

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
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D. PAUL SOMMERVILLE
CHAIRMAN

GERALD W. STEWART
VICE CHAIRMAN

COUNCIL MEMBERS

RICK CAPORALE
MICHAEL E. COVERT
GERALD DAWSON
BRIAN E. FLEWELLING
STEVEN G. FOBES
YORK GLOVER, SR.
ALICE G. HOWARD
STEWART H. RODMAN
ROBERTS "TABOR" VAUX

JOSHUA A. GRUBER
INTERIM COUNTY ADMINISTRATOR

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

ASHLEY M. BENNETT
CLERK TO COUNCIL

AGENDA
COUNTY COUNCIL OF BEAUFORT COUNTY
REGULAR SESSION
Monday, October 23, 2017
6:00 p.m.
Large Meeting Room
Hilton Head Island Branch Library
11 Beach City Road, Hilton Head Island

1. CALL TO ORDER - 6:00 P.M.
2. REGULAR SESSION
3. PLEDGE OF ALLEGIANCE
4. INVOCATION – Chairman D. Paul Sommerville
5. PROCLAMATION – Anti-Bullying Awareness
6. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes
 1. October 9, 2017 Caucus ([backup](#))
 2. October 9, 2017 Regular Session ([backup](#))
 - B. Committee Reports (next meeting)
 1. Community Services (November 13 at 2:00 p.m., ECR)
 2. Executive (November 13 at 3:00 p.m., ECR)
 - a. Minutes – October 9, 2017 ([backup](#))
 3. Finance (November 6 at 2:00 p.m., ECR)
 4. Governmental (November 6 at 4:00 p.m., ECR)
 5. Natural Resources (November 20 at 2:00 p.m., ECR)
 - a. Minutes – October 16, 2017 ([backup](#))
 - b. Minutes – October 5, 2017 ([backup](#))
 6. Public Facilities (November 20 at 4:00 p.m., ECR)
7. PRESENTATION / DELINQUENT TAX SALE 2017 REPORT
Mrs. Maria Walls, CPA, County Treasurer
8. PUBLIC COMMENT – Speaker sign-up encouraged no later than 5:45 p.m. day of meeting.



9. CONSENT AGENDA

- A. AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$630,000 FROM THE 2% LOCAL HOSPITALITY TAX FUNDS TO THE COUNTY GENERAL FUND FOR IMPROVEMENTS TO THE FACTORY CREEK BOAT RAMP, LADY'S ISLAND (backup)
1. Consideration of second reading approval to occur October 23, 2017
 2. Public hearing - Monday, November 13, 2017 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort
 3. First reading approval occurred October 9, 2017 / Vote 10:0
 4. Finance Committee recommendation to approve on first reading occurred October 2, 2017 / Vote 6:0
- B. AN ORDINANCE ENACTED PURSUANT TO S.C. CODE ANN. §4-37-30 *ET SEQ.* TO IMPOSE A ONE PERCENT (1%) TRANSPORTATION SALES AND USE TAX FOR NOT MORE THAN FOUR (4) YEARS, IF APPROVED BY REFERENDUM; TO AUTHORIZE THE ISSUE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$120,000,000 IF APPROVED BY REFERENDUM, TO DESCRIBE THE TRANSPORTATION-RELATED PROJECTS AND ESTIMATED CAPITAL COSTS OF THE PROJECTS TO BE FUNDED IN WHOLE OR IN PART FROM THE PROCEEDS OF THE TAX; TO ORDER A COUNTY-WIDE REFERENDUM ON THE QUESTION OF IMPOSING THE TAX AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS; TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS; AND PROVIDE FOR ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTIONS TO THE ELECTORATE (backup)
1. Consideration of second reading approval to occur October 23, 2017
 2. Public hearing - Monday, November 13, 2017 beginning at 6:30 p.m., in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort
 3. First reading approval occurred October 9, 2017 / Vote 10:0
 4. Finance Committee recommendation to approve on first reading occurred October 2, 2017 / Vote 6:0

10. PUBLIC HEARINGS

- A. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 4, SECTION 4.2.20 GENERAL STANDARDS AND LIMITATIONS, T3-EDGE, T3-HAMLET NEIGHBORHOOD, AND T3-NEIGHBORHOOD (TO ALLOW PRIVATE FISH PONDS) (backup)
1. Consideration of third and final reading to occur October 23, 2017
 2. Second reading approval occurred October 9, 2017 / Vote 10:0
 3. First reading approval occurred September 25, 2017 / Vote 11:0
 4. Natural Resource Committee recommendation to approve on first reading occurred September 18, 2017 / Vote 6:0
 5. Planning Commission discussion and recommendation to approve text amendment occurred September 7, 2017 / Vote 2:4 (The motion failed.)

- B. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 3.1.70 LAND USE DEFINITIONS, AGRICULTURE (TO ADD THE AQUAPONICS USE TO AGRICULTURE AND CROP HARVESTING LAND USE TYPE) ([backup](#))
 - 1. Consideration of third and final reading to occur October 23, 2017
 - 2. Second reading approval occurred October 9, 2017 / Vote 10:0
 - 3. First reading approval occurred September 25, 2017 / Vote 11:0
 - 4. Natural Resource Committee recommendation to approve on first reading occurred September 18, 2017 / Vote 7:0
 - 5. Planning Commission discussion and recommendation to approve occurred September 7, 2017 / Vote 6:0

- C. AN ORDINANCE PROVIDING FOR A QUIT CLAIM DEED FROM BEAUFORT COUNTY TO KUZZENS INC. RELEASING ANY CLAIMS OVER A PORTION OF LAND OCCUPIED BY THE TOMATO SHEDS ([backup](#))
 - 1. Consideration of third and final reading to occur October 23, 2017
 - 2. Second reading approval occurred October 9, 2017 / Vote 10:0
 - 3. First reading approval occurred September 25, 2017 / Vote 11:0
 - 4. Public Facilities Committee discussion and recommendation to approve on first reading occurred August 28, 2017 / Vote 6:1

11. MATTERS ARISING OUT OF EXECUTIVE SESSION

12. PUBLIC COMMENT - Speaker sign-up encouraged.

13. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
October 9, 2017

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

A caucus of the County Council of Beaufort County was held Monday, October 9, 2017 beginning at 5:00 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 Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes, York Glover, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux. Michael Covert absent (participated telephonically).

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council go immediately into executive session regarding: (1) receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege (Beaufort County Magistrate Health Benefit); (2) discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body (Project Solar); (3) receipt of legal advice relating to pending and potential claims covered by the attorney-client privilege (Scratch Golf, LLC); and (4) discussion of employment of a person regulated by County Council. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT – Mr. Covert (participated telephonically, but unable to vote). RECUSAL - Mr. Vaux recused himself, left the room, and was not present for any of the discussion regarding the magistrates. Mr. Vaux's wife is a County Magistrate. The motion passed.

EXECUTIVE SESSION

RECESS

Council recessed at 6:00 p.m. in order to convene regular session.

RECONVENE OF EXECUTIVE SESSION

Council reconvened at 7:30 p.m. and went immediately into executive session.

EXECUIVE SESSION

ADJOURNMENT

Council adjourned at 8:30 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST

Ashley M. Bennett, Clerk to Council

Ratified:

DRAFT

Official Proceedings
County Council of Beaufort County
October 9, 2017

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

The regular session of the County Council of Beaufort County was held Monday, October 9, 2017 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart, Councilmen Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes, York Glover, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux. Michael Covert absent.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

INVOCATION

Council member Gerald Dawson gave the Invocation.

PROCLAMATION

Archaeology Month

The Chairman proclaimed October 2017 as Archaeology Month and encouraged citizens to obtain an awareness of the many archaeological resources in Beaufort County by attending orchestrated events. Mrs. Mary Lou Brewton, Executive Board Member, Beaufort County Historical Society, and Mrs. Grace Cordial, Historical Resources Coordinator, Library Department, accepted the proclamation.

RETIREMENT RECOGNITION / MR. DOUGLAS "BUD" BOYNE

The Chairman recognized Mr. Douglas "Bud" Boyne, former Director, Alcohol and Drug Abuse Services Department, on his retirement from nearly 43 years of dedication to our community as an integral member and director of the Beaufort County Alcohol and Drug Abuse Department, from November 1974 to September 2017. Mr. Sommerville introduced current and former colleagues, as well as friends, to thank and honor Mr. Boyne for all of his accomplishments.

