

COUNTY COUNCIL OF BEAUFORT COUNTY
 ADMINISTRATION BUILDING
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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, August 24, 2015
 5:00 p.m.
 Large Meeting Room
 Hilton Head Island Branch Library
 11 Beach City Road, Hilton Head Island

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

1. REGULAR MEETING - 5:00 P.M.
2. CALL TO ORDER
3. PLEDGE OF ALLEGIANCE
4. INVOCATION – Councilman Brian Flewelling
5. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes – August 10, 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 (September 28 at 1:00 p.m., Bluffton Branch Library)
 2. Executive (September 14 at 2:00 p.m., ECR)
 - a. Minutes – July 29, 2015 ([backup](#))
 3. Finance (September 21 at 2:00 p.m., BIV #3)
 4. Governmental (August 31 at 2:00 p.m., ECR)
 5. Natural Resources (September 8 at 2:00 p.m., ECR)
 - a. Minutes – August 10, 2015 ([backup](#))
 6. Public Facilities (September 21 at 4:00 p.m., BIV #3)
 - E. Appointments to Boards and Commissions ([backup](#))
6. PROCLAMATION
 - A. National Aviation Week and South Carolina Aviation Week ([backup](#))
 Mr. Richard Sells, Chairman, Airports Board

7. PUBLIC COMMENT – Speaker sign-up no later than 4:45 p.m. prior to the beginning of the meeting.
8. NEW BUSINESS / A RESOLUTION TO AMEND THE RESOLUTION ADOPTING THE BEAUFORT COUNTY STORMWATER UTILITY RATE STUDY DATED AUGUST 18, 2015 TO DECREASE THE COUNTYWIDE INFRASTRUCTURE FEE FOR RATE PAYERS IN THE MUNICIPAL JURISDICTIONS ([backup](#))
 - ([memo to Council](#))
 - ([revised rate study](#))
 - ([slides explaining the revised rate study](#))
 - ([slides addressing the analysis of rural and vacant properties](#))
 - ([slides outlining the regulations of MS4](#))
9. CONSENT AGENDA
 - A. A RESOLUTION MEMORIALIZING THE APPOINTING OF MEMBERS TO THE COMMISSION CREATED PURSUANT TO THE CAPITAL PROJECT SALES TAX ACT, S.C. CODE ANN. §4-10-300, *ET SEQ.* (SUPP. 2003); TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION MEMBERS AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO ([backup](#))
 - Beaufort County Council - Alan Herd
 - Beaufort County Council - Carolyn Smith
 - City of Beaufort - Mike Sutton
 - Town of Bluffton - Mike Tripka
 - Town of Hilton Head Island - Andrea Siebold
 - Town of Port Royal - Dean Moss
 1. Finance Committee discussion and recommendation to adopt the resolution occurred Monday, August 17, 2015 / Vote 6:2
 - B. CONTRACT AWARD / CHANGE ORDER / DESIGN BUILD CONSTRUCTION DIRT ROAD PAVING CONTRACT 49 FOR KEANS NECK ROAD TO COMMUNITY CENTER ROAD PORTION OF WIMBEE LANDING ROAD, DALE ([backup](#))
 1. Contract award: J. H. Hiers Construction, LLC, Walterboro, South Carolina with Andrews & Burgess, Inc., Beaufort, South Carolina
 2. Contract amount: \$733,675
 3. Funding source: County C Funds
 4. Public Facilities Committee discussion and recommendation to award the contract occurred Monday, August 17, 2015 / Vote 7:0
 - C. CONTRACT AWARD / BLUFFTON PARKWAY RESURFACING FROM BUCK ISLAND ROAD TO SIMMONSVILLE ROAD AND INTERSECTION IMPROVEMENTS FOR BLUFFTON PARKWAY AND MALPHRUS ROAD ([backup](#))
 1. Contract award: The Lane Construction Corporation, Beaufort, South Carolina
 2. Contract amount: \$433,483.25 (12% contingency \$52,017; total budget \$485,500)
 3. Funding source: County TAG Fund Account 2342001T-54901, Resurfacing & Improvements
 4. Public Facilities Committee discussion and recommendation to award the contract occurred Monday, August 17, 2015 / Vote 7:0

- D. CONTRACT AWARD / CONSTRUCTION MANAGEMENT AND CONSTRUCTION ENGINEERING INSPECTION SERVICES FOR VARIOUS COUNTY IMPROVEMENT PROJECTS ([backup](#))
- 1.Contract award: F & ME Consultants, Columbia, South Carolina
 - 2.Contract amount: \$225,582
 - 3.Funding sources:
 - a. Buckwalter Regional Park Community Center Phase 2 Expansion, Bluffton Parkway Parks and Leisure Services Impact Fees, Account 26520011-54453
 - b. Animal Shelter and Control Facility, 2015 Animal Shelter CIP, Account 40090011-54600
 - c. Perryclear Bridge Design-Building Replacement, TAG Fund Professional Services, Account 2342001T-51160
 - d. County Dirt Road Paving Contract 49, TAG Fund Professional Services, Account 2342001T-51160
 - 4.Public Facilities Committee discussion and recommendation to award the contract occurred Monday, August 17, 2015 / Vote 7:0
- E. CONTRACT AWARD / ENGINEERING DESIGN SERVICES FOR REPLACEMENT OF ROOFING SYSTEMS ON EIGHT SEPARATE BEAUFORT COUNTY FACILITIES ([backup](#))
- 1.Contract award: WTI, Beachwood, Ohio (with offices in Charleston, Columbia and Greenville, South Carolina)
 - 2.Contract amount: \$1,859,000
 - 3.Funding source: Account 40090011-54420, 2014 General Obligation Bonds
 - 4.Public Facilities Committee discussion and recommendation to award the contract occurred Monday, August 17, 2015 / Vote 7:0
- F. SCDOT ADMINISTRATIVE SERVICES FIRST THROUGH THIRD QUARTERS FY 2015 / S.C. HIGHWAY 170 WIDENING, BLUFFTON PARKWAY PHASE 5A SEGMENT 2 ROADWAY, FLYOVER BRIDGE, AND BOUNDARY STREET REDEVELOPMENT ([backup](#))
- 1.Amount: \$163,519.14
 - 2.Funding sources:
 - a. Bluffton Parkway Phase 5, \$92,224.84, Account 47010012-54500
 - b. S.C. Highway 170, \$70,856.37, Account 47010014-54500
 - c. Boundary Street Street/TIGER Grant Project, \$437.93, Account 47030011-54503
 - 3.Public Facilities Committee discussion and recommendation to approve the payment occurred Monday, August 17, 2015 / Vote 6:1
- G. AUTHORIZATION FOR CONDEMNATION OF COUNTY DIRT ROAD PAVING REQUIREMENTS FOR DIRT ROADS WITHOUT RIGHT-OF-WAY / REQUEST FOR SHINEY ROAD, ST. HELENA ISLAND ([backup](#))
- 1.Public Facilities Committee discussion and recommendation to approve the condemnation occurred Monday, August 17, 2015 / Vote 7:0

- H. REQUEST FOR ROAD ABANDONMENT / REMOVAL FROM COUNTY ROAD MAINTENANCE / MELROSE LANDING / DAUFUSKIE ISLAND ([backup](#))
1.Public Facilities Committee discussion and recommendation to approve the removal occurred Monday, August 17, 2015 / Vote 7:0
- I. REQUEST FOR ROAD ABANDONMENT / REMOVAL FROM COUNTY ROAD MAINTENANCE / YARD FARM ROAD / ST. HELENA ISLAND ([backup](#))
1.Public Facilities Committee discussion and recommendation to approve the removal contingent upon receipt of maintenance documents from property owners occurred Monday, August 17, 2015 / Vote 7:0
- J. AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF BLUFFTON RE: OYSTER FACTORY PARK ([backup](#))
1.Public Facilities Committee discussion and recommendation to approve the amendment occurred Monday, August 17, 2015 / Vote 5:1:1
- K. MEMORANDUM OF UNDERSTANDING WITH TOWN OF BLUFFTON RE: CALHOUN STREET DOCK ([backup](#))
1.Public Facilities Committee discussion and recommendation to approve the Memorandum of Understanding occurred Monday, August 17, 2015 / Vote 6:1
- L. RIGHT-OF-WAY EXCHANGE FOR BEACH ROAD, DAUFUSKIE ISLAND (PUBLIC BEACH ACCESS) ([backup](#))
1.Public Facilities Committee discussion and recommendation to approve the right-of-way exchange occurred Monday, August 17, 2015 / Vote 7:0
- M. RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53; TITLE 23, UNITED STATES CODE, OR OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION (DESIGNATING LOWCOUNTRY REGIONAL TRANSPORTATION AUTHORITY (LRTA) A RECIPIENT FOR FEDERAL TRANSIT ADMINISTRATION FUNDING) ([backup](#))
1.Public Facilities Committee discussion and recommendation to adopt the resolution occurred Monday, August 17, 2015 / Vote 7:0
- N. AN ORDINANCE TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A QUIT CLAIM DEED FOR THE MARY FIELDS SCHOOL AND ASSOCIATED PROPERTY ON DAUFUSKIE ISLAND TO THE FIRST UNION AFRICAN BAPTIST CHURCH ([backup](#))
1.Consideration of first reading, by title only, to occur August 24, 2015
2.Public Facilities Committee discussion and recommendation to approve the ordinance on first reading occurred Monday, August 17, 2015 / Vote 7:0

- O. AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA TO AMEND ARTICLE II, SECTION 14-26, *ET SEQ.* OF THE BEAUFORT COUNTY CODE OF LAWS TO PROHIBIT THE IMPORTATION OF EXOTIC ANIMAL WITHIN BEAUFORT COUNTY ([backup](#))
 - 1. Community Services Committee discussion to occur Monday, August 24, 2015 beginning at 1:30 p.m.

- P. AN ORDINANCE TO AMEND ORDINANCE 2006/24 TO INCLUDE IN SECTION 6, PARAGRAPH B, SUBPARAGRAPH 3C, DISCOUNT TABLE FOR AFFORDABLE HOUSING, OF THE DEVELOPMENT IMPACT FEE PROCEDURES ORDINANCE ([backup](#))
 - 1. Community Services Committee discussion to occur Monday, August 24, 2015 beginning at 1:30 p.m.

10. PUBLIC HEARING

- A. AN ORDINANCE TO AMEND THE STORMWATER MANAGEMENT UTILITY ORDINANCE AS ADOPTED AUGUST 22, 2005 TO PROVIDE FOR AMENDMENT OF THE RATE STRUCTURE, ADJUST UTILITY RATES, AND TO MODIFY CERTAIN TERMS TO ACCURATELY REFLECT ADMINISTRATION STRUCTURE (TO ADOPT RATE STRUCTURE E) ([backup](#))
 - 1. Consideration of third and final reading to occur August 24, 2015
 - 2. Second reading approval occurred August 10, 2015 / Vote 8:2
 - 3. Natural Resources Committee discussion occurred August 10, 2015
 - 4. First reading approval occurred July 27, 2015 / Vote 8:3
 - 5. Public hearing 1 of 2 was held July 27, 2015
 - 6. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred July 20, 2015 / Vote 5:2
 - 7. Stormwater Management Utility Board discussion and recommendation to approve ordinance on first reading occurred July 15, 2015 / Vote 5:0
([memo to Council](#))
([revised rate study](#))
([slides explaining the revised rate study](#))
([slides addressing the analysis of rural and vacant properties](#))
([slides outlining the regulations of MS4](#))

11. MATTERS ARISING OUT OF EXECUTIVE SESSION

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

13. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
August 10, 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, August 10, 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, Gerald Dawson, Brian Flewelling, Steven Fobes, Alice Howard, William McBride, Stewart Rodman and Roberts "Tabor" Vaux. Rick Caporale absent.

DISCUSSION ITEMS

Mr. Flewelling will introduce an amendment to agenda item 11, emergency ordinance prohibiting the importation of exotic animals within Beaufort County during the regular meeting. The amendment is to incorporate a paragraph 3, "*Exception*. This ordinance/emergency ordinance shall not apply to any entity licensed as a Class R Research Facility by the United States of America or any agency thereof pursuant to the Animal Welfare Act (7 U.S.C. Sec. 2131 *et seq.*)"

Mrs. Bensch requested staff include the bond issue information from 2008 forward in the Citizen Transparency Interactive website.

Mr. Rodman brought forward three discussion items: (1) whether the caucus is part of the main agenda of the Council meeting; (2) the time to start public hearings; and (3) Beaufort County's 2015 / 2016 legislative policy.

In response to Mr. Rodman's discussion items, Council's consensus is to (i) treat caucus and regular session as two separate meetings, publish two separate agendas, and list executive items on both agendas; (ii) maintain the current practice of holding public hearings beginning at 6:00 p.m.; and (iii) submit the County's 2015/2016 legislative policy items to the South Carolina Association of Counties.

REGULAR MEETING

The regular meeting of the County Council of Beaufort County was held Monday, August 10, 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, Gerald Dawson, Brian Flewelling, Steven Fobes, Alice Howard, William McBride, Stewart Rodman and Roberts “Tabor” Vaux. Rick Caporale absent.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

INVOCATION

Councilman Gerald Dawson gave the Invocation.

MOMENT OF SILENCE

Julie Williams

The Chairman called for a moment of silence in remembrance of Julie Williams, a former Beaufort County EMS training officer, who died July 31, 2015 after a three-year battle with pancreatic cancer at her home in Ohio. Julie joined Beaufort County EMS in 1995 and rose through the ranks, working as a paramedic, crew chief and in administrative roles before becoming the department's training officer in 2008.

Rhashard Spikes

The Chairman called for a moment of silence in remembrance of Rhashard Spikes, who died in a tragic incident on the evening of August 4, 2015. Rhashard, 21, was a wonderful employee and friend who understood the meaning of the word team. He made many contributions to the community as an employee in the County's Animal Services Department.

ADMINISTRATIVE CONSENT AGENDA

Review of Proceedings of the Regular Meeting held July 27, 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 July 27, 2015. The vote: YEAS - Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Caporale. 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 July 25, 2015 through August 7, 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 July 25, 2015 through August 7, 2015.

Committee Reports

Finance Committee

Airports Board

Harold Wallace

The vote: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Caporale. Mr. Harold Wallace, representing reside in close proximity (three-mile radius) of the Beaufort County Airport (Lady’s Island), garnered the six votes required to serve as a member of the Airports Board.

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

PUBLIC COMMENT

The Chairman recognized Mr. Steve Hill, a resident of Daufuskie Island, who thanked Councilmen Fobes, Bensch and Caporale for visiting Daufuskie Island last week as well as the County Administrator’s update on a meeting with staff and Councilman Vaux regarding Daufuskie Island Infrastructure Needs.

Mr. Edgar Williams, a resident of Yemassee, expressed concern regarding the stormwater rate fee proposed increase from \$44.00 to \$87.00 (an increase of 74%) and its impact on the people who earn \$700 a month. What is the County’s effort to promote economic development?

Mr. Rufus Williams, a resident of Dale, spoke about the stormwater rate fee proposed increase. He does not mind paying the increase so long as he reaps some benefit.

ANNOUNCEMENT / SPANISH MOSS TRAIL MATCHING GRANT

Mr. Ed McBrayer, Executive Director of the PATH Foundation (PATH), announced a generous gift to PATH to develop further the Spanish Moss Trail. We are allocating at this time \$900,000 to design and build the trail from Clarendon Road back to Poppy Hill Road along the periphery of the Clarendon property. We are also announcing that the James Cox Foundation (Foundation) is donating right-of-way for the trail for that entire segment (approximately one mile.) The project will include a trailhead on U.S. Highway 21 and Clarendon Road and provide a terminus at the north end. PATH has also received a \$350,000 gift from the Foundation to complete the trail where it ends at the southern end, across Ribaut Road, into the Town of Port Royal. We have challenged the Town of Port Royal to a \$250,000 contribution to match our \$350,000. We are completing design there and in the permitting process so that when the Ports Authority allows us to be on their property and the Town of Port Royal comes forward with \$250,000, we can start construction on that piece.

The Foundation also gave PATH a grant for \$750,000, to be matched 50% locally, to build the three segments from Roseida Road up to Poppy Hill Road. This segment has been surveyed, design work initiated, and the County Transportation / Traffic Engineer is working to get the trail through the Laurel Bay intersection. Construction will start once the challenge match is met.

If Council and Town of Port Royal are willing to match the Foundation, we can actually have the trail completed (approximately 11.5 miles), all the way from the Town of Port Royal to Clarendon Road, next year.

A RESOLUTION AUTHORIZING SUPPLEMENTAL COVERAGE THROUGH BLANKET BOND

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council adopt a resolution authorizing and empowering the County Administrator and/or his designated representative to execute any and all documents necessary to supplement existing coverages and to purchase blanket fidelity bond(s) in an amount meeting or exceeding the minimum value of the bond required by Section 23-13-20, South Carolina Code of Laws. The vote: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Caporale. The motion passed.

CONSENT AGENDA

AN ORDINANCE TO AMEND THE STORMWATER MANAGEMENT UTILITY ORDINANCE AS ADOPTED AUGUST 22, 2005 TO PROVIDE FOR AMENDMENT OF THE RATE STRUCTURE, ADJUST UTILITY RATES, AND TO MODIFY CERTAIN TERMS TO ACCURATELY REFLECT ADMINISTRATION STRUCTURE (TO ADOPT RATE STRUCTURE E)

It was moved by Mr. Flewelling, seconded by Mr. Fobes, that Council approve on second reading an ordinance to amend the Stormwater Management Utility Ordinance as adopted August 22, 2005 to provide for the amendment of the rate structure, adjust utility rates, and to modify certain terms to accurately reflect the administration structure (to adopt Rate Structure E). The vote: YEAS - Mrs. Bensch, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. NAYS –Mr. Dawson and Mr. McBride. ABSENT - Mr. Caporale. The motion passed.

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

Main motion: It was moved by Mr. Stewart, seconded by Mr. Flewelling, that Council adopt an emergency ordinance prohibiting the importation of exotic animals within Beaufort County. This ordinance is effective immediately upon enactment and shall automatically expire on the sixty first (61st) day following the date of enactment.

Motion to amend by addition: It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council incorporate a paragraph 3, “*Exception.* This ordinance/emergency ordinance shall not apply to any entity licensed as a Class R Research Facility by the United States of America or any agency thereof pursuant to the Animal Welfare Act (7 U.S.C. Sec. 2131 *et seq.*.” The vote: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Caporale. The motion passed.

Vote on the amended motion, which is now the main motion, and includes the motion to amend by addition: Council adopt an emergency ordinance prohibiting the importation of exotic animals within Beaufort County. This ordinance is effective immediately upon enactment and shall automatically expire on the sixty first (61st) day following the date of enactment. Further incorporate a paragraph 3, “*Exception.* This ordinance/emergency ordinance shall not apply to any entity licensed as a Class R Research Facility by the United States of America or any agency thereof pursuant to the Animal Welfare Act (7 U.S.C. Sec. 2131 *et seq.*.” The vote: YEAS – Mrs. Bensch, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Caporale. The motion passed.

PUBLIC HEARING

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

The Chairman opened a public hearing beginning at 6:00 p.m. for the purpose of receiving information from the public regarding 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 to LowCountry Habitat for Humanity, a non-profit corporation located in Beaufort that seeks to provide affordable housing for Beaufort County citizens. 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 third and final reading 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 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. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Caporale. The motion passed.

PUBLIC COMMENT

There were no requests to speak during public comment.

ADJOURNMENT

Council adjourned at 6:05 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST: _____
Suzanne M. Rainey, Clerk to Council

Ratified:



Memorandum

DATE: August 21, 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, August 10, 2015 through Friday, August 21, 2015:

August 10, 2015

- Joshua Gruber, Phil Foot, Lt. Quandara Grant and Suzanne Gregory re: Detention Center Recruitment / Retention
- New Hire Orientation
- Natural Resources Committee
- Caucus
- County Council

August 11, 2015

- Interview / Thomson Reuters Public Sector
- Robert McFee and Eric Larson re: Status / Current Projects
- Boundary Street Finance / Pre-Construction Award Meeting
- Mark Roseneau, Marc Orlando, Shawn Leininger and Kendra Lelie re: Facility Maintenance

August 12, 2015

- Joshua Gruber, Maria Walls and Jim Beckert re: Organizational Development
- Joshua Gruber, Maria Walls and Suzanne Gregory re: Sick Leave Policy

August 13, 2015

- Joshua Gruber, Jon Rembold and Dick Stewart re: Development Proposals
- Joshua Gruber, Allison Coppage, Thomas Keaveny and Donna Ownby re: EMS / City of Beaufort Policies

August 14, 2015

- Personal leave

August 17, 2015

- New Hire Orientation
- Joshua Gruber, Tony Criscitiello, Glenn Stanford, Jim Tiller, Doug Novak, and Steve Wilson re: Corridor Beautification Board Update
- Finance Committee
- Public Facilities Committee

August 18, 2015

- David Green, Osprey Village re: Project Development
- Joshua Gruber, Phil Foot, Scott Marshall, Steve Riley and Scott Liggett re: Transition of Recreational Programs from County to Town of Hilton Head Island

August 19, 2015

- Agenda review with Chairman, Vice Chairman and Executive Staff re: Review Draft Agenda for August 24, 2015 Council Meeting
- Tom Zinn, Joshua Gruber, Eric Larson, Robert McFee, Councilmembers Jerry Stewart, Tabor Vaux, and Cynthia Bensch re: SC 170 / Stormwater Issues

August 20, 2014

- Councilmember Alice Howard, Joshua Gruber and Colin Kinton re: Lowcountry Montessori School Traffic Issues
- Joshua Gruber, Lynn Stokes-Murray, McNair Law Firm, and Dr. Richard Gough, President, TCL re: Technical College of the Lowcountry
- Joshua Gruber and Bill Prokop re: Boundary Street Project
- Joshua Gruber and Monica Spells re: Diversity / Current Status / Goals

August 21, 2015

- Boundary Street Project Meeting



Memorandum

DATE: August 21, 2015
TO: County Council
FROM: Joshua A. Gruber, Deputy County Administrator
SUBJECT: Deputy County Administrator's Progress Report

The following is a summary of activities that took place August 10, 2015 through August 21, 2015:

August 10, 2015 (Monday):

- Alicia Holland, Monica Spells and Phil Foot re: Bi-Weekly Project Review with Assistant County Administrators
- Gary Kubic, Phil Foot, Colonel Quandara Grant and Suzanne Gregory re: Detention Center Recruitment/Retention
- Maria Walls, Mary Lohr and Tab Bendle of Howell, Gibson & Hughes attorneys re: Update on Issues and Litigation Settlements
- Natural Resources Committee
- County Council

August 11, 2015 (Tuesday):

- Boundary Street Finance/Pre-Construction Award Meeting
- Beaufort County Hours

August 12, 2015 (Wednesday):

- Gary Kubic, Maria Walls and Jim Beckert re: Organizational Development
- Gary Kubic, Maria Walls and Suzanne Gregory re: Sick Leave Policy
- Councilmembers Jerry Stewart and Steve Fobes re: Finance Committee Agenda Review
- Phil Foot re: EMS Personnel

August 13, 2015 (Thursday):

- Gary Kubic, Jon Rembold and Dick Stewart re: Development Proposals
- Gary Kubic, Allison Coppage, Tom Keaveny and Donna Owensby re: EMS – City of Beaufort Policies

August 14, 2015 (Friday):

- Monica Spells, Phil Foot, Eric Larson and Mark Roseneau re: Review of Administration Office Building Space
- Councilmember Bill McBride re: Beaufort County Afternoon School/Senior Services Programs

August 17, 2015 (Monday):

- Conference call with Senator Jeff Bradley re: Daufuskie Island – Park Construction
- Conference call with Gary Kubic, Tom Keaveny, Darnell Chavis and Dominic Small re: Probation Move
- Gary Kubic, Tony Criscitiello, Glenn Stanford, Jim Tiller, Doug Novak and Steve Wilson re: Corridor Beautification Board Update
- Finance Committee
- Public Facilities Committee

August 18, 2015 (Tuesday):

- Alicia Holland, Ed Hughes and Suzanne Gregory re: Review Applications for Auditor Position
- Alicia Holland and Suzanne Gregory re: Review Salary Adjustments for Detention Center and EMS Employees
- Mark Roseneau and Suzanne Gregory re: Facilities Management – Employee Positions
- Gary Kubic, Phil Foot, Scott Marshall, Steve Riley and Scott Liggett re: Transition of Recreational Programs from Beaufort County to Town of Hilton Head Island

August 19, 2015 (Wednesday):

- Agenda Review with Chairman, Vice Chairman and Executive Staff re: Review Draft Agenda for August 24, 2015 County Council Meeting
- Gary Kubic, Alicia Holland and Suzanne Gregory re: Beaufort County June 2015 Monthly Medical/RX Report
- John Rembold, Mark Roseneau and Judy Elder, Project Manager, Talbert & Bright Engineering Planning Consultants re: ARW Meeting – BCSO Aviation
- Tom Zinn, Gary Kubic, Eric Larson, Robert McFee, Councilmembers Jerry Stewart, Tabor Vaux and Cynthia Bensch re: SC 170/Stormwater Issues
- Marc Orlando, Shawn Leininger, Tabor Vaux and Cynthia Bensch re: OFP and Calhoun Dock Memorandums of Understanding

August 20, 2015 (Thursday):

- Councilmember Alice Howard, Gary Kubic and Colin Kinton re: Lowcountry Montessori School Traffic Issues
- Gary Kubic, Lynn-Stokes Murray, McNair Law Firm, and Dr. Richard Gough, President, TCL re: Technical College of the Lowcountry
- Gary Kubic and Bill Prokop re: Boundary Street Project
- Gary Kubic and Monica Spells re: Diversity/Current Status/Goals

August 21, 2015 (Friday):

- Allison Coppage, Jon Rembold and Judy Elder, Project Manager, Talbert & Bright Engineering Planning Consultants re: Airport's Land Acquisition Program
- Boundary Street Project Meeting
- Councilmembers Stu Rodman and Steve Fobes, Patrick Turner and Judy Elder, Project Managers, Talbert, Bright & Ellington, Inc. and Jon Rembold re: HXD Runway Northend EMAS
- Rob McFee, Colin Kinton and Greg Baisch, Project Manager, Ward Edwards re: St. Gregory
- Phil Foot re: Public Safety

EXECUTIVE COMMITTEE

July 29, 2015

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

The Executive Committee met Wednesday, July 29, 2015 beginning at 2:00 p.m. in the Executive Conference Room of the Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Jerry Stewart and members Gerald Dawson, William McBride and Stu Rodman. Committee member Brian Flewelling absent. Non-Committee members Cynthia Bensch, Rick Caporale, Steven Fobes, Alice Howard and Tabor Vaux present.

County staff: Allison Coppage, Assistant County Attorney; Joshua Gruber, Assistant County Administrator/Special Counsel; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; and Rob McFee, Division Director-Environmental Engineering.

City of Beaufort: Mayor Billy Keyserling and City Manager Bill Prokop.

Town of Bluffton: Mayor Lisa Sulka and Shawn Leininger, Growth Management Department.

Town of Hilton Head Island: Mayor David Bennett and Assistant Manager Greg DeLoach.

Town of Port Royal: Mayor Samuel Murray.

Public: Mike Sutton, former Beaufort City Councilman.

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

Councilman Jerry Stewart chaired the meeting.

INFORMATION ITEMS

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

Discussion: Mr. Stewart highlighted the topics Committee members discussed at the June 3, 2015 meeting.

Mr. Josh Gruber, Deputy County Administrator/Special Counsel, was asked to provide an update on the topic, “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.”

Mr. Gruber for the record stated that anything that is discussed by this Committee is by no means binding upon the Commission itself. The Commission is the only entity that is statutorily charged with the responsibility of developing the project list that would be included within the ordinance that is brought back before County Council. This is purely for information purposes and discussion purposes amongst this body and the public. The framework was \$100 million and 4 years.

Mr. Gruber presented the list County, Town and City Managers developed to generally, broadly discuss potential capital sales tax projects, which total \$98.0 million plus a \$10.0 million contingency. These projects are either safety-related and infrastructure-based projects. Stormwater was never brought into consideration, but it certainly does not mean it is not eligible to be brought into it. With the County’s recent discussion about stormwater, they have their own identified CIP Plan, which could be incorporated in this document if that is what the body wanted to take up.

- Windmill Harbour / U.S. Highway 278 Improvements - \$4.0 million
- Haig Point Boat Landing / U.S. Highway 278 Intersection Improvements - \$5.0 million
- U.S. Highway 278 Roadway Improvements - \$20.0 million
- Frontage Roads, Signal Upgrades / Timing, Median Vegetation Plantings
- Engineering / Design / Land Acquisition for HHI Bridge Replacement - \$5.0 million
- City of Beaufort Parking Garage - \$15.0 million
- Law Enforcement Center Land Acquisition / Engineering / Design - \$5.0 million
- EMS Facility Development (New River and Burton) - \$4.0 million
- Boundary Street Scenic Vista - \$5.0 million
- Old Town Bluffton Pathway and Infrastructure Development - \$5.0 million
- Calhoun Street Dock / Oyster Factory Park Improvements - \$5.0 million
- Coligny Beach Parking - \$15.0 million
- Beaufort Waterfront Park Improvements - \$5.0 million
- Port Royal Road Resurfacing - \$5.0 million

Comments on the above-referenced projects list:

Include contingency dollars for project cost increases.

There is no currently identified source of funding for any projects on the list.

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.

Projects listed are infrastructure and public safety.

Each municipality is working on economic development today and, would like to be part of something bigger, hopefully, within the next 14 months.

The overhanging issue is the need to regain public trust.

Need to gain consensus on criteria: (i) demonstrates value to the entire County, (ii) important that projects from municipalities are not proposed as another way to meet their operating budget, and (iii) some sense of a tangible project (touch and feel).

Status: Consensus of the Committee on the guidelines:

- Public infrastructure
- Four years (the duration of the tax)
- \$120 million (the amount of revenue to be raised by the tax)
- Value the entire County
- Need
- Should meet any operating budget for maintenance
- Tangible project
- Can be completed in a specific time period
- Maintenance needs to be calculated or self-sustainable
- Not in competition with the private sector
- Brick and mortar

2. Revisit Local Option Sales Tax (LOST)

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Gruber presented Local Option Sales Tax projections. These numbers are for illustrative purposes only. The projections are the combined figures from the distributions for each of the jurisdictions: Beaufort County, City of Beaufort, Town of Port Royal, Town of Bluffton, Town of Hilton Head Island and Town of Yemassee.

There are a lot of assumptions:

- Annual collections would be around *\$30.0 million*.
- Because we are a jurisdiction that would generate over \$5.0 million in sales tax revenue, we would be subject to the robin hood provision, which requires that a portion, up to 5% of that money, be distributed to other jurisdictions that do not receive sufficient sales tax revenue.
- Projected revenue for our County is *\$28.5 million* (\$30.0 million reduced by 5%).

- Statutory distribution is split with 50% disbursed based upon population and 50% disbursed based upon the location of where the sale occurred that generated the sales tax.
- A certain portion has to, by law, go toward property tax relief. After a ramp-up period, it ultimately becomes 71% toward tax relief (\$20 million would go towards rollback) and 29% (\$8.2 million would be available for distribution to the entities) towards County and municipal general fund revenue.
- That \$8.2 million figure is divided based 50% upon population and 50% based upon where the sale occurs.
- This information was determined by looking at the Gross Sales Report reported to the S.C Department of Revenue for 2014.

Status: Information only.

3. Executive Session

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mr. McBride, seconded by Mr. Dawson, that Committee go immediately into executive session for the purpose of receiving information regarding negotiations incident to proposed contractual arrangements and proposed purchase of property / Arthur Horne Building Relocation. The vote: YEAS – Mr. Dawson, Mr. McBride, Mr. Stewart and Mr. Rodman. ABSENT – Mr. Flewelling. The motion passed.

NATURAL RESOURCES COMMITTEE

August 10, 2015

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

The Natural Resources Committee met Monday, August 10, 2015 beginning at 2:00 p.m., in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

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

County Staff: Tony Criscitiello, Planning Director; Joshua Gruber, Deputy County Administrator/Special Counsel; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; Eric Larson, Division Director-Environmental Engineering; Rob Merchant, Planner; and Dan Morgan, Division Director-Mapping and Applications.

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

Public: Reed Armstrong, South Coast Office Project Manager, Coastal Conservation League; George Cobb, Architect; Shawn C. Epps, Vice President, F&ME Consultants, Inc.; Laura McKenzie; Nancy McKenzie; Karen Norwood; Ed Pappas, Chairman, Rural and Critical Lands Preservation Board; and Kate Schaefer, South Coast Director, Coastal Conservation League.

Mr. Flewelling chaired the meeting.

INFORMATION ITEMS

1. Discussion / Pepper Hall Plantation Property: Comprehensive Plan Amendment and Zoning Map Amendment

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tony Criscitiello, Planning Director, reviewed this item with the Committee. In 2012 the County received a request to rezone 142 acres to Commercial Regional (64 acres) and Suburban (78 acres). The Planning Commission had a split vote on the rezoning.

The application was denied by the Natural Resource Committee and later County Council, largely due to the potential impacts the rezoning would have on water quality and preservation efforts in the Okatie River, as well as potential traffic impacts on U.S. Highway 278.

In a letter dated December 13, 2012, the Town of Bluffton weighed in on the topic of the rezoning and development request, asking that the following items be incorporated into the plan: workforce/affordable housing and/or a Fee-in-Lieu Program, U.S. Highway 278/Hampton Parkway/Pepper Hall Plantation intersection, land dedication, conservation easement, Real Estate Transfer Fee, and Master Plan/Density Capacity.

At the December 13, 2012 meeting of the Southern Beaufort County Subcommittee of the Planning Commission, the committee took no action on the proposed rezoning because no Traffic Impact Analysis had been submitted to staff as part of the application.

Mr. Jim Scheider, lawyer, Vaux and Marscher, P.A., provided the Planning Department with a copy of the Traffic Impact Analysis (TIA) prepared by the Bihl Engineering, as well as amendments to the rezoning application. These amendments are as follows:

- The amended Pepper Hall Rezoning application is just that, a "rezoning application" and not a "pending development application." A detailed "traffic study" will, of course, be required at the time of development.
- As an additional gesture of good faith and compromise, Robert L. Graves has voluntarily agreed to limit the total ground floor commercial space on his parcel to no more than 700,000 square feet.
- Robert L. Graves has also agreed to impose a size limitation on any commercial building with a ground floor area of not more than 75,000 square feet.
- The applicant has further agreed to memorialize these limitations in a Development Agreement negotiated with Beaufort County concurrently with approval of the amended rezoning request by County Council.

This is a request to change the future land use designation and to rezone portions of an assemblage of 7 parcels equaling approximately 113 acres located on the north side of U.S. Highway 278 between the Okatie River and Graves Road. The properties are currently zoned Rural with Transitional Overlay on the 33 acres fronting U.S. Highway 278 and Rural for the remainder of the property. The requested zoning is Commercial Regional, for approximately 65 acres fronting U.S. Highway 278 and Suburban for the 48 acres at the rear of the property. In 2001, County Council approved an application to rezone the 37 acres that front U.S. Highway 278 from Rural to Rural with Transitional Overlay. In 2002, County Council approved the up zoning of a 17.5 acre tract directly east of the proposed rezoning from Rural to Commercial Regional.

The Planning Commission voted to approve the Southern Beaufort County Zoning Map Amendment / Rezoning Request with the following conditions: the 700,000 square feet of commercial development be a total and, not, ground square footage, that there be a guaranteed protection of the Okatie River, and that the buffer area be set aside from development.

After review, staff recommended denial of the property for the following reasons:

- The proposed rezoning is projected to result in a Level of Service E of the intersection of Hampton Parkway and U.S. Highway 278 with failed turning movements during PM peak hours at only 50% -- assumed buildout in 2018. The failed intersection will be difficult and costly to mitigate due to the geographical constraints of the site.
- The current widening of U.S. Highway 278 between Simonsville Road and S.C. Highway 170 is being implemented to address projected road deficiencies caused by previously approved development. The development enabled by the proposed rezoning would consume 41% of the added capacity created by the road widening and contribute to future failure of U.S. Highway 278 when compounded with existing approved development.
- Allowing intense commercial and moderate-density residential development would contribute to the further degradation of water quality in the Okatie River, and would be a departure from the County's historical commitment to restoring water quality in the Okatie headwaters.
- Proposed rezoning is not supported by the Comprehensive Plan, which was adopted in early 2011 by County Council.

The Chairman opened the floor for the Committee to discuss and review this request.

Motion: It was moved by Mr. Sommerville, seconded by Mrs. Howard, that Natural Resources Committee deny the request to change the future land use designation and to rezone portions of an assemblage of 7 parcels equaling approximately 113 acres located on the north side of U.S. Highway 278 between the Okatie River and Graves Road from Rural with Transitional Overlay (approximately 33 acres fronting U.S. Highway 278) and Rural (80 acres of the remainder of the properties) to Commercial Regional (approximately 65 acres fronting U.S. Highway 278) and Suburban (approximately 48 acres at the rear of the properties). The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Sommerville and Mr. Stewart. ABSTAIN - Mr. McBride. RECUSAL – Mr. Vaux. Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His law firm represents the property owner. The motion passed.

Status: The Committee denied the request to change the future land use designation and to rezone portions of an assemblage of 7 parcels equaling approximately 113 acres located on the north side of U.S. Highway 278 between the Okatie River and Graves Road from Rural with Transitional Overlay (approximately 33 acres fronting U.S. Highway 278) and Rural (80 acres of the remainder of the properties) to Commercial Regional (approximately 65 acres fronting U.S. Highway 278) and Suburban (approximately 48 acres at the rear of the properties).

2. Decision / Villages of Oyster Bluff Planned Unit Development / Development Agreement

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tony Criscitiello, Planning Director, and Mr. Tom Keaveny, County Attorney, reviewed this item with the Committee. In a letter dated July 23, 2015 from David Tedder, representative for Bennett McNeal, Mr. Tedder informed the County that Oyster Factory Road, was, in fact, a 40-foot prescriptive easement claimed by the County, instead of a County 50 foot right of way as presumed. This is a concern of the property owner and the purchaser of the project, since the landowners have failed to grant a formal right of way. They are requested assurances from the County that so long as the owner-developer and purchasing-developer are actively pursuing the paving of Oyster Factory Road and dedication of the improved 50-foot right of way to the County, an inability to dedicate the 50-foot right of way will not prevent the purchasing-developer from starting and continuing work in Phase II, being the point at which more than 30% of the residential units are completed.

They are requesting that the County provide them with an estoppel letter to confirm that so long as the owner and developer are diligently pursuing the paving of Oyster Factory Road and its formal dedication to the County, plans for construction in the Village at Oyster Bluff Planned Unit Development will continue to be reviewed, permits for construction will not be affected, building permits will continue to be issued, and certificates of occupancy issued with the construction is completed for each unit, irrespective of whether they are in Phase I or Phase II.

Motion: It was moved by Mr. McBride, seconded by Mr. Fobes, that Natural Resources Committee request Staff to provide Bennett McNeal and D. R. Horton, owner and developer of the Villages of Oyster Bluff Planned Unit Development, with an estoppel letter to confirm that so long as the owner and developer are diligently pursuing the paving of Oyster Factory Road and its formal dedication to the County, plans for construction in the Village at Oyster Bluff Planned Unit Development will continue to be reviewed, permits for construction will not be affected, building permits will continue to be issued, and certificates of occupancy issued when the construction is completed for each unit, irrespective of whether they are in Phase I or Phase II. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard and Mr. Stewart. ABSENT - Mr. Fobes. ABSTAIN - Mr. McBride. The motion passed.

Status: The Committee requested Staff to provide Bennett McNeal and D. R. Horton, owner and developer of the Villages of Oyster Bluff Planned Unit Development, with an estoppel letter to confirm that so long as the owner and developer are diligently pursuing the paving of Oyster Factory Road and its formal dedication to the County, plans for construction in the Village at Oyster Bluff PUD will continue to be reviewed, permits for construction will not be affected, building permits will continue to be issued, and certificates of occupancy issued when the construction is completed for each unit, irrespective of whether they are in Phase I or Phase II.

3. Questions and Answers / Stormwater Rate Study

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Eric Larson, Division Director-Environmental Engineering, provided the Committee with a PowerPoint Presentation of samples of properties compared to the current Stormwater Utility Fee, fees with Option A, and fees with the Proposed Option E.

Mrs. Bensch mentioned that the military does not agree with paying the County the approximate \$1.0 million owed in stormwater fees, penalties, and late fees. She said this proves that this is, indeed, a fee and not a tax.

Mr. Gary Kubic, County Administrator, stated U.S. Marine Corps Beaufort proclaims their runoff is captured and contained in the military complex itself. The County has not disputed that that axiom is accurate when it comes to U.S. Marine Corps Recruit Depot Parris Island. It is easy to see the island and see that concept. However, the County believes that a case in Kansas, one of the military installations does pay because it has been shown that the runoff water it generates, goes beyond the establishment. We have discussed that in the near future the County will conduct an assessment at the MCAS Beaufort to take a look at the notion that all of the runoff they generate is, in fact, contained within the establishment. The County will renew its research.

Status: Information and discussion only.

4. Status of Okatie Regional Park Project

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tony Criscitiello, Planning Director, presented the Committee with a concept plan under consideration for the design concept of the 119.08 acre passive park purchased in 2005 for the Rural and Critical Lands Program. This planning effort is being coordinated with the Town of Bluffton as an intergovernmental planning exercise as part of the Southern Regional Plan. The park is in the Town of Bluffton, and the idea that an equestrian theme could be introduced into the park plan along with pedestrian uses is being warmly received by many people in southern Beaufort County.

Mrs. Bensch asked for a cost analysis. Mr. Criscitiello stated that information is premature, but this will be partially funded by the Rural and Critical Lands Program.

Status: Information only.

BOARDS AND COMMISSIONS

Reappointments and Appointments August 24, 2015

1. Finance Committee

① Airports Board

Nominate	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required	Term/Years	Expiration
08.24.15	Gerald Costa	Active Pilot / Recently Retired Commercial Pilot	Appoint	6/11	2 (partial-term)	2/17
08.24.15	Blakely Williams	Beaufort Chamber of Commerce	Appoint	6/11	2 (partial-term)	2/17



PROCLAMATION



W

HEREAS, brothers Orville Wright and Wilbur Wright invented the first airplane to achieve powered, sustained, heavier-than-air, controlled human flight; and

WHEREAS, the Wright Flyer was first flown by Orville Wright for a length of 120 feet in 12 seconds, at a speed of 6.8 miles per hour over the ground at Kill Devil Hills, North Carolina in December 1903; and

WHEREAS, President Franklin Roosevelt first established National Aviation Day in 1939 to coincide with the birthday Orville Wright, the first pilot, who was born on August 19, 1871; and

WHEREAS, aviation has revolutionized all aspects of modern world history and impacted all of our lives on a daily basis; and

WHEREAS, the aviation industry in South Carolina has blossomed to include commercial carrier, military, and general aviation airports, as well as a thriving aerospace industry; and

WHEREAS, in the fall of 1967 local community leader Charles Fraser officially opened the Hilton Head Island Airport and the pilot of the first plane to land was golf legend Arnold Palmer; and

WHEREAS, the Beaufort County Airport was built in the 1950's and taken over by Beaufort County government in 1998 and has become known as Lady's Island Airport and nicknamed Frogmore International Airport; and

WHEREAS, both the Hilton Head Island Airport and the Beaufort County Airport have grown and have had a significant economic impact by providing commercial, military, business and pleasure flights for the residents and visitors of Beaufort County.

NOW, THEREFORE, BE IT RESOLVED, that Beaufort County Council celebrates the development of aviation and hereby declares August 23 through August 29, 2015 as

NATIONAL AVIATION WEEK AND SOUTH CAROLINA AVIATION WEEK

Dated this 24th day of August, 2015

D. Paul Sommerville, Chairman



2015 /

**A RESOLUTION TO AMEND THE RESOLUTION ADOPTING THE
BEAUFORT COUNTY STORMWATER UTILITY RATE STUDY
DATED AUGUST 18, 2015 TO DECREASE THE COUNTYWIDE INFRASTRUCTURE
FEE FOR RATE PAYERS IN THE MUNICIPAL JURISDICTIONS**

WHEREAS, the Beaufort County Stormwater Utility was created in 2001 with the mission to address the stormwater needs of the County while protecting its water resources; and

WHEREAS, on June 4, 2014, in accordance with the South Carolina Water Pollution Control Permits Regulations 61-9 Section 122.32 (a)(1), DHEC designated Beaufort County, South Carolina as a small MS4 for permitting; and

WHEREAS, to meet the increasing demands on the Stormwater Management Utility in the areas of federally mandated municipal Separate Stormsewer Systems (MS4) permitting, capital project needs, and cost of service and operations and maintenance, as well as evolving understanding of the impacts of the urban environment on water quality, the Stormwater Management Utility finds it necessary to amend the structure in which rates are determined and adjust the rates charged to the citizens of Beaufort County to meet said demands in a fair and equitable manner; and

WHEREAS, to determine rate modifications required, Beaufort County engaged Applied Technology Management and Raftelis Financial Consultants to perform a comprehensive rate analysis; and

WHEREAS, Applied Technology Management and Raftelis Financial Consultants provided a rate study on July 10, 2015 which recommended certain amendments to the current stormwater rate structure; and

WHEREAS, Beaufort County Council adopted the July 10, 2015 stormwater rate study by Resolution on July 27, 2015; and

WHEREAS, since July 10, 2015 Applied Technology Management and Raftelis Financial Consultants, in conjunction with County and municipal staff, has continued to refine the County Stormwater Infrastructure (CWI) fee schedule based on more detailed data and rate modeling; and

WHEREAS, the July 10, 2015 rate study was amended on August 18, 2015 by Applied Technology Management and Raftelis Financial Consultant changing the County's share of County-wide infrastructure (CWI) from 74.4% to 83.6% and reducing the municipal share and CWI rate per SFU; and

WHEREAS, Beaufort County Stormwater Utility Staff has reviewed and recommend adoption of the Beaufort County Stormwater Study as updated August 18, 2015 and the recommendations therein.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, being duly assembled, hereby adopts the Beaufort County Stormwater Study dated August 18, 2015 and the recommendations contained therein, and will take all such action deemed necessary to meet the increased demands on the Stormwater Management Utility.

DONE 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




BEAUFORT COUNTY STORMWATER UTILITY
120 Shanklin Road
Beaufort, South Carolina 29906
Voice (843) 255-2801 Facsimile (843) 255-9478



INTEROFFICE MEMORANDUM

TO: Beaufort County Council

FROM: Eric W. Larson, Stormwater Manager 

SUBJECT: 2015 Stormwater Rate Study – Revision and Update

DATE: August 18, 2015

I have attached a revision of the Beaufort County Stormwater Utility Rate Study dated August 18, 2015 for your consideration. I recommend the County Council accept the revisions to the Rate Study as part of the third and final reading of the Stormwater Utility Ordinance revision at the August 24, 2015 public hearing.

Since the initial publication of the Rate Study on July 15, 2015, the County Utility management staff and the stormwater managers of the Towns, City and School system have discussed the Countywide Infrastructure fee (CWI) concept and met to review the county infrastructure mapping compiled in our extensive GIS system. As a result of those discussions over the last three weeks, we have revised the quantity of pipes and ditches used to calculate the CWI, resulting in a revised CWI rate for each of the Towns and City.

The reasons for the change are two-fold. 1) We have clarified the method in computing the quantities of infrastructure in the GIS system, and 2) We have come to agreement on the operations and maintenance responsibility on certain pieces of infrastructure within each jurisdiction, including properties operated by the School system.

The results lowered the CWI rate for each jurisdiction. Even though the County's percentage of infrastructure located within the un-incorporated county is greater, a combination of revising the total infrastructure inventory value and distributing those costs over a much larger billable base has allowed us to maintain the same proposed county rates quoted in Option E of the rate study. As a result, the proposed rate structure and county rate increase amounts are unchanged from the previously submitted rate study.

The revised rate study dated August 18, 2015 now lists the options as A.2 through E.2 to reflect the revised CWI values within each option. The recommended option is Option E.2 and has identical county rates as the previous Option E.

Beaufort County Stormwater Rate Study
Final Report – Beaufort County
July 10, 2015 with edits August 18, 2015

Prepared by Applied Technology & Management

Assistance from Raftelis Financial Consultants

August 18, 2015 edits by Beaufort County Stormwater Utility



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Executive Summary

Beaufort County, in cooperation with the City of Beaufort, and the Towns of Bluffton, Hilton Head Island, and Port Royal retained Applied Technologies and Management (ATM) and its sub-consultant, Raftelis Financial Consultants to perform a rate study for the five stormwater utilities operated by the respective jurisdictions.

The County is facing a declining rate base driven by annexations, steeply mounting costs for maintaining county-wide drainage infrastructure and complying with new MS4 requirements, and in need of continued capital project construction. The municipalities also face challenges which vary by jurisdiction.

The rate analyses performed in support of this rate study included six options for each jurisdiction. The options vary the rate metrics (impervious area, fixed charges per ratepayer, gross area), vary the way that shared costs are allocated between jurisdictions (by impervious area or by account), accommodate the existing administrative charges paid by each jurisdiction to the County (currently at \$3.18 per SFU), accommodate the existing payments made by municipalities to the County for varying levels of water quality monitoring and public outreach, and accommodate a new charge by the County to each municipality for that municipality's proportionate share of the entire County's drainage infrastructure to be maintained by the County. The detailed description of the six options is as follows:

	<i>Overall Rate Structure</i>	<i>Debt Financing for Some Capital?</i>	<i>Method for Allocating Admin & Reg Costs</i>	<i>Method for Allocating CWI O&M Costs</i>	<i>Simplified Residential Rates</i>	<i>Alternative Cost Sharing Approach</i>
A	Current (Imp Area)	No	SFUs	Optional	Yes	Optional
B	Current (Imp Area)	Yes	SFUs	Optional	Yes	Optional
C	Impervious & Gross Area	No	Per account	Impervious & Gross Area	Yes	Optional
D	Impervious & Gross Area	No	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional
E	Impervious & Gross Area	Yes	Per account	Impervious & Gross Area	Yes	Optional
F	Impervious & Gross Area	Yes	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional

In these evaluations, simplified residential rates means a series of flat rate charges for impervious area (three) similar to how the rate structure works now.

