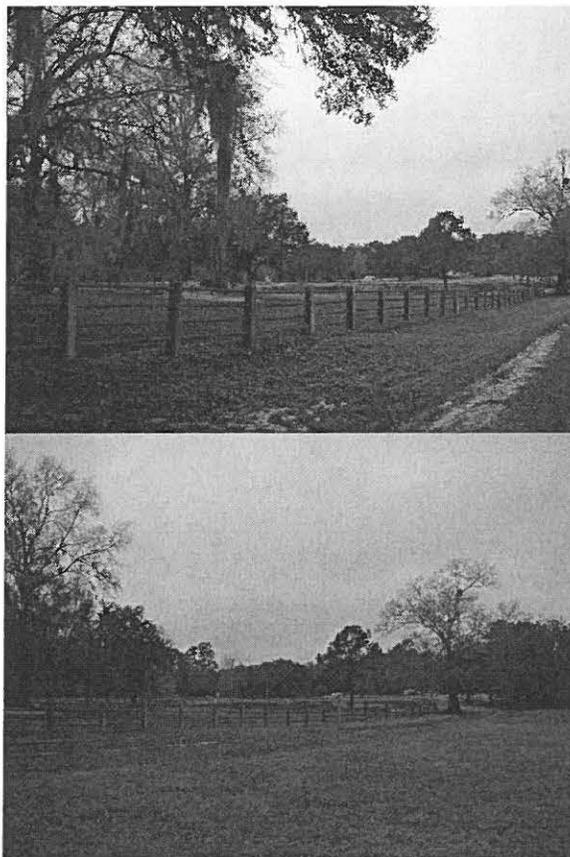


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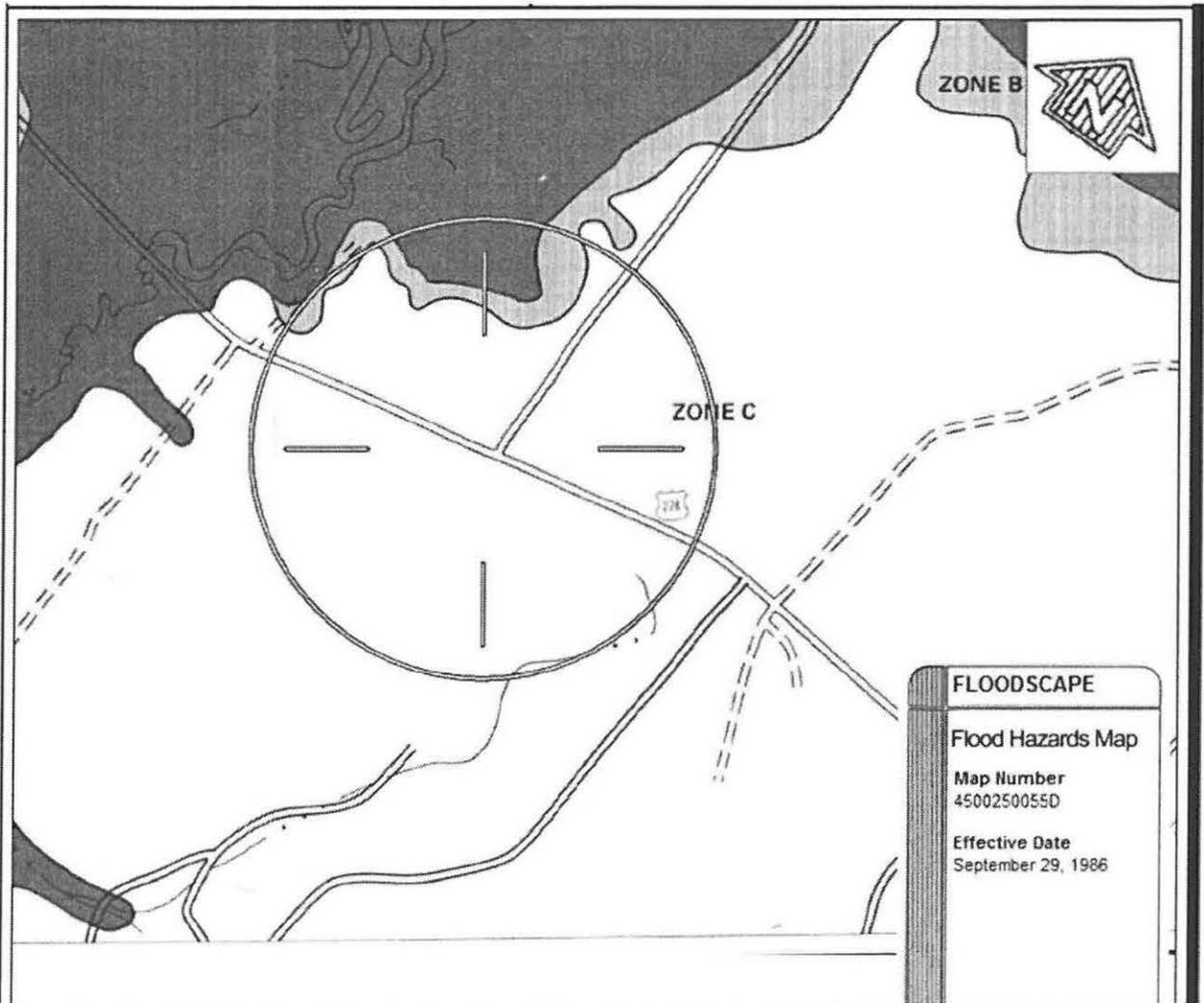
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FLOOD MAP



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**Zoning**

The subject property is currently zoned "TO-Transitional Overlay-Rural" and "R-Rural" by the Beaufort County zoning authority, who has the zoning jurisdiction in this area. The subjects location along U.S. Highway 278 is deemed as Transitional Overlay, meaning that this general area is in the process of land use change and the Beaufort County Zoning board will entertain a rezoning to Commercial or PUD zoning in the future when applied for. This zoning appears to cover about 38-1/2 acres or say 40 acres+/- based on our calculations when referenced to the Beaufort County zoning maps. The additional 60 acres+/- is currently zoned "Rural". This zoning encompasses rural uses and allows for a higher density of single family homes verses other non PUD zonings. The current rural zoning allows for one single family house per acre without applying or being updated to a PUD. The subject's utilization of the land conforms with general use restrictions of the zoning ordinance, however specific restrictions and stipulations of this zoning classification has not been made by the appraisers, it is assumed that the subject currently conforms with all restrictions of this zoning classification.

**IMPROVEMENT DESCRIPTION**

The subjects improvements have limited economic influence or contributory value to the subject site. As-is, they fulfill there use as family housing, rental housing and as agricultural uses. However, given the highest and best use of the subject property, they provide little or no additional value to the entire subject site.

**Information Sources**

The foregoing Improvement Description is based on information provided by the property owner, review of the tax assessor's record card, by an inspection of the subject property, and a review of the floor plans and elevations.

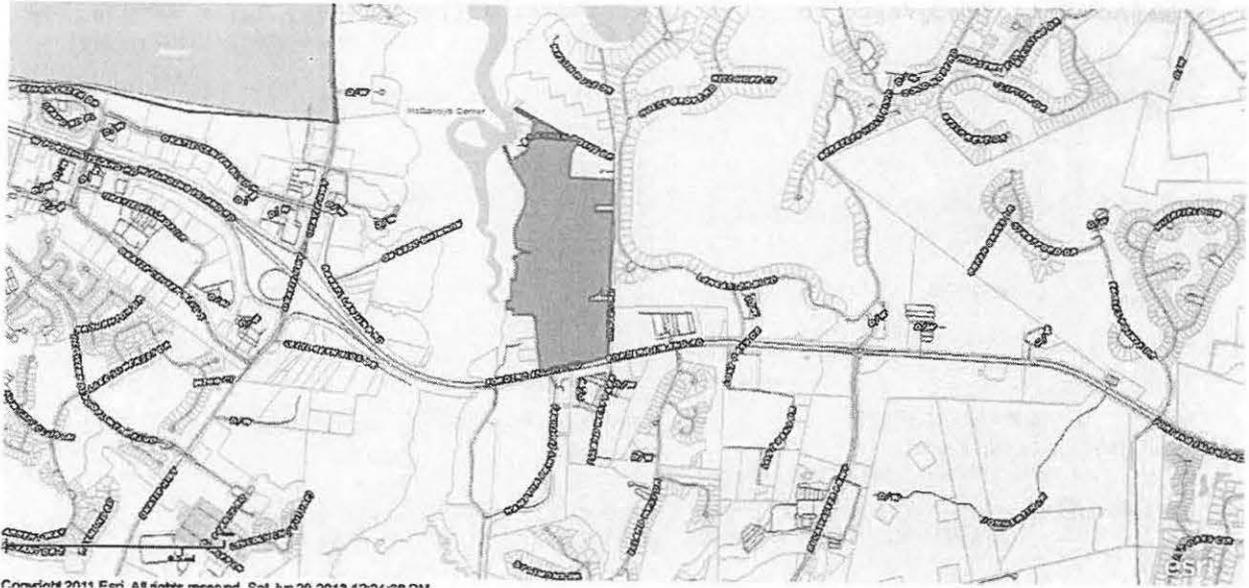
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Beaufort County, South Carolina

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Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of	assessyear	payyear
R603 021 000 004A 0000	00495100	41 GRAVES RD,	6/15/2013	2012	2012

Current Parcel Information

Owner	GRAVES ROBERT L	Property Class Code	ResImp SingleFamily
Owner Address	PO BOX 5818 HILTON HEAD ISLAND SC 29938-5818	Acreage	101.5100

Legal Description SUBJ TO ROLL BACK TAX LIEN\*T ACCT 88 CORRECT USE VAL\*SPLIT 5/00 0.66 AC 21/194~09/11 AC MGFM 21/7B & 21/4 PB130 P108 TOT AC INCL 6.68 AC WETLAND

Historic Information

Tax Year	Land	Building	Market	Taxes	Payment
2012	\$2,953,468	\$688,700	\$3,642,168	\$21,426.43	\$24,715.39
2011	\$2,953,468	\$688,700	\$3,642,168	\$21,165.35	\$24,415.15
2010	\$2,432,720	\$521,335	\$2,954,055	\$14,452.30	\$16,695.15
2009	\$2,432,720	\$521,335	\$2,954,055	\$14,199.55	\$16,404.48
2008	\$737,100	\$312,500	\$1,049,600	\$14,036.64	\$14,036.64
2007				\$13,377.28	\$13,377.28
2006				\$12,250.01	\$12,250.01
2005				\$10,895.52	\$10,895.52
2004				\$10,275.29	\$10,275.29
2003				\$9,560.69	\$9,560.69
2002				\$9,209.28	\$9,209.28

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
GRAVES ROBERT L	147 29	1/1/1980	Fu		\$0
		12/31/1776	Or		\$0

Improvements

Building	Type	Use Code Description	Constructed Year	Stories	Rooms	Square Footage	Improvement Size
R01	DWELL	Dwelling	1965	1.0	04	2,302	

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VALUATION PROCESS (CONT.)

