

COUNTY COUNCIL OF BEAUFORT COUNTY  
 ADMINISTRATION BUILDING  
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GERALD W. STEWART  
 VICE CHAIRMAN

COUNCIL MEMBERS

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 RICK CAPORALE  
 GERALD DAWSON  
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 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

THOMAS J. KEAVENY, II  
 COUNTY ATTORNEY

SUZANNE M. RAINEY  
 CLERK TO COUNCIL

**AGENDA**  
**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**Monday, June 22, 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 Hilton Head Island Branch Library, Hilton Head Island as well as Mary Field School, Daufuskie Island. Speaker sign-up is required no later than 4:45 p.m. prior to the beginning of the meeting.

1. CAUCUS - 4:00 P.M.
  - A. Discussion of Consent Agenda
  - B. Discussion is not limited to agenda items
  - C. Executive Session
    - (i) Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property;
    - (ii) Proposed purchase of property pursuant to the Beaufort County Rural and Critical Lands Program;
    - (iii) Receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege
2. REGULAR MEETING - 5:00 P.M.
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. INVOCATION – Chairman D. Paul Sommerville
  - A. Moment of Silence in Remembrance of:
    - State Senator Clementa Pinckney
    - Cynthia Hurd
    - Susie Jackson
    - Ethel Lance
    - Rev. DePayne Middleton-Doctor
    - Tywanza Sanders
    - Rev. Daniel Simmons, Sr.
    - Rev. Sharonda Singleton
    - Myra Thompson



6. ADMINISTRATIVE CONSENT AGENDA

- A. Approval of Minutes – June 8, 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 (July 27 at 2:00 p.m., ECR)
  - 2. Executive (August 10 at 2:00 p.m., ECR)
    - a. Minutes – June 3, 2015 ([backup](#))
  - 3. Finance (August 17 at 2:00 p.m., BIV #3)
  - 4. Governmental (July 28 at 4:00 p.m., ECR)
    - a. Minutes – June 1, 2015 ([backup](#))
  - 5. Natural Resources (July 20 at 3:00 p.m., ECR)
  - 6. Public Facilities (August 17 at 4:00 p.m., BIV #3)
    - a. Minutes – June 15, 2015 ([backup](#))
- E. Appointments to Boards and Commissions ([backup](#))

7. RETIREMENT RECOGNITION

- A. Mr. Morris Campbell, Division-Director Community Services

8. PROCLAMATION

- A. Mosquito Control Awareness Week, Mr. Gregg Hunt, Mosquito Control Director ([backup](#))

9. ANIMAL SHELTER VOLUNTEER RECOGNITION

- A. Mr. Ricky Mellen ([backup](#))

10. PUBLIC COMMENT – Speaker sign-up no later than 4:45 p.m. prior to the beginning of the meeting.

11. CONSENT AGENDA

- A. ST. HELENA ISLAND ZONING MAP AMENDMENT / REZONING REQUEST FOR R300-016-000-183A-0000 (10 ACRES, OFF BALL PARK ROAD, KNOWN AS THE LEROY E. BROWNE CENTER) FROM T2-R (RURAL) TO T2-RNO (RURAL NEIGHBORHOOD OPEN) ([backup](#))
  - 1. Consideration of second reading to occur June 22, 2015
  - 2. Public hearing Monday, July 27, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort
  - 3. First reading approval occurred June 8, 2015 / Vote 11:0
  - 4. Natural Resources Committee discussion and recommendation to approve the zoning map amendment on first reading occurred June 1, 2015 / Vote 7:0

**B. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 5.6.40 (PERMANENT SIGN TYPES FOR BUILDINGS, BUSINESSES AND COMMUNITIES) (TO PERMIT FREE STANDING SIGNS IN T4 DISTRICTS, SUBJECT TO CERTAIN CONDITIONS) ([backup](#))**

1. Consideration of second reading to occur June 22, 2015
2. Public hearing Monday, July 27, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort
3. First reading approval occurred June 8, 2015 / Vote 11:0
4. Natural Resources Committee discussion and recommendation to approve the zoning map amendment on first reading occurred June 1, 2015 / Vote 7:0

**C. CONTRACT AWARD / BLUFFTON BRANCH LIBRARY PORCH RENOVATION PROJECT ([backup](#))**

1. Contract award: Neal's Construction, Beaufort, South Carolina
2. Contract amount: \$100,777
3. Funding source: Account 26160011-54420-Renovations to Existing Building, Del Webb Library Fund; Account 26020011-54420-Renovations to Existing Building, Bluffton Library Impace Fees Funds
4. Public Facilities Committee discussion and recommendation to award the contract occurred June 15, 2015 / Vote 6:0

**D. CONTRACT AWARD / FOOD SERVICES FOR BEAUFORT COUNTY DETENTION CENTER ([backup](#))**

1. Contract award: ABL Management, Inc., Baton Rouge, Louisiana
2. Contract amount: Not to exceed \$307,000
3. Funding source: Account 10001250-51200, Detention Center Meals / Contracted Services
4. Public Facilities Committee discussion and recommendation to award the contract occurred June 15, 2015 / Vote 6:0

**E. CONTRACT AWARD / MEDICAL SERVICES FOR BEAUFORT COUNTY DETENTION CENTER ([backup](#))**

1. Contract award: Southern Health Partners, Chattanooga, Tennessee
2. Contract amount: \$555,840
3. Funding source: Account 10001250-51190, Detention Center Medical Services
4. Public Facilities Committee discussion and recommendation to award the contract occurred June 15, 2015 / Vote 6:0

**F. DIRT ROAD PAVING REQUIREMENTS FOR DIRT ROADS WITHOUT RIGHT OF WAY – CONDEMNATION REQUEST / JOHNSON LANDING ROAD, LADY'S ISLAND (CONDEMNATION OF EIGHT REMAINING RIGHT-OF-WAY PARCELS ON JOHNSON LANDING ROAD IN ORDER TO IMPROVE THE DIRT ROAD IN A FUTURE DIRT ROAD PAVING CONTRACT) ([backup](#))**

1. Public Facilities Committee discussion and recommendation to approve the condemnation of the eight remaining right-of-way parcels occurred June 15, 2015 / Vote 6:0

G. AN ORDINANCE DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING BEAUFORT COUNTY ADMINISTRATION TO TRANSFER REAL PROPERTY IDENTIFIED AS TMP: R120 008 000 0210 (AUTHORIZING THE COUNTY ADMINISTRATOR TO TRANSFER THE PROPERTY TO LOWCOUNTRY HABITAT FOR HUMANITY FOR REMEDIATION AND THE PROMOTION OF AFFORDABLE HOUSING) ([backup](#))

1. Consideration of first reading to occur June 22, 2015
2. Public Facilities Committee discussion and recommendation to approve ordinance on first reading occurred June 15, 2015 / Vote 6:0

12. PUBLIC HEARING

A. AN ORDINANCE DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING BEAUFORT COUNTY TO SELL REAL PROPERTY IDENTIFIED AS TMP: R100 033 00A 021B 0000 ([backup](#))

1. Consideration of third and final reading to occur June 8, 2015
2. Second reading approval occurred June 8, 2015 / Vote 11:0
3. First reading approval occurred May 26, 2015 / Vote 11:0
4. Public Facilities Committee discussion and recommendation to sell surplus property occurred May 18, 2015 / Vote 6:0

13. PUBLIC COMMENT - Speaker sign-up no later than 4:45 p.m. prior to the beginning of the meeting

14. ADJOURNMENT

Official Proceedings  
County Council of Beaufort County  
June 8, 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, June 8, 2015 beginning at 4:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 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, Steven Fobes, Alice Howard, William McBride, Stewart Rodman and Roberts "Tabor" Vaux.

**DISCUSSION ITEMS**

At the request of Mr. Caporale, Council discussed agenda item 8D, consulting services for the Rural and Critical Lands Preservation Program.

At the request of Mr. Rodman, Council discussed agenda item 9E, a resolution to adopt an Economic Development Policy for Beaufort County.

**CALL FOR EXECUTIVE SESSION**

It was moved by Mr. Rodman, seconded by Mr. Flewelling, that Council go immediately into executive session to receive legal advice relating to pending and potential claims covered by the attorney-client privilege. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**EXECUTIVE SESSION**

**REGULAR MEETING**

The regular meeting of the County Council of Beaufort County was held Monday, May 26, 2015 beginning at 5:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 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, Steven Fobes, Alice Howard, William McBride, Stewart Rodman and Roberts “Tabor” Vaux.

## **PLEDGE OF ALLEGIANCE**

The Chairman led those present in the Pledge of Allegiance.

## **INVOCATION**

Mr. Vaux 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 May 26, 2015**

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Fobes, that Council approve the minutes of the regular meeting held May 26, 2015. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. 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 May 25, 2015 through June 5, 2015.

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

This item comes before Council under the Administrative Consent Agenda.

Mr. Joshua Gruber, Deputy County Administrator/Special Counsel, presented his Two-Week Progress Report, which summarized his activities from May 25, 2015 through June 5, 2015.

## **Committee Reports**

### **Finance Committee**

#### **Airports Board**

Richard Sells

The vote: YEAS - Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville and Mr. Stewart. NAYS – Mr. Caporale, Mrs. Bensch, Mr. Fobes and Mr. Vaux. Mr. Sells, as the Town of Hilton Head Island’s nomination, failed to garner the eight votes required to reappoint to serve as a member of the Airports Board.

### **Governmental Committee**

#### **Bluffton Parkway Phase 5B**

Mr. Rodman, as Chairman of the Governmental Committee, reported members discussed Bluffton Parkway Phase 5B and applications submitted to the State Infrastructure Bank (SIB), which has triggered some folks who may want to write a letter to the SIB expressing their personal opinions about some of the issues. However, we end up sending a mixed message to the SIB. Therefore, it seems more useful for Council, sooner, rather than later, to perhaps take this up.

The Committee is looking into the possibility of a capital project sales tax referendum. One of the issues that will come up is whether Bluffton Parkway Phase 5B should be on that particular list of projects. Mr. Rodman believes Council would be better off not to put it on there, because we are looking at state funding to take care of that and, if they see we are going to get the money someplace else, then it is an easy out for them not to give us that money.

Mr. Rodman raised the issue about whether we should be proactive with the SIB, perhaps, rather than looking like Council is split. Under any circumstance, we ought to be in lockstep with Jasper County in terms of positions that are complementary.

#### **Text Amendments to the Animal Control Ordinance**

Discussion of the text amendments to the Animal Control Ordinance will probably require more than one session of the Governmental Committee. The first working session is scheduled June 22, 2015.

### **Lady's Island/St. Helena Island Fire District**

Mr. Rodman, as Chairman of the Governmental Committee, nominated Mr. Gordon Bowers, representing Lady's Island, and Mr. Roosevelt McCollough, representing St. Helena Island, for reappointment to serve as members of the Lady's Island/St. Helena Island Fire District.

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

### **PUBLIC COMMENT**

The Chairman recognized Mrs. Beth Grace, a resident of the City of Beaufort, who addressed several issues relative to the Pepper Hall Plantation property purchase. The denial today allows this property to remain rural and allows the applicant the right to use the rezoning process. It allows them time to find a conservation buyer or to find a purchaser. Please vote no and move on to larger and broader issues of County services and youth services.

Mrs. Susan Dickson, a resident of unincorporated Beaufort County, stated there are obvious conflicts of interest and they have been widely reported. She thanked Councilman Vaux for recusing himself from the matter. She called on the members of Council, who have conflicts of interest, to recuse themselves from voting on the purchase of the Pepper Hall Plantation property.

Mr. Alan Dehovitz, a resident of the City of Beaufort, stated Council should forego purchasing Pepper Hall Plantation. Spending \$12.0 million when you publicly admit you do not have a plan, is unwise and unfair to taxpayers.