The recommended rate structure option from these evaluations is Option E.2. In this option jurisdictions can use debt financing for large capital projects, would share administrative costs allocated on a per-account basis, and would be assessed by the County a new County Stormwater Infrastructure (CWI) fee that will be placed on all County tax bills in September of this year. This new fee will assist the County with funding stormwater infrastructure maintenance and repairs with all areas of the County. This new fee was developed using a proportionate share of county-wide infrastructure costs allocated across impervious and gross area within the County, including the municipalities. This option results in the most affordable rates for the County over the coming five years.

However, at this time the rate modeling done to date has been less detailed for the municipalities than it has for the County as the County is the only jurisdiction seeking to make rate structure changes immediately while the municipalities expect to not make changes until FY 2016-2017. Additional efforts between the consultants and the municipalities will complete this process over the next few months.

For the County, the existing rates are \$50 per SFU per year. Continuing with the current rate structure and without proportionate share funding from the municipalities for county-wide infrastructure operation and maintenance, these rates would need to escalate over the coming five years to \$120 per SFU per year by FY 2019-2020. This is a 140% increase.

Under the recommended option E.2, the rate structure will change to one with a fixed charge per account, plus a variable charge for impervious area and another variable charge for gross lot area. For a “tier 2” (average house) residence in the County on a lot smaller than 2 acres, the existing charge is \$50 per SFU per year. Under option E.2 this charge would escalate to \$87 in year by FY 2019-2020. This is a 74% increase. While still large, it is much more reasonable than the “stay the course” option.

The County is responsible for funding 83.6% of all county-wide infrastructure (CWI) operation and maintenance under the CWI allocation used. Under the proposed rate structure, this is \$45.88 of the total \$87.00 annual charge for an average house on a lot smaller than 2 acres. The land areas within the four municipalities are will be assessed the remaining CWI funding, with the charge being based on the amount of existing stormwater infrastructure the County will maintain within each jurisdiction. For this fiscal year their CWI funding on an SFU basis is:

City of Beaufort	<u>\$5.15</u> per SFU
Town of Port Royal	<u>\$3.88</u> per SFU
Town of Bluffton	<u>\$18.13</u> per SFU
Town of Hilton Head Island	<u>\$5.52</u> per SFU

Background

The Southern Coast of South Carolina has long been a desirable tourist destination and sought after place to live, in no small part due to the natural beauty surrounding the areas waterways. In recent years, Beaufort County has declared its intention to be a regional leader in environmental quality initiatives in order to promote this existing advantage. An important subset of environmental quality, especially in this region, is the effective management of stormwater runoff. Because the County is right on the coast, and is crossed by large water bodies otherwise, the imperative to manage stormwater runoff has immediate implications on water quality in the region, rather than somewhere downstream. Beaufort County and its underlying jurisdictions – the City of Beaufort, the Town of Port Royal, Town of Hilton Head Island, and Town of Bluffton – take this charge seriously, and have over time developed individual and cooperative programs to manage the public safety and water quality concerns related to stormwater runoff.

As these programs have matured over time, they have become more costly, and several jurisdictions now find themselves needing to evaluate their operating costs and investments in any needed capital improvement projects. The jurisdictions are interested in revising rates and exploring other financial tools to support program initiatives, especially capital spending, and have engaged Applied Technology & Management (ATM) and subcontractor Raftelis Financial Consultants (RFC) to conduct a rate structure analysis and rate studies similar to this study that was prepared for the County. This report summarizes the results of ATM's efforts on behalf of the County as work has not been completed for the four municipalities at this time.

Jurisdictional Cooperation

Although historically each jurisdiction has managed stormwater concerns indirectly through individual development standards and environmental ordinances, the group has been working together for many years to manage storm drainage and ensure an improved standard of living for residents of the County. This relationship has become more explicit over time, through the development of inter-governmental agreements and memoranda of understanding, and through a closer working relationship among staff of each local government.

The most outstanding example of cooperation relates to the administration of the five separate utilities. Since 2001, when the utilities went into effect, the County has provided administrative services, including billing, billing data maintenance, and customer service, in exchange for a small portion of the fee revenues for each underlying jurisdiction.

The County has historically been a significant service provider for drainage maintenance activities to each of the underlying jurisdictions, offering a menu of drainage infrastructure cleaning, maintenance, and repair activities at hourly rates. The patchwork nature of the jurisdictional boundaries lends itself to a cooperative approach to these activities whenever possible to maximize efficiencies in equipment and staff time.

Three of the five jurisdictions participating in the regional stormwater utility has recently submitted a notice of intent to be permitted as a municipal separate storm sewer system (MS4) and regulated under a National Pollutant Discharge Elimination System (NPDES) MS4 permit. Permits are anticipated in September 2015. These permits will require strict management of activities that impact the quality of stormwater runoff, such as construction and industrial activities, as well as significant goals of public

education and outreach in order to bolster the general public's ability to and interest in managing stormwater runoff responsibly.

Under the new permits, the jurisdictions will be required to perform maintenance activities on existing stormwater drainage infrastructure (as is done now), monitor water quality at outfalls, inspect facilities and infrastructure, and provide education and outreach to citizens. The costs for these activities can be limited if they are performed in coordination between jurisdictions, either across the entire county or in more geographically distinct regions (such as North of the Broad River).

Utility background

Each of the five jurisdictions has a separate stormwater utility, established by separate ordinance, allowing the jurisdiction to collect revenues dedicated to stormwater management activities. As mentioned above, each jurisdiction cooperates in the administration of the utility by funding a portion of the County staff and material costs, effectively creating a regional utility.

At the inception of the regional utility in 2001, each property was charged a stormwater fee (conveyed on the annual tax bill) based on the size of the property and a runoff factor associated with that type of property. At this time, all five jurisdictions were charging the same rate, such that a similar property in any jurisdiction would pay the same annual fee. By 2005, the County had access to aerial photography that allowed for a more reliable approach to fee calculation. Rather than use tabular property characteristics to develop the fee for an individual property, the fee could be calculated based on one characteristic that was deemed an important cost driver: impervious surface area. Some elements of the previous rate structure remained intact, but for developed properties, the utility replaced their existing rate structure with one based on impervious surface area as measured from aerial photography.

At its core, this is an industry standard approach to calculating stormwater fees. However, the data available to the County in 2005 were already several years out of date and of relatively poor quality (see Figure 1 below). In recent years, the County has been able to obtain much higher quality imagery on an annual basis and has been updating its impervious area measurements, the foundational billing data, as properties change.



Figure 1. Comparison of 2002 and 2015 Aerial Photography

Current Stormwater Utility Structure

Rate Structure

As defined by the ordinances passed in 2005, the jurisdictions share a rate structure, though each is allowed to charge rates necessary to generate the revenue needed within each individual jurisdiction. The current rate structure has three distinct parts: residential properties, nonresidential properties, and vacant lands. Because the stormwater fee is conveyed on the tax bill and the data should be related, every property falls into one of these three categories depending on its classification in the tax system. Generally, the basis for the rate is the amount of runoff a property generates, whether that be the result of impervious area or some other driver.

At the time of the last rate base and rate structure analysis, the median impervious surface area on single family residential properties was 4,906 square feet. This became the base unit (single family unit or SFU) for measuring impervious area on other types of properties as well. For property types within the tax system that have **residential** classifications, each equates to a distinct SFU equivalency factor in three “tiers.” Residential property with 2,521 square feet or less of impervious area is tier 1. Tier 3 is residential property with 7,266 square feet or more of impervious area, and all residential property between these two impervious measures is tier 2. The tier equivalent SFU factor is multiplied by the per SFU rate for encompassing jurisdiction results in the rate. This concept is called simplified residential rates and is recommended in the newly modeled rate structures described in this study. The residential property types and SFU equivalencies are as follows:

<i>Property Type</i>	<i>Equivalent SFUs</i>
<i>Tier 1 Single Family Unit (≤2,521 square feet)</i>	0.50
<i>Tier 2 Single Family Unit (2,522 to 7,265 square feet)</i>	1.00
<i>Tier 3 Single Family Unit (≥7,266 square feet)</i>	1.50
<i>Mobile Home</i>	0.36
<i>Apartment</i>	0.39
<i>Townhouse</i>	0.60
<i>Condominium</i>	0.27

Where a single property includes multiple residential units, the equivalent SFU is per unit, such that an apartment complex property with 100 units would be charged for 0.39 (SFUs per unit) times 100 (number of units) times the rate to calculate the final fee.

Nonresidential properties represent the simplest of area of the current rate structure. For every property not classified as residential or vacant in the tax system, the stormwater fee is calculated based on the amount of impervious surface area on that property. This amount, divided by the 4,906 square foot SFU and multiplied by the per SFU rate, results in the final fee. There is no rounding or other manipulation of data.

Finally, **vacant** lands are presumed to have no impervious area, and are therefore not charged on that basis. They do still have an impact on the stormwater system, however, and should be responsible for a portion of the costs. At present, the rate structure allows for ‘runoff factors’ to be applied to vacant lands, with different factors used depending on a matrix of classification including whether a property is classified as agriculture, forestry, disturbed, or undisturbed.

Business Processes

In addition to the documented rate structure, there exist a number of business processes that have been developed over time to facilitate utility administration. Most of these processes are in line with the current ordinance but some have evolved to address data collection and maintenance difficulties that emerged from the existing rate structure. These include:

- the treatment of golf courses and parks as vacant land when in fact they may have a good deal of impervious area
- treatment of multi-use parcels (such as house and forested area on the same lot) as separate parcels with summed fees
- granting stormwater best management practices credit by overriding a property’s fee to 1 SFU

During the course of these studies, the ATM team worked to identify any divergent business processes and compute updated metrics for the affected properties.

Rates

With the same rate structure in place since 2005, each jurisdiction has experienced increased revenue requirements and subsequently higher rates over time. Table 1 is a summary of each jurisdiction’s rate history per SFU over time.

Table 1. Stormwater Fee Rates over Time

	2005- 2006	2007	2008	2009	2010	2011	2012- 2014
<i>Beaufort County</i>	\$ 44.43	\$ 44.43	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
<i>City of Beaufort</i>	\$ 44.43	\$ 44.43	\$ 44.43	\$ 44.43	\$ 65.00	\$ 65.00	\$ 105.00
<i>Town of Port Royal</i>	\$ 44.43	\$ 44.43	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
<i>Town of Bluffton</i>	\$ 49.00	\$ 49.00	\$ 98.00	\$ 98.00	\$ 98.00	\$ 98.00	\$ 98.00
<i>Town of Hilton Head Island</i>	\$ 44.43	\$ 50.76	\$ 50.76	\$ 83.23	\$ 108.70	\$ 108.70	\$ 108.70

Beaufort County Stormwater Program

Beaufort County's stormwater program serves as the backbone for the programs in the other jurisdictions. The County has historically been financially responsible for maintenance and repair on county-wide infrastructure on and off County road rights of way, even within the municipal boundaries of underlying jurisdictions.

More recently, the County has become unable to adequately provide stormwater services throughout the entirety of the unincorporated county with the available funds. That is, maintenance activities in parts of the county, especially those pockets within other jurisdictions, have been neglected in favor of addressing needs that could be met more economically. The City and Towns have not been receiving the stormwater management services they have come to expect from the County, those the County also endeavors to provide, because of funding shortfalls.

The County is in a unique position in that its unincorporated area or its stormwater revenue base, is shrinking due to annexation, while its costs are still increasing. A notable portion of these costs are associated with managing water quality and drainage in rapidly growing regions just outside the underlying jurisdictional boundaries. Historically, some of these areas have been annexed into the adjacent Town or City. The County has continued to provide stormwater services as best possible in these areas but has not been able to keep up with the maintenance and repair needed.

There are a number of capital projects that have been identified by the County for completion in the next several years. While these are currently in unincorporated areas, they are either near to or surrounded by the municipalities such that the benefit is conferred well beyond the unincorporated region.

For these reasons and the new requirements soon to be imposed by the MS4 permit, the County has rapidly increasing costs paired with a declining revenue base. In recognition of this, the County was facing an enormous rate increase. Rather than simply adjust the rates in the unincorporated region, the County initiated a dialog with the City and Towns to discuss the growing county-wide infrastructure operation and maintenance needs. The jurisdictions began exploring a more collaborative and equitable approach to sharing the costs (and receiving the benefits) of these services.

Rate Study Approach

The ATM team was contracted to assist Beaufort County Stormwater (County) with a detailed stormwater utility rate study. For the unincorporated County and each of the four municipalities, the team conducted a full accounting of planned stormwater program costs over the next five years, which are expected to increase driven by the combination of existing operations and maintenance activities, a significant capital project backlog, and emerging NPDES compliance needs. The rate study was performed concurrent with the budgeting process for the fiscal year that began July 1, 2015, and resulted in the development and consideration of a number of rate structure options, described below.

Goals

The primary goal of the rate study was to model financially sufficient scenarios to support the jurisdictions' current and future stormwater programs. This included the following supporting objectives:

1. Determine the current and future (from MS4 compliance, jurisdictional growth, etc.) revenue requirements of each program;
2. Determine the most fair and reasonable way to recover revenues while balancing data maintenance efforts;
3. Facilitate future program visioning; and
4. Account for potential future collaboration and shared costs.

Through numerous meetings, extensive model development and refinement, and collaborative review of the results, the team and the project remained accountable to these goals throughout the process.

Modeling

The primary deliverable from the rate study is a model that was developed to compare and contrast different financial scenarios for each of the jurisdictions. The model balances revenue requirements with funding from the stormwater fee and other possible sources. On the revenue requirements side, for each jurisdiction the ATM team considered existing revenue requirements, future MS4 permit related expenses, and capital needs. Revenue was modeled as the resulting revenue from several different rate structures as well as supplemental resources from bond issuances or other sources. With that basic structure in place, the model was refined to allow for allocation of costs across jurisdictions and rate components (see below for more information) in order to optimize rate equity.

The finalized model will be made available to each jurisdiction for ongoing use as a financial planning tool.

Data update

Much of the impervious area data originally developed for the 2005 rate study was created using low-quality 2002 aerial imagery. With the possible shift in rates and rate structure, it was critical to have improved source data. As a part of the rate study, the ATM team conducted a targeted review update (where needed) of approximately 5,000 parcel polygons within the GIS and across all of the jurisdictions in order to update the rate base.

At the conclusion of the effort, RFC reviewed and updated the impervious features as necessary on a total of 5,937 parcel polygons, deriving the features using the newest available imagery from 2013.

Rate Components

Fixed Costs

Many costs associated with the administration of the utility have little to do with specific characteristics of the land. Rather, they represent a public service to which each property owner (account holder) has equal access. Billing and collections, data management and updating, programming, and customer support may fall within this category. These costs, then, are distributed evenly to each account holder by being allocable to a fixed charge per parcel.

Variable Costs: Impervious Surfaces Area and Gross Parcel Area

Impervious area is the area of land covered by a hard surface through which rainwater cannot pass, such as building footprints and parking lots. The amount of impervious area on a parcel is most directly related to the quantity of stormwater to be handled by the system. For bare soil and vegetated ground cover, some water will infiltrate into the ground—even during heavy rain—rather than run across the surface. For impervious surfaces, on the other hand, water cannot infiltrate into the ground. For that reason, impervious surface causes the peak discharge volume of runoff from a parcel of land to be higher than it would otherwise. Regardless of how the land is managed, runoff tends to gather nutrients and other potential pollutants. Because virtually none of this runoff (and the pollutants it carries) soaks into the ground, runoff from impervious area carries a greater volume of harmful materials toward receiving waterbodies than pervious area.

One unique aspect of the stormwater utilities in these jurisdictions is the wide variety of land use represented within each jurisdiction. Gross area is included as a component of the stormwater fee to capture the costs not solely related to impervious area runoff. As opposed to impervious area, gross land area contributes proportionately more to the nutrients and pollutants that stormwater runoff may pick up and less to the sheer volume of runoff to be managed. As discussed, pervious land can absorb some of the water that falls on it, so it does not contribute as much to runoff. However, pervious land still contributes pesticides, fertilizers, leaves, and other undesirable materials to the runoff that does occur. As such, stormwater costs related to water quality and quantity (most O&M costs) are allocable in some portion to gross land area.

In the costs described below, allocability to impervious area and gross area represents a relationship between a particular cost and the demand for that cost caused by a higher volume of stormwater (including higher levels of pollution) to be managed. An impervious and gross area rate structure allocates some cost to each of the two variables, in this case either allocating 80% or 90% of the variable costs to impervious area, and the remaining costs to gross area. The gross area units would include a declining block, such that large properties have more units of gross area than small properties, but the increase in units of gross area as overall parcel size increase are blunted by the declining block.

Cost Allocability

The proposed rate structures take into account a number of costs that vary by:

- Who provides the service,
- Who receives the service, and
- What drives the cost of the service (the existence of an account, impervious area or gross area)

This section describes the different elements of the jurisdictions' and utility's program costs and how they may be accommodated in the rate structures. The resulting modeled rates for each jurisdiction take into account the distribution of costs across all jurisdictions based on the chosen allocation scheme, and the particular rate base of that jurisdiction.

Jurisdictional Infrastructure O&M

Each of the five jurisdictions maintains its own stormwater drainage infrastructure and funds those costs from utility revenue. These costs are driven by impervious area and gross area in the jurisdiction, which contribute to stormwater runoff and nutrient loading. As such, the impervious and/or gross area component of the fee will include these costs. Revenue from this fee component would be returned to the service provider, the individual jurisdiction.

Jurisdiction Capital Projects

Each of the five jurisdictions has an independent capital plan, and can determine whether bond funding or pay as you go funding (or paying with available unencumbered funds) is appropriate or necessary. Capital financing has been "pay-as-you-go" for most jurisdictions. An alternative is for jurisdictions to borrow money to build capital projects and pay this back over time. This option is described in the definitions as debt.

The cost drivers for capital projects are similar to those for regular O&M, and are allocable to impervious and gross area within a jurisdiction. Debt service (in the case of bond funding) or cash contributions to capital projects are included in the impervious and/or gross area components of a fee. Revenue from this fee component would be returned to the service provider, the individual jurisdiction.

Debt

For some of the jurisdictions, capital needs outpace the funds available through fee revenue. Issuing debt in the form of revenue bonds is a viable alternative to fund these projects, and in some cases may be the most appropriate option. Debt financing is appropriate for large physical assets with long expected lives, generally constructed improvements. Most notable, debt service creates a mechanism for future ratepayers to help fund the infrastructure from which they still benefit. The exceptional environmental quality found in this region is one of the primary reasons people choose to live and work here, and at its most basic, every investment made in capital projects supports that fundamental tenet. Through debt funding of capital projects, ratepayers of the future can pay back into the program that promotes this high quality of life.

Revenue bonding will not affect a jurisdiction's existing covenants or caps. With revenue bonds, the jurisdiction's stormwater utility will be solely responsible for servicing that debt, and there is no risk to the greater entity.

County-wide Infrastructure O&M

The County maintains some larger drainage infrastructure within each of the four municipalities in addition to drainage infrastructure within the unincorporated area. County-wide infrastructure (defined as pipes and open ditches both in and out of rights of way that are owned or maintained by the County) maintenance costs have not been allocated to any ratepayers outside the unincorporated County to date. That is, revenue from fees charged to property owners in the unincorporated County have been funding infrastructure maintenance, repair, and replacement activities throughout all five jurisdictions.

Currently, these activities have been limited in the incorporated areas because funding levels, supported by the unincorporated ratepayers only, are insufficient. The modified rate structure will share the County's costs for County-wide infrastructure maintenance across all the unincorporated and incorporated areas of the County based on linear feet of pipes and open ditches in each jurisdiction.

The cost drivers for operation and maintenance of county infrastructure are very similar to those for the various jurisdictional stormwater infrastructure systems. These costs may be recovered through an impervious and/or gross area fee component, the revenue from which supports County efforts. Revenue from this fee component would be returned to the service provider, the County.

The County's total budgeted County-wide infrastructure operation and maintenance cost is approximately \$3.5 million in FY2015-2016. A detailed analysis of the proportions of this County-wide infrastructure was prepared in 2015 by the County, and was used as the basis for the cost allocations to unincorporated areas of the County and to the municipalities. This inventory was conducted in GIS data layers and was made available to all jurisdictions by the County as part of this study. The analysis shows the proportions to be:

Unincorporated County	<u>83.6%</u>
City of Beaufort	<u>2.2%</u>
Town of Port Royal	<u>0.8%</u>
Town of Bluffton	<u>7.6%</u>
Town of Hilton Head Island	<u>5.8%</u>

Based on this proportional breakdown, the County intends to convey a separate charge (as a new line on the bill, not to be added to or combined with the City/Towns fees), that bills this amount per SFU or IA/GA unit, as the rate structure would require. Final fee amounts are discussed in the Modified Rate Structure section, below.

Utility Administration

The County administers the cooperative utility for each of the five jurisdictions. Currently administrative fees are allocated across the impervious area rate base such that properties with a large number of SFUs of impervious area pay more in administrative fees than those with fewer SFUs.

Costs for this effort may be allocable to either the number of parcels or accounts for which data must be maintained, customer service must be provided, etc. These costs may instead be recovered via a fixed charge component charged to all utility customers. Alternatively, costs could be allocable to the impervious and/or gross area fee component if they are more closely related to the effort of maintaining the geospatial data or researching and addressing detailed questions from large, complex customers. Revenue from this fee component would be returned to the service provider, the County.

MS4 Compliance

The County will be subject to MS4 permit requirements beginning in late 2015. Some program elements are fulfilled by each individual jurisdiction while others are provided cooperatively. Any existing inter-governmental agreements and Memoranda of Understanding (MOU) may need to be revised if an alternate structure is chosen.

Individual Efforts

Other MS4 permit compliance activities may be done separately by each jurisdiction, and provided only to that jurisdiction. These costs are allocable to the impervious and/or gross area fee component and revenue from this fee component would be returned to the service provider, the individual jurisdiction.

Cooperative Efforts

Monitoring

The County currently provides monitoring efforts within the jurisdictions boundaries of the municipalities. This relationship could be expanded to other jurisdictions if desired. These costs would be driven by the number of accounts and would be included in the fixed charge component of the fee, only in the jurisdictions where the County provides this monitoring service. Revenue from this fee component would be returned to the service provider, the County.

Public Education/Outreach

Currently, the jurisdictions participate in a cooperative public education and outreach scheme. Rather than implement separate agreements between each jurisdiction, this cost can be considered a per account cost and included in the fixed charge component of the fee, applicable to everyone in the County. Revenue from this fee component would be returned to the service provider, the County.

Modeled Options

Elements of Six Rate Structure Options

Simplified residential rate: Charge one of a series of flat rates, based on SFUs, to different classes of residential properties. This is how residential rates work in the current rate structure.

Continued application of the agricultural use policy: Properties legally under certain agricultural uses have limits placed on their stormwater fees by state law. The rate structure options will continue to follow this approach.

Updated source data: RFC reviewed and updated as necessary 5,937 parcel polygons with the newest available imagery from 2013. The results of this update were used to model both the modified rate structure options and the current rate structure options, which make use of the newly measured impervious features.

Minimum charge: A minimum charge is a rate structure feature whereby once the amount a property owes in annual stormwater fees is computed it is compared to the minimum charge and if less, the minimum charge is applied to the property. The minimum charge is set to reflect the minimum amount of demand a property can actually place on the jurisdiction providing service. The minimum charge is represented as a fixed fee component and is charged to every property.

Options

- A. Current rate structure with updated source data; current approach for administrative fees based on impervious area units; compliance with current rate ordinance; pay-as-you-go capital financing

- B. Current rate structure with updated source data; current approach for administrative fees based on impervious area units; compliance with current rate ordinance; debt financing for some capital projects
- C. Modified rate structure based on impervious and gross area; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to per-account basis; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; pay-as-you-go capital financing
- D. Modified rate structure based on impervious and gross area; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to impervious and gross area; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; pay-as-you-go capital financing
- E. Modified rate structure based on impervious and gross area at 80/20 or 90/10 allocation; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to per account basis; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; debt for some capital financing
- F. Modified rate structure based on impervious and gross area at 80/20 or 90/10 allocation; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to impervious and gross area; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; debt for some capital financing

Alternative Cost Sharing Approach

As an alternative to the modeled county-wide infrastructure charge, each underlying jurisdiction can work individually with the County to establish a level of service and cost for providing that service within the jurisdiction. Each jurisdiction is entitled to convey that fee to its customers in any reasonable manner, but must remit the appropriate amount to the County to receive the agreed upon services.

Table 2. Modeled Rate Structure Options

	<i>Overall Rate Structure</i>	<i>Debt Financing for Some Capital?</i>	<i>Method for Allocating Admin & Reg Costs</i>	<i>Method for Allocating CWI O&M Costs</i>	<i>Simplified Residential Rates</i>	<i>Alternative Cost Sharing Approach</i>
A	Current (Imp Area)	No	SFUs	Optional	Yes	Optional
B	Current (Imp Area)	Yes	SFUs	Optional	Yes	Optional
C	Impervious & Gross Area	No	Per account	Impervious & Gross Area	Yes	Optional
D	Impervious & Gross Area	No	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional
E	Impervious & Gross Area	Yes	Per account	Impervious & Gross Area	Yes	Optional
F	Impervious & Gross Area	Yes	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional

Modified Rate Structure

ATM modeled four of the six options based on a modified rate structure design that relies more heavily on measured impervious area data but retains the basic backbone of the existing rate structure.

Fee Structure

The recommended fee includes three components: a fixed component to convey costs allocable by account, and two variable components: one based on gross area and one based on impervious area, to convey the costs that vary by property characteristic. With the exception of those explicitly exempt, every real property (which in some cases does not include land on the ground) has a stormwater fee calculated for it.

Bill Class

Every property falls into one of several bill classes, which determine fee calculation for that property. Residential properties are treated in a similar manner as they are currently, with SFU equivalents to represent the impervious area on each type of residential property. Gross area and fixed fee components are added to this portion of the residential fee. Vacant property is not charged for any impervious area, measured or assumed. It is, however, charged for the gross land area of the parcel and the fixed component of the fee, as described below. Agricultural properties in the County are excluded from any fee changes by State law, and as such represent their own category of properties for which the current fee is carried forward. Exempt parcels are not charged any portion of the fee. Finally, all other properties are considered non-residential, non-vacant properties (herein called “commercial”), which are charged a per unit rate for impervious area, along with a fixed fee and gross area charge.

Rate Structure Design

Impervious Area Units

The existing impervious area unit of 4906 has been retained for maximum equity between residential and commercial bill classes in impervious area charge. Residential properties are charged for impervious area based on the factors existing in the current rates structure. Commercial properties are charged per 4,906 square feet unit, or part thereof, of impervious area. Under the modified rate structure design, 80% of variable costs are funded through gross area charges.

Gross Area Blocks

A gross area fee component is included for all properties that have a real parcel and parcel area found in GIS. The gross area charge is calculated in equivalent units as follows:

- Every property is charged \$X for the first 2 acres of gross area. This means that every property getting a gross area fee is charged at least \$X.
- For every acre above 2 acres, and up to 10 acres, the property is charged $.5 * \$X$ per acre.
- For every acre above 10 acres, and up to 100 acres, the property is charged $.4 * \$X$ per acre.
- For every acre above 100 acres, the property is charged $.3 * \$X$ per acre.

This declining block structure maintains the important rate base of large properties. Under the modified rate structure design, 20% of variable costs are funded through gross area charges.

Exempt Properties and Special Cases

The modified rate structure design mirrors the current rate structure in exempt properties. Roads, railroads, private roads, and boat slip properties are exempt from stormwater fees. As described above, vacant (undeveloped) parcels are not exempt from the entire fee, but are not charged for the impervious area fee component.

Credit

For properties receiving credit for BMPs, that credit can be carried forward in this modified rate structure.

Rate Study Results

ATM developed a spreadsheet-based rate model tool to model the way the individual jurisdiction and County-wide costs impact rates. The comprehensive model can be manipulated to calculate rates for each of the six options described above, as well as allow for manual override of the calculated rates to predict the revenue generation and sufficiency of a particular rate structure and rate choice.

Beaufort County

For the unincorporated County, Option E (see appendix A) results in rates for a fixed charge, an impervious area charge, and a gross area charge. This option would raise the annual charge for an average single family home on a 1 acre lot from the current \$50 per year to \$87 per year and the rate could be held stable for at least five years. All other options for the County result in less favorable rates. The fee charged to an average house on a one acre parcel in Beaufort County under the six options modeled as part of this rate study are as follows:

Fiscal Year					
	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Option A.2	\$100	\$100	\$100	\$110	\$120
Option B.2	\$95	\$95	\$95	\$95	\$95
Option C.2	\$87	\$99	\$99	\$99	<u>\$112</u>
Option D.2	\$90	\$100	\$100	\$100	<u>\$119</u>
Option E.2	\$87	\$87	\$87	\$87	\$87
Option F.2	\$90	\$90	\$90	\$90	\$92

Therefore, ATM and Utility staff recommend rate structure option E.2 for the County, under which administrative and regulatory compliance charges are allocated on a per account basis, infrastructure O&M costs are allocated based on the impervious and gross area, and two bond sales of \$5,000,000 occur in FY 2017 and FY 2019. Because the underlying jurisdictions are unlikely to adopt a rate structure change in the coming fiscal year, the existing \$3.18 per (paid) SFU administrative charge that has already been negotiated is retained.

The County is responsible for funding 83.6% of all county-wide infrastructure (CWI) operation and maintenance under the CWI allocation method used. Under the proposed rate structure, this is \$45.88 of the total \$87.00 annual charge for an average house on a lot smaller than 2 acres. The properties within the four municipalities are responsible for the remaining CWI funding, with the allocation based on the amount of infrastructure to be maintained that falls within each jurisdictional boundary, as described previously. For the next five fiscal years, the CWI funding within each jurisdiction’s boundaries on an SFU or IA/GA basis (depending on the rate structures chosen) are:

Table 3. County-wide Infrastructure Cost Breakdown by Jurisdiction

8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016	FY 2016-2017	FY 2017-2018	FY 2018-2019	FY 2019-2020
CWI Cost Share on SFU Basis					
Unincorporated County	\$ 45.30	\$ 46.97	\$ 47.50	\$ 49.01	\$ 49.71
City of Beaufort	\$ 5.15	\$ 5.74	\$ 5.70	\$ 5.78	\$ 5.76
Town of Port Royal	\$ 3.88	\$ 4.33	\$ 4.30	\$ 4.36	\$ 4.35
Town of Bluffton	\$ 18.13	\$ 20.22	\$ 20.09	\$ 20.38	\$ 20.31
Town of Hilton Head Island	\$ 5.52	\$ 6.15	\$ 6.11	\$ 6.20	\$ 6.18
CWI Cost Share on IA/GA Unit Basis					
Unincorporated County					
per IA Unit	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
per GA Unit	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
City of Beaufort					
per IA Unit	\$ 4.10	\$ 4.58	\$ 4.55	\$ 4.61	\$ 4.60
per GA Unit	\$ 1.34	\$ 1.49	\$ 1.48	\$ 1.51	\$ 1.50
Town of Port Royal					
per IA Unit	\$ 3.13	\$ 3.49	\$ 3.47	\$ 3.52	\$ 3.51
per GA Unit	\$ 0.78	\$ 0.87	\$ 0.87	\$ 0.88	\$ 0.88
Town of Bluffton					
per IA Unit	\$ 17.83	\$ 19.89	\$ 19.76	\$ 20.04	\$ 19.97
per GA Unit	\$ 2.25	\$ 2.51	\$ 2.49	\$ 2.52	\$ 2.52
Town of Hilton Head Island					
per IA Unit	\$ 4.39	\$ 4.89	\$ 4.86	\$ 4.93	\$ 4.91
per GA Unit	\$ 1.43	\$ 1.60	\$ 1.59	\$ 1.61	\$ 1.60

In the first planning year, several shared costs (those for the regional stormwater master plan, public education and outreach, and water quality monitoring) are funded via inter-governmental agreements with the responsible parties. In this year only, these are represented as separate revenues and the costs are not allocated to the jurisdictions based on SFU or IA/GA unit calculation.

General Impacts of Rate Structure Changes

The recommended rate structure (Option E.2 if capital intensive, Option C.2 if not) incorporates a fixed charge per account (parcel), plus two variable charges: one for impervious area on the parcel and one for gross parcel area. It also continues the practice of using simplified residential rates for residential properties of varying types from single family detached through condominium units. Because the current billing practices for large undeveloped tracts include an impervious area estimation process while the new rates structures do not charge an impervious area fee if there is no impervious area present, the impervious charges may be divergent between the rate structures. However, the introduction of a gross area charge in the new rate structure modeled largely mimics the fee outcomes.

Using three rate metrics (fixed, impervious area, gross area) allows the fee to have components that relate to cost causation most directly and is generally preferred in utility ratemaking. For example, some administrative costs for billing and collections efforts relate much more to the existence of a bill than to the size of the bill. Paying these costs from an impervious area rate shifts costs to large ratepayers while paying these costs from a fixed charge, as recommended, allocates the costs more equally across all ratepayers.

Needed Ordinance Revisions

County

If a new rate structure is adopted, significant revisions to the County's stormwater utility fee ordinance will be needed. While the revisions are outside the ATM team's scope of work, the team has identified the following categories to focus on:

1. The definitions for residential dwelling classifications and nonresidential properties will need to be revised according to the new rate structure, which does not strictly classify properties according to their land use code in the County tax data.
2. In the definitions and general funding policy section, the rate structure and fee calculation description will need to be updated (refer to Rate Structure Design section above).
3. The stormwater service fee rates for other jurisdictions should be removed and replaced with language that says the County will convey the fees for all jurisdictions until each has transitioned to the revised rate structure. The ordinance should state that the same rate structure will apply for all jurisdictions and should describe how the County will maintain stormwater billing data and conduct other administrative tasks. Once a jurisdiction has transitioned to the new rate structure, the jurisdiction should revise its own ordinance on stormwater service fee rates and execution of utility authority.
4. References to findings from the 2005 rate study should be eliminated or updated to reflect the current findings.

5. References to the stormwater utility's responsibilities and how it is managed will need to be revised to take into account the multijurisdictional nature of the utility and any changes to the way funding (especially for county-wide drainage infrastructure) occurs. The revisions can be based on current inter-governmental governmental agreements with the City and Towns.
6. After each jurisdiction transitions to a revised rate structure, the references to inter-governmental agreements on administrative fees in the County ordinance can be replaced with details on the actual fee component.

Ongoing Billing Data Maintenance

Data maintenance processes for stormwater utility fee billing are crucial to enabling accurate and timely reporting and customer service. Parcel data from the five jurisdictions should be integrated and kept as current as possible for use in determining properties that are billable for the stormwater fee. A GIS layer representing impervious surfaces should be updated regularly in response to development, demolition, and recognition of incorrect data. Other County data sources such as building permit applications and changes in improvement values can also be utilized as triggers to begin or update stormwater billing.

The ATM team will provide technical guidance on data maintenance in a separate memorandum that will go into detail on digitization and GIS processes, triggers for new or changed development, and other processes for keeping stormwater billing data current.

Appendix A – Beaufort County Recommended Rates ([Options A.2-F.2](#))

Beaufort County
Summary Sheet

Option A.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Current RS	FY 2016-2017 Current RS	FY 2017-2018 Current RS	FY 2018-2019 Current RS	FY 2019-2020 Current RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage					
Current RS Fee Alternative					
Impervious Area Units	60,927	60,622	60,319	60,017	59,717
Fee	\$ 100.00	\$ 100.00	\$ 100.00	\$ 110.00	\$ 120.00
Countywide Infrastructure Charge	\$ 45.30	\$ 46.97	\$ 47.50	\$ 49.01	\$ 49.71
Override Countywide Infrastructure Charge	\$ -	\$ -	\$ -	\$ -	\$ -
Anticipated Unincorporated County Fee Billings	\$ 6,092,675	\$ 6,062,211	\$ 6,031,900	\$ 6,601,915	\$ 7,166,079
Collection Factor	94%	94%	94%	94%	94%
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 5,727,114	\$ 5,698,479	\$ 5,669,986	\$ 6,205,800	\$ 6,736,114
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 506,876	\$ (51,158)	\$ (194,686)	\$ 145,379
Total Costs	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total Revenues	\$ 6,182,976	\$ 5,980,479	\$ 5,952,025	\$ 6,487,911	\$ 7,020,984
Surplus (Deficit)	\$ 72,797	\$ (558,034)	\$ (143,528)	\$ 340,065	\$ (801,494)
FY End Fund Balance	\$ 506,876	\$ (51,158)	\$ (194,686)	\$ 145,379	\$ (656,115)

Beaufort County
Summary Sheet

Option B.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Current RS	FY 2016-2017 Current RS	FY 2017-2018 Current RS	FY 2018-2019 Current RS	FY 2019-2020 Current RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ 146,185	\$ 292,371	\$ 438,556	\$ 584,741
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage		8.46	4.23	2.46	1.69
Current RS Fee Alternative					
Impervious Area Units	60,927	60,622	60,319	60,017	59,717
Fee	\$ 95.00	\$ 95.00	\$ 95.00	\$ 95.00	\$ 95.00
Countywide Infrastructure Charge	\$ 45.30	\$ 46.97	\$ 47.50	\$ 49.01	\$ 49.71
Override Countywide Infrastructure Charge	\$ -	\$ -	\$ -	\$ -	\$ -
Anticipated Unincorporated County Fee Billings	\$ 5,788,041	\$ 5,759,101	\$ 5,730,305	\$ 5,701,654	\$ 5,673,146
Collection Factor	94%	94%	94%	94%	94%
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 5,440,759	\$ 5,413,555	\$ 5,386,487	\$ 5,359,555	\$ 5,332,757
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 220,520	\$ 4,231,377	\$ 3,511,979	\$ 7,567,243
Total Costs	\$ 6,110,180	\$ 6,684,698	\$ 6,387,923	\$ 6,586,402	\$ 8,407,219
Total Revenues	\$ 5,896,621	\$ 10,695,555	\$ 5,668,526	\$ 10,641,665	\$ 5,617,627
Surplus (Deficit)	\$ (213,559)	\$ 4,010,857	\$ (719,398)	\$ 4,055,264	\$ (2,789,592)
FY End Fund Balance	\$ 220,520	\$ 4,231,377	\$ 3,511,979	\$ 7,567,243	\$ 4,777,650

Beaufort County
Summary Sheet

Option C.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 639,616	\$ 589,928	\$ 625,797	\$ 652,451
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,714,705	\$ 5,268,009	\$ 5,304,881	\$ 6,971,468
Debt Service					
Annual Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage					
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ 11.74	\$ 12.44	\$ 11.66	\$ 12.15	\$ 12.53
Fixed Cost per Account, admin portion:	\$ 2.81	\$ 2.74	\$ 2.80	\$ 2.84	\$ 2.93
Fixed Cost per Account, regulatory compliance portion:	\$ 8.93	\$ 9.70	\$ 8.85	\$ 9.30	\$ 9.60
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ 12.00	\$ 14.00	\$ 14.00	\$ 14.00	\$ 14.00
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 64.68	\$ 72.84	\$ 67.27	\$ 67.60	\$ 92.49
Variable Costs, IA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 30.74	\$ 24.70	\$ 23.67	\$ 47.94
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 65.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 86.00
Variable Costs, GA Unit Fee Calc	\$ 8.42	\$ 9.53	\$ 8.84	\$ 8.93	\$ 12.28
Variable Costs, GA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.02	\$ 3.24	\$ 3.13	\$ 6.36
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 12.00
Anticipated Unincorp County Fee Billings	\$ 5,364,442	\$ 6,017,238	\$ 5,995,803	\$ 5,974,702	\$ 6,741,124
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,881,642	\$ 5,535,859	\$ 5,636,055	\$ 5,616,220	\$ 6,336,657
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 48,230	\$ 45,825	\$ 43,421	\$ 43,421
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 157,551	\$ (18,795)	\$ 351,750	\$ 665,589
Total Costs	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total Revenues	\$ 5,833,651	\$ 6,362,167	\$ 6,466,099	\$ 6,461,684	\$ 7,190,167
Surplus (Deficit)	\$ (276,528)	\$ (176,346)	\$ 370,546	\$ 313,839	\$ (632,311)
FY End Fund Balance	\$ 157,551	\$ (18,795)	\$ 351,750	\$ 665,589	\$ 33,277

Beaufort County
Summary Sheet

Option D.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage					
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, admin portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, regulatory compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 75.95	\$ 84.25	\$ 78.04	\$ 78.99	\$ 104.40
Variable Costs, IA Unit Fee, administrative portion:	\$ 2.70	\$ 2.19	\$ 2.24	\$ 2.28	\$ 2.34
Variable Costs, IA Unit Fee, reg compliance portion:	\$ 8.58	\$ 9.22	\$ 8.53	\$ 9.11	\$ 9.56
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 30.74	\$ 24.70	\$ 23.67	\$ 47.94
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 80.00	\$ 90.00	\$ 90.00	\$ 90.00	\$ 105.00
Variable Costs, GA Unit Fee Calc	\$ 9.88	\$ 11.02	\$ 10.26	\$ 10.43	\$ 13.86
Variable Costs, GA Unit Fee, administrative portion:	\$ 0.35	\$ 0.29	\$ 0.29	\$ 0.30	\$ 0.31
Variable Costs, GA Unit Fee, reg compliance portion:	\$ 1.12	\$ 1.21	\$ 1.12	\$ 1.20	\$ 1.27
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.02	\$ 3.24	\$ 3.13	\$ 6.36
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 14.00
Anticipated Unincorp County Fee Billings	\$ 5,396,494	\$ 5,905,440	\$ 5,870,700	\$ 5,836,240	\$ 7,003,304
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,910,810	\$ 5,433,005	\$ 5,518,458	\$ 5,486,066	\$ 6,583,106
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 186,719	\$ (76,559)	\$ 192,065	\$ 391,176
Total Costs	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total Revenues	\$ 5,862,819	\$ 6,275,236	\$ 6,364,177	\$ 6,346,957	\$ 7,452,042
Surplus (Deficit)	\$ (247,360)	\$ (263,277)	\$ 268,624	\$ 199,111	\$ (370,436)
FY End Fund Balance	\$ 186,719	\$ (76,559)	\$ 192,065	\$ 391,176	\$ 20,740

Beaufort County
Summary Sheet

Option E.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 639,616	\$ 589,928	\$ 625,797	\$ 652,451
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,714,705	\$ 5,268,009	\$ 5,304,881	\$ 6,971,468
Debt Service					
Annual Debt Service	\$ -	\$ 146,185	\$ 292,371	\$ 438,556	\$ 584,741
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage		8.78	4.79	2.89	2.04
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ 11.74	\$ 12.44	\$ 11.66	\$ 12.15	\$ 12.53
Fixed Cost per Account, admin portion:	\$ 2.81	\$ 2.74	\$ 2.80	\$ 2.84	\$ 2.93
Fixed Cost per Account, regulatory compliance portion:	\$ 8.93	\$ 9.70	\$ 8.85	\$ 9.30	\$ 9.60
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 64.68	\$ 75.00	\$ 71.61	\$ 74.15	\$ 101.27
Variable Costs, IA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 32.90	\$ 29.04	\$ 30.22	\$ 56.71
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00
Variable Costs, GA Unit Fee Calc	\$ 8.42	\$ 9.81	\$ 9.41	\$ 9.79	\$ 13.44
Variable Costs, GA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.30	\$ 3.82	\$ 3.99	\$ 7.53
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Anticipated Unincorp County Fee Billings	\$ 5,364,442	\$ 5,344,144	\$ 5,324,099	\$ 5,304,356	\$ 5,284,872
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,881,642	\$ 4,916,612	\$ 5,004,653	\$ 4,986,095	\$ 4,967,780
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 48,230	\$ 45,825	\$ 43,421	\$ 43,421
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 157,551	\$ 4,215,773	\$ 3,662,546	\$ 7,907,703
Total Costs	\$ 6,110,180	\$ 6,684,698	\$ 6,387,923	\$ 6,586,402	\$ 8,407,219
Total Revenues	\$ 5,833,651	\$ 10,742,920	\$ 5,834,697	\$ 10,831,559	\$ 5,821,290
Surplus (Deficit)	\$ (276,528)	\$ 4,058,222	\$ (553,227)	\$ 4,245,157	\$ (2,585,930)
FY End Fund Balance	\$ 157,551	\$ 4,215,773	\$ 3,662,546	\$ 7,907,703	\$ 5,321,774

Beaufort County
Summary Sheet

Option F.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ 146,185	\$ 292,371	\$ 438,556	\$ 584,741
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage		9.02	4.87	2.92	2.36
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, admin portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, regulatory compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 75.95	\$ 86.41	\$ 82.39	\$ 85.54	\$ 113.17
Variable Costs, IA Unit Fee, administrative portion:	\$ 2.70	\$ 2.19	\$ 2.24	\$ 2.28	\$ 2.34
Variable Costs, IA Unit Fee, reg compliance portion:	\$ 8.58	\$ 9.22	\$ 8.53	\$ 9.11	\$ 9.56
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 32.90	\$ 29.04	\$ 30.22	\$ 56.71
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00
Variable Costs, GA Unit Fee Calc	\$ 9.88	\$ 11.30	\$ 10.83	\$ 11.30	\$ 15.02
Variable Costs, GA Unit Fee, administrative portion:	\$ 0.35	\$ 0.29	\$ 0.29	\$ 0.30	\$ 0.31
Variable Costs, GA Unit Fee, reg compliance portion:	\$ 1.12	\$ 1.21	\$ 1.12	\$ 1.20	\$ 1.27
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.30	\$ 3.82	\$ 3.99	\$ 7.53
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 12.00
Anticipated Unincorp County Fee Billings	\$ 5,396,494	\$ 5,364,280	\$ 5,332,250	\$ 5,300,480	\$ 5,469,752
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,910,810	\$ 4,935,138	\$ 5,012,315	\$ 4,982,451	\$ 5,141,567
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 186,719	\$ 4,279,389	\$ 3,749,499	\$ 8,006,439
Total Costs	\$ 6,110,180	\$ 6,684,698	\$ 6,387,923	\$ 6,586,402	\$ 8,407,219
Total Revenues	\$ 5,862,819	\$ 10,777,368	\$ 5,858,034	\$ 10,843,342	\$ 6,010,503
Surplus (Deficit)	\$ (247,360)	\$ 4,092,670	\$ (529,890)	\$ 4,256,940	\$ (2,396,716)
FY End Fund Balance	\$ 186,719	\$ 4,279,389	\$ 3,749,499	\$ 8,006,439	\$ 5,609,723

STORMWATER UTILITY RATE STUDY

Update on Rate Study
August 24, 2015

STORMWATER UTILITY RATE STUDY

SIX OPTIONS FOR RATE STRUCTURE

Modeled Rate Structure Option	Overall Rate Structure	Debt Financing for Some Capital	Partial Tax Funding	Method for Allocating Administrative Costs	Method for Allocating County-wide Infrastructure Maintenance Costs	Method for Re-allocating Costs from One Jurisdiction to another	Minimum Charge	Simplified Residential Rates
A	Impervious Area	No	Optional at Jurisdiction's Choice	Impervious Area SFU's	None	Optional at Jurisdiction's Choice	No	Yes
B	Impervious Area	Yes	Optional at Jurisdiction's Choice	Impervious Area SFU's	None	Optional at Jurisdiction's Choice	No	Yes
C	Impervious and Gross Area at 80/20 or 90/10	No	Optional at Jurisdiction's Choice	Per Account	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes
D	Impervious and Gross Area at 80/20 or 90/10	No	Optional at Jurisdiction's Choice	Impervious and Gross Area	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes
E	Impervious and Gross Area at 80/20 or 90/10	Yes	Optional at Jurisdiction's Choice	Per Account	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes
F	Impervious and Gross Area at 80/20 or 90/10	Yes	Optional at Jurisdiction's Choice	Impervious and Gross Area	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes

STORMWATER UTILITY RATE STUDY

- Allocation of CWI costs based on infrastructure distribution throughout County:

Unincorporated County	83.6% (v. 76.4%)
City of Beaufort	2.2% (v. 3.4%)
Town of Port Royal	0.8% (v. 1.0%)
Town of Bluffton	7.6% (v. 11.1%)
Town of Hilton Head Island	5.8% (v. 8.1%)

STORMWATER UTILITY RATE STUDY

- Countywide Infrastructure costs - about \$3.5M
- Current per SFU rates required to generate CWI monies are as follows:

Unincorporated County	\$45.88 * per SFU	(v. \$42.28)
City of Beaufort	\$5.15 per SFU	(v. \$8.05)
Town of Port Royal	\$3.88 per SFU	(v. \$5.03)
Town of Bluffton	\$18.13 per SFU	(v. \$26.34)
Town of Hilton Head Island	\$5.52 per SFU	(v. \$7.66)

- Unlike the municipal areas, the CWI is included in the County SFU (or IA/GA fees), not in addition to.

STORMWATER UTILITY RATE STUDY

- OPTION E.2 -- Unincorporated County rates recommended in study:
 - Fixed charge per year: \$12.00 per parcel/account
 - Impervious charge: \$65.00 per Unit
 - Gross area charge: \$10.00 per Unit, declining blocks

NO CHANGE IN COUNTY RATES

STORMWATER UTILITY RATE STUDY

Declining block rates for gross area charges in the recommended unincorporated County rate structure:

- First 2 acres: \$10.00 per year
- Next 8 acres: \$5.00 per acre per year
- Next 90 acres: \$4.00 per acre per year
- All acres > 100: \$3.00 per acre per year

NO CHANGE IN COUNTY RATES

STORMWATER UTILITY RATE STUDY

How Option E.2 Compares -- Unincorporated County rates recommended in study:

Example

Typical home on 1 acre lot

- Current charge: \$50 per year
- Option A.2 charge: \$100 per year (\$120 per year by 2019)
- Option E.2 charge: \$87 per year

Other examples have been prepared to show how the rate structure change and rate increase affects non-residential parcels.