R02	DWELL	Dwelling	1969	1.0	03	1,280	
R03	DWELL	Dwelling	1990	1.0	01	1,877	
R04	DWELL	Dwelling	1900	1.0	01	840	
C01	MTRLSHEL	Material Shelter	2000	0	0	20,570	
R03	CARSHEDO	Car shed / carport - detached	1981	0	0		336
R04	MACHINE	General Purpose Bldg x Other	1976	0	0		2,352
R03	LOAFING	Livestock Loafing Shed	1969	0	0		6,000
R03	LOAFING	Livestock Loafing Shed	1969	0	0		5,000
R03	UTLSHED	Residential Shed - Small Util	1979	0	0		100
R03	DETGAR	Residential Detached Garage	1969	0	0		1,344

Features & Exterior Features

Building	Type	Feature Code	Description	No. / Sq.Ft.	Value
R01	DWELL	1CHMMASO	1s Outside masonry chimney	1	\$580
R01	DWELL	COOLING	None	1	\$0
R01	DWELL	EXT. COVER	Stucco	1	\$0
R01	DWELL	FOUNDATION	Full Slab	1	\$0
R01	DWELL	HEATING	Forced hot air	1	\$0
R01	DWELL	MAS	Masonry fireplace	1	\$2,175
R01	DWELL	OFP	Open Frame Porch	231	\$4,310
R02	DWELL	COOLING	None	1	\$0
R02	DWELL	EXT. COVER	Stucco	1	\$0
R02	DWELL	FOUNDATION	Full Slab	1	\$0
R02	DWELL	HEATING	Forced hot air	1	\$0
R02	DWELL	OFP	Open Frame Porch	64	\$1,900
R03	DWELL	COOLING	Central air	1	\$4,110
R03	DWELL	EXT. COVER	Hardboard	1	\$0
R03	DWELL	FOUNDATION	Full Slab	1	\$0
R03	DWELL	HEATING	Heat pump	1	\$5,630
R03	DWELL	OMP	Open Masonry Porch	88	\$1,950
R03	DWELL	OMP	Open Masonry Porch	130	\$2,750
R04	DWELL	COOLING	None	1	\$0
R04	DWELL	EXT. COVER	Wood siding-cedar	1	\$0
R04	DWELL	FOUNDATION	Full Slab	1	\$0
R04	DWELL	HEATING	Forced hot air	1	\$0
R04	DWELL	OFF-S	Open Frame Porch	120	\$3,760

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Beaufort County, South Carolina

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Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of	assessyear	payyear
R603 021 000 0195 0000	09102384	,	6/15/2013	2012	2012

Current Parcel Information

Owner	GRAVES ROBERT L	Property Class Code	ResVac Platted&Unplatted
Owner Address	22 A WIDEWATER RD HILTON HEAD SC 29926	Acreage	.6400
Legal Description	PARCEL "B" P872 P22 -		

Historic Information

Tax Year	Land	Building	Market	Taxes	Payment
2012	\$50,000		\$50,000	\$402.20	\$537.53
2011	\$50,000		\$50,000	\$397.20	\$397.20
2010	\$50,000		\$50,000	\$393.74	\$452.80
2009	\$50,000		\$50,000	\$386.52	\$425.17
2008	\$30,000		\$30,000	\$381.85	\$381.85
2007	\$30,000		\$30,000	\$365.16	\$365.16
2006	\$30,000		\$30,000	\$332.94	\$332.94
2005	\$30,000		\$30,000	\$310.44	\$310.44
2004	\$30,000		\$30,000	\$295.75	\$295.75
2003	\$14,000		\$14,000	\$190.46	\$190.46
2002	\$14,000		\$14,000	\$183.56	\$183.56

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
UNKNOWN OWNER 09102384		12/31/1776	Or		\$0
		12/31/1776	Or		\$0

Improvements

Building	Type	Use Code Description	Constructed Year	Stories	Rooms	Square Footage	Improvement Size	
Building	Type	Feature Code	Features & Exterior Features Description				No. / Sq.Ft.	Value

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Beaufort County, South Carolina

generated on 6/29/2013 12:25:40 PM EDT

Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of	assessyear	payyear
R603 021 000 0194 0000	09102366	,	6/15/2013	2012	2012

Current Parcel Information

Owner	GRAVES ROBERT L	Property Class Code	ResImp SingleFamily
Owner Address	PO BOX 5818 HILTON HEAD ISLAND SC 29938-5818	Acreage	.6600

Legal Description PARCEL "A" PB72 P21 -

Historic Information

Tax Year	Land	Building	Market	Taxes	Payment
2012	\$50,000	\$120,375	\$170,375	\$1,651.64	\$1,974.39
2011	\$50,000	\$120,375	\$170,375	\$1,630.73	\$1,950.34
2010	\$50,000	\$120,375	\$170,375	\$1,616.30	\$1,933.75
2009	\$50,000	\$120,375	\$170,375	\$1,586.16	\$1,899.08
2008	\$30,000	\$95,200	\$125,200	\$1,566.46	\$1,566.46
2007	\$30,000	\$95,200	\$125,200	\$1,499.82	\$1,499.82
2006	\$30,000	\$95,200	\$125,200	\$1,365.35	\$1,365.35
2005	\$30,000	\$95,200	\$125,200	\$1,271.45	\$1,271.45
2004	\$30,000	\$95,200	\$125,200	\$1,252.46	\$1,252.46
2003	\$14,000	\$47,700	\$61,700	\$856.31	\$856.31
2002	\$14,000	\$47,700	\$61,700	\$825.95	\$825.95

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
UNKNOWN OWNER 09102366		12/31/1776	Or		\$0
		12/31/1776	Or		\$0

Improvements

Building	Type	Use Code Description	Constructed Year	Stories	Rooms	Square Footage	Improvement Size
R01	DWELL	Dwelling	2000	1.0	01	1,140	

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**VALUATION PROCESS (CONT.)**

Features & Exterior Features					
Building	Type	Feature Code	Description	No. / Sq.Ft.	Value
R01	DWELL	COOLING	None	1	\$0
R01	DWELL	EXT. COVER	Stucco	1	\$0
R01	DWELL	FOUNDATION	Full Slab	1	\$0
R01	DWELL	HEATING	Forced hot air	1	\$0
R01	DWELL	OMP	Open Masonry Porch	42	\$1,050
R01	DWELL	OMP	Open Masonry Porch	112	\$2,390

**REAL ESTATE ASSESSMENT AND TAXES**

**ASSESSOR'S PARCEL NUMBER/ASSESSOR'S VALUE:**

*The subject property consists of 3 individual parcels identified by the Beaufort County Tax Assessor as being pin #'s R603 021 000 004A 0000, R603 021 000 0194 0000, R603 021 000 0195 0000. For this analysis, the appraiser has estimated the taxes for the entire subject as if it were 1 tract of land including improvements. The appraisers believe that the subject parcel is located within the incorporated area of Beaufort County and therefore is subject to the tax system of these government entities. What follows is the appraiser's estimation of the tax liability of the subject property. The 2013 real estate taxes are estimated in the following manner:*

Fair Market	X	Assessment	=	Assessment	X	=	2013 Tax
Value	Ratio						Liability
\$3,862,543	X	6%		\$316,566 less agricultural differences=			+-\$23,175
				*Not taken in the current year			

*\*The estimated tax liability estimate for the subject property is considered reasonable by virtue of our past observation of other similar properties within the immediate market area and by virtue of any experience of the methodologies employed by the Assessors Office in Beaufort County. Also, these estimated tax values appear consistent with surrounding property values and do not represent, in our opinion, a burden to the property. The appraiser is also unaware of any unpaid or past due taxes which could affect marketability. The millage rate varies pending the agriculture discounts which are applied to the assessed value. It is further noted that very little agriculture property continues to exist along Highway 278 as most have been commercially developed.*

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## BEAUFORT COUNTY AREA DATA

Beaufort County includes sixty-four major islands and hundreds of smaller islands. This county measures 691 square miles (578 land, 113 water) and stretches nearly 30 miles along the Atlantic Ocean. The 2000 estimated population census indicated 118,337 people in Beaufort County, with an estimated population of 221,900 in year 2010, indicating a gain from 1980-2000 of 81%. The military influence, a booming tourist business, the retirement population, and overall desirable sea island development all contribute to continuing growth.

A major portion of this population is military or military related. There are military installations within the immediate area:

1. Marine Corps Air Station
2. Laurel Bay
3. Parris Island
4. United States Naval Hospital

The Marine Corps Recruit Depot has active 5,000 with 10,000 dependents and recruits 22,000 annually with civilian employment of 2,000 plus. The Marine Corps Air Station has over 6,000 acres which consists of the airfield complex, with 1,100 acres for military family housing area. There are more people at Laurel Bay and the Naval Hospital, not included in this count. One can conclude that this area is heavily dependent on the Federal spending which is a staggering \$365,215,000 by the Defense Department.

Beaufort County is a cluster of sea islands located on the south eastern coast of South Carolina which stretches for 30 miles along the Atlantic Ocean. Numerous islands comprise the Beaufort County area, most notably those of Datau, St. Helena, Lady's Island, Harbor, Hunting, Fripp, Hilton Head, and Daufauski Islands.

Formally, an indigo and rice plantation community first begun by the British in the 1700's, this area became a thriving cotton agriculture in the 1800's which enabled Beaufort to prosper as a wealthy and aristocratic town. This early development has provided the area with historic reminders of the past to include church ruins, elegant mansions, impressive plantations, and other significant buildings. Currently, five museums are located in Beaufort that highlights this early settlement.

One of the biggest attractions of this area is the recreation opportunities which include seven nationally known golf courses, world class fishing, plus arts and cultural events all year which attract hundreds of thousands of visitors to Beaufort. The Beaufort County Recreation Commission offers 13 public parks to include baseball, tennis courts, as well as many boat landings and a downtown marina on the Inter-coastal Waterway. Tourism impacted this coastal area by proving record numbers of visitors.