ADMINISTRATIVE CONSENT AGENDA

Review of the Proceedings of the Caucus held September 25, 2017

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve the minutes of the caucus held September 25, 2017. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

Review of the Proceedings of the Regular Session held September 25, 2017

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve the minutes of the regular session held September 25, 2017. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

Review of the Proceedings of the Work Session held October 4, 2017

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve the minutes of the work session held October 4, 2017. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

Committee Reports

Executive Committee

Announcement

Executive Committee Chairman Gerald Stewart provided an overview of the October 9, 2017 Executive Committee meeting. The Committee discussed ways to increase transparency, including, reviewing the ordinance approval process. The Committee also discussed a referendum question regarding changing the existing form of government from Council-Administrator to Council-Manager. There will be two work sessions held (one south and one north of the Broad River) to receive public input. The committee also reviewed the appointment process to County boards and commissions.

Natural Resources Committee

Announcement

Natural Resources Committee Chairman Brian Flewelling announced the October 16, 2017 agenda would include a discussion of the Lady's Island Area Plan Services as well as discussions regarding a proposed plastic bag ban ordinance.

Public Facilities Committee

Announcement

Public Facilities Committee Chairman Stu Rodman announced at the next meeting members would discuss the following items: Santa Elena Foundation's request for a lease extension, Keep Beaufort County Beautiful Board, Dirt Road Paying Program and U.S. Highway 278 Gateway Corridor.

Seabrook Point Special Purpose Tax District

Edward Pardue

The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. Mr. Pardue garnered the six votes required for appointment to serve as a member of the Seabrook Point Special Purpose Tax District.

PUBLIC COMMENT

Mr. Jim Beckert, County Auditor, spoke about the assessment of motor vehicle and the associated reduced values. He informed Council of the appeal process should a taxpayer disagree with the valuation. For the record, Mr. Beckert submitted a news release dated October 9, 2017, titled "Taxpayers have started seeing Lower Motor Vehicle Values."

Mr. Tommy O'Brien, a Burton resident, stated that in reviewing delinquent properties he noticed many properties have been delinquent for five to six years, but were not part of the tax sale. According to the Beaufort County Treasurer, the properties were not delinquent on taxes, but owed fees. The largest offenders of nonpayment tend to be the U.S. Marine Corps and the U.S. Navy. It is time for the Finance Committee to talk to people in Columbia to develop solutions to this problem.

Mr. Harold Mitchell, a Sheldon resident, spoke against the AICUZ. He did not move his property within the AICUZ. The AICUZ moved to his property. His property is now not as valuable because it is within the AICUZ.

TIME-SENSITIVE ITEMS POTENTIALLY COMING FORTH FROM OCTOBER 9, 2017 COMMITTEE MEETING FOR COUNCIL CONSIDERATION

SMARTNET-CISCO SOFTWARE TO SUPPORT VOICE OVER INTERNET PROTOCOL (VOIP) PHONE SYSTEM FOR INFORMATION TECHNOLOGY DIVISION IN THE AMOUNT OF \$156,383.17 VIA STATE CONTRACT TO NWN CORPORATION, GREENVILLE, SOUTH CAROLINA

It was moved by Mr. Stewart, as Chairman of the Executive Committee (no second necessary), that Council award a contract renewal to NWN Corporation of Greenville, South Carolina (via State contract pricing) in the amount of \$156,383.17 for Voice over Internet Protocol (VoIP) licensing and support. Funding will come from Account 10001150-51110, Information Technology Systems Management Department, and Maintenance Contracts. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

CONSENT AGENDA

AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$630,000 FROM THE 2% LOCAL HOSPITALITY TAX FUNDS TO THE COUNTY GENERAL FUND FOR IMPROVEMENTS TO THE FACTORY CREEK BOAT RAMP, LADY'S ISLAND

This item comes before Council under the Consent Agenda. Discussion occurred at the October 2, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on first reading an ordinance to appropriate funds not to exceed \$630,000 from the 2% Local Hospitality Tax Funds to the County General Fund for improvements to the Factory Creek Boat Ramp, Lady's Island. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

AN ORDINANCE ENACTED PURSUANT TO S.C. CODE ANN. §4-37-30 *ET SEQ.* TO IMPOSE A ONE PERCENT (1%) TRANSPORTATION SALES AND USE TAX FOR NOT MORE THAN FOUR (4) YEARS, IF APPROVED BY REFERENDUM; TO AUTHORIZE THE ISSUE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$120,000,000 IF APPROVED BY REFERENDUM, TO DESCRIBE THE TRANSPORTATION-RELATED PROJECTS AND ESTIMATED CAPITAL COSTS OF THE PROJECTS TO BE FUNDED IN WHOLE OR IN PART FROM THE PROCEEDS OF THE TAX; TO ORDER A COUNTY-WIDE REFERENDUM ON THE QUESTION OF IMPOSING THE TAX AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS; TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS; AND PROVIDE FOR ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTIONS TO THE ELECTORATE

This item comes before Council under the Consent Agenda. Discussion occurred at the October 2, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on first reading an ordinance enacted pursuant to S.C. Code Ann. §4-37-30 *et seq.* to impose a one percent (1%) Transportation Sales and Use Tax for not more than four years, if approved by referendum; to authorize the issue of General Obligation Bonds not to exceed \$120,000,000 if approved by referendum, to describe the transportation-related projects and estimated capital costs of the projects to be funded in whole or in part from the proceeds of the tax; to order a county-wide referendum on the question of imposing the tax and authorizing the issuance of general obligation bonds; to prescribe the contents of the ballot questions; and provide for all other things necessary to submit the aforesaid questions to the electorate. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE CATHOLIC DIOCESE OF CHARLESTON AND SAINT GREGORY THE GREAT CATHOLIC CHURCH FOR INSTALLATION AND MAINTENANCE OF AN IRRIGATION SYSTEM

This item comes before Council under the Consent Agenda. Discussion occurred at the September 25, 2017 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council adopt a resolution authorizing the County Administrator to enter into an agreement with the Catholic Diocese of Charleston and Saint Gregory the Great Catholic Church for installation and maintenance of an irrigation system. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
ARTICLE 4, SECTION 4.2.20 GENERAL STANDARDS AND LIMITATIONS, T3-
EDGE, T3-HAMLET NEIGHBORHOOD, AND T3-NEIGHBORHOOD (TO ALLOW
PRIVATE FISH PONDS)**

This item comes before Council under the Consent Agenda. Discussion occurred at the September 18, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on second reading a text amendment to the Beaufort County Community Development Code (CDC): Article 4, Section 4.2.20 General Standards and Limitations, T3-Edge, T3-Hamlet Neighborhood, and T3-Neighborhood (to allow private fish ponds). The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

The Chairman announced a public hearing Monday, October 23, 2017 beginning at 6:30 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, located at 11 Beach City Road, Hilton Head Island.

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE
(CDC): SECTION 3.1.70 LAND USE DEFINITIONS, AGRICULTURE (TO ADD THE
AQUAPONICS USE TO AGRICULTURE AND CROP HARVESTING LAND USE
TYPE)**

This item comes before Council under the Consent Agenda. Discussion occurred at the September 18, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on second reading a text amendment to the Community Development Code (CDC): Section 3.1.70 Land Use Definitions, Agriculture (to add the Aquaponics Use to Agriculture and Crop Harvesting Land Use type). The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

The Chairman announced a public hearing Monday, October 23, 2017 beginning at 6:30 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, located at 11 Beach City Road, Hilton Head Island.

AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$300,000 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUNDS TO THE CITY OF BEAUFORT FOR BRIDGE ACCESS AND BIKE PATH TO THE WATERFRONT PARK EXTENSION INTO THE WHITEHALL DEVELOPMENT

This item comes before Council under the Consent Agenda. Discussion occurred at the September 5, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on second reading an ordinance to appropriate funds not to exceed \$300,000 from the 3% Local Accommodations Tax Fund for the City of Beaufort for bridge access and bike path to the Waterfront Park Extension into the Whitehall Development. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

The Chairman announced a public hearing Monday, October 23, 2017 beginning at 6:30 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, located at 11 Beach City Road, Hilton Head Island.