STORMWATER UTILITY RATE STUDY

Current utility rates across the County:

- Town of Hilton Head Island \$108.70 / SFU
- City of Beaufort \$105 / SFU
- Town of Bluffton \$98 / SFU
- Beaufort County \$50 / SFU
- Town of Port Royal \$50 / SFU

Proposed utility rate:

- Beaufort County \$87 / IA,GA, admin

STORMWATER UTILITY RATE STUDY

**Presentation of Findings:
Analysis of stormwater rate
structure and fee increase impacts
on Rural, Ag use, and Vacant
parcels greater than 5 acres**

August 13, 2015

STORMWATER UTILITY RATE STUDY

Number of Accounts identified: 3,118

County Agricultural Exemptions: 1,745 * #

Ag. / Res. Vacant: 768

SFR / Rural residential: 405

Mobile Home lots: 139

Other (Non-Res. Vacant or IA < 1 SFU): 61

** inquiry of County Ag. Exemption : 2,623 accounts, approx. 878 of which are less than 5 acres*

parcels with Ag. Exemption were modeled with no change in fees due to the County's stormwater fee policy on agricultural use

STORMWATER UTILITY RATE STUDY

Existing v. Option E

Number of accounts with no change: 1,750

County Agricultural Exemptions: 1,745

Ag. / Res. Vacant: 5

SFR / Rural residential: 0

Mobile Home lots: 0

Other (Non-Res. Vacant or IA < 1 SFU): 0

STORMWATER UTILITY RATE STUDY

Existing v. Option E

Number of accounts with decrease: 554

County Agricultural Exemptions: 0

Ag. / Res. Vacant: 521

SFR / Rural residential: 0

Mobile Home lots: 12

Other (Non-Res. Vacant or IA < 1 SFU): 21

STORMWATER UTILITY RATE STUDY

Existing v. Option E

Number of accounts with increase: 814 *

County Agricultural Exemptions: 0

Ag. / Res. Vacant: 242

SFR / Rural residential: 405

Mobile Home lots: 127

Other (Non-Res. Vacant or IA < 1 SFU): 40

** It is notable that the average increase in fee per account is less than the average decrease.*

STORMWATER UTILITY RATE STUDY

Comparison of data set revenue to projected revenue

Existing structure and rate (\$50)

From this data set: \$319,583

Projected revenue (prior to increase): \$3,308,847

% of total revenue: 9.66%

Option A (ex. Rate structure @ \$100/SFU)

From this data set: \$509,212

Projected revenue (with increase): \$5,727,114 *

% of total revenue: 8.89%

Option E

From this data set: \$290,118

Projected revenue (with increase): \$4,881,642 *

% of total revenue: 5.94%

** Option A does not model a CWI. Option E supplements County fees with the CWI. As a result, the projected revenues are different for each option but result in the same total funding for the SWU.*

STORMWATER UTILITY RATE STUDY

For your information...

FY 16 projected account base

Accounts: 65,314

IA units (4,906 sq. ft. or SFU): 54,388

GA units (acres): 104,545

Revenue from Option E (FY 16)

Fixed Admin. Fee (\$12) = \$713,230

IA Fees (\$65) = \$3,217,051 (77%)

GA Fees (\$10) = \$951,361 (23%)

Admin. fee from municipalities = \$177,240

CWI fees from municipalities = \$712,776

other (cost shares, interest, etc.) = \$278,622

Total = \$6,050,280

STORMWATER UTILITY MS4 PROGRAM

Explanation of Regulatory Authority and Federal Mandate of the MS4 Permit

August 24, 2015

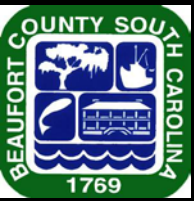


STORMWATER UTILITY MS4 PROGRAM

The Federal Government

The Federal Water Pollution Control Act of 1948 was reorganized and expanded as the United State Environmental Protection Agency (US EPA) Clean Water Act (33 U.S.C. §1251 et seq.) (1972), which was further amended in 1981 and 1987.

The National Pollutant Discharge Elimination System (NPDES) was created by Section 402 of the CWA. The Municipal Separate Stormsewer Program (MS4) is a component of the NPDES for stormwater permitting of stormwater facilities operated by local governments. MS4 was implemented in multiple Phases. Phase II was enacted in the Federal Register Dec. 8, 1999 (64 FR 68722).



STORMWATER UTILITY MS4 PROGRAM

The State Government

CWA mandates the NPDES permit program to be administered by authorized states. In 1975, the South Carolina Bureau of Water received authority from the EPA to administer the NPDES Permit Program in SC.

South Carolina Code of Law Section 48-1 Pollution Control Act establishes NPDES permitting. NPDES permitting is promulgated by SC via SC Regulation R.61-9, Water Pollution Control Permits, which allows the Department of Health and Environmental Control's (DHEC) Bureau of Water to issue "General Permits". The application process consists of a Notice of Intent (NOI) to be covered by a General Permit.



STORMWATER UTILITY MS4 PROGRAM

The Local Government

June 4, 2014 - DHEC designated Beaufort County as a MS4 and requested NOI submittal.

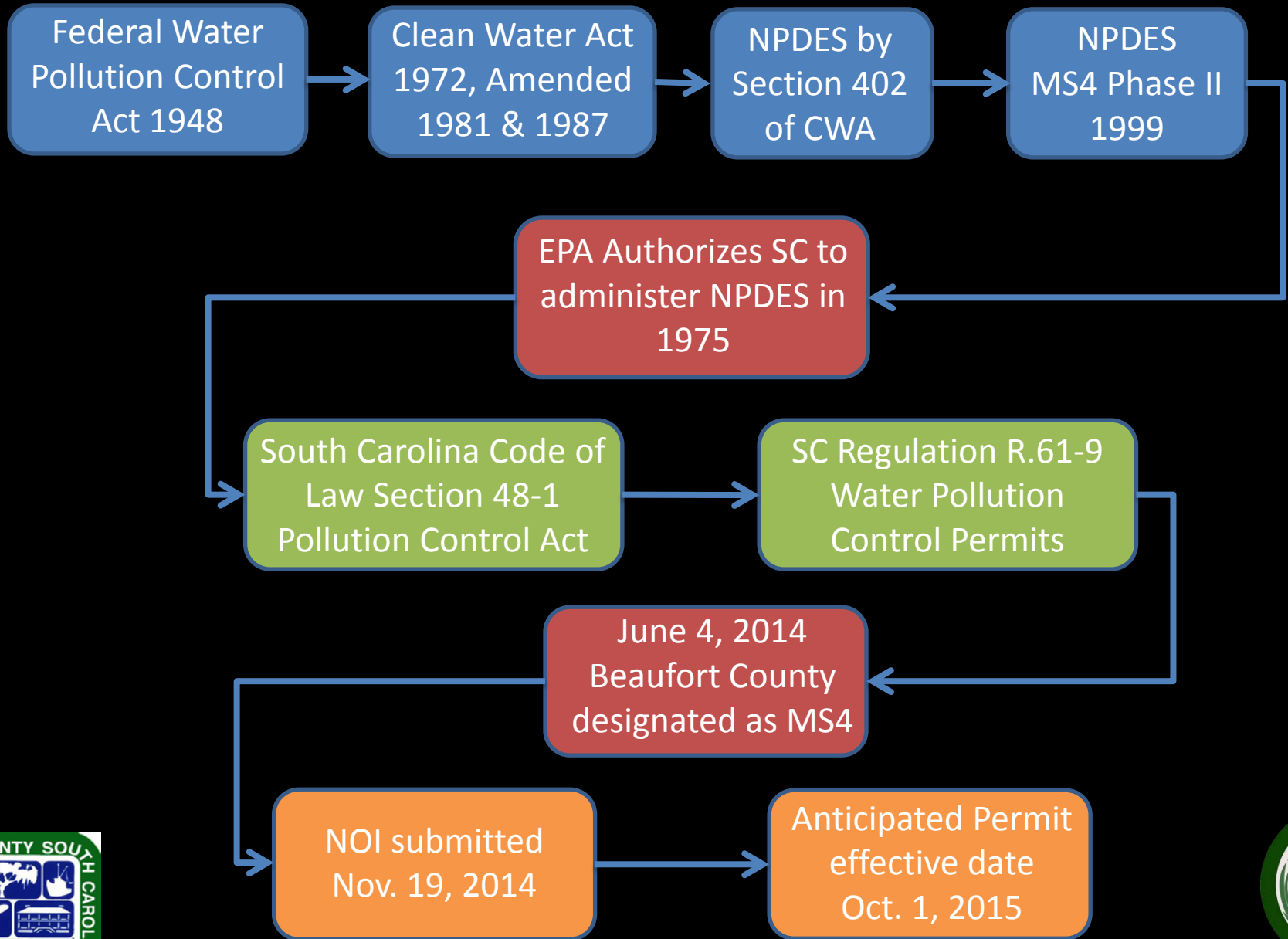
NOI was submitted Nov. 1, 2014.

Anticipated Public Notice is Sept. 1, 2015.

Anticipated Permit effective date is October 1, 2015.



STORMWATER UTILITY MS4 PROGRAM



STATE OF SOUTH CAROLINA)
)
)
COUNTY OF BEAUFORT)

**RESOLUTION APPOINTING
COMMISSION MEMBERS**

A RESOLUTION MEMORIALIZING THE APPOINTING OF MEMBERS TO THE COMMISSION CREATED PURSUANT TO THE *CAPITAL PROJECT SALES TAX ACT*, S.C. CODE ANN. §4-10-300, *ET SEQ.* (SUPP. 2003); TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION MEMBERS AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, IN PUBLIC MEETING DULY ASSEMBLED:

SECTION 1. Recitals and Legislative Findings.

As an incident to the adoption of a Resolution on April 27, 2015, by the Beaufort County Council, a commission was created pursuant to the *Capital Project Sales Tax Act*, S.C. Code Ann. §4-10-320 (Supp 2003). The commission is charged with the duty of considering proposals for funding capital projects within the Beaufort County area and formulating the referendum question proposed to be placed on the ballot pursuant to S.C. Code Ann. §4-10-330 (Supp. 2003).

SECTION 2. Appointment of Commission Members.

Pursuant to *Capital Project Sales Tax Act*, S.C. Code Ann. §4-10-300 *et seq.* (Supp 2003), the following individuals are appointed to the Commission Alan Herd, Dean Moss, Andrea Siebold, Carolyn Smith, Mike Sutton and Mike Tripka.

SECTION 3. Duties and Responsibilities of Commission.

(A) The commission members, in cooperation with the commission representatives from the municipalities located in Beaufort County, will consider proposals for funding capital projects within the county area and formulate a proposed referendum question to appear on the ballot. The commission's recommendations are made to the Beaufort County Council in the form of a report. The report should include:

(1) A statement of the purpose for which the proceeds of the tax are to be used, which may include projects located within or without, or both within or without, the boundaries of the local governmental entities, including the county, municipalities, and special purpose districts located in the county area and may include the following types of projects:

- (a) highways, roads, streets, and bridges;
- (b) courthouses, administration buildings, civic centers, hospitals, emergency medical facilities, police stations, fire stations, jails, correctional facilities, detention facilities, libraries, coliseums, or any combination of these projects;
- (c) cultural, recreational, or historic facilities, or any combination of these facilities;
- (d) water, sewer, or water and sewer projects;
- (e) flood control projects and storm water management facilities;
- (f) jointly operated projects of the county, a municipality, special purpose district, and school district, or any combination of those entities, for the projects delineated in subitems (i) through (v) of this subsection;
- (g) any combination of the projects described in subitems (i) through (vi) of this item;

(2) The maximum time, stated in terms of calendar or fiscal years or quarters, or a combination thereof, not to exceed seven years from the date of imposition, for which the tax may be imposed; and

(3)(a) If the county proposes to issue bonds to provide for the payment of any costs of the projects, the maximum amount of bonds to be issued, whether the sales tax proceeds are to be pledged to the payment of the bonds, and if other sources of funds are to be used for the projects, specifying other sources; and

(3)(b) The maximum cost of the project or facilities or portion of the project or portion of the facilities, to be funded from proceeds of the tax or bonds issued as provided in Article 3 of Chapter 10 of Title 4 of the *South Carolina Code of Laws*, 1976, as amended, and the maximum amount of net proceeds expected to be used to pay the cost or debt service on the bonds, as the case may be; and

(4) Any other condition precedent, as determined by the commission, to the imposition of the sales and use tax authorized by Article 3 of Chapter 10 of Title 4 of the *South Carolina Code of Laws*, 1976, as amended, or condition or restriction on the use of sales and use tax revenue collected pursuant to Article 3 of Chapter 10 of Title 4 of the South Carolina Code of Laws, 1976, as amended.

(5) When the tax authorized will be imposed for more than one purpose, the enacting ordinance, if any, must set forth the priority in which the net proceeds are to be expended from the purposes stated. The enacting ordinance may set forth a formula or system by which multiple projects are funded simultaneously.

(6) The proposed referendum question must read substantially as follows:

"Must a special one percent sales and use tax be imposed in (county) for not more than (time) to raise the amounts specified for the following purposes?

- (1) \$ _____ for _____
 - (2) \$ _____ for _____
 - (3) etc.
- Yes []
No []"

If the proposed referendum question includes the issuance of bonds, the question must be revised to include the principle amount of bonds proposed to be authorized by the referendum and the sources of payment of the bonds if the sales tax approved in the referendum is inadequate for the payment of the bonds.

SECTION 4. Effective Date.

This Resolution shall be, and hereby is, effective the ____ day of _____, 2015.

ADOPTED THIS ____ DAY OF _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council



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

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKubic*
Josh Gruber, Deputy County Administrator *JG*
Alicia Holland, Assistant County Administrator for Finance *AH*

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

SUBJ: **Change Order for Beaufort County Design Build Construction for Dirt Road Paving Contract 49 - Wimbee Landing Road**

DATE: July 27, 2015

BACKGROUND. Beaufort County Council awarded Dirt Road Design Build Contract 49 to J H Hiers Construction Company/Andrews & Burgess on December 8, 2014 for \$1,311,080. The dirt roads in Contract 49 are currently under design and construction.

Wimbee Landing Road is a County maintained road in Sheldon Township from Keans Neck Road to the Wimbee Creek Boat Landing with a total approximate length of 3.3 miles. Recently, the section of Wimbee Landing Road (1.4 miles) from Kinloch Road to the Wimbee Creek Boat Landing has been paved.

The County has received inquiries from residents on when the remaining dirt road section of Wimbee Landing Road (1.9 miles) from Keans Neck Road to Kinloch Road would be paved.

The 1.9 mile dirt road section of Wimbee Landing Road has a total of 22 adjacent houses. There are 18 houses along Wimbee Landing Road from the Keans Neck Road to the intersection of Community Center Road. This section of the roadway is approximately 5,556 feet. The remaining section of Wimbee Landing Road from Community Center Road to Kinloch Road has 4 houses and is approximately 4,625 feet long.

County Engineering Department has received the following proposal from the Contract 49 design/build team to engineer, reconstruct and pave the remaining 1.9 mile dirt road section of Wimbee Landing Road. The proposal is broken out for the roadway sections noted above.

Roadway Sections of Wimbee Landing Road	Length	Total Design/Build Proposal Amount
Keans Neck Road to Community Center Road	5,556 Feet	\$ 733,765
Community Center Road to Kinloch Road	4,625 Feet	\$ 619,524
Total Cost Dirt Road Section of Wimbee Landing Road		\$1,353,289

The County Traffic Engineering Department on 6/17/15 completed traffic counts along the dirt road section of Wimbee Landing Road. The results of the traffic counts indicate that approximately 80

vehicles per day utilize Wimbee Landing Road between Keans Neck Road and Community Center Road while 25 vehicles per day travel between Community Center Road and Kinloch Road.

County Engineering staff have reviewed this change order proposal for adding the dirt portion of Wimbee Landing Road between Keans Neck Road and Community Center Road and determined that it is a fair, reasonable and responsive quote for engineering design and reconstruction of roadway.

The County has the necessary right of way in place in order to pave the remaining dirt road portion of Wimbee Landing Road. At the present time, the dirt road portion of Wimbee Landing Road is ranked #39 in the CTC paving list and was scheduled for reconstruction in FY 2017.

FUNDING. The paving of the remaining dirt portion of Wimbee Landing Road could be funded from County C Funds which has an available fund balance of \$2.3 million.

FOR ACTION. Public Facilities Committee Meeting on August 17, 2015.

RECOMMENDATION. This item is presented as a discussion item for consideration of approval and award recommendation by the Public Facilities Committee to County Council for a change order to Contract #49 with J. H. Hiers Construction/Andrews & Burgess to design and construct the dirt road section of Wimbee Landing Road between Keans Neck Road and Community Center Road.

JRM/mjh

Attachments: 1) Location Map
2) Andrews & Burgess Change Order Proposal
3) Traffic Count Map

cc: Eddie Bellamy

BASE BID WITH ADDITIONAL SCOPE FOR SURVEYING, ENGINEERING & CONSTRUCTION COST
FOR DESIGN-BUILD CONTRACT #49 W/ WIMBEE LANDING CHANGE ORDER
PROJECT: 144D10
WIMBEE LANDING ROAD - KEANS NECK TO KINLOCH
DATE: JULY 15, 2015; REVISED JULY 16, 2015; JULY 21, 2015

ITEM	DESCRIPTION	UNITS	KEANS NECK TO COMMUNITY CENTER (5,550 FT)			COMMUNITY CENTER TO KINLOCH (4,625 FT)			TOTAL WIMBEE LANDING ROAD (10,175 FT)
			PLAN	UNIT	TOTAL	PLAN	UNIT	TOTAL	
			SET QUANTITY	PRICE		SET QUANTITY	PRICE		
1	MOBILIZATION & PROJECT MANAGEMENT	LS	-	\$ 19,500.00	\$ 19,500.00	-	\$ 19,500.00	\$ 19,500.00	\$ 39,000.00
2	TRAFFIC CONTROL	LS	-	\$1,500.00	\$ 1,500.00	-	\$1,500.00	\$ 1,500.00	\$ 3,000.00
3	SPEED LIMIT SIGN	EA	1	\$180.00	\$ 180.00	1	\$180.00	\$ 180.00	\$ 360.00
4	STOP SIGN	EA	3	\$235.00	\$ 705.00	1	\$235.00	\$ 235.00	\$ 940.00
5	24" TEMPORARY PAINTED WHITE STOP BAR	LF	44	\$4.00	\$ 176.00	12	\$4.00	\$ 48.00	\$ 224.00
6	24" 125 MIL THERMOPLASTIC WHITE STOP BAR	LF	44	\$9.00	\$ 396.00	12	\$9.00	\$ 108.00	\$ 504.00
7	RAISED REFLECTIVE PAVEMENT MARKER	EA	138	\$8.00	\$ 1,104.00	116	\$8.00	\$ 928.00	\$ 2,032.00
8	CONSTRUCTION ENTRANCE/EXIT	TN	16	\$100.00	\$ 1,600.00	16	\$100.00	\$ 1,600.00	\$ 3,200.00
9	CLEARING AND GRUBBING	LS	-	\$5,000.00	\$5,000.00	-	\$5,000.00	\$5,000.00	\$ 10,000.00
10	EARTHWORK AND GRADING	LS	-	\$91,900.00	\$91,900.00	-	\$80,130.00	\$80,130.00	\$ 172,030.00
	UNCLASSIFIED EXCAVATION	CY	505	\$20.00		424	\$20.00		\$ -
	FINE GRADE	LF	11000	\$5.80		9250	\$5.80		\$ -
	IMPORT	LF	1000	\$18.00		1000	\$18.00		\$ -
11	8" STABILIZED AGGREGATE BASE (WITHIN SCDOT)	SY	197	\$19.95	\$ 3,930.15	99	\$19.95	\$ 1,975.05	\$ 5,905.20
12	2" HOT LAID ASPHALT CONCRETE (WITHIN SCDOT)	SY	191	\$13.33	\$ 2,546.03	91	\$13.33	\$ 1,213.03	\$ 3,759.06
13	2" INTERMEDIATE ASPHALT CONCRETE (WITHIN SCDOT)	SY	191	\$13.33	\$ 2,546.03	91	\$13.33	\$ 1,213.03	\$ 3,759.06
14	4" STABILIZED AGGREGATE BASE (DRIVE)	SY	726	\$13.25	\$ 9,619.50	250	\$13.25	\$ 3,312.50	\$ 12,932.00
15	6" STABILIZED AGGREGATE BASE (ROAD)	SY	12735	\$14.95	\$ 190,388.25	10842	\$14.95	\$ 162,087.90	\$ 352,476.15
16	1.5" HOT LAID ASPHALT CONCRETE (ROAD)	SY	12126	\$10.00	\$ 121,260.00	10333	\$10.00	\$ 103,330.00	\$ 224,590.00
17	1.5" HOT LAID ASPHALT CONCRETE (DRIVE)	SY	692	\$10.00	\$ 6,920.00	250	\$10.00	\$ 2,500.00	\$ 9,420.00
18	15" REINFORCED CONCRETE PIPE CLASS III	LF	240	\$40.00	\$ 9,600.00	0	\$40.00	\$ -	\$ 9,600.00
19	18" REINFORCED CONCRETE PIPE CLASS III	LF	336	\$45.00	\$ 15,120.00	192	\$45.00	\$ 8,640.00	\$ 23,760.00
20	36" REINFORCED CONCRETE PIPE CLASS III	LF	0	\$98.00	\$ -	0	\$98.00	\$ -	\$ -
21	48" REINFORCED CONCRETE PIPE CLASS III	LF	0	\$142.50	\$ -	0	\$142.50	\$ -	\$ -
22	TREE PROTECTION	LF	0	\$3.00	\$ -	0	\$3.00	\$ -	\$ -
23	SILT FENCE	LF	0	\$2.50	\$ -	3200	\$2.50	\$ 8,000.00	\$ 8,000.00
24	EROSION & SEDIMENT CONTROL ITEMS CURLEX (10 LF EA)	LF	400	\$15.00	\$ 6,000.00	300	\$15.00	\$ 4,500.00	\$ 10,500.00
25	ROCK CHECK DAMS (1.5 CY EA)	CY	24	\$110.00	\$ 2,640.00	14	\$110.00	\$ 1,540.00	\$ 4,180.00
26	OUTLET PROTECTION RIP RAP (5 CY EA)	CY	25	\$110.00	\$ 2,750.00	100	\$110.00	\$ 11,000.00	\$ 13,750.00
27	SEEDING AND MULCHING	SY	18500	\$0.45	\$ 8,325.00	15500	\$0.45	\$ 6,975.00	\$ 15,300.00
28	TESTING	LS	1	\$15,400.00	\$ 15,400.00	1	\$13,200.00	\$ 13,200.00	\$ 28,600.00
29	CONSTRUCTION STAKING	LS	1	\$6,466.00	\$ 6,466.00	1	\$5,546.00	\$ 5,546.00	\$ 12,012.00
30	AS-BUILT SURVEY	LS	1	\$7,484.00	\$ 7,484.00	1	\$6,504.00	\$ 6,504.00	\$ 13,988.00
	TOTAL CONSTRUCTION COST			TOTALS	\$ 533,055.96		TOTALS	\$ 450,765.51	\$ 983,821.47
31	EARTHWORK AND GRADING	CY	500	\$20.00	\$ 10,000.00	500	\$20.00	\$ 10,000.00	\$ 20,000.00
32	4" STABILIZED AGGREGATE BASE (DRIVE)	SY	240	\$13.25	\$ 3,180.00	83	\$13.25	\$ 1,099.75	\$ 4,279.75
33	1.5" HOT LAID ASPHALT CONCRETE (DRIVE)	SY	230	\$10.00	\$ 2,300.00	83	\$10.00	\$ 830.00	\$ 3,130.00
34	15" REINFORCED CONCRETE PIPE CLASS III	LF	80	\$40.00	\$ 3,200.00	0	\$40.00	\$ -	\$ 3,200.00
35	18" REINFORCED CONCRETE PIPE CLASS III	LF	112	\$45.00	\$ 5,040.00	64	\$45.00	\$ 2,880.00	\$ 7,920.00
36	24" REINFORCED CONCRETE PIPE CLASS III	LF	104	\$57.00	\$ 5,928.00	104	\$57.00	\$ 5,928.00	\$ 11,856.00
37	4" DOUBLE SOLID YELLOW FDP STRIPING	LF	5550	\$0.80	\$ 4,440.00	4625	\$0.80	\$ 3,700.00	\$ 8,140.00
38	4" DOUBLE SOLID YELLOW THERMO STRIPING	LF	5550	\$2.50	\$ 13,875.00	4625	\$2.50	\$ 11,562.50	\$ 25,437.50
39	22' WIDE RD - ADDITIONAL STONE BASE	SY	1250	\$14.95	\$ 18,687.50	1050	\$14.95	\$ 15,697.50	\$ 34,385.00
40	22' WIDE RD - ADDITIONAL ASPHALT	SY	1250	\$10.00	\$ 12,500.00	1050	\$10.00	\$ 10,500.00	\$ 23,000.00
41	TRAFFIC CALMING	LS	1	\$25,000.00	\$ 25,000.00	1	\$25,000.00	\$ 25,000.00	\$ 50,000.00
	TOTAL ADDITIONAL SCOPE: MUCKING, PIPE, DW & STRIPING			TOTALS	\$ 104,150.50		TOTALS	\$ 87,197.75	\$ 191,348.25
42	SURVEYING	LS	1	\$15,104.00	\$ 15,104.00	1	\$12,948.00	\$ 12,948.00	\$ 28,052.00
43	ENGINEERING & PERMITTING	LS	1	\$57,885.00	\$ 57,885.00	1	\$48,569.00	\$ 48,569.00	\$ 106,454.00
44	CONSTRUCTION OBSERVATION	LS	1	\$8,478.00	\$ 8,478.00	1	\$7,302.00	\$ 7,302.00	\$ 15,780.00
	TOTAL ENGINEERING COST			TOTALS	\$ 81,467.00		TOTALS	\$ 68,819.00	\$ 150,286.00
	SUBTOTAL				\$ 718,673.46			\$ 606,782.26	\$ 1,325,455.72
45	DESIGN-BUILD BOND (2.1%)				\$ 15,092.14			\$ 12,742.43	\$ 27,834.57
	TOTAL PROJECT COST			TOTALS	\$ 733,765.60		TOTALS	\$ 619,524.69	\$ 1,353,290.29

Construction Cost	\$ 652,298.60	\$ 550,705.69	\$ 1,203,004.29
Construction Cost/Mile	\$ 620,565.16	\$ 628,697.52	\$ 624,261.69
Construction Cost/Foot	\$ 117.53	\$ 119.07	\$ 118.23

Wimbee Landing Road



Wimbee Boat Landing

KINLOCH RD

WIMBEE LANDING RD

COMMUNITYCENTER RD

KEANS NECK RD

KEANS NECK RD

Printed August 5, 2015



Prepared by Beaufort County GIS Division

Wimbee Landing Road



Wimbee Boat Landing

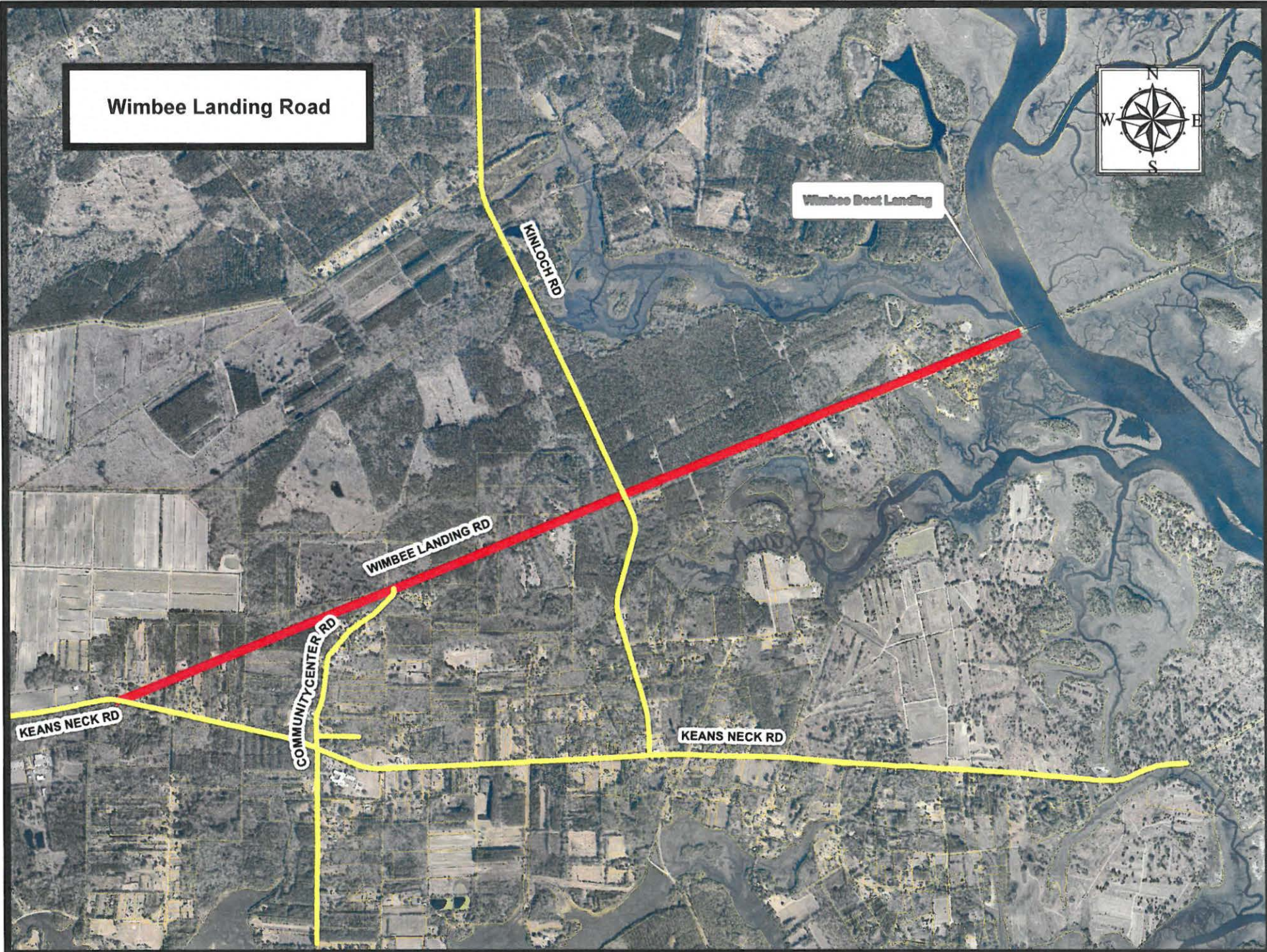
KINLOCH RD

WIMBEE LANDING RD

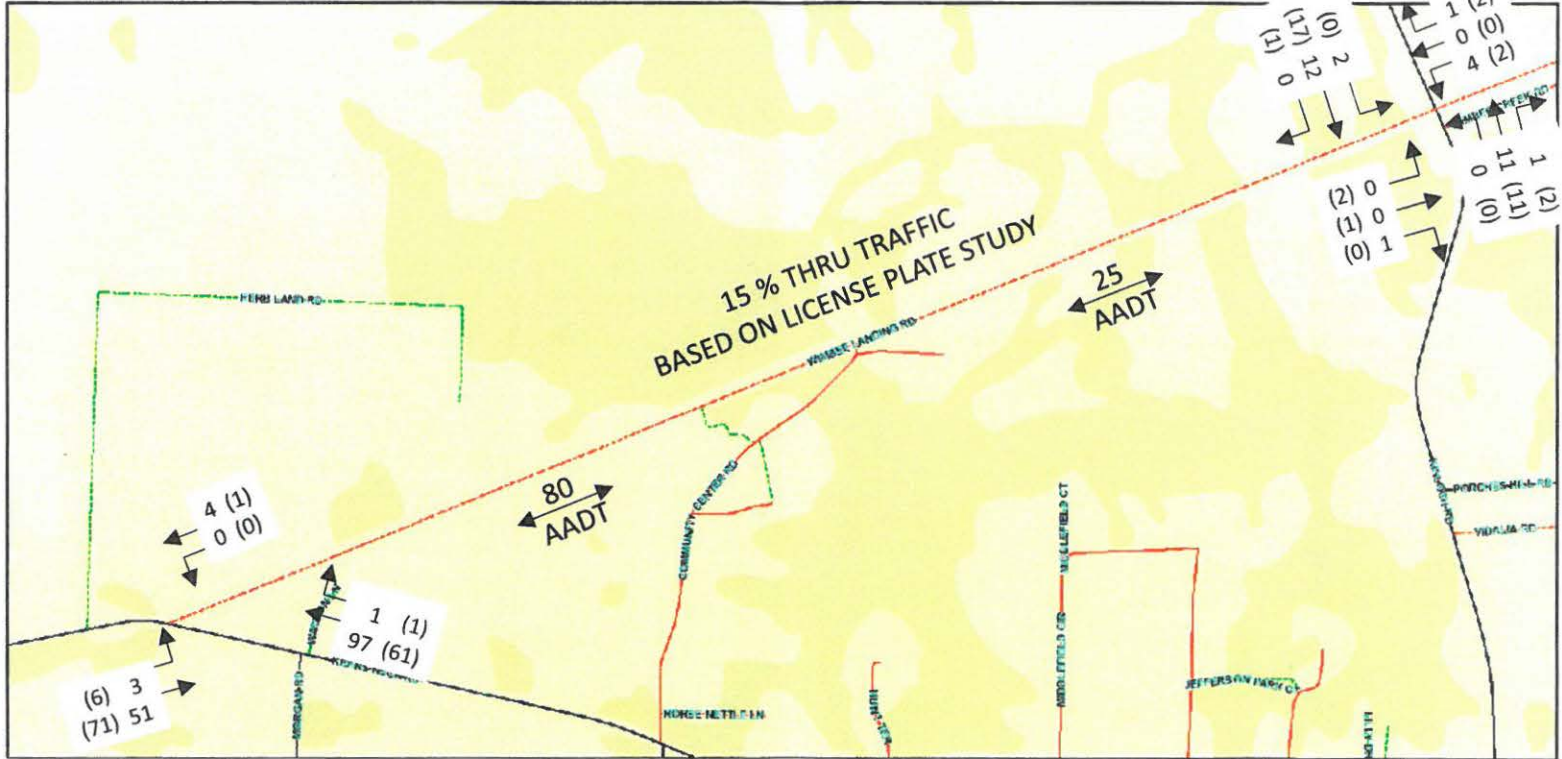
KEANS NECK RD

COMMUNITYCENTER RD

KEANS NECK RD



Wimbee Landing Road

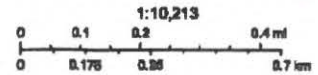


July 31, 2015

Road Classifications

— (all other values)	— PRIVATE, PAVED	— MILITARY / UNPAVED
— STATE, PAVED	— PRIVATE, UNPAVED	
— STATE, UNPAVED	— PRIVATE, UNDETERMINED	
— COUNTY, PAVED	— TOWN, PAVED	
— COUNTY, UNPAVED	— TOWN, UNPAVED	
	— MILITARY / PAVED	

00 = AM Peak Hour
(00) = PM Peak Hour



AM Peak: 7:15 to 8:15

PM Peak: 16:00 to 17:00

Data Collected on 6/17/2015

The information and images contained on this web site are for viewing and informational purposes only. Although much of this data is compiled from official sources, such as deeds and plats, it is not intended to be used in suit. Please contact the appropriate Blount County Office for official or original documents.



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 *JG*
Alicia Holland, Assistant County Administrator for Finance *AH*
Monica Spells, Assistant County Administrator for Civic Engagement *MS*
Dave Thomas, Purchasing Director *DT*

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

SUBJ: **Bluffton Parkway Resurfacing from Buck Island Road to Simmonsville Road & Intersection Improvements for Bluffton Parkway & Malphrus Road- IFB #073015E**

DATE: August 10, 2015

BACKGROUND. Beaufort County received bids for the asphalt resurfacing of the Bluffton Parkway from Buck Island Road to Simmonsville Road. Also included in the bid is the design/build intersection improvements for the Bluffton Parkway at Malphrus Road.

The following firm submitted bids for the subject project on July 30, 2015.

Bidder	ADDRESS	TOTAL BID AMOUNT
Preferred Materials, Inc. (PMI)	Savannah, GA	\$ 759,841.00
The Lane Construction Corporation	Beaufort, SC	\$ 433,483.25
Engineers Estimate		\$ 450,000

Lane Construction Corporation bid submittal has been reviewed and found to be reasonable. There is no apparent cause for rejecting their bid.

SMB OUTREACH PLAN. The Lane Construction Corporation's SMB Outreach Plan was reviewed and it was determined that they completed good faith outreach requirements for the referenced project.

AH **FUNDING.** Funding for this project would be funded from County TAG Fund Account 2342001T-54901 - Resurfacing & Improvements which has an available fund balance of \$1.48 million. Engineering staff is also requesting a 12% project contingency totaling \$52,017 for a total project budget of \$485,500.

FOR ACTION: Public Facilities Committee Meeting on August 17, 2015.

RECOMMENDATION: The Public Facilities Committee approve and recommend to County Council approval of a contract award to the Lane Construction Corporation for resurfacing of the Bluffton Parkway from Buck Island Road to Simmonsville Road and intersection improvements at Malphrus Road in the amount of \$433,483.25 from the funding sources listed above. Additionally, recommend approval of a 12% project contingency for a total project budget of \$485,500.

Attachments: 1) Location Map 2) Bid Certification 3) SMB Review














BLUFFTON PKWY: BUCK ISLAND RD TO SIMMONSVILLE RD

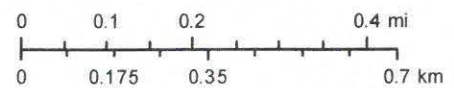


June 16, 2015

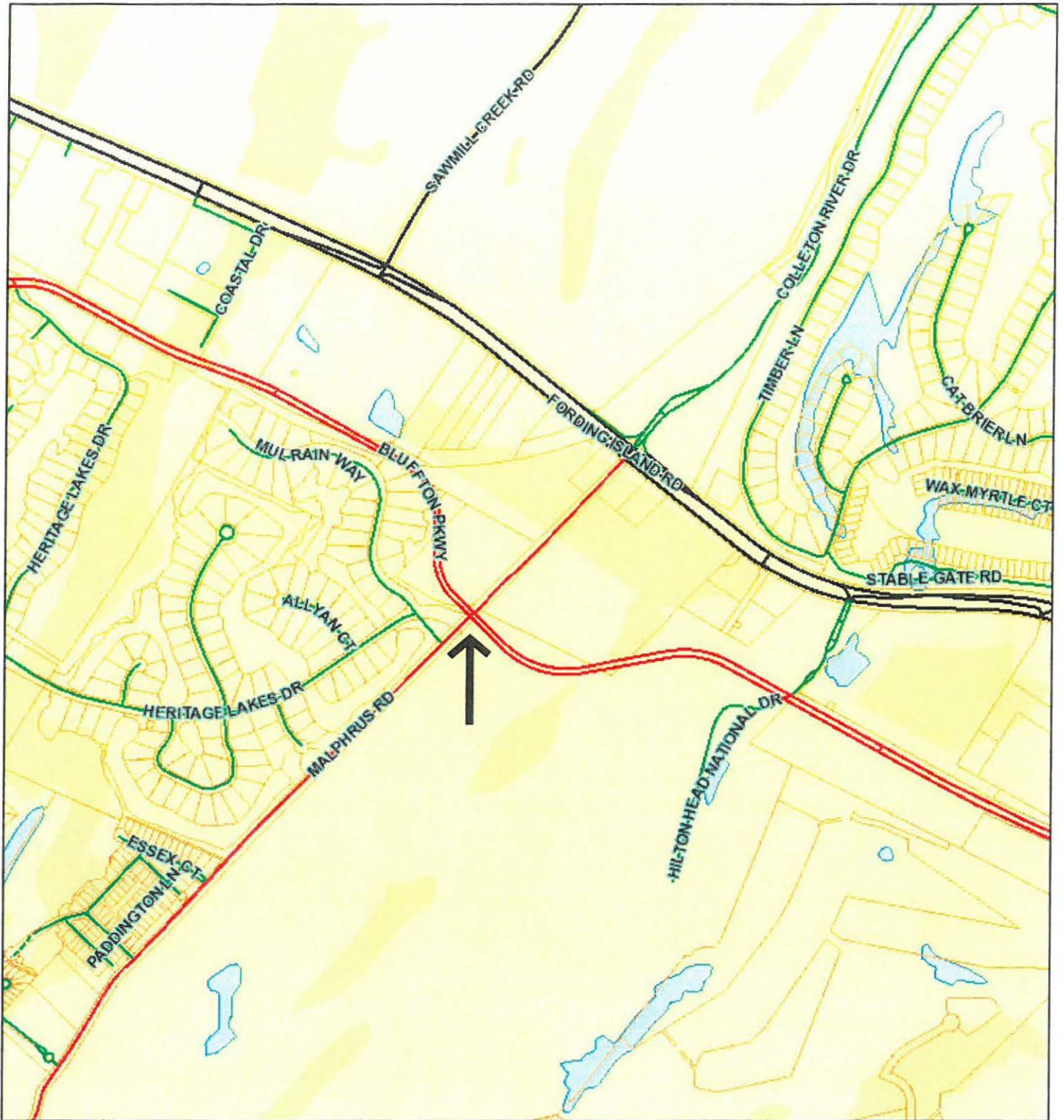
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Road Classifications

- | | |
|---|---|
|  <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 | |



BLUFFTON PKWY - MALPHRUS RD INTERSECTION

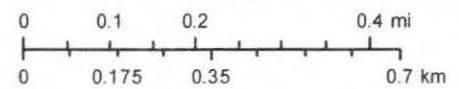


June 16, 2015

1:14,105

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



Hickman, Maggie

From: Spells, Monica
Sent: Tuesday, August 04, 2015 12:02 PM
To: McFee, Robert
Cc: Hickman, Maggie; Skinner, Carol
Subject: SMB for 2015 Bluffton Parkway

I suggest the following statement on the award recommendation memo for the referenced project:

SMB Outreach Plan: The Lane Construction Corporation completed good faith outreach requirements for the referenced project.

Should you have any questions, please give me a call.

Thank you,
Monica



**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 *Ekubic*
 Josh Gruber, Deputy County Administrator *JG*
 Alicia Holland, Assistant County Administrator for Finance *AH*
 Monica Spells, Assistant County Administrator for Civic Engagement *Spells*
 Dave Thomas, Purchasing Director *DT*

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

SUBJ: **Construction Management (CM) & Construction Engineering Inspection Services (CEI) for Various County Capital Improvement Projects RFP # 050715E**

DATE: July 27, 2015

BACKGROUND. Beaufort County issued a Request for Proposals from qualified firms to provide CM/CEI Services for various County capital improvement projects. The following four firms submitted qualifications and proposals on May 7, 2015.

	<u>Proposal Amount</u>
F&ME Consultants, Columbia, SC	\$1,399,450
Hutter Construction Company, Ipswich, NH	2.75% of Contract Value
RY Design Services, LLC, North Augusta, SC	\$ 250,000
The Montgomery Company, Lexington, SC	\$ 303,200

The qualifications-based selection process for professional services differs from a typical proposal, in that the proposers detail their qualifications and outline how they would accomplish the project within a specified budget amount. In this regard, proposals are reviewed on the basis of the qualifications and proposal scope rather than on the lowest price. A selection committee consisting of the Division Directors for Construction Engineering & Facilities, Transportation Engineering and Environmental reviewed and evaluated the proposals.

As a result of the proposal evaluations by the selection committee, F&ME was chosen as the proposer providing the over-all best CM/CEI services approach. Therefore, subsequent scope of services and fee negotiations was continued with F&ME. F&ME submitted to the selection committee a best value fee offer totaling \$277,473. The following is a breakdown of the fee for each capital project that F&ME would be providing CM & CEI services for:

CIP	Project Contract Amount/Current Budget	F&ME CM-CEI Services Fee	Funding Source & Available Fund Balance at 6/30/15	CIP Account Number
Buckwalter Regional Park Community Center Phase 2 Expansion	\$5,561,076	\$111,221	Bluffton PALS Impact Fees \$2,651,136	Acct 26520011-54453
Animal Shelter & Control Facility	\$3,500,000	\$70,000	2015 Animal Shelter CIP Account \$3,499,553	Acct 40090011-54600

AH

CIP	Project Contract Amount/Current Budget	F&ME CM-CEI Services Fee	Funding Source & Available Fund Balance at 6/30/15	CIP Account Number
Spanish Moss Trail Phase 2	\$1,558,620	\$31,172	Local Accommodations Tax – Tourism Infrastructure \$587,884	Acct 48060011-54435
Broad River Fishing Pier Rehabilitation	\$ 350,000	\$8,000	Local Accommodations Tax – River/Beach Access \$142,300	Acct 20010011-55120
Daufuskie Island Pier Rehabilitation	\$ 375,000	\$12,719	Local Accommodations Tax – River Beach Access \$142,300	Acct 20010011-55120
Perryclear Bridge Design-Build Replacement	\$ 907,000	\$18,140	TAG Fund Professional Services \$162,472	Acct 2342001T-51160
County Dirt Road Paving Contract 49	\$1,311,080	\$26,221	TAG Fund Professional Services \$162,472	Acct 2342001T-51160
Total		\$277,473		

F&ME Consultants has in-depth knowledge of construction and extensive experience with project construction management. F&ME has provided CM/CEI services for the Bluffton Parkway Phase 5A Segment 2 roadway and flyover bridge construction and the SC 802 widening and new Beaufort River bridge construction.

On the basis of the qualification of the firm and the value offered, the selection committee recommends award of the CM/CEI Services for the various County capital projects listed above to F & ME Consultants in the amount of \$277,473.

SMB OUTREACH PLAN. This solicitation sought proposals only and did not require proposers to seek quotes from potential local small and minority subcontractors.

FUNDING. Recommended funding sources for the F&ME CM/CEI Services are shown above. The attached worksheet shows when the project contract for design/construction was awarded and the funding sources for that contract award.

ACTION. Public Facilities Committee Meeting on August 17, 2015.

RECOMMENDATIONS.

1. The Public Facilities Committee approve and recommend to County Council approval of the budget allocation for the CM/CEI Services for Spanish Moss Trail Phase 2 in the amount of \$31,172 from Local Accommodations Tax – Tourism Infrastructure.
2. The Public Facilities Committee approve and recommend to County Council approval of the budget allocation for the CM/CEI Services for Broad River Fishing & Daufuskie Island Piers Rehabilitation in the amount total of \$20,719 from Local Accommodations Tax – River Beach Access.
3. The Public Facilities Committee approve and recommend to County Council approval of a contract award to F&ME Consultants for CM/CEI Service for the various Capital Improvements Projects listed above for a total contract amount of \$277,473.

JRM/mjh

Attachment: CIP Award Worksheet

CIP	Contract Amount	Award Date	Funding Source
Buckwalter Regional Park Community Center Phase 2 Expansion	\$5,561,076	8/25/14 County Council	2015 CIP Program & Bluffton PALS Impact Fees
Animal Shelter & Control Facility Design	\$428,400	5/26/15 County Council	2015 CIP Program
Spanish Moss Trail Phase 2 Construction	\$1,558,620	3/9/15 County Council	Local Accommodations Tax – Tourism Infrastructure & FWHA Grant
Broad River Fishing Pier Rehabilitation Stage 1 Inspection & Engineering Design	\$76,810	3/16/15 Public Facilities Committee	Local Accommodations Tax – River/Beach Access
Daufuskie Island Pier Rehabilitation	\$375,000	12/8/14 County Council	Local Accommodations Tax – River Beach Access
Perryclear Bridge Design-Build Replacement	\$907,000	12/8/14 County Council	2015 CIP Program
County Dirt Road Paving Contract 49	\$1,311,080	12/8/14 County Council	CTC/TAG Funds



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 RFQ 090514 to Provide Engineering Design Services for the Replacement of Roofing Systems on Eight (8) Separate Beaufort County Facilities**

DATE: August 17, 2015

BACKGROUND: On September 18, 2014, Beaufort County received qualification statements from seven (7) engineering firms qualified to provide the roofing design and replacement services for the eight (8) locations identified in the RFQ. The project involves the roofing designs for eight (8) separate facilities (see the attached list). The services shall consist of construction documents, bidding assistance, construction administration and close-out.

A selection committee composed of the Director of Facilities, Assistant Director of Facilities, and the Airport's Director was tasked with evaluating and selecting the highest ranking firms based on qualifications and to negotiate a contract. The committee interviewed the top three firms and provided the following ranking below:

FIRMS RANK ORDER:

- | | |
|--|--|
| 1. WTI, Beachwood, Ohio | 5. Teamcroft Roofing, North Charleston, SC |
| 2. Garland/DBS, Cleveland, Ohio | 6. Southeast Roofing Solutions, Statesboro, GA |
| 3. Beaufort Engineering Services, Beaufort, SC | 7. Eastern Corporation, Youngsville, NC |
| 4. HITT Contracting, North Charleston, SC | |

The committee negotiated with WTI a final fee for services of \$1,809,143, plus a contingency of \$49,857 to cover unforeseen conditions for a total cost of \$1,859,000.

AT **FUNDING:** 40090011-54420, 2014 GO Bonds. Available funding: \$1,859,000.

FOR ACTION: Public Facilities Committee meeting occurring August 17, 2015.

RECOMMENDATION: The Public Facilities Committee approve and recommend to County Council the contract award to WTI in the amount of \$1,849,143, with a contingency of \$49,857 for a total \$1,859,000 for the Beaufort County Roofing Design Services Project.