Mr. Mike Vezeau, a resident of Sun City, stated libraries are operating at reduced hours this summer, convenience centers have been operating at reduced hours, yet Council is discussing spending \$12.0 million to purchase Pepper Hall Plantation.

Mr. Edgar Williams, a resident of Sheldon, remarked Council is considering spending \$12.0 million to buy property, but not spending money to promote economic development. Please ensure the members of the County Transportation Committee (CTC) are following policy since there are road paving needs in Sheldon Township.

Mr. Rufus Williams, a resident of Yemassee, asked Council to encourage the County Transportation Committee (CTC) to pave the back portion of Wimbee Landing Road (between Kean's Neck Road and Kinloch Road).

Mrs. Kate Schaefer, Director, Beaufort Office of the S.C. Coastal Conservation League, spoke about the proposed purchase of Pepper Hall Plantation. She encouraged Council to rely on planning to govern the property's future. The Comprehensive Plan is the guiding document for land use decisions in this County. It calls for this property to remain rural. This is sound advice and gives ample justification for maintaining its existing rural zoning and promoting land uses that promote this rural edge.

Ms. Jocelyn Staigar, representing the Hilton Head Area Association of Realtors, commended the Board of Education for bringing forward a budget that requires a no millage increase.

Mr. William Smith, a resident of the City of Beaufort, expressed concern with increased funding for the School District FY 2015-2016 budget when he does not see any effort to address early childhood development in reading, remedial classes, dropout rates, and low-income student dropout rates from 8<sup>th</sup> to 12<sup>th</sup> grade which has influenced our high-crime rate.

### **CONSENT AGENDA**

#### **AN ORDINANCE DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING BEAUFORT COUNTY TO SELL REAL PROPERTY IDENTIFIED AS TMP: R100 033 00A 021B 0000**

This item comes before Council under the Consent Agenda. Discussion occurred at the May 18, 2015 meeting of the Public Facilities Committee.

It was moved by Mr. McBride, seconded by Mr. Fobes, that Council approve on second reading an ordinance declaring certain real property as surplus property and authorizing Beaufort County to sell real property identified as TMP: R100 033 00A 021B 0000 upon such terms and conditions as he believes reasonably prudent and in the best interest of the citizens of Beaufort County. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

The Chairman announced a public hearing Monday, June 22, 2015, beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

#### **ST. HELENA ISLAND ZONING MAP AMENDMENT / REZONING REQUEST FOR R300-016-000-183A-0000 (10 ACRES, OFF BALL PARK ROAD, KNOWN AS THE LEROY E. BROWNE CENTER) FROM T2-R (RURAL) TO T2-RNO (RURAL NEIGHBORHOOD OPEN)**

This item comes before Council under the Consent Agenda. Discussion occurred at the June 1, 2015 meeting of the Natural Resources Committee.

It was moved by Mr. McBride, seconded by Mr. Fobes, that Council approve on first reading a St. Helena Island Zoning Map amendment for R300-016-000-183A-0000 (10 acres, off Ball Park Road, known as the Leroy E. Browne Center) from T2-R (Rural) to T2-RNO (Rural Neighborhood Open). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 5.6.40 (PERMANENT SIGN TYPES FOR BUILDINGS, BUSINESSES AND COMMUNITIES) (TO PERMIT FREE STANDING SIGNS IN T4 DISTRICTS, SUBJECT TO CERTAIN CONDITIONS)**

This item comes before Council under the Consent Agenda. Discussion occurred at the June 1, 2015 meeting of the Natural Resources Committee.

It was moved by Mr. McBride, seconded by Mr. Fobes, that Council approve on first reading a text amendment to the Beaufort County Community Development Code (CDC), Section 5.6.40 (Permanent Sign Types for Buildings, Businesses and Communities) (to permit free standing signs in T4 Districts, subject to certain conditions). The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**CONSULTING SERVICES FOR RURAL AND CRITICAL LANDS PRESERVATION PROGRAM**

It was moved by Mr. Flewelling, as Chairman of the Natural Resources Committee (no second required), that Council award a contract to the Open Land Trust, Beaufort, South Carolina in the amount of \$179,000 to provide Rural and Critical Lands Preservation Consulting Services. Funding would come from account 45000011-51160, Real Property Program, Professional Services. The vote: YEAS - Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS – Mr. Caporale and Mrs. Bensch. The motion passed.

**A RESOLUTION TO ADOPT AN ECONOMIC DEVELOPMENT POLICY FOR BEAUFORT COUNTY**

It was moved by Mr. Rodman, as Chairman of the Governmental Affairs Committee (no second required), that Council adopt a resolution approving an Economic Development Plan for Beaufort County which, among other things, will include the establishment of the following: (i) a Beaufort County Economic Development Corporation to include participation of the Municipalities and associated public funding and (ii) the purchase and / or infrastructure development of properties in Beaufort County. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Stewart and Mr. Vaux. NAYS – Mr. Sommerville. 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 (PURCHASE OF 88 ACRES / PEPPER HALL PLANTATION)**

Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His law firm represents the seller.

Mrs. Bensch recused herself, left the room, and was not present for any of the discussion. For the record, she submitted a copy the State Ethic Commission report that she sought in September 2013 so that the public understands that she was fully transparent and did not just recently ask for this information. According to the State Ethics Commission, Mrs. Bensch has no reason to, but she will, recuse herself.

It was moved by Mr. Stewart, as Chairman of the Finance Committee (no second required), that Council approve on second 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. The vote: YEAS – Mr. Rodman and Mr. Stewart. NAYS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Sommerville. RECUSAL – Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His law firm represents the seller. RECUSAL – Mrs. Bensch recused herself, left the room, and was not present for any of the discussion. For the record, she submitted a copy the State Ethic Commission report that she sought in September 2013 so that the public understands that she was fully transparent and did not just recently ask for this information. According to the State Ethics Commission, Mrs. Bensch has no reason to, but she will, recuse herself. The motion failed.

**FISCAL YEAR 2015 – 2016 SCHOOL DISTRICT BUDGET PROPOSAL**

At second reading, a number of Council members asked the School District to make a brief presentation similar to the one that they made at public meetings.

Council received a presentation on the District's budget proposal from Mr. Jeff Moss, Superintendent, and Mrs. Phyllis White, Chief Operational Services Officer. The total proposed FY 2015/2016 budget is \$203,513,932, an increase of \$13.9 million or 7.3% year over year.

It was moved by Mr. Stewart, as Chairman of the Finance Committee (no second required), that Council approve on third and final reading the Fiscal Year 2015–2016 School District budget proposal as follows: School Operations 103.5 mills and School Bond Debt Service (principal and interest) 31.71 mills. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

### **REQUEST FOR OFF-AGENDA ITEM / EXOTIC ANIMALS ORDINANCE**

It was moved by Mr. Rodman, seconded by Mr. Flewelling, that Council hear an off-agenda item regarding exotic and potentially dangerous animals. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. McBride and Mr. Rodman. NAYS - Mr. Fobes, Mrs. Howard, Mr. Sommerville and Mr. Stewart. ABSENT – Mrs. Bensch and Mr. Vaux. The motion failed due to the lack of the required two-thirds vote to hear an off-agenda item.

### **PUBLIC HEARING**

#### **AN ORDINANCE TO AMEND THE BEAUFORT COUNTY CODE OF ORDINANCES TO PROVIDE FOR THE REGULATION OF ACTIVITIES ON ALLJOY BEACH AND PENALTIES FOR VIOLATION OF THE SAME**

The Chairman opened a public hearing beginning at 6:00 p.m. for the purpose of receiving public comment regarding an ordinance to amend the Beaufort County Code of Ordinances to provide for the regulation of activities on Alljoy Beach and penalties for violation of the same. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:01 p.m.

It was moved by Mr. Dawson, as Chairman of the Public Facilities Committee (no second required), that Council approve on second reading an ordinance to amend the Beaufort County Code of Ordinances to provide for the regulation of activities on Alljoy Beach and penalties for violation of the same. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

### **PUBLIC COMMENT**

The Chairman recognized Mr. Mike Vezeau, a resident of Sun City, who stated we have benefited from County Assessor Ed Hughes' professionalism and of his staff. He is a great person; the County will miss him.

**ADJOURNMENT**

Council adjourned at 7:44 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

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

Ratified:

DRAFT



# Memorandum

DATE: June 19, 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 Monday, June 8, 2015 to Friday, June 19, 2015:

June 8, 2015

- Employee New Hire Orientation
- Caucus
- County Council

June 9, 2015

- Thomas Keaveny and Allison Coppage re: Litigation Update
- Ernie Lindblad and Mike Garrigan re: Windmill Harbour – Public Safety Enhancements

June 10, 2015

- Monica Spells, Andrew Dalkos, Dr. Jeffrey Moss and School staff re: School / County Wi-Fi Initiative

June 11, 2015

- Disabilities and Special Needs Gathering for Bluffton Residents and Families

June 12, 2015

- David Klugh, WTOC News Reporter re: Animal Control Issues
- Marilyn Harcharik, Beaufort Friends of the Library President re: Partnerships

June 15, 2015

- Employee New Hire Orientation
- County/ City of Beaufort Meeting re: IT Services
- Public Facilities Committee

June 16, 2015

- Attorneys Josh Gruber and Tom Keaveny
- Joshua Gruber, Colin Kinton, Marc Orlando, Councilmember Cynthia Bensch, Shawn Leininger and Tom Zinn re: GEI Economic Development Proposal
- Council Member Rick Caporale re: Animal Control Services
- Stakeholder's meeting with ICA Consulting Engineers re: Jenkins Island Access Study

June 17, 2015

- Agenda Review with Chairman, Vice Chairman and Executive Staff re: Review draft agenda for County Council meeting on June 22, 2015
- Joshua Gruber and Jon Rembold re: Airport Tree Trimming / Cutting
- Lois Richter, Department of Social Services Director / Introduction
- Dallas Wood, Crescent Communities Director of Development, and David Muenks, Senior Development Manager, Joshua Gruber, Colin Kinton, and Tony Criscitiello re: New Riverside Roadway Development / Beaufort County School District Campus

June 18, 2015

- Eric Larson, Tony Criscitiello and Rob Merchant re: Sea Level Rise Study Briefing
- Mayor Lisa Sulka and Marc Orlando re: County / Town of Bluffton Bimonthly Meeting

June 19, 2015

- Morris Campbell re: Exit Interview
- Tom Zinn re: Stormwater Management
- Craig Molloy



## Memorandum

DATE: June 19, 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 June 8, 2015 through June 19, 2015:

June 8, 2015 (Monday):

- PERSONAL LEAVE

June 9, 2015 (Tuesday):

- PERSONAL LEAVE

June 10, 2015 (Wednesday):

- PERSONAL LEAVE

June 11, 2015 (Thursday):

- PERSONAL LEAVE

June 12, 2015 (Friday):

- PERSONAL LEAVE

June 15, 2015 (Monday):

- Bi-weekly Project Review/Status Meeting with Assistant Administrators: Monica Spells, Assistant County Administrator for Civic Engagement & Outreach, Alicia Holland, CFO and Phil Foot, Public Safety Director
- Meet with Gary Kubic, County Administrator, Monica Spells, Assistant County Administrator for Civic Engagement & Outreach, Andrew Dalkos, IT Systems Director, City of Beaufort representatives: Bill Prokop, City Manager, Kathy Todd, Finance Director, Linda Roper, Court Administrator re: Beaufort County/City of Beaufort Contract for IT Services

- Public Facilities Committee

June 16, 2015 (Tuesday):

- Meet with Gary Kubic, County Administrator, Colin Kinton, Traffic & Transportation Engineer, Tom Zinn, President, Zinn Asset Management Corporation, Town of Bluffton representatives: Marc Orlando, Town Manager and Shawn Leininger, Director of Growth Management re: Buckwalter Parkway Access Management /GEI Request
- Meet with Jim Beckert, Auditor Elect and Suzanne Gregory, Employee Services Director re: Personnel Topics
- Engineering Team Coordination Meeting
- Meet with Mark Roseneau, Facilities Maintenance Director re: Arthur Horne Building/Probate Court Relocation