The subject area which comprises the north area of Beaufort County is part of one of the fastest growing communities in the Southeast as well as the United States. This fast paced growth track is attributed to the marketability of not only Beaufort but Hilton Head Island and other sea islands, the historic ambience, and the mild climate attributed to the development of recreational facilities, which all provide a quality of life for the residents of this region plus the booming tourist industry.

At the 2010 census, there were 12,361 people residing in the city. The population density was 447.9 per square mile. The racial makeup of the city was 67.1% White, 25.7% African American, 0.3% Native American, 1.4% Asian, 0.1% Pacific Islander, 1.98% from other races, and 2.6% from two or more races. Hispanic or Latino of any race were 6.7% of the population.

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At the 2000 census, there were 4,598 households of which 31.8% had children under the age of 18 living with them, 47.6% were married couples living together, 14.9% had a female householder with no husband present, and 34.0% were non-families. 28.6% of all households were made up of individuals and 10.2% had someone living alone who was 65 years of age or older. The average household size was 2.37 and the average family size was 2.90.

21.6% of the population were under the age of 18, 19.5% from 18 to 24, 28.9% from 25 to 44, 17.8% from 45 to 64, and 12.2% who were 65 years of age or older. The median age was 30 years. For every 100 females there were 114.3 males. For every 100 females age 18 and over, there were 117.6 males.

The median household income was \$36,532 and the median family income was \$42,894. Males had a median income of \$22,465 versus \$23,474 for females. The per capita income for the city was \$20,501. About 11.5% of families and 13.0% of the population were below the poverty line, including 20.3% of those under age 18 and 11.1% of those age 65 or over.

Beaufort is the center of an urban cluster with an estimated population of nearly 70,000, comprising the city and its surrounding towns and unincorporated areas including Port Royal, Burton, Lady's Island, Shell Point, Laurel Bay, and Parris Island.

Beaufort is also part of the larger Hilton Head Island-Bluffton Beaufort Metropolitan Statistical Area, which includes Beaufort and Jasper counties. As of 2012, the MSA had estimated year-round population of 193,882.<sup>[9]</sup>

## **CITY OF BEAUFORT**

### **History**

The Low country region had been subject to numerous European explorations and several aborted attempts at colonization before the British successfully founded the city in 1711. The city initially grew slowly, subject to numerous attacks from Native American tribes and threats of Spanish invasion before flourishing as a center for shipbuilding and later in the antebellum period as the aristocratic center for the Low country plantation economy up through the Civil War.

Several months after hostilities began between the states, Beaufort was occupied by Union forces following the Battle of Port Royal. Due in part to its early occupation, the city became a center of emancipation efforts for newly freed slaves during the war and into Reconstruction. After the war, the city relied on phosphate mining before a devastating hurricane in 1893 and a fire in 1907 brought economic turmoil and stagnant growth to the city for nearly half a century. The community rebounded in the later half of the 20th century due to the growth of the military presence and the development of tourism. In spite of new development, Beaufort has retained much of its historic character through its renowned architecture and historic preservation efforts.

### **Geography**

According to the United States Census Bureau, the city is amid a marshy estuary, and has a total area of 23.4 square miles (60.7 km<sup>2</sup>), of which, 18.6 square miles (48.2 km<sup>2</sup>) of it is land and 4.8 square miles (12.5 km<sup>2</sup>) of it (20.57%) is water. The majority of the city is situated upon Port Royal Island, an interior Sea Island that the city shares with neighboring Port Royal and unincorporated portions of Beaufort County. The city has also annexed lands across the Beaufort River onto Lady's Island.

The original settlement of Beaufort can be found in the downtown or historic district area. 304 acres (1.23 km<sup>2</sup>) of the town have been designated a National Historic Landmark. With approximate dimensions, downtown is defined as anything upon the peninsula jutting into the Beaufort River that is located east of Ribaut Road (US 21). Further defined, downtown is broken into five distinct neighborhoods: Downtown (the commercial core), The Point (also known as the Old Point), The Bluff, The Old Commons, and the Northwest Quadrant.

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**Other non-residential areas**

Once the outer edge of town, the areas along Boundary Street (US Highway 21), Robert Smalls Parkway (SC Highway 170), and Ribaut Road now serve as Beaufort's major commercial corridors. Several major shopping centers and dining establishments are prevalent in all three areas. Beyond shopping and dining, Ribaut Road has numerous medical offices clustered near Beaufort Memorial Hospital. Boundary Street and Robert Smalls Parkway have several lodging facilities and auto dealerships as prevailing business types. Boundary Street is subject to change its appearance over the coming years due in part to a major redevelopment plan approved by the city in 2008 and supported via tax increment financing.

Uptown Beaufort refers to a series of mostly commercial properties along Boundary Street, which separates the historic district from the Pigeon Point neighborhood. Uptown is not formally considered a neighborhood on its own, yet merchants have created a unique identity to market the commercial area separately from downtown merchants clustered on Bay Street.

Beaufort Town Center is a recent term given to a series of developments along Boundary Street located west of the historic district and Pigeon Point that is clustered near the Beaufort County government complex and the City of Beaufort's municipal complex construction site. Though much of the area (and the term) is owned by a single developer, many of Beaufort's commercial properties and administrative uses have moved to this area. The Marine Corps Air Station Beaufort was annexed into the city in the 1990s, expanding the city limits northward near the unincorporated Seabrook community. Previous attempts at bringing large-scale residential development north of the air station were defeated after protests from long-time citizens and environmental advocacy groups.

**Economy**

Downtown businesses are clustered along Bay Street, adjacent to the Henry Chambers Waterfront Park. The location of the City to other fast growing areas including Hilton Head Island, and Bluffton as well as good access to Savannah, Georgia, the Savannah-Hilton Head International Airport, and a future container port to be built on the Savannah River make the city a desirable choice for residential and business development opportunity. Beaufort has several geographic areas of economic activity. The downtown area is the historical center of commerce and is now primarily focused towards visitors, tourists. Much of the day-to-day service businesses for locals have moved along the Boundary Street corridor, the Robert Smalls Parkway corridor, or towards Lady's Island. There are several areas with limited industrial uses that exist primarily in the northwestern sections of the city, close to the intersection of Boundary Street with Robert Smalls Parkway.

The largest economic sector in Beaufort is tourism and hospitality, which has supplanted agriculture and aquaculture in the last decades of the 20th century. Nearly 2 million visitors a year come to Beaufort and the Sea Islands of northern Beaufort County, with summer and fall seasons being peak times. The primary attractions of these visitors include golf and beach vacations, history, water sports, and local arts and crafts. As a result, Beaufort is home to many options of accommodations ranging from upscale bed-and-breakfasts in the downtown area to standard motels and inns along Boundary Street. There are several dozen dining establishments in the city that cater to locals and tourists alike.

Beaufort's other major dominant economic sector comes from the military presence in and around the community, which provide thousands of jobs and pump in millions of dollars into the local economy. Other sectors of note are agriculture/aquaculture, government, and retail.

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## NONFARM EMPLOYMENT BY INDUSTRY

Statewide  
March 2013

Jobs by Industry	March 2013	February 2013	March 2012	February 2013 to March 2013		March 2012 to March 2013	
				#	%	#	%
				Change	Change	Change	Change
<b>Total Nonfarm Employment</b>	1,875,200	1,857,000	1,850,500	18,200	0.98%	24,700	1.33%
Natural Resources and Mining	3,800	3,800	3,900	0	0.00%	-100	-2.56%
Construction	78,500	78,900	77,500	-400	-0.51%	1,000	1.29%
Manufacturing	221,000	220,400	219,600	600	0.27%	1,400	0.64%
Trade, Transportation, and Utilities	353,900	352,000	349,500	1,900	0.54%	4,400	1.26%
Information	26,000	26,400	25,600	-400	-1.52%	400	1.56%
Financial Activities	101,500	99,900	97,300	1,600	1.60%	4,200	4.32%
Professional and Business Services	229,900	227,300	234,000	2,600	1.14%	-4,100	-1.75%
Education and Health Services	212,000	212,400	211,700	-400	-0.19%	300	0.14%
Leisure and Hospitality	222,100	212,300	210,800	9,800	4.62%	11,300	5.36%
Other Services	69,200	68,500	69,000	700	1.02%	200	0.29%
Government	357,300	355,100	351,600	2,200	0.62%	5,700	1.62%

Note: Not Seasonally Adjusted

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## South Carolina's Employment Situation March 2013

### *Unemployment rate down; Industry employment up 18,200*

South Carolina's seasonally-adjusted unemployment rate decreased to 8.4 percent in March from February's rate of 8.6 percent. The number of employed persons was 1,992,113, and the unemployed totaled 182,978, which is the lowest level since October of 2008.

From February to March, the state's labor force saw a minor decline to 2,175,091. Nationally, the unemployment rate fell from 7.7 percent in February to 7.6 percent in March.

### **Employment by Industry**

Non-farm jobs (not seasonally adjusted) in the state increased 18,200 from February to March to a total of 1,875,200.

- Leisure and Hospitality reported a large gain (+9,800) as the tourist season gears up. The largest part of the increase was felt in the Accommodation and Food Service subsector. Improvements in March were also reported in Professional and Business Services (+2,600; mostly in the Employment Services subsector); Government (+2,200; generally in Local Government); Trade, Transportation, and Utilities (+1,900; mainly in Retail Trade); and Financial Activities (+1,600). Smaller increases were seen in Other Services (+700) and Manufacturing (+600).
- Three industries reported losses: Construction (-400; primarily in Specialty Trade Contractors), Information (-400), and Education and Health Services (-400; mostly in Healthcare and Social Assistance).

Since March 2012, non-farm jobs in the state have increased 24,700. The largest over-the-year rise was in Leisure and Hospitality (+11,300), followed by Government (+5,700); Trade, Transportation, and Utilities (+4,400); and Financial Activities (+4,200).

- Increases in Manufacturing (+1,400) and Construction (+1,000) also helped push growth.
- A large drop in the last year was reported in Professional and Business Services (-4,100).

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**HIGHEST AND BEST USE**

The Dictionary of Real Estate Appraisal, Fourth Edition (2002), a publication of the Appraisal Institute, defines the highest and best use as:

*“The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.”*

To determine highest and best use I have evaluated the subject site under two scenarios; “as vacant” and “as improved”. Under these scenarios the property’s highest and best use must meet the criteria described above.

**LEGALLY PERMISSIBLE:** Zoning regulations in effect at the time of appraisal determine legal permissibility of potential uses of a site. As described in the Zoning section, the subject site is zoned “TO” & “R”. Based on approved uses within this ordinance, the subject "as is" appears to represent a legal conforming use.