CC: Gary Kubic, County Administrator *GKubic*
Joshua Gruber, Deputy County Administrator/Special Counsel *JG*
Alicia Holland, Asst. Co. Administrator, Finance *AH*
Monica Spells, Asst. Co. Administrator, Civic Engagement *MS*
Mark Roseneau, Facilities Management Director *MR*

Att: Roofing Site Locations, Ranking Summary

Roofing Locations:

1. Detention Center
2. Bluffton Library
3. Senior Center, Port Royal
4. Law Enforcement Center, Beaufort
5. Emergency Medical Services Building, Beaufort
6. PALS Lind Brown Community Center, Beaufort
7. PALS Community Center, Port Royal
8. Tennis Pavilion-Beaufort



ROOF REPLACEMENT QUALIFICATION CHART

Beaufort County Various Locations

Mark Roseneau

Evaluation Criteria		Weighted Factor	Garland / DBS		WTI / Tremco		Beaufort Const/ Mtl Cft	
1	Nature & quality of previously completed work as an A&E team.	15 Points	15 Points	15	15 Points	16	15 Points	10
2	Understanding of the project requirements as described.	20 Points	20 Points	15	20 Points	15	20 Points	10
3	Ability to provide a manuf. warranty & years as a certified installer.	10 points	10 points	10	10 points	10	10 points	10
4	Qualifications of the personnel assigned to the project.	15 points	15 points	10	15 points	12	15 points	5
5	Availability to deliver the services required w/flexibility in scheduling.	10 points	10 points	8	10 points	8	10 points	5
6	History of previous A&E project final cost compared to original budget.	15 points	15 points	15	15 points	15	15 points	10
7	Warranty reponse & Standard Operation Procedures.	5 points	5 points	3	5 points	5	5 points	2
8	Approach and design that provides value and energy efficiency.	10 points	10 points	7	10 points	10	10 points	5
			83		91		57	
Nathan Klein								
Evaluation Criteria		Weighted Factor	Garland / DBS		WTI / Tremco		Beaufort Const/ Mtl Cft	
	Nature & quality of previously completed work as an A&E team.	15 Points	15 Points	15	15 Points	15	15 Points	7
1	Understanding of the project requirements as described.	20 Points	20 Points	20	20 Points	20	20 Points	10
2	Ability to provide a manuf. warranty & years as a certified installer.	10 points	10 points	10	10 points	10	10 points	5
3	Qualifications of the personnel assigned to the project.	15 points	15 points	12	15 points	15	15 points	12
4	Availability to deliver the services required w/flexibility in scheduling.	10 points	10 points	10	10 points	8	10 points	7
5	History of previous A&E project final cost compared to original budget.	15 points	15 points	15	15 points	15	15 points	5
6	Warranty reponse & Standard Operation Procedures.	5 points	5 points	3	5 points	5	5 points	3
7	Approach and design that provides value and energy efficiency.	10 points	10 points	8	10 points	10	10 points	5
8			93		98		54	

Jon Rembold

Evaluation Criteria		Weighted Factor	Garland		Tremco WTI		Beaufort Constr	
1	Nature & quality of previously completed work as an A&E team.	15 Points		15		15		12
2	Understanding of the project requirements as described.	20 Points		20		20		12
3	Ability to provide a manuf. warranty & years as a certified installer.	10 points		10		10		10
4	Qualifications of the personnel assigned to the project.	15 points		10		10		7
5	Availability to deliver the services required w/flexibility in scheduling.	10 points		10		10		7
6	History of previous A&E project final cost compared to original budget.	15 points		15		15		10
7	Warranty reponse & Standard Operation Procedures.	5 points		5		5		5
8	Approach and design that provides value and energy efficiency.	10 points		9		10		5
				94		95		68

Evaluation Summary RFQ		Garland	Tremco WTI	Beafort Construction
Mark Roseneau		83	91	57
Nathan Kline		93	98	54
Jon Rembold		94	98	54
Total Score:		270	287	165

Final Rank Order:

1. Trmco WTI
2. Garland
3. Beaufort Construction



**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 *JG*
Alicia Holland, Assistant County Administrator, Finance *AH*

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

SUBJ: **SCDOT Oversight Services – 1st thru 3rd Quarter FY 2015**

DATE: April 13, 2015

BACKGROUND. In March 2008, Beaufort County executed an Intergovernmental Agreement (IGA) with SCDOT for the County's 2006 Sales Tax Projects. It states in the IGA that SCDOT shall conduct Quality Assurance (QA) oversight services on all construction projects on state maintained roadways at the discretion of the State Highway Engineer. The IGA also states that SCDOT shall invoice the County for reimbursement for costs incurred as part of the QA oversight activities.

Beaufort County has received the following SCDOT invoices for QA activities on SC 170 Widening Project, Boundary Street Streetscape/TIGER Grant Project, and the Bluffton Parkway Phase 5A Segment 2 - US 278 Flyover Bridges construction

Invoice #	QA Period	Bluffton Pkwy Services Total	SC 170 Services Total	Boundary St Services Total	Total
418912	1st Qtr FY 2015	\$ 48,073.68	\$ 20,612.56	\$ 51.85	\$ 68,738.09
418913	2 nd Qtr FY 2015	\$ 23,399.41	\$ 27,935.46	\$ 386.08	\$ 51,720.95
418914	3 rd Qtr FY 2015	\$ 20,751.75	\$ 22,308.35	\$ -0-	\$ 43,060.10
Total Invoices		\$ 92,224.84	\$ 70,856.37	\$ 437.93	\$ 163,519.14

Funding for the SCDOT Quality Assurance Services is from each project's 1% Sales Tax Road Improvement Program Accounts.

JAH **FUNDING.**

Acct 47010012-54500 (Bluffton Pkwy Ph 5), with an available fund balance of \$2,765,253 at 7/27/15.

Acct# 47010014-54500 (SC 170), with an available fund balance of \$228,236 at 7/27/15.

Acct #47030011-54503 (Boundary Street), with an available fund balance of \$5,342,071 at 7/27/15. Additionally, there is \$12.6 million TIGER Grant that would be used for construction on the project.

FOR ACTION. Public Facilities Committee Meeting on August 17, 2015.

RECOMMENDATION: That the Public Facilities Committee approve and recommend to County Council payment of the SCDOT 1st thru 3rd Quarter FY 2015 Invoices totaling \$163,519.14 for oversight services on County Sales Tax Projects.

JRM/mjh

Attachments: 1) SCDOT Invoices #418912, #418913 & #418914
2) IGA

Total Expenditures

BEAUFORT COUNTY SALES TAX
FY2015

Project Status	SCDOT PROJECT #	File No.	Project Name	4QTR (4/1-6/30)	3QTR (1/1-3/31)	2QTR (10/1-12/31)	1QTR (7/1-9/30)	Total Current FY	Project To Date (Prior Years)	Project Total - LTD (PY + CY)
Closure Memo	0700A036936A	07.36936A	US 278 Improvements	-	-	-	-	-	9,942.75	9,942.75
Active	0700A036938A	07.36938A	SC 170 Widening	-	22,308.35	27,935.46	20,612.56	70,856.37	171,204.17	242,060.54
Active	0700A036939A	07.36939A	Boundary Street Improvements	-	-	386.08	51.85	437.93	20,034.42	20,472.35
Closed	0700A036940A	07.36940A	Boundary Street Parallel Road	-	-	-	-	-	1,134.15	1,134.15
Closed	0700A036941A	07.036941A	Ribaut Road Improvements	-	-	-	-	-	75,251.83	75,251.83
Closed	0700A036942A	07.036942A	SC 802 Widening (Seg. A)	-	-	-	-	-	350,831.89	350,831.89
Closed	0700A036943A	07.036943A	Northern Beaufort Bypass	-	-	-	-	-	64.14	64.14
Closed	0700A036944A	07.36944A	SC 802 Widening (Seg. B)	-	-	-	-	-	216,844.55	216,844.55
Active	0700A0041794	07.041794	Bluffton Parkway 5A (Seg 2)	-	20,751.75	23,399.41	48,073.68	92,224.84	134,651.04	226,875.88
				<u>\$ -</u>	<u>\$ 43,060.10</u>	<u>\$ 51,720.95</u>	<u>\$ 68,738.09</u>	<u>\$ 163,519.14</u>	<u>\$ 979,958.94</u>	<u>\$ 1,143,478.08</u>

Variance (s/b=0) \$ - \$ - \$ - \$ -

Invoice # _____
Payment Received _____

1st Quarter

File #	Project Name	July - September					Total
		Equipment	Meals	Fee	Testing Lab	Labor	
07.36936A	US 278 Improvements						\$ -
07.36938A	SC 170 Widening	1,247.91		861.29	14,234.00	4,269.36	\$ 20,612.56
07.36939A	Boundary Street Improvements					51.85	\$ 51.85
07.036940A	Boundary Street Parallel Road						\$ -
07.36941A	Ribaut Road Improvements						\$ -
07.036942A	SC 802 Widening (Seg. A)						\$ -
07.036943A	Northern Beaufort Bypass						\$ -
07.36944A	SC 802 Widening (Seg. B)						\$ -
07.041794	Bluffton Parkway 5A (Seg 2)	8,061.99		1,026.09	12,938.00	26,047.60	\$ 48,073.68
Total		\$ 9,309.90	\$ -	\$ 1,887.38	\$ 27,172.00	\$ 30,368.81	\$ 68,738.09

**1st Quarter
Grand Total** \$ 68,738.09



INVOICE

FINANCE DIVISION

Post Office Box 191
 Columbia, South Carolina 29202-191
 Questions regarding this invoice? (803) 737-0845 FAX (803) 737-2094

CUSTOMER	J ROBERT MCFEE, PE BEAUFORT CO ENGINEERING P O DRAWER 1228 BEAUFORT, SC 29901-1228	Invoice No.:	418913
		Invoice Amount.:	\$51,720.95
		Invoice Date:	6/23/2015
		Past Due After:	7/23/2015
		Damage Claim:	
DUE UPON RECEIPT - PAST DUE AFTER 30 DAYS			

Services or Goods Provided: WORK PERFORMED ASSOCIATED WITH THE BEAUFORT COUNTY SALES TAX PROGRAM

INVOICE	Quantity	Item	Unit Cost	Amount
		QUARTER 2 FISCAL YEAR 2015 SUPPORTING DOCUMENTATION ATTACHED		51,720.95
			Total:	\$51,720.95

----- Detach and return this portion with your payment -----

To ensure proper credit to your account, please make check payable to "South Carolina Department of Transportation" and include Invoice Number on check. Visa & Master Card accepted, to make payment call (803) 737-1231 or (803) 737-0845.



PAYMENT	Remit to:	Customer:	Invoice No.:	418913
	SC Dept. of Transportation Finance Office P O Box 191 Columbia, SC 29202-191	BEAUFORT CO ENGINEERING P O DRAWER 1228 BEAUFORT, SC 29901-1228	Invoice Date:	6/23/2015
			Total Amount Due	
			\$51,720.95	

Total Expenditures

BEAUFORT COUNTY SALES TAX
FY2015

Project Status	SCDOT PROJECT #	File No.	Project Name	↓				Total Current FY	Project To Date (Prior Years)	Project Total - LTD (PY + CY)
				4QTR (4/1-6/30)	3QTR (1/1-3/31)	2QTR (10/1-12/31)	1QTR (7/1-9/30)			
Closure Memo	0700A036936A	07.36936A	US 278 Improvements	-	-	-	-	-	9,942.75	9,942.75
Active	0700A036938A	07.36938A	SC 170 Widening	-	22,308.35	27,935.46	20,612.56	70,856.37	171,204.17	242,060.54
Active	0700A036939A	07.36939A	Boundary Street Improvements	-	-	386.08	51.85	437.93	20,034.42	20,472.35
Closed	0700A036940A	07.36940A	Boundary Street Parallel Road	-	-	-	-	-	1,134.15	1,134.15
Closed	0700A036941A	07.036941A	Ribaut Road Improvements	-	-	-	-	-	75,251.83	75,251.83
Closed	0700A036942A	07.036942A	SC 802 Widening (Seg. A)	-	-	-	-	-	350,831.89	350,831.89
Closed	0700A036943A	07.036943A	Northern Beaufort Bypass	-	-	-	-	-	64.14	64.14
Closed	0700A036944A	07.36944A	SC 802 Widening (Seg. B)	-	-	-	-	-	216,844.55	216,844.55
Active	0700A0041794	07.041794	Bluffton Parkway 5A (Seg 2)	-	20,751.75	23,399.41	48,073.68	92,224.84	134,651.04	226,875.88
				\$ -	\$ 43,060.10	\$ 51,720.95	\$ 68,738.09	\$ 163,519.14	\$ 979,958.94	\$ 1,143,478.08

Variance (s/b=0) \$ - \$ - \$ - \$ -

Invoice #
Payment Received

2nd Quarter

File #	Project Name	October - December					Total
		Equipment	Meals	Fee	Testing Lab	Labor	
07.36936A	US 278 Improvements						\$ -
07.36938A	SC 170 Widening	\$ 1,471.68			22,510.00	3,953.78	\$ 27,935.46
07.36939A	Boundary Street Improvements					386.08	\$ 386.08
07.036940A	Boundary Street Parallel Road						\$ -
07.36941A	Ribaut Road Improvements						\$ -
07.036942A	SC 802 Widening (Seg. A)						\$ -
07.036943A	Northern Beaufort Bypass						\$ -
07.36944A	SC 802 Widening (Seg. B)						\$ -
07.041794	Bluffton Parkway 5A (Seg 2)	\$ 3,933.21			8,480.00	10,986.20	\$ 23,399.41
	Total	\$ 5,404.89	\$ -	\$ -	\$ 30,990.00	\$ 15,326.06	\$ 51,720.95
	2nd Quarter Grand Total						\$ 51,720.95

BEAUFORT COUNTY SALES TAX
FY2015

Project Status	SCDOT PROJECT #	File No.	Project Name	✓				Total Current FY	Project To Date (Prior Years)	Project Total - LTD (PY + CY)
				4QTR (4/1-6/30)	3QTR (1/1-3/31)	2QTR (10/1-12/31)	1QTR (7/1-9/30)			
Closure Memo	0700A036936A	07.36936A	US 278 Improvements	-	-	-	-	-	9,942.75	9,942.75
Active	0700A036938A	07.36938A	SC 170 Widening	-	22,308.35	27,935.46	20,612.56	70,856.37	171,204.17	242,060.54
Active	0700A036939A	07.36939A	Boundary Street Improvements	-	-	386.08	51.85	437.93	20,034.42	20,472.35
Closed	0700A036940A	07.36940A	Boundary Street Parallel Road	-	-	-	-	-	1,134.15	1,134.15
Closed	0700A036941A	07.036941A	Ribaut Road Improvements	-	-	-	-	-	75,251.83	75,251.83
Closed	0700A036942A	07.036942A	SC 802 Widening (Seg. A)	-	-	-	-	-	350,831.89	350,831.89
Closed	0700A036943A	07.036943A	Northern Beaufort Bypass	-	-	-	-	-	64.14	64.14
Closed	0700A036944A	07.36944A	SC 802 Widening (Seg. B)	-	-	-	-	-	216,844.55	216,844.55
Active	0700A0041794	07.041794	Bluffton Parkway 5A (Seg 2)	-	20,751.75	23,399.41	48,073.68	92,224.84	134,651.04	226,875.88
				<u>\$ -</u>	<u>\$ 43,060.10</u>	<u>\$ 51,720.95</u>	<u>\$ 68,738.09</u>	<u>\$ 163,519.14</u>	<u>\$ 979,958.94</u>	<u>\$ 1,143,478.08</u>
Variance (s/b=0)				\$ -	\$ -	\$ -	\$ -			
Invoice #										
Payment Received										

3rd Quarter

File #	Project Name	January - March						Total
		Equipment	Meals	Fee	Testing Lab	Lodging	Labor	
07.36936A	US 278 Improvements							\$ -
07.36938A	SC 170 Widening	2,549.81			13,619.00		6,139.54	\$ 22,308.35
07.36939A	Boundary Street Improvements							\$ -
07.036940A	Boundary Street Parallel Road							\$ -
07.36941A	Ribaut Road Improvements							\$ -
07.036942A	SC 802 Widening (Seg. A)							\$ -
07.036943A	Northern Beaufort Bypass							\$ -
07.36944A	SC 802 Widening (Seg. B)							\$ -
07.041794	Bluffton Parkway 5A (Seg 2)	1,898.05			7,426.00		11,427.70	\$ 20,751.75
	Total	\$ 4,447.86	\$ -	\$ -	\$ 21,045.00	\$ -	\$ 17,567.24	\$ 43,060.10
	3rd Quarter Grand Total							\$ 43,060.10

**Cooperative Intergovernmental Agreement
between
Beaufort County, South Carolina
and the
South Carolina Department of Transportation
For
The Beaufort County Transportation Sales and Use Tax Projects**

THIS AGREEMENT is made this 18th day of March, 2008, by and between Beaufort County, hereinafter referred to as County, and the South Carolina Department of Transportation, hereinafter referred to as Department.

WITNESSETH THAT:

WHEREAS, the County and the Department desire to work together in the planning and implementation of the projects described in Local Question Number 2A on the November 7, 2006 General Election ballot; and,

WHEREAS, the County is a body politic with all the rights and privileges of such including the power to contract as necessary and incidental powers to carry out the County's functions covered under this Agreement; and,

WHEREAS, the Department is an agency of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and,

WHEREAS, the County and the Department have agreed to work together on the Beaufort County Transportation Sales and Use Tax Projects,

NOW THEREFORE, in consideration of the several promises to be faithfully performed by the parties hereto as set forth herein, the County and the Department do hereby agree as follows:

I. GENERAL RECITALS:

A. Purpose

The purpose of this work is to construct and improve transportation facilities throughout Beaufort County as specified in Local Question Number 2A on the November 7, 2006 General Election ballot.

B. Description of Work

The proposed projects are as listed in Attachment "A". The projects listed in Attachment "A" are hereinafter referred to as the "Project(s)" and the collective group of Projects are hereinafter referred to as the "Program". The

exact scope of each individual Project shall be determined by the County during the planning phase of each Project. The County shall carry out the specific activities necessary to implement and construct each Project, which includes planning, design, right of way acquisition, construction and other associated coordination and administration activities, unless noted otherwise herein.

C. Scope of Work

The scope of the Program has been set forth in Local Question Number 2A on the November 7, 2006 General Election ballot. Nothing contained in this Agreement shall be construed to require the County to undertake or complete any particular Project in the Program. Those obligations shall be solely governed by the actions of the Beaufort County Council and applicable State law.

II. COMMUNICATIONS:

A. The County and Department agree that regular and thorough communication about this work is essential to the effective execution of the Projects. The County and Department further agree that each party will strive to communicate at both the management level and staff level.

1. The County Engineer and/or the designated County Representative shall meet with the Program Manager from the Department on a monthly basis.
2. Additional coordination meetings will be planned and mutually agreed upon as necessary to the coordinate the work.

B. The Department will provide such technical support and advice as requested by the County to assist in the planning and execution of the Projects.

III. OBLIGATIONS OF DEPARTMENT:

The Department shall act as agent for the County in the review and coordination of documentation required under the implementing regulations of the National Environmental Policy Act of 1969, 23 C.F.R. §771, et seq. The Department agrees to expedite the review and approval of necessary environmental documentation as it applies within the Department's authority. The Department further agrees to use its best efforts to coordinate with the Federal Highway Administration (FHWA) on behalf of the County to expedite the approval by FHWA of required environmental documentation.

A. To the extent permitted by existing South Carolina law, the Department hereby assumes complete responsibility for any loss resulting from bodily injuries (including death) or damages to property, arising out of any negligent act or negligent failure to act on the Department's part, or the part of any

employee or agent of the Department in the performance or participation in the work undertaken under this Agreement.

- B. Upon final completion of Projects on the state system, the County agrees to assign a right of entry or other property rights necessary for the Department to maintain the Project until such time as all rights of way and other property rights are turned over to the Department after the completion of the Project. The Department agrees to accept the Project in accordance with paragraph V.F.5 herein.

IV. OBLIGATIONS OF THE COUNTY:

- A. To the extent permitted by existing South Carolina law, the County hereby assumes complete responsibilities for any loss resulting from bodily injuries (including death) or damages to property, arising out of any negligent act or negligent failure to act on the County's part, or the part of any employee of the County in performance of the work undertaken under this Agreement.
- B. The County shall provide or cause to be provided all services necessary for the execution of necessary activities for the planning and execution of each Project in the Program, unless noted otherwise herein.
- C. The cost of the Program shall be borne solely by Beaufort County unless additional funding is secured through the Department or other sources or as otherwise provided for in this agreement.

V. GENERAL PROVISIONS:

A. Conformance:

All work shall be designed and constructed in conformance with the American Association of State Highway and Transportation Officials (AASHTO) manual entitled "A Policy on Geometric Design of Highways and Streets - 2001", the Manual on Uniform Traffic Control Devices (MUTCD), the Department's current edition of the "Highway Design Manual", "Preconstruction Survey Manual," all SCDOT directives and instructional bulletins, or other standards officially adopted by the Department, and the current edition of the Department's "Standard Specifications for Highway Construction" except as noted otherwise in this agreement. The current edition shall be the current edition as of the beginning of the design work for each Project. Where there is a significant delay in the completion of the design of a Project, the most current specifications may be incorporated into the contract documents. The County and the Department understand that the Projects must be completed within the financial constraints established by the approved public referendum for the Program and adherence to all Department policies and standards may not be possible within the financial constraints of the Program; and, if the County desires to deviate from the provisions of the

Department's "Highway Design Manual", or other Department standards or policies, the County shall submit a description of the deviation to the Department for review and concurrence. The Department shall respond to the County within 30 business days of the time the County submits the request for review. The County shall perform all design services in accordance with State and Federal statutes and regulations, and standards established by AASHTO. Should the County and the Department be unable to resolve any issue related to the design or deviations from the applicable standards, the State Highway Engineer will make the final decision for roads that are to remain in the state system for maintenance.

B. Planning Activities

The County shall consider each Project and shall make a determination as to the exact scope of the proposed improvement. In this planning phase, the County shall consider the following aspects of the Projects in determining the scope of the proposed improvements:

- Public involvement
- Funding
- Environmental considerations including determination of necessary environmental documentation
- Traffic requirements for the Projects based on design year traffic projections for the design year 20 years beyond the scheduled construction date of the Project. For example, a scheduled construction start in 2005 would yield design year traffic projections for design year 2025. Where available, the local Lowcountry COG traffic projections would be supplied by the Department for use in these planning activities. Where these LCCOG traffic projections are not available, the County will make traffic projections based on standard industry methodology for the appropriate design year as indicated above.
- Right of way issues and impacts
- Constructability
- Other issues impacting the planning and execution of the work as deemed appropriate and beneficial to the County

The County will also carry out their work or services in compliance with all applicable Federal, State, and local environmental laws and regulations, and shall monitor and oversee each Project for such compliance. This responsibility shall include:

1. Complying with those stipulations and conditions under which the Department received approval of applicable environmental documents and permits. The County will ensure compliance with all secured permits. The County will be the sole party responsible for resolution of any enforcement actions as a result of non-compliance with permit conditions

and requirements to the extent that the County or its agents were responsible for such breach or action causing the enforcement action.

2. Complying with applicable laws and regulations relating to potential or actual hazardous materials that may be encountered in the course of implementing the Project.
3. Carrying out all required social, economic, and environmental studies required by law, and
4. Make all necessary modifications to approved permits as required by law.

The County recognizes that the Department and/or the FHWA or other agencies may have final review and approval for the environmental documentation required under the implementing regulations of the National Environmental Policy Act of 1969, 23 C.F.R. §771, et seq. The County will be responsible for the preparation of necessary permit applications required by any governmental agency that are necessary to complete the Projects and will coordinate and negotiate with the agency to secure the permits. All work performed must be in accordance with the Department's Environmental Consultant Scope dated June 14, 2005 and any amendments thereafter. Where required by law, the County shall submit all permit applications as agent for the Department and applications shall be in the name of the Department. The County will comply with any regulatory agency requirements, and be responsible for resolution of any enforcement actions that may arise as a result of non-compliance with regulatory agency requirements. All permit conditions set by the regulatory agencies must be reviewed and approved by the Department for all roads in the state system.

Upon approval of the Department and other applicable regulatory agencies, Beaufort County may use credits from environmental mitigation banks controlled by or developed for use by the Department. If credits are used by the County from a mitigation bank controlled by or developed for use by the Department, the County will pay to the Department the costs of these credits as mutually agreed upon by the County and the Department.

The County shall conduct required public involvement meetings for each Project in accordance with NEPA regulations. In addition, non-mandatory public meetings may be held to discuss Project issues if desired by the County. The County shall notify representatives of the Department in advance of all meetings and shall notify other representatives from state, federal, and resource agencies as required. Projects shall not be advanced to right of way acquisition and/or construction phases until final approval of environmental documentation is obtained.

C. Design Activities

Design of the Projects will be the responsibility of the County except as provided for otherwise in this agreement.

1. Since availability of State or Federal funding has not been determined, and since it is the County's desire to proceed with certain aspects of the Projects, the Department shall assign File Numbers and Project Numbers to all Projects for tracking purposes. The County shall use these numbers on all right of way instruments, plans, and permits as applicable.
2. All Project surveys related to the setting of horizontal control, vertical control, mapping, and aerial photography will comply with the Department's current edition of the "Preconstruction Survey Manual".
3. Bridge structures shall be designed using SCDOT Bridge Design memoranda, SCDOT Seismic Design Specifications for Highway Bridges dated 2001 including 2002 Interim Revisions, and AASHTO LRFD Bridge Design Specifications, 2004, including the latest Interim Specifications. All structural components of the Projects shall comply with the AASHTO Standard Specifications for Highway Bridges, 17th Edition, 2002.
4. Upon completion of the work, the County shall certify that the contract documents have been prepared in conformance with the provisions of Items 1, 2, and 3 above. The County shall require that all construction plans and specifications be sealed by a South Carolina registered professional engineer.
5. For federally eligible projects that are potentially funded in whole or in part by the Department or FHWA, all design services shall comply with all applicable federal and state statutes and regulations from the commencement of the project. In the event that state or federal funding becomes available for one or more of the Projects during the course of the Program, and in the event that the County should desire to utilize these funds, the parties shall cooperate with regard to amendments to this Agreement that may be required to secure that funding. Such amendments will provide for policies and procedures including direct Department administration or assistance with administration of the Project that would be most advantageous in securing that funding.
6. Pavement designs will be developed based on ten-year traffic projections. The base year for these projections will be the scheduled date that construction is anticipated to begin. The County will use SCDOT's "Pavement Design Guidelines" dated February 2003 for determination of proposed pavement structure, amended as necessary to include current

SCDOT materials specifications. The Department's Office of Materials and Research shall approve the pavement design on roads within or intended for the state system and shall respond to the County within 30 business days of the time the County submits the pavement design for review.

7. The Department will provide reviews of the design plans and other contract documents and provide written comments to the County. Plans or other design documentation will be sent to the Department at the following stages of the Project: concept, preliminary, right of way and final design. Design reviews will be accomplished by the Department and review comments will be returned to the County within 30 business days of the time the County submits the review documents to the Department. The County will notify the Department at least two weeks in advance of the submission of documents to be reviewed. Should the review comments not be returned within the designated period, the County is not required to consider the comments in the revisions to the plans. Comment or failure to comment by the Department shall in no way relieve the County or its agents of any responsibility in regard to the Project. Projects on state maintained roadways and/or those receiving state or federal funds shall not be advanced to R/W or construction until written authorization is provided by the Department. The Department's written "authority to proceed" with construction shall serve as approval of right of entry and encroachment by the Department for construction of the Project by the County. The Department agrees to provide written notice of "authority to proceed" or review comments for the final plans within 30 business days of the time the County submits the final plans for review.
8. In the event that any Project cost exceeds \$25 million and federal funding is sought by the County through the Department, the County shall perform a value engineering analysis as required by 23 C.F.R. Part 627.

D. Utility Activities

1. Utility relocations will be paid based on prior rights. Where a utility establishes a prior right of occupancy in its existing location, the County will be responsible for the cost of that relocation, including all real and actual costs associated (engineering, easements, construction, inspections, and etc.). Prior Rights may be established by the following means:
 - a. The Utility holds a fee, an easement, or other real property interest, the taking of which is compensable in eminent domain.
 - b. The Utility occupies Department right of way, and per an existing agreement with the Department, is not required to relocate at its own expense.

2. Where the utility cannot establish a prior right of occupancy, the utility will be required to relocate at its own expense. However, in some cases, the County may elect to use Program funds for all or part of such utility relocation costs.
3. Utility work will be coordinated and executed in accordance with Chapter 5 of the SCDOT Design Manual and Section 105.6 of the SCDOT construction manual.
4. If Federal funds are used for utility relocations, the County shall comply with the applicable State law and the Federal Code (23 CFR 645 A and B) for those utility relocations.
5. Utilities to remain in SCDOT rights of way, or to be relocated to a point within SCDOT rights of way, shall be in accordance with SCDOT's "A Policy for Accommodating Utilities on Highway Rights of Way."
6. The County will honor the terms of any pre-existing agreements between SCDOT and a utility owner.
7. The County will provide utility deliverables as defined in Section VI-E.

E. Right of Way Acquisition Activities

1. The County shall acquire all right-of-way necessary for highway purposes in its own name. Acquisition of rights-of-way to be turned over to SCDOT and rights-of-way for projects that may or will be using federal funds shall be acquired in accordance with the *United States Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, P.L. 91-646, 42 U.S.C. §§4601 et seq.*, and regulations thereunder, 49 C.F.R., Part 24 and the South Carolina Eminent Domain Procedures Act. Title instruments acquired on those routes shall be documented on SCDOT standard forms. The County shall acquire right of way title in fee simple for any Project that utilization of federal funding is contemplated. Right-of-way limits shall be set according to standard SCDOT practices, utilizing the SCDOT Highway Design Manual and the SCDOT Road Design Plan Preparation Guide. These limits shall encompass all pertinent highway facilities and structures necessary for the construction and maintenance of the roadway. With respect to the acquisitions:

The County Shall for Federally Eligible Projects

- a. Perform title searches for properties to be acquired and provide SCDOT a Certificate of Title signed by a South Carolina attorney. Preliminary title abstracts must be provided prior to property being appraised.

- b. In accordance with SCDOT's Appraisal Manual, provide an acceptable appraisal for each tract by an appraiser from SCDOT's approved appraisal list. All contracts for appraisals shall obligate the appraiser to provide court testimony in the event of condemnation. The County shall obtain appraisal reviews complying with technical review guidelines of the Appraisal Manual and make a recommendation of just compensation. The Appraisal reviewer shall be approved by the SCDOT. The reviewed appraisal must be approved by the SCDOT's right-of-way representative prior to the offer to purchase being made to the Landowner.
- c. Secure approval from the SCDOT's right of way representative for any settlement above the approved appraisal.
- d. Titles shall be in fee simple absolute by recordable warranty deeds unless otherwise approved by SCDOT. All titles shall be recorded in the land records of Beaufort County.
- e. In the event of condemnation the necessary documents as required by the Eminent Domain Procedures Act, S.C. Code Ann. §§ 28-2-10 *et. seq.*, will be prepared and the County will utilize its Eminent Domain authority to acquire title. The County will provide legal counsel. Condemnation shall be by way of trial after rejection of the amount tendered as provided in Code § 28-2-240.
- f. Retain all records dealing with property acquisition and all other costs associated with this project for 3 years after the final phase of construction work on the Project. The County or its authorized representative upon request will make such records available for audit and review.
- g. The County is responsible for establishing and maintaining Quality Control and Quality Assurance procedures for the entire right of way acquisition process.
- h. Provide relocation assistance in accordance with the SCDOT's Relocation Manual. All relocation housing payment offers shall be approved by the SCDOT prior to being offered to displacees. The County shall issue 90 and 30-day notices of displacement in accordance with State and federal guidelines.
- i. The County shall be responsible for the disposition of all identified improvements being acquired on the Project prior to the obligation date of the construction. The County shall furnish SCDOT with a list of all surplus properties that are purchased on a Project that are to be conveyed to it. Surplus property is defined as property not needed for

current or planned future projects. Proceeds received from the sale of surplus property shall be distributed based on the funding source used to secure the property.

- j. Establish specific milestone dates for the different phases of the right-of-way acquisition and provide bi-monthly reports indicating the status of each individual parcel.
- k. Provide a Right-of-Way Certification in a form acceptable to SCDOT insuring that all property necessary for construction of the Project has been secured and that all displacees have been relocated prior to advertising for construction bids.

The Department Shall for Federally Eligible Projects:

- a. Designate a right-of-way representative to approve offers of just compensation as well as any settlements above the approved appraisal amounts.
- b. The right-of-way representative will provide approval for all relocations benefits for those displaced by the project.
- c. Provide approval of the Right-of-Way Certification and authorization to proceed to construction.

F. Construction Activities

1. The County will construct the Projects in conformance with the technical sections of the Department's Standard Specifications for Highway Construction and related AASHTO standards as called for in the construction contract documents. The County must obtain approval from the Department if there is a circumstance where there may be any significant deviation from the contract documents.
2. The County and the Department agree to conduct a final inspection of the completed Project prior to acceptance of the work by the Department.
3. To the extent applicable, materials shall be procured in accordance with Beaufort County Procurement Procedures and in conformance with the S.C. Code Ann. §§ 11-35-10 et seq., as amended, Department standard policies, and applicable Federal (23CFR635) and State statutes and regulations.
4. The County shall provide administrative, management, Quality Control, and other services sufficient to provide certification to the Department that the construction and the materials used for construction are in conformance with the specifications set forth in the contract documents. The inspectors and/or engineers performing Quality Control or other inspections shall be certified and/or licensed in South Carolina. The

County shall ensure testing is performed based on project quantities in accordance with the Department's Construction Manual.

5. The County shall coordinate with the Department during the construction of the work. When the County concludes that all aspects of the Project have been properly and fully performed and the work is substantially complete, the County shall notify the Department of the date for final inspection of the work. The County and the Department shall jointly conduct the final inspection and develop a Final Project Punchlist, list of items that need remedial action, if necessary. As used herein, "Substantial Completion" shall mean when an entire road or other transportation facility is ready for safe use by the public. The County shall require that the deficiencies identified on the Final Project Punchlist are appropriately addressed and shall advise the Department in writing of the completion of those actions. The date of this notice shall then become the date of Final Completion. The Department agrees to respond to the County within 30 calendar days from the time the County submits the Final Completion notification. If the Project does not include additional centerline miles and comments are not provided in 30 days, the Department will provide written notice that the Project will be accepted for maintenance. If additional centerline miles are created by the project and all comments are addressed, the Project will be presented by Department staff to the Department Commission. The Commission will determine if additional mileage is to be accepted by the Department. In the event that additional miles of secondary roads are added to the Department road system in the County through the Program improvements, an equal mileage of the Department's road system will be turned over to the County for maintenance. The exact roads to be exchanged for maintenance purposes will be as mutually agreed between the County and the Department.

6. The Department shall conduct Quality Assurance (QA) oversight services on all construction projects on state maintained roadways at the discretion of the State Highway Engineer. Quality Control (QC) and independent QA testing shall be performed by the County as defined by the Department based on Project quantities and in accordance with the Department's Construction Manual. The County shall provide the test results and all other Quality Control/Quality Assurance documentation to the Department upon request. Where materials tested do not meet specification requirements based QA testing procedures, the County will notify SCDOT within three days of the tests being completed. The costs for these services shall be part of the total project cost. The Department shall invoice the County for reimbursement for costs incurred as part of the QA oversight activities. The County and the Department will work together to coordinate QA services.

7. To facilitate the coordination of construction activities and to ensure that the work is constructed in accordance with the applicable provisions, the County and the Department agree as follows:
 - a. Weekly Project field reviews will be made by the County and the Department's construction representatives to discuss project status, mutual concerns and construction issues.
 - b. Contract documents will be furnished to the Department so that QA testing can be planned and performed.
 - c. Copies of test results will be submitted to the Department so test data and results can be coordinated. Periodic reviews of test reports and summaries will be made by the Department.
 - d. Project traffic control reviews for safety and specification compliance will be made and documented on the daily report by the County.
 - e. Erosion control reviews will be made on a schedule as required in the NPDES General Construction Permit. Erosion Control reviews will be made in accordance with the Department's Supplemental Specification on Seeding and Erosion Control Measures dated August 15, 2001. Observations will be documented on the Department's Erosion Control form. The County will apply for and acquire all necessary land disturbance permits such as the NPDES General Construction Permit in the name of the County. The County will comply with any NPDES requirements, and be responsible for resolution of any enforcement actions that may arise as a result of non-compliance with NPDES requirements.
8. The County shall obtain SCDOT concurrence prior to awarding any contract involving state or federal funding. The County will include the required Federal Aid Contract Provisions for all contracts that will or may use federal funding.

VI. OTHER PROVISIONS:

A. Maintenance of Traffic

The County shall require that its contractors keep open to traffic all existing State highways while they are undergoing improvements except for temporary construction detours or closures and shall be responsible for maintaining the entire section or sections of highway within the limits of the work being performed from the time its construction contractor is issued the Notice to Proceed until the Project is delivered to the Department under the terms of this Agreement. Traffic control activities shall be in accordance with the MUTCD, the SCDOT District 6 Daytime Lane Closure policy (current edition), and the Department's standard guidelines and standard drawings for maintenance of traffic in a work zone.

B. Maintenance of Projects

1. The County shall accept responsibility for normal maintenance of the roadway within the Project limits during construction.
2. The Department shall accept responsibility for normal maintenance of the roadway within the Project limits once the Project has been constructed and accepted by the Department as described in Section V.F.5. above.

C. Tie-in Agreements

Where the limits of the Projects meet or overlap into the project limits established for projects that are or will be executed by the Department before the completion of that individual County Project, the County and the Department will develop agreements to outline provisions that would be beneficial to both the County Projects and the Department projects with respect to funding, traffic control, improved safety for the traveling public, coordination of drainage systems, or other design or construction considerations. These agreements will stipulate the funding implications of such provisions and the responsible parties thereof.

D. Encroachment Rights

The Department shall deliver possession of its highways to the County in the same manner and under the same terms it does to highway contractors working under contract with it and hereby grants encroachment and access rights to the right of way and easements along the proposed Project corridors as set forth below. This possession shall be delivered after approval of the final construction plans as outlined below.

1. When a construction Project has been awarded by the County, the County will notify the Department of the anticipated Notice to Proceed date for the contract. After written approval of the final construction plans by the Department as outlined in Section V.C.7 above and on the Notice to Proceed date for construction, the County and/or its agents will assume maintenance responsibilities for the Project.
2. Where applications for encroachment permits with regard to any segment of road covered by the Program are received by the Department, it will forward those applications to the County within 10 business days of receipt for review to assure that those proposed improvements described in the permit applications will not conflict with the Project plans. The County shall review the applications and return comments within 10 business days.

From and after execution of this Agreement, the Department hereby grants the County access to the Project corridors for the purposes of gathering field

information necessary for accomplishing the planning, design, and right of way aspects of the Program. The County will publish an Eminent Domain notice for the Projects in accordance with the Eminent Domain Act Section 28-2-70(c).

E. Close-out Documents

Upon completion of the Projects, the County will provide the following Project documentation to the Department.

1. Planning documents
 - a. Copies of required environmental documents such as Environmental Assessments
2. Design documents
 - a. As described elsewhere in this agreement
 - b. Final Project plans suitable for delivery and recording pursuant to S.C. Code §57-5-570 (1991)
 - c. Electronic files of the Final Project plans as described in the Department's "Road Design Reference Material for Consultant Prepared Plans".
 - d. Final Stormwater Reports
3. Right of way documents
 - a. Appraisals
 - b. Title search information
 - c. Deeds sufficient to convey to the Department the additional highway right of way acquired by the County. Titles shall be by special warranty and sufficient to convey the entire interest obtained by the County from the Landowner.
 - d. Correspondence with property owners
 - e. Diaries or agents worksheets related to the acquisition of right of way
4. Construction documents
 - a. As-built drawings. In addition to those documents set forth elsewhere in this Agreement, the County shall provide, within 90 days after Final Completion, two marked-up sets of final construction drawings reflecting the as-built condition of each Project based on information provided by the construction contractor and verified by the County. "As-built" plans must be drawn to scale, and be based on the project survey stationing. These plans will include as-built information for utilities. These plans will be sufficient to establish the precise location of all utilities and appurtenances as well as provide key information for future determination of the extent of prior rights. "As-built" utility plans must include at a minimum the following:

- Survey centerline, and existing roadway centerline if different, with labeled stationing.
 - Existing and new right of way lines, and County easement lines
 - Final location of utility lines and appurtenances
- b. Test reports
 - c. Daily construction diaries
 - d. Maintenance Manuals
 - e. Final Completion Documents
5. Other documents
- a. Assignments to the Department of all contractors' payment and performance bonds in connection with the Project or Consents of Surety on the Department's standard form.
 - b. Releases, affidavits or other proof of payment to indicate full payment of all claims by contractors, their subcontractors or suppliers.
 - c. All permits of government regulatory agencies
6. Financial Information relative to GASB 34 reporting. At completion and acceptance of the work performed on Department owned roadways:
- a. The cost of preliminary engineering.
 - b. The cost of right of way acquisitions.
 - c. Construction cost broken down by roadway cost and bridge cost.
 - d. Total cost of the project.

F. Certifications

Upon final completion of each Project, the County will provide a letter to the Department stating the following:

The County has provided construction oversight and material for Name of Project. The workmanship and materials used in the construction of the Project are in conformance with the contract documents."

G. Warranty

1. The County warrants that it will perform the work necessary under this agreement in accordance with the standards of care and diligence normally practiced in the transportation industry for work of similar nature. To the extent the County's construction contractor warranties are obtained in connection with any Project intended to be turned over to the Department, the County shall assure that those warranties are assignable.

2. The County shall take all steps necessary to transfer to the Department any manufacturer or other third party warranties of any materials or other services used in the construction of a Project.

VII. Miscellaneous General Provisions:

A. Disputes

The County and the Department shall cooperate and consult with each other with respect to those Projects intended to be turned over to the Department for maintenance to the extent set forth herein and may utilize the Issues Escalation and Dispute Resolution Process included as Attachment "B" to determine the appropriate person(s) and timeframe to resolve issues that arise. In the event that a dispute arises, the following procedures will be used to resolve the matter.

Any dispute or claim arising out of or related to this Agreement shall be submitted for resolution under the procedures outlined in Attachment "B". Within 90 days of the date of this Agreement, an ad hoc board, the Dispute Resolution Board, will be selected pursuant to the procedures identified below. The Dispute Resolution Board will consist of two members of the County and two members of the Department. These four members shall choose a fifth member employed neither by the County nor the Department. This fifth member shall be a mediator certified in the State of South Carolina. The cost for the mediator shall be shared equally between the County and the Department. The board shall be empanelled for the entire duration of this Agreement and shall hear all disputes between the County and the Department relating to this Agreement that cannot be resolved through the normal resolution process outlined in the Issues Escalation chart. Exhaustion of this Dispute Resolution Process is a condition precedent to the filing of a lawsuit. Any lawsuit arising out of or relating to this Agreement shall be filed for non-jury proceedings in Beaufort County, South Carolina.

B. Successors/Assigns

The County and the Department each binds itself, its successors, executors, administrators, and assigns to the other party with respect to these requirements, and also agrees that neither party shall assign, sublet, or transfer its interest in the Agreement without the written consent of the other.

C. Disadvantaged Business Enterprises

The County will provide opportunities for Disadvantaged Business Enterprises as required by state or federal laws or regulations. The County will coordinate with SCDOT's DBE Office when establishing goals for specific projects that include Federal Funding. The parties hereto and their

agents shall not discriminate on the basis of race, color, national origin or sex in the performance of this Agreement or the work provided for herein. Where required the parties hereto and their agents shall carry out applicable requirements of 49 C.F.R. Part 26 in the administration of this Agreement.

D. Enforceability

All of the terms, provisions and conditions of this Agreement shall be binding upon and enforceable by the parties, their respective elected officials, legal representatives, agents and employees and their respective successors.

E. Amendment

This Agreement may be amended or modified only by a written document, which has been signed by the parties hereto, or by their duly authorized officials. The County, or its authorized agent, shall agree to hold consultations with the Department as may be necessary with regard to the execution of supplements to this Agreement during the course of the Program for the purpose of resolving any items that may have been unintentionally omitted from this Agreement or arise from unforeseen events or conditions. Such supplemental agreements shall be subject to the approval and proper execution of the parties hereto. No modifications or amendments to this Agreement shall be effective or binding upon either party unless both parties agree in writing to any such changes.

F. Waiver

No waiver of a breach of any of the covenants, promises or provisions contained in this Agreement shall be construed as a waiver of any succeeding breach of the same covenant or promise or any other covenant or promise thereof. In no event shall any failure by either party hereto to fully enforce any provision of this Agreement be construed as a waiver by such party of its right to subsequently enforce, assert or rely upon such provision.

G. Governing Law

This Agreement shall be governed by the laws of the State of South Carolina, and by execution of this Agreement, the parties consent to the exclusive jurisdiction of the courts of Beaufort County, South Carolina, for resolution of any dispute arising hereunder.

H. Severability

In the event that any part or provision of this Agreement shall be determined to be invalid and/or unenforceable, the remaining parts and provisions which

can be separated from the invalid and/or unenforceable provision or provisions shall continue in full force and effect.

I. Captions

The captions or headings herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

J. Notices

All notices pertaining to this Agreement shall be in writing and addressed as set forth below, and shall be deemed properly delivered, given or served when (i) personally delivered, or (ii) sent by overnight courier, or (iii) three (3) days have elapsed following the date mailed by certified or registered mail, postage prepaid.

Notices to County:

Mr. Bob Klink
Beaufort County Engineer
Beaufort County Engineering Division
PO Drawer 1228
Beaufort, SC 29901-1228

Notices to Department:

South Carolina Department of Transportation
Attn: State Highway Engineer
PO Box 191
Columbia, SC 29202

K. Further Documents

Each party will, whenever and as often as it shall be requested by another party, promptly and within a reasonable time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered such further instruments or documents as may be necessary to carry out the intent and purpose of this Agreement.

L. Assignment

Except as otherwise provided by applicable law, this Agreement may not be assigned by either party without the written consent of the other party.

M. No Third-party Beneficiaries

No rights in any Third-party are created by this Agreement, and no person not a party to this Agreement may rely on any aspect of this Agreement,

notwithstanding any representation, written or oral, to the contrary, made by any person or entity. The parties hereto affirmatively represent that this Agreement is made solely for the benefit of the parties hereto and their respective successors and assigns and not for the benefit of any Third-party who is not a signature party hereto. No party other than the signature parties and their respective successors and assigns hereto shall have any enforceable rights hereunder, or have any right to the enforcement hereof, or any claim for damages as a result of any alleged breach hereof.

N. Multiple Counterparts

This Agreement is executed in multiple counterparts, each of which shall be deemed an original but all of which collectively shall constitute one and the same Agreement.

O. Prior Agreements, Entire Agreement

All obligations of the parties, each to the other, relating to the subject matter of this Agreement, contained in any other document or agreement or based on any other communication prior to the execution of this Agreement have been satisfied or are superseded by this Agreement. This Agreement constitutes the entire agreement between the parties relating to the subject matter hereof.

This Agreement, with the Appendices hereto, sets forth the full and complete understanding of the parties as of the date first above stated, and it supersedes any and all agreements and representations made or dated prior thereto.

The parties make no representations, covenants, warranties or guarantees, express or implied, other than those expressly set forth herein. The parties' rights, liabilities, responsibilities and remedies with respect to the services provided for in this Agreement shall be exclusively those expressly set forth in this Agreement.


P. Reviews and Approvals

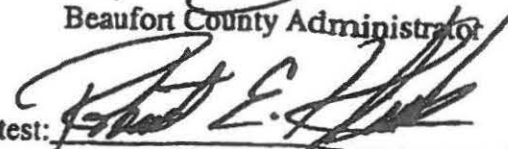
Any and all reviews and approvals required of the parties herein shall not be unreasonably denied, delayed or withheld.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representative the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

BEAUFORT COUNTY


By: 
Gary Kubic
Beaufort County Administrator

Attest: 
Bob Klink
Beaufort County Engineer


SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION

Recommended

By: 
Tony L. Chapman
Deputy Secretary
for Engineering

Handwritten notes:
RIP
JOB
JMN

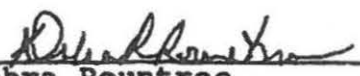
By: 
Print Name: H. B. Limehouse, Jr.

Print Title: Secretary of Transportation

Attest: 

Print Name: Douglas B. MacFarlane

Print Title: Director - Contract Services
& Special Projects

By: 
Debra Rountree
Deputy Secretary for
Finance & Administration

CERTIFICATION OF DEPARTMENT

I hereby certify that I am the ^{Deputy Secretary}~~Division Director~~ of the Department of Transportation of the State of South Carolina and the COUNTY or its legal representatives have not been required directly or indirectly as an expressed or implied condition in connection with obtaining or carrying out this Agreement to:

- (a) Employ or retain, or agree to employ or retain, any firm or person or
- (b) Pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind, except as herein expressly stated (if any).

In accordance with Section 635.105 of Title 23 C.F.R., I further certify that any work stipulated in this agreement to be performed by the COUNTY is adequately staffed and suitably equipped to undertake and satisfactorily complete such work, including the performance of proper maintenance on the highway facilities constructed under the terms of this agreement.

I acknowledge that this certificate is to be furnished to the Federal Highway Administration, U.S. Department of Transportation, in connection with this Agreement, and is subject to applicable State and Federal laws, both criminal and civil.

3/14/08
(Date)


(DEPARTMENT Signature)

CERTIFICATION OF COUNTY

I hereby certify that I am the County Administrator and duly authorized representative of the COUNTY, whose address is PO Drawer 1228, Beaufort, South Carolina , 29901 and that neither I nor the above COUNTY I here represent has:

- (a) Employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above COUNTY) to solicit or secure this Agreement, or
- (b) Agreed, as an expressed or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out the Agreement, or
- (c) Paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above COUNTY) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract except as herein expressly stated (if any).

In accordance with Section 635.105 of Title 23 C.F.R., I further certify that any work stipulated in this agreement to be performed by the COUNTY can be more advantageously performed by said COUNTY and that said COUNTY is adequately staffed and suitably equipped to undertake and satisfactorily complete such work, including the performance of proper maintenance on the highway facilities constructed under the terms of this agreement.

I acknowledge that this certificate is to be furnished to the DEPARTMENT and the Federal Highway Administration, U.S. Department of Transportation, in connection with this Agreement, and is subject to applicable State and Federal laws, both criminal and civil.