June 17, 2015 (Wednesday):

- Council County Agenda Review Meeting
- Meet with Aaron Crosby re: Webb Tract Development/TIF District Questions
- Meet with Phil Foot, Public Safety Director, Lt. Col. William Neill, Administrative and Support Services, BCSO and Scott Marshall, PALS Director re: Unauthorized Use of Burton Community Center
- Meet with Gary Kubic, County Administrator, Tony Criscitiello, Planning Director, Colin Kinton, Traffic and Transportation Engineer and Dallas Wood, Director of Development, Crescent Communities re: New Riverside Connection Road

June 18, 2015 (Thursday):

- Meet with Mitzi Wagner, Disabilities and Special Needs Director, Monica Spells, Assistant County Administrator for Civic Engagement & Outreach, Morris Campbell, Human Services Department, Suzanne Gregory, Employee Services Director and William Love, Disabilities and Special Needs Department re: New DSN Day Program Initiative
- Meet with SC Highway 170 Subcontractors
- Meet with Tony Criscitiello, Planning Director, Rob Merchant, Planning Department, Amanda Flake, Planning Department, Eddie Bellamy, Public Works Director, Eric Larson, Stormwater Management Director and Dean Moss, Friends of Spanish Moss Trail re: King Property on Boundary Street
- Beaufort County/Town of Bluffton Meeting

June 19, 2015 (Friday):

- Government Law Section Mid-Year Update CLE Seminar, Columbia, SC

## EXECUTIVE COMMITTEE

June 3, 2015

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

The Executive Committee met Wednesday, June 3, 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 Brian Flewelling, William McBride and Stu Rodman. Committee member Gerald Dawson absent. Non-Committee members Cynthia Bensch, Rick Caporale, Steven Fobes and Alice Howard present.

County staff: Allison Coppage, Assistant County Attorney; Joshua Gruber, Assistant County Administrator/Special Counsel; and Thomas Keaveny, County Attorney.

City of Beaufort: Mayor Pro-Tem Mike McFee and City Manager Bill Prokop.

Town of Bluffton: Mayor Lisa Sulka and Town Manager Marc Orlando.

Town of Hilton Head Island: Mayor David Bennett and Town Manager Steve Riley.

Town of Port Royal: Mayor Samuel Murray and Town Manager Van Willis.

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

Councilman Jerry Stewart chaired the meeting.

### INFORMATION ITEM

#### 1. 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:** Mr. Stewart stated the purpose of today's meeting is to talk about the capital sales tax that we would like to consider putting on the ballot in 2016 as a referendum item. In order to institute a capital sales tax levy against the residents, it has to go on a ballot and pass with the majority of those voting on the general election in 2016 for it to become effective.

There are many other criteria that are in the *Code of Laws of South Carolina, 1976*, as amended, regarding what we must do in order to set up a Capital Project Sales Tax Commission (Commission).

### **Creation of the Commission**

County Council adopted resolution 2015/15 on April 27, 2015 to establish a Commission to consider proposals for funding capital projects in Beaufort County, to provide for the composition and appointment of such Commission.

The governing body of any county is authorized to create a commission subject to the provisions of Section 4-10-320. The commission consists of six members, all of whom must be residents of the county.

- Based upon the statutory formula provided in *South Carolina Code of Laws* §4-10-320(A)(2), and the current population figures for the Town of Hilton Head, the Town will be entitled to appoint one member to the Commission. Pursuant to 4-10-320(B), the Town will have 30 days from the adoption of the Resolution in which to appoint its representative.

- Due to the closely proportionate populations for the majority of the remaining municipalities within Beaufort County (City of Beaufort, Town of Bluffton, Town of Port Royal), *South Carolina Code of Laws* § 4-10-320(A)(2)(d) states that the remaining two municipal appointments will be determined by a joint meeting of the Commission appointees of the municipalities. These appointees will be required to be residents of municipalities that do not currently have representation on the Commission.

Once the Commission is established, it is the responsibility of the Commission to define the length of time of the sales tax collection would occur -- either a minimum of two years or a maximum of eight years and in two-year increments.

The Commission will determine the size of the capital sales tax referendum and dollars.

The Commission will select the projects that will be considered. It is only the projects that are approved by the Commission that will be carried out using the referendum money. They set those in priority based upon what has been presented. They take the recommendations, set the priority list, and then go down that list until they fill the number of dollars available for the timeframe that the capital sales tax would be in effect. The point here is that it does terminate after a period of time and/or when the dollars collected for the projects that are identified, whichever would come first.

**Committee Comments / Establishing Commission Guidelines/Parameters/Framework**

Educate presenters on project criteria.

Include contingency dollars for project cost increases.

Estimate project values. We were short on a number of our projects in the past across the board and used impact fees, CTC funds, State Infrastructure Bank funds, federal money, etc. to complete projects. The revenue sources for many projects did not materialize because of economy affected collections.

Revisit Local Option Sales Tax (LOST).

Bond all of the projects at the beginning, rather than pay-as-you-go, with a reasonable contingency on both the revenue side and expense side.

Support a short collection period with a short list of larger projects.

Establish a rolling-type cycle wherein every four years you go back to the voters for another referendum.

Build a list of project needs, rather than wants.

Set some rough guidelines today and discuss specifics at next meeting.

Consider capital projects of significant size (keep scale in mind) that are important to both the county and municipalities as a whole.

Consider stormwater, infrastructure, public safety, economic development project types.

Establish a working committee of county/municipal managers to produce a broad list of regional and local projects to prioritize focusing on the elements of Regional Plans and Comprehensive Plans.

**Excerpt / Attorney General Opinion Dated July 28, 2014:**

Conclusion: This Office believes a court will find that the Beaufort County Council must use a ballot question formulated by its Capital Project Sales Tax Commission, but that it has the authority to remove any members of the Commission it appointed and even abolish the Commission itself and may also choose not to proceed in the process of implementing a Capital Project Sales Tax.

**Timeline**

End of June: Receipt of Commission appointees.

The Town of Hilton Head Island has appointed Ms. Andrea Siebold to serve as a Commission member.

Mid July: Reconvene the Executive Committee. Set up the Commission, shape the criteria guidelines/parameters, receive staffs' ideas of critical needs and items that should be brought to the Commission for consideration, and then meet with the Commission to share ideas and thought process.

DRAFT

## GOVERNMENTAL COMMITTEE

June 1, 2015

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

The Governmental Committee met Monday, June 1, 2015 beginning at 3:00 p.m. in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

### ATTENDANCE

Chairman Stu Rodman, Vice Chairman Rick Caporale, and Committee members Cynthia Bensch, Gerald Dawson, Brian Flewelling, Alice Howard and Jerry Stewart. Non-Committee members Steve Fobes and Tabor Vaux present.

County Staff: Allison Coppage, Assistant County Attorney; Phil Foot, Assistant County Administrator-Public Safety; Joshua Gruber, Deputy County Administrator/Special Counsel; Mike Hatfield, Chief Deputy Sheriff; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; P.J. Tanner, Sheriff; and Tallulah Trice, Animal Services Director.

Public: Billy Keyserling, Mayor, City of Beaufort; Steve Murray, Beaufort City Councilman; Jocelyn Staigar, Hilton Head Area Association of Realtors; Jason Ruhf, Business Development Manager, Beaufort Regional Chamber of Commerce; and Blakely Williams, President and CEO, Beaufort Regional Chamber of Commerce.

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

Mr. Rodman chaired the meeting.

### ACTION ITEMS

#### **1. Economic Development Discussion**

**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. Rodman, as Chairman of the Governmental Committee (no second required), that Council adopt a resolution approving an economic development policy for Beaufort County

**Motion to amend by substitution:** It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Committee substitute the words in paragraph #2 to read, "The purchase and/or infrastructure development of properties in Beaufort County." The vote: Mrs. Bensch, Mr.

Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. Rodman 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:** Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. Rodman and Mr. Stewart. The motion passed.

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

### **• Lady's Island / St. Helena Island Fire District**

**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)

**Recommendation:** Council nominate Mr. Gordon Bowers, representing Lady's Island, and Mr. Roosevelt McCollough, representing St. Helena Island, for reappointment to serve as members of the Lady's Island/St. Helena Island Fire District.

## **INFORMATION ITEMS**

### **3. Legislative Update with Senator Tom Davis**

**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:** Senator Davis updated the Committee on the final three days of the Legislative session.

The Department of Revenue recognized an additional \$415 million of revenues that can be appropriated by the General Assembly this year. They met on Friday and certified those funds. The House Ways and Means Committee is meeting today to decide how to spend that \$415 million. Whatever they recommend will be taken up by the House, as a body, June 2, 2015. Probably they will work Tuesday night to get the Appropriation Bill passed, and then it will cross over to the Senate. The Senate will probably debate it Wednesday, work late Wednesday night, get something back to the House, that will then set up a Conference Committee in regard to both a supplemental Appropriation Bill of \$415 million and also a Conference Committee in regard to the overall General Appropriations Act.

Since taking office in 2009, Senator Davis has seen the total transportation appropriations go from approximately \$1.0 billion (federal and state) to this past year (the budget passed by the House and Senate that has to be reconciled) at \$1.65 billion. Over the seven years, we have seen a 54% increase in total appropriations for transportation. What we have not seen is a wise use of that money.

What we have seen in recent years is a 3:1 ratio between new project appropriations and money for repairs and maintenance. Capital outlays for new projects have tripled for maintenance. Instead of simply raising the gas tax by 75% (16 cents) to 28 cents, and putting it into this same system that has allocated the money, unwisely, the General Assembly is now focusing on things that are going to make a difference. The chief of those, not this year, but probably next year, will be a serious attempt to devolve ownership and control of roads from the State down to the local governments. About 63% of our state's roads right now are owned and controlled by the state. That compares to 19%, which is the average in other states. Most state DOTs own only the roads and control the maintenance of the roads that are of critical importance to the state as a whole. Part of this overall fix is going to have to be devolving a large portion of the roads down to the local level along with a proportional share of the existing gas tax revenues.

What is also being discussed, in addition to the assignment of gas tax revenues downward proportionally, is giving local governments the ability, on a local option basis, via referendum or a super majority of Council, to perhaps raise revenues other ways, to include, but not limited to, raising the gas tax on the local level. In any event, the concept of devolving roads downward would be accompanied by dollars following both in regard to existing revenues and the ability of taking care of things going forward. The task is to make sure that the money follows the roads. No county or municipality wants an obligation to come without funds.

Senator Davis circulated copies of the "State Secondary "C" Program / Apportionment of Funds for Fiscal Year 2014/2105". The chart shows the "C" formula -- a combination between land area, population, and the number of rural roads in a county -- and that yields an allocation percentage. Beaufort County's share of that would be 2.62% multiplied by \$400 million and you get a product equal to \$10.48 million.

The idea would then be that the County Transportation Committee, perhaps in conjunction with Council, would be assigned the responsibility of deciding where that money would go in terms of repairs and maintenance and where the needs are.

Regarding the remaining roads the state holds on to after we go through that process, is extremely political. Senior Legislators are reaching into the process and redirecting dollars, to a degree, quite frankly, which is a horrible public policy. This is a Legislative issue, not Republican or Democrat. We appropriate money and we ought not to be in the position of also executing the laws and making expenditures. We have to make some change in regard to accountability there. Some of the discussion there centers on the Governor appointing those SCDOT Commissioners and having those appointments subject to confirmation by the Senate. What you would have, if dollars were not spent wisely, but spent as they are now (3:1 ratio), the voters would have someone to call. Right now that does not exist.