AN ORDINANCE PROVIDING FOR A QUIT CLAIM DEED FROM BEAUFORT COUNTY TO KUZZENS INC. RELEASING ANY CLAIMS OVER A PORTION OF LAND OCCUPIED BY THE TOMATO SHEDS

This item comes before Council under the Consent Agenda. Discussion occurred at the August 28, 2017 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on second reading an ordinance providing for a Quit Claim Deed from Beaufort County to Kuzzens Inc. releasing any claims over a portion of land occupied by the Tomato Sheds. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

The Chairman announced a public hearing Monday, October 23, 2017 beginning at 6:30 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, located at 11 Beach City Road, Hilton Head Island.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), APPENDIX A--COMMUNITY PRESERVATION DISTRICTS, DIVISION A.2. LADY'S ISLAND COMMUNITY PRESERVATION DISTRICT (LICP), TABLE A.2.40.A. (LAND USES) AND SECTION A.2.50 (CONDITIONAL AND SPECIAL USE STANDARDS) TO PERMIT COMMUNITY RESIDENCES (E.G. DORMS, CONVENTS, ASSISTED LIVING FACILITIES, TEMPORARY SHELTERS) AS A SPECIAL USE SUBJECT TO ADDITIONAL STANDARDS

This item comes before Council under the Consent Agenda. Discussion occurred at the August 22, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on third and final reading text amendments to the Beaufort County Community Development Code (CDC), Appendix A - Community Preservation Districts, Division A.2. Lady's Island Community Preservation District (LICP), Table A.2.40.A. (Land Uses) and Section A.2.50 (Conditional and Special Use Standards) to permit community residences (E.G. Dorms, convents, assisted living facilities, temporary shelters) as Special Use subject to additional standards. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), ARTICLE 5 (SUPPLEMENT TO ZONES), DIVISION 5.5 (OFF-STREET PARKING), SECTION 5.5.30.A. STORAGE AND/OR PARKING OF HEAVY TRUCKS AND TRAILERS

This item comes before Council under the Consent Agenda. Discussion occurred at the August 22, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on third and final reading text amendments to the Beaufort County Community Development Code (CDC), Article 5 (supplement to zones), Division 5.5 (Off-street Parking), Section 5.5.30.A Storage and/or Parking of Heavy Trucks and Trailers. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$250,000 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUNDS TO THE COUNTY GENERAL FUND FOR CONSTRUCTION OF THE SPANISH MOSS TRAIL – PHASE 7

This item comes before Council under the Consent Agenda. Discussion occurred at the August 7, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on third and final reading an ordinance to appropriate funds, not to exceed \$250,000, from the 3% Local Accommodations Tax Funds for the County's match associated with the Spanish Moss Trail from Roseida Road to Clarendon Plantation. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$88,350 FROM THE 3% LOCAL ACCOMMODATIONS TAX FUNDS TO THE COUNTY GENERAL FUND FOR PROVIDING SUPPORT FOR THE 2017 DIXIE JUNIOR BOYS AND BOYS WORLD SERIES EVENT

This item comes before Council under the Consent Agenda. Discussion occurred at the August 7, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Council approve on third and final reading an ordinance to appropriate funds, not to exceed \$88,350, from the 3% Local Accommodations Tax Funds to the County General Fund for providing support for the 2017 Dixie Juniors Boys and Boys World Series. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

PUBLIC HEARING

AN ORDINANCE OF BEAUFORT COUNTY COUNCIL CREATING A SPECIAL TAX ASSESSMENT FOR REHABILITATED HISTORIC PROPERTIES IN THE GEOGRAPHICAL BOUNDARIES KNOWN AS DAUFUSKIE ISLAND

The Chairman opened a public hearing beginning at 6:32 p.m. for the purpose of receiving public comment regarding an ordinance of Beaufort County Council creating a Special Tax Assessment for rehabilitated historic properties in the geographical boundaries known as Daufuskie Island. After calling once for public comment, the Chairman recognized Mr. Tommy O'Brien, a Burton resident, who stated he supports passing an ordinance that helps give tax breaks to those wanting to restore, not only historical houses on Daufuskie Island, but countywide. Tax incentives may save properties of historic nature.

After calling twice more for public and receiving none, the Chairman declared the hearing closed at 6:34 p.m.

Main motion: It was moved by Mr. Flewelling, seconded by Mr. Vaux, that Council approve on third and final reading an ordinance of Beaufort County Council creating a Special Tax Assessment for rehabilitated historic properties in the geographical boundaries known as Daufuskie Island.

Mr. Vaux provided Council a letter from Mr. Michael Bedenbaugh, Executive Director, Preservation South Carolina, which addressed some of the questions and statements made by staff and Council members.

Motion to amend by substitution: It was moved by Mr. Flewelling, seconded by Mr. Vaux, that Council amend the ordinance by substituting “or” with “and” in Section 66-157 Eligible Properties Paragraph (a)1(a) making the text read as follows: “The property has received historic designation from the Daufuskie Island Council and in accordance with the Daufuskie Island Plan and is listed on the Beaufort County Above Ground Historic Resources Survey completed in 1998.” The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. The motion passed.

Vote on the amended motion, which is now the main motion, and includes the motion to amend by substitution: Council approve on third and final reading an ordinance of Beaufort County Council creating a Special Tax Assessment for Section 66-157 Eligible Properties, Paragraph (a)1(a) as amended: “The property has received historic designation from the Daufuskie Island Council and in accordance with the Daufuskie Island Plan and is listed on the Beaufort County Above Ground Historic Resources Survey completed in 1998.”. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. Covert. NAYS – Mr. Glover. The motion passed.

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO AMEND THE OFFICIAL BEAUFORT COUNTY ZONING MAP – SECTION 3.1.20 (ESTABLISHMENT OF ZONES) TO ADOPT THE 2013 F-35B AICUZ (AIR INSTALLATION COMPATIBILITY USE ZONE) MAP AS THE MARINE CORPS AIR STATION AIRPORT OVERLAY (MCAS-AO) ZONE MAP

The Chairman opened a public hearing beginning at 6:44 p.m. for the purpose of receiving public comment regarding an ordinance to amend the Beaufort County Official Zoning Map – Section 3.1.20 (Establishment of Zones) to adopt the 2013 F-35B AICUZ (Air Installation Compatibility Use Zone) map as the Marine Corps Air Station Airport Overlay (MCAS-AO) zone map. After calling once for public comment, the Chairman recognized Mr. Claude McLeod, a Seabrook resident, who stated that the F-35B does not need to be located in a residential/community area. MCAS Beaufort is encroaching on us and wanting more and more. The F-35B makes a lot of noise. Council needs to hold a meeting at the Grays Hill Community Center when the pilots are practicing. Pilots have to train, but this is not the place for them to do it. He thanked Council for not including the 60-decibel zone on the AICUZ map. It would have put a lot of property in the

AICUZ zone and devalued many properties. Property owners should receive compensation. Represent the people of Beaufort County, before the MCAS Beaufort.

Mr. Harold Mitchell, a Sheldon resident, protested against the unfair encumbrance of his property by the expansion of the MCAS Beaufort AICUZ and the proposed expanded MCAS Airport Overlay District. He expressed his concern relative to the inadequate notification to property owners directly impacted by the expanded AICUZ and the ongoing meetings and hearings regarding the Airport Overlay. He recommends changes to Section 3.4.30 of the Community Development Code to mitigate the negative impact on property owners and property values because of the expanded AICUZ. The expanded AICUZ now contains his land and imposes an unfair and illegal burden for him and all property owners within the AICUZ.

Mr. Tommy O'Brien, a Burton resident, questioned the public notification process. Whether the F-35B fits here or not, is the question. It is loud and a piece of junk. It is a waste of our tax dollars. He has been listening to jets all of his life. There have been very few incidents of plane crashes, but it is going to happen. Some of this AICUZ stuff does not make sense. It does interrupt people's property. The noise you can learn to live with and, you should understand there might be a crash. How are you going to protect everyone? Planes do not always fly in the AICUZ. The AICUZ zone needs to be scratched.

After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 6:56 p.m.

It was moved by Mr. Flewelling, seconded by Mr. Fobes, that Council approve on third and final reading an ordinance to amend the Beaufort County Official Zoning Map – Section 3.1.20 (Establishment of Zones) to adopt the 2013 F-35B AICUZ (Air Installation Compatibility Use Zone) map as the Marine Corps Air Station Airport Overlay (MCAS-AO) Zone.

Mr. Tony Criscitiello, Planning Director, informed Council of the meeting notifications provided to the homeowners within the AICUZ to include the newspaper, notifications were handled in accordance with the Planning Commission, notifications were made through the AICUZ Committee, and there have been three years of public hearings and public meetings.

Mr. Dawson stated if the public outcry were to relocate the F-35B to another installation, then the MCAS would close. The F-35B has caused the AICUZ to expand. The concern from most is that the expansion requires the realtor to reveal that the property is in the AICUZ. The concern is that if you remove the disclosure of the notification clause, it will satisfy some of the property owners. Perhaps this is something we should consider.

Mr. Flewelling said our job is to mitigate the risk and notify the public of the risk. He will not abrogate that responsibility.

Mr. Glover stated he is supportive of an ordinance that would give relief to those property owners whose land was devalued.

The vote: YEAS – Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville and Mr. Stewart. ABSENT – Mr. Covert. NAYS – Mr. Dawson and Mr. Vaux. The motion passed.

MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters to come out of executive session.

PUBLIC COMMENT

There were not requests to speak.

ADJOURNMENT

Council adjourned at 7:26 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST: _____
Ashley M. Bennett, Clerk to Council

Ratified:

EXECUTIVE COMMITTEE

October 9, 2017

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

The Executive Committee met Monday, October 9, 2017 beginning at 3:00 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 Jerry Stewart and members Gerald Dawson, Brian Flewelling, Alice Howard and Stu Rodman. Member Gerald Dawson absent. Non-Committee members Rick Caporale, York Glover, Steven Fobes, Paul Sommerville and Tabor Vaux present. Mike Covert (participated telephonically) absent. (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: Joshua Gruber, Interim County Administrator; Chris Inglese, Assistant County Attorney; Tom Keaveny, County Attorney; Rob McFee, Division Director–Facilities and Construction Engineering; Monica Spells, Assistant County Administrator–Civic Outreach and Engagement; and Dave Thomas, Purchasing Director.

Public: Scott Marshall, Deputy Town Manager, Town of Bluffton.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilman Jerry Stewart chaired the meeting.

ACTION ITEM

- 1. Consideration of Contract Award / Smartnet-Cisco Software to Support Voice Over Internet Protocol (VOIP) Phone System for Information Technology Division**

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

Discussion: Ms. Monica Spells, Assistant County Administrator–Civic Engagement and Outreach, reviewed this item with the Committee. The Information Technology Systems Management Department seeks to secure Smartnet licensing and support for the countywide Voice over Internet Protocol (VoIP) system for the period of September 1, 2017 to August 31, 2018 from the state contract vendor NWN Corporation of Greenville, South Carolina. This purchase will allow for continuity of telephony communications in support of County operations.

The contract renewal amount is \$156,383.17 and would come from Account 10001150-51110, Information Technology Systems Management Department, and Maintenance Contracts.

Motion: It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Committee approve and recommend Council award a contract renewal to NWN Corporation of Greenville, South Carolina (via State contract pricing) in the amount of \$156,383.17 for Voice over Internet Protocol (VoIP) licensing and support. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. Rodman and Mr. Stewart. The motion passed.

Recommendation: Council award a contract renewal to NWN Corporation of Greenville, South Carolina (via State contract pricing) in the amount of \$156,383.17 for Voice over Internet Protocol (VoIP) licensing and support.

2. Discussion / Change County Form of Government

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

Discussion: Mr. Tom Keaveny, County Attorney, provided the Committee several handouts: (i) a proposed ordinance calling for a referendum to vote on the form of government for Beaufort County, (ii) a copy of the S.C. Code of Laws outlining two of the forms of government – Council Administrator (Section 4-9-620) and Council Manager (Section 4-9-820), and (iii) a side-by-side comparison of Council-Administrator form of government versus Council-Manager form of government. He informed the Committee that under the Council-Manager form of government, the positions of Treasurer and Auditor can be appointed or elected.

Questions and concerns of the Committee included the following:

- Is there any rationale to switch forms of government if the official positions of treasurer and auditor were elected?
 - Mr. Keaveny is not aware of and restrictions.
- Are there restrictions bifurcating the positions, *i.e.*, appointing the Auditor and electing the Treasurer?
 - Mr. Keaveny replied there are no restrictions in the statute.
- Supportive of having the Auditor an appointed official.
- The last time this issue was before the voters, it failed 63%:39%. Unless there is a clear change of circumstances, we should wait ten years before bringing this back before the voters.
- We cannot wait delay this issue if County Auditor's demonstrated behavior continues.
- State statute provides no requirements for the positions of Treasurer and Auditor. We need professional people in those positions.
- If the voters approve the Council-Manager referendum question, we should not bifurcate between the two positions. We need to appoint both.
- The desire to hold a work session for receipt of public comment.

Motion: It was moved by Mr. Rodman, seconded by Mr. Sommerville, that Committee approve and recommend Council approve on first reading an ordinance calling for a referendum to allow the electors of Beaufort County, South Carolina to vote in 2018 General Election to either retain the Council-Administrator form of government or change to the Council-Manager form of government, contingent upon the Executive Committee holding two work sessions (one north of the Broad River and one south of the Broad River) to receive public input regarding this referendum question. The vote: YEAS – Mr. Dawson, Mrs. Howard, Mr. Rodman, Mr. Stewart and Mr. Sommerville. NAYS – Mr. Flewelling. The motion passed.

Recommendation: Council approve on first reading an ordinance calling for a referendum to allow the electors of Beaufort County, South Carolina to vote in the 2018 General Election to either retain the Council-Administrator form of government or change to the Council-Manager form of government, contingent upon the Executive Committee holding two work sessions (one north and one south of the Broad River) to receive public input regarding this referendum question.

INFORMATION ITEMS

3. Update / Municipality Responsibility of Roads

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

Discussion: Mr. Joshua Gruber, Interim County Administrator, provided the Committee an update on the status of pursuing transferring to municipalities the responsibilities of roadways within their jurisdiction. Administration has met with the Town of Bluffton and the Town of Hilton Head Island, and has had informal communications with the City of Beaufort, in regards to this matter. The level of responsibility has been discussed and County staff is currently compiling a list of services included in the transfer of responsibilities and a historical overview of dollars expended. That list should be complete by the end of the week, and then can be presented before their councils. Their councils' can then provide a response to Beaufort County. The Town of Hilton Head believes it is only an opinion from the Attorney General's Office and that there are additional statutes in play that according to their interpretation it would remain the responsibility of the County to provide those services. Our meeting with the Town of Bluffton went well. Beaufort County got acknowledgement that while they may not agree to take on those responsibilities; but, given the direction these discussions are headed, they will have to assume more responsibility for services occurring within their jurisdiction.

Mr. Gruber reviewed another topic that has come to light and would need direction of County Council -- if the municipalities are taking on the responsibility of roads, is the County going to cease or relinquish the control and management of things like access points if we are turning them over to the municipality. With the responsibility to pay for it, should be the responsibility to control. That is something this body needs to develop a response to what this body feels regarding the control and authority within those areas.

Mr. Stewart stated this will take cooperation between the municipalities and the County. There are streets that are totally within the municipality, but many of the arterial roads go through many jurisdictions. In those cases we need continuity. There needs to be some level of cooperation and understanding that the municipality does have a responsibility.

Mr. Sommerville informed the Committee that Lancaster County has an agreement that the City of Lancaster is responsible for the roads within the municipal boundaries. He asked that staff find out the details of such.

Mr. Fobes wanted to know if any counties, since the Attorney General Opinion, reacted forcefully to get a municipality to assume the responsibility.

Mr. Gruber replied in the negative. There have been many conversations with staff at the S.C. Association of Counties and they kicked the idea around, but no counties are actively taking steps to compel the entities to take on responsibility.

Status: Information only.

4. Discussion / Boards and Commissions Appointment Process

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

Discussion: Mr. Rodman presented a proposal regarding the appointment process to County boards and commissions to the Committee. He wants to short cut the process and forward nominations directly to Council, rather to Council committees for recommendation to Council. His proposal would streamline the process. The three groups that could fall under that process are district-specific positions, geographic specific positions, and organization-specific positions. The Clerk to Council would be notified of the desired nomination, which would then be included on the next Council agenda, under Administrator's Agenda. In addition, if we allow the Council member to make the approval of the appointment, should that Council member also has the authority to withdraw the nomination at such time that they feel the individual is not fully representing the district of that Council member.

Motion: It was moved by Mr. Rodman, that Committee approve and recommend Council approve the text amendments to the Beaufort County Code of Ordinances to change the appointment process to boards and commissions as outlined: appointment and reappointment of district- specific positions, geographic-specific positions and organization-specific positions would be sent directly to County Council for nomination and appointment/reappointment. The motion died for lack of a second.

Mr. Flewelling stated he likes the process as proposed. He wanted to know if the Template Ordinance for Boards and Commissions is the only ordinance that would need to be changed, or if multiple ordinances would need to be revised (including each board or commission's enabling legislation). He asked staff to research this. In addition, he would not

want to change the process for only a few boards and commissions. If we do this, we need to do this for all. This will meet many of our needs and addresses many of our concerns.

Mr. Dawson feels the process needs to be left as is. It works relatively well. If there is a gap in a position being filled, it is mostly due to finding someone to fill such position. This Council has made a decision that if one of us has any issues finding an applicant, we give way to another Council member to bring forth a nomination.

Mrs. Howard stated part of this is a good idea. However, coordination is needed with either the committee or the committee chairman. She likes the idea for district-specific positions.

Mr. Sommerville had concerns relative to the notification process.