2/29/08
(Date)



COUNTY
(Signature)

Certification for Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, or an officer or employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuations, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, or an officer or employee of a member of Congress in connection with this contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

2/29/08
(Date)



COUNTY
(Signature)

3-14-08
(Date)



DEPARTMENT
(Signature)

DEPARTMENT
DRUG-FREE WORKPLACE CERTIFICATION

In accordance with Section 44-107-30, South Carolina Code of Laws (1976), as amended, and as a condition precedent to the execution of this Agreement, the undersigned, who is an authorized representative of the Department certifies on behalf of the Department that the Department will provide a drug-free workplace by:



- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensations, possession, or use of a controlled substance is prohibited in the Department's workplace and specifying the actions that will be taken against employees for violations of the prohibition;
- (2) Establishing a drug-free awareness program to inform employees about:
 - (a) the dangers of drug abuse in a workplace;
 - (b) the person's policy of maintaining a drug-free workplace;
 - (c) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) the penalties that may be imposed upon employees for drug violations;
- (3) Making it a requirement that each employee to be engaged in the performance of the Agreement be given a copy of the statement required by Item (1);
- (4) Notifying the employee in the statement required by Item (1) that, as a condition of employment of this Agreement, the employee will:
 - (a) abide by the terms of the statement; and
 - (b) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction;
- (5) Notifying the County within ten days after receiving notice under Item (4)(b) from any employee involved with the Program or otherwise receiving actual notice of the conviction;
- (6) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted as required in Section 44-107-50; and
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of items (1), (2), (3), (4), (5), and (6).

Attachment "A"
Project List

Project Number	Project Name	Project Description	Estimated 1% Sales Tax Funds
No. 1	Bluffton Parkway - Phase 5 (US 278 Alternate)	New Road Construction from Buckwalter Parkway to Mackays Creek	\$50,000,000
No. 2	US 278 Improvements	From Sea Pines Circle to SC 170	\$28,000,000
No. 3	SC 170 Widening	From Bluffton Parkway to Tide Watch Dr.	\$6,000,000
No. 4	US 17 Widening	From US 21 to Colleton County Line	\$5,000,000
No. 5	US 21 (Boundary Street) Improvements	From Broad River Road to Palmetto Street	\$9,500,000
No. 6	Boundary Street Parallel Road	New Road Construction from SC 170 to Palmetto Street	\$4,200,000
No. 7	SC 802 (Ribaut Road) Improvements	From Lenora Drive to Lady's Island Drive	\$600,000
No. 8	US 21/SC 802 (Lady's Island Drive) Widening	From Ribaut Road to Sea Island Parkway	\$35,500,000
No. 9	Planning & Engineering for a Northern Beaufort ByPass	From Grays Hill to Lady's Island	\$6,000,000
No. 10	SC 802 (Savannah Highway) Widening	From SC 170 to Parris Island Gateway	\$7,200,000
TOTAL:			\$152,000,000

Attachment "B"
Issue Escalation and Dispute Resolution Process

The purpose of this process is to define the different levels of management in the County and the Department that have the authority and responsibility to make decisions when lower levels of staff are unable to resolve issues that may arise during the life of the Program. Such issues should be addressed promptly in order to minimize delays to the Program and to avoid negative impacts to the Program, the County and the Department. The County and the Department agree that if an issue cannot be resolved by the normal process of communications between the County or its designee and the Department's Program Manager, the following procedure will be adhered to by the County and the Department. This diagram describes the escalation process, personnel involved, and time limitations for resolution. Should resolution not be reached in the duration listed below, the next level of management will be informed of the issue and they will then be responsible to make a decision within the allotted time period as shown below. These allotted time periods may be changed based on mutual agreement of the managers working to resolve the issue. Decisions reached through this process will be recorded in writing and signatures of the responsible person from the County and the Department will sign an acknowledgement of the decision made within two days of concluding the decision.

SCDOT (PLANNING, DESIGN, RIGHT OF WAY ISSUES)	SCDOT (CONSTRUCTION ISSUES)	COUNTY	WORK DAYS
Project Development Engineer	District Engr. Administrator	County Engineer	2
			
Director of Preconstruction	Director of Construction	County Engineer	3
			
Dep. State Hwy. Engineer	Dep. State Hwy. Engineer	County Administrator	5

The State Highway Engineer shall review and make the final determination on unresolved issues pertaining to right of way, design and construction for routes within or to be added to the State Highway System. Should the County Administrator and the State Highway Engineer be unable to resolve other issues that may arise during the program, either party may request a resolution by the Dispute Resolution Board that shall hear the matter and reach a resolution to the dispute within ten days. By majority decision of the Board, this ten-day time frame to reach a resolution may be amended.



**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*
Thomas Keaveny, County Attorney *TK*

FROM: Robert McFee, PE, Division Director of Construction Engineering and Facilities *JRM/ta*

SUBJ: **Beaufort County Dirt Road Paving Requirements for Dirt Roads Without Right-Of-Way
Right-Of-Way Condemnation Request for Shiney Road, St. Helena Island**

DATE: July 28, 2015

BACKGROUND. Shiney Road is a County-maintained dirt road located on St. Helena Island. It runs in a southeasterly direction from Saxonville Road to Seaside Road. The Public Works Department has maintained this 0.91 mile road for over 20 years. Shiney Road was selected for paving by the Beaufort County Transportation Committee for the FY 2013/2014 – FY 2016/2017 Dirt Road Paving Program.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County should have a 50-foot right-of-way on any dirt road before it can be included in a paving contract.

Efforts to date to acquire right-of-way on Shiney Road include obtaining a cost for survey, initiating a survey agreement, performing the field survey, researching ownership, preparing letters and deeds, meeting with property owners on site, and answering property owners' questions by phone. The timeline associated with the right-of-way acquisition process has been 16 months.

Engineering has received 13 of the 23 deeds needed. Of the 10 parcels for which deeds have not been forthcoming, 3 are heirs' properties and 5 have non-responsive owners. On the remaining two parcels, only one of two owners returned a signed deed.

Condemnation of these ten parcels would be necessary to obtain all of the required right-of-way. The Engineering and Public Works Departments are therefore presenting this information for committee review, and are recommending that the remaining ten right-of-way parcels on Shiney Road be condemned.

FOR ACTION. Public Facilities Committee on August 17, 2015.

RECOMMENDATION. The Public Facilities approve and recommend to County Council to authorize the condemnation of ten parcels on Shiney Road in order to allow the paving project to go forward.

JRM/EWK/mjh

Attachments: 1) Location Map
2) Sample Correspondence

cc: Eddie Bellamy

Rd/ROW/CondemnShineyRd

SHINEY ROAD - ST. HELENA ISLAND

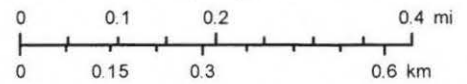


July 29, 2015

1:11,980

Road Classifications

- | | | | |
|-------------------------|--------------------|--------------------------|-----------------------|
| — (thin grey line) | <all other values> | --- (dashed green line) | PRIVATE, UNPAVED |
| — (thick black line) | STATE, PAVED | — (solid green line) | PRIVATE, UNDETERMINED |
| --- (dashed black line) | STATE, UNPAVED | — (solid purple line) | TOWN, PAVED |
| — (thick red line) | COUNTY, PAVED | --- (dashed purple line) | TOWN, UNPAVED |
| --- (dashed red line) | COUNTY, UNPAVED | — (solid blue line) | MILITARY / PAVED |
| — (solid green line) | PRIVATE, PAVED | --- (dashed blue line) | MILITARY / UNPAVED |
| □ (yellow outline) | Parcels | | |



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April 22, 2014

Shirley Bonelli
16 Pembroke Ct.
Bay Shore, NY 11706

Re: Shiney Road: Tax Map #: R300 023 000 0081 0000

Dear Ms. Bonelli:

The Beaufort County Transportation Committee (CTC) is considering Shiney Road for inclusion in the County's ongoing Dirt Road Paving Program. Before the road can be paved, however, the County must first acquire a 50'-wide road right-of-way from the adjacent property owners. The 50' right-of-way allows the CTC to fund the paving project with money derived from the State gasoline tax. If the project goes forward, the County will pave a new 20' wide asphalt section and provide accompanying drainage improvements. The County will be responsible for relocating all utilities, mailboxes, and other structures located within the deeded right-of-way that require moving to accommodate the proposed work. It appears this work will be very minimal and we will work around these items including trees, vegetation, and landscaping wherever possible.

Our road survey indicates that the County must acquire 0.107 acre (4,677 SF) and 0.085 acre (3,708 SF) portions of your property in order to assemble a 50' right-of-way. Therefore, we are requesting that you convey these portions of your property to the County using the enclosed quitclaim deed. The strips of land to be conveyed are shown in Exhibit "A" of the deed.

If you want Shiney 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 do not wish to convey your interest in the roadway, please return the unsigned deed to us as soon as possible.

Please consider our request carefully. If we are unable to acquire the 50' right-of-way, Shiney Road will not be paved. It may also be reclassified as a private road and removed from the County's maintenance inventory. This means that you and the other adjoining property owners would bear the costs of any future road maintenance.

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

Sincerely,

Eric W. Klatt
Right-Of-Way Manager

EWK/cvs

Enclosures: Deed, map

September 4, 2014

Shirley Bonelli
16 Pembroke Ct.
Bay Shore, NY 11706

Re: Shiney Road: Tax Map #: R300 023 000 0081 0000

2nd Request

Dear Ms. Berry:

The Beaufort County Transportation Committee (CTC) is considering Shiney Road for inclusion in the County's ongoing Dirt Road Paving Program. Before the road can be paved, however, the County must first acquire a 50'-wide road right-of-way from the adjacent property owners. The 50' right-of-way allows the CTC to fund the paving project with money derived from the State gasoline tax. If the project goes forward, the County will pave a new 20' wide asphalt section and provide accompanying drainage improvements. The County will be responsible for relocating all utilities, mailboxes, and other structures located within the deeded right-of-way that require moving to accommodate the proposed work. It appears this work will be very minimal and we will work around these items including trees, vegetation, and landscaping wherever possible.

Our road survey indicates that the County must acquire 0.107 acre (4,677 SF) and 0.085 acre (3,708 SF) portions of your property in order to assemble a 50' right-of-way. Therefore, we are requesting that you convey these portions of your property to the County using the enclosed quitclaim deed. The strips of land to be conveyed are shown in Exhibit "A" of the deed.

If you want Shiney 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 do not wish to convey your interest in the roadway, please return the unsigned deed to us as soon as possible.

Please consider our request carefully. If we are unable to acquire the 50' right-of-way, Shiney Road will not be paved. It may also be reclassified as a private road and removed from the County's maintenance inventory. This means that you and the other adjoining property owners would bear the costs of any future road maintenance.

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



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*
Thomas Keaveny, County Attorney *TK*

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

SUBJ: **Removal of a Section of Melrose Landing Road from the Dirt Road
Maintenance Inventory**

DATE: July 27, 2015

BACKGROUND. Melrose Landing Road is a 0.18 mile road located on Daufuskie Island. The easternmost section of this road is unpaved and approximately 168' in length. The eastern terminus forms a T-intersection with Freeport Road. Although the County has maintained the dirt portion of Melrose Landing Road for a number of years, it does not own the right-of-way, nor does it have an easement.

Cooper River Landings and Properties, Inc., owns the property on which the unpaved section of Melrose Landing Road is located. The owner has requested that the County cease maintaining, and abandon its interest, in this section of the road.

Staff believes this request to be in the best interests of the public for the following reasons: (1) Freeport Road can be accessed from a point just south of Melrose Landing Road. (2) The County does not own the right-of-way. (3) The County nor citizen access would be "harmed" by abandoning its tenuous interest in this 168' dirt section.

FOR ACTION. Public Facilities Committee on August 17, 2015.

RECOMMENDATION. This item is for informational purposes only and does not require any action by the Public Facilities Committee.

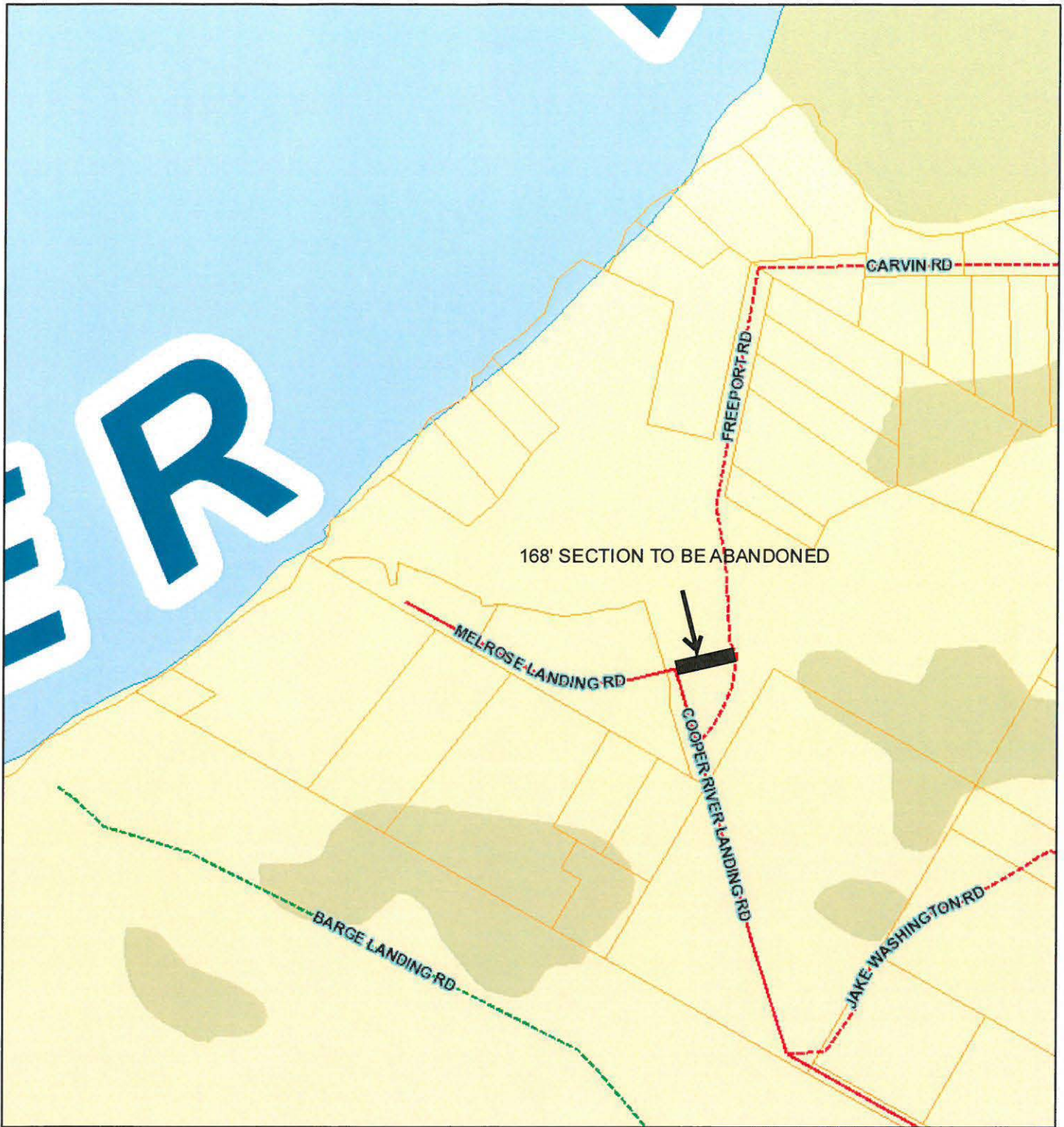
JRM/EWK/mjh

Attachments: 1) Location Map
2) Aerial photo
3) Correspondence (e-mail)

cc: Eddie Bellamy

roads/ROW/RemoveMelRoseLanding

MELROSE LANDING RD.

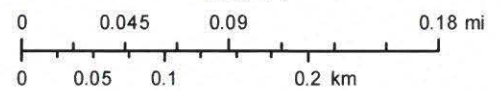


July 27, 2015

1:5,276

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



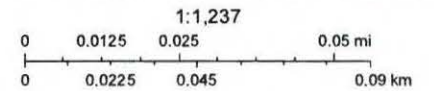
MELROSE LANDING ROAD - SECTION TO BE ABANDONED



July 27, 2015

Road Classifications

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



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Hickman, Maggie

From: McFee, Robert
Sent: Tuesday, July 14, 2015 2:03 PM
To: Bellamy, Eddie; Klatt, Eric; Keaveny, Thomas; Hickman, Maggie
Subject: FW: Request for Road Abandonment
Attachments: Melrose Landing Road.pdf

Thanks Eddie.

Given the conditions as I understand them, it seems to serve a very limited public service/benefit. I believe we can take this request to Public Facilities on August 17 and see if Council agrees to formally abandon it.

Unless I am advised otherwise, I'll have Eric and Maggie work up an agenda item.

Rob

From: Bellamy, Eddie
Sent: Tuesday, July 14, 2015 11:04 AM
To: McFee, Robert
Cc: Klatt, Eric; Stanley, Jimmy
Subject: RE: Request for Road Abandonment

Rob,

My apologies. I made the map yesterday and thought I had attached it. The portion he is requesting us to abandon is marked in blue on the attached map.

VR/ Eddie

From: McFee, Robert
Sent: Tuesday, July 14, 2015 11:00 AM
To: Bellamy, Eddie
Subject: RE: Request for Road Abandonment

Eddie,

Could you send me a map with the abandonment portion shown?

I've looked at the island on our mapping site and am not sure exactly where this portion lies.

Rob

From: Bellamy, Eddie
Sent: Monday, July 13, 2015 5:13 PM
To: McFee, Robert; Klatt, Eric
Cc: Larson, Eric; Stanley, Jimmy
Subject: Request for Road Abandonment

Rob,

The e-mail below is from Wick Scurry and requests that we abandon maintenance of that section of Melrose Landing Road that is east of Cooper River Landing Road and west of Freeport Road. That section of the road is about 160 feet long and is dirt; we do not own the r-o-w.

That little piece of road basically renders about ½ acre of parcel R800 121 000 0006 0000 unusable. There is very little traffic between the old Melrose Ferry Landing and Freeport these days. I recommend that we abandon that part of the road as requested.

VR/ Eddie

From: syacatsgrin@aol.com [<mailto:syacatsgrin@aol.com>]
Sent: Monday, July 13, 2015 10:46 AM
To: Bellamy, Eddie
Subject: Fwd: Dear Eddie,

-----Original Message-----

From: wick Scurry <wickscuryaol.com@me.com>
To: syacatsgrin <syacatsgrin@aol.com>
Sent: Fri, Jul 10, 2015 1:21 pm
Subject: Dear Eddie,

Dear Eddie,

Thanks for the information. I would like to formally request that Beaufort County abandon the dirt road that is an extension of Melrose landing road that goes north east threw Cooper River Landing property.

Thank you,

Wick Scurry
President
Cooper River Landing Property



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
Tom Keaveny, County Attorney *TK*

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

SUBJ: **Beaufort County Dirt Road Paving Requirements for Dirt Roads Without Right of Way Documentation – Remove from Road Maintenance Inventory – Yard Farm Road, St. Helena Island**

DATE: August 12, 2015

BACKGROUND. Yard Farm Road is a dirt road located on St. Helena Island off of Sea Island Parkway. Public Works has maintained the 0.3 mile dirt road for over 20 years. Yard Farm Road was rated for paving in the FY 13/14 – FY 17/18 Dirt Road Paving Program with an overall ranking of 36 out of 212 County dirt roads rated. There are 7 property owners and 6 houses on Yard Farm Road.

In accordance with Section 106.2797 of the ZDSO and Policy Statement 17, the County should have a deeded 50 – foot right of way before the road can be advertised for paving construction improvements. The County does not own right of way or an easement on Yard Farm Road.

County Engineering started the right of way process by having Yard Farm Road surveyed. During the course of the field survey, several property owners contacted the County Engineering Department expressing their desire neither to have Yard Farm Road paved nor grant right of way for improvements. Additionally, Ralph Tupper, an attorney with Tupper, Grimsley & Dean, PA and a property owner on Yard Farm Road, emailed County Engineering and indicated that he would draft the appropriate documents for community maintenance of Yard Farm Road.

Considering these facts, the Beaufort County Legal, Engineering and Public Works Departments now recognize that Yard Farm Road must be designated as a private road and that the County performs no further work or maintenance on this road, unless otherwise directed by County Council.

FOR ACTION. Public Facilities Committee Meeting on August 17, 2015.

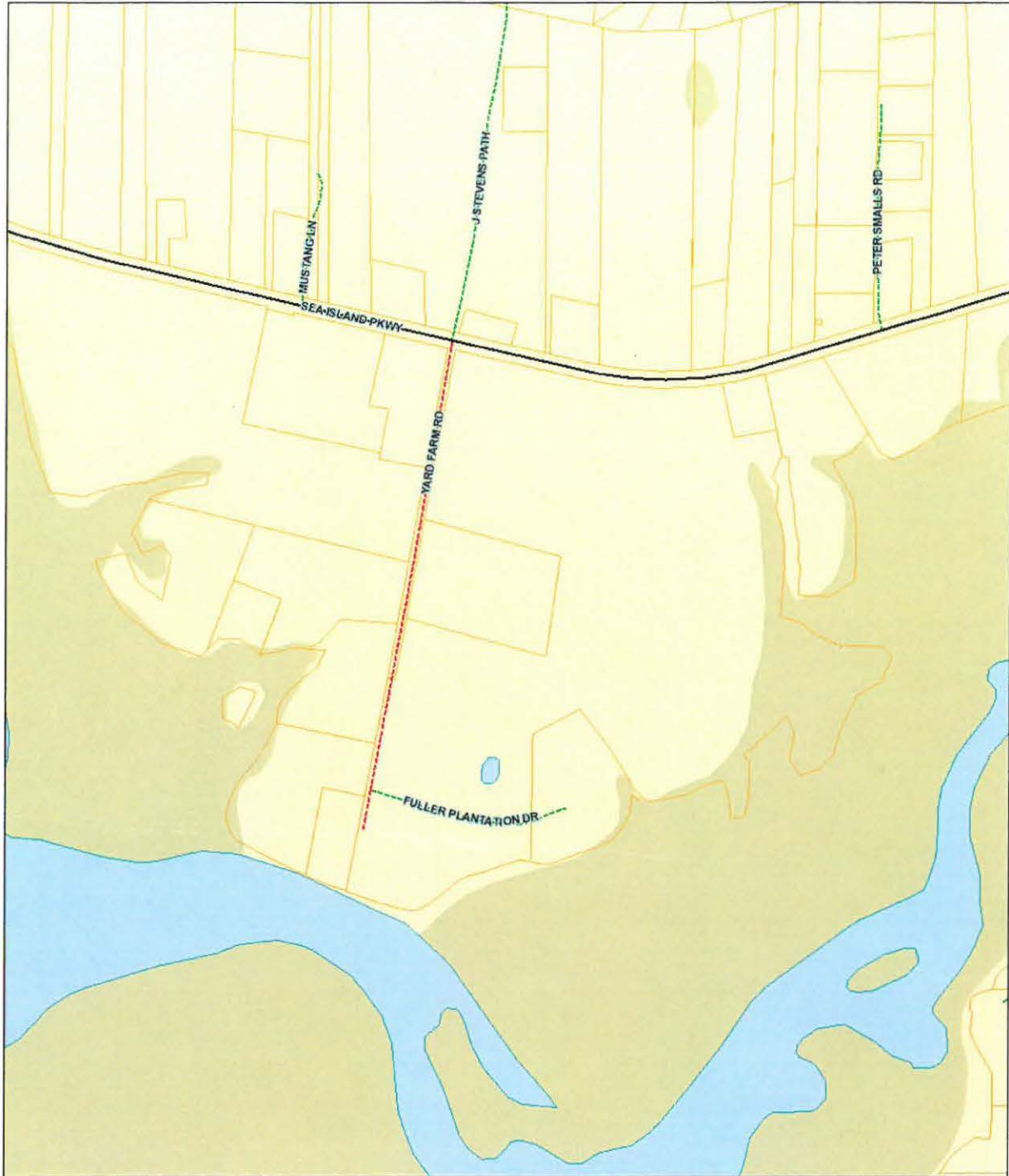
RECOMMENDATION. The Public Facilities Committee concurs and recognizes Yard Farm Road as a private road.

JRM/EK/mjh

Attachments: 1) Location Map
2) 7/8/15 Ralph Tupper Email
3) 7/8/15 & 7/7/15 Property Owner Emails

cc: Eddie Bellamy

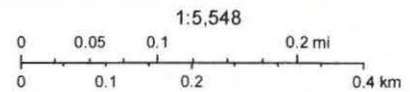
YARD FARM ROAD - ST. HELENA ISLAND



August 13, 2015

Road Classifications

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



Klatt, Eric

From: McFee, Robert
Sent: Wednesday, July 08, 2015 2:36 PM
To: First Administrative Group/cn=Recipients/cn=eklatt; First Administrative Group/cn=Recipients/cn=ckinton; First Administrative Group/cn=Recipients/cn=maggieh; First Administrative Group/cn=Recipients/cn=jmoore; First Administrative Group/cn=Recipients/cn=eddieb
Subject: FW: Yard Farm Road

FYI

From: McFee, Robert
Sent: Wednesday, July 08, 2015 2:34 PM
To: 'Ralph Tupper'
Cc: Swanson, Hunter; ideysach@deysachlaw.com; Sonny; Mary Sharp; Katherine Ferguson; Keaveny, Thomas
Subject: RE: Yard Farm Road

That is the case.

Thank you for your prompt response.

If you will send me a copy of the executed documents, staff can take the issue before the Public Facilities Committee on August 17 and officially recognize y'all's actions in this regard

Let me know if you need anything else.

Rob

From: Ralph Tupper [<mailto:NedTupper@tgdpa.com>]
Sent: Wednesday, July 08, 2015 1:26 PM
To: McFee, Robert
Cc: Swanson, Hunter; ideysach@deysachlaw.com; Sonny; Mary Sharp; Katherine Ferguson
Subject: Yard Farm Road

Robert,

My office has performed an initial title search on Yard Farm Road, and it shows that there are no out conveyances to the County. I have also seen your email to Ms. Swanson in which the County is conceding that it has not been able to establish a prescriptive right to improve Yard Farm Road. If that is the case, please confirm and my office will draft the appropriate documents for all the homeowners on Yard Farm to take on the maintenance of the road.

Thank you again for your attention to this matter. Please let me know if you need anything further from me.

Ned

Ralph E. Tupper, Esquire
Tupper, Grimsley & Dean, P.A.

Klatt, Eric

From: McFee, Robert
Sent: Wednesday, July 08, 2015 10:00 AM
To: First Administrative Group/cn=Recipients/cn=eddieb; First Administrative Group/cn=Recipients/cn=eklatt; First Administrative Group/cn=Recipients/cn=jmoore; First Administrative Group/cn=Recipients/cn=maggieh
Subject: FW: Yard Farm Road

fyi

From: McFee, Robert
Sent: Wednesday, July 08, 2015 9:56 AM
To: Swanson, Hunter
Subject: RE: Yard Farm Road

Thank you for your email regarding this potential project.

I have received a number of calls in addition to your email expressing the same concerns over any potential roadway improvements.

Our records indicate Beaufort County has maintained this road for well over 30 years but the County has yet to establish a prescriptive right to improve it .

This is not an uncommon situation and if you and your adjacent property owners wish to maintain the status quo, please send me correspondence to that effect, otherwise we will continue to develop plans for improving this roadway.

Please understand that if you and your neighbors assert your right of ownership on this dirt road, the county will be compelled to respect that right and Yard Farm Road will no longer be maintained by Beaufort County.

I look forward to hearing from you and the other property owners along this road.

Thank you

Robert McFee, PE
Division Director, Construction, Engineering and Facilities Beaufort County

From: Swanson, Hunter
Sent: Wednesday, July 08, 2015 9:18 AM
To: McFee, Robert
Cc: ideysach@deysachlaw.com
Subject: Yard Farm Road

Dear Mr. McFee,

My husband and I are property owners on Yard Farm Rd and I am writing to express our opposition to paving the road.

We bought at Yard Farm because it is rural and private. We also have horses. If the road is paved, I fear that we will lose privacy as well as the inherent charm. It will also not be as conducive to riding horses down the road. As far as I know, any other tracts of land that may be sold in the future will be at least 5 acres in order to preserve the rural nature of the old Fuller Plantation.

Please feel free to contact me at the numbers below should you wish to reach me or have any questions for us.

Thank you for your consideration.

Hunter P. Swanson
Assistant Solicitor
Beaufort County- 14th Circuit
PO Box 1880, Bluffton, SC 29910

Tel: (843) 255-5902
Cell: (843) 422-3774
Fax: (843) 255-9512

hswanson@bcgov.net

Klatt, Eric

From: McFee, Robert
Sent: Wednesday, July 08, 2015 8:28 AM
To: orbishop77@hotmail.com
Cc: Gruber, Joshua; First Administrative Group/cn=Recipients/cn=eklatt; First Administrative Group/cn=Recipients/cn=jmoore; First Administrative Group/cn=Recipients/cn=maggieh; First Administrative Group/cn=Recipients/cn=eddieb; Keaveny, Thomasf79
Subject: RE: Engineering--Yard Farm Road

Thank you for your email regarding this potential project.

I have received a number of calls in addition to your email expressing the same concerns over any roadway improvements.

Our records indicate Beaufort County has maintained this road for well over 30 years and as you describe below, the County has yet to establish a prescriptive right to improve it.

This is not an uncommon situation and if you and your adjacent property owners wish to maintain the status quo, please send me correspondence to that effect, otherwise we will continue to develop plans for improving this roadway.

Please understand that if you and your neighbors assert your right of ownership on this dirt road, the county will be compelled to respect that right and Yard Farm Road will no longer be maintained by Beaufort County.

I look forward to hearing from you and the other property owners along this road.

Thank you

Robert McFee, PE
Division Director, Construction, Engineering and Facilities Beaufort County

-----Original Message-----

From: orbishop77@hotmail.com [<mailto:orbishop77@hotmail.com>]

Sent: Tuesday, July 07, 2015 12:53 PM

To: WENG

Subject: Engineering

Sender: Sonny Bishop

Phone: 843-838-2034

Message:

I am flabbergasted to see surveyors measuring trees on Yard Farm Road where I live to make a paved road of 50 feet. This road has always been a private road for the use of the property owners, not a county road. My grandfather, OH Bishop owned the Yard Farm since 1932 and the road was owned by him and one other property owner who had 3 acres. When the MacDonald Wilkins Cotton gin was here, the property owners were the company and Mr Bachelder, a silent partner who was given a right of way to his home. When my grandfather died, he left the property to OR Bishop and JC Bishop with the road as access to both halves. How does the county now claim a private road as public to be paved? Plans for this should be stopped since no property owner serviced by Yard Farm Road wants it widened or paved. Already some of us are contemplating how to proceed iof pland go forward.

STATE OF SOUTH CAROLINA)
) **Modified Agreement Between Beaufort**
COUNTY OF BEAUFORT) **County and Town of Bluffton**

This Modified Agreement (hereinafter "Agreement") is made and entered into this ____ day of May, 2015 by and between Beaufort County, a political subdivision of the State of South Carolina (hereinafter the "County"), and the Town of Bluffton, South Carolina (hereinafter the "Town").

WHEREAS, the County, a political subdivision of the State of South Carolina, is the owner of a parcel of real property located in the Town of Bluffton, South Carolina consisting of 5.024 acres as shown in the plat recorded at Plat Book 90 at Page 188 (hereinafter "County Property;"); and

WHEREAS, the County purchased the County Property subject to a Lease between the Beaufort County Open Land Trust, and Tenant, D&L Seafood Corporation, d/b/a The Bluffton Oyster Company, the lease being attached hereto as Exhibit A and made part hereof; and

WHEREAS, the County Property is subject to a conservation easement recorded at Book 01548 at Page 0626 of the Beaufort County Register of Deeds, which was later modified per the Modification of Conservation Easement recorded at Book 1693 at Page 2002 and then assigned per the Assignment of Modified Easement recorded at Book 1693 at Page 2010; and

WHEREAS, the County and the Town recognize the historic significance of the Bluffton Oyster Company as the last oyster processing facility in South Carolina; and

WHEREAS, the County and the Town are co-owners of that parcel of real property located in the Town of Bluffton, South Carolina which is immediately adjacent to the County Property consisting of 1.863 acres, as shown in the plat recorded at Plat Book 118 at Page 100; and

WHEREAS, the 5.024 acre County Property and the 1.863 acre County and Town property comprise the 6.887 acres, is commonly referred to as the Oyster Factory Park, (hereinafter "the Park"); and

WHEREAS, the County and the Town desire to foster the historic use of the Park as, in part, an oyster processing factory, honor the terms of the conservation easement, and continue the traditional uses of the property as a place to gather for oyster roasts, community events and the like; and

WHEREAS, the County and the Town desired to enter into this Agreement to transfer responsibility for the maintenance, liability and operation of the Park property as well as the adjacent Operations Zone in exchange for the Town being able to exclusively manage the Park and receive all income generated therefrom; and

WHEREAS, on October 25, 2004, the County and the Town entered into an Agreement for the joint undertaking to share in the use and expenses associated with the Park and maintain the historic character of the Park to the extent permitted by the Conservation Easement now in effect or as may be amended from time to time by the Grantee and the County; and

WHEREAS, the parties desire to amend the October 25, 2004 Agreement (hereinafter the "2004 Agreement"); and

WHEREAS, the County and the Town agree to assign all duties and responsibilities associated with the funding, operations, maintenance, and general conditions of the Park and the adjacent Operations Zone Property to the Town.

NOW THEREFORE, for due and valuable consideration, the parties agree as follows:

1. The Park is occupied, in part, by the Tenant D&L Seafood Company, Inc., d/b/a Bluffton Oyster Company. D&L Seafood Company, Inc. operates an oyster processing/retail establishment in the an area designated in the Park as the "Operations Zone." The Operations Zone is presently committed to a use by D&L Seafood Company, d/b/a Bluffton Oyster Company under the terms and conditions of a lease and assignment of same to the County. D&L Seafood Company has been granted the use of the Operation Zone which consists of the Building in which the Bluffton Oyster Factory operates together with the land as shown and labeled on the plat attached hereto for the limited purposes provided by the Lease. The County shall assign all of its rights in interest in the Lease to the Town of Bluffton who shall accept such assign and be responsible for the enforcement of the Lease and all of its corresponding provisions.
2. The Park shall be maintained as open space, as a passive park, and open gateway to scenic vistas and accesses to the May River for recreational boating. There shall be no improvements constructed thereon without the express, written consent of the County. Furthermore, such construction shall be subject to the applicable ordinance(s) of the Town. The Park shall be made available to the general public for recreational boating; provided, however, the Town may conduct organized events within the Park upon notice.
3. Operation of the Park is under the supervisory authority of the Town.
4. This Agreement and these terms may be amended, changed, modified or altered by the Town if doing so, in its discretion, is in the public's best interests. Nothing in this Agreement shall operate to limit the County's authority, as owner of a public facility, to limit the use of the Park in a manner it deems most beneficial to the public at large.
 - a. Hours of Operation: The Park shall be open to the general public daily, during daylight hours, and at such other times as may be approved by the Town as provided herein. The boat ramp shall be open for use by the general public daily, twenty-four (24) hours a day.

- b. Special Events: A special event means the congregation of persons on the Park premises, at a function hosted or approved by the Town, and where food, beverages, events, entertainment or a concert are provided.
 - c. Process of Handling of Special Events: Special Events at the Park will be procedurally and substantively handled like all other special events in the Town.
 - d. Disposition of Fees from Special Events: The gross receipts from Special Events shall inure to the benefit of the Park unless prior approval has been given to host a Special Event as a “fund-raiser” for a public or charitable purpose. Other than permitted public purpose or charitable “fund-raisers,” the gross receipts from Special Events shall be remitted to the Town. Special Event funds shall be expended solely for the general upkeep, maintenance and improvement of the Park and Park facilities.
5. **Public Beach**. To the extent that the sandy area lying in and adjacent to the boat ramp in the Park premises may be used as a public beach, the County and Town agree to enforce the following restrictions. Driving or operating any motor vehicle on the public beach other than in the designated areas for purposes of launching a boat is prohibited. Using a surfboard or a motorized device including a personal watercraft in the area of the beach and in any manner as to become a hazard to bathers, swimmers, boaters or others shall be prohibited. Glass bottles, drinking glasses or other glass containers shall be prohibited on the beach.
6. **Use of Alcoholic Beverages**. County owned recreation facilities are publicly funded and for the purpose of carrying on leisure, recreation and sporting events. As such, the Town shall regulate the Park in a manner that shall provide for the greatest public use. Alcoholic beverages may be permitted for family outings, social events, fund raising events and special events provided that its use is not in conflict with any other County or Town ordinance or state law.
7. The Town shall regulate parking within the Park and restrict boat and boat trailer parking to the area designated for such purpose.
8. The Town maintain the boat ramp in a condition suitable for recreation boating.
9. The Town shall provide, at least weekly, regular refuse, litter and garbage pick-up free of charge to the County, in all the Park areas exclusive of the Operations Zone. Additionally, the Town shall be responsible for providing all maintenance and cleaning of the restroom facilities located at the Park.
10. The County and the Town shall notify their respective property and liability insurers, which provide the County and the Town general liability insurance now and in the future of the modifications to the initial undertaking. As the party

responsible for the operation, maintenance, use and condition of the Park and all related facilities, the Town agrees to be the primary responsible party for any and all liability resulting from the use of the Park to the extent that immunity has been waived under State of South Carolina law.

11. Capital Improvements, including demolition, shall be jointly reviewed by the County and the Town. The Town shall advise the County of Town zoning and land use regulations which may apply to the subject property. Such improvements shall conform to Town regulations. In the event that a variance(s) are required, such variance shall not be unreasonably withheld. The Concept plan dated November 2002 Exhibit B shall serve as an initial and general guide concerning capital improvements. The Town shall be responsible for updating the Concept plan as necessary. Upon approval, the updated Concept plan shall replace the Concept plan dated November 2002 as Exhibit B of this Agreement. The Town shall manage all capital improvements. The Town and County agree to cooperate to secure funds for capital improvement from any available source. Funds collected from grants and/or non-profit/private entities for capital improvements may be accepted on terms acceptable to the Town.
12. The County and the Town acknowledge the presence of a structure on the southwest side of the Park with potentially historic significance. Any improvements or disposition of the structure shall conform to the Town's Historic Preservation Commission guidelines.
13. Signage and associated lighting shall be mutually agreed on by the County and the Town. Design of the signage shall be guided by the Town's sign ordinance.
14. The Town shall provide law enforcement with back up by the County Sheriff's office, as required.
15. It is agreed that either of the parties shall have the right and privilege of terminating this Agreement at any time upon giving one (1) months notice, in writing, to the other party of its intention to do so, and in the event this Agreement is terminated, then all rights and interests of the parties shall cease, and any permanent building or improvements erected by Town shall then be, and become the property of the County.

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers this day and year as aforewritten.

BEAUFORT COUNTY COUNCIL

By: _____
Gary Kubic
County Administrator

TOWN OF BLUFFTON

By: _____
Marc Orlando
Town Manager

DRAFT

AGREEMENT

STATE OF SOUTH CAROLINA)
) **Modified Agreement** Between Beaufort
COUNTY OF BEAUFORT) **County and Town of Bluffton**

STATE OF SOUTH CAROLINA)
) ~~In Re: Bluffton Oyster Factory and Park~~
COUNTY OF BEAUFORT)

This Modified Agreement (hereinafter "Agreement") is made and entered into this ____ day of 2004, May, 2015 by and between Beaufort County, a political subdivision of the State of South Carolina (hereinafter the "County,"), and the Town of Bluffton, South Carolina (hereinafter the "Town,").

RECITALS

WHEREAS, the County, a political subdivision of the State of South Carolina, is the owner of a parcel of real property located in the Town of Bluffton, South Carolina commonly referred to as the Oyster Factory Park, consisting of 5.024 acres as shown in the plat recorded at Plat Book 90 at Page 188, (hereinafter "County Property~~the Park~~"); and

WHEREAS, the County purchased the County Property ~~Park~~ subject to a Lease between the Beaufort County Open Land Trust, and Tenant, D&L Seafood Corporation, d/b/a The Bluffton Oyster Company, the lease being attached hereto as Exhibit A and made part hereof; and

WHEREAS, the Park ~~County Property~~ is subject to a conservation easement recorded at Book 01548 at Page 0626 of the Beaufort County Register of Deeds, which was later modified per the Modification of Conservation Easement recorded at Book 1693 at Page 2002 and then assigned per the Assignment of Modified Easement recorded at Book 1693 at Page 2010; and

WHEREAS, the County and the Town recognize the historic significance of the Bluffton Oyster Company as the last oyster processing facility in South Carolina; and

~~**WHEREAS**, the County and the Town desire to foster the historic use of the Park as, in part, an oyster processing factory, honor the terms of the conservation easement, and continue~~

~~the traditional uses of the property as a place to gather for oyster roasts, community events and the like; and~~

WHEREAS, the County and the Town are co-owners of that parcel of real property located in the Town of Bluffton, South Carolina which is immediately adjacent to the County Property consisting of 1.863 acres, as shown in the plat recorded at Plat Book 118 at Page 100; and

WHEREAS, the 5.024 acre County Property and the 1.863 acre County and Town property comprise the 6.887 acres, is commonly referred to as the Oyster Factory Park, (hereinafter "the Park"); and

~~WHEREAS, the County and the Town desire to foster the historic use of the Park as, in part, an oyster processing factory, honor the terms of the conservation easement, and continue the traditional uses of the property as a place to gather for oyster roasts, community events and the like; and~~

~~WHEREAS, the County and the Town desire to enter into this Agreement to transfer responsibility for the maintenance, liability and operation of the Park property as well as the adjacent Operations Zone in exchange for the Town being able to exclusively manage the Park and receive all income generated therefrom; and, for a joint undertaking to share in the use and expenses associated with the Park and maintain the historic character of the Park to the extent permitted by the Conservation Easement now in effect or as may be amended from time to time by the Grantee and the County and to further outline the joint responsibilities and duties associated with the funding, operation, maintenance, and general conditions of the Park.~~

~~NOW THEREFORE, WHEREAS, on October 25, 2004, the County and the Town entered into this Agreement under for the following terms joint undertaking to share in the use and expenses associated with the Park and maintain the historic character of the Park to the extent permitted by the Conservation Easement now in effect or as may be amended from time to time by the Grantee and the County; and~~

~~WHEREAS, the parties desire to amend the October 25, 2004 Agreement (hereinafter the "2004 Agreement"); and~~

~~WHEREAS, the County and the Town agree to assign all duties and responsibilities associated with the funding, operations, maintenance, and general conditions of the Park and the adjacent Operations Zone Property to the Town.~~

NOW THEREFORE, for due and valuable consideration, the parties agree as follows:

1. The Park is occupied, in part, by the Tenant D&L Seafood Company, Inc., d/b/a Bluffton Oyster Company. D&L Seafood Company, Inc. operates an oyster processing/retail establishment in the an area designated in the Park as the "Operations Zone." ~~The Operations Zone is not subject to this Agreement.~~ The Operations Zone is presently committed to a use by D&L Seafood Company, d/b/a

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Bluffton Oyster Company under the terms and conditions of a lease and assignment of same to the County. D&L Seafood Company has been granted the use of the Operation Zone which consists of the Building in which the Bluffton Oyster Factory operates together with the land as shown and labeled on the plat attached hereto for the limited purposes provided by the Lease. The County shall assign all of its rights in interest in the Lease to the Town of Bluffton who shall accept such assign and be responsible for the enforcement of the Lease and all of its corresponding provisions. The remainder of the Park property, exclusive of the Operations Zone, is operated ~~1. by Beaufort County and committed to use by the general public.~~

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~~2.~~ The Park shall be maintained as open space, as a passive park, and ~~an~~ open gateway to scenic vistas and accesses to the May River for recreational boating. There shall be no improvements constructed thereon without the express, written consent of the County. ~~Further~~Furthermore, such construction shall be subject to the applicable ~~ordinances~~ordinance(s) of the ~~Town of Bluffton~~. The Park shall be made available to the general public ~~for recreational use and access to scenic vistas and the May River~~ for recreational boating; provided, however, the Town may conduct organized events within the Park upon notice ~~to and approved by the Beaufort County Parks & Leisure Services Division.~~

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~~2.~~

3. Operation of the Park is under the supervisory authority of the ~~Beaufort County Parks & Leisure Services Division. For purposes of this Agreement, the liaison between Beaufort County and the Town is the Beaufort County Parks and Leisure Services Director or his designee.~~Town.

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4. ~~The Park shall operate as follows; provided, however,~~ This Agreement and these terms may be amended, changed, modified or altered by the ~~County~~Town if doing so, in ~~theirs~~ discretion ~~of the County~~, is in the public's best interests. Nothing in this Agreement shall operate to limit the County's authority, as owner of a public facility, to ~~operate~~limit the use of the Park in a manner ~~in which~~ it deems most beneficial to the public at large.

a. Hours of Operation: The Park shall be open to the general public daily, during daylight hours, and at such other times as may be approved by the ~~Beaufort County Parks and Leisure Services Department~~Town as provided herein. The boat ramp shall be open for use by the general public daily, twenty-four (24) hours a day.

b. Special Events: A special event means the congregation of persons on the Park premises, at a function hosted or approved by the ~~County or the~~ Town, and where food, beverages, events, entertainment, or a concert are provided. ~~The County~~

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~~b-c. Process of Handling of Special Events: Special Events at the Park will be procedurally and Town may host, directly, a substantively handled like all other special event or the County or the Town may sponsor a third party to conduct a special event. A special event may be an event to which the general public is invited or an event to which admission is limited to a specified group to the exclusion of the general public during the duration of the event. Special events may be fee based or non-fee based. Fees may include fees for admission and charges for food, beverages, entertainment, and other vendors typical of such events. All fee based special events shall be for a public or charitable purpose as provided herein. These special event provisions shall be construed to secure the beneficial use of the Park for the general public and invitees and to secure the public's or the invitee's safety, health and general welfare by assuring the structural strength and stability of any temporary structures erected for use at a special event, and secure sanitation and safety to life and property from fire and other hazards incidental to the congregation of persons at an outdoor public assembly at a special event in the Town.~~

~~a. Scheduling: A special event shall be scheduled as follows:~~

~~i. The County or the Town must write the Beaufort County Parks and Leisure Services Director to request approval to schedule a special event to be hosted by the County or the Town. When the County or the Town intends to sponsor a third party to conduct a special event, the request must be made by the County or the Town. The request must include the information provided below.~~

~~ii. All special events must obtain prior written approval from the Beaufort County Parks and Leisure Services Department Director or his designee.~~

~~iii. The request to schedule a special event must include: (a) the proposed date, (b) time, (c) duration of the special event, (d) description of the special event and purpose of the event, (e) the amount of an admission fee, if any, (f) the amount charged for food, beverage and entertainment, if any, (g) whether the event is open to the general public or a named, specified group, and (h) when the County or the Town is sponsoring a third party, the third party's owner, authorized agent, promoter or individual which desires to be sponsored to host a special event must be included along with the event organizer's address and telephone number and a contact name and telephone number.~~

~~iv. The Beaufort County Parks and Leisure Services Director~~

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~~shall notify the Town, in writing, of the disposition of the request. The County and the Town recognize that the Park is committed to use by the general public. The County and the Town agree exclusion of the general public to access and free use of the Park should be an exception rather than the rule and special events shall be approved based on frequency, time, the nature of the event and the imposition of fees, if any.~~

~~e.d. Disposition of Fees from Special Events: The gross receipts from Special Events shall inure to the benefit of the Park unless prior approval has been given to host a Special Event as a "fund-raiser" for a public or charitable purpose. Other than permitted public purpose or charitable "fund-raisers," the gross receipts from Special Events shall be remitted to the Beaufort County Parks & Leisure Services Director within thirty days of the conclusion of the special event. In return, the Beaufort County Parks & Leisure Services Director shall notify the Town of Bluffton of such remittances.~~ Special Event funds shall be expended solely for the general upkeep, maintenance and improvement of the Park and Park facilities.