It is an important component of reform to get the governance right and that would push a lot of responsibility along with resources down to the local level. We have made some progress in that regard in the last two weeks and more progress in the week coming. The answer to our problem, despite every single lobbying group in Columbia, to the contrary, is not what Senate

Finance proposed, which is simply raising the gas tax by 75% (\$700 million) a year, pumping money into a broken system. It is the easy way out and is what we typically do. Instead of figuring out what the real problem is, we raise taxes and add more money. The taxpayers deserve better than that.

**Status:** Work toward devolving the appointment of the County Transportation Committee from the Legislative Delegation to County Council.

#### 4. Pending Revisions to Animal Control Ordinance

**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. Allison Coppage, Assistant County Attorney, presented this item to the Committee. The proposed Animal Control Ordinance is a staff recommendation. The proposed ordinance is the result of a collaborative effort between Mrs. Tallulah Trice, Animal Services Director; Mr. Phil Foot, Director of Public Safety and herself.

What is before Council reflects many months of work. It is trying to balance the needs of animal services, the needs of our community, our citizens, and creating an easy and workable code. Our current code is, at times, a bit cumbersome. It is a working draft. The ultimate goal is to come out with a product that is polished, comprehensive, that we can take to the municipalities, and, hopefully, encourage them to adopt a uniform Animal Control Ordinance across the entire County. The ordinance before Council is progressive and comprehensive. It addresses many of the issues our Animal Services Department faces.

Mrs. Trice brought forward the key changes:

- Lifetime licensing from the traditional metal tag to microchip;
- Language has been added requiring mandatory spay/neuter on any pitbull or pitbull mix plus microchip (pitbulls account for 95% of our euthanasia);
- Language has been added regarding dangerous animal determination;
- Language has been added regarding nuisance livestock

Mr. Flewelling commented the Committee may want to consider incorporating language prohibiting the maintenance and possession of exotic animals within Beaufort County.

**Status:** Adopt an ordinance before reaching out to the municipalities.

## **5. Status / Current Approach to Animal Control Ordinance Enforcement Inside Municipalities**

**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. Josh Gruber, Deputy County Administrator/Special Counsel, remarked mutual aid agreements are not involved in the equation. Mutual aid agreements, when they did exist, were between other law enforcement divisions for help in a particular circumstance as was directed by state statute. For code enforcement purposes, there is no mutual agreement involved. The difference in what we are seeing is directly attributable to the change in using Sheriff's Deputies to enforce County codes versus using County Commissioned Code Enforcement Officers. Sheriff Deputies have jurisdiction countywide, inclusive of municipalities (inside and outside) and, in some situations, that jurisdiction can extend beyond the boundaries of the County. Code Enforcement Officers have jurisdiction in the unincorporated areas of the county, or in those areas of a municipality where the municipality has granted them authority enforcement of the Code.

**Status:** Ensure consistency of ordinance enforcement.

## **6. Status / Mutual Aid Agreements**

**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:** Sheriff P.J. Tanner commented mutual aid agreements are from one law enforcement to another. All mutual aid agreements have been suspended. The Sheriff's Office can operate anywhere within the County. Mutual aid agreements are not needed with any municipalities. However, the Sheriff's Office has had mutual aid agreements in the past with Jasper and Colleton Counties. Because of what happened to Lexington County with a couple of cases, we felt it best, as did all of the Sheriffs throughout the State, to suspend all mutual aid agreements until we get this resolved.

**Status:** Information only. No action is required.

## **7. Bluffton Parkway Phase 5B**

**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. Rodman, as Chairman of the Governmental Committee, stated Bluffton Parkway Phase 5B and applications submitted to the State Infrastructure Bank (SIB), has triggered some folks to want to write a letter to the SIB expressing their personal opinions about

some of the issues. However, we end up sending a mixed message to the SIB. Therefore, it seems more useful for Council, sooner, rather than later, to perhaps take this up.

The Committee is looking into the possibility of a capital project sales tax referendum. One of the issues that will come up is whether Bluffton Parkway Phase 5B should be on that particular list of projects. Mr. Rodman believes Council would be better off not to put it on there, because we are looking at state funding to take care of that, and, if they see we are going to get the money someplace else, then it is an easy out for them not to give us that money.

**Status:** Committee members asked Mr. Rodman to query Council Chairman Sommerville relative to putting this topic on the June 8, 2015 agenda of Council.

DRAFT

## PUBLIC FACILITIES COMMITTEE

June 15, 2015

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

The Public Facilities Committee met Monday, June 15, 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 and Alice Howard. Committee member William McBride absent. Non-committee member Jerry Stewart present.

County Staff: Eddie Bellamy, Public Works Director; Morris Campbell, Division Director-Community Services; Allison Coppage, Assistant County Attorney; Andrew Dalkos, Division Director-IT Systems Management; Phil Foot, Assistant County Administrator-Public Safety; Quandara Grant, Detention Center Director; Joshua Gruber, Deputy County Administrator/Special Counsel; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; Colin Kinton, Division Director-Transportation Engineering; Ray McBride, Library Services Director; Rob McFee, Division Director-Facilities and Construction Engineering; Jim Minor, Solid Waste and Recycling Manager; Dave Thomas, Purchasing Director.

Public: Josie Lee Dugins, Louise B. Dugins, Roger E. DeLong and Joan R. DeLong of Johnson Landing Road.

Media: Joe Croley, *Lowcountry Inside Track*, and Suzanne Larson, *Lowcountry Inside Track*.

Mr. Dawson chaired the meeting.

### ACTION ITEMS

#### **1. Bluffton Branch Library Porch Renovation 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. Dave Thomas, Purchasing Director, reviewed this item with the Committee. On March 25, 2015 Beaufort County received bids from two construction companies for renovation services at the Bluffton Branch Library. The project involves the renovation of and improvement to the covered porch for the purpose of a new computer lab. The renovation will include, but is not limited to, the following: minor demolition, exterior wall and window improvements, mechanical, electrical, plumbing, HVAC, painting, carpentry, flooring

and finish work. This will include the installation of a new acoustical tile ceiling system and new lighting. The contractor will provide new HVAC mechanical equipment with DC Inventory Management System as well as new doors and windows.

**Motion:** It was moved by Mr. Dawson, as Public Facilities Committee Chairman (no second required), that Committee approve and recommend to Council a contract award to Neal's Construction, Beaufort, South Carolina in the amount of \$100,777 for the Bluffton Branch Library Porch Renovation Project. The source of funding is account 2616011-54420, Del Webb Library Fund, Renovations to Existing Building with a current available balance of \$57,088. The remaining funding will come from account 24410011-54410, Bluffton Library Impact Fees Fund. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard and Mr. Vaux. The motion passed.

**Recommendation:** Council award a contract to Neal's Construction, Beaufort, South Carolina in the amount of \$100,777 for the Bluffton Branch Library Porch Renovation Project. The source of funding is account 2616011-54420, Del Webb Library Fund, Renovations to Existing Building with a current available balance of \$57,088. The remaining funding will come from account 24410011-54410, Bluffton Library Impact Fees Fund.

## **2. Food Services for the Detention Center (> \$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, reviewed this item with the Committee. The Purchasing Department received three proposals from qualified firms for food services in support of the County Detention Center. The contractor will provide all labor, food, beverages, materials, supplies, and chemicals necessary to provide food services for the inmates and staff. The contractor will provide meals and food services three times per day, seven days per week. The contractor shall manage a civilian and inmate kitchen staff, which shall prepare pre-plated meals for service on thermal insulated trays. The contract term will cover fiscal year 2016 and expire on June 30, 2016, with four more one-year annual renewals subject to Council approval.

**Motion:** It was moved by Mr. Fobes, seconded by Mr. Vaux, that Committee approve and recommend to Council an annual contract award to ABL Management, Inc., Baton Rouge, Louisiana in an amount not to exceed \$307,000 to provide food service for the County Detention Center. The source of funding is account 10001250-51200, Detention Center Meals / Contracted Services. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard and Mr. Vaux. The motion passed.

**Recommendation:** Council award an annual contract to ABL Management, Inc., Baton Rouge, Louisiana in an amount not to exceed \$307,000 to provide food service for the County Detention Center. The source of funding is account 10001250-51200, Detention Center Meals / Contracted Services.

### 3. Medical Services for the Detention Center

**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, reviewed this item with the Committee. On May 4, 2015, Beaufort County received one response to the request for proposal from Southern Health Partners, the current incumbent contractor. The Detention Center has contracted with Southern Health Partners over the past ten years for annual medical services for inmates at the Detention Center. Southern Health Partners provide all medical needs for inmates in custody to include: screening at booking, health appraisals, dispensing of prescriptions, physician sick-call, dentist sick-call, compliance with National Correctional Health Care Accreditation Standards, State and Federal regulations, and 24-hour medical coverage. The new contract term will began July 1, 2015 and end June 30, 2016. Subject to Council approval, the contract may be renewed each year up to four additional one-year terms.

**Motion:** It was moved by Mr. Dawson, as Public Facilities Committee Chairman (no second required), that Committee approve and recommend to Council a contract award to Southern Health Partners, Chattanooga, Tennessee in the amount of \$555,840 to provide medical services for the County's Detention Center. The source of funding is account 10001250-51190, Detention Center Medical Services. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard and Mr. Vaux. The motion passed.

**Recommendation:** Council a contract award to Southern Health Partners, Chattanooga, Tennessee in the amount of \$555,840 to provide medical services for the County's Detention Center. The source of funding is account 10001250-51190, Detention Center Medical Services.

### 4. Dirt Road Paving Requirements for Dirt Road Without Right-of-Way Condemnation Request / Johnson Landing Road, Lady's Island

**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 and Construction Engineering, reviewed this item with the Committee. Johnson Landing Road is a 1.5 mile dirt road located off of the Brickyard Point Road in the Broomfield community on Lady's Island. The Public Works Department has maintained this road for more than 50 years. Johnson Landing Road was ranked 20<sup>th</sup> on the FY 2009/2010 - FY 2012/2013 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 included in a dirt road paving contract. Beaufort County owns neither the right of way nor an easement for Johnson Landing Road.

Staff has followed the current process to try and obtain deeds for right of way. Staff efforts to obtain right of way for Johnson Landing 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 24 months. After sending two written requests, more in some cases, the Engineering Department has obtained 39 of 47 signed right-of-way deeds. Condemnation of the eight remaining parcels, four of which are heirs properties, would be necessary to complete the right-of-way effort for Johnson Landing Road.

**Motion:** It was moved by Mr. Dawson, as Public Facilities Committee Chairman (no second required), that Committee approve and recommend to Council the condemnation of the eight remaining right-of-way parcels needed on Johnson Landing Road in order to the improve the dirt road in the future dirt road paving contract. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard and Mr. Vaux. The motion passed.

**Recommendation:** Council approve the condemnation of the eight remaining right-of-way parcels needed on Johnson Landing Road in order to the improve the dirt road in the future dirt road paving contract

**5. An Ordinance Declaring Certain Real Property as Surplus Property and Authorizing Beaufort County Administration to Transfer Real Property Identified as TMP: R100 008 000 0210**

**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. Allison Coppage, Assistant County Attorney, reviewed this item with the Committee. The property was previously utilized by Beaufort County Disabilities and Special Needs as a housing facility and has discontinued the use of the property, thereby leaving the property unoccupied. An appraisal, conducted on June 10, 2014, stated that while there was no apparent friable asbestos observed, that all or part of the improvements were constructed before 1979 when asbestos was a common building material. Based on the appraisal dated June 10, 2014 the property is in need of certain remediation. LowCountry Habitat for Humanity is a non-profit corporation located in Beaufort that seeks to provide affordable housing for Beaufort County citizens.