Mr. Stewart stated his concerns relative to the geographic-specific positions. We have had instances where there has been more than one nominee. That discussion is typically handled at committee level. If that were to occur, his preference is to hash it out at committee. By doing this at Council, it would then lie on the table for two weeks. That only leaves one meeting to nominate another individual, if desired, before that appointment is voted on.

Motion: It was moved by Mr. Flewelling, that Committee approve text amendments to the Beaufort County Code of Ordinances to change the appointment process to boards and commissions as outlined: appointment and reappointment of district-specific positions, geographic-specific positions and organization-specific positions would be sent directly to County Council for nomination and appointment/reappointment, but postpone action for one month. Mr. Flewelling withdrew his motion.

Status: Committee agreed to delay action for a month in order to provide Council and the opportunity to consider this thoroughly and to allow staff to review the Boards and Commissions Template Ordinance, as well as any other ordinances that outline the appointment process.

5. Discussion / Ordinance Approval Process

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

Discussion: Mr. Rodman presented to the Committee various proposals regarding the approval process of ordinances. He stated there are three different options. (1) The approval process to remain the same, with the item going to committee for discussion and recommendation, then Council for three readings and a public hearing. (2) Ordinances to go to Council for first reading, by title only, to the committee for discussion and recommendation, and then back to Council for second and third reading, and a public hearing. (3) Ordinances be noticed and discussed at Council, then item goes to the committee for discussion and recommendation, then to Council for three readings and a public hearing. Mr. Rodman feels

Option 2 provides more transparency. If we send an item to Council first, we need to consider if we are voting on first reading, by title only, for consideration by Council.

Mr. Stewart stated this proposed process basically eliminates one reading. He recommended the alternative: ordinances come forward to committee for discussion only, and then brought back before the committee for consideration. This would allow more public notice.

Mr. Sommerville discouraged approving items by title only. We are constantly being accused for lack of transparency.

Mr. Rodman stated there is also the possibility of bringing forth upcoming items for future committee meetings during committee reports.

Mr. Flewelling views committee meetings as formal work sessions. Council can discuss the details with staff to make sure the proposed ordinance meets the criteria, meets the parameters of reasonable government, and meets our personal understanding of our goals. Allowing public debate or public comment before we have answered all of the questions as a technical body is premature as well as to expect the public to intelligently talk about the proposal of the ordinance. The technical details need to be worked out before we allow public input. Council is the perfect place for that public input. If you have an ordinance that might be excitable, why would we want to take up committee time by requesting public input? He wants to keep the current process. When Council suggests it is a good idea for the public to submit input on a proposed ordinance, we can facilitate such. The chairman can request the committee to accept public comment.

Mr. Stewart, when he first was elected to County Council, one of the biggest complaints was Council voting on ordinances without the language in writing. At times what they voted on and what ended up in the ordinance, were not necessarily the same. He does not see any problem with the current process. His only regret is moving things through committee without receiving enough information from staff.

Mr. Rodman stated a possible solution is having the committee chairman's speak to what is on their upcoming committee agenda during the Administrative consent agenda.

Mr. Stewart said agendas could also be posted a week in advance.

Status: Committee chairpersons will provide upcoming committee items during the Administrative Consent Agenda at Council regular session.

6. Off Agenda Update / Impact Fees

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

Discussion: Mr. Gruber informed the Committee that staff has been working on meeting with various vendors that we will hire to assist in preparing the necessary studies required to update impact fees. The vendor would not be able to provide enough information to bring this item forward at this time.

Status: Information only.

DRAFT

NATURAL RESOURCES COMMITTEE

October 5, 2017

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

A work session of the Natural Resources Committee met Monday, October 5, 2017 beginning at 6:30 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, and members York Glover, Steven Fobes and Alice Howard present. Vice Chairman Tabor Vaux and members Rick Caporale and Gerald Dawson absent. Non-Committee member Michael Covert present.

County Staff: Josh Gruber, Interim County Administrator and Chris Inglese, Assistant County Attorney.

INFORMATION ITEM

- 1. Receipt of public comment and input into policies for an ordinance to deal with plastic bags and substitute for reusable retail carryout bags in the unincorporated areas of Beaufort County.**

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

Discussion: Committee Chairman Brian Flewelling opened the meeting to receive public comment and input into policies for a potential ordinance to deal with plastic bags and substitute for reusable retail carryout bags in unincorporated areas of Beaufort County.

Mrs. Rikki Parker, Project Manager, S.C. Coastal Conservation League, provided an overview of ordinances in other areas and the benefits of such a ban. She also highlighted the importance of banning plastic bags and the negative impact on our local wildlife in and out of the water.

Mr. Albert George, Conservation Director, S.C. Aquarium, communicated that Beaufort has an important ecological system. He cited the negative impact plastics have on sea birds, salt marshes, and especially sea life that ingest plastic bags because they resemble jelly fish. He supports a ban because plastics have both negative and far-reaching implications on our ecological system.

Dr. Alan Kraus, retired University Professor, Comparative Pathologist and Zoo Veterinarian, supports the plastic bag ban to protect our fragile environment. He has autopsied

dolphins, sea turtles, marine-feeding sea birds and other sea life due to ingesting plastic bags. Plastic bags harm our marine environment.

Ms. Nina deCordova, read a prepared statement on behalf of Mr. Nolan Schillerstrom, Coastal Program Director, Audubon South Carolina, “. . . Plastics are detrimental to our oceans, and dangerous to birds. Plastic trash is found today in the digestive systems of 90 percent of seabirds. Our staff and volunteers often encounter dead seabirds on South Carolina beaches, tangled in plastic trash. Worldwide, both seabird and shorebird populations have declined more than 70%, and plastic is one of the challenges. We support the strongest possible plastic bag ordinance for Beaufort County. If a strong ordinance passes, Audubon and its members will be the first to give you a standing ovation. Thank you for working to preserve our wildlife for generations to come.”

Mr. Phil Rozenski, Director of Sustainability and Marketing, Novolex, a leading manufacturer of retail bags (plastic, paper, and single use plastic bags). Novolex is one of the main companies that recycles plastic bags through the repurchase of these bags. This is not a ban on single-use bags, but litter and debris of plastics and how we deal with our marine environment. Paper bags and recycling will affect the waste stream due to bulk as well as cost to the community.

Mr. Robert Averill, Manager, Piggly Wiggly, LLC (Port Royal) presented operating costs for both plastic and paper bags. Piggly Wiggly uses 15 cases of plastic bags (1,000 bags per case) a week at a cost of \$14.85 per case. A case of paper bags costs \$41.02. The store uses two cases per week or \$16,108.92 yearly. This cost includes paper wine bags and insulated ice cream bags. Eliminating single-use plastic bags would increase operating costs 162% or \$37,476.92 annually.

Mrs. Denise Parsnick, Commissioner of Soil and Water Conservation District, President of the Friends of Hunting Island and sea turtle advocate since 1985, stated we have the responsibility of the ocean. Plastic bags are contributing to litter and turtles are ingesting them. She supports banning single-use plastic bags and educating the public on reusable bags.

Mr. David Strange, a resident of Port Royal and Sea Turtle Conservation Project volunteer, supports a ban to help protect and monitor sea turtle nesting and hatchlings. During patrolling and cleaning beaches, as volunteers, we find large amounts of plastics and plastic bags. The ban would help ensure the lives of sea turtles and their hatchlings.

Mr. Joseph Dunkle, a resident of Port Royal is indifferent towards a ban. However, if Council imposes a ban on single-use plastic bags, it should be passed in unison with our municipalities. Increasing littering fines may also be a deterrent.

Mr. Barry Malphrus, a resident of Beaufort, is not opposed to plastic bags. He reuses plastic bags for other purposes within his daily life. Is this issue about littering or single-use plastic bags?

Mr. Edward Loring, a resident of Beaufort, stated that everyone should request paper bags or carry/bring a reusable bag.

Mr. Dean Moss, Chairman, Board of Trustees, Port Royal Sound Foundation, read a prepared statement dated September 19, 2017, “Beaufort County Council's consideration of a ban on certain plastic bags in Beaufort County. The Port Royal Sound Foundation is committed to the long term protection of the Port Royal Sound - both its water quality and its marine life. Recognizing that micro-plastics are detrimental to the environmental health of marine ecosystems, the Foundation supports efforts that will reduce the amount of plastic in marine waters. The Foundation thanks the Beaufort County Council for its willingness to address this problem and supports any action that will help reduce plastics in the marine waters of Beaufort County.”

Ms. Wendy Zara, a resident of Beaufort, is concerned that other countries are ahead of us in addressing the problem of plastic bags and will become too costly to taxpayers if not addressed now. She supports a ban.