**PHYSICALLY POSSIBLE:** The subject site overall is considered to possess adequate physical characteristics to accommodate most any permitted development possibility under its current zoning.

**FINANCIALLY FEASIBLE:** The subject’s potential future development is considered a financially feasible use for the subject site.

**MAXIMALLY PRODUCTIVE:** The subject’s potential future development is considered to provide sufficient maximum productivity as evidenced through consultation with a private urban planner, Milt Rhodes.

Even though there may be some limitation in development with the current zoning of this property, several conceptual plans are presented below that are considered plausible by county standards and encompass a broad overview of commercial and residential mix, which incorporate the river component and the existing road asset or a spine road advantage. Some zoning alterations may be examined for achieving the end goal of these plans, but demand and traffic appear to be forecasted for this area and especially Fording Island Road. A reading of the Beaufort County Comprehensive Transportation Plan reveals a massive amount of attention dedicated to the immediate area around Pepper Hall/Graves Plantation and all along Highway 278. Shown below are a listing of county projects slated for Highway 278 in anticipation of the advent of growth within this immediate area, already burdened with 60,000 cars per day travelling directly in front of the subject.

Furthermore, you will see renderings of Mr. Rhodes conceptual plans for the subject tract and demographic projections. Also, you will see an on-going plan in progress at the foot of Graves Road/Highway 278, opposite corner to the subject, a four phase commercial layout, which expands the existing car dealerships in place now. At its completion, it will entail a 17 acre commercial park to include three auto dealerships, office, retail, restaurant within a controlled environment. Also, directly across the highway at Hampton Parkway is another massive undertaking on a 55 acre site acquired in 2010 for the Harris Teeter Company. Details are not yet available, but one can see the intense development activity already in motion without the interaction of the subject tract.

**CONCLUSION OF HIGHEST AND BEST USE:**

We conclude the following to be the highest and best use for the subject property based on this analysis:

**AS VACANT:** A use in accordance with the conceptual plans presented below.

**AS IMPROVED:** The subject’s potential future development use represents the Highest and Best use as shown by these plans and current demand as evidenced by the sales activity.

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**PEPPER HALL PLANTATION VILLAGE CENTER – BLUFFTON, SC**  
*Highway 278 & Hampton Parkway*

**GRAVES CONSTRUCTION**  
 Hilton Head Island, SC

**Project Information**

**General Description**

- Part of 142 acre Mixed Use Development located at the Center of the Southern Beaufort County Region
- 15 minutes to Hilton Head, Savannah, Beaufort
- Up to 700,000 square feet Neighborhood, Community & Regional Commercial on 65 acres
- +/- 480 residential dwellings
- 28 acre Okatie River Front Promenade
- At signalized intersection of Highway 278 & Hampton Parkway

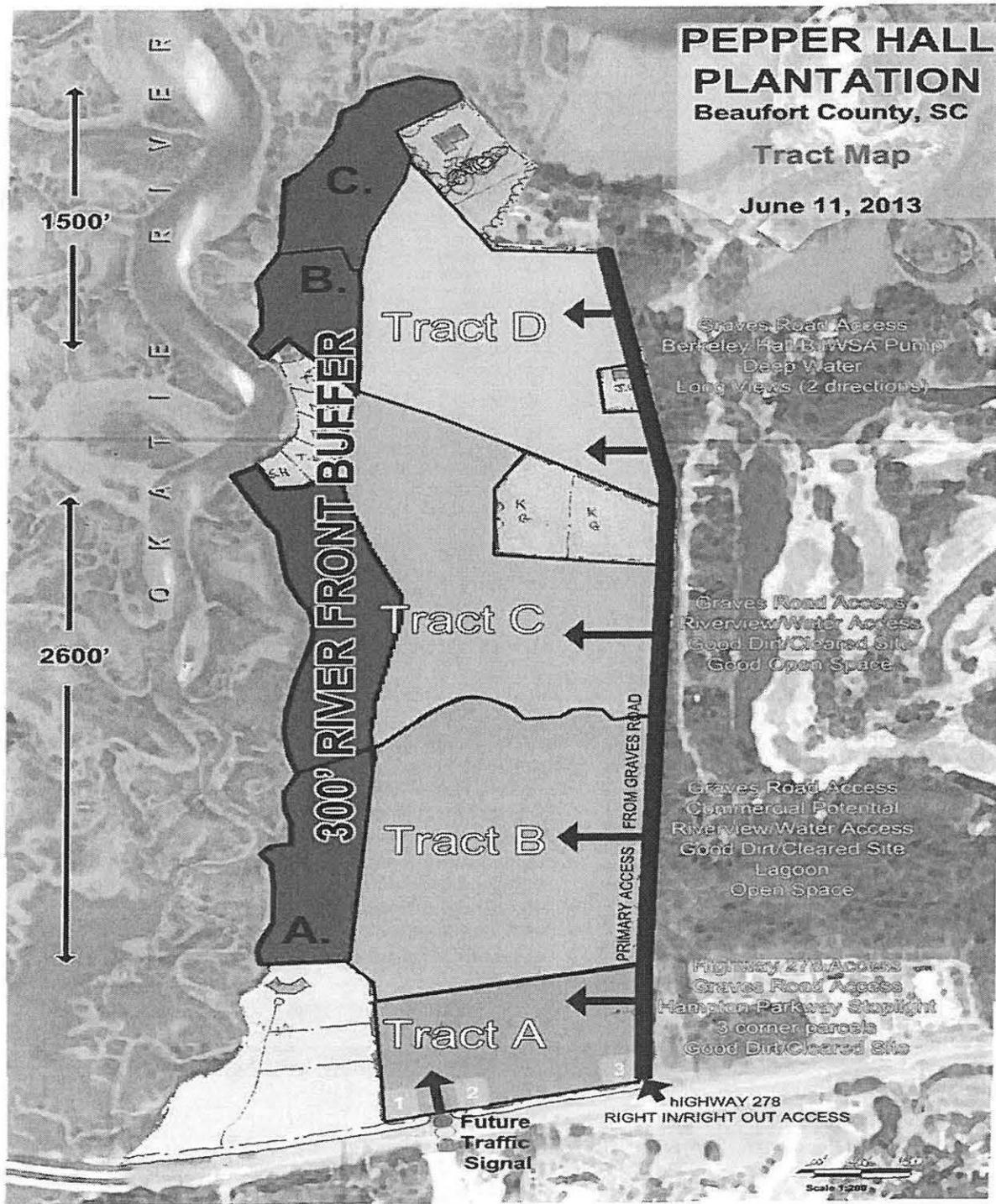
**Demographic Information**

	3 miles	5 miles	7 miles	10 miles
<i>Estimated Population (2012)</i>	17,273	46,107	54,029	88,882
<i>Projected Population (2017)</i>	19,391	51,425	60,142	102,224
<i>Estimated Households (2012)</i>	7,290	18,766	21,819	35,716
<i>Estimated Household Income (2012)</i>	\$ 78,327	\$ 74,653	\$ 75,090	\$ 86,522

For more information contact Milt Rhodes 919 522 0172 – [mrhodes@newurbanwaterworks.com](mailto:mrhodes@newurbanwaterworks.com)

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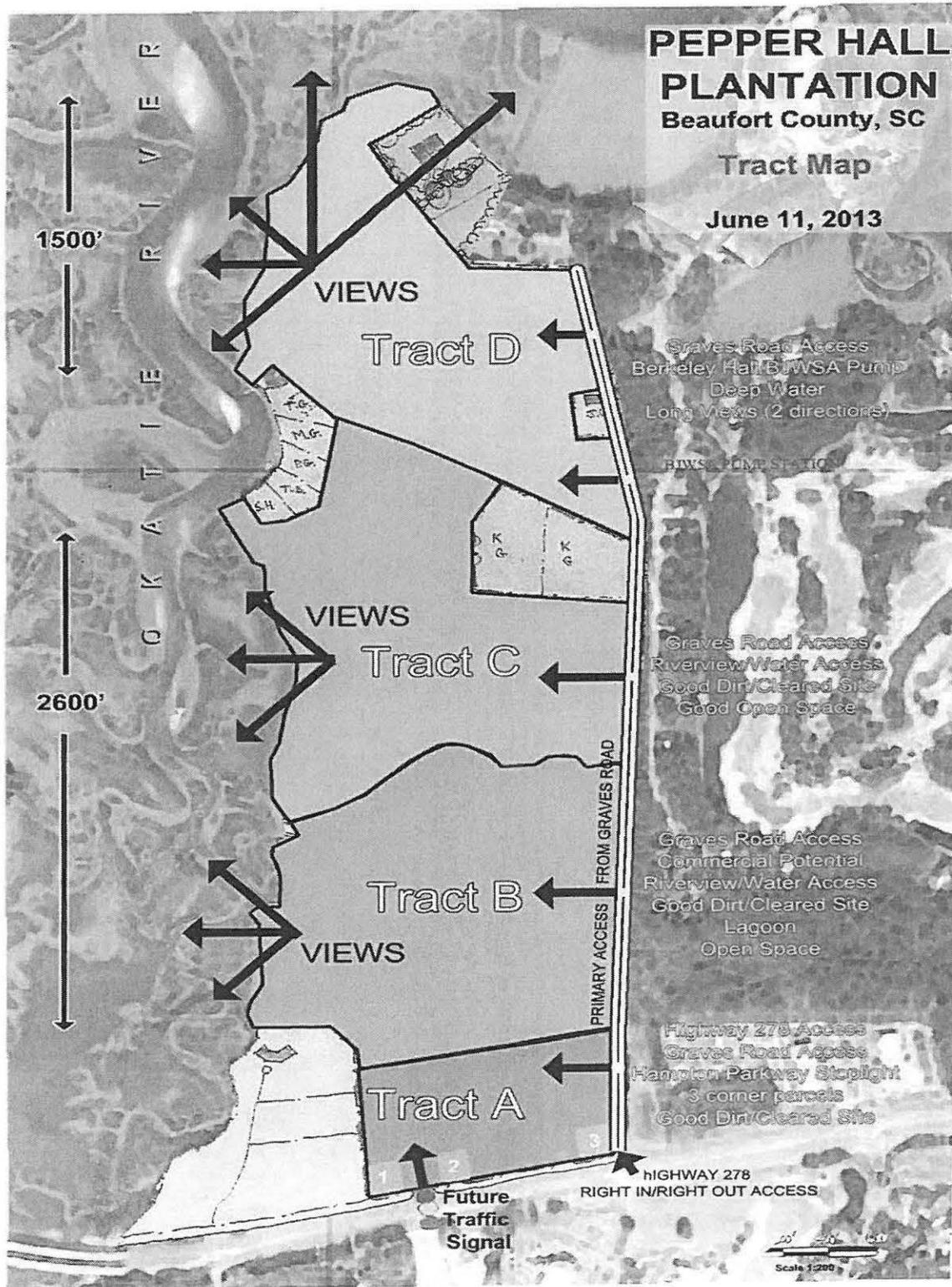