**Motion:** It was moved by Mr. Caporale, seconded by Mrs. Howard, that Committee approve and recommend to Council first reading approval of an ordinance declaring certain real property as surplus property and authorizing Beaufort County Administration to transfer real property identified as TMP: R100 008 000 0210 to LowCountry Habitat for Humanity, a non-profit corporation located in Beaufort that seeks to provide affordable housing for Beaufort County citizens. The vote: YEAS - Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard and Mr. Vaux. The motion passed.

**Recommendation:** Council approve on first reading an ordinance declaring certain real property as surplus property and authorizing Beaufort County Administration to transfer real property identified as TMP: R100 008 000 0210 to LowCountry Habitat for Humanity, a non-

profit corporation located in Beaufort that seeks to provide affordable housing for Beaufort County citizens.

## **INFORMATION ITEM**

### **6. SCDOT Memorandum of Understanding / Debris Management**

**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. Eddie Bellamy, Public Works Director, presented this item to Committee. FEMA guidance requires that to be eligible for removal work under the Public Assistance Program, debris must be located on an eligible applicant's improved property or rights of way and be the legal responsibility of the applicant. It further states that, if residents remove disaster-related debris from their private property to a public right of way, an applicant may be reimbursed for debris pickup, haul, and disposal for a limited period of time. However, FEMA has ruled that local jurisdictions will not be reimbursed for debris management on State roads without a Memorandum Understanding (MOU) with the State allowing same.

SC Department of Transportation (SCDOT) and SC Emergency Management Division (SCEMD) jointly developed the MOAs with FEMA approval. There are two MOA options offered:

- First Push Agreement - allows the County to perform lane clearing operations on state roads and SCDOT will reimburse all costs in accordance with the agreement.
- First Push and Debris Removal Agreement - allows the County to perform first push and debris removal, reduction, and disposal on state roads and SCDOT will not provide any reimbursement to the County.

Both SCDOT and SCEMD reject the contact that SCDOT is actually requesting assistance from the County; therefore, the statewide Mutual Aid Agreement does not apply. The County can select which MOA it prefers and notify SCEMD, or the County can decide not to sign either. According to SCDOT and SCEMD representatives, the MOAs are not up for negotiation.

On May 29, 2015 the County sent a letter to Governor Haley asking her administration to consider supporting two items relative to disaster recovery and its impacts on the local business community: (i) committing resources from the Department Commerce and Insurance in the event of a disaster and (ii) considering a SCDOT/Local MOU relationship that would compensate the local governments or the total cost of cleanup along State right of ways.

**Status:** Information only. Staff is making this same presentation to Legislative Delegation.

## BOARDS AND COMMISSIONS

### Reappointments and Appointments June 22, 2015

#### 1. Governmental Committee

##### ① Lady's Island/St. Helena Island Fire District

| Nominated | Name                 | Position/Area/Expertise | Reappoint/Appoint | Votes Required | Term/Years | Expiration |
|-----------|----------------------|-------------------------|-------------------|----------------|------------|------------|
| 06.08.15  | Gordon Bowers        | Lady's Island           | Reappoint         | 10/11          | 4 years    | May 2019   |
| 06.08.15  | Roosevelt McCollough | St. Helena Island       | Reappoint         | 10/11          | 4 years    | May 2019   |

# Proclamation

**WHEREAS**, mosquitoes in excessive numbers can diminish enjoyment of the outdoors, public parks and playgrounds, impede work outdoors, and reduce property values; and

**WHEREAS**, mosquito-borne diseases (such as malaria, yellow fever, encephalitis, and dog heartworm) have historically been a source of human and animal suffering, illness, and even death; and

**WHEREAS**, since 1900, mosquito control professionals have recognized the need to develop and encourage effective and environmentally-safe mosquito control activities to protect the health and welfare of the public, the environment, and wildlife; and

**WHEREAS**, the mosquito control industry has made great advances in reducing mosquito populations and related diseases based on scientific research; and

**WHEREAS**, the public's awareness of the health benefits associated with mosquito control methods may motivate the public to eliminate standing water on their own properties;

**NOW, THEREFORE, BE IT RESOLVED THAT** Beaufort County Council does hereby proclaim the week of June 21 through June 27, 2015 as

## “Mosquito Control Awareness Week”

and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

Dated this 22nd day of June, 2015.



A handwritten signature in blue ink, reading "D. Paul Sommerville".

D. Paul Sommerville  
Chairman, Beaufort County Council

# *Certificate of Appreciation*

This Certificate of Appreciation is presented  
to

*Ricky Mellen*

Mr. Mellen contributed more than twenty-four hours a week, for nearly two years, to our animals as a loyal and valuable volunteer. His dedication to the care and well-being of our animals is greatly appreciated. On behalf of Beaufort County Council, staff and the many animals, we thank you for your volunteer service to Beaufort County government.



D. Paul Sommerville, Chairman

Phillip Foot, Assistant County Administrator—Public Safety

2015 /

ST. HELENA ISLAND ZONING MAP AMENDMENT / REZONING REQUEST FOR R300-016-000-183A-0000 (10 ACRES, OFF BALL PARK ROAD, KNOWN AS THE LEROY E. BROWNE CENTER) FROM T2-R (RURAL) TO T2-RNO (RURAL NEIGHBORHOOD OPEN).

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

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, II, County Attorney

ATTEST:

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

First Reading: June 8, 2015

Second Reading:

Public Hearing:

Third and Final Reading:



2015/

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 5.6.40 (PERMANENT SIGN TYPES FOR BUILDINGS, BUSINESSES AND COMMUNITIES) (TO PERMIT FREE STANDING SIGNS IN T4 DISTRICTS, SUBJECT TO CERTAIN CONDITIONS).

Whereas, added text is highlighted in yellow.

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

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, II, County Attorney

ATTEST:

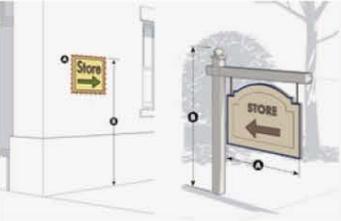
\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council

First Reading: June 8, 2015

Second Reading:

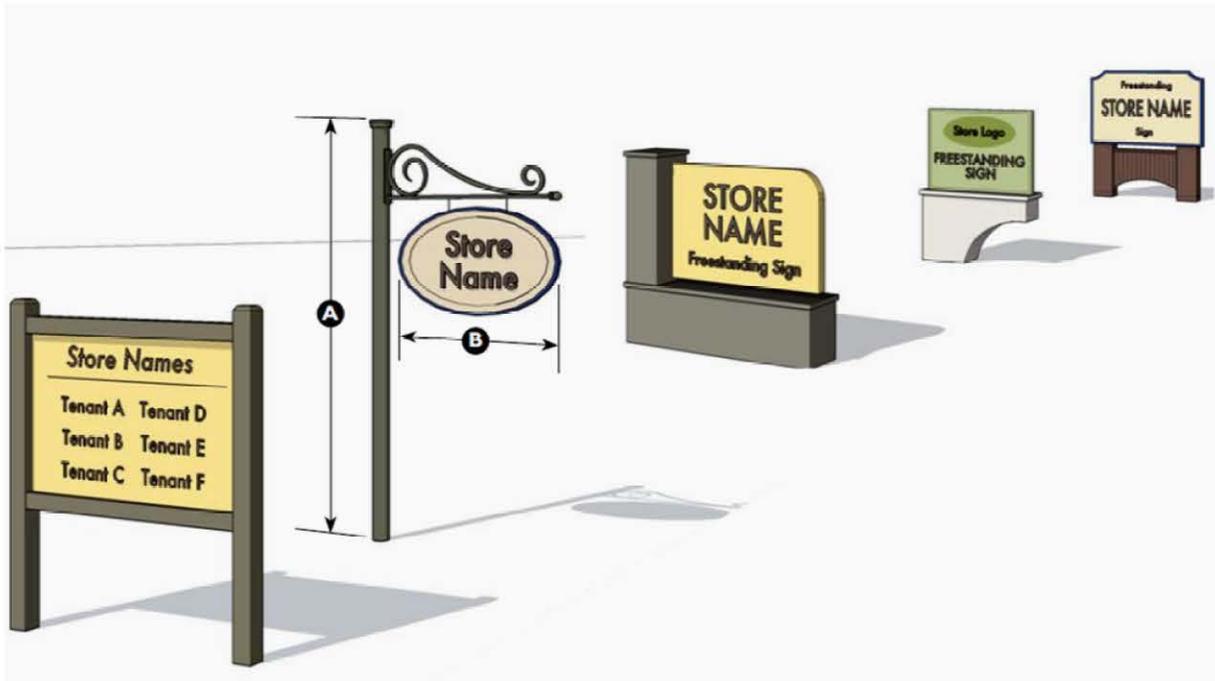
Public Hearing:

Third and Final Reading:

| Table 5.6.40.A: Sign Types  |   |   |           |    |    |    |    |    |    |    |         |
|---|---|---|-----------|----|----|----|----|----|----|----|---------|
| Specific Sign Type  | Illustration  | Permit  | Standards |    |    |    |    |    |    |    |         |
| <p><b>Awning Signs:</b> Awnings are a traditional storefront fitting and can be used to protect merchants' wares and keep storefront interiors shaded and cool in hot weather.</p>  |    | <table border="1"> <tr> <td>T1</td> <td>T2</td> <td>T3</td> <td>T4</td> </tr> <tr> <td>C3</td> <td>C4</td> <td>C5</td> <td>SI</td> </tr> </table> | T1        | T2 | T3 | T4 | C3 | C4 | C5 | SI | 5.6.80  |
| T1  | T2  | T3  | T4        |    |    |    |    |    |    |    |         |
| C3  | C4  | C5  | SI        |    |    |    |    |    |    |    |         |
| <p><b>Directional Signs:</b> Directional signs provide guidance to entrances and parking locations.</p>   |    | <table border="1"> <tr> <td>T1</td> <td>T2</td> <td>T3</td> <td>T4</td> </tr> <tr> <td>C3</td> <td>C4</td> <td>C5</td> <td>SI</td> </tr> </table> | T1        | T2 | T3 | T4 | C3 | C4 | C5 | SI | 5.6.90  |
| T1  | T2  | T3  | T4        |    |    |    |    |    |    |    |         |
| C3  | C4  | C5  | SI        |    |    |    |    |    |    |    |         |
| <p><b>Landscape Wall Sign:</b> Landscape wall signs are attached to freestanding walls and are often used to mark a place of significance or the entrance to a location.</p>  |   | <table border="1"> <tr> <td>T1</td> <td>T2</td> <td>T3</td> <td>T4</td> </tr> <tr> <td>C3</td> <td>C4</td> <td>C5</td> <td>SI</td> </tr> </table> | T1        | T2 | T3 | T4 | C3 | C4 | C5 | SI | 5.6.100 |
| T1  | T2  | T3  | T4        |    |    |    |    |    |    |    |         |
| C3  | C4  | C5  | SI        |    |    |    |    |    |    |    |         |
| <p><b>Marquee Signs:</b> Marquee signs are vertical signs that are located either along the face where they project perpendicular to the facade; or at the corner of the building where they project at 45 degree angles.</p> |  | <table border="1"> <tr> <td>T1</td> <td>T2</td> <td>T3</td> <td>T4</td> </tr> <tr> <td>C3</td> <td>C4</td> <td>C5</td> <td>SI</td> </tr> </table> | T1        | T2 | T3 | T4 | C3 | C4 | C5 | SI | 5.6.110 |
| T1  | T2  | T3  | T4        |    |    |    |    |    |    |    |         |
| C3  | C4  | C5  | SI        |    |    |    |    |    |    |    |         |
| <p><b>Free Standing Signs:</b> Free standing signs encompass a variety of signs that are not attached to a building and have an integral support structure. Three varieties include: Freestanding, Monument and Pole.</p>     |  | <table border="1"> <tr> <td>T1</td> <td>T2</td> <td>T3</td> <td>T4</td> </tr> <tr> <td>C3</td> <td>C4</td> <td>C5</td> <td>SI</td> </tr> </table> | T1        | T2 | T3 | T4 | C3 | C4 | C5 | SI | 5.6.120 |
| T1  | T2  | T3  | T4        |    |    |    |    |    |    |    |         |
| C3  | C4  | C5  | SI        |    |    |    |    |    |    |    |         |
| <p><b>Projecting Signs:</b> Projecting signs mount perpendicular to a building's facade. These signs are small, pedestrian scaled, and easily read from both sides. Syn. Blade Sign.</p>                                      |  | <table border="1"> <tr> <td>T1</td> <td>T2</td> <td>T3</td> <td>T4</td> </tr> <tr> <td>C3</td> <td>C4</td> <td>C5</td> <td>SI</td> </tr> </table> | T1        | T2 | T3 | T4 | C3 | C4 | C5 | SI | 5.6.130 |
| T1  | T2  | T3  | T4        |    |    |    |    |    |    |    |         |
| C3  | C4  | C5  | SI        |    |    |    |    |    |    |    |         |

| Key   |           |   |                           |   |                       |
|---|-----------|---|---------------------------|---|-----------------------|
|  | Permitted |  | Permitted with Conditions |  | Sign Type Not Allowed |

5.6.120 Freestanding Sign Type



**A. Description**

**Freestanding Signs** encompass a variety of signs that are not attached to a building and have an integral support structure. Freestanding varieties include Monument and Pole Signs.