Mr. David Jennings, a Lady’s Island resident, considers himself pro-environment. The idea of a ban is well intentioned, but mis-targeted. He likes using plastic bags for pet waste and trash liners. The focus should be on littering, not bags.

Mr. R J. May, representing a growing coalition of businesses and the South Carolina Retail Association, spoke in opposition of a ban due to the high operational costs and negative carbon footprint for the delivery of paper bags versus plastic bags. There is no scientific study on the local impact of plastic retail bags; however, a study is needed. Discontinued use would lead to higher costs.

Ms. Anne Bander, a resident of Beaufort and member of several local organizations, supports the ban. Given our high tourism rate, unique ecosystem, water-based wonderland, a ban would resonate with tourists. She suggested partnering with tour providers and welcoming tourists with reusable take-home bags.

Ms. Estelle Ford Williamson, a resident of Saint Helena Island, favors a single-use bag ban now and other plastics eventually. She has sailed along the coast and participated in turtle walks. Plastics gather in currents, flow through canals and impact the environment. She would support assessing a charge for a reusable bag at retail stores.

Mr. James Pennel, a resident of Cat Island, believes littering fines should be enforced. Instead of more regulations, provide more recyclable containers to make it easier for our citizens to keep Beaufort clean.

Mr. Paul Runko, Vice President, Greater Bluffton Republican Club, opposes the ban of single-use plastic bags since the increased cost of paper bags will pass to consumers.

Ms. Phoebe Collins, a resident of Beaufort, supports banning single-use plastic bags.

Ms. Nancy McClure, a resident of Beaufort, uses reusable shopping bags. She supports a ban on single-use plastic bags.

Ms. Pat Keown, a resident of Beaufort, supports banning single-use plastic bags.

Ms. Marianne Black, a resident of Beaufort, suggested charging 15 cents for a reusable shopping bag, with ten cents returning to the county and five cents to the state, is a simple solution.

Ms. Martha Barry, a resident of Beaufort, believes that plastic bags are an environmental contamination. She tries to use a recyclable bag. She supports a ban on single-use plastic bags.

Ms. Michelle Meissen, an avid scuba diver and freelance photographer, showed two photos of how a plastic bag breaks down into micro plastic, gets into the marsh and pluff mud. Plastic bag debris also affects sharks, sea turtles, and marine life. She cited a documentary titled, “Plastic Ocean,” which details how sea creatures cannot digest micro plastics within our oceans. She supports a ban on single-use plastic bags.

Ms. MaryAnn Radke, Environmental Director and grant writer, Friends of Hunting Island State Park, attended a conference regarding the breaking down of plastics, including drinking straws. She is a proponent of using reusable bags and supports banning single-use plastic bags.

Ms. Jean Fruh, a resident of Hilton Head Island, supports a plastic bag ban. Plastic bags are harmful to our environment.

Ms. Janet Johnson, a resident of Beaufort, supports a ban on single-use plastic bags.

Ms. Ann Libelis, a resident of Lady’s Island, favors educating people about plastics, enforcing litter laws and imposing a two-year moratorium on plastic bags

Ms. Victoria Yunger, a resident of Beaufort, supports raising awareness of plastic bags and how they affect our waterways. She supports a ban on single-use plastic bags.

Mr. Andrew Roberts, a resident of Beaufort, continues to flip back and forth on the issue of banning single-use plastic bags. Fish have many types of plastics within their bodies. Please enforce litter laws.

Ms. Beverly Peutz, a resident of Beaufort, supports the ban of single-use plastic bags.

Status: Information only.

NATURAL RESOURCES COMMITTEE

October 16, 2017

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

The Natural Resources Committee met Monday, October 16, 2017 beginning at 3:00 p.m. in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, and members Rick Caporale, Gerald Dawson, York Glover and Steven Fobes present. Vice Chairman Tabor Vaux and member Alice Howard absent. Non-Committee member Michael Covert and Stewart Rodman present.

County Staff: Ben Boswell Administrative Manager, Human Services Alliance; Tony Criscitiello, Planning Director; Josh Gruber, Interim County Administrator; Chris Inglese, Assistant County Attorney; Fred Leyda, Director, Human Services Alliance; Thomas Keaveny, County Attorney; Rob Merchant, Long-Range Planner; Dan Morgan, Mapping and Applications Director; Monica Spells, Assistant County Administrator-Civic Engagement and Outreach; and Dave Thomas, Purchasing Director.

Public: Chuck Newton, Chairman, Sea Island Corridor Coalition; Rikki Parker, Project Manager, South Carolina Coastal Conservation League; John Salazar, Associate Professor of Hospitality Management, University of South Carolina-Beaufort; and Jennifer Sharp, Beaufort Indivisible.

Media: Eleanor Lightsey, *Lowcountry Inside Track*.

Committee Chairman Mr. Flewelling chaired the meeting.

ACTION ITEMS

- 1. Discussion into policies for and possible changes to an ordinance to deal with plastic bags and substitute for reusable retail carryout bags in the unincorporated areas of Beaufort County**

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

Discussion: Dr. John Salazar, Associate Professor of Hospitality Management, University of South Carolina-Beaufort (USC-B), informed the committee of the analytical resources and research capabilities available at USC-B.

Mr. Flewelling reviewed the following recommended changes to the current proposed ordinance:

- Inclusion of a phasing period of eight months to allow sufficient opportunities for retailers to deplete their current stock of plastic bags and allow adequate time to find alternatives for their currently used plastic bags.
- Recommitment and strong language stating there are no taxes involved, but it is not withstanding any fees imposed by retail facility.
- Inclusion of language to require retailers to have centers on site to recycle plastic bags.
- A sunset clause in order to allow an opportunity to analyze the data and decide whether it is working.
- Some sort of provision for the analysis of data collected.
- Include language for the concurrent support and signing of a similar ordinance by the City of Beaufort, Town of Bluffton, and Town of Hilton Head Island.

Motion: It was moved by Mr. Caporale, seconded by Mr. Glover, that Committee approve and recommend Council approve on first reading an ordinance banning single-use plastic retail bags that includes the followings amendments/additions: (1) inclusion of phasing period of eight months, (2) inclusion of language reiterating this is not a tax, (3) include the requirement of retailers to have plastic bag recycling centers on-site, (4) inclusion of a sunset clause, (5) inclusion of language relative to the collection and analysis of data, and (5) require concurrent support and the signing of similar ordinance by the City of Beaufort, Town of Bluffton and Town of Hilton Head Island. The vote: YEAS – Mr. Caporale, Mr. Flewelling, Mr. Fobes and Mr. Glover. ABSTAINED – Mr. Dawson. ABSENT – Ms. Howard and Mr. Vaux. The motion passed.

The Committee agreed to hold three additional work sessions – Sheldon, St. Helena Island and south of the Broad River – to receive for public comment and input regarding an ordinance banning single-use plastic bags. These three work sessions are to occur prior to this item moving forward to Council for first reading approval.

Recommendation: Council approve on first reading an ordinance banning single-use plastic retail bags that includes the followings amendments/additions: (1) inclusion of phasing period of eight months, (2) inclusion of language reiterating this is not a tax, (3) include the requirement of retailers to have plastic bag recycling centers on-site, (4) inclusion of a sunset clause, (5) inclusion of language relative to the collection and analysis of data, and (5) require concurrent support and the signing of similar ordinance by the City of Beaufort, Town of Bluffton and the Town of Hilton Head Island.

2. Consideration of Reappointments and Appointments / Planning Commission

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. Glover, seconded by Mr. Caporale, that Committee approve and recommend Council nominate Richard Mack, representing St. Helena Island, to serve as a member of the Planning Commission. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling Mr. Fobes and Mr. Glover. ABSENT – Mrs. Howard and Mr. Vaux. The motion passed.

INFORMATION ITEMS

3. Update / Previous Planning Commission Meeting

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, informed the Committee that the Planning Commission meeting scheduled for October 10, 2017 was postponed until November 6, 2017.

Status: Information only.

4. Recommendation / Consideration of Contract Award / Lady's Island Area Plan Services for Beaufort County

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

Discussion: Mr. Criscitiello, Planning Director, provided the Committee an overview of this item. Lady's Island is an area of northern Beaufort County largely within the unincorporated area of Beaufort County, but areas of the Island also within the corporate limits of the City of Beaufort. The Town of Port Royal (Town) is affected and influenced by Lady's Island and, therefore, the Town was considered in the proposed study, which is the subject of this Request for Proposal (RFP). While mostly residential, the population on Lady's Island strongly desires that the quality of life, not deteriorate to the point that the atmosphere of the Island declines and becomes unlivable. Today, with a population estimated at 14,589 people living in a suburban, auto-centric environment, "livability" is becoming a more challenging goal to achieve than ever before.