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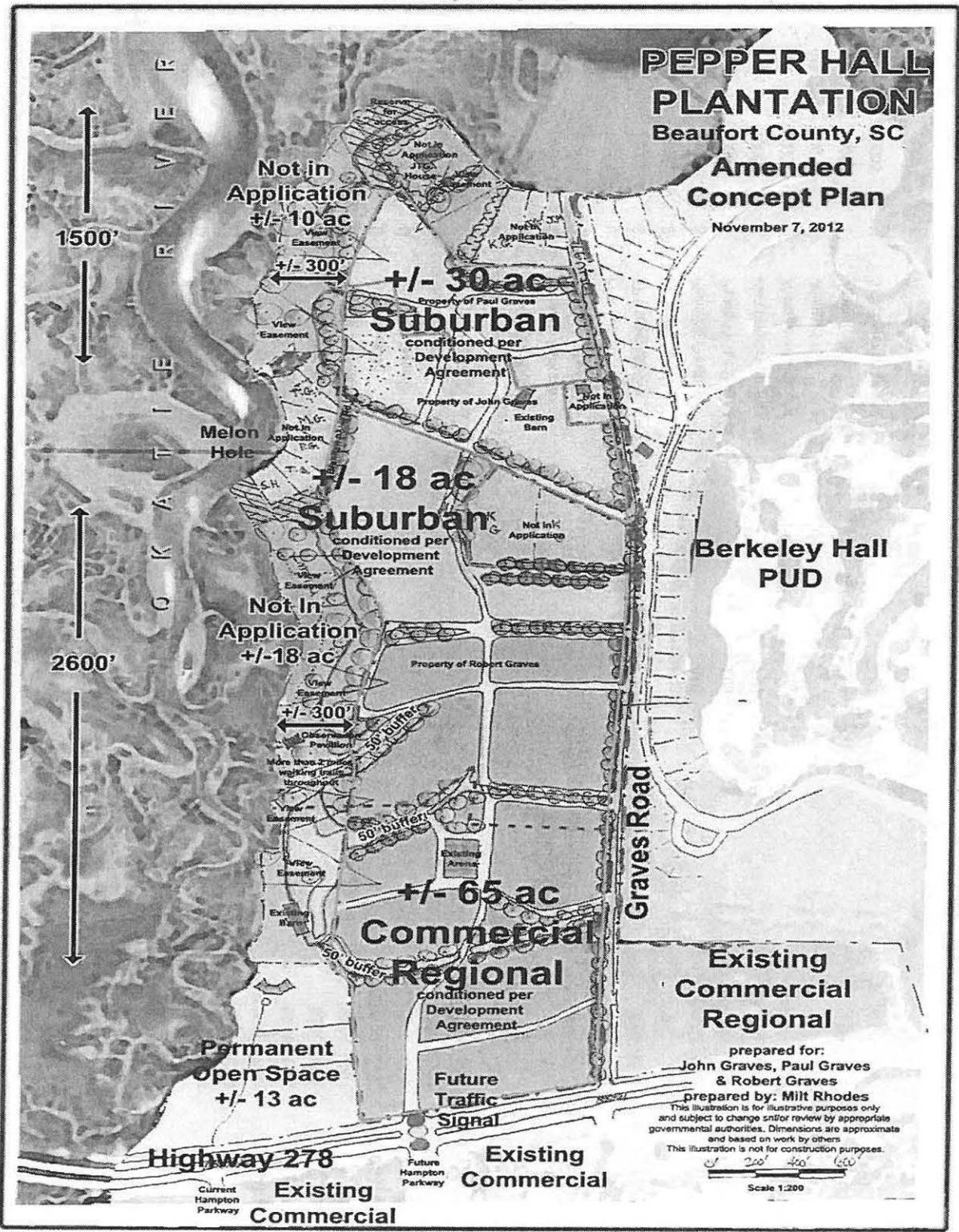


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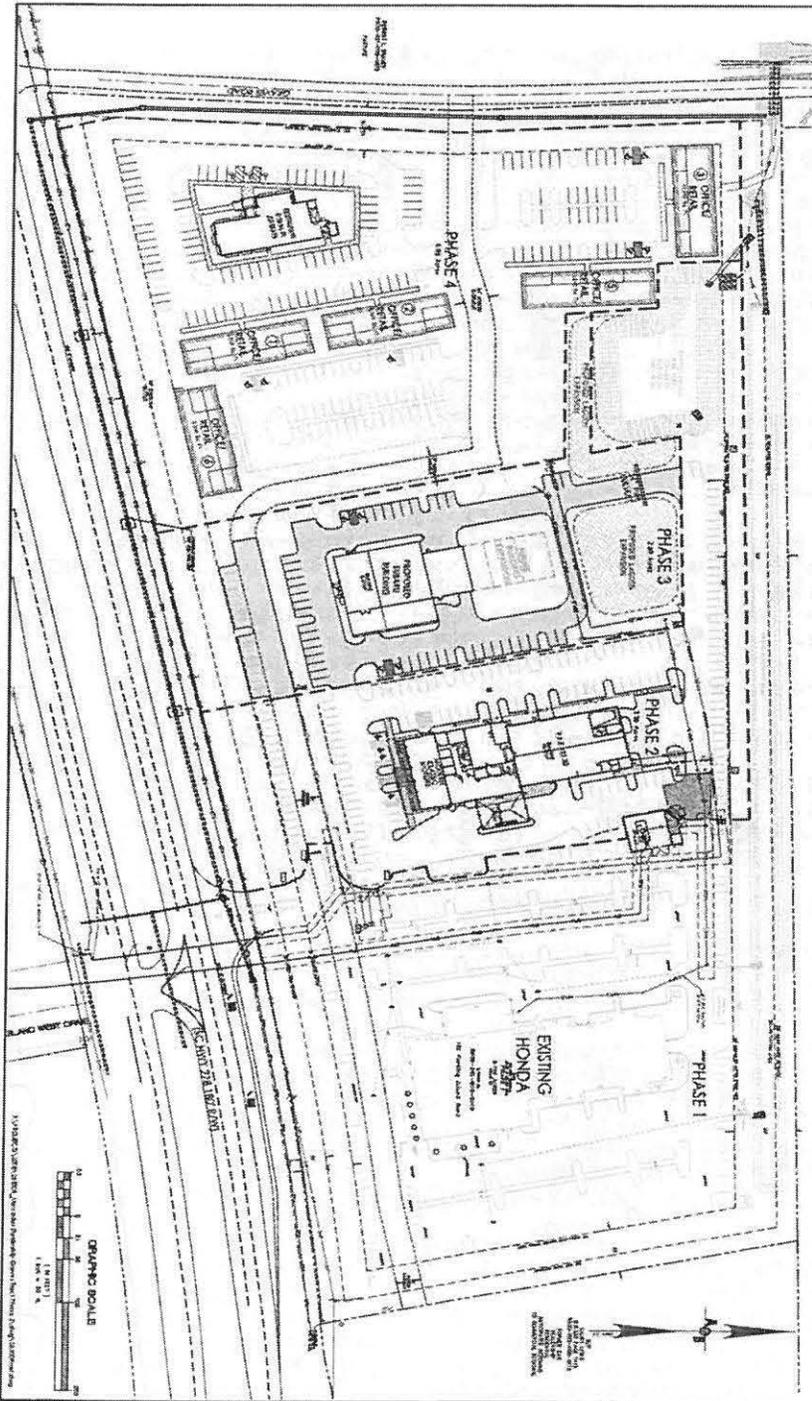
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**ROBERT GRAY'S TRACT - PHASE IV**

Building	1.28 AC	22,540 SQ. FT.	23.0X
Asphalt	2.29 AC	41,745 SQ. FT.	42.1X
Concrete	0.15 AC	2,745 SQ. FT.	2.8X
TOTAL IMPROVED AREA	3.72 AC	67,030 SQ. FT.	68.0X
OPEN SPACE	1.44 AC	26,211 SQ. FT.	26.7X
TOTAL LANDSCAPED AREA	4.21 AC	77,241 SQ. FT.	78.7X
TOTAL PAVED W/ BIT.	4.21 AC	77,241 SQ. FT.	78.7X

**ROBERT GRAY'S TRACT - PHASE III**

Building	0.14 AC	2,520 SQ. FT.	2.6X
Asphalt	0.14 AC	2,520 SQ. FT.	2.6X
Concrete	0.14 AC	2,520 SQ. FT.	2.6X
TOTAL IMPROVED AREA	0.42 AC	7,560 SQ. FT.	7.8X
OPEN SPACE	1.28 AC	23,424 SQ. FT.	23.9X
TOTAL LANDSCAPED AREA	1.70 AC	30,984 SQ. FT.	31.7X
TOTAL PAVED W/ BIT.	1.70 AC	30,984 SQ. FT.	31.7X

**ROBERT GRAY'S TRACT - PHASE II**

Building	0.14 AC	2,520 SQ. FT.	2.6X
Asphalt	0.14 AC	2,520 SQ. FT.	2.6X
Concrete	0.14 AC	2,520 SQ. FT.	2.6X
TOTAL IMPROVED AREA	0.42 AC	7,560 SQ. FT.	7.8X
OPEN SPACE	1.28 AC	23,424 SQ. FT.	23.9X
TOTAL LANDSCAPED AREA	1.70 AC	30,984 SQ. FT.	31.7X
TOTAL PAVED W/ BIT.	1.70 AC	30,984 SQ. FT.	31.7X

**ROBERT GRAY'S TRACT - PHASE I (HONDA)**

Building	0.14 AC	2,520 SQ. FT.	2.6X
Asphalt	0.14 AC	2,520 SQ. FT.	2.6X
Concrete	0.14 AC	2,520 SQ. FT.	2.6X
TOTAL IMPROVED AREA	0.42 AC	7,560 SQ. FT.	7.8X
OPEN SPACE	1.28 AC	23,424 SQ. FT.	23.9X
TOTAL LANDSCAPED AREA	1.70 AC	30,984 SQ. FT.	31.7X
TOTAL PAVED W/ BIT.	1.70 AC	30,984 SQ. FT.	31.7X