A Pole Sign, usually double-faced, mounted on a single or pair of round poles, square tubes, or other fabricated members without any type of secondary support.

A Monument Sign stands directly on the ground or ground level foundation and is often used to mark a place of significance or the entrance to a location.

**B. Standards**

**Size**

|  |                    |
|--|--------------------|
| Signable Area:                                     |                    |
| Single Tenant                                      | 40 SF max.         |
| Multiple Tenant with one highway frontage          | 80 SF max.         |
| Multiple Tenant with two or more highway frontages | 80 SF per frontage |

**Location**

|  |                       |
|--|-----------------------|
| Signs per Highway Frontage:                  |                       |
| Single Tenant                                | 1 max.                |
| Multiple Tenant                              | 1 max. <sup>1,2</sup> |
| Height                                       | 10' max. <b>(A)</b>   |
| Width  | 15' max. <b>(B)</b>   |
| Distance from ground to the base of the sign | 4' max.               |
| Setback within Corridor Overlay District     | 10' min.              |

<sup>1</sup>Individual tenants may not have a Freestanding Sign.

<sup>2</sup>Frontages greater than 500 feet may include one additional freestanding sign not to exceed 80 SF in area and with a total allowable sign area not exceeding the maximum allowable sign area for the multiple tenant center.

**Miscellaneous**

Freestanding signs are permitted in T4 zones in cases where the principal structure is located greater than 30 feet from the front property line.

Changeable copy signs are allowed for gasoline price signs, houses of worship, schools, directory signs listing more than one tenant, and signs advertising restaurant food specials, films and live entertainment which change on a regular basis.



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

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

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

SUBJ: **Recommendation of Contract Award for IFB#032515 for the Bluffton Library Porch Renovation Project**

DATE: June 15, 2015

**BACKGROUND:** On March 25, 2015, Beaufort County received bids from two construction companies for renovation services at the Bluffton Library. The project involves the renovation of and improvement to the covered porch for the purpose of a new computer lab. The renovation will include, but is not limited to the following; minor demolition, exterior wall and window improvements, mechanical, electrical, plumbing, HVAC, painting, carpentry, flooring and finish work. This will include the installation of a new acoustical tile ceiling system and new lighting. The contractor will provide new HVAC mechanical equipment with DDC management system, as well as new doors and windows.

**BIDDERS INFORMATION:**

**COST:**

- |   |           |
|---|-----------|
| 1. Neal's Construction, Beaufort, SC    | \$100,777 |
| 2. Patterson Construction, Beaufort, SC | \$156,496 |

An analysis of Neal's Construction bid prices revealed no apparent cause for rejecting the bid. Therefore, Neal's Construction is the certified lowest responsible/responsive bidder and is in compliance with the County's SMB Participation Ordinance.

*GAH* **FUNDING:** The Del Webb Library Fund will be used first with account number 26160011-54420 Renovations to Existing Building with a current available fund balance of \$57,088.00. The remaining funding will come from the Bluffton Library Impact Fees Fund with account number 26020011-54420-Renovations to Existing Building with a current available fund balance of \$612,426.

**FOR ACTION:** Public Facilities Committee meeting occurring June 15, 2015.

**RECOMMENDATION:** The Public Facilities Committee approve and recommend to County Council a contract award to Neal's Construction in the amount of \$100,777 for the Bluffton Library Porch Renovations Project from the funding sources listed above.

- CC: Gary Kubic, County Administrator *OKUBIC*  
 Joshua Gruber, Deputy County Administrator/Special Counsel *JG*  
 Alicia Holland, Asst. Co. Administrator, Finance *AH*  
 Monica Spells, Asst. Co. Administrator, Civic Engagement *Spells*  
 Morris Campbell, Community Services Director *McC*  
 Mark Roseneau, Facilities Management Director *Mark*  
 Milton Ray McBride, Libraries Director *MR*  
 Jan O'Rourke, Assistant Libraries Director *Jan*

Att: Bid Tab  
SMB Compliance Review

**PRELIMINARY BID TABULATION**  
PURCHASING DEPARTMENT



|                           |                                   |
|---------------------------|-----------------------------------|
| <b>Project Name:</b>      | Bluffton Library Porch Renovation |
| <b>Project Number:</b>    | IFB 032515                        |
| <b>Project Budget:</b>    |                                   |
| <b>Bid Opening Date:</b>  | 25-Mar-15                         |
| <b>Time:</b>              | 3:00                              |
| <b>Location:</b>          | BIV #2 Conference Room            |
| <b>Bid Administrator:</b> | Dave Thomas                       |
| <b>Bid Recorder:</b>      | Linda Maietta                     |

The following bids were received for the above referenced project:

| BIDDER                  | BID FORM | BID BOND | ALL ADDE NDA | SCH OF VALUES | SUB LISTING | SMBE DOCS | Grand Total Price |
|-------------------------|----------|----------|--------------|---------------|-------------|-----------|-------------------|
| Neal's Construction LLC | X        | X        | N/A          | N/A           | N/A         | N/A       | \$100,777.00      |
| Patterson Construction  | X        | X        | N/A          | N/A           | N/A         | N/A       | \$156,496.00      |
|                         |          |          |              |               |             |           |                   |
|                         |          |          |              |               |             |           |                   |
|                         |          |          |              |               |             |           |                   |
|                         |          |          |              |               |             |           |                   |
|                         |          |          |              |               |             |           |                   |
|                         |          |          |              |               |             |           |                   |
|                         |          |          |              |               |             |           |                   |

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

Bid Administrator Signature

Bid Recorder



### Small and Minority Business Bid Compliance Review of Good Faith Efforts (1 of 2)

Bluffton Library Branch Porch Renovation Project- IFB #032515

|    | <b>Prime Bidder/Proposer</b>                                    | <b>Neal</b> | <b>Patterson</b> |
|----|---|-------------|------------------|
| 1  | Included Good Faith Efforts Checklist Form                      | 1           | 1                |
| 2  | Requested Beaufort County SMBE Vendor List                      | 1           | 1                |
| 3  | Included Copy of Written Notice to SMBE                         | 1           | 1                |
| 4  | Provided Proof of Sending Written Notice to SMBE                | 1           | 1                |
| 5  | Sent Bid Notice to SMBE 10 Days in Advance                      | 1           | 1                |
| 6  | Included Copy of Written Notice to Good Faith Agencies          | 1           | 1                |
| 7  | Provided Proof of Sending Written Notice to Good Faith Agencies | 1           | 1                |
| 8  | Signed Non-Discrimination Statement Form (Exhibit 1)            | 1           | 1                |
| 9  | Included Completed Outreach Documentation Log (Exhibit 2)       | 1           | 1                |
| 10 | Included Completed Proposed Utilization Plan (Exhibit 3)        | 1           | 1                |
|    | <b>Total</b>  | <b>10</b>   | <b>10</b>        |

Neal's Construction (Beaufort, SC)  
Patterson Construction (Beaufort, SC)

Total of 10 Possible Points

Scoring:  
0 = No  
1 = Yes



## Small and Minority Business Bid Compliance Review of Good Faith Efforts (2 of 2)

Bluffton Library Branch Porch Renovation Project– IFB #032515

| Prime Bidder/Proposer                  | Proposed Local SMBE Firm Name | Type | Location                | Scope             | Proposed Amount |
|--|-------------------------------|------|-------------------------|-------------------|-----------------|
| Neal's Construction*<br>Beaufort, SC   | Cleveland Electric            | MBE  | Saint Helena Island, SC | Electric          | \$15,665        |
|  | Paint Magic                   | MBE  | Beaufort, SC            | Painting          | \$4,164         |
| Patterson Construction<br>Beaufort, SC | Clover Glass of Bluffton      | SBE  | Bluffton, SC            | Glass/Windows     | \$11,900        |
|  | Brown Drywall Services        | MBE  | Beaufort, SC            | Sheetrock/Drywall | \$2,964         |
|  | Dean Custom Air               | SBE  | Bluffton, SC            | HVAC              | \$19,633        |
|  | Creative Interiors            | SBE  | Beaufort, SC            | Flooring          | \$4,467         |
|  | Paint Magic                   | MBE  | Beaufort, SC            | Painting          | \$4,407         |

MBE = Minority Business Enterprise

SBE = Small Business Enterprise

WBE = Woman Business Enterprise

\* Neal's Construction is a certified MBE by the South Carolina Governor's Office of Small and Minority Business Assistance.



**COUNTY COUNCIL OF BEAUFORT COUNTY**  
**PURCHASING DEPARTMENT**  
 106 Industrial Village Road, Bldg 3 Post Office Drawer 1228  
 Beaufort, South Carolina 29901-1228

**TO:** Councilman Gerald Dawson, Chairman, Public Facilities Committee

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

**SUBJ:** **Request Contract Award for Food Services to ABL Management, Inc. for the Beaufort County Detention Center**

**DATE:** June 15, 2015

**BACKGROUND:** The Purchasing Department received three proposals from qualified firms for food services in support of the Beaufort County Detention Center. The contractor will provide all labor, food, beverages, materials, supplies, and chemicals necessary to provide food services for the inmates and staff. The contractor will provide meals and food services three times per day, seven days per week. The contractor shall manage a civilian and inmate kitchen staff which shall prepare pre-plated meals for service on thermal insulated trays. The contract term will cover fiscal year 2016 and expire on June 30, 2016, with four more one year annual renewals subject to County Council approval.