This RFP, called the Lady's Island Area Plan, is designed to build on existing plans, policies and studies, including the Beaufort County Comprehensive Plan, the Beaufort County Community Development Code, the City of Beaufort Civic Master Plan and the Lady's Island Transportation Study. The findings and policies of these documents that are relevant to Lady's Island will be compiled and integrated and used as a starting point for creating a coherent

present-day vision for the Island. While the plan includes all of Lady’s Island, a majority of the work will focus on the Lady’s Island business district and adjoining neighborhoods. Finally, the Plan will have transportation and urban design components; but it is not anticipated that specialists in these sub-disciplines of urban planning will be necessary to perform the project tasks.

Motion: It was moved by Mr. Caporale, seconded by Mr. Fobes, that Committee award a contract to McBride Dale Clarion, Cincinnati, Ohio in the amount of \$80,000 for the Lady’s Island Area Plan Services for Beaufort County. Funding will come from Beaufort County Community Development Comprehensive Plan Account 1001132-51160. The vote: YEAS – Mr. Caporale, Mr. Dawson, Mr. Flewelling Mr. Fobes and Mr. Glover. ABSENT – Mrs. Howard and Mr. Vaux. The motion passed.

Status: Committee awarded a contract to McBride Dale Clarion, Cincinnati, Ohio in the amount of \$80,000 for the (RFP) Lady’s Island Area Plan Services for Beaufort County. Funding will come from Beaufort County Community Development Comprehensive Plan Account 1001132-51160.

5. Consideration of Reappointments and Appointments / Southern Beaufort County Corridor Beautification Board

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

Status: No action taken at this time.

6. Off-Agenda Items

A. Review of Future Land Use Maps for Beaufort County

B. Keep Beaufort County Beautification Board

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

Discussion: Committee Chairman Mr. Flewelling provided the Committee an update on the request to review the Future Land Use Maps for Beaufort County. Moving forward Council needs to be informed of current zoning, what the different zoning classifications mean, and their effect. Then Council can review the Future Land Use Maps and Community Development Code in correlation with their vision for the future. A Council work session will be scheduled in the future to begin this process.

Mr. Rodman, Chairman, Public Facilities Committee asked that the creation of the Keep Beaufort County Beautiful Board be moved from the Public Facilities Committee to the Natural Resources Committee. Chairman Brian Flewelling agreed to such transfer.

Status: Information only.

ORDINANCE NO. 2017 / ____

AN ORDINANCE TO APPROPRIATE FUNDS NOT TO EXCEED \$630,000.00 FROM THE 2% LOCAL HOSPITALITY TAX FUNDS TO THE COUNTY GENERAL FUND FOR IMPROVEMENTS TO THE FACTORY CREEK BOAT RAMP

WHEREAS, the Factory Creek Boat Ramp (“Boat Ramp”) on Lady’s Island is one of the most popular water access points in the County; and

WHEREAS, the Boat Ramp was last improved in 1990 and those improvements have reached the end of their useful life; and

WHEREAS, the current condition of the ramp fails to meet the demands for water access at this location during peak times; and

WHEREAS, the proposed improvements provide for increased parking capacity and improved traffic flow; and

WHEREAS, a South Carolina Five Coastal County Boat Ramp Study from 2007 recommended expanding the Boat Ramp to meet projected demand; and

WHEREAS, a permit application requires identification of a funding source; and

WHEREAS, the estimated design, permitting and construction costs for the proposed improvements for the Boat Ramp is estimated to be approximately \$700,000.00; and

WHEREAS, the Engineering staff has requested \$630,000.00 from Hospitality Tax funds; and

WHEREAS, the City of Beaufort has committed \$70,000.00 to the project; and

WHEREAS, the Finance Committee unanimously recommends to County Council approval of the requested \$630,000.00 in funds from the local Hospitality Tax funds of which there is currently in excess of \$5,000,000.00 available; and

WHEREAS, the Boat Ramp and its associated docks are recreational facilities; and

WHEREAS, the Boat Ramp provides river access.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council that a transfer in the not to exceed \$630,000.00 is hereby authorized from the 2% Local Hospitality Tax Fund to the General Fund for the purpose of design, permitting and construction of improvements to the Factory Creek Boat Ramp on Lady’s Island.

DONE this ___ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading: October 9, 2017
Second Reading:
Public Hearing:
Third and Final Reading:

ORDINANCE 201 ___ / _____

AN ORDINANCE ENACTED PURSUANT TO S.C. CODE ANN. §4-37-30 ET SEQ. TO IMPOSE A ONE PERCENT (1%) TRANSPORTATION SALES AND USE TAX FOR NOT MORE THAN FOUR (4) YEARS, IF APPROVED BY REFERENDUM; TO AUTHORIZE THE ISSUE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$120,000,000 IF APPROVED BY REFERENDUM, TO DESCRIBE THE TRANSPORTATION-RELATED PROJECTS AND ESTIMATED CAPITAL COSTS OF THE PROJECTS TO BE FUNDED IN WHOLE OR IN PART FROM THE PROCEEDS OF THE TAX; TO ORDER A COUNTY-WIDE REFERENDUM ON THE QUESTION OF IMPOSING THE TAX AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS; TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS; AND PROVIDE FOR ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTIONS TO THE ELECTORATE.

Adopted By

THE COUNTY COUNCIL

OF

BEAUFORT COUNTY, SOUTH CAROLINA

THE ___ DAY OF _____, 201__

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A Referendum to Authorize an Issue of General Obligation Bonds Not to Exceed \$120,000,000
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ORDINANCE

AN ORDINANCE ENACTED PURSUANT TO S.C. CODE ANN. §4-37-30 ET SEQ. TO IMPOSE A ONE PERCENT (1%) TRANSPORTATION SALES AND USE TAX FOR NOT MORE THAN FOUR (4) YEARS, IF APPROVED BY REFERENDUM; TO AUTHORIZE THE ISSUE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$120,000,000 IF APPROVED BY REFERENDUM, TO DESCRIBE THE TRANSPORTATION-RELATED PROJECTS AND ESTIMATED CAPITAL COSTS OF THE PROJECTS TO BE FUNDED IN WHOLE OR IN PART FROM THE PROCEEDS OF THE TAX; TO ORDER A COUNTY-WIDE REFERENDUM ON THE QUESTION OF IMPOSING THE TAX AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS; TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS; AND PROVIDE FOR ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTIONS TO THE ELECTORATE.

WHEREAS, the Beaufort County Council (the “*County Governing Body*”) finds the existing transportation infrastructure within the County of Beaufort and the cities and towns situated within the County (the “*municipalities*”) are inadequate to support the current and future transportation-related needs of the County and municipalities; and

WHEREAS, the County Governing Body finds that a one percent (1%) Transportation Sales and Use Tax and issue of general obligation bonds, if any, is the most equitable, affordable, efficient and expedient means of providing necessary financing to support, advance, develop and implement the transportation - related projects specified herein (the “*Projects*”); and

WHEREAS, the County Governing Body finds that a one percent (1%) Transportation Sales and Use Tax and the issue of general obligation bonds, if any, will enable the County to undertake, execute and complete, in whole or in part, the transportation-related Projects specified herein having determined that each Project is a necessary and a proper public purpose designated and designed to promote, support and contribute to the health, safety and welfare of the County’s and municipalities’ residents, citizens, visitors and businesses and will promote, develop and enhance economic development within the County and municipalities; and

WHEREAS, the County Governing Body, with the concurrence of the municipalities, desires to place on the November 6, 2018, General Election ballot a referendum question, which if approved by a majority of the qualified voters of Beaufort County, will authorize the imposition and levy of a one percent (1%) Transportation Sales and Use Tax for not more than Four (4) years and authorize, upon referendum approval, an issue of not to exceed \$120,000,000 in general obligation bonds all of which will be designated and directed exclusively to paying for, either directly or through payment of debt service on general obligation bonds, the reasonable and necessary expenses incidental to the Projects specified herein.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL THAT:

Section 1. Recitals and legislative findings

As an incident to the adoption of this ordinance, the Beaufort County Council of Beaufort County, South Carolina (the “Council”) makes the following findings:

Section 1.1. The South Carolina General Assembly enacted Title 4, Chapter 37, Section 30, Code of Laws of South Carolina, 1976, as amended (the “Code”), (hereinafter the “*Transportation Sales and Use Tax*”) which empowers the County Governing Body to levy and impose a one percent (1%) sales and use tax by ordinance, subject to referendum, within the county and municipalities for a project or projects, for a specified period of time, to collect a limited amount of money and use the tax revenue to pay directly and, or, pay the debt service on bonds, if any, issued by the county, subject to referendum, to pay the cost of the projects authorized by this ordinance.