~~b. General Provisions for Special Events:~~

~~i. The approval to conduct a special event shall expire at the conclusion of the special event or at midnight on the day of the special event, whichever comes first. Special events may be held for more than one day if prior approval is granted and in that event, the approval shall expire at midnight on the last day of the special event.~~

~~ii. Temporary Structures: The erection of all temporary structures intended for use at a special event shall be inspected and approved by a Beaufort County Building Codes Officer prior to the day of the event. A temporary structure includes a tent, all similar temporary structures and all temporary seating, platforms and the like. If the Building Codes Officer finds the temporary structure or the construction thereof is, in his or her opinion, unsafe, then he or she shall notify the Beaufort County Parks and Leisure Services Department Director or his designee and the contact person for the special event. The Building Codes Officer shall notify the County, the Town or the third party of the corrections to be made. The Building Codes Officer shall again inspect the work or apparatus. No temporary structures may be used at a special event without approval of the Beaufort County Building Codes Official. Tents shall not be located in areas where underbrush, grass or other products~~

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~~of combustion exist in substantial amounts. The grounds within and adjacent to tents may be cleared, with prior approval of the Beaufort County Parks and Leisure Services Department Director or his designee, of all such materials or similar fire hazards. No tent shall be erected closer than fifty feet to a public right of way or be situated in such a manner that it could create a traffic hazard. No tent shall be erected within 100 feet of an open flame cooking source, i.e., an oyster roast it and similar outdoor cooking facilities.~~

~~iii. Security and Safety. Prior to the issuance of any approval to conduct a special event, the host shall arrange for a minimum of two paid law enforcement officers for every anticipated 500 persons in attendance. The law enforcement officers are to be paid by the host of the event. The host shall provide written advance notice to the Beaufort County Emergency Management Officer and the Town of Bluffton Police Department of the location and time of the event. An unobstructed path of travel for access and egress to the Park shall be maintained at all times during the special event for the use of emergency vehicles.~~

~~iv. Sanitation Toilet facilities. The Park shall have two toilet facilities, one for men and one for women. If attendance is anticipated to exceed an average daily attendance in excess of two hundred and fifty (250) people, the Beaufort County Parks and Leisure Services Director may require that the host provide additional portable toilets.~~

~~v. Solid waste disposal and recycling of oyster shells. All solid waste and litter shall be removed from the Park immediately following the special event. All oyster shells shall be removed to an approved oyster shell recycling site.~~

~~vi. Parking spaces for vehicles. Parking is available on the Park premises. The host of a special event shall ensure that adequate parking space for anticipated attendance is available within the Park premises or obtain permission for alternate site parking. Parking along the shoulder of the Park's entry road or frontage road is prohibited unless prior special permission is obtained from the Town of Bluffton. Parking in any major thoroughfare and in any manner that would create a traffic hazard shall be prohibited.~~

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~~vii. Discharge of Fireworks. Discharging fireworks on the Park premises shall be prohibited except by prior written approval by the County Administrator. Approval must be obtained twenty four hours in advance of planned fireworks display.~~

~~viii. Other than approved, special events, the Park shall remain free for use by the general public. Neither the County nor the Town may charge Park users for use of the Park unless the charge is associated with a special event previously approved by the County.~~

5. Public Beach. To the extent that the sandy area lying in and adjacent to the boat ramp in the Park premises may be used as a public beach, the County and Town agree to enforce the following restrictions. Driving or operating any motor vehicle on the public beach other than in the designated areas for purposes of launching a boat is prohibited. Using a surfboard or a motorized device including a personal watercraft in the area of the beach and in any manner as to become a hazard to bathers, swimmers, boaters or others shall be prohibited. Glass bottles, drinking glasses or other glass containers shall be prohibited on the beach.
6. Use of Alcoholic Beverages. County owned recreation facilities are publicly funded and for the purpose of carrying on leisure, recreation and sporting events. ~~It is the policy of the County and As such,~~ the Town ~~to shall~~ regulate the Park in a manner that shall provide for the greatest public use. Alcoholic beverages may be permitted for family outings, social events, fund raising events and special events provided that its use is not in conflict with any other County or Town ordinance or state law.
7. The Town shall regulate parking within the Park and restrict boat and boat trailer parking to the area designated for such purpose.
8. ~~The County shall Town~~ maintain the boat ramp in ~~its current configuration and in a~~ condition suitable for recreation boating.
9. ~~The County shall notify the Town of the date the Park is open for public use. After the Park is opened for public use, the Town shall provide at least two (2) refuse containers on the Park property outside of the Operations Zone. Thereafter, the Town shall provide, at~~ The Town shall provide, at least weekly, regular refuse, litter and garbage pick-up free of charge to the County, in all the Park areas exclusive of the Operations Zone. Additionally, the Town shall be responsible for providing all maintenance and cleaning of the restroom facilities located at the Park.
10. The County and the Town shall notify their respective property and liability insurers, which provide the County and the Town general liability insurance now and in the future of ~~this joint~~ the modifications to the initial undertaking. ~~The County~~ As the party responsible for the operation, maintenance, use and condition of the Park and all related facilities, the Town ~~expressly agree to share equally in~~ agrees to

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be the primary responsible party for any and all liability resulting from the use of the Park ~~and that same shall be shared equally~~ to the extent that immunity has been waived ~~by the under~~ State of South Carolina law.

11. Capital Improvements, including demolition, shall be jointly reviewed by the County and the Town. The Town shall advise the County of Town zoning and land use regulations which may apply to the subject property. Such improvements shall conform to Town regulations. In the event that a variance(s) are required, such variance shall not be unreasonably withheld. The Concept plan dated November 2002 ~~(Exhibit B)~~ shall serve as an initial and general guide concerning capital improvements. The Town shall be responsible for updating the Concept plan as necessary. Upon approval, the updated Concept plan shall replace the Concept plan dated November 2002 as Exhibit B of this Agreement. Initial capital improvements consisting of sanitary facilities shall be the responsibility of the County. Thereafter, the County and The Town shall jointly fund/manage all capital improvements ~~on such terms and conditions as both parties mutually. The Town and County agree to cooperate to secure funds for capital improvement from any available source.~~ Funds collected ~~by from grants and/or~~ non-profit/private entities for ~~this purpose capital improvements~~ may be accepted on terms ~~agreed upon by acceptable to~~ the ~~County and~~ Town.
12. The County and the Town acknowledge the presence of a structure on the southwest side of the Park with potentially historic significance. Any improvements or disposition of the structure shall conform to the Town's Historic Preservation Commission guidelines.
13. Signage and associated lighting shall be mutually agreed on by the County and the Town. Design of the signage shall be guided by the Town's sign ordinance.
14. The Town shall provide law enforcement with back up by the County Sheriff's office, as required.
15. It is agreed that either of the parties shall have the right and privilege of terminating this Agreement at any time upon giving one (1) months notice, in writing, to the other party of its intention to do so, and in the event this Agreement is terminated, then all rights and interests of the parties shall cease, and any permanent building or improvements erected by Town shall then be, and become the property of the County.

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Notice shall be provided as follows:

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For the Town: _____ For the County:
Town Manager _____ County Administrator
P.O. Box 386 _____ P.O. Drawer 1228
Bluffton, SC 29910 _____ Beaufort, SC 29901-1228

~~The laws of the State of South Carolina shall govern this Agreement.~~

IN WITNESS WHEREOF, the parties have ~~set~~ caused this Agreement to be executed by
their ~~hands and seals~~ duly appointed officers this day and year as aforewritten.

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WITNESSES:

BEAUFORT COUNTY COUNCIL

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By: _____

Its: _____

WITNESSES:

By: _____

Gary Kubic
County Administrator

TOWN OF BLUFFTON

By: _____

Its: _____

By: _____

Marc Orlando

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Town Manager

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Factory Park.docx

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- ENTRY:**
- SIGNAGE
 - LANDSCAPE
 - LIGHTING
- PARKING AREA:**
- 52 CAR SPACES
 - 6/12 FLEX SPACES
 - 26 BOAT TRAILER SPACES
 - BIKE & CART PARKING
 - MAXIMIZE PERVIOUS SURFACES
 - CONNECT TO ALL PATHWAYS
 - ACCESS FROM BRIDGE & WHARF
 - PRESERVE TREE CANOPY
 - NATURAL LANDSCAPE BUFFER MAINTAINED FOR SECURITY
 - AREA SECURITY LIGHTING
 - WAYFINDING/ INFO SIGNAGE

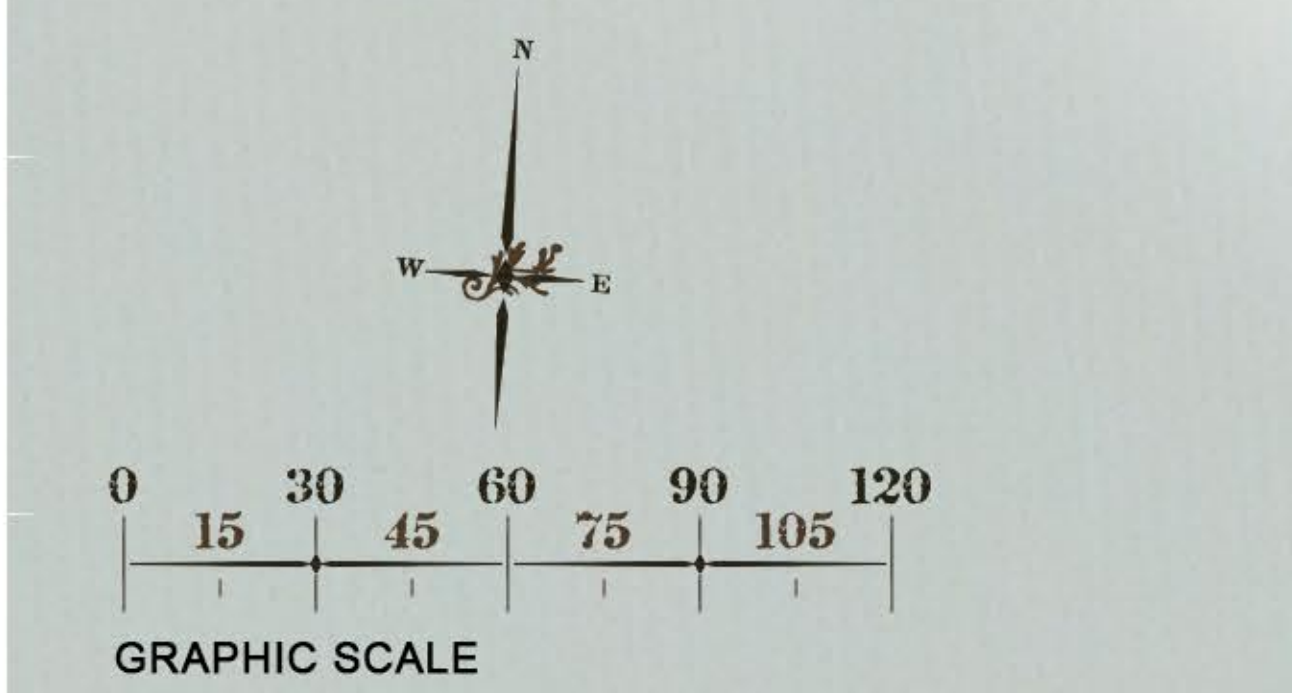
- PERIMETER PATHWAYS:**
- ENTRANCE FROM BRIDGE STREET
 - WAYFINDING SIGNAGE
 - BOLLARD PATH LIGHTING
 - PERIMETER BUFFER PLANTINGS
 - ACCESS TO BIKE/ CART PARKING
 - DEFINES PARK AREAS
 - ACCESS TO ALL AREAS
 - RIVER VIEW/ ACCESS TO RIVER
 - +/-1/2 MILE LOOP

- BREEZE PATHWAY:**
- CONNECT PARKING TO WATERFRONT
 - SEPARATE AUTO TRAFFIC
 - BOLLARD PATH LIGHTING
 - ACCESS TO BIKE/ CART PARKING
 - CONTROL GATEWAY TO EVENT SPACES
 - VIEWS OF SPECIMEN TREES

- GARVIN BLUFF:**
- HISTORIC GARVIN HOUSE
 - INTERPRETIVE GARVIN HOUSE SIGNAGE
 - MULTIPURPOSE LAWN SPACE
 - HISTORIC HOME LANDSCAPE
 - RIVER OVERLOOK
 - AESTHETIC LIGHTING
 - BENCHES AND TRELLIS SWINGS

- NATURAL BLUFF:**
- INTERPRETIVE ENVIRONMENTAL SIGNAGE
 - RENATURALIZE SLOPE
 - RESTORE/ REPLACE STAIR TO "BEACH"
 - MAINTAIN VIEW CORRIDORS TO RIVER
 - DEFINE BLUFF WITH LOW NATIVE PLANTINGS
 - POTENTIAL TREEHOUSE LOCATION

- THE LANDING:**
- DOUBLE BOAT LAUNCH
 - KAYAK LAUNCH
 - "BEACH" ACCESS
 - FLOATING CONVENIENCE DOCK



- WHARF WALK:**
- BULKHEAD & BOARDWALK WITH RAILINGS & LIGHTING
 - ACCESSIBLE RIVER EXPERIENCE
 - SCREEN FACTORY OPERATIONS
 - PARKING FOR FACTORY CUSTOMERS/ OPERATIONS

- WHARF STREET:**
- LANDSCAPE SEPARATING PEDESTRIAN AND VEHICULAR TRAFFIC
 - CALM TRAFFIC AT PEDESTRIAN CROSSINGS AND ADD SIGNAGE TO THRESHOLDS INTO PARK AREAS
 - ACCESSIBLE PATH TO THE LANDING
 - STREET TREES
 - STREET LIGHTS
 - ENHANCE STORMWATER SWALE
 - ENHANCE MAIN ENTRANCE & WAYFINDING SIGNAGE
 - CONNECT TO PARKING AREAS AND ALL PATHWAYS

- ENTRY:**
- SIGNAGE
 - LANDSCAPE
 - LIGHTING

- COLCOCK / TEEL PROPERTY:**
- HISTORIC LANDSCAPE
 - BHPS HEADQUARTERS
 - SHARED EVENT SPACE/ PARKING

- URBAN FOREST/POTENTIAL PARKING EXPANSION:**
- MARITIME FOREST RESTORATION
 - ERADICATE INVASIVE PLANTS
 - MULCH PATHWAYS
 - PATHWAY LIGHTING
 - INTERPRETIVE EDUCATIONAL SIGNAGE
 - PEDESTRIAN CONNECTION TO HISTORIC TEEL PROPERTY

- KIDS PLAY AREA:**
- INFORMAL
 - SWINGS
 - POTENTIAL TREEHOUSE LOCATION
 - LOCATED NORTH OF PAVILION

- FACTORY BLUFF:**
- RESTROOMS
 - PAVILION/ SHELTER
 - INFORMAL PLAY
 - PERMANENT STAGE
 - OYSTER TABLES
 - VEHICULAR SERVICE ACCESS
 - FIRE PIT
 - AESTHETIC LIGHTING IN TREES

- CRABBING & FISHING DOCK
- SHELL "BEACH" ACCESS

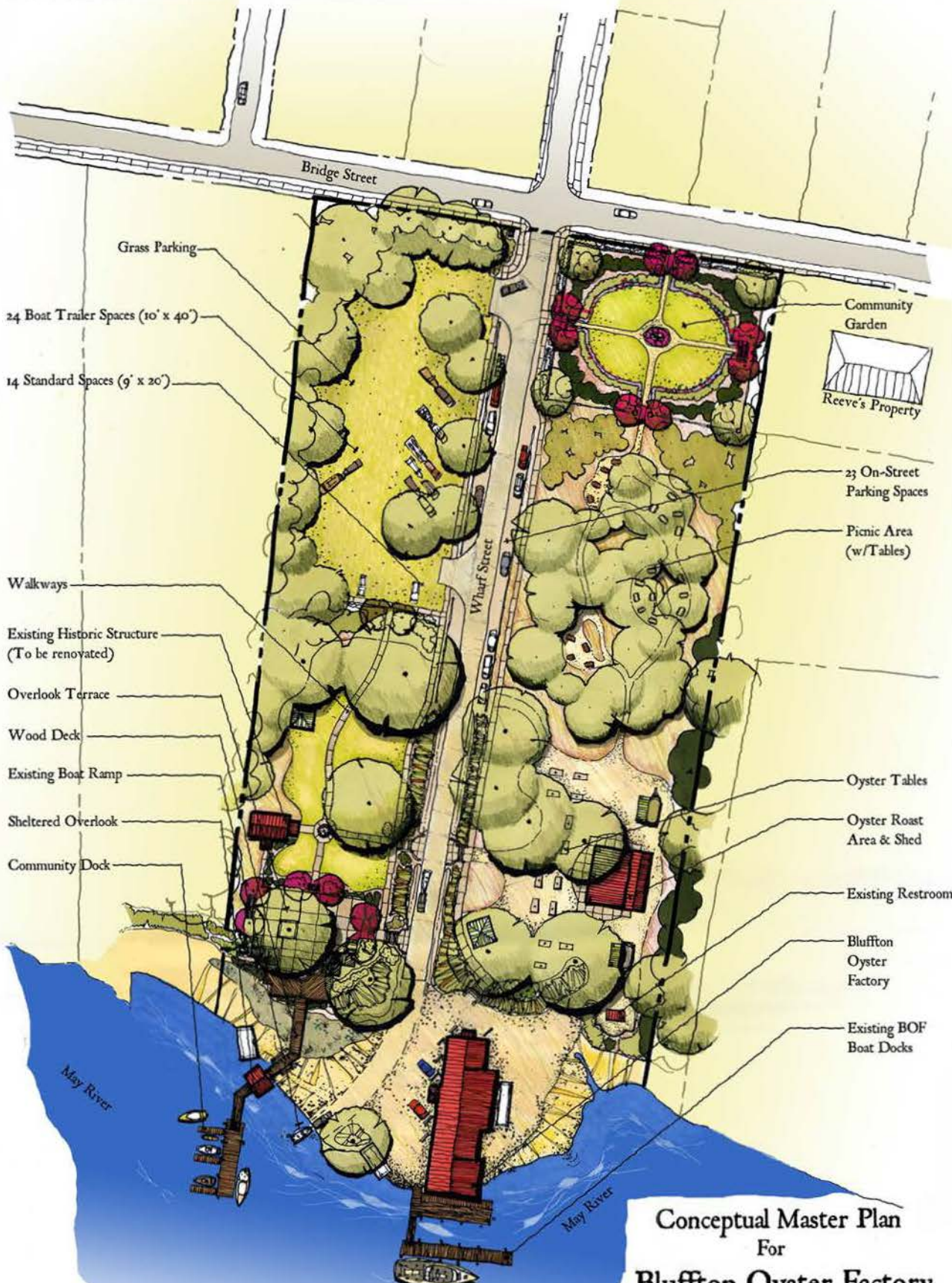
BLUFFTON OYSTER FACTORY & BOAT DOCKS

MAY RIVER

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Exhibit B



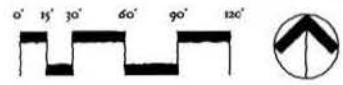
Grass Parking
 24 Boat Trailer Spaces (10' x 40')
 14 Standard Spaces (9' x 20')

Walkways
 Existing Historic Structure
 (To be renovated)
 Overlook Terrace
 Wood Deck
 Existing Boat Ramp
 Sheltered Overlook
 Community Dock

Community Garden
 Reeve's Property

23 On-Street
 Parking Spaces
 Picnic Area
 (w/Tables)

Oyster Tables
 Oyster Roast
 Area & Shed
 Existing Restroom
 Bluffton
 Oyster
 Factory
 Existing BOF
 Boat Docks



Conceptual Master Plan For Bluffton Oyster Factory

Town of Bluffton
 November 12, 2002



1000 North... (small text)

use of the Calhoun Street Dock to the extent that immunity has been waived by the State of South Carolina.

6. Capital Improvements including renovation and/or expansion shall be jointly reviewed by the County and the Town. The Town shall advise the County of Town zoning and land use regulations which may apply to the subject property. Such improvements shall conform to Town regulations. In the event that a variance(s) are required, such variance shall not be unreasonably withheld. The Town shall manage all capital improvements. The Town and County shall cooperate to secure for capital improvements from any available source. Funds collected from grants and/or private entities for this purpose may be accepted on terms acceptable to the Town.
7. Signage and associated lighting shall be mutually agreed on by the County and the Town. Design of the signage shall be guided by the Town's sign ordinance.
8. The Town shall provide law enforcement with back up by the County Sheriff's Office, as required.
9. It is agreed that either of the parties shall have the right and privilege to terminating this agreement at any time upon giving three (3) months' notice, in writing, to the other party of its intention to do so, and in the event this Agreement is terminated, then all rights and interest of the parties shall cease, and any permanent building or improvements erected by Town shall then be, and become the property of the County.

Notice shall be provided as follows:

For the Town:
Town Manager
P.O. Box 386
Bluffton, SC 29910

For the County:
County Administrator
P.O. Drawer 1228
Beaufort, SC 29901-1228

The laws of the State of South Carolina shall govern this Agreement.

IN WITNESS WHEREOF, the parties have caused this memorandum of understanding to be executed by their duly appointed officers this day and year as aforewritten.

BEAUFORT COUNTY COUNCIL

By: _____
Gary Kubic
County Administrator

TOWN OF BLUFFTON

By: _____
Marc Orlando
Town Manager

F:\CLIENT\B\BLUFFTON\CALHOUN STREET DOCK\AGREEMENTS\AGREEMENT BETWEEN BEAUFORT COUNTY AND TOWN.DOCX

DRAFT



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*
Thomas Keaveny, County Attorney *OK*

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

SUBJ: **Right-Of-Way Exchange for Beach Road, Daufuskie Island**

DATE: August 10, 2015

BACKGROUND. Beach Road is a 1.1 mile dirt road located near the southern end of Daufuskie Island. It has been maintained by the Public Works Department for well over twenty years.

Since February 2015, County Engineering staff have been working to acquire a County-owned 50' right-of-way for Beach Road. To date, 12 of 20 property owners have conveyed right-of-way to the County. One of the parcels from which right-of-way was not received is R800 027 000 0020 0000. This property recently changed hands. The new owner, J & W Corporation of Greenwood SC, would like to grant the requested Beach Road right-of-way in exchange for a 0.17 acre right-of-way that the previous owner had granted to the County in 2003.

Staff recommends that the exchange be made because (1) the 0.17 acre right-of-way was acquired for only \$1.00, (2) the right-of-way is no longer needed, and (3) the exchange would save the expenses associated with right of way condemnation for Beach Road.

FOR ACTION. Public Facilities Committee on August 17, 2015.

RECOMMENDATION. The Public Facilities Committee approve and recommend to County Council the exchange of rights-of-way as outlined above.

JRM/EWK/mjh

Attachments: 1) Location Map
2) Qualey Law 7/24/15 Email
3) Engineering Drawing

Roads/ROW/BeachRdExchange

Beach Rd. R/W Exchange

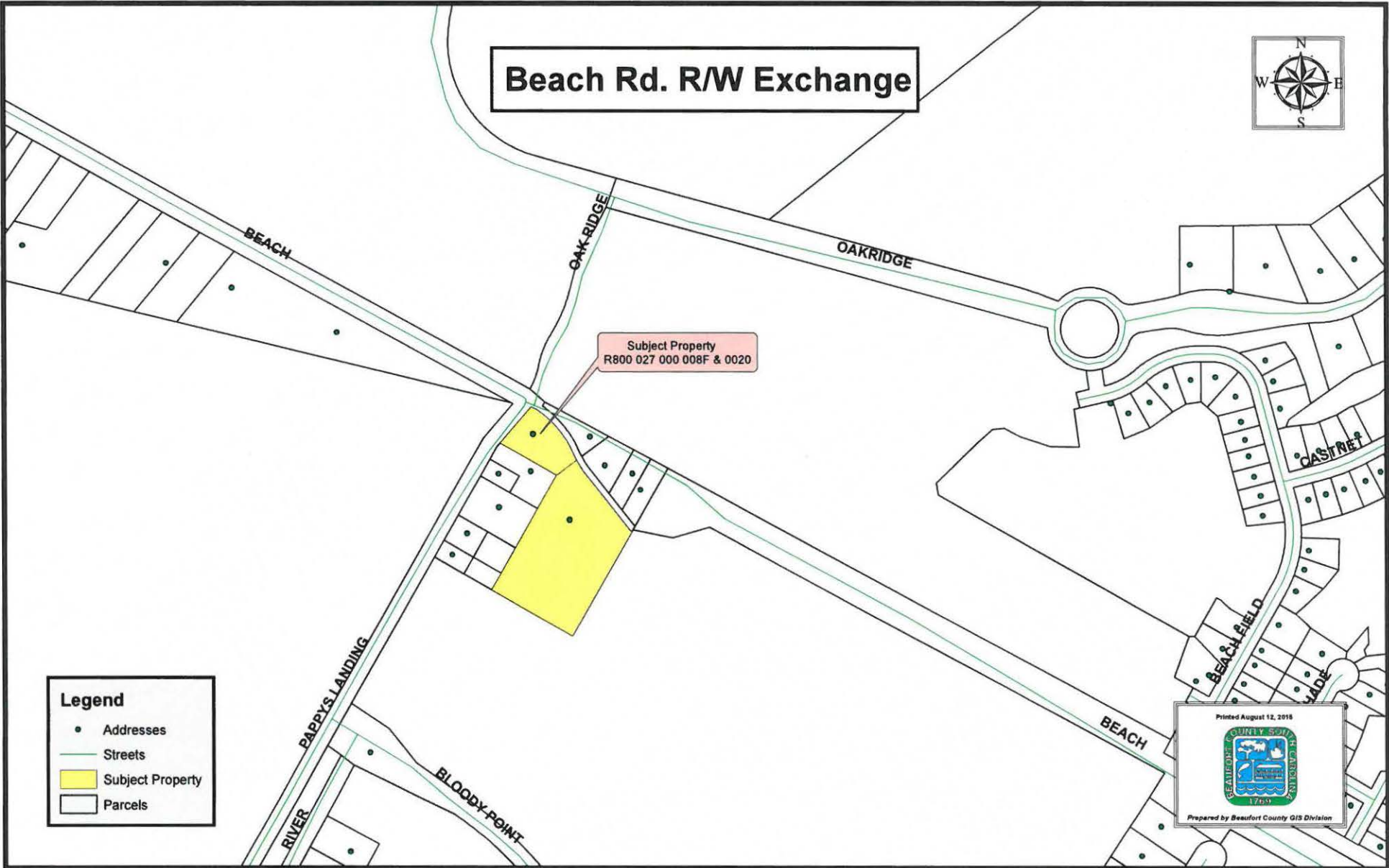


Subject Property
R800 027 000 008F & 0020

- Legend**
- Addresses
 - Streets
 - Subject Property
 - Parcels

Printed August 12, 2018

Prepared by Beaufort County GIS Division



Klatt, Eric

From: Jack Qualey <jack.qualey@qualeylaw.com>
Sent: Friday, July 24, 2015 1:32 PM
To: Klatt, Eric
Cc: Tom Taylor
Subject: Yocius Property on Daufuskie Island near Bloody Point
Attachments: Road Right of Way to Beaufort County RB 1807 pg 405.pdf; 54952B Dau LightHouse-sent-072415-1.pdf

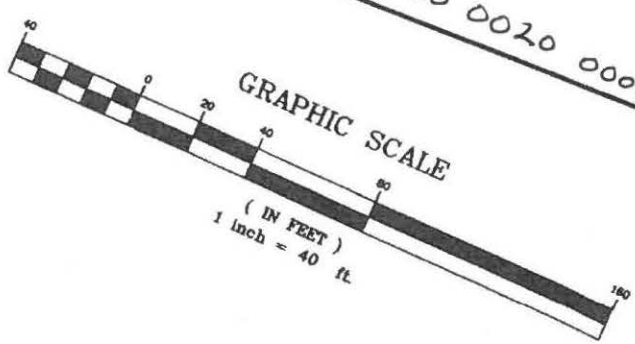
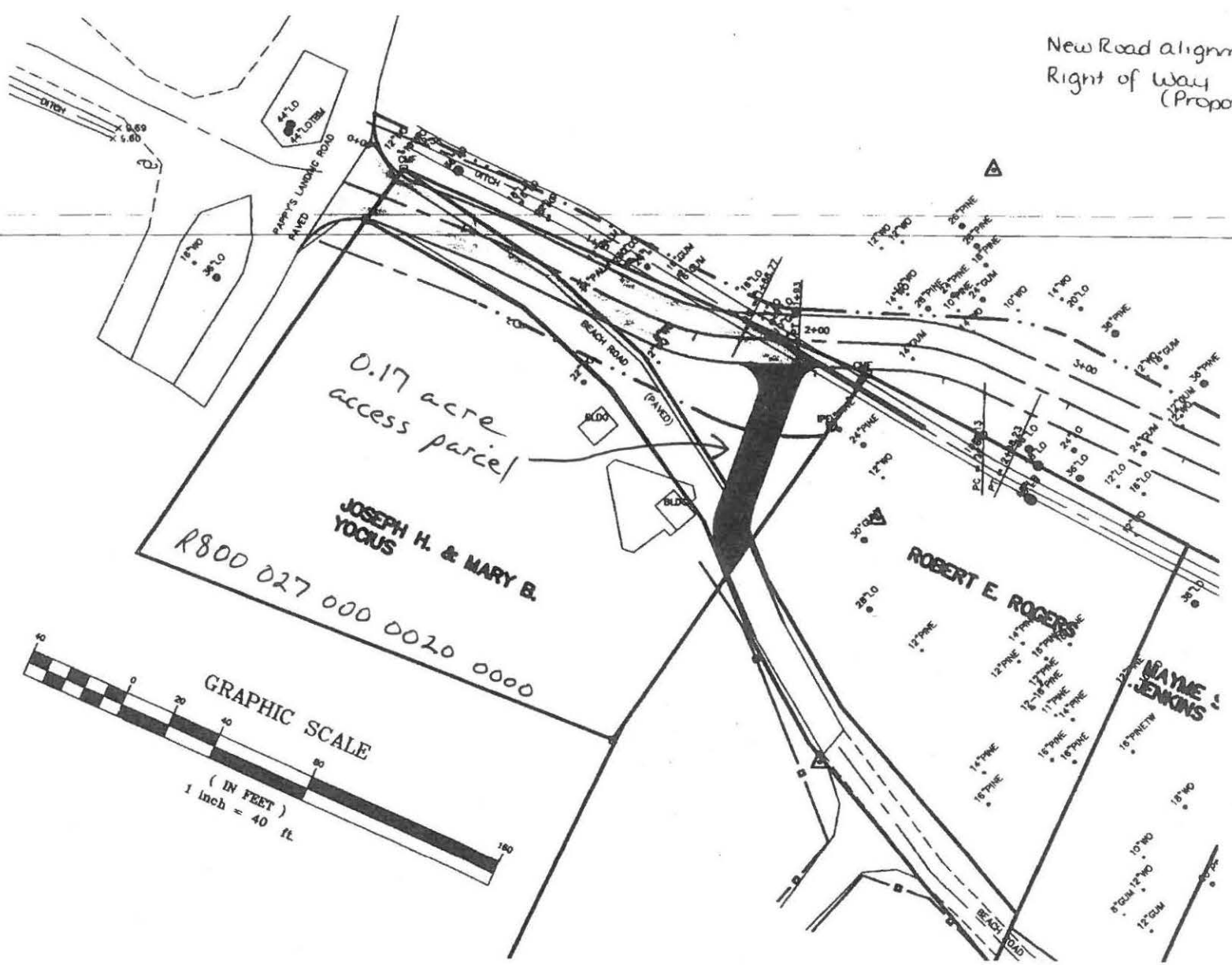
Eric: I understand that Mike Dunigan of Coastal Surveying discussed this road right of way with you today, which I suggested he do in connection with his survey of the Yocius property. The attached Deed conveys a .17 acre right of way to the County, which was presumably to make sure access was provided to the Bloody Point Lighthouse property, which otherwise would have been eliminated by the relocation of the road right of way. However, Joe and Mary Yocius now own both of the parcels in question, as shown on the attached preliminary plat by Coastal Surveying, so there is no need for the .17 acre access road right of way to the Lighthouse Parcel. Accordingly, I am contacting you to see if the County would convey this small parcel to Mr. and Mrs. Yocius or to my client (J & W Corporation of Greenwood) which is buying their two parcels at the end of the month.

Let me know what your thoughts are about this proposal and what would need to be done in order to make this happen.

Thanks and best regards,

Jack Qualey
384-5225 cell
785-3525 office

New Road alignment
Right of Way
(Proposed)





**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY TRAFFIC & TRANSPORTATION
ENGINEERING DEPARTMENT**

**113 Industrial Village Road, 29906
Post Office Drawer 1228, Beaufort, SC 29901-1228
Telephone: 843-255-2940 Fax: (843) 522-0520**

TO: Councilman Gerald Dawson, Chairman, Public Facilities Committee

VIA: Gary Kubic, County Administrator *GKubic*
Josh Gruber, Deputy County Administrator *JG*
Tom Keaveny, County Attorney *TK*

FROM: S. Colin Kinton, PE, Transportation Director *SK*

SUBJ: **Resolution Identifying the Direct Recipient for MPO Public Transportation Funds**

DATE: August 11, 2015

BACKGROUND: With the 2010 census results, the Bureau of the Census designated the Town of Hilton Head Island, the Town of Bluffton, and portions of southern Beaufort County to be in an 'Urbanized Area' because their combined population (68,998) is now over 50,000. This required the creation of a Metropolitan Planning Organization (MPO) to carry out a transportation planning process on a regional basis. The municipalities of Beaufort, Port Royal, Hardeeville, Bluffton, and Hilton Head Island, and both Jasper and Beaufort County were asked to join the new MPO. All governmental agencies approved a resolution defining the MPO boundaries, identifying Policy Board membership, designating a portion of local matching funds, delegating the lead agency to the Lowcountry Council of Governments, and naming the MPO organization as the Lowcountry Area Transportation Study (LATS).

In February 2013, the Governor officially created LATS as the newest of eleven MPOs in South Carolina. Meetings with the Policy Board have occurred in the year to review and approve By-Laws, establish the Technical Committee, and undergo the process of drafting the transportation plans and programs required by Federal law.

To complete this endeavor, a Direct Recipient must be designated to apply for available Federal monies for urban public transit projects. The Lowcountry Regional Transit Authority (known as Palmetto Breeze) serves our LATS, and is qualified to be the designated Direct Recipient of such Federal funds.

SUMMARY: To receive Federal monies for public transportation, each participating local government in the urbanized area and the Policy Board of the Metropolitan Planning Organization must designate a transportation entity to apply for and receive Federal monies to be used by their organization to promote regional transportation.

FOR ACTION: Public Facilities Committee meeting occurring August 17, 2015.

RECOMMENDATION: Approve the enclosed Resolution which designates the LRTA Executive Director to have the ability to apply for Federal transportation funds for the Metropolitan Planning Organization known as the Lowcountry Area Transportation Study-- LATS.

Attachment: Resolution

cc: Monica Spells, Assistant County Administrator, Civic Engagement
Alicia Holland, Assistant County Administrator for Finance

RESOLUTION 2015 /

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53; TITLE 23, UNITED STATES CODE, OR OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

WHEREAS, in March 2012, the Bureau of the Census defined a new Urbanized Area, based on the 2010 Census, when the combined population of the Town of Hilton Head Island, the Town of Bluffton, and parts of unincorporated Beaufort County reached over 50,000; and

WHEREAS, 23 CFR Section 450.310(a) requires that a Metropolitan Planning Organization (MPO) be designated for each Urbanized Area with a population of more than 50,000 individuals as determined by the Bureau of the Census; and

WHEREAS, the purpose of the MPO is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process; and

WHEREAS, in August 2012, the Beaufort County Council previously adopted a Resolution providing for the approval of geographical boundaries and policy board membership to the Metropolitan Planning Organization, known as the Lowcountry Area Transportation Study (LATS); and

WHEREAS, the Federal Transit Administrator has been delegated authority to award Federal financial assistance for a transportation project to MPOs; and

WHEREAS, a direct recipient must be so designated by the LATS Policy Board and each participating local government in the urbanized area to act as the Applicant for financial assistance in public transportation projects; and

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost; and

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

NOW, THEREFORE, BE IT, AND IT HEREBY IS RESOLVED by the County Council of Beaufort County that:

1. The Executive Director of the Lowcountry Regional Transit Authority (LRTA) is authorized to execute and file an application for Federal assistance on behalf of LRTA/Palmetto Breeze for the LATS; and

2. The Executive Director of LRTA is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement; and
3. The Executive Director of LRTA is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the LRTA/Palmetto Breeze for the LATS.

Dated this _____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas Keaveny, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A QUIT CLAIM DEED FOR THE MARY FIELDS SCHOOL AND ASSOCIATED PROPERTY ON DAUFUSKIE ISLAND TO THE FIRST UNION AFRICAN BAPTIST CHURCH

WHEREAS, Beaufort County is not the owner of record of real property located on Daufuskie Island, Beaufort County, South Carolina described with more specify as all that certain piece, parcel or tract of land, with improvement thereon, situate, lying and being in a portion of Lot 21 Maryfield Plantation and being shown more particularly shown designated as “2.00 Acres including Road R/W” and “1.43 Residual Acres” on a plat prepared by Southeastern Surveying, Inc. dated October 24, 1998, and not recorded in the Office of the Register of Deeds for Beaufort County; and

WHEREAS, Beaufort County wishes to transfer any interests it has in the property to the First Union African Baptist Church subject to any applicable restrictions, reservations, zoning ordinances or easements that may appear of record in the Office of the Register of Deeds for Beaufort County, South Carolina; and

WHEREAS, Beaufort County Council has determined that it is in the best interests of the citizens of Beaufort County to authorize the County Administrator to execute a quit claim deed as to the above-described 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 County Administrator is authorized to execute a quit claim deed for the Mary Fields School and associated property on Daufuskie Island to the First Union African Baptist Church 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:

Second Reading:

Public Hearing:

Third and Final Reading:

Prepared Without Benefit
of Title Examination

TMP: R800 024 000 0124 0000

STATE OF SOUTH CAROLINA)	
)	QUIT-CLAIM DEED
COUNTY OF BEAUFORT)	

KNOW ALL MEN BY THESE PRESENTS, That I, the said **BEAUFORT COUNTY**, for and in consideration of the sum of TEN AND N0/100 (\$10.00) DOLLARS, and no other valuable consideration, in hand paid at and before the sealing and delivery of these presents by **FIRST UNION AFRICAN BAPTIST CHURCH** whose address is P. O. Box 7, Daufuskie Island, South Carolina 29915-0007, (the receipt whereof is hereby acknowledged) have remised, released and forever quit-claimed, and by these presents do remise, release, and forever quit-claim, subject to the easements, restrictions, reservations and conditions ("Exceptions") set forth below, unto the said **FIRST UNION AFRICAN BAPTIST CHURCH**, its successors and assigns forever, the following described property, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE**

THIS CONVEYANCE is made subject to any applicable restrictions, reservations, zoning ordinances or easements that may appear of record in the Office of the Register of Deeds for Beaufort County, South Carolina.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said **FIRST UNION AFRICAN BAPTIST CHURCH**, its successors and assigns, forever, so that neither **BEAUFORT COUNTY**, nor its successors and/or assigns, nor any other person, claiming under it, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

Witness my hand and seal this _____ day of _____, 2015.

Signed, Sealed and Delivered
in the presence of:

BEAUFORT COUNTY

Witness

By: Gary Kubic
Its: County Administrator

Notary as Witness

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

I, _____, Notary Public for South Carolina do hereby certify that Gary Kubic, County Administrator for Beaufort County, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the _____ day of _____, 2015.

Notary Public for South Carolina
My Commission Expires: _____

EXHIBIT "A"

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being in a portion of Lot 31 Maryfield Plantation, located on Daufuskie Island, Beaufort County, South Carolina, and being more particularly shown designated as "2.00 Acres including Road R/W" and "1.43 Residual Acres" on a plat prepared by Southeastern Surveying, Inc., dated October 24, 1998, and not recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. For a more detailed description as to the courses, metes and bounds, reference is made to the aforesaid plat.

The within Quit-Claim Deed was prepared without benefit of title examination.

ORDINANCE 2015/_____

**AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA
TO AMEND ARTICLE II, SECTION 14-26, *ET SEQ.* OF THE BEAUFORT COUNTY
CODE OF LAWS TO PROHIBIT THE IMPORTATION OF EXOTIC ANIMAL
WITHIN BEAUFORT COUNTY.**

WHEREAS, Standards that are underscored shall be added text and Standards that are ~~lined through~~ shall be deleted text; and

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 allowing the population of exotic animals and potentially dangerous animals to increase in Beaufort County poses health and public safety risks; 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 health, safety and welfare of the Beaufort County citizens; and

WHEREAS, S.C. Code Ann. §4-9-25 authorizes the enactment of ordinances by County Council to address health, safety and welfare Beaufort County citizens; and

NOW, THEREFORE, BE IT ORDAINED by County Council of Beaufort County in a meeting duly assembled, for the reasons set forth above, and in the interests of public safety and welfare of the citizens of Beaufort County, the Council hereby amends the Beaufort County Code of Laws Section 14-37, to read as follows:

Section 14-37 – Importation of Exotic Animals Prohibited

- (a) 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.

- (b) 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.
- (c) Exception. This ordinance shall not apply to any entity licensed as a Class R Research Facility by the United States of America or any agency thereof pursuant to the Animal Welfare Act (7 U.S.C. 2131 et seq.)

This ordinance is effective immediately upon enactment.

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

2015 /

AN ORDINANCE TO AMEND ORDINANCE 2006/24 TO INCLUDE IN SECTION 6, PARAGRAPH B, SUBPARAGRAPH 3C, DISCOUNT TABLE FOR AFFORDABLE HOUSING OF THE DEVELOPMENT IMPACT FEE PROCEDURES ORDINANCE AS REPRESENTED ON THE DOCUMENT ATTACHED.

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:

Second Reading:

Public Hearing:

Third and Final Reading:

Discount Table for Affordable Housing: Single Family Units

Heated Area of Residence (in sq.ft.)	Discount	Percentage of Impact Fees to be Paid
Up to 800	75%	25%
801 - 1,200	50%	50%
1,201 - 1,600	25%	75%
1,601 and greater	0%	100%

Discount Table for Affordable Housing: All Other Family Units

Heated Area of Residence (in sq.ft.)	Discount	Percentage of Impact Fees to be Paid
Up to 800	75%	25%
801 - 1,000	50%	50%
1,001 - 1,200	25%	75%
1,201 and greater	0%	100%

DISCOUNT FOR AFFORDABLE HOUSING

<u>HUD Category</u>	<u>Percentage of Median Income</u>	<u>Discount</u>
Low Income	50 - 80%	30%
Very Low Income	less than 50%	60%

Formula for 80% Threshold for Low Income Sale Units:

$$\text{County Median Income} \times 0.80 \times 3$$

Formula for 50% Very Low Income Sale Units:

$$\text{County median Income} \times 0.50 \times 3$$

The discounts described above on "sale units" are intended for owner occupied units and proof that the units are for sale and intended for owner-occupancy may be required.

Discounts for affordable rental units are available to Low and Very Low Income units as certified by USHUD, the South Carolina Housing Finance Agency, or the Beaufort Housing Authority. In developments with a mix of affordable and market rate units, only certified affordable units are eligible for the discount.

2015 /

AN ORDINANCE TO AMEND THE STORMWATER MANAGEMENT UTILITY ORDINANCE AS ADOPTED AUGUST 22, 2005 TO PROVIDE FOR AMENDMENT OF THE RATE STRUCTURE, ADJUST UTILITY RATES, AND TO MODIFY CERTAIN TERMS TO ACCURATELY REFLECT ADMINISTRATION STRUCTURE

WHEREAS, Act 283 of 1975, The Home Rule Act, vested Beaufort County Council with the independent authority to control all acts and powers of local governmental authority that are not expressly prohibited by South Carolina law; and

WHEREAS, Chapter 99, Article II, "Stormwater Management Utility" was adopted on August 27, 2001 and was modified by ordinance on August 22, 2005; and

WHEREAS, Stormwater Management Utility was established for the purpose of managing, acquiring, constructing, protecting, operating, maintaining, enhancing, controlling, and regulating the use of stormwater drainage systems in the county; and

WHEREAS, to meet the increasing demands on the Stormwater Management Utility in the areas of federally mandated municipal Separate Stormsewer Systems (MS4) permitting, capital project needs, and cost of service of operations and maintenance, as well as an evolving understanding of the impacts of the urban environment on water quality, the Stormwater Management Utility finds it necessary to amend the structure in which rates are determined and adjust the rates charged to the citizens of Beaufort County to meet said demands in a fair and equitable manner; and

WHEREAS, the administrative structure of the Stormwater Management Utility needs to be amended to reflect the organization of the current administration; and

WHEREAS, Beaufort County Council believes to best provide for the health, safety, and welfare of its citizens it is appropriate to amend Chapter 99, Article II of the Beaufort County Code and to provide for additional terms to said Article; and

WHEREAS, text that is underscored shall be added text and text ~~lined through~~ shall be deleted text.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, that Chapter 99, Article II of the Beaufort County Code is hereby amended and replaced with the following:

Chapter 99 - STORMWATER MANAGEMENT UTILITY

ARTICLE I. - IN GENERAL

Secs. 99-1—99-100. - Reserved.

ARTICLE II. - STORMWATER MANAGEMENT UTILITY

Sec. 99-101. - Findings of fact.

The County Council of Beaufort County, South Carolina, makes the following findings of fact:

- (a) The professional engineering and financial analyses conducted on behalf of and submitted to the county properly assesses and defines the stormwater management problems, needs, goals, program priorities, costs of service, need for interlocal cooperation, and funding opportunities of the county.
- (b) Given the problems, needs, goals, program priorities, costs of service, needs for interlocal cooperation, and funding opportunities identified in the professional engineering and financial analyses submitted to the county, it is appropriate to authorize the establishment of a separate enterprise accounting unit which shall be dedicated specifically to the management, construction, maintenance, protection, control, regulation, use, and enhancement of stormwater systems and programs in Beaufort County in concert with other water resource management programs.
- (c) Stormwater management is applicable and needed throughout the unincorporated portions of Beaufort County, but interlocal cooperation between the county and the incorporated cities and towns within the county is also essential to the efficient provision of stormwater programs, services, systems, and facilities. Intense urban development in some portions of the county has radically altered the natural hydrology of the area and the hydraulics of stormwater systems, with many natural elements having been replaced or augmented by man-made facilities. Other areas of the county remain very rural in character, with natural stormwater systems predominating except along roads where ditches and culverts have been installed. As a result, the specific program, service, system, and facility demands differ from area to area in the county. While the county manages, operates, and improves stormwater programs, services, systems and facilities in the rural as well as urban areas, the need for improved stormwater management is greatest in the urban areas and nearby, including areas within incorporated cities and towns. Therefore, a stormwater utility service area subject to stormwater service fees should encompass, in so far as possible through interlocal agreements, the entirety of Beaufort County and the stormwater management utility service fee rate structure should reflect the amount of impervious area on individual properties and the runoff impact from water quantity and water quality.
- (d) The stormwater needs in Beaufort County include but are not limited to protecting the public health, safety, and welfare. Provision of stormwater management programs, services, systems, and facilities therefore renders and/or results in both service and benefit to individual properties, property owners, citizens, and residents of the county and to properties, property owners, citizens, and residents of the county concurrently in a variety of ways as identified in the professional engineering and financial analyses.
- (e) The service and benefit rendered or resulting from the provision of stormwater management programs, services, systems, and facilities may differ over time depending on many factors and considerations, including but not limited to location, demands and impacts imposed on the stormwater programs, systems, and facilities, and risk exposure. It is not practical to allocate the cost of the county's stormwater management programs, services, systems, and facilities in direct and precise relationship to the services or benefits rendered to or received by individual properties or persons over a brief span of time, but it is both practical and equitable to allocate the cost of stormwater management among properties and persons in proportion to the long-term demands they impose on the county's stormwater programs, services, systems, and facilities which render or result in services and benefits.

- (f) Beaufort County presently owns and operates stormwater management systems and facilities that have been developed, installed, and acquired through various mechanisms over many years. The future usefulness and value of the existing stormwater systems and facilities owned and operated by Beaufort County, and of future additions and improvements thereto, rests on the ability of the county to effectively manage, construct, protect, operate, maintain, control, regulate, use, and enhance the stormwater systems and facilities in the county, in concert with the management of other water resources in the county and in cooperation with the incorporated cities and towns. In order to do so, the county must have adequate and stable funding for its stormwater management program operating and capital investment needs.
- (g) The county council finds, concludes, and determines that a stormwater management utility provides the most practical and appropriate means of properly delivering stormwater management services and benefits throughout the county, and the most equitable means to fund stormwater services in the county through stormwater service fees and other mechanisms as described in the professional engineering and financial analyses prepared for the county.
- (h) The county council finds, concludes, and determines that a schedule of stormwater utility service fees be levied upon and collected from the owners of all lots, parcels of real estate, and buildings that discharge stormwater or subsurface waters, directly or indirectly, to the county stormwater management system and that the proceeds of such charges so derived be used for the stormwater management system.
- (i) The county council finds that adjustments and credits against stormwater utility service fees are an appropriate means to grant properties providing stormwater management program services that would otherwise be provided by the county and will afford Beaufort County cost savings. These reductions will be developed by the Beaufort County engineer Stormwater Manager and will be reviewed on an annual basis to allow for any modifications to practices required by Beaufort County.

~~The county council finds that both the total gross area and impervious area on each property are the most important factors influencing the cost of stormwater management in Beaufort County and, the runoff impact from water quantity and water quality. In determining the basis for a stormwater management utility fee, the county council finds that it is appropriate to remove the amount of land area on each property that is designated as river or marsh as these areas are vital portions of the county's stormwater management program.~~

Sec. 99-102. - Establishment of a stormwater management utility and a utility enterprise fund.

There is hereby established within the Public Works Department Environmental Engineering Division of Beaufort County a stormwater management utility for the purpose of conducting the county's stormwater management program. The county administrator shall establish and maintain a stormwater management utility enterprise fund in the county budget and accounting system, which shall be and remain separate from other funds. All revenues of the utility shall be placed into the stormwater management utility enterprise fund and all expenses of the utility shall be paid from the fund, except that other revenues, receipts, and resources not accounted for in the stormwater management utility enterprise fund may be applied to stormwater management programs, services, systems, and facilities as deemed appropriate by the Beaufort County Council. The county administrator may designate within the stormwater management utility enterprise fund such sub-units as necessary for the purpose of accounting for the geographical generation of revenues and allocation of

expenditures pursuant to interlocal governmental agreements with the cities and towns of Beaufort County.

Sec. 99-103. - Purpose and responsibility of the utility.

The Beaufort County Stormwater Management Utility is established for the purpose of managing, acquiring, constructing, protecting, operating, maintaining, enhancing, controlling, and regulating the use of stormwater drainage systems in the county. The utility shall, on behalf of the county and the citizens of the county: administer the stormwater management program; perform studies and analyses as required; collect service fees; system development fees, in-lieu of construction fees and other funding as allowed by law, and obtain and administer grants and loans as authorized by the county council; prepare capital improvement plans and designs; perform routine maintenance and remedial repair of the stormwater systems; acquire, construct, and improve stormwater systems; acquire necessary lands, easements, rights-of-way, rights-of-entry and use, and other means of access to properties to perform its duties; regulate the on-site control, conveyance, and discharge of stormwater from properties; obtain federal and state permits required to carry out its purpose; enter into operating agreements with other agencies; allocate funds pursuant to interlocal governmental agreements; educate and inform the public about stormwater management; and perform, without limitation except by law, any stormwater management functions and activities necessary to ensure the public safety, protect private and public properties and habitat, and enhance the natural environment and waters of the county.

Sec. 99-104. - Limitation of scope of responsibility.

The purpose and responsibility of the stormwater management utility shall be limited by the following legal and practical considerations.

- (a) Beaufort County owns or has legal access for purposes of operation, maintenance, and improvement only to those stormwater systems and facilities which:
 - (1) Are located within public streets, other rights-of-way, and easements;
 - (2) Are subject to easements, rights-of-entry, rights-of-access, rights-of-use, or other permanent provisions for adequate access for operation, maintenance, monitoring, and/or improvement of systems and facilities; or
 - (3) Are located on public lands to which the county has adequate access for operation, maintenance, and/or improvement of systems and facilities.
- (b) Operation, maintenance, and/or improvement of stormwater systems and facilities which are located on private property or public property not owned by Beaufort County and for which there has been no public dedication of such systems and facilities for operation, maintenance, monitoring, and/or improvement of the systems and facilities shall be and remain the legal responsibility of the property owner, except as that responsibility may be otherwise affected by the laws of the State of South Carolina and the United States of America.
- (c) It is the express intent of this article to protect the public health, safety, and welfare of all properties and persons in general, but not to create any special duty or relationship with any individual person or to any specific property within or outside the boundaries of the county. Beaufort County expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the county, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may now exist or hereafter be created.