**VENDOR INFORMATION AND RANKING:**

**COST**

- |  |  |
|--|--|
| 1. ABL Management, Inc., Baton Rouge, LA       | \$1.04898 per regular inmate meal, with a guaranteed price for two (2) years |
| 2. Trinity Services Group, Inc., Oldsmar, Fla. | \$1.0953 per regular inmate meal, first year price                           |
| 3. CBM Managed Services, Inc., Sioux Falls, ND | \$1.270 per regular inmate meal, first year price                            |

*JA* **FUNDING:** Account 10001250-51200, Detention Center Meals/Contracted Services

**PRIOR YEAR COST:** \$283,000; new contract estimated not to exceed \$ 307,000.

**FOR ACTION:** Public Facilities Committee meeting occurring on June 15, 2015.

**RECOMMENDATION:** The Public Facilities Committee approves and recommends to County Council the annual contract award to ABL Management, Inc., to provide food services for the Detention Center. The total cost incurred will depend on the number of meals provided during FY 2016

**CC:** Gary Kubic, County Administrator *OK*  
 Joshua Gruber, Deputy County Administrator  
 Alicia Holland, Asst. Co. Administrator, Finance *JA*  
 Philip Foot, Asst Co. Administrator, Public Safety Director *PH*

Att: Pricing Information per meal, Ranking Summary

RFP NO. 043015

EXHIBIT E

PAGE 5 of 7

**PRICE PROPOSAL AND CERTIFICATION**

The undersigned ABL Management, Inc., having carefully examined the information

(Name of Offeror)

contained in the Beaufort County RFP Number # RFP NO. 043015 dated 03/18/15, 2015, proposes to provide Food Services services to Beaufort County Government, as outlined in this proposal, at the prices specified below:

PRICES ARE GUARANTEED FOR TWO (2) YEARS

|                               |                  |
|-------------------------------|------------------|
| <b>Inmate Regular Portion</b> | <b>\$1.04898</b> |
| <b>Inmate Double Entree</b>   | <b>\$1.12860</b> |
| <b>Staff Regular Portion</b>  | <b>\$1.49860</b> |
| <b>Staff Double Entree</b>    | <b>\$1.70860</b> |

**CHEF'S GRILL**

**ABL also offers the Chef's Grill Program which brings take-out style food to the inmates of your facility while generating extra revenue for your budget and influencing inmate behavior. The menu items can be customized to suit your needs and preferences. The Chef's Grill Menu, costing and commission are developed with your Facility Director upon award of contract.**

**MAINTENANCE PROGRAM**

**Beaufort County can choose to add \$0.05 cents per meal per \$5,000 of Maintenance**

In compliance with the Request for Proposal # 043015, and subject to all conditions thereof, the undersigned agrees:

- (a) This proposal, as stated, is open for acceptance for a period of 90 calendar days from the date of opening; and
- (b) To furnish all services, materials, and equipment necessary and incidental to perform the subject audits.

**CERTIFICATION**

**CONTRACTOR**

HAS A FEDERAL AGENCY OR A FEDERALLY CERTIFIED STATE OR LOCAL AGENCY PERFORMED ANY REVIEW OF YOUR ACCOUNTS OR RECORDS IN CONNECTION WITH ANY GRANT OR CONTRACT WITHIN ANY GRANT OR CONTRACT WITHIN THE PAST TWELVE MONTHS?

YES                      NO                      (IF "YES" GIVE NAME, ADDRESS, AND TELEPHONE NUMBER OF REVIEWING OFFICE.)

RFP 043015, Food Service Program for the Beaufort County Detention Center  
 INITIAL SCORE SHEET SUMMARY

| Column1                  | Column2                            | Column3                            | Column4                                    |
|--------------------------|------------------------------------|------------------------------------|--|
|                          | <b><u>Name of Company</u></b>      |                                    |  |
| <b><u>Evaluators</u></b> | <b><u>ABL Management, Inc.</u></b> | <b><u>CBM Managed Services</u></b> | <b><u>Trinity Services Group, Inc.</u></b> |
| Lt. Aiken                | 76                                 | 31                                 | 51   |
| S. Colson                | 93                                 | 68                                 | 86   |
| P. Foot                  | 92                                 | 63                                 | 78   |
| Col. Grant               | 97                                 | 73                                 | 85   |
| T. Williams              | 100                                | 83                                 | 96   |
| <b>TOTALS:</b>           | <b>458</b>                         | <b>318</b>                         | <b>396</b>                                 |

1. ABL Management, Inc. 458
2. Trinity Services Group, Inc. 396
3. CBM Managed Services 318



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

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee  
FROM: Dave Thomas, CPPO, Purchasing Director  
SUBJ: **Request Contract Award for Medical Services to Southern Health Partners for the Beaufort County Detention Center**  
DATE: June 15, 2015

**BACKGROUND:** On May 4, 2015, Beaufort County received one response to the RFP from Southern Health Partners, the current incumbent contractor. Southern Health Partners RFP response was determined to be fair and reasonable by the evaluation committee and find no reason to reject their offer. Beaufort County's Detention Center has contracted with Southern Health Partners over the past ten years for annual medical services for inmates at the Detention Center. Southern Health Partners provides all medical needs for inmates in custody to include; screening at booking, health appraisals, dispensing of prescriptions, physician sick-call, dentist sick-call, compliance with National Correctional Health Care Accreditation Standards, State and Federal regulations, and 24-hour medical coverage. The new contract term will began July 1, 2015, and ends June 30, 2016. Subject to County Council approval, the contract may be renewed each year up to four additional one year terms. The below cost will cover the first year term.

| <u>VENDOR INFORMATION:</u>                | <u>Annual Cost</u> |
|---|--------------------|
| Southern Health Partners, Chattanooga, TN | \$555,840*         |

\*Includes \$80,000 for cost pool which covers the cost for prescription medications, off-site x-ray services, off-site dental services, and all medical and mental health services that cannot be performed on-site.

*JH* **FUNDING:** Account 10001250-51190, Detention Center Medical Services

**PRIOR YEAR COST:** \$546,888

**FOR ACTION:** Public Facilities Committee meeting occurring on June 15, 2015.

**RECOMMENDATION:** The Public Facilities Committee approves and recommends to County Council a contract award to Southern Health Partners in the amount of \$555,840 to provide medical services for Beaufort County's Detention Center.

CC: Gary Kubic, County Administrator *GK*  
Joshua Gruber, Deputy County Administrator  
Alicia Holland, Asst. Co. Administrator, Finance *JH*  
Philip Foot, Public Safety Director *PHF*



**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 *J. Gruber*

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– Johnson Landing Road, Lady’s Island**

DATE: June 3, 2015

**BACKGROUND.** Johnson Landing Road is a 1.5 mile dirt road located off of Brickyard Point Road in the Broomfield community of Lady’s Island. The Public Works Department has maintained this road for over 50 years. Johnson Landing Road was ranked 20<sup>th</sup> on the FY 09/10 – FY 12/13 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 included in a dirt road paving contract. Beaufort County owns neither the right-of-way nor an easement for Johnson Landing Road. Staff has followed the current process to try and obtain deeds for right of way.

The staff efforts to obtain right-of-way for Johnson Landing 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 24 months. After sending two written requests, more in some cases, the Engineering Department has obtained 39 of 47 signed right-of-way deeds. Condemnation of the eight remaining parcels, four of which are heirs properties, would be necessary to complete the right of way effort for Johnson Landing Road.

The Public Works and Engineering Departments jointly recommend that the committee approve condemnation of the remaining eight right-of-way parcels on Johnson Landing Road in order to facilitate paving of the road.

**FOR ACTION.** Public Facilities Committee on June 22, 2015.

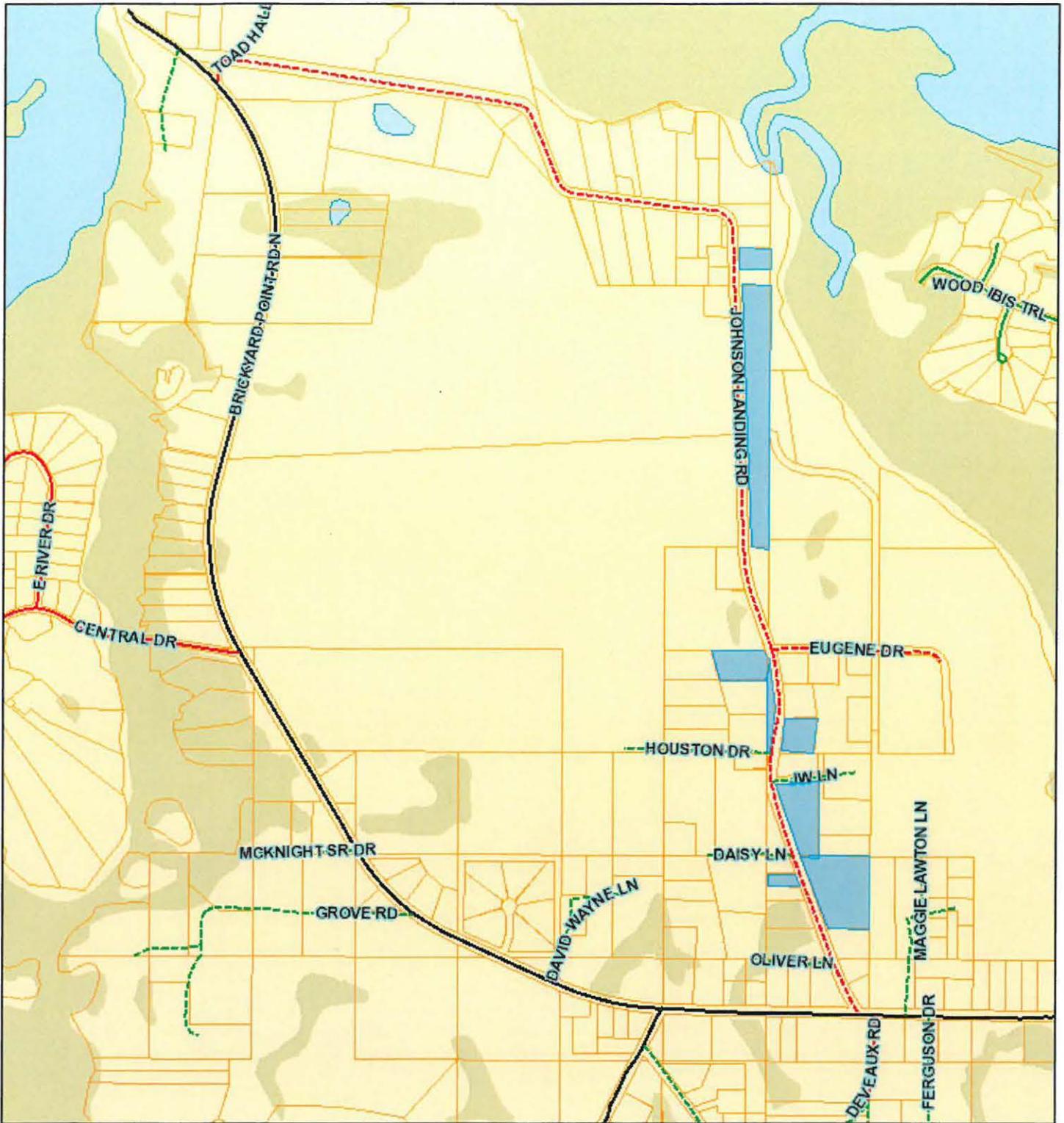
**RECOMMENDATION.** The Public Facilities Committee approves and recommend to County Council to approve condemnation of the eight remaining right-of-way parcels needed on Johnson landing Road in order to improve the dirt road in a future dirt road paving contract.

JRM/EWK/mjh

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

cc: Eddie Bellamy

# JOHNSON LANDING ROAD CONDEMNATIONS

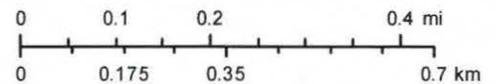


June 8, 2015

1:12,811

## 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            |  |                       |



# Do Not Discard. Response Required.

April 22, 2015

Elliot Green  
29 Johnson Landing Road  
Beaufort, SC 29907

## Re: Johnson Landing Road Right-of-Way Acquisition

Tax Map #: R200 004 000 0027 0000

Dear Mr. Green:

Johnson Landing Road is a dirt road that abuts and/or traverses your property referenced above by Tax Map#. In order for Beaufort County to legally maintain and improve (pave) Johnson Landing Road, we must ensure that it is not private property, but rather that it falls within the public domain. 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 public funds on the road.

Our road survey indicates that Johnson Landing Road already has a 50' right-of-way as it passes by your property (referenced above). Therefore, we are requesting that you convey only your interest, whatever that may be, in Johnson Landing Road itself. A quitclaim deed has been enclosed for this purpose.

If you want Johnson Landing Road to continue to be paved, we ask that you:

- 1) Sign the enclosed deed,
- 2) Have it notarized, and
- 3) Return it to our office within 60 days of the date of this letter 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, Johnson Landing 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.**

Please contact Eric Klatt at (843) 255-2700 if you have questions or concerns.