**ROBERT GRAY'S TRACT - PHASES I, II, III & IV**

Building	1.56 AC	28,560 SQ. FT.	29.2X
Asphalt	1.56 AC	28,560 SQ. FT.	29.2X
Concrete	1.56 AC	28,560 SQ. FT.	29.2X
TOTAL IMPROVED AREA	4.68 AC	85,680 SQ. FT.	87.6X
OPEN SPACE	11.80 AC	219,840 SQ. FT.	225.6X
TOTAL LANDSCAPED AREA	16.48 AC	305,520 SQ. FT.	313.2X
TOTAL PAVED W/ BIT.	16.48 AC	305,520 SQ. FT.	313.2X

Site Development Plan  
 Station Development  
 Robert Gray's Tract, Phase 1  
 Hwy. 218 & O'Brien Road  
 Marietta, Bedford County

Checked  
 Prepared  
 1/20/04

Drawn By: 1/20/04  
 Checked By: 1/20/04  
 Engineer: 1/20/04

SHEET  
**2**

JOB: 283009

**Andrews & Burgess Inc.**  
 Engineering & Surveying

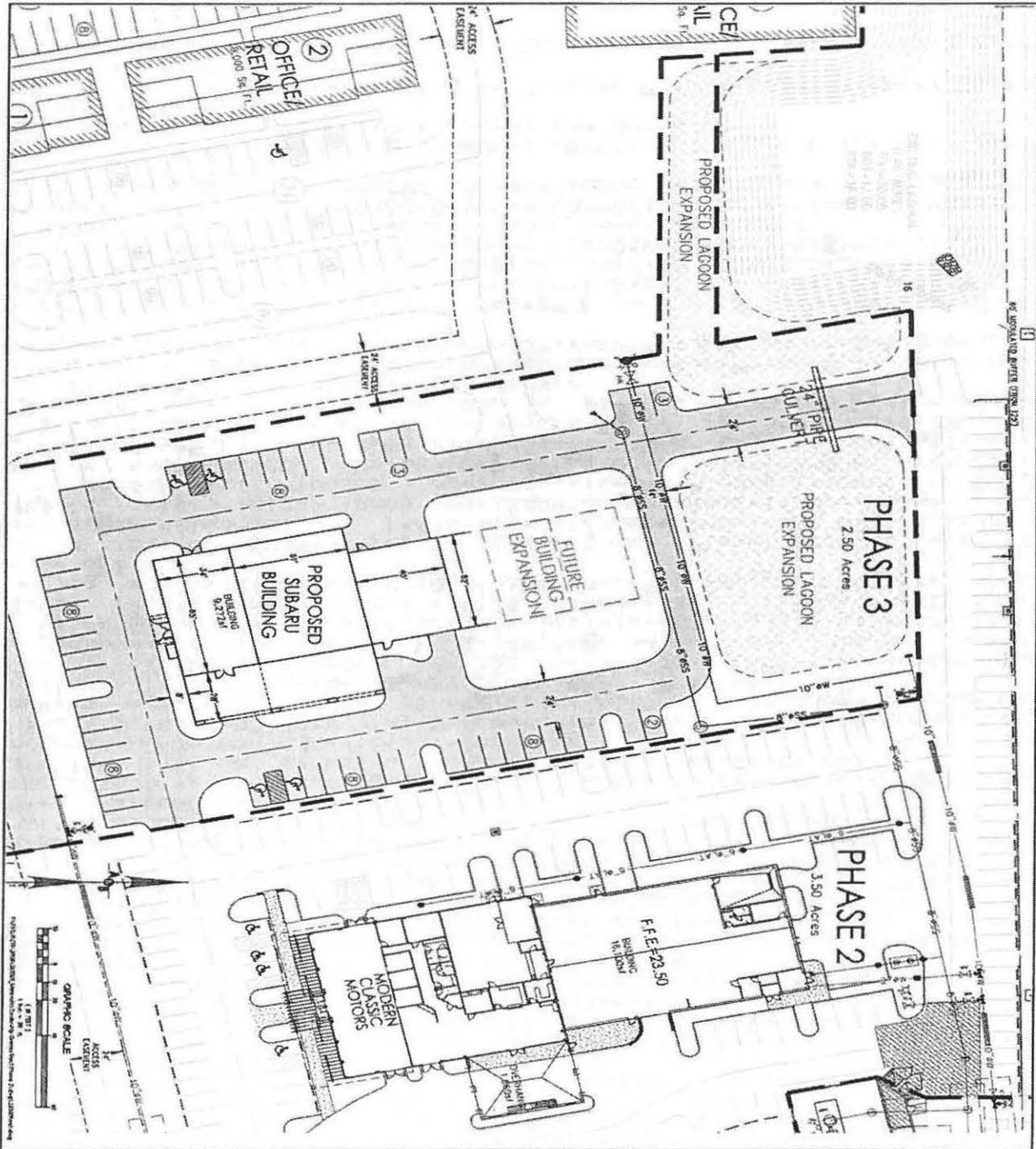
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STATE OF GEORGIA  
 COUNTY OF BEDFORD  
 ANDREW BURGESS  
 REGISTERED PROFESSIONAL SURVEYOR  
 No. 12088

**PLAN REVISIONS**

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
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9			
10			



JOB: 283009  
SHEET #:  
**5**

DATE: 10/11/07  
DRAWN BY: JCB  
CHECKED BY: JCB  
SCALE: 1/8"=1'-0"

Site Development Plan  
For  
Subaru Development  
Phase 2  
11000 Hwy. 278 & Green Road  
Bullitts, Bedford County

**Andrews & Burgess Inc.**  
Engineering & Surveying  
408 Davidson Road  
Bullitts, SC 29906  
803.462.5144  
Fax: 803.462.5144

THE GEORGE W. BURGESS & SONS COMPANY  
Professional Seal  
Professional Seal

PLAN REVISIONS		
NO.	DESCRIPTION	DATE

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Southern Beaufort County Proposed CIP for Roads

Priority	Project Name	Project Limits	Description	Status/Comments	Bike/Ped Considerations	Project Management	Total Estimated Cost (X 1,000)	Local Funding
	Bluffton Parkway Phase 3 & 4	From: S 474 (Simmonsville Rd) To: SC 170	New 4-lane divided controlled access arterial on new alignment	Bluffton Parkway Phase 3 & 4 Under Construction (Jan 07)				
1	Buckwalter Parkway Widening	From: US 278 To: SC 46 (May River Rd)	Widening to a 4-lane divided controlled access arterial	Buckwalter Pkwy Under Design w/ T&H	8' Pathways	Beaufort County	\$32,000	\$28,950
2	SC 46 Widening	From: US 278 To: Bluffton Village	Widening to a 4-lane divided arterial w/ intersections	Preliminary plans completed by HGBD Need to NEPA and R/W needs	Bikelanes	SCDOT	\$5,750	\$3,521
3	Burnt Church Road Widening Phase 1	From: US 278 To: Bluffton Parkway	Widening to a 4-lane divided arterial (approx. 2,000 ft)	Preliminary plans completed by HGBD Need to NEPA and R/W needs	Bikelanes	SCDOT	\$2,200	\$321
4	Bluffton Parkway Phase 5	From: S 163 (Burnt Church Rd) To: US 278	New 4-lane divided controlled access arterial on new alignment; 2 Median Closures on US 278	Florence & Hutcheson contracted w/ County for P & E (\$1,600,000); Jan 08	Yes		\$50,000	\$800
5	Foreman Hill Road Connection	From: US 278 To: Ulmer Road	New 2-lane collector connecting Foreman Hill w/ Malphrus Rd	Thru CTC and Dirt Road Paving Prgrm; R/W Being Acquired	Yes	Beaufort County	\$250	\$250
6	US 278 Frontage Road (The Gatherings)	From: Buckingham Plantation To: The Gatherings	New local roadway to Buckingham Plantation Dr w/ Median Closure at the Gatherings	Working with Gatherings POA and Bridge Center to identify R/W alignmnt To be completed with Current Widening Contract	No	Beaufort County	\$300	\$300
7	Malphrus Road/US 278	From: US 278 To: Lowe's Access	Widening of intersection to permit Dual left-turn lanes (NB & WB)		No	SCDOT	\$1,000	
8	Squire Pope Rd/US 278	N/A	Improvement/realignment w/ additional thru lanes on US 278	Thru Hilton Head CIP	N/A	Hilton Head/SCDOT	\$2,000	\$2,000
9	US 278 Frontage Road (Tanger 1)	From: Burnt Church Road To: Malphrus Road	Frontage Road Connectivity thru parking areas and easements	Portions Developer Driven (Harrel Tract and Tanger 1); Remainder County	No	Beaufort County	\$1,500	\$1,500
10	US 278 (W.H. Pkwy) Resurfacing	From: Squire Pope Road To: Sea Pines Circle From: US 278	Highway resurfacing	HHI CIP	Existing	Hilton Head/SCDOT	\$4,700	\$2,700
11	Simmonsville Road Widening	To: Bluffton Parkway	Widening to 4-lane divided	P&E not started; Design not started	Yes	SCDOT	\$6,000	\$354
12	Buck Island/US 278	N/A	Intersection Improvement	Needs Design, SCDOT Project w/ US 278 Widening	N/A	SCDOT	\$791	\$141
13	Buckwalter Pkwy/US 278	N/A	Dual left-turn lanes (NB & WB)	To be completed with Buckwalter Parkway widening	N/A	Beaufort County	\$0	
14	US 278 Signal System & ITS Architecture Plan	From: Jasper County To: HHI	Upgrade signals to Responsive Expand System, Long Term ITS	Signal controllers have been updated	N/A	SCDOT	\$1,000	
15	US 278 Widening, Phase 2	From: Simmonsville Road To: Buck Island Road	Widening to 6-lane divided access controlled arterial	P&E not started; Design not started	Shoulders	SCDOT	\$4,000	
16	SC 46/SC 170 Roundabout	N/A	Intersection re-alignment & Roundabout Construction	Developer Funded and Constructed	Yes	Private Developer	\$1,240	\$1,240
17	SC 170 Widening, Phase 1	From: SC 46 To: Bluffton Parkway	Widening to 4-lane divided w/ protection of adjacent trees	150' R/W thru development agreemnt Need inclusion in STIP; EA not started	Yes	SCDOT	\$5,675	\$4,500
18	US 278 Widening, Phase 3	From: Buck Island To: SC 170	Widening to 6-lane divided access controlled arterial	P&E not started; Design not started	0	SCDOT	\$22,500	\$2,398
19	Old Millier Road Extension	From: Grande Oaks To: Lake Point Drive	New collector roadway for connectivity in Grande Oaks	R/W identified; Approximate length: 1,800 ft	Yes	Beaufort County	\$600	\$600

VALUATION PROCESS (CONT.)