- (d) To the extent any permit, plan approval, inspection or similar act is required by the county as a condition precedent to any activity or change upon property not owned by the county, pursuant to this or any other regulatory ordinance, regulation, or rule of the county or under federal or state law, the issuance of such permit, plan approval, or inspection shall not be deemed to constitute a warranty, express or implied, nor shall it afford the basis for any action, including any action based on failure to permit or negligent issuance of a permit, seeking the imposition of money damages against the county, its officers, employees, or agents.

Sec. 99-105. - Boundaries and jurisdiction.

The boundaries and jurisdiction of the stormwater management utility shall encompass all those portions of unincorporated Beaufort County, as they may exist from time to time and such additional areas lying inside the corporate limits of those cities and towns in Beaufort County as shall be subject to interlocal agreements for stormwater management as approved by county council and participating municipal councils.

Sec. 99-106. - Definitions.

Unless the context specifically indicates otherwise, the meaning of words and terms used in this article shall be as set forth in S.C. Code § 48-14-20, and 26 S.C. Code Regulation 72-301, mutatis mutandis.

Abatement. Any action deemed necessary by the county or its officers or agents to remedy, correct, control, or eliminate a condition within, associated with, or impacting a stormwater drainage system or the water quality of receiving waters shall be deemed an abatement action.

Adjustments. Adjustments shall mean a change in the amount of a stormwater service fee predicated upon the determination reached by the ~~Beaufort County engineer~~ Stormwater Manager and referenced to the Adjustments and Credit Manual.

Bill Class. Every property falls into one of several bill classes. The bill class determines the fee calculation of that property.

Countywide Infrastructure Operation and Maintenance and Capital Projects. The County maintains some typically larger infrastructure within each of the four municipalities in addition to within the unincorporated area. The rate structure will allocate the costs for the County to maintain just the countywide drainage infrastructure across the entire rate base in all jurisdictions based on infrastructure linear feet per jurisdiction.

Customers of the stormwater management utility. Customers of the stormwater management utility shall be broadly defined to include all persons, properties, and entities served by and/or benefiting, directly and indirectly, from the utility's acquisition, management, construction, improvement, operation, maintenance, extension, and enhancement of the stormwater management programs, services, systems, and facilities in the county, and by its control and regulation of public and private stormwater systems, facilities, and activities related thereto.

Developed land. Developed land shall mean property altered from its natural state by construction or installation of improvements such as buildings, structures, or other impervious surfaces, or by other alteration of the property that results in a meaningful change in the hydrology of the property during and following rainfall events.

Exemption. Exemption shall mean not applying to or removing the application of the stormwater management utility service fee from a property. No permanent exemption shall be granted based on taxable or non-taxable status or economic status of the property owner.

Fixed costs. Costs associated with the public service provided equally to each property owner. These costs include, but are not limited to the following: billing and collections, data management and updating, programming, and customer support.

Gross Area. Gross area is the acreage of a parcel as identified by the Beaufort County Assessor records.

Hydrologic response. The hydrologic response of a property is the manner whereby stormwater collects, remains, infiltrates, and is conveyed from a property. It is dependent on several factors including but not limited to the size and overall intensity of development of each property, its impervious area, shape, topographic, vegetative, and geologic conditions, antecedent moisture conditions, and groundwater conditions and the nature of precipitation events. Extremely large undeveloped properties naturally attenuate but do not eliminate entirely the discharge of stormwater during and following rainfall events.

Jurisdictional Infrastructure Operations, Maintenance and Capital Projects. Each of the five jurisdictions maintains its own stormwater drainage infrastructure and funds those costs from utility revenue. Revenue from this fee component will be returned to the service provider, the individual jurisdiction.

Impervious surfaces. Impervious surfaces shall be a consideration in the determination of the development intensity factor. Impervious surfaces are those areas that prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted gravel and soil surfaces, awnings and other fabric or plastic coverings, and other surfaces that prevent or impede the natural infiltration of stormwater runoff that existed prior to development.

Minimum Charge. A charge that reflects the minimum amount of demand a property will place on the service provider.

MS4 Permit. Each jurisdiction within Beaufort County will be subject to the federally mandated MS4 permit requirements. Compliance requirements include, but are not limited to monitoring, plan review, inspections, outreach and public education,

Nonresidential properties. Properties developed for uses other than permanent residential dwelling units and designated by the assigned land use code in the Beaufort County tax data system.

Other developed lands. Other developed lands shall mean, but not be limited to, mobile home parks, commercial and office buildings, public buildings and structures, industrial and manufacturing buildings, storage buildings and storage areas covered with impervious surfaces, parking lots, parks, recreation properties, public and private schools and universities, research facilities and stations, hospitals and convalescent centers, airports, agricultural uses covered by impervious surfaces, water and wastewater treatment plants, and lands in other uses which alter the hydrology of the property from that which would exist in a natural state. Properties that are used for other than single family residential use shall be deemed other developed lands for the purpose of calculating stormwater service fees.

Residential dwelling classifications. The following categories will identify the appropriate dwelling unit classifications to be utilized in applying the stormwater utility fee structure to the designations contained in the Beaufort County tax data system:

Single-family

Apartments

Townhouses

Condominiums

Mobile Home

~~Mobile home parks~~

~~Mobile home lots~~

~~River areas. River areas shall be those areas of Beaufort County that have been delineated as rivers on the most current digital mapping on file in the Beaufort County Engineering Department. Where applicable, these areas shall be deducted from a property's total land area in determining its stormwater service fee.~~

Stormwater management programs, services, systems and facilities. Stormwater management programs, services, systems and facilities are those administrative, engineering, operational, regulatory, and capital improvement activities and functions performed in the course of managing the stormwater systems of the county, plus all other activities and functions necessary to support the provision of such programs and services. Stormwater management systems and facilities are those natural and man-made channels, swales, ditches, swamps, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, head walls, storm sewers, lakes, and other physical works, properties, and improvements which transfer, control, convey or otherwise influence the movement of stormwater runoff and its discharge to and impact upon receiving waters.

Stormwater service fees. Stormwater service fees shall mean the service fee imposed pursuant to this article for the purpose of funding costs related to stormwater programs, services, systems, and facilities. These fees will be calculated based upon the ~~residential category for a parcel and/or the nonresidential parcel's impervious area, and/or the vacant/undeveloped land category.~~ impervious and gross area at an 80/20 allocation; storm water service fee categories; any State agricultural exemptions or caps; an account administrative fee, countywide jurisdiction operation maintenance and capital project fees; and jurisdictional operation, maintenance and capital project fee.

~~Stormwater service fee;~~ sSingle-family unit (SFU). The single-family unit shall be defined as the impervious area measurements obtained from a statistically representative sample of all detached single-family structures within Beaufort County. The representative value will be 4,906 square feet.

Stormwater service fee categories. The appropriate categories for determining SFUs will be as follows:

	SFU Calculation (SFUs equal)
<u>Tier 1</u> Single-family <u>Unit</u> (<=2,521 square feet)	Dwelling units x 0.5
<u>Tier 2</u> Single-family <u>Unit</u> (2,522 to 7,265 square feet)	Dwelling units x 1
<u>Tier 3</u> Single-family <u>Unit</u> (>=7,266 square feet)	Dwelling units x 1.5
<u>Mobile Home</u>	<u>Dwelling units x 0.36</u>
Apartments	Dwelling units x 0.39
Townhouses	Dwelling units x 0.60
Condominiums	Dwelling units x 0.27
<u>Mobile home parks</u>	<u>Dwelling units x 0.36</u>
<u>Mobile home lots</u>	<u>Dwelling units x 0.59</u>
<u>Nonresidential Commercial</u>	Impervious area x 4,906 sq. ft.*
<u>Residential/nonresidential vacant</u>	<u>Parcel area x SFU corrected factor</u>

*Commercial billed at a rate of 1 SFU per 4,906 square feet or a portion thereof

~~Vacant/undeveloped land. All parcels containing no impervious area and not being defined as exempt will have the corrected SFUs calculated for the following property classification system (PCS) codes:~~

~~PCS 29~~

~~PCS 33~~

~~PCS 91~~

~~PCS 92~~

~~PCS 99~~

~~PCS-81~~

~~PCS-82~~

~~PCS-83~~

~~PCS-84~~

~~PCS-89~~

~~PCS-74~~

~~PCS-76~~

~~Appropriate residential PCS category~~

~~Variable Costs. An impervious and gross area rate structure that allocates some cost to each of the two variables based on the amount of impervious surface and gross area.~~

Sec. 99-107. - Requirements for on-site stormwater systems: enforcement, methods and inspections.

- (a) All property owners and developers of real property to be developed within the unincorporated portions of Beaufort County shall provide, manage, maintain, and operate on-site stormwater systems and facilities sufficient to collect, convey, detain, control, and discharge stormwater in a safe manner consistent with all county development regulations and the laws of the State of South Carolina and the United States of America, except in cases when the property is located within an incorporated city or town subject to an interlocal governmental agreement with the county for stormwater management and the city or town has regulations that are more stringent than the county, in which case the city's or town's development regulations shall apply. Any failure to meet this obligation shall constitute a nuisance and be subject to an abatement action filed by the county in a court of competent jurisdiction. In the event a public nuisance is found by the court to exist, which the owner fails to properly abate within such reasonable time as allowed by the court, the county may enter upon the property and cause such work as is reasonably necessary to be performed, with the actual cost thereof charged to the owner in the same manner as a stormwater service fee as provided for in this article.
- (b) In the event that the county shall file an action pursuant to subsection 99-107(a), from the date of filing such action the county shall have all rights of judgment and collection through a court of competent jurisdiction as may be perfected by action.
- (c) The county shall have the right, pursuant to the authority of this article, for its designated officers and employees to enter upon private property and public property owned by other than the county, upon reasonable notice to the owner thereof, to inspect the property and conduct surveys and engineering tests thereon in order to assure compliance with any order or judgment entered pursuant to this section.

Sec. 99-108. - General funding policy.

- (a) It shall be the policy of Beaufort County that funding for the stormwater management utility program, services, systems, and facilities shall be equitably derived through methods which have a demonstrable relationship to the varied demands and impacts imposed on the stormwater program, services, systems, and facilities by individual properties or persons and/or the level of

service rendered by or resulting from the provision of stormwater programs, systems and facilities. Stormwater service fee rates shall be structured so as to be fair and reasonable, and the resultant service fees shall bear a substantial relationship to the cost of providing services and facilities throughout the county. Similarly situated properties shall be charged similar rentals, rates, fees, or licenses. Service fee rates shall be structured to be consistent in their application and shall be coordinated with the use of any other funding methods employed for stormwater management within the county, whether wholly or partially within the unincorporated portions of the county or within the cities and towns. Plan review and inspection fees, special fees for services, fees in-lieu of regulatory requirements, impact fees, system development fees, special assessments, general obligation and revenue bonding, and other funding methods and mechanisms available to the county may be used in concert with stormwater service fees and shall be coordinated with such fees in their application to ensure a fair and reasonable service fee rate structure and overall allocation of the cost of services and facilities.

- (b) The cost of stormwater management programs, systems, and facilities subject to stormwater service fees may include operating, capital investment, and non-operating expenses, prudent operational and emergency reserve expenses, and stormwater quality as well as stormwater quantity management programs, needs, and requirements.
- (c) To the extent practicable, adjustments to the stormwater service fees will be calculated by the Beaufort County engineer Stormwater Manager in accordance with the standards and procedures adopted by the engineer's Stormwater Manager's office.
- (d) The stormwater service fee rate may be determined and modified from time to time by the Beaufort County Council so that the total revenue generated by said fees and any other sources of revenues or other resources allocated to stormwater management by the county council to the stormwater management utility shall be sufficient to meet the cost of stormwater management services, systems, and facilities, including, but not limited to, the payment of principle and interest on debt obligations, operating expense, capital outlays, nonoperating expense, provisions for prudent reserves, and other costs as deemed appropriate by the county council.

Beaufort County service fee rate will be based on impervious and gross area at an 80/20 allocation; storm water service fee categories; any State agricultural exemptions or caps; an account administrative fee, countywide jurisdiction operation maintenance and jurisdictional operation, maintenance and capital project fee. The rates are set by the Beaufort County Stormwater Rate Study adopted July 2015.

The gross area charge is calculated in equivalent units as follows:

<u>First 2 acres</u>	<u>\$X per acre</u>
<u>For every acres above 2 acres and up to 10 acres</u>	<u>0.5 x \$X</u>
<u>For every acre above 10 acres, and up to 100 acres</u>	<u>0.4 x \$X</u>
<u>For every acre above 100 acres</u>	<u>0.3 x \$X</u>

Each municipal jurisdiction may have a different fee predicated upon the individual municipal jurisdiction's revenue needs. The following stormwater service fee rates shall apply: be adopted by

the municipal jurisdictions and may be amended from time to time by the individual governing body.

Jurisdiction	Annual Stormwater Service Fee (\$/SFU/year)
City of Beaufort	\$65.00
Town of Bluffton	-98.00
Town of Hilton Head Island	108.70
Town of Port Royal	-50.00
Unincorporated Beaufort County	-50.00

Sec. 99-109. - Exemptions and credits applicable to stormwater service fees.

Except as provided in this section, no public or private property shall be exempt from stormwater utility service fees. No exemption, credit, offset, or other reduction in stormwater service fees shall be granted based on the age, tax, or economic status, race, or religion of the customer, or other condition unrelated to the stormwater management utility's cost of providing stormwater programs, services, systems, and facilities. A stormwater management utility service fee credit manual shall be prepared by the ~~county engineer~~ Stormwater Manager specifying the design and performance standards of on-site stormwater services, systems, facilities, and activities that qualify for application of a service fee credit, and how such credits shall be calculated.

(a) Credits. The following types of credits against stormwater service fees shall be available:

- (1) Freshwater wetlands. All properties except those classified as detached single-family dwelling units may receive a credit against the stormwater service fee applicable to the property based on granting and dedicating a perpetual conservation easement on those portions of the property that are classified as freshwater wetlands and as detailed in the stormwater management utility service fee credit manual. The conservation easement shall remove that portion of the subject property from any future development. ~~Once this credit has been granted to a particular property, that portion of the property will be treated similar to the river and marsh areas and shall be deducted from the property's total land area in computing its stormwater service fee. This credit shall remain in effect as long as the conditions of the conservation easement are met.~~
- (2) Those properties that apply for consideration of an adjustment shall satisfy the requirements established by the Beaufort County ~~engineer~~ Stormwater Manager and approved reduced stormwater service fee.

(b) Exemptions. The following exemptions from the stormwater service fees shall be allowed:

- (1) Improved public road rights-of-way that have been conveyed to and accepted for maintenance by the state department of transportation and are available for use in common for vehicular transportation by the general public.
- (2) Improved public road rights-of-way that have been conveyed to and accepted for maintenance by Beaufort County and are available for use in common for vehicular transportation by the general public.
- (3) Improved private roadways that are shown as a separate parcel of land on the most current Beaufort County tax maps and are used by more than one property owner to access their property.
- (4) Railroad tracks shall be exempt from stormwater service fees. However, railroad stations, maintenance buildings, or other developed land used for railroad purposes shall not be exempt from stormwater service fees.
- (5) Condominium boat slips shall be exempt from stormwater service fees.

Sec. 99-110. - Stormwater service fee billing, delinquencies and collections.

- (a) Method of billing. A stormwater service fee bill may be attached as a separate line item to the county's property tax billing or may be sent through the United States mail or by alternative means, notifying the customer of the amount of the bill, the date the fee is due (January 15), and the date when past due (March 17 - see Title 12, Section 45-180 of the South Carolina State Code). The stormwater service fee bill may be billed and collected along with other fees, including but not limited to the Beaufort County property tax billing, other Beaufort County utility bills, or assessments as deemed most effective and efficient by the Beaufort County Council. Failure to receive a bill is not justification for non-payment. Regardless of the party to whom the bill is initially directed, the owner of each parcel of land shall be ultimately obligated to pay such fees and any associated fines or penalties, including, but not limited to, interest on delinquent service fees. If a customer is under-billed or if no bill is sent for a particular property, Beaufort County may retroactively bill for a period of up to one-year, but shall not assess penalties for any delinquency during that previous unbilled period.
- (b) Declaration of delinquency. A stormwater service fee shall be declared delinquent if not paid within 60 days of the date of billing or upon the date (March 17) of delinquency of the annual property tax billing if the stormwater service fee is placed upon the annual property tax billing or enclosed with or attached to the annual property tax billing.

Sec. 99-111. - Appeals.

Any customer who believes the provisions of this article have been applied in error may appeal in the following manner and sequence.

- (a) An appeal of a stormwater service fee must be filed in writing with the Beaufort County ~~public works director~~ Stormwater Manager or his/her designee within 30 days of the fee being mailed or delivered to the property owner and stating the reasons for the appeal. In the case of stormwater service fee appeals, the appeal shall include a survey prepared by a registered land surveyor or professional engineer containing information on the impervious surface area and any other feature or conditions that influence the development of the property and its hydrologic response to rainfall events.

- (b) Using information provided by the appellant, the county ~~public works director~~ Stormwater Manager (or his or her designee) shall conduct a technical review of the conditions on the property and respond to the appeal in writing within 30 days. In response to an appeal, the county public works director may adjust the stormwater service fee applicable to the property in conformance with the general purposes and intent of this article.
- (c) A decision of the county ~~public works director~~ Stormwater Manager that is adverse to an appellant may be further appealed to the county administrator or his designee within 30 days of the adverse decision. The appellant, stating the grounds for further appeal, shall deliver notice of the appeal to the county administrator or his designee. The county administrator or his designee shall issue a written decision on the appeal within 30 days. All decisions by the county administrator or his designee shall be served on the customer personally or by registered or certified mail, sent to the billing address of the customer. All decisions of the county administrator or his designee shall be final.
- (d) The appeal process contained in this section shall be a condition precedent to an aggrieved customer seeking judicial relief. Any decisions of the county administrator or his designee may be reviewed upon application for writ of certiorari before a court of competent jurisdiction, filed within 30 days of the date of the service of the decision.

Sec. 99-112. - No suspension of due date.

No provision of this article allowing for an administrative appeal shall be deemed to suspend the due date of the service fee with payment in full. Any adjustment in the service fee for the person pursuing an appeal shall be made by refund of the amount due.

Sec. 99-113. - Enforcement and penalties.

Any person who violates any provision of this article may be subject to a civil penalty of not more than \$1,000.00, or such additional maximum amount as may become authorized by state law, provided the owner or other person deemed to be in violation has been notified of a violation. Notice shall be deemed achieved when sent by regular United States mail to the last known address reflected on the county tax records, or such other address as has been provided by the person to the county. Each day of a continuing violation may be deemed a separate violation. If payment is not received or equitable settlement reached within 30 days after demand for payment is made, a civil action may be filed on behalf of the county in the circuit court to recover the full amount of the penalty. This provision on penalties shall be in addition to and not in lieu of other provisions on penalties, civil or criminal, remedies and enforcement that may otherwise apply.

Sec. 99-114. - Investment and reinvestment of funds and borrowing.

Funds generated for the stormwater management utility from service fees, fees, rentals, rates, bond issues, other borrowing, grants, loans, and other sources shall be utilized only for those purposes for which the utility has been established as specified in this article, including but not limited to: regulation; planning; acquisition of interests in land, including easements; design and construction of facilities; maintenance of the stormwater system; billing and administration; water quantity and water quality management, including monitoring, surveillance, private maintenance inspection, construction inspection; public information and education, and other activities which are reasonably required. such funds shall be invested and reinvested pursuant to the same procedures and practices established by Title 12, Section 45-70 of the South Carolina State Code for investment and reinvestment of funds.

County council may use any form of borrowing authorized by the laws of the State of South Carolina to fund capital acquisitions or expenditures for the stormwater management utility. County council, in its discretion and pursuant to standard budgetary procedures, may supplement such funds with amounts from the general fund.

Sec. 99-115. - ~~Initial study priorities for~~ Responsibilities of the stormwater management utility.

~~During the first three year period of t~~ The county stormwater management utility, ~~the utility~~ shall perform adequate studies throughout the area served by the utility to determine the following:

- (1) Baseline study of water quality in the receiving waters;
- (2) Identification of pollutants carried by stormwater runoff into the receiving waters;
- (3) Recommended mitigation efforts to address pollutants carried by stormwater runoff into the receiving waters;
- (4) Inventory of the existing drainage system;
- (5) Recommended maintenance practices and standards of the existing drainage system;
- (6) Identification of capital improvements to the system to include construction or installation of appropriate BMPs.
- (7) A five-year spending plan.
- (8) Ensure compliance with the federally mandated MS4 permit requirements
- (9) Efficient utility administration including but not limited to billing, collection, defining rate structures, data management and customer support.

~~The proposed five-year spending plan shall be appropriately revised to reflect this priority and timetable for completion.~~

Sec. 99-116. - Stormwater utility management board.

- (1) Purpose. In compliance with and under authority of Beaufort County Ordinance 2001/23, the Beaufort County Council hereby establishes the stormwater management utility board (hereinafter referred to as the "SWU board") to advise the council as follows:
 - (a) To determine appropriate levels of public stormwater management services for residential, commercial, industrial and governmental entities within Beaufort County;
 - (b) To recommend appropriate funding levels for provision of services in the aforementioned sectors;
 - (c) To advise the staff of the stormwater management utility on master planning efforts and cost of service/rate studies; and
 - (d) To support and promote sound stormwater management practices that mitigates non-point source pollution and enhances area drainage within Beaufort County.

Municipal councils are encouraged to organize similar boards to advise them on stormwater management programs and priorities within their boundaries.

In keeping with discussions held during the formation of the stormwater utility, it is anticipated that the municipalities will appoint staff professionals as their representative on the advisory board.

(2) Stormwater districts. Stormwater districts are hereby established as follows:

District 1 - City of Beaufort

District 2 - Town of Port Royal

District 3 - Town of Hilton Head Island

District 4 - Town of Bluffton

District 5 - Unincorporated Sheldon Township

District 6 - Unincorporated Port Royal Island

District 7 - Unincorporated Lady's Island

District 8 - Unincorporated St. Helena Island Islands East

District 9 - Unincorporated Bluffton Township and Daufuskie Island

(3) Membership.

(a) The SWU board is formed in accordance with Beaufort County Ordinance 92-28 and shall consist of a total of seven voting representatives from each of the following districts as noted below:

No. of Reps.	Stormwater District	Area
1	5	Unincorporated Sheldon Township
1	6	Unincorporated Port Royal Island
1	7	Unincorporated Lady's Island
1	8	Unincorporated St. Helena Island Islands East
2	9	Unincorporated Bluffton Township and Daufuskie Island
1	—	"At large"

All members of the SWU board will be appointed by county council and shall be residents of those districts or "at large" members from unincorporated Beaufort County.

(b) The SWU board shall also consist of one nonvoting (ex officio) representative from the following districts:

Stormwater District	Municipality
1	City of Beaufort
2	Town of Port Royal
3	Town of Hilton Head Island
4	Town of Bluffton

All ex officio members from municipalities shall be appointed by their respective municipal councils for four-year terms.

- (c) All citizen members shall be appointed for a term of four years. The terms shall be staggered with one or two members appointed each year.
- (d) While no other eligibility criteria is established, it is recommended that members possess experience in one or more of the following areas: Stormwater management (drainage and water quality) issues, strategic planning, budget and finance issues or established professional qualifications in engineering, construction, civil engineering, architectural experience, commercial contractor or similar professions.

(4) Officers.

(a) Officers. Selection of officers and their duties as follows:

1. Chairperson and vice-chair. At an annual organizational meeting, the members of the SWU board shall elect a chairperson and vice-chairperson from among its members. The chair's and vice-chair's terms shall be for one year with eligibility for reelection. The chair shall be in charge of all procedures before the SWU board, may administer oaths, may compel the attendance of witnesses, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the SWU board. In the absence of the chair, the vice-chair shall act as chairperson.
2. Secretary. The county professional staff member shall appoint a secretary for the SWU board. The secretary shall keep minutes of all proceedings. The minutes shall contain a summary of all proceedings before the SWU board, which include the vote of all members upon every question, and its recommendations, resolutions, findings and determinations, and shall be attested to by the secretary. The minutes shall be approved by a majority of the SWU board members voting. In addition, the secretary shall maintain a public record of SWU board meetings, hearings, proceedings, and correspondence.
3. Staff. The ~~public works director~~ Stormwater Manager shall be the SWU board's professional staff.

- (b) Quorum and voting. Four SWU board members shall constitute a quorum of the SWU board necessary to take action and transact business. All actions shall require a simple majority of the number of SWU board members present.
 - (c) Removal from office. The county council, by a simple majority vote, shall terminate the appointment of any member of the SWU board and appoint a new member for the following reasons:
 - 1. Absent from more than one-third of the SWU board meetings per annum, whether excused or unexcused;
 - 2. Is no longer a resident of the county;
 - 3. Is convicted of a felony; or
 - 4. Violated conflict of interest rules according to the county-adopted template ordinance.Moreover, a member shall be removed automatically for failing to attend any three consecutive regular meetings.
 - (d) Vacancy. Whenever a vacancy occurs on the SWU board, the county council shall appoint a new member within 60 days of the vacancy, subject to the provisions of this section. A new member shall serve out the former member's term.
 - (e) Compensation. The SWU board members shall serve without compensation, but may be reimbursed for such travel, mileage and/or per diem expenses as may be authorized by the SWU board-approved budget.
- (5) Responsibilities and duties.
- (a) Review and recommend to the county council for approval, a comprehensive Beaufort County Stormwater Management Master Plan and appropriate utility rate study which is in accordance with the South Carolina Stormwater Management and Sediment Reduction Act; and
 - (b) Review and comment to the county administrator on the annual stormwater management utility enterprise fund budget; and
 - (c) Cooperate with the South Carolina Department of Health and Environmental Control (DHEC), Office of Coastal Resource Management (OCRM), the Oversight Committee of the Special Area Management Plan (SAMP), the Beaufort County Clean Water Task Force as well as other public and private agencies having programs directed toward stormwater management programs; and
 - (d) Review and make recommendations concerning development of a multiyear stormwater management capital improvement project (CIP) plan; and
 - (e) Review and advise on proposed stormwater management plans and procurement procedures; and
 - (f) Provide review and recommendations on studies conducted and/or funded by the utility; and
 - (g) Review and advise on actions and programs to comply with regulatory requirements, including permits issued under the State of South Carolina National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4).

- (6) Meetings. Meetings of the SWU board shall be held as established by the SWU board on a monthly basis and a calendar will be prepared giving the date, time and location of such meetings. Additionally, meetings may be called by the chairperson or at the request of four SWU board members. The location of all SWU board meetings shall be held in a public building in a place accessible to the public. The following shall apply to the conduct of all meetings:
 - (a) Meeting records. The SWU board shall keep a record of meetings, resolutions, findings, and determinations. The SWU board may provide for transcription of such hearings and proceedings, or portions of hearings and proceedings, as may be deemed necessary.
 - (b) Open to public. All meetings and public hearings of the SWU board shall be open to the public.
 - (c) Recommendations or decisions. All recommendations shall be by show of hands of all members present. A tie vote or failure to take action shall constitute a denial recommendation. All recommendations shall be accompanied by a written summary of the action and recommendations.
 - (d) Notice and agenda. The SWU board must give written public notice of regular meetings at the beginning of each calendar year. The SWU board must post regular meeting agendas at the meeting place 24 hours before any meeting. Notices and agenda for call, special or rescheduled meetings must be posted at least 24 hours before such meetings. The SWU board must notify any persons, organizations and news media that request such notification of meetings.

(Ord. No. 2005/33, § 17, 8-22-2005; Ord. No. 2009/21, §§ I—VI, 5-26-2009)

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: July 27, 2015
Second Reading: August 10, 2015
Public Hearings: July 27, 2015
Third and Final Reading:




BEAUFORT COUNTY STORMWATER UTILITY
120 Shanklin Road
Beaufort, South Carolina 29906
Voice (843) 255-2801 Facsimile (843) 255-9478



INTEROFFICE MEMORANDUM

TO: Beaufort County Council

FROM: Eric W. Larson, Stormwater Manager 

SUBJECT: 2015 Stormwater Rate Study – Revision and Update

DATE: August 18, 2015

I have attached a revision of the Beaufort County Stormwater Utility Rate Study dated August 18, 2015 for your consideration. I recommend the County Council accept the revisions to the Rate Study as part of the third and final reading of the Stormwater Utility Ordinance revision at the August 24, 2015 public hearing.

Since the initial publication of the Rate Study on July 15, 2015, the County Utility management staff and the stormwater managers of the Towns, City and School system have discussed the Countywide Infrastructure fee (CWI) concept and met to review the county infrastructure mapping compiled in our extensive GIS system. As a result of those discussions over the last three weeks, we have revised the quantity of pipes and ditches used to calculate the CWI, resulting in a revised CWI rate for each of the Towns and City.

The reasons for the change are two-fold. 1) We have clarified the method in computing the quantities of infrastructure in the GIS system, and 2) We have come to agreement on the operations and maintenance responsibility on certain pieces of infrastructure within each jurisdiction, including properties operated by the School system.

The results lowered the CWI rate for each jurisdiction. Even though the County's percentage of infrastructure located within the un-incorporated county is greater, a combination of revising the total infrastructure inventory value and distributing those costs over a much larger billable base has allowed us to maintain the same proposed county rates quoted in Option E of the rate study. As a result, the proposed rate structure and county rate increase amounts are unchanged from the previously submitted rate study.

The revised rate study dated August 18, 2015 now lists the options as A.2 through E.2 to reflect the revised CWI values within each option. The recommended option is Option E.2 and has identical county rates as the previous Option E.

Beaufort County Stormwater Rate Study
Final Report – Beaufort County
July 10, 2015 with edits August 18, 2015

Prepared by Applied Technology & Management

Assistance from Raftelis Financial Consultants

August 18, 2015 edits by Beaufort County Stormwater Utility



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Executive Summary

Beaufort County, in cooperation with the City of Beaufort, and the Towns of Bluffton, Hilton Head Island, and Port Royal retained Applied Technologies and Management (ATM) and its sub-consultant, Raftelis Financial Consultants to perform a rate study for the five stormwater utilities operated by the respective jurisdictions.

The County is facing a declining rate base driven by annexations, steeply mounting costs for maintaining county-wide drainage infrastructure and complying with new MS4 requirements, and in need of continued capital project construction. The municipalities also face challenges which vary by jurisdiction.

The rate analyses performed in support of this rate study included six options for each jurisdiction. The options vary the rate metrics (impervious area, fixed charges per ratepayer, gross area), vary the way that shared costs are allocated between jurisdictions (by impervious area or by account), accommodate the existing administrative charges paid by each jurisdiction to the County (currently at \$3.18 per SFU), accommodate the existing payments made by municipalities to the County for varying levels of water quality monitoring and public outreach, and accommodate a new charge by the County to each municipality for that municipality's proportionate share of the entire County's drainage infrastructure to be maintained by the County. The detailed description of the six options is as follows:

	<i>Overall Rate Structure</i>	<i>Debt Financing for Some Capital?</i>	<i>Method for Allocating Admin & Reg Costs</i>	<i>Method for Allocating CWI O&M Costs</i>	<i>Simplified Residential Rates</i>	<i>Alternative Cost Sharing Approach</i>
A	Current (Imp Area)	No	SFUs	Optional	Yes	Optional
B	Current (Imp Area)	Yes	SFUs	Optional	Yes	Optional
C	Impervious & Gross Area	No	Per account	Impervious & Gross Area	Yes	Optional
D	Impervious & Gross Area	No	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional
E	Impervious & Gross Area	Yes	Per account	Impervious & Gross Area	Yes	Optional
F	Impervious & Gross Area	Yes	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional

In these evaluations, simplified residential rates means a series of flat rate charges for impervious area (three) similar to how the rate structure works now.

The recommended rate structure option from these evaluations is Option E.2. In this option jurisdictions can use debt financing for large capital projects, would share administrative costs allocated on a per-account basis, and would be assessed by the County a new County Stormwater Infrastructure (CWI) fee that will be placed on all County tax bills in September of this year. This new fee will assist the County with funding stormwater infrastructure maintenance and repairs with all areas of the County. This new fee was developed using a proportionate share of county-wide infrastructure costs allocated across impervious and gross area within the County, including the municipalities. This option results in the most affordable rates for the County over the coming five years.

However, at this time the rate modeling done to date has been less detailed for the municipalities than it has for the County as the County is the only jurisdiction seeking to make rate structure changes immediately while the municipalities expect to not make changes until FY 2016-2017. Additional efforts between the consultants and the municipalities will complete this process over the next few months.

For the County, the existing rates are \$50 per SFU per year. Continuing with the current rate structure and without proportionate share funding from the municipalities for county-wide infrastructure operation and maintenance, these rates would need to escalate over the coming five years to \$120 per SFU per year by FY 2019-2020. This is a 140% increase.

Under the recommended option E.2, the rate structure will change to one with a fixed charge per account, plus a variable charge for impervious area and another variable charge for gross lot area. For a “tier 2” (average house) residence in the County on a lot smaller than 2 acres, the existing charge is \$50 per SFU per year. Under option E.2 this charge would escalate to \$87 in year by FY 2019-2020. This is a 74% increase. While still large, it is much more reasonable than the “stay the course” option.

The County is responsible for funding 83.6% of all county-wide infrastructure (CWI) operation and maintenance under the CWI allocation used. Under the proposed rate structure, this is \$45.88 of the total \$87.00 annual charge for an average house on a lot smaller than 2 acres. The land areas within the four municipalities are will be assessed the remaining CWI funding, with the charge being based on the amount of existing stormwater infrastructure the County will maintain within each jurisdiction. For this fiscal year their CWI funding on an SFU basis is:

City of Beaufort	<u>\$5.15</u> per SFU
Town of Port Royal	<u>\$3.88</u> per SFU
Town of Bluffton	<u>\$18.13</u> per SFU
Town of Hilton Head Island	<u>\$5.52</u> per SFU

Background

The Southern Coast of South Carolina has long been a desirable tourist destination and sought after place to live, in no small part due to the natural beauty surrounding the areas waterways. In recent years, Beaufort County has declared its intention to be a regional leader in environmental quality initiatives in order to promote this existing advantage. An important subset of environmental quality, especially in this region, is the effective management of stormwater runoff. Because the County is right on the coast, and is crossed by large water bodies otherwise, the imperative to manage stormwater runoff has immediate implications on water quality in the region, rather than somewhere downstream. Beaufort County and its underlying jurisdictions – the City of Beaufort, the Town of Port Royal, Town of Hilton Head Island, and Town of Bluffton – take this charge seriously, and have over time developed individual and cooperative programs to manage the public safety and water quality concerns related to stormwater runoff.

As these programs have matured over time, they have become more costly, and several jurisdictions now find themselves needing to evaluate their operating costs and investments in any needed capital improvement projects. The jurisdictions are interested in revising rates and exploring other financial tools to support program initiatives, especially capital spending, and have engaged Applied Technology & Management (ATM) and subcontractor Raftelis Financial Consultants (RFC) to conduct a rate structure analysis and rate studies similar to this study that was prepared for the County. This report summarizes the results of ATM's efforts on behalf of the County as work has not been completed for the four municipalities at this time.

Jurisdictional Cooperation

Although historically each jurisdiction has managed stormwater concerns indirectly through individual development standards and environmental ordinances, the group has been working together for many years to manage storm drainage and ensure an improved standard of living for residents of the County. This relationship has become more explicit over time, through the development of inter-governmental agreements and memoranda of understanding, and through a closer working relationship among staff of each local government.

The most outstanding example of cooperation relates to the administration of the five separate utilities. Since 2001, when the utilities went into effect, the County has provided administrative services, including billing, billing data maintenance, and customer service, in exchange for a small portion of the fee revenues for each underlying jurisdiction.

The County has historically been a significant service provider for drainage maintenance activities to each of the underlying jurisdictions, offering a menu of drainage infrastructure cleaning, maintenance, and repair activities at hourly rates. The patchwork nature of the jurisdictional boundaries lends itself to a cooperative approach to these activities whenever possible to maximize efficiencies in equipment and staff time.

Three of the five jurisdictions participating in the regional stormwater utility has recently submitted a notice of intent to be permitted as a municipal separate storm sewer system (MS4) and regulated under a National Pollutant Discharge Elimination System (NPDES) MS4 permit. Permits are anticipated in September 2015. These permits will require strict management of activities that impact the quality of stormwater runoff, such as construction and industrial activities, as well as significant goals of public

education and outreach in order to bolster the general public's ability to and interest in managing stormwater runoff responsibly.

Under the new permits, the jurisdictions will be required to perform maintenance activities on existing stormwater drainage infrastructure (as is done now), monitor water quality at outfalls, inspect facilities and infrastructure, and provide education and outreach to citizens. The costs for these activities can be limited if they are performed in coordination between jurisdictions, either across the entire county or in more geographically distinct regions (such as North of the Broad River).

Utility background

Each of the five jurisdictions has a separate stormwater utility, established by separate ordinance, allowing the jurisdiction to collect revenues dedicated to stormwater management activities. As mentioned above, each jurisdiction cooperates in the administration of the utility by funding a portion of the County staff and material costs, effectively creating a regional utility.

At the inception of the regional utility in 2001, each property was charged a stormwater fee (conveyed on the annual tax bill) based on the size of the property and a runoff factor associated with that type of property. At this time, all five jurisdictions were charging the same rate, such that a similar property in any jurisdiction would pay the same annual fee. By 2005, the County had access to aerial photography that allowed for a more reliable approach to fee calculation. Rather than use tabular property characteristics to develop the fee for an individual property, the fee could be calculated based on one characteristic that was deemed an important cost driver: impervious surface area. Some elements of the previous rate structure remained intact, but for developed properties, the utility replaced their existing rate structure with one based on impervious surface area as measured from aerial photography.

At its core, this is an industry standard approach to calculating stormwater fees. However, the data available to the County in 2005 were already several years out of date and of relatively poor quality (see Figure 1 below). In recent years, the County has been able to obtain much higher quality imagery on an annual basis and has been updating its impervious area measurements, the foundational billing data, as properties change.



Figure 1. Comparison of 2002 and 2015 Aerial Photography

Current Stormwater Utility Structure

Rate Structure

As defined by the ordinances passed in 2005, the jurisdictions share a rate structure, though each is allowed to charge rates necessary to generate the revenue needed within each individual jurisdiction. The current rate structure has three distinct parts: residential properties, nonresidential properties, and vacant lands. Because the stormwater fee is conveyed on the tax bill and the data should be related, every property falls into one of these three categories depending on its classification in the tax system. Generally, the basis for the rate is the amount of runoff a property generates, whether that be the result of impervious area or some other driver.

At the time of the last rate base and rate structure analysis, the median impervious surface area on single family residential properties was 4,906 square feet. This became the base unit (single family unit or SFU) for measuring impervious area on other types of properties as well. For property types within the tax system that have **residential** classifications, each equates to a distinct SFU equivalency factor in three “tiers.” Residential property with 2,521 square feet or less of impervious area is tier 1. Tier 3 is residential property with 7,266 square feet or more of impervious area, and all residential property between these two impervious measures is tier 2. The tier equivalent SFU factor is multiplied by the per SFU rate for encompassing jurisdiction results in the rate. This concept is called simplified residential rates and is recommended in the newly modeled rate structures described in this study. The residential property types and SFU equivalencies are as follows:

<i>Property Type</i>	<i>Equivalent SFUs</i>
<i>Tier 1 Single Family Unit (≤2,521 square feet)</i>	0.50
<i>Tier 2 Single Family Unit (2,522 to 7,265 square feet)</i>	1.00
<i>Tier 3 Single Family Unit (≥7,266 square feet)</i>	1.50
<i>Mobile Home</i>	0.36
<i>Apartment</i>	0.39
<i>Townhouse</i>	0.60
<i>Condominium</i>	0.27

Where a single property includes multiple residential units, the equivalent SFU is per unit, such that an apartment complex property with 100 units would be charged for 0.39 (SFUs per unit) times 100 (number of units) times the rate to calculate the final fee.

Nonresidential properties represent the simplest of area of the current rate structure. For every property not classified as residential or vacant in the tax system, the stormwater fee is calculated based on the amount of impervious surface area on that property. This amount, divided by the 4,906 square foot SFU and multiplied by the per SFU rate, results in the final fee. There is no rounding or other manipulation of data.

Finally, **vacant** lands are presumed to have no impervious area, and are therefore not charged on that basis. They do still have an impact on the stormwater system, however, and should be responsible for a portion of the costs. At present, the rate structure allows for ‘runoff factors’ to be applied to vacant lands, with different factors used depending on a matrix of classification including whether a property is classified as agriculture, forestry, disturbed, or undisturbed.

Business Processes

In addition to the documented rate structure, there exist a number of business processes that have been developed over time to facilitate utility administration. Most of these processes are in line with the current ordinance but some have evolved to address data collection and maintenance difficulties that emerged from the existing rate structure. These include:

- the treatment of golf courses and parks as vacant land when in fact they may have a good deal of impervious area
- treatment of multi-use parcels (such as house and forested area on the same lot) as separate parcels with summed fees
- granting stormwater best management practices credit by overriding a property’s fee to 1 SFU

During the course of these studies, the ATM team worked to identify any divergent business processes and compute updated metrics for the affected properties.

Rates

With the same rate structure in place since 2005, each jurisdiction has experienced increased revenue requirements and subsequently higher rates over time. Table 1 is a summary of each jurisdiction’s rate history per SFU over time.

Table 1. Stormwater Fee Rates over Time

	2005- 2006	2007	2008	2009	2010	2011	2012- 2014
<i>Beaufort County</i>	\$ 44.43	\$ 44.43	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
<i>City of Beaufort</i>	\$ 44.43	\$ 44.43	\$ 44.43	\$ 44.43	\$ 65.00	\$ 65.00	\$ 105.00
<i>Town of Port Royal</i>	\$ 44.43	\$ 44.43	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
<i>Town of Bluffton</i>	\$ 49.00	\$ 49.00	\$ 98.00	\$ 98.00	\$ 98.00	\$ 98.00	\$ 98.00
<i>Town of Hilton Head Island</i>	\$ 44.43	\$ 50.76	\$ 50.76	\$ 83.23	\$ 108.70	\$ 108.70	\$ 108.70

Beaufort County Stormwater Program

Beaufort County's stormwater program serves as the backbone for the programs in the other jurisdictions. The County has historically been financially responsible for maintenance and repair on county-wide infrastructure on and off County road rights of way, even within the municipal boundaries of underlying jurisdictions.

More recently, the County has become unable to adequately provide stormwater services throughout the entirety of the unincorporated county with the available funds. That is, maintenance activities in parts of the county, especially those pockets within other jurisdictions, have been neglected in favor of addressing needs that could be met more economically. The City and Towns have not been receiving the stormwater management services they have come to expect from the County, those the County also endeavors to provide, because of funding shortfalls.

The County is in a unique position in that its unincorporated area or its stormwater revenue base, is shrinking due to annexation, while its costs are still increasing. A notable portion of these costs are associated with managing water quality and drainage in rapidly growing regions just outside the underlying jurisdictional boundaries. Historically, some of these areas have been annexed into the adjacent Town or City. The County has continued to provide stormwater services as best possible in these areas but has not been able to keep up with the maintenance and repair needed.

There are a number of capital projects that have been identified by the County for completion in the next several years. While these are currently in unincorporated areas, they are either near to or surrounded by the municipalities such that the benefit is conferred well beyond the unincorporated region.

For these reasons and the new requirements soon to be imposed by the MS4 permit, the County has rapidly increasing costs paired with a declining revenue base. In recognition of this, the County was facing an enormous rate increase. Rather than simply adjust the rates in the unincorporated region, the County initiated a dialog with the City and Towns to discuss the growing county-wide infrastructure operation and maintenance needs. The jurisdictions began exploring a more collaborative and equitable approach to sharing the costs (and receiving the benefits) of these services.

Rate Study Approach

The ATM team was contracted to assist Beaufort County Stormwater (County) with a detailed stormwater utility rate study. For the unincorporated County and each of the four municipalities, the team conducted a full accounting of planned stormwater program costs over the next five years, which are expected to increase driven by the combination of existing operations and maintenance activities, a significant capital project backlog, and emerging NPDES compliance needs. The rate study was performed concurrent with the budgeting process for the fiscal year that began July 1, 2015, and resulted in the development and consideration of a number of rate structure options, described below.

Goals

The primary goal of the rate study was to model financially sufficient scenarios to support the jurisdictions' current and future stormwater programs. This included the following supporting objectives:

1. Determine the current and future (from MS4 compliance, jurisdictional growth, etc.) revenue requirements of each program;
2. Determine the most fair and reasonable way to recover revenues while balancing data maintenance efforts;
3. Facilitate future program visioning; and
4. Account for potential future collaboration and shared costs.

Through numerous meetings, extensive model development and refinement, and collaborative review of the results, the team and the project remained accountable to these goals throughout the process.

Modeling

The primary deliverable from the rate study is a model that was developed to compare and contrast different financial scenarios for each of the jurisdictions. The model balances revenue requirements with funding from the stormwater fee and other possible sources. On the revenue requirements side, for each jurisdiction the ATM team considered existing revenue requirements, future MS4 permit related expenses, and capital needs. Revenue was modeled as the resulting revenue from several different rate structures as well as supplemental resources from bond issuances or other sources. With that basic structure in place, the model was refined to allow for allocation of costs across jurisdictions and rate components (see below for more information) in order to optimize rate equity.

The finalized model will be made available to each jurisdiction for ongoing use as a financial planning tool.

Data update

Much of the impervious area data originally developed for the 2005 rate study was created using low-quality 2002 aerial imagery. With the possible shift in rates and rate structure, it was critical to have improved source data. As a part of the rate study, the ATM team conducted a targeted review update (where needed) of approximately 5,000 parcel polygons within the GIS and across all of the jurisdictions in order to update the rate base.

At the conclusion of the effort, RFC reviewed and updated the impervious features as necessary on a total of 5,937 parcel polygons, deriving the features using the newest available imagery from 2013.

Rate Components

Fixed Costs

Many costs associated with the administration of the utility have little to do with specific characteristics of the land. Rather, they represent a public service to which each property owner (account holder) has equal access. Billing and collections, data management and updating, programming, and customer support may fall within this category. These costs, then, are distributed evenly to each account holder by being allocable to a fixed charge per parcel.

Variable Costs: Impervious Surfaces Area and Gross Parcel Area

Impervious area is the area of land covered by a hard surface through which rainwater cannot pass, such as building footprints and parking lots. The amount of impervious area on a parcel is most directly related to the quantity of stormwater to be handled by the system. For bare soil and vegetated ground cover, some water will infiltrate into the ground—even during heavy rain—rather than run across the surface. For impervious surfaces, on the other hand, water cannot infiltrate into the ground. For that reason, impervious surface causes the peak discharge volume of runoff from a parcel of land to be higher than it would otherwise. Regardless of how the land is managed, runoff tends to gather nutrients and other potential pollutants. Because virtually none of this runoff (and the pollutants it carries) soaks into the ground, runoff from impervious area carries a greater volume of harmful materials toward receiving waterbodies than pervious area.

One unique aspect of the stormwater utilities in these jurisdictions is the wide variety of land use represented within each jurisdiction. Gross area is included as a component of the stormwater fee to capture the costs not solely related to impervious area runoff. As opposed to impervious area, gross land area contributes proportionately more to the nutrients and pollutants that stormwater runoff may pick up and less to the sheer volume of runoff to be managed. As discussed, pervious land can absorb some of the water that falls on it, so it does not contribute as much to runoff. However, pervious land still contributes pesticides, fertilizers, leaves, and other undesirable materials to the runoff that does occur. As such, stormwater costs related to water quality and quantity (most O&M costs) are allocable in some portion to gross land area.

In the costs described below, allocability to impervious area and gross area represents a relationship between a particular cost and the demand for that cost caused by a higher volume of stormwater (including higher levels of pollution) to be managed. An impervious and gross area rate structure allocates some cost to each of the two variables, in this case either allocating 80% or 90% of the variable costs to impervious area, and the remaining costs to gross area. The gross area units would include a declining block, such that large properties have more units of gross area than small properties, but the increase in units of gross area as overall parcel size increase are blunted by the declining block.

Cost Allocability

The proposed rate structures take into account a number of costs that vary by:

- Who provides the service,
- Who receives the service, and
- What drives the cost of the service (the existence of an account, impervious area or gross area)

This section describes the different elements of the jurisdictions' and utility's program costs and how they may be accommodated in the rate structures. The resulting modeled rates for each jurisdiction take into account the distribution of costs across all jurisdictions based on the chosen allocation scheme, and the particular rate base of that jurisdiction.

Jurisdictional Infrastructure O&M

Each of the five jurisdictions maintains its own stormwater drainage infrastructure and funds those costs from utility revenue. These costs are driven by impervious area and gross area in the jurisdiction, which contribute to stormwater runoff and nutrient loading. As such, the impervious and/or gross area component of the fee will include these costs. Revenue from this fee component would be returned to the service provider, the individual jurisdiction.

Jurisdiction Capital Projects

Each of the five jurisdictions has an independent capital plan, and can determine whether bond funding or pay as you go funding (or paying with available unencumbered funds) is appropriate or necessary. Capital financing has been "pay-as-you-go" for most jurisdictions. An alternative is for jurisdictions to borrow money to build capital projects and pay this back over time. This option is described in the definitions as debt.

The cost drivers for capital projects are similar to those for regular O&M, and are allocable to impervious and gross area within a jurisdiction. Debt service (in the case of bond funding) or cash contributions to capital projects are included in the impervious and/or gross area components of a fee. Revenue from this fee component would be returned to the service provider, the individual jurisdiction.