Sincerely,

Robert McFee, PE  
Director of Facilities and Construction Engineering

JRM/EWK/cvs

Enclosures: Deed

June 5, 2014

Elliot Green  
29 Johnson Landing Road  
Beaufort, SC 29907

**Re: Beaufort County Dirt Road Paving Contract 47 - Johnson Landing Road - FINAL REQUEST**

Dear Property Owner: Tax Map #: R200 004 000 0027 0000

As you know, the Beaufort County Transportation Committee (CTC) has selected Johnson Landing Road as one of the roads to be included in the County's Dirt Road Paving Program. Before Johnson Landing 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 Johnson Landing Road already has a platted 50' right-of-way as it passes by your property. Therefore, **we are requesting that you convey only your interest, if any, in the roadway itself. You will not be giving up any part of your land.** A quitclaim deed has been enclosed for this purpose.

If you want Johnson Landing 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.

**This is the County's final request for right-of-way. 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, Johnson Landing Road will revert to a private road and the County will be prohibited by law from maintaining it. The residents who use Johnson Landing 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

| <b>JOHNSON LANDING ROAD CONDEMNATIONS</b> |  |  |                 |                           |
|---|--|--|-----------------|---------------------------|
| R200 004 000 012A 0000                    |  |  |                 |                           |
| <b>TYRONE WALLACE</b>                     |  |  | <b>NO</b>       | <b>WILL NOT SIGN DEED</b> |
| R200 004 000 006D 0000                    |  |  |                 |                           |
| ALEX SPEAKS                               |  |  | <b>DECEASED</b> |                           |
| R200 004 000 0027 0000                    |  |  |                 |                           |
| <b>ELLIOT GREEN</b>                       |  |  | <b>NO</b>       | <b>WILL NOT SIGN DEED</b> |
| R200 004 000 027A 0000                    |  |  |                 |                           |
| SANDRA LIDSTER                            |  |  | <b>DECEASED</b> |                           |
| R200 004 000 0025 0000                    |  |  |                 |                           |
| <b>LAURETTA W. O'NEAL</b>                 |  |  | <b>NO</b>       | <b>WILL NOT SIGN DEED</b> |
| R200 004 000 0012 0000                    |  |  |                 |                           |
| RUTH M. WALLACE                           |  |  | <b>DECEASED</b> |                           |
| R200 004 000 0013 0000                    |  |  |                 |                           |
| FREDDIE WILSON                            |  |  | <b>DECEASED</b> |                           |
| R200 004 000 005B 0000                    |  |  |                 |                           |
| <b>JAMES P. RATHBUN, JR.</b>              |  |  | <b>HOLD</b>     | <b>ENGINEERING ISSUES</b> |

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

**AN ORDINANCE DECLARING CERTAIN REAL PROPERTY AS SURPLUS  
PROPERTY AND AUTHORIZING BEAUFORT COUNTY ADMINISTRATION TO  
TRANSFER REAL PROPERTY IDENTIFIED AS TMP: R120 008 000 0210**

**WHEREAS**, Beaufort County is the owner of real property located at 1603 Ivy Lane, Beaufort, South Carolina specifically identified a TMP: R120 008 000 0210; and

**WHEREAS**, the property was previously utilized by Beaufort County Disabilities and Special Needs as a housing facility; and

**WHEREAS**, Beaufort County Disabilities and Special Needs discontinued the use of the property, thereby leaving the property unoccupied; and

**WHEREAS**, an appraisal conducted on June 10, 2014 stated that while there was no apparent friable asbestos observed, that all or part of the improvements were constructed before 1979 when asbestos was a common building material; and

**WHEREAS**, based on the appraisal dated June 10, 2014 the property is in need of certain remediation; and

**WHEREAS**, LowCountry Habitat for Humanity is a non-profit corporation located in Beaufort, South Carolina that seeks to provide affordable housing for Beaufort County citizens; and

**WHEREAS**, Beaufort County Council has determined that it is in the best interests of the citizens of Beaufort County to declare the above-described property as surplus property and to transfer the property to LowCountry Habitat for Humanity for remediation and the promotion of affordable housing; and

**WHEREAS**, S.C. Code Ann. § 4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by the adoption of an Ordinance by Beaufort County Council.

**NOW, THEREFORE,** Be it Ordained by Beaufort County Council, that the above-described property is declared surplus property and the County Administrator is hereby authorized to transfer the property identified as TMP: R120 008 000 0210 to LowCountry Habitat for Humanity for remediation and the promotion of affordable housing.

**ADOPTED BY BEAUFORT COUNTY COUNCIL, BEAUFORT, SOUTH CAROLINA,  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, II, County Attorney

ATTEST:

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

First Reading:  
Second Reading:  
Public Hearing:  
Third and Final Reading:

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

**AN ORDINANCE DECLARING CERTAIN REAL PROPERTY AS SURPLUS PROPERTY  
AND AUTHORIZING BEAUFORT COUNTY TO SELL REAL PROPERTY IDENTIFIED  
AS TMP: R100 033 00A 021B 0000**

**WHEREAS**, Beaufort County is the owner of real property located at 3012 Palmetto Ridge Street, Beaufort, South Carolina specifically identified a TMP: R100 033 00A 021B 0000; and

**WHEREAS**, the property was previously utilized by Beaufort County Disability and Special Needs as a housing facility; and

**WHEREAS**, the Beaufort County Disabilities and Special Needs discontinued the use of the property, thereby leaving the property vacant and unoccupied; and

**WHEREAS**, Beaufort County Council has determined that it is in the best interest of the citizens of Beaufort County to declare the above-described property as surplus property and to sell the property upon such terms and conditions as may be most favorable to the County; and

**WHEREAS**, Beaufort County shall solicit requests for proposals through a RFP for both a purchase price and subsequent use of the property; and

**WHEREAS**, S.C. Code Ann. § 4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by the adoption of an Ordinance by Beaufort County Council.

**NOW, THEREFORE**, Be it Ordained by Beaufort County Council, that the above-described property is declared surplus property and the County Administrator is hereby authorized to execute and sell the property identified as TMP: R100 033 00A 021B 0000 upon such terms and conditions as he believes reasonably prudent and in the best interest of the citizens of Beaufort County.

**ADOPTED BY BEAUFORT COUNTY COUNCIL, BEAUFORT, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, II, County Attorney

ATTEST:

\_\_\_\_\_  
Suzanne M. Rainey, Clerk to Council  
First Reading: May 26, 2015  
Second Reading: June 8, 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: An emergency ordinance prohibiting the importation of exotic animals with Beaufort County

Date Submitted: June 22, 2015

Submitted By: Allison Coppage

Venue: County Council Meeting

**Ordinance 2015/\_\_\_\_\_**

**AN EMERGENCY ORDINANCE PROHIBITING THE IMPORTATION OF EXOTIC ANIMALS WITHIN BEAUFORT COUNTY**

WHEREAS, the Beaufort County Code does not currently prohibit the keeping, maintenance, possession, or control of exotic animals; and

WHEREAS, the Beaufort County Council has determined that a potential threat - currently exists to the safety and welfare of the citizens of Beaufort County in that such exotic animals are currently are or may soon be brought into the County; and

WHEREAS, the Council has further determined that prohibiting the importation of exotic animals is in the best interests of the citizens of the County and necessary to protect the safety and welfare of the public; and

WHEREAS, S.C. Code Ann. §4-9-130 authorizes the enactment of emergency ordinances by County Council to address public emergencies affecting the life, health, safety or the property of the people of Beaufort County; and

WHEREAS, County Council has determined that such an emergency situation exists and that increasing the population of exotic animals in the County will affect - public safety;

NOW, THEREFORE, for the reasons set forth above, and in the interests of public safety and welfare of the citizens of Beaufort County, the Council hereby declares the existence of such an emergency in the County; and furthermore

BE IT HEREBY ORDAINED by the Beaufort County Council as follows:

1. *Definition.* An “exotic animal” shall be defined as one which would ordinarily be confined to a zoo, or one which would ordinarily be found in the wilderness of this or any other country or one which is a species of animal not indigenous to the United States or to North America, or to one which otherwise causes a reasonable person to be fearful of significant destruction of property or of bodily harm and the latter includes, but would not be limited to, such animals as monkeys, raccoons, squirrels, ocelots, bobcats, lions, tigers, bears, wolves, hybrid wolves, and other such animals or one which causes zoonotic diseases. Such animals are further defined as being those mammals or those nonvenomous reptiles weighing over 50 pounds at maturity which are known at law

as *Ferae naturae*. Wild or exotic animals specifically do not include animals of a species customarily used in South Carolina as ordinary household pets, animals of a species customarily used in South Carolina as domestic farm animals, fish contained in an aquarium, birds or insects.

2. *Unlawful Act*. It shall be unlawful for any person, firm, or corporation to import into Beaufort County, any venomous reptile or any other exotic animal.

This ordinance is effective immediately upon enactment and shall automatically expire on the sixty first (61) day following the date of enactment.

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

BEAUFORT COUNTY COUNCIL

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D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

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Thomas J. Keaveny, II, County Attorney

ATTEST:

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Suzanne M. Rainey, Clerk to Council

Topic: S.C. Highway 170 Project / chronology of most significant dates and times  
Date Submitted: June 22, 2015  
Submitted By: Avery Cleland  
Venue: County Council Meeting



# CLELAND

Site Prep, Inc.

June 22, 2015

To: Beaufort County

I am attaching a chronological breakdown of the most significant date and times on this project for your review. To date, there have been 29 executed change orders on this job and only 5 of the change orders have included contract time extensions. Below is a summary of some of the large items.

1. The contract start date moved several times.
2. The majority of storm piping was held up due to redesign until 65% of the contract time expired, leaving 80% of contract work to performed. Need additional contract time.
3. The asphalt binder and surface held up until change order 17 redesigned asphalt thickness. 100% of contract time expired, leaving 70% of work to perform.
4. Cleland was not allowed to start installing asphalt surface since beginning of April.

Note: items 2 and 3 above would allow us approximately 400 additional days of contract time. Item 4 above is still on hold by the County. As you can see, there were many delays beyond Cleland's control. I request that Cleland be allowed o finish and receive additional time as fair to all.

Respectively,

A handwritten signature in blue ink that reads "Avery E. Cleland".

Avery E. Cleland

President

Avery Cleland  
June 22, 2015  
County Council Meeting

## Hwy 170 / Cleland Site Prep, Inc. Timeline at 6-22-2015

**8/27/12 Contract date. Original completion is 5/28/14 or 535 days.**

9/7/12 1st Notice To Proceed.

11/14/12 2nd Notice To Proceed.

**2/27/13 3rd (unwritten) Notice To Proceed. Received SCDHEC Land Disturbance NOI.**

LARGER CHANGES:

**8/13/13 Received revised storm drain plans for entire job. 80% of work held up until now. 65% of contract time has expired.**

**5/28/14 Original completion date.**

**6/10/14 Received revised pavement sections in change order # 17 for \$723,195.85. 100% of original contract time has expired. 70% of work held up until now. Could not start traffic shifts without this revision.**

6/10/14 Started installing asphalt prime.

**1/16/15 Cleland started patching potholes in so called asphalt binder fatigue areas.**

4/9/15 After meeting with Cleland on 4/9/15, county asked SCDOT to review road for acceptance.

**4/9/15 Cleland was ready to install the asphalt surface course but was not allowed to do so by Beaufort County. Still on hold.**

5/18/15 Beaufort County sent notice to Cleland's bonding company.

6/3/15 Beaufort County give SCDOT's testing results to Cleland.

6/8/15 Cleland send their response for pricing for 100 lbs. of asphalt to Beaufort County .

6/16/15 Beaufort County sent notice of termination.

6/23/15 Termination effective.