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Southern Beaufort County Proposed CIP for Roads

Priority	Project Name	Project Limits	Description	Status/Comments	Bike/Ped Considerations	Project Management	Total Estimated Cost (X 1,000)	Local Funding
20	Intersection Lighting	N/A	PalmettoElectric install 4-poles and lighting at intersections	Cost Estimate provided by PalmettoElectric	N/A		\$93	
21	US 278 Frontage Road (Buckwaller Commercial)	From: Island West To: Buckwaller Parkway	Includes Median Closure at Buckwaller Commercial		No		\$660	\$660
22	US 278 Frontage Road (St. Gregory)	From: Fire Station To: Berkley Hall	Frontage Road between Berkley Hall, Church and Station	St. Gregory is Studying Potential	No		\$500	\$500
23	US 278 Frontage Road (Rose Hill)	From: Rose Hill To: Buck Island	Frontage Road between Rose Hill and Commercial area on Buck Is	Would require Rose Hill POA Assistance	No		\$822	\$640
24	US 278 Frontage Road (Plantation Business Park)	From: Westbury Park To: Simmonsville Rd		Possible alignment adjacent to Powerline Easement	No		\$2,782	\$1,000
25	US 278 Frontage Road (Sheridan Park)	From: Sheridan Park To: SC 48	Intersect at Kitties Crossing	Developer Driven	No		\$2,371	\$2,371
26	SC 170 Widening, Phase 2	From: Bluffton Parkway To: US 278	Widening to 4-lane divided w/ protection of adjacent trees	Include in STIP; Feasibility Study, EA needed	Yes	SCDOT	\$6,200	\$4,000
27	Graves Road Alignment/US 278	N/A	New Intersection	Developer Driven	Yes		\$375	\$375
28	US 278 Widening, Phase 4	From: SC 170 To: SC 141	Widening to 6-lane divided access controlled arterial	Needs Design, Include in STIP	0	SCDOT	\$10,000	
29	SC 170 Widening, Phase 3	From: US 278 To: Riversbend PUD	6-lanes divided	Needs Design	Yes	SCDOT	\$6,000	\$3,000
30	US 278/SC 170 Interchange	Interchange Improvement	Improve westbound off-ramp, Possible Roundabout	Needs Study/Design	No	SCDOT	\$1,500	\$1,000
31	Buck Island Road Widening	From: US 278 To: Bluffton Parkway	Widening to provide 3-lanes	Needs Design	Yes	SCDOT	\$3,500	
32	Bruin Road Extension	From: Burnt Church Rd To: Buckingham Plantation	New 2-lane collector road from Burnt Church thru Foreman Hill	Need Concept Plan and Environmental Review	Yes		\$6,800	\$2,000
33	Burnt Church Road Widening Phase 2	From: Bluffton Parkway To: Bruin Road	Widening to provide 4-lane divided	Design being review by SCDOT	Sidewalks & Bikelanes	SCDOT	\$2,460	
<b>TOTAL</b>							<b>\$185,489</b>	<b>\$65,121</b>

VALUATION PROCESS (CONT.)

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## METHODS OF ANALYSIS

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In general appraisal practice, an approach to value is included or omitted based on its applicability to the property type being valued and the quality and quantity of information available. The appraiser's will utilize the Direct Sales Approach in this analysis. The Cost Approach is considered irrelevant; in this current market the Cost Approach is considered representative of the entry cost to the market rather than the market value of the property. The Direct Sales Approach is considered relevant, due to the sales of land tracts in the immediate area that are comparable to the subject. As such we have omitted the Cost Approach and Income Approach from this valuation assignment and in doing so acknowledge that the exclusion of this method of analysis will not affect the credibility of my value conclusion.

## LAND SALES COMPARISON APPROACH

The comparable data used in this analysis are appropriate for valuing the subject on a comparison based analysis given its current use and its determined highest and best use, and it represents the best data available from within this marketplace. Our research concentrated on similar local vacant land sales.

## LAND MARKET VALUE "AS VACANT" SALES ANALYSIS

COMPARABLE LAND SALES SUMMARY					
Sale	Location	Date	Size (gross/net)	\$/acre (unadjusted)	\$/acre (adjusted)
1	1890 N. Paris Avenue	11/14/11	6.90/6.90 acres	\$263,043	N/A
2	9B Hampton Parkway	09/17/12	67.5/19 acres	\$99,737	\$159,579
3	281 May River Road	03/01/13	330/165 acres	\$12,727	N/A
4	75 Baylor Drive	09/28/12	12.2/11 acres	\$204,545	N/A
5	140 Squire Pope Road	09/27/11	5.33/5.33 acres	\$656,660	N/A
6	68 Land Helmsman Way	05/14/12	10.56/10 acres	\$266,500	N/A
7	Hampton Parkway	07/14/10	55.88/50 acres	\$186,000	\$195,300
8	1940 Okatie Highway	03/21/12	20/20 acres	\$187,500	\$225,000
9	SC Highway 170/Okatie Highway	11/26/12	101/80 acres	\$18,750	\$35,155
	<b>AVERAGES</b>			<b>\$210,607</b>	<b>\$153,759</b>

Unadjusted, the sales used in my analysis ranged in price/acre between \$12,727 and \$656,660, with a mean average of \$210,607/acre.

Considering the above, along with considering current economic conditions, it is my opinion that the market value for the subject property "as vacant" would be **\$225,000/acre**. Applying this per acre estimate of value to the subject's 102.8 acres results in a **market value conclusion "as if vacant" of \$23,130,000** which was rounded to **\$23,000,000**.

Standards Rule 1-5, USPAP requires an analysis of any current agreement of sale, options, or listings for the subject property as of the effective date of the appraisal; and further to analyze all sales of the subject property that have

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occurred within the last three (3) years prior to the effective date of the appraisal. None have occurred as of this date on my research of all the properties reported.

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## Land Sales Adjustment Grid

Elements of Subject comparison		Sale 2	Sale 7	Sale 8	Sale 9
Location	Fording Island @ Graves Road	9B Hampton Parkway	Hampton Parkway	122 Okatie Center	Okatie Hwy/Marsh
Sale Date	N/A	09/17/12	07/14/10	03/21/12	11/26/12
Sales Price	N/A	\$1,895,000	\$9,300,000	\$3,750,000	\$1,500,000
Size in acres	102.8	67.5	55.8	20	101
Estimated Highland ac	99	19	50	20	80
Frontage	N/A	N/A	N/A	N/A	N/A
\$/acre of Highlands	\$0.00	\$99,737	\$186,000	\$187,500	\$18,750
Economic Adjustments					
Property rights		0%	0%	0%	0%
Financing		0%	0%	0%	0%
Conditions of Sale		0%	0%	0%	25%
Time		0%	0%	0%	0%
Total Net		0%	0%	0%	0%
Adjustments					
Dollar Adjustments		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$4,687</u>
Adj./Price/acre		<u>\$99,737</u>	<u>\$186,000</u>	<u>\$187,500</u>	<u>\$23,437</u>
Physical Adjustments					
Location/Access		25%	0%	10%	20%
Topography/Frontage		25%	0%	10%	20%
Water Feature		10%	25%	25%	10%
Land Size		-25%	-20%	-25%	0%
Zoning/Use		25%	0%	0%	0%
Utilities		0%	0%	0%	0%
Net adjustments		60%	+5%	+20%	+50%
Dollar adjustments		<u>+\$59,842</u>	<u>+\$93,000</u>	<u>+\$37,500</u>	<u>+\$11,718</u>
Adjusted \$Per acre		<u>\$159,579</u>	<u>\$195,300</u>	<u>\$225,000</u>	<u>\$35,155</u>
Averages					
Mean		<b>\$153,759</b>			
Range of Adjusted Sales		<b>\$35,155-</b> <b>\$225,000</b>			
Conclusion		<b>\$225,000/AC</b>			
Market Value Estimate		<b>\$23,130,000</b>			
		Call it			
		<b>\$23,000,000</b>			

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After analyzing each of the sales in comparison and extensive other research of data in and around this market area and making adjustments to each for economic factors and then for dissimilar physical characteristics, a price/acre range results of between \$159,579 and \$225,000/acre are shown. Sale #9 was examined, but due to its market disposition was considered a distress sale. Market benchmarks were extracted from all nine sales and even five more that were reviewed, but those that were considered relevant were sales 2, 7, and 8. Sale #2 was the first take down of a three phase purchase by Beaufort County in the Okatie Land Acquisition in their preservation of the salt marsh in order to extend the Okatie Regional Park. Adjustments were necessary for inferior highway frontage, access, inferior water body, and effective useable area, plus a size adjustment for the net effective upland areas. This transaction yielded a \$160,000/acre representation of the subject tract, and after the examination of sales 7 and 8 appeared to be our threshold value per unit. Sale #7 was very similar in most respects to the subject except for the water component, and sale #8 was seriously limited by its location, lack of highway frontage, substandard soil/topo, and of course, no water feature and a size difference.

During my analysis of these sales data and others, I was able to determine that the subject was comparable to all sales adjusted (2,7,8) in certain aspects, however, adjustments for water features and size came from examination of all sales reviewed in this file which are reported within the addenda. The three sales above were deemed the best comparables after adjustments, although the adjustments were a product of my examination of all sales, especially the water featured properties. Given the range of my adjusted sales and the superior size and features of the subject tract, I have concluded that the subject property falls within the upper range and even the top of the range at **\$225,000/acre**.

In addressing the potential separation of the 18 acres of river frontage along the Okatie River and the remainder portion of 84.8 acres of interior property along Graves Road, I have applied the same adjustments for the size differences and the water component difference to sale #7, which is considered the best comparable for the subject in the after condition and which yields an indication of \$150,000/acre for the interior 84.8 acres of the remainder and a separate estimate of \$12,720,000. Referencing the 18 acres of riverfront along the Okatie was an extension of my established value of the whole 102.8 acres at \$225,000/acre and a size adjustment of 25% for the 18 acres, or \$280,000, which is reported at an estimate of \$5,040,000.