Debt

For some of the jurisdictions, capital needs outpace the funds available through fee revenue. Issuing debt in the form of revenue bonds is a viable alternative to fund these projects, and in some cases may be the most appropriate option. Debt financing is appropriate for large physical assets with long expected lives, generally constructed improvements. Most notable, debt service creates a mechanism for future ratepayers to help fund the infrastructure from which they still benefit. The exceptional environmental quality found in this region is one of the primary reasons people choose to live and work here, and at its most basic, every investment made in capital projects supports that fundamental tenet. Through debt funding of capital projects, ratepayers of the future can pay back into the program that promotes this high quality of life.

Revenue bonding will not affect a jurisdiction's existing covenants or caps. With revenue bonds, the jurisdiction's stormwater utility will be solely responsible for servicing that debt, and there is no risk to the greater entity.

County-wide Infrastructure O&M

The County maintains some larger drainage infrastructure within each of the four municipalities in addition to drainage infrastructure within the unincorporated area. County-wide infrastructure (defined as pipes and open ditches both in and out of rights of way that are owned or maintained by the County) maintenance costs have not been allocated to any ratepayers outside the unincorporated County to date. That is, revenue from fees charged to property owners in the unincorporated County have been funding infrastructure maintenance, repair, and replacement activities throughout all five jurisdictions.

Currently, these activities have been limited in the incorporated areas because funding levels, supported by the unincorporated ratepayers only, are insufficient. The modified rate structure will share the County's costs for County-wide infrastructure maintenance across all the unincorporated and incorporated areas of the County based on linear feet of pipes and open ditches in each jurisdiction.

The cost drivers for operation and maintenance of county infrastructure are very similar to those for the various jurisdictional stormwater infrastructure systems. These costs may be recovered through an impervious and/or gross area fee component, the revenue from which supports County efforts. Revenue from this fee component would be returned to the service provider, the County.

The County's total budgeted County-wide infrastructure operation and maintenance cost is approximately \$3.5 million in FY2015-2016. A detailed analysis of the proportions of this County-wide infrastructure was prepared in 2015 by the County, and was used as the basis for the cost allocations to unincorporated areas of the County and to the municipalities. This inventory was conducted in GIS data layers and was made available to all jurisdictions by the County as part of this study. The analysis shows the proportions to be:

Unincorporated County	<u>83.6%</u>
City of Beaufort	<u>2.2%</u>
Town of Port Royal	<u>0.8%</u>
Town of Bluffton	<u>7.6%</u>
Town of Hilton Head Island	<u>5.8%</u>

Based on this proportional breakdown, the County intends to convey a separate charge (as a new line on the bill, not to be added to or combined with the City/Towns fees), that bills this amount per SFU or IA/GA unit, as the rate structure would require. Final fee amounts are discussed in the Modified Rate Structure section, below.

Utility Administration

The County administers the cooperative utility for each of the five jurisdictions. Currently administrative fees are allocated across the impervious area rate base such that properties with a large number of SFUs of impervious area pay more in administrative fees than those with fewer SFUs.

Costs for this effort may be allocable to either the number of parcels or accounts for which data must be maintained, customer service must be provided, etc. These costs may instead be recovered via a fixed charge component charged to all utility customers. Alternatively, costs could be allocable to the impervious and/or gross area fee component if they are more closely related to the effort of maintaining the geospatial data or researching and addressing detailed questions from large, complex customers. Revenue from this fee component would be returned to the service provider, the County.

MS4 Compliance

The County will be subject to MS4 permit requirements beginning in late 2015. Some program elements are fulfilled by each individual jurisdiction while others are provided cooperatively. Any existing inter-governmental agreements and Memoranda of Understanding (MOU) may need to be revised if an alternate structure is chosen.

Individual Efforts

Other MS4 permit compliance activities may be done separately by each jurisdiction, and provided only to that jurisdiction. These costs are allocable to the impervious and/or gross area fee component and revenue from this fee component would be returned to the service provider, the individual jurisdiction.

Cooperative Efforts

Monitoring

The County currently provides monitoring efforts within the jurisdictions boundaries of the municipalities. This relationship could be expanded to other jurisdictions if desired. These costs would be driven by the number of accounts and would be included in the fixed charge component of the fee, only in the jurisdictions where the County provides this monitoring service. Revenue from this fee component would be returned to the service provider, the County.

Public Education/Outreach

Currently, the jurisdictions participate in a cooperative public education and outreach scheme. Rather than implement separate agreements between each jurisdiction, this cost can be considered a per account cost and included in the fixed charge component of the fee, applicable to everyone in the County. Revenue from this fee component would be returned to the service provider, the County.

Modeled Options

Elements of Six Rate Structure Options

Simplified residential rate: Charge one of a series of flat rates, based on SFUs, to different classes of residential properties. This is how residential rates work in the current rate structure.

Continued application of the agricultural use policy: Properties legally under certain agricultural uses have limits placed on their stormwater fees by state law. The rate structure options will continue to follow this approach.

Updated source data: RFC reviewed and updated as necessary 5,937 parcel polygons with the newest available imagery from 2013. The results of this update were used to model both the modified rate structure options and the current rate structure options, which make use of the newly measured impervious features.

Minimum charge: A minimum charge is a rate structure feature whereby once the amount a property owes in annual stormwater fees is computed it is compared to the minimum charge and if less, the minimum charge is applied to the property. The minimum charge is set to reflect the minimum amount of demand a property can actually place on the jurisdiction providing service. The minimum charge is represented as a fixed fee component and is charged to every property.

Options

- A. Current rate structure with updated source data; current approach for administrative fees based on impervious area units; compliance with current rate ordinance; pay-as-you-go capital financing

- B. Current rate structure with updated source data; current approach for administrative fees based on impervious area units; compliance with current rate ordinance; debt financing for some capital projects
- C. Modified rate structure based on impervious and gross area; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to per-account basis; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; pay-as-you-go capital financing
- D. Modified rate structure based on impervious and gross area; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to impervious and gross area; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; pay-as-you-go capital financing
- E. Modified rate structure based on impervious and gross area at 80/20 or 90/10 allocation; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to per account basis; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; debt for some capital financing
- F. Modified rate structure based on impervious and gross area at 80/20 or 90/10 allocation; continued use of simplified residential rates; continued application of agricultural use policy; County-wide administrative costs allocated to impervious and gross area; County-wide infrastructure maintenance costs allocated to impervious and gross area based on infrastructure miles per jurisdiction or other intra-jurisdictional allocation model; debt for some capital financing

Alternative Cost Sharing Approach

As an alternative to the modeled county-wide infrastructure charge, each underlying jurisdiction can work individually with the County to establish a level of service and cost for providing that service within the jurisdiction. Each jurisdiction is entitled to convey that fee to its customers in any reasonable manner, but must remit the appropriate amount to the County to receive the agreed upon services.

Table 2. Modeled Rate Structure Options

	<i>Overall Rate Structure</i>	<i>Debt Financing for Some Capital?</i>	<i>Method for Allocating Admin & Reg Costs</i>	<i>Method for Allocating CWI O&M Costs</i>	<i>Simplified Residential Rates</i>	<i>Alternative Cost Sharing Approach</i>
A	Current (Imp Area)	No	SFUs	Optional	Yes	Optional
B	Current (Imp Area)	Yes	SFUs	Optional	Yes	Optional
C	Impervious & Gross Area	No	Per account	Impervious & Gross Area	Yes	Optional
D	Impervious & Gross Area	No	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional
E	Impervious & Gross Area	Yes	Per account	Impervious & Gross Area	Yes	Optional
F	Impervious & Gross Area	Yes	Impervious & Gross Area	Impervious & Gross Area	Yes	Optional

Modified Rate Structure

ATM modeled four of the six options based on a modified rate structure design that relies more heavily on measured impervious area data but retains the basic backbone of the existing rate structure.

Fee Structure

The recommended fee includes three components: a fixed component to convey costs allocable by account, and two variable components: one based on gross area and one based on impervious area, to convey the costs that vary by property characteristic. With the exception of those explicitly exempt, every real property (which in some cases does not include land on the ground) has a stormwater fee calculated for it.

Bill Class

Every property falls into one of several bill classes, which determine fee calculation for that property. Residential properties are treated in a similar manner as they are currently, with SFU equivalents to represent the impervious area on each type of residential property. Gross area and fixed fee components are added to this portion of the residential fee. Vacant property is not charged for any impervious area, measured or assumed. It is, however, charged for the gross land area of the parcel and the fixed component of the fee, as described below. Agricultural properties in the County are excluded from any fee changes by State law, and as such represent their own category of properties for which the current fee is carried forward. Exempt parcels are not charged any portion of the fee. Finally, all other properties are considered non-residential, non-vacant properties (herein called “commercial”), which are charged a per unit rate for impervious area, along with a fixed fee and gross area charge.

Rate Structure Design

Impervious Area Units

The existing impervious area unit of 4906 has been retained for maximum equity between residential and commercial bill classes in impervious area charge. Residential properties are charged for impervious area based on the factors existing in the current rates structure. Commercial properties are charged per 4,906 square feet unit, or part thereof, of impervious area. Under the modified rate structure design, 80% of variable costs are funded through gross area charges.

Gross Area Blocks

A gross area fee component is included for all properties that have a real parcel and parcel area found in GIS. The gross area charge is calculated in equivalent units as follows:

- Every property is charged \$X for the first 2 acres of gross area. This means that every property getting a gross area fee is charged at least \$X.
- For every acre above 2 acres, and up to 10 acres, the property is charged $.5 * \$X$ per acre.
- For every acre above 10 acres, and up to 100 acres, the property is charged $.4 * \$X$ per acre.
- For every acre above 100 acres, the property is charged $.3 * \$X$ per acre.

This declining block structure maintains the important rate base of large properties. Under the modified rate structure design, 20% of variable costs are funded through gross area charges.

Exempt Properties and Special Cases

The modified rate structure design mirrors the current rate structure in exempt properties. Roads, railroads, private roads, and boat slip properties are exempt from stormwater fees. As described above, vacant (undeveloped) parcels are not exempt from the entire fee, but are not charged for the impervious area fee component.

Credit

For properties receiving credit for BMPs, that credit can be carried forward in this modified rate structure.

Rate Study Results

ATM developed a spreadsheet-based rate model tool to model the way the individual jurisdiction and County-wide costs impact rates. The comprehensive model can be manipulated to calculate rates for each of the six options described above, as well as allow for manual override of the calculated rates to predict the revenue generation and sufficiency of a particular rate structure and rate choice.

Beaufort County

For the unincorporated County, Option E (see appendix A) results in rates for a fixed charge, an impervious area charge, and a gross area charge. This option would raise the annual charge for an average single family home on a 1 acre lot from the current \$50 per year to \$87 per year and the rate could be held stable for at least five years. All other options for the County result in less favorable rates. The fee charged to an average house on a one acre parcel in Beaufort County under the six options modeled as part of this rate study are as follows:

Fiscal Year					
	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Option A.2	\$100	\$100	\$100	\$110	\$120
Option B.2	\$95	\$95	\$95	\$95	\$95
Option C.2	\$87	\$99	\$99	\$99	<u>\$112</u>
Option D.2	\$90	\$100	\$100	\$100	<u>\$119</u>
Option E.2	\$87	\$87	\$87	\$87	\$87
Option F.2	\$90	\$90	\$90	\$90	\$92

Therefore, ATM and Utility staff recommend rate structure option E.2 for the County, under which administrative and regulatory compliance charges are allocated on a per account basis, infrastructure O&M costs are allocated based on the impervious and gross area, and two bond sales of \$5,000,000 occur in FY 2017 and FY 2019. Because the underlying jurisdictions are unlikely to adopt a rate structure change in the coming fiscal year, the existing \$3.18 per (paid) SFU administrative charge that has already been negotiated is retained.

The County is responsible for funding 83.6% of all county-wide infrastructure (CWI) operation and maintenance under the CWI allocation method used. Under the proposed rate structure, this is \$45.88 of the total \$87.00 annual charge for an average house on a lot smaller than 2 acres. The properties within the four municipalities are responsible for the remaining CWI funding, with the allocation based on the amount of infrastructure to be maintained that falls within each jurisdictional boundary, as described previously. For the next five fiscal years, the CWI funding within each jurisdiction’s boundaries on an SFU or IA/GA basis (depending on the rate structures chosen) are:

Table 3. County-wide Infrastructure Cost Breakdown by Jurisdiction

8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016	FY 2016-2017	FY 2017-2018	FY 2018-2019	FY 2019-2020
CWI Cost Share on SFU Basis					
Unincorporated County	\$ 45.30	\$ 46.97	\$ 47.50	\$ 49.01	\$ 49.71
City of Beaufort	\$ 5.15	\$ 5.74	\$ 5.70	\$ 5.78	\$ 5.76
Town of Port Royal	\$ 3.88	\$ 4.33	\$ 4.30	\$ 4.36	\$ 4.35
Town of Bluffton	\$ 18.13	\$ 20.22	\$ 20.09	\$ 20.38	\$ 20.31
Town of Hilton Head Island	\$ 5.52	\$ 6.15	\$ 6.11	\$ 6.20	\$ 6.18
CWI Cost Share on IA/GA Unit Basis					
Unincorporated County					
per IA Unit	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
per GA Unit	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
City of Beaufort					
per IA Unit	\$ 4.10	\$ 4.58	\$ 4.55	\$ 4.61	\$ 4.60
per GA Unit	\$ 1.34	\$ 1.49	\$ 1.48	\$ 1.51	\$ 1.50
Town of Port Royal					
per IA Unit	\$ 3.13	\$ 3.49	\$ 3.47	\$ 3.52	\$ 3.51
per GA Unit	\$ 0.78	\$ 0.87	\$ 0.87	\$ 0.88	\$ 0.88
Town of Bluffton					
per IA Unit	\$ 17.83	\$ 19.89	\$ 19.76	\$ 20.04	\$ 19.97
per GA Unit	\$ 2.25	\$ 2.51	\$ 2.49	\$ 2.52	\$ 2.52
Town of Hilton Head Island					
per IA Unit	\$ 4.39	\$ 4.89	\$ 4.86	\$ 4.93	\$ 4.91
per GA Unit	\$ 1.43	\$ 1.60	\$ 1.59	\$ 1.61	\$ 1.60

In the first planning year, several shared costs (those for the regional stormwater master plan, public education and outreach, and water quality monitoring) are funded via inter-governmental agreements with the responsible parties. In this year only, these are represented as separate revenues and the costs are not allocated to the jurisdictions based on SFU or IA/GA unit calculation.

General Impacts of Rate Structure Changes

The recommended rate structure (Option E.2 if capital intensive, Option C.2 if not) incorporates a fixed charge per account (parcel), plus two variable charges: one for impervious area on the parcel and one for gross parcel area. It also continues the practice of using simplified residential rates for residential properties of varying types from single family detached through condominium units. Because the current billing practices for large undeveloped tracts include an impervious area estimation process while the new rates structures do not charge an impervious area fee if there is no impervious area present, the impervious charges may be divergent between the rate structures. However, the introduction of a gross area charge in the new rate structure modeled largely mimics the fee outcomes.

Using three rate metrics (fixed, impervious area, gross area) allows the fee to have components that relate to cost causation most directly and is generally preferred in utility ratemaking. For example, some administrative costs for billing and collections efforts relate much more to the existence of a bill than to the size of the bill. Paying these costs from an impervious area rate shifts costs to large ratepayers while paying these costs from a fixed charge, as recommended, allocates the costs more equally across all ratepayers.

Needed Ordinance Revisions

County

If a new rate structure is adopted, significant revisions to the County's stormwater utility fee ordinance will be needed. While the revisions are outside the ATM team's scope of work, the team has identified the following categories to focus on:

1. The definitions for residential dwelling classifications and nonresidential properties will need to be revised according to the new rate structure, which does not strictly classify properties according to their land use code in the County tax data.
2. In the definitions and general funding policy section, the rate structure and fee calculation description will need to be updated (refer to Rate Structure Design section above).
3. The stormwater service fee rates for other jurisdictions should be removed and replaced with language that says the County will convey the fees for all jurisdictions until each has transitioned to the revised rate structure. The ordinance should state that the same rate structure will apply for all jurisdictions and should describe how the County will maintain stormwater billing data and conduct other administrative tasks. Once a jurisdiction has transitioned to the new rate structure, the jurisdiction should revise its own ordinance on stormwater service fee rates and execution of utility authority.
4. References to findings from the 2005 rate study should be eliminated or updated to reflect the current findings.

5. References to the stormwater utility's responsibilities and how it is managed will need to be revised to take into account the multijurisdictional nature of the utility and any changes to the way funding (especially for county-wide drainage infrastructure) occurs. The revisions can be based on current inter-governmental governmental agreements with the City and Towns.
6. After each jurisdiction transitions to a revised rate structure, the references to inter-governmental agreements on administrative fees in the County ordinance can be replaced with details on the actual fee component.

Ongoing Billing Data Maintenance

Data maintenance processes for stormwater utility fee billing are crucial to enabling accurate and timely reporting and customer service. Parcel data from the five jurisdictions should be integrated and kept as current as possible for use in determining properties that are billable for the stormwater fee. A GIS layer representing impervious surfaces should be updated regularly in response to development, demolition, and recognition of incorrect data. Other County data sources such as building permit applications and changes in improvement values can also be utilized as triggers to begin or update stormwater billing.

The ATM team will provide technical guidance on data maintenance in a separate memorandum that will go into detail on digitization and GIS processes, triggers for new or changed development, and other processes for keeping stormwater billing data current.

Appendix A – Beaufort County Recommended Rates ([Options A.2-F.2](#))

Beaufort County
Summary Sheet

Option A.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Current RS	FY 2016-2017 Current RS	FY 2017-2018 Current RS	FY 2018-2019 Current RS	FY 2019-2020 Current RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage					
Current RS Fee Alternative					
Impervious Area Units	60,927	60,622	60,319	60,017	59,717
Fee	\$ 100.00	\$ 100.00	\$ 100.00	\$ 110.00	\$ 120.00
Countywide Infrastructure Charge	\$ 45.30	\$ 46.97	\$ 47.50	\$ 49.01	\$ 49.71
Override Countywide Infrastructure Charge	\$ -	\$ -	\$ -	\$ -	\$ -
Anticipated Unincorporated County Fee Billings	\$ 6,092,675	\$ 6,062,211	\$ 6,031,900	\$ 6,601,915	\$ 7,166,079
Collection Factor	94%	94%	94%	94%	94%
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 5,727,114	\$ 5,698,479	\$ 5,669,986	\$ 6,205,800	\$ 6,736,114
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 506,876	\$ (51,158)	\$ (194,686)	\$ 145,379
Total Costs	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total Revenues	\$ 6,182,976	\$ 5,980,479	\$ 5,952,025	\$ 6,487,911	\$ 7,020,984
Surplus (Deficit)	\$ 72,797	\$ (558,034)	\$ (143,528)	\$ 340,065	\$ (801,494)
FY End Fund Balance	\$ 506,876	\$ (51,158)	\$ (194,686)	\$ 145,379	\$ (656,115)

Beaufort County
Summary Sheet

Option B.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Current RS	FY 2016-2017 Current RS	FY 2017-2018 Current RS	FY 2018-2019 Current RS	FY 2019-2020 Current RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ 146,185	\$ 292,371	\$ 438,556	\$ 584,741
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage		8.46	4.23	2.46	1.69
Current RS Fee Alternative					
Impervious Area Units	60,927	60,622	60,319	60,017	59,717
Fee	\$ 95.00	\$ 95.00	\$ 95.00	\$ 95.00	\$ 95.00
Countywide Infrastructure Charge	\$ 45.30	\$ 46.97	\$ 47.50	\$ 49.01	\$ 49.71
Override Countywide Infrastructure Charge	\$ -	\$ -	\$ -	\$ -	\$ -
Anticipated Unincorporated County Fee Billings	\$ 5,788,041	\$ 5,759,101	\$ 5,730,305	\$ 5,701,654	\$ 5,673,146
Collection Factor	94%	94%	94%	94%	94%
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 5,440,759	\$ 5,413,555	\$ 5,386,487	\$ 5,359,555	\$ 5,332,757
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 220,520	\$ 4,231,377	\$ 3,511,979	\$ 7,567,243
Total Costs	\$ 6,110,180	\$ 6,684,698	\$ 6,387,923	\$ 6,586,402	\$ 8,407,219
Total Revenues	\$ 5,896,621	\$ 10,695,555	\$ 5,668,526	\$ 10,641,665	\$ 5,617,627
Surplus (Deficit)	\$ (213,559)	\$ 4,010,857	\$ (719,398)	\$ 4,055,264	\$ (2,789,592)
FY End Fund Balance	\$ 220,520	\$ 4,231,377	\$ 3,511,979	\$ 7,567,243	\$ 4,777,650

Beaufort County
Summary Sheet

Option C.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 639,616	\$ 589,928	\$ 625,797	\$ 652,451
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,714,705	\$ 5,268,009	\$ 5,304,881	\$ 6,971,468
Debt Service					
Annual Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage					
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ 11.74	\$ 12.44	\$ 11.66	\$ 12.15	\$ 12.53
Fixed Cost per Account, admin portion:	\$ 2.81	\$ 2.74	\$ 2.80	\$ 2.84	\$ 2.93
Fixed Cost per Account, regulatory compliance portion:	\$ 8.93	\$ 9.70	\$ 8.85	\$ 9.30	\$ 9.60
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ 12.00	\$ 14.00	\$ 14.00	\$ 14.00	\$ 14.00
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 64.68	\$ 72.84	\$ 67.27	\$ 67.60	\$ 92.49
Variable Costs, IA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 30.74	\$ 24.70	\$ 23.67	\$ 47.94
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 65.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 86.00
Variable Costs, GA Unit Fee Calc	\$ 8.42	\$ 9.53	\$ 8.84	\$ 8.93	\$ 12.28
Variable Costs, GA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.02	\$ 3.24	\$ 3.13	\$ 6.36
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 12.00
Anticipated Unincorp County Fee Billings	\$ 5,364,442	\$ 6,017,238	\$ 5,995,803	\$ 5,974,702	\$ 6,741,124
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,881,642	\$ 5,535,859	\$ 5,636,055	\$ 5,616,220	\$ 6,336,657
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 48,230	\$ 45,825	\$ 43,421	\$ 43,421
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 157,551	\$ (18,795)	\$ 351,750	\$ 665,589
Total Costs	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total Revenues	\$ 5,833,651	\$ 6,362,167	\$ 6,466,099	\$ 6,461,684	\$ 7,190,167
Surplus (Deficit)	\$ (276,528)	\$ (176,346)	\$ 370,546	\$ 313,839	\$ (632,311)
FY End Fund Balance	\$ 157,551	\$ (18,795)	\$ 351,750	\$ 665,589	\$ 33,277

Beaufort County
Summary Sheet

Option D.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage					
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, admin portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, regulatory compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 75.95	\$ 84.25	\$ 78.04	\$ 78.99	\$ 104.40
Variable Costs, IA Unit Fee, administrative portion:	\$ 2.70	\$ 2.19	\$ 2.24	\$ 2.28	\$ 2.34
Variable Costs, IA Unit Fee, reg compliance portion:	\$ 8.58	\$ 9.22	\$ 8.53	\$ 9.11	\$ 9.56
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 30.74	\$ 24.70	\$ 23.67	\$ 47.94
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 80.00	\$ 90.00	\$ 90.00	\$ 90.00	\$ 105.00
Variable Costs, GA Unit Fee Calc	\$ 9.88	\$ 11.02	\$ 10.26	\$ 10.43	\$ 13.86
Variable Costs, GA Unit Fee, administrative portion:	\$ 0.35	\$ 0.29	\$ 0.29	\$ 0.30	\$ 0.31
Variable Costs, GA Unit Fee, reg compliance portion:	\$ 1.12	\$ 1.21	\$ 1.12	\$ 1.20	\$ 1.27
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.02	\$ 3.24	\$ 3.13	\$ 6.36
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 14.00
Anticipated Unincorp County Fee Billings	\$ 5,396,494	\$ 5,905,440	\$ 5,870,700	\$ 5,836,240	\$ 7,003,304
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,910,810	\$ 5,433,005	\$ 5,518,458	\$ 5,486,066	\$ 6,583,106
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 186,719	\$ (76,559)	\$ 192,065	\$ 391,176
Total Costs	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total Revenues	\$ 5,862,819	\$ 6,275,236	\$ 6,364,177	\$ 6,346,957	\$ 7,452,042
Surplus (Deficit)	\$ (247,360)	\$ (263,277)	\$ 268,624	\$ 199,111	\$ (370,436)
FY End Fund Balance	\$ 186,719	\$ (76,559)	\$ 192,065	\$ 391,176	\$ 20,740

Beaufort County
Summary Sheet

Option E.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 639,616	\$ 589,928	\$ 625,797	\$ 652,451
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,714,705	\$ 5,268,009	\$ 5,304,881	\$ 6,971,468
Debt Service					
Annual Debt Service	\$ -	\$ 146,185	\$ 292,371	\$ 438,556	\$ 584,741
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage		8.78	4.79	2.89	2.04
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ 11.74	\$ 12.44	\$ 11.66	\$ 12.15	\$ 12.53
Fixed Cost per Account, admin portion:	\$ 2.81	\$ 2.74	\$ 2.80	\$ 2.84	\$ 2.93
Fixed Cost per Account, regulatory compliance portion:	\$ 8.93	\$ 9.70	\$ 8.85	\$ 9.30	\$ 9.60
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 64.68	\$ 75.00	\$ 71.61	\$ 74.15	\$ 101.27
Variable Costs, IA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 32.90	\$ 29.04	\$ 30.22	\$ 56.71
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00
Variable Costs, GA Unit Fee Calc	\$ 8.42	\$ 9.81	\$ 9.41	\$ 9.79	\$ 13.44
Variable Costs, GA Unit Fee, administrative portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, reg compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.30	\$ 3.82	\$ 3.99	\$ 7.53
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Anticipated Unincorp County Fee Billings	\$ 5,364,442	\$ 5,344,144	\$ 5,324,099	\$ 5,304,356	\$ 5,284,872
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,881,642	\$ 4,916,612	\$ 5,004,653	\$ 4,986,095	\$ 4,967,780
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 48,230	\$ 45,825	\$ 43,421	\$ 43,421
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 157,551	\$ 4,215,773	\$ 3,662,546	\$ 7,907,703
Total Costs	\$ 6,110,180	\$ 6,684,698	\$ 6,387,923	\$ 6,586,402	\$ 8,407,219
Total Revenues	\$ 5,833,651	\$ 10,742,920	\$ 5,834,697	\$ 10,831,559	\$ 5,821,290
Surplus (Deficit)	\$ (276,528)	\$ 4,058,222	\$ (553,227)	\$ 4,245,157	\$ (2,585,930)
FY End Fund Balance	\$ 157,551	\$ 4,215,773	\$ 3,662,546	\$ 7,907,703	\$ 5,321,774

Beaufort County
Summary Sheet

Option F.2 - 8/18/2015 CWI changes due to revised GIS dataset

	FY 2015-2016 Revised RS	FY 2016-2017 Revised RS	FY 2017-2018 Revised RS	FY 2018-2019 Revised RS	FY 2019-2020 Revised RS
Rate Base					
1.00% Accounts	65,314	65,967	66,627	67,293	67,966
-0.50% Billable IA Units	54,388	54,116	53,845	53,576	53,308
-1.00% Billable Equivalent GA Units	104,545	103,500	102,465	101,440	100,426
Costs					
Administration (50250012)	\$ 360,495	\$ 363,725	\$ 368,737	\$ 373,179	\$ 379,546
County Portion: Administration	\$ 183,255	\$ 148,378	\$ 150,699	\$ 152,416	\$ 156,023
Regulatory Compliance (50250013)	\$ 620,242	\$ 687,847	\$ 635,754	\$ 669,218	\$ 695,872
County Portion: Regulatory Compliance	\$ 583,300	\$ 623,693	\$ 574,254	\$ 610,371	\$ 637,025
County-Wide Infrastructure O&M (50250011)	\$ 3,492,833	\$ 3,407,621	\$ 3,428,602	\$ 3,520,449	\$ 3,552,600
County Portion: County-Wide Infrastructure	\$ 2,760,277	\$ 2,847,391	\$ 2,864,922	\$ 2,941,668	\$ 2,968,534
Capital Purchases & Projects	\$ 1,636,609	\$ 2,079,320	\$ 1,662,460	\$ 1,585,000	\$ 3,194,460
Total County Costs (excl. debt service)	\$ 6,110,180	\$ 6,538,513	\$ 6,095,553	\$ 6,147,846	\$ 7,822,478
Total County Costs excl. Shared Services Payable by Others (excl. debt service)	\$ 5,163,441	\$ 5,698,782	\$ 5,252,334	\$ 5,289,455	\$ 6,956,042
Debt Service					
Annual Debt Service	\$ -	\$ 146,185	\$ 292,371	\$ 438,556	\$ 584,741
Coverage Goal	1.30	1.30	1.30	1.30	1.30
Actual Coverage		9.02	4.87	2.92	2.36
Revised RS Stormwater Fee					
Fixed Cost per Account, Calc	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, admin portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, regulatory compliance portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost per Account, CWI portion:	\$ -	\$ -	\$ -	\$ -	\$ -
Fixed Cost Collection Rate	91%	92%	94%	94%	94%
Fixed Cost per Account, Override	\$ -	\$ -	\$ -	\$ -	\$ -
Variable Costs, IA Proportion	80%	80%	80%	80%	80%
Variable Costs, GA Proportion	20%	20%	20%	20%	20%
Variable Costs, IA Unit Fee Calc	\$ 75.95	\$ 86.41	\$ 82.39	\$ 85.54	\$ 113.17
Variable Costs, IA Unit Fee, administrative portion:	\$ 2.70	\$ 2.19	\$ 2.24	\$ 2.28	\$ 2.34
Variable Costs, IA Unit Fee, reg compliance portion:	\$ 8.58	\$ 9.22	\$ 8.53	\$ 9.11	\$ 9.56
Variable Costs, IA Unit Fee, CWI portion:	\$ 40.60	\$ 42.09	\$ 42.57	\$ 43.93	\$ 44.55
Variable Costs, IA Unit Fee, Other County costs portion:	\$ 24.07	\$ 32.90	\$ 29.04	\$ 30.22	\$ 56.71
IA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, IA Unit Fee Override	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00
Variable Costs, GA Unit Fee Calc	\$ 9.88	\$ 11.30	\$ 10.83	\$ 11.30	\$ 15.02
Variable Costs, GA Unit Fee, administrative portion:	\$ 0.35	\$ 0.29	\$ 0.29	\$ 0.30	\$ 0.31
Variable Costs, GA Unit Fee, reg compliance portion:	\$ 1.12	\$ 1.21	\$ 1.12	\$ 1.20	\$ 1.27
Variable Costs, GA Unit Fee, CWI portion:	\$ 5.28	\$ 5.50	\$ 5.59	\$ 5.80	\$ 5.91
Variable Costs, GA Unit Fee, Other County costs portion:	\$ 3.13	\$ 4.30	\$ 3.82	\$ 3.99	\$ 7.53
GA Collection Rate	91%	92%	94%	94%	94%
Variable Costs, GA Unit Fee Override	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 12.00
Anticipated Unincorp County Fee Billings	\$ 5,396,494	\$ 5,364,280	\$ 5,332,250	\$ 5,300,480	\$ 5,469,752
Revenues					
Anticipated Unincorp County Fee Revenue	\$ 4,910,810	\$ 4,935,138	\$ 5,012,315	\$ 4,982,451	\$ 5,141,567
Anticipated Revenue from other Jurisdictions					
Administrative Fee	\$ 177,240	\$ 215,346	\$ 218,038	\$ 220,764	\$ 223,523
Regulatory Compliance	\$ -	\$ 64,154	\$ 61,500	\$ 58,847	\$ 58,847
Countywide Infrastructure Maintenance	\$ 496,148	\$ 560,231	\$ 563,680	\$ 578,780	\$ 584,066
Current Shared Services IGA for SMP Update	\$ 236,409				
Current Shared Services IGA for WQ Monitoring & PE/PO	\$ 36,942				
Interest	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Project Cost Shares	\$ 2,771				
Bond Issuance Proceeds	\$ -	\$ 5,000,000	\$ -	\$ 5,000,000	\$ -
Fund Balance					
FY Beginning Fund Balance	\$ 434,079	\$ 186,719	\$ 4,279,389	\$ 3,749,499	\$ 8,006,439
Total Costs	\$ 6,110,180	\$ 6,684,698	\$ 6,387,923	\$ 6,586,402	\$ 8,407,219
Total Revenues	\$ 5,862,819	\$ 10,777,368	\$ 5,858,034	\$ 10,843,342	\$ 6,010,503
Surplus (Deficit)	\$ (247,360)	\$ 4,092,670	\$ (529,890)	\$ 4,256,940	\$ (2,396,716)
FY End Fund Balance	\$ 186,719	\$ 4,279,389	\$ 3,749,499	\$ 8,006,439	\$ 5,609,723

STORMWATER UTILITY RATE STUDY

Update on Rate Study
August 24, 2015

STORMWATER UTILITY RATE STUDY

SIX OPTIONS FOR RATE STRUCTURE

Modeled Rate Structure Option	Overall Rate Structure	Debt Financing for Some Capital	Partial Tax Funding	Method for Allocating Administrative Costs	Method for Allocating County-wide Infrastructure Maintenance Costs	Method for Re-allocating Costs from One Jurisdiction to another	Minimum Charge	Simplified Residential Rates
A	Impervious Area	No	Optional at Jurisdiction's Choice	Impervious Area SFU's	None	Optional at Jurisdiction's Choice	No	Yes
B	Impervious Area	Yes	Optional at Jurisdiction's Choice	Impervious Area SFU's	None	Optional at Jurisdiction's Choice	No	Yes
C	Impervious and Gross Area at 80/20 or 90/10	No	Optional at Jurisdiction's Choice	Per Account	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes
D	Impervious and Gross Area at 80/20 or 90/10	No	Optional at Jurisdiction's Choice	Impervious and Gross Area	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes
E	Impervious and Gross Area at 80/20 or 90/10	Yes	Optional at Jurisdiction's Choice	Per Account	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes
F	Impervious and Gross Area at 80/20 or 90/10	Yes	Optional at Jurisdiction's Choice	Impervious and Gross Area	Impervious and Gross Area	Optional at Jurisdiction's Choice	Yes	Yes

STORMWATER UTILITY RATE STUDY

- Allocation of CWI costs based on infrastructure distribution throughout County:

Unincorporated County	83.6% (v. 76.4%)
City of Beaufort	2.2% (v. 3.4%)
Town of Port Royal	0.8% (v. 1.0%)
Town of Bluffton	7.6% (v. 11.1%)
Town of Hilton Head Island	5.8% (v. 8.1%)

STORMWATER UTILITY RATE STUDY

- Countywide Infrastructure costs - about \$3.5M
- Current per SFU rates required to generate CWI monies are as follows:

Unincorporated County	\$45.88 * per SFU	(v. \$42.28)
City of Beaufort	\$5.15 per SFU	(v. \$8.05)
Town of Port Royal	\$3.88 per SFU	(v. \$5.03)
Town of Bluffton	\$18.13 per SFU	(v. \$26.34)
Town of Hilton Head Island	\$5.52 per SFU	(v. \$7.66)

- Unlike the municipal areas, the CWI is included in the County SFU (or IA/GA fees), not in addition to.

STORMWATER UTILITY RATE STUDY

- OPTION E.2 -- Unincorporated County rates recommended in study:
 - Fixed charge per year: \$12.00 per parcel/account
 - Impervious charge: \$65.00 per Unit
 - Gross area charge: \$10.00 per Unit, declining blocks

NO CHANGE IN COUNTY RATES

STORMWATER UTILITY RATE STUDY

Declining block rates for gross area charges in the recommended unincorporated County rate structure:

- First 2 acres: \$10.00 per year
- Next 8 acres: \$5.00 per acre per year
- Next 90 acres: \$4.00 per acre per year
- All acres > 100: \$3.00 per acre per year

NO CHANGE IN COUNTY RATES

STORMWATER UTILITY RATE STUDY

How Option E.2 Compares -- Unincorporated County rates recommended in study:

Example

Typical home on 1 acre lot

- Current charge: \$50 per year
- Option A.2 charge: \$100 per year (\$120 per year by 2019)
- Option E.2 charge: \$87 per year

Other examples have been prepared to show how the rate structure change and rate increase affects non-residential parcels.

STORMWATER UTILITY RATE STUDY

Current utility rates across the County:

- Town of Hilton Head Island \$108.70 / SFU
- City of Beaufort \$105 / SFU
- Town of Bluffton \$98 / SFU
- Beaufort County \$50 / SFU
- Town of Port Royal \$50 / SFU

Proposed utility rate:

- Beaufort County \$87 / IA,GA, admin

STORMWATER UTILITY RATE STUDY

**Presentation of Findings:
Analysis of stormwater rate
structure and fee increase impacts
on Rural, Ag use, and Vacant
parcels greater than 5 acres**

August 13, 2015

STORMWATER UTILITY RATE STUDY

Number of Accounts identified: 3,118

County Agricultural Exemptions: 1,745 * #

Ag. / Res. Vacant: 768

SFR / Rural residential: 405

Mobile Home lots: 139

Other (Non-Res. Vacant or IA < 1 SFU): 61

** inquiry of County Ag. Exemption : 2,623 accounts, approx. 878 of which are less than 5 acres*

parcels with Ag. Exemption were modeled with no change in fees due to the County's stormwater fee policy on agricultural use

STORMWATER UTILITY RATE STUDY

Existing v. Option E

Number of accounts with no change: 1,750

County Agricultural Exemptions: 1,745

Ag. / Res. Vacant: 5

SFR / Rural residential: 0

Mobile Home lots: 0

Other (Non-Res. Vacant or IA < 1 SFU): 0

STORMWATER UTILITY RATE STUDY

Existing v. Option E

Number of accounts with decrease: 554

County Agricultural Exemptions: 0

Ag. / Res. Vacant: 521

SFR / Rural residential: 0

Mobile Home lots: 12

Other (Non-Res. Vacant or IA < 1 SFU): 21

STORMWATER UTILITY RATE STUDY

Existing v. Option E

Number of accounts with increase: 814 *

County Agricultural Exemptions: 0

Ag. / Res. Vacant: 242

SFR / Rural residential: 405

Mobile Home lots: 127

Other (Non-Res. Vacant or IA < 1 SFU): 40

** It is notable that the average increase in fee per account is less than the average decrease.*

STORMWATER UTILITY RATE STUDY

Comparison of data set revenue to projected revenue

Existing structure and rate (\$50)

From this data set: \$319,583

Projected revenue (prior to increase): \$3,308,847

% of total revenue: 9.66%

Option A (ex. Rate structure @ \$100/SFU)

From this data set: \$509,212

Projected revenue (with increase): \$5,727,114 *

% of total revenue: 8.89%

Option E

From this data set: \$290,118

Projected revenue (with increase): \$4,881,642 *

% of total revenue: 5.94%

** Option A does not model a CWI. Option E supplements County fees with the CWI. As a result, the projected revenues are different for each option but result in the same total funding for the SWU.*

STORMWATER UTILITY RATE STUDY

For your information...

FY 16 projected account base

Accounts: 65,314

IA units (4,906 sq. ft. or SFU): 54,388

GA units (acres): 104,545

Revenue from Option E (FY 16)

Fixed Admin. Fee (\$12) = \$713,230

IA Fees (\$65) = \$3,217,051 (77%)

GA Fees (\$10) = \$951,361 (23%)

Admin. fee from municipalities = \$177,240

CWI fees from municipalities = \$712,776

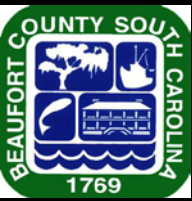
other (cost shares, interest, etc.) = \$278,622

Total = \$6,050,280

STORMWATER UTILITY MS4 PROGRAM

Explanation of Regulatory Authority and Federal Mandate of the MS4 Permit

August 24, 2015



STORMWATER UTILITY MS4 PROGRAM

The Federal Government

The Federal Water Pollution Control Act of 1948 was reorganized and expanded as the United State Environmental Protection Agency (US EPA) Clean Water Act (33 U.S.C. §1251 et seq.) (1972), which was further amended in 1981 and 1987.

The National Pollutant Discharge Elimination System (NPDES) was created by Section 402 of the CWA. The Municipal Separate Stormsewer Program (MS4) is a component of the NPDES for stormwater permitting of stormwater facilities operated by local governments. MS4 was implemented in multiple Phases. Phase II was enacted in the Federal Register Dec. 8, 1999 (64 FR 68722).

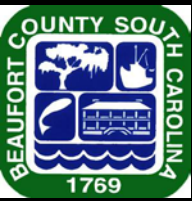


STORMWATER UTILITY MS4 PROGRAM

The State Government

CWA mandates the NPDES permit program to be administered by authorized states. In 1975, the South Carolina Bureau of Water received authority from the EPA to administer the NPDES Permit Program in SC.

South Carolina Code of Law Section 48-1 Pollution Control Act establishes NPDES permitting. NPDES permitting is promulgated by SC via SC Regulation R.61-9, Water Pollution Control Permits, which allows the Department of Health and Environmental Control's (DHEC) Bureau of Water to issue "General Permits". The application process consists of a Notice of Intent (NOI) to be covered by a General Permit.



STORMWATER UTILITY MS4 PROGRAM

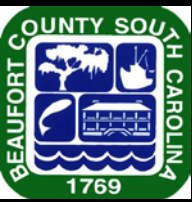
The Local Government

June 4, 2014 - DHEC designated Beaufort County as a MS4 and requested NOI submittal.

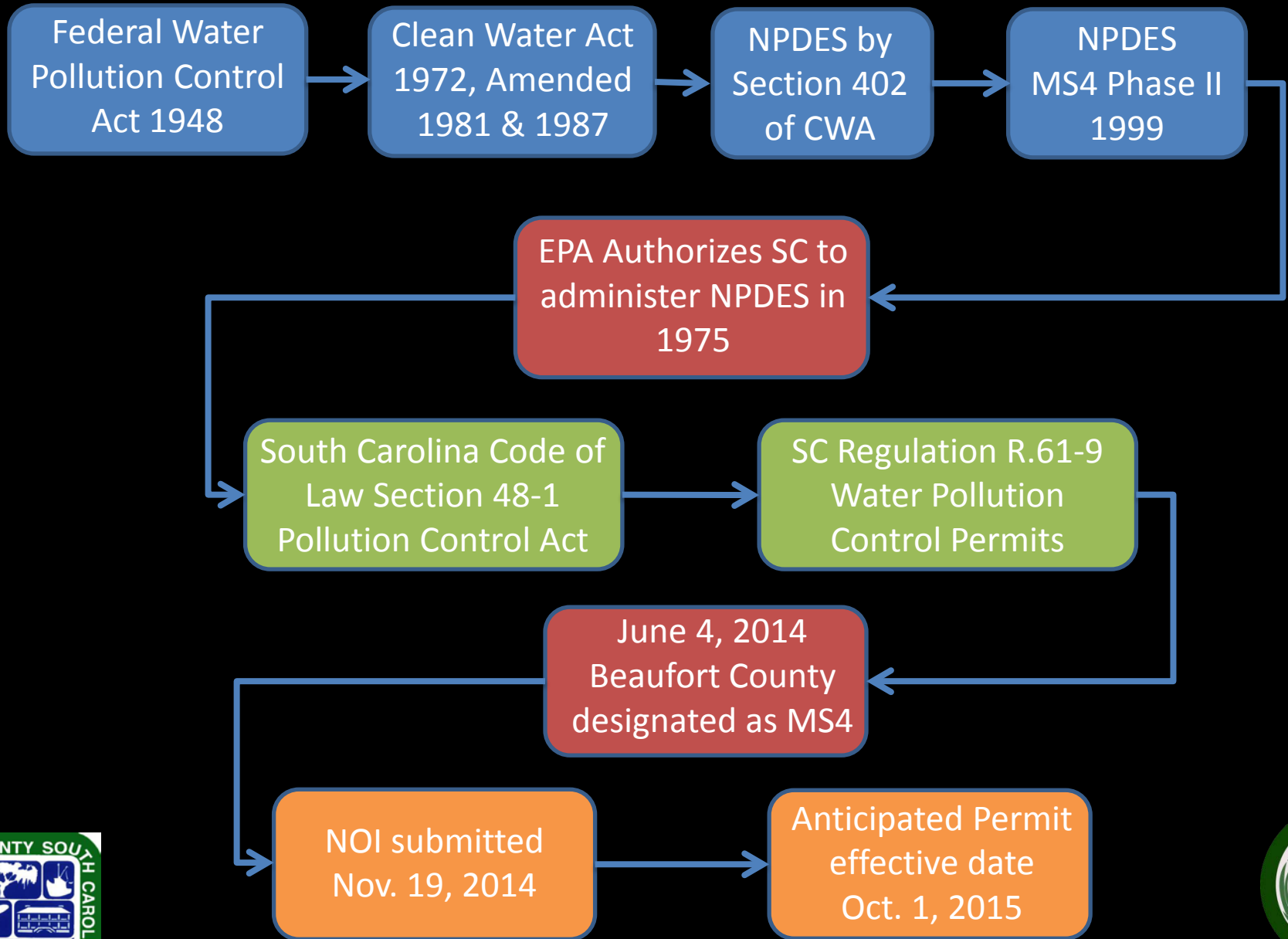
NOI was submitted Nov. 1, 2014.

Anticipated Public Notice is Sept. 1, 2015.

Anticipated Permit effective date is October 1, 2015.



STORMWATER UTILITY MS4 PROGRAM



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: Mary Peters, Court Reporter / Contempt of Court
Date Submitted: August 24, 2015
Submitted By: Joni Dimond
Venue: County Council Meeting

August 24, 2015

Beaufort County Council,

In doing research for another book, I came across information this council should have as well as the general public and those who come along after us.

I discovered Mary Peters, a court reporter for many years, had spent four years in the Beaufort County Detention Center.

I have included copies of the two orders Kemmerlin wrote that day, April 27, 1999. No where in either order does he charge her with a crime.

The assumption was that she was there for Contempt of Court.

Even Lolita Huckaby, a reporter for the Carolina Morning News, got it wrong when on June 29, 2003, she stated that

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Mary Peters was sentenced for Contempt of Court.

In the same article Huckaby stated that Kemmerlin was appointed a Circuit Court judge in 1989. Kemmerlin was not appointed a Circuit Court judge until the Chief Justice, David W. Harwell 'appointed' him on December 9, 1992.

Kemmerlin was pretending to be a judge three years before that.

Mary Peters had been in and out of jail on the orders of either Judge Luke N. Brown or Judge Kemmerlin, for years, in connection with her refusal to obey orders that were void for lack of jurisdiction. All such confinements were without warrant, cause, trial or conviction of any offense. Mary Peters finally brought suit against Beaufort County and Judge Brown in the United States District Court, Charleston Division,

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where Beaufort County admitted in sworn pleadings that its territory and jurisdiction did not extend to her property on St. Helena Island and where later, from the witness stand and in the presence of the trial jury Judge Brown testified that it was "all a misunderstanding."

Mary Peters wasn't even afforded a death notice in the local papers.

The reason I'm telling you this --- is that the same kind of corruption went on against me, allowing Beaufort County an opportunity to extort 20 acres of land on Coosaw Island from me with the help of Henry Chambers, the former Mayor of Beaufort, Bill Anderson now of Evergreen Real Estate, and Bobby Reames, of the assessors office, who actually changed records at the assessors office to help the county steal my 20 acres.

Joni Dimond

Exhibit #3

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ADELE H. GWYNN,)
)
Plaintiff,)
)
v.)
)
MARY D. S. PETERS,)
)
Defendant.)

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NUMBER: 97-CP-07-2041

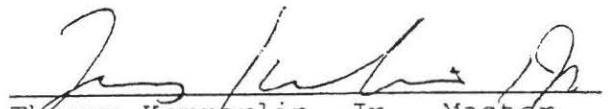
Certified True Copy

Elizabeth [unclear] - Clerk of Court
Beaufort County, SC

ORDER

A further Order will follow, but at this time the Defendant, Mary D. S. Peters, is confined until further Order of this Court to the Beaufort County Jail and the Sheriff is directed to place her there.

AND IT IS SO ORDERED.


Thomas Kemmerlin, Jr., Master
In Equity and Special Circuit
Judge for Beaufort Common Pleas

Beaufort, South Carolina

This 21st day of April, 1999.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ADELE H. GWYNN,)
)
Plaintiff,)
)
V.)
)
MARY D. S. PETERS,)
)
Defendant.)

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NUMBER: 97-CP-07-2041

ORDER

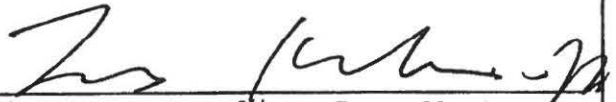
A brief history of the controversy which brings this matter before me this 27th day of April, 1999, is embodied in the Affidavit of the Plaintiff's Attorney dated April 27, 1999 and attached hereto as Exhibit "A". A Notice of Motion and Motion to Compel Execution was served upon the Defendant advising her that the Plaintiff's attorney was moving on April 7, 1999 to hold her in contempt for interference with the Execution of the Court. A copy of this document is attached hereto as Exhibit "B". The Defendant ignored this Motion. Thereafter I prepared and had served upon her an Order and Rule to Show Cause, a copy of which is attached as Exhibit "C". She ignored this Order which Ordered her to show cause why I should not issue an Order to the Sheriff ejecting her from the land and to show cause why she should not be held in contempt and be punished.

I next received a letter from the Defendant marked here Exhibit "D" which indicated she was not receiving the message I was sending to her. Therefore, I directed the Sheriff to bring her before me this morning. After the Sheriff's Office called me and said she refused to come voluntarily, I ordered that she nevertheless be brought before me. She appeared in handcuffs which were removed at her request for the hearing.

At the hearing the Plaintiff made out a prima facie case. The Defendant asserted no defense except a claim that the Court has

no jurisdiction over her. I asked her, if I let you go will you stay away from the land involved. She replied that she would not, that she would return to "her" property. I therefore ORDER that the Defendant be confined in the common jail for Beaufort County until such time as she agrees not to return to the land which she claims is hers but which is not. If she will agree not to return to that land, I will direct that she be released from jail.

AND IT IS SO ORDERED.


Thomas Kemmerlin, Jr., Master
In Equity and Special Circuit
Judge for Beaufort Common Pleas

Beaufort, South Carolina

This 22nd day of April, 1999.