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## RECONCILIATION

**Sales Comparison Approach**

The strength of the Sales Comparison Approach is that it reflects the actions of buyers and sellers in the marketplace. A difficulty in the Sales Comparison Approach is finding comparable data with limited differences from the subject property in terms of location and use characteristics. The Sales Comparison Approach provides a good indication of value due to the many properties recently sold that are considered to be similar in commercial potential.

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 MARKET VALUE
 

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Sales Comparison Approach: **\$23,000,000**

Based upon my analyses and reconciliation of values concluded from the valuation methodologies applied, I am of the opinion that the Market Value under the highest and best use scenario stated within, as of June 13, 2013, was:

**TWENTY THREE MILLION DOLLARS**  
**(\$23,000,000)**

**Reasonable Exposure Time**

Exposure time is always presumed to precede the effective date of the appraisal. It is the estimated length of time the property would have been offered prior to a hypothetical market value sale on the effective date of appraisal. It is a retrospective estimate based on an analysis of recent past events, assuming a competitive and open market. It assumes not only adequate, sufficient, and reasonable time but adequate, sufficient, and reasonable marketing effort. Exposure time and appraisal conclusion of value are, therefore, interrelated. Exposure time is often expressed as a range and is based on direct and indirect market data gathered during the market analysis, sales verifications, interviews with market participants, and other appropriate sources. The amount of time which a property will require to be marketed varies greatly depending on a number of factors including market conditions, listing price, terms of sale offered, and competitive listing inventory. Typically, 30 to 60 days is considered a reasonable amount of time for the property to be made known to potential purchasers through the news media, advertising, multiple listing service, etc. At the time a contract occurs, due diligence by the buyer, loan application, etc., can take an additional 30 to 90 days. Historically, for this property type, properties have been on the market for six months to one year, if reasonably priced.

**Real Estate Broker Surveys** - As an additional information source, the opinions of real estate brokers knowledgeable in the subject market and property type were solicited. While the majority of individuals surveyed were reluctant to predict an exact exposure time length for similar properties generally, they estimated an approximate range between 12-24 months. All assumed that property would be appropriately priced and marketed. When asked about the subject property specifically, the consensus of opinion was that the subject would receive good recognition in the commercial land marketplace under a reasonable plan for pricing and promotion.

**Exposure Time Conclusion** - In conclusion, based on the foregoing analysis, an exposure time of 12-24 months is reasonable, defensible, and appropriate. Like the brokers surveyed, this exposure time estimate assumes that the subject property would have been competitively priced and aggressively promoted.

**Exposure Time** – 1. The time a property remains on the market. 2. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market.

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**Marketing Period (Marketing Time)** – An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (Advisory Opinion 7 of the Appraisal Standards Board of The Appraisal Foundation and Statement on Appraisal Standards No. 6, “Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions” address the determination of reasonable exposure and marketing time.)

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## ADDENDA

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## LAND SALES

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**STATE OF GEORGIA  
REAL ESTATE APPRAISERS BOARD**

**JOHN J GANEM**

**298**

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229 Peachtree Street, N.E.  
Atlanta, GA 30303-1605

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END OF RENEWAL  
05/31/2013



WILLIAM L. ROGERS, JR.  
Real Estate Commissioner

24375210

JOHN J GANEM

# 298  
status ACTIVE

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Real Estate Commissioner

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**PROFESSIONAL QUALIFICATIONS**

Johnnie Ganem, J.D., CRA  
Chief Appraiser

Georgia Office  
340 Eisenhower Drive  
Building 800 Central Park  
Savannah, Georgia 31406

South Carolina Office  
One Mallet Way  
Suite 102, Sheridan Commons  
Bluffton, South Carolina 29910

**BUSINESS EXPERIENCE:**

President of Johnnie Ganem Appraisal Company, Inc., an independent real estate appraisal/consulting/brokerage/property management firm located in Savannah, Georgia since 1988. Prior to opening private practice, was Chief Appraiser/Vice President of Bankers First Federal Savings and Loan since 1985 overseeing the Savannah office for Southern Georgia and administering nine appraisers. Range of appraisal services included properties both residential and commercial, historic and institutional, existing and proposed, also qualified as an expert witness for Federal and Superior Court appearances for appeals and disputes, confirmation on foreclosures and estate issues, bankruptcy and property settlement, conservation and facade easements, fractional interest, and master hearings on condemnations, etc. Also qualified as FHA/HUD staff appraiser for Bankers First Mortgage Corporation and currently qualify as contract appraiser and HUD reviewer for LIHPRHA. From 1981 to 1985, residential/commercial/industrial appraiser with the Chatham County Tax Assessor's office, and from 1977 to 1981 practiced as a commercial broker. Recently served for a short term on the Board of Assessors (1991), and currently serving on the Savannah Owned Asset Management Committee, the Historic Savannah Foundation, and the Savannah Board of Realtors Liaison Committee.

**EDUCATION:**

Doctor of Jurisprudence, John Marshall Law School, Savannah, Georgia, 1977.  
Bachelor of Arts Degree (History), Belmont Abbey College, Belmont, N.C., 1972

**TERRITORY & COURTS**

Service area extends from Hilton Head Island to Brunswick along the coast, and other lower portions of Georgia and South Carolina. Qualifications include circuit and superior courts in the following districts of: Chatham, Jasper, Beaufort, Bulloch, Glenn, Effingham, Bryan, Wayne and Liberty. Court files and appearances are available upon request.

**MEMBERSHIP/AFFILIATIONS:**

The Appraisal Institute (Associate Member) Local Chapter #182.  
National Association of Review Appraisers & Mortgage Underwriters (Designated Member CRA).  
National Association of Realtors, Georgia Association of Realtors, Savannah Board of Realtors.  
National Association of Home Builders, Savannah Home Builder's Association.  
Georgia Association of Assessing Officials.

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General Certified Real Estate Appraiser (Georgia No. 000298)  
General Certified Real Estate Appraiser (South Carolina No. GC 001067)  
Small Business Assistance Corporation – Board of Directors – 2008-2012

Successfully completed Appraisal Institute and other education courses and seminars as follows:

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State of Georgia - Real Estate Salesman's License - 1/7

Realtors National Marketing Institute - Commercial Investment Course 101 - 12/79

State of Georgia - Real Estate Brokers License #60539

SREA Course 101 - Introduction to Real Property - 6/84

SREA Course 102 - Applied Residential Property Valuation - 3/85

Georgia Department of Revenue - Certification of Appraiser IV - 3/85

R-41 B and The Appraiser - Dr. William Kinnard - 12/85

U.S. Dept. Of HUD - Region IV Qualified FHA Appraiser #2187

Narrative Report Writing Seminar - Cal Reynolds, Greensboro, NC 11/86

R-41 C Responsibility - J. Carl Shultz - 1/87

R-41 C - Doug Lovell, MAI Chief Appraiser FHLBB - 2/87

National Association of Review Appraisers & Underwriters - Designated "Certified Review Appraiser" CRA - 2/87

Superior Court U.S. Bankruptcy - Qualified Expert Witness

ERC Conference - Relocation Update Report - 5/88

R-41 C Depreciation Analysis - John Underwood - 2/88

SREA - Standards of Professional Practice and Conduct - 2/89

Recent Development in Income Property Valuation - Dr. William Kinnard

The SREA Subdivision Analysis - 4/20/90

SREA - Principle of Income Property Appraising, Course 201 11/2/90 - 11/14/90

The Appraisal Institute - Wetlands & Environmental Assessments 1/24/91

The Appraisal Institute - Standards of Professional Practice A & B 3/29/91

The Appraisal Institute - Financial Calculators - 12/5/91

The Appraisal Institute - Income Property Valuation for the 1990's - 12/6/91

The Appraisal Institute - Rates, Ratios & Reasonableness - 2/11/93

The Appraisal Institute - Appraising Troubled Properties - 2/12/93

The Appraisal Institute - Real Estate Risk Analysis - 12/7/93

Georgia Real Estate Appraisers Board - Practical Overview of Evaluations and Other Limited Scope - 4/13/94

Lincoln Graduate Center - Standards of Professional Appraisal Practice (USPAP) - 1/13-14/96

Appraisal Institute - Advanced Income Capitalization #510 - 2/17-21/97

Lincoln Institute - Assessing Land Affected by Conservation Easements 2/28/97

Appraisal Institute - Income Valuation of Small Mixed Use Properties - Course #600 - 3/98

Appraisal Institute - Standards of Professional Practice, Part C Course 430 - November 19-20, 1998

Appraisal Institute - Case Studies in Commercial Highest and Best Use- 06/25/99

Appraisal Institute - International Symposium - The Globalization of Real Estate - 06/26/99

Appraisal Institute - General USPAP update- 06/27/99

Appraisal Institute - Commercial Mortgage Backed Securities - 06/27/99

Appraisal Institute - Analyzing Operating Expenses - 5/18/00 - 5/19/00

The University of Georgia - A Guide to Conservation Easements - 11/14/01 - 11/15/01

Appraisal Institute - Real Estate Fraud - 1/18/02

Bramlett School of Real Estate - Appraising to Fannie Mae Guidelines - 3/10/02

Appraisal Institute - Partial Interest Valuation - 4/26/02

Appraisal Institute- General Applications- #520- 10/1/02- 10/19/02

Appraisal Institute - General Applications #1320 - 10/13/02- 10/19/02

Appraisal Institute - Supporting Cap Rates - 01/17/03

Appraisal Institute - Land Valuation Adjustment Procedure - 06/12/03

Appraisal Institute - Road Less Traveled: Special Purpose Properties - 03/05/04

Appraisal Institute - Professional's Guide to Conservation Easement - 10/21/04

Appraisal Institute - National USPAP Course - 12/02/2004

Appraisal Institute - Report Writing & Case Studies - 12/15/2005

Appraisal Institute - National USPAP Course - 01/19/07

Appraisal Institute - Forecasting Revenue - 03/02/07

Appraisal Institute - Quality Assurance in Residential Appraisals -

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The Appraisal Institute - Advanced Sales Comparison and Cost Approaches -  
10/30/94 - 11/5/94

02/08/08

The Appraisal Institute - Environmental Risk and the Real Estate Appraisal  
Focus - 4/7/95

Appraisal Institute - Valuation of Conservation Easements -  
08/04/08-08/08/08

The Appraisal Institute - National USPAP Course - 02/18/09

The Appraisal Institute- Lending World in Crisis- March 2011  
The Appraisal Institute- Seven Hour USPAP Course- March 2011

The Appraisal Institute- Residential Site Evaluation & Cost Approach-March  
2010

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