Section 1.2. The County Governing Body finds that a *Transportation Sales and Use Tax* imposed solely for the purpose provided herein to pay directly and, or, through payment of debt service upon issue of general obligation bonds, if any, and subject to a referendum, to pay all reasonable and necessary expenses incidental to the purchase, acquisition, construction, repair, alteration and improvement of transportation projects as more fully described in Section 2.3 including, without limitation, the costs and expenses of studies, land title and mortgage title policies, architectural, engineering and construction management services, legal, accounting, organizational, marketing or other special services related to the financing of the projects and issuance of bonds, if any, financial or underwriting fees and expenses incurred in connection with issuing bonds, if any, rating agencies' fees, initial trustee and paying agent fees, recording and filing fees, and any and all other necessary and incidental expenses related to execution of the projects set forth in Section 2.3 (the “Projects”) all of which serve a necessary and proper public and corporate purpose of the County and its municipalities, enhance the safety, efficiency and aesthetics of the public infrastructure of the County and municipalities thereby promoting the public health, safety and welfare, desirable living conditions and economic development of the County and municipalities and addresses the transportation related infrastructure needs of the County and municipalities now and in the future.

Section 1.3. The South Carolina General Assembly enacted Title 4, Chapter 37, Section 30(A)(3), Code of Laws of South Carolina, 1976, and authorized that in addition, the referendum may contain a question on the authorization of general obligation bonds under the exemption provided in Section 14(6), Article X of the Constitution of South Carolina, 1895, so that revenues derived from the imposition of the sales and use tax may be pledged to the repayment of bonds. If the referendum on the question relating to the issuance of general obligation bonds is approved, the county may issue bonds in an amount sufficient to fund the expenses of the project or projects.

Section 1.4. Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “Constitution”), provides that Counties of the State shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly may have heretofore or may hereafter prescribe.

Section 1.5. Article X, Section 14, subsection (6) of the Constitution provides that if general obligation debt is authorized by a majority vote of the qualified electors of the County voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except (i) those restrictions and limitations imposed in the authorization to incur such

indebtedness; (ii) such general obligation debt shall be issued within five years of the date of such referendum; and (iii) general obligation debt may be incurred only for a purpose which is a public purpose and which is a corporate purpose of the County and such debt shall mature within 40 years from the time such indebtedness shall be incurred.

Section 1.6. The provisions of Title 11, Chapter 27, Section 40, Code of Laws of South Carolina, 1976, as amended (the “Code”), empower the County Council to order any such referendum as is required by Article X of the Constitution, to prescribe the notice thereof, and to conduct or cause to be conducted such referendum in the manner prescribed by Title 7 Code of Laws of South Carolina, 1976.

Section 1.7. The amount of general obligation bonds required for such purposes exceeds the County’s present constitutional debt limitation unless the question of issuing such bonds is submitted to and approved by the qualified electors of the County.

Section 2. Imposition of a One Percent Transportation Sales and Use Tax; Authorization for Bond Issuance, if any; Duration of Tax; Projects and Project Descriptions

Section 2.1. A Transportation Sales and Use Tax, as authorized by Title 4, Chapter 37, Section 30, Code of Laws of South Carolina, 1976, as amended, is hereby imposed within Beaufort County and the municipalities, subject to favorable vote of a majority of the qualified electors voting in the General Election held in Beaufort County on November 6, 2018.

A referendum authorizing the imposition of a Transportation Sales and Use Tax is authorized to contain a question to authorize the issuance of general obligation bonds in an amount not to exceed \$120,000,000.00 under the exemption provided in Section 14(6), Article X of the Constitution of South Carolina, 1895, so that revenues derived from the imposition of the sales and use tax may be pledged to the repayment of the bonds.

Section 2.2. The Transportation Sales and Use Tax authorized by this Ordinance shall be expended for the purposes set forth in Section 1.2 of this Ordinance.

Section 2.3. The transportation-related Projects for which the proceeds of the tax will be used include highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects facilities including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects; jointly-operated projects, of the type specified in this Section 2.3 of this Ordinance by the County and South Carolina Department of Transportation; and, or, projects specified in this Section 2.3 of this Ordinance operated by the county or jointly-operated projects of the county and other governmental entities.

The Projects and a description of the projects for which the proceeds of the tax are to be used are as follows:

Project Name	Project Description	Estimated Capital Cost
Hilton Head Island - US278 Corridor Traffic Improvements	Repair and/or replace the existing spans of the bridges to Hilton Head Island and other improvements between Moss Creek Drive and Squire Pope Road	\$80,000,000
Lady's Island Corridor Traffic Improvements	Roadway traffic improvements between the Woods Memorial Bridge and the Chowan Creek Bridge as outlined in the Lady's Island Corridor Study dated May 19, 2017	\$30,000,000
Sidewalks and Multi-Use Pathways – Safe Routes to Schools	<p>Installation and repair of sidewalks and multi-use pathways at multiple locations within Beaufort County so as to provide safe walking routes to schools and improved access to residential communities</p> <ol style="list-style-type: none"> 1. Burnt Church Road, Ulmer Road, and Shad Road 2. Laurel Bay Road Pathway Widening 3. Bluffton Parkway Phase 1 4. Joe Frazier Road 5. Meridian Road 6. Alljoy Road 7. Salem Road, Old Salem Road, and Burton Hill Road 8. Middle Road 9. Stuart Point 10. Broad River Boulevard and Riley Road 11. Broad River Drive 12. Lake Point Drive and Old Miller Road Pathway Connection 13. Dr. Martin Luther King, Jr. Drive 14. Ribaut Road to Parris Island Gateway 15. Pine Grove Road and Burton Wells Road 16. Spanish Moss Trail Extension 17. Seabrook Road 18. Depot Road 19. Chowan Creek Bluff 20. U.S. 17 Pathway Extension 21. Bruce K. Smalls 22. Paige Point 23. Big Road 24. Big Estate Road 	\$10,000,000
TOTAL:		\$120,000,000

Section 2.4. The anticipated tax year will end Four (4) years from the date of imposition, to wit: 2022; provided, however, the tax terminates on the earlier of the final day of the maximum time specified for the imposition, or the end of the calendar month during which the Department of Revenue determines that the tax has raised revenues sufficient to provide the greater of either the cost of the projects as approved in the referendum or the cost to amortize all debts related to the approved projects.

Section 2.5. Amounts collected in excess of the required proceeds first must be applied, if necessary, to complete each project for which the tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of the County on transportation infrastructure debts only.

Section 2.6. The tax levied pursuant to this section must be administered and collected by the Department of Revenue in the same manner that other sales and use taxes are collected. The department may prescribe the amounts which may be added to the sales price because of the tax.

Section 2.7. The tax authorized by this Ordinance is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable jurisdiction which are subject to the tax imposed by Chapter 36 of Title 12 and the enforcement provisions of Chapter 54 of Title 12. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 are exempt from the tax imposed by this section. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture food stamps are exempt from the tax imposed by this section. The tax imposed by this section also applies to tangible personal property subject to the use tax in Article 13, Chapter 36 of Title 12.

Section 2.8. Taxpayers required to remit taxes pursuant to Article 13, Chapter 36 of Title 12 must identify the county in which the tangible personal property purchased at retail is stored, used, or consumed in this State.

Section 2.9. Utilities are required to report sales in the county in which consumption of the tangible personal property occurs.

Section 2.10. A taxpayer subject to the tax imposed by Section 12-36-920, who owns or manages rental units in more than one county shall report separately in his sales tax return the total gross proceeds from business done in each county.

Section 2.11. The gross proceeds of sales of tangible personal property delivered after the imposition date of the tax levied pursuant to this section in a county, either pursuant to the terms of a construction contract executed before the imposition date, or a written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the special local sales and use tax provided in this section if a verified copy of the contract is filed with the Department of Revenue within six months after the imposition of the special local sales and use tax.

Section 2.12. Notwithstanding the imposition date of the special local sales and use tax authorized pursuant to this section, with respect to services that are billed regularly on a monthly basis, the special local sales and use tax is imposed beginning on the first day of the billing period beginning on or after the imposition date.

The revenues of the tax collected in each county pursuant to this section must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of refunds made and costs to the Department of Revenue of administering the tax, not to

exceed one percent of the revenues, the State Treasurer shall distribute the revenues and all interest earned on the revenues while on deposit with him quarterly to the county in which the tax is imposed, and these revenues and interest earnings must be used only for the purpose stated in the imposition ordinance. The State Treasurer may correct misallocations by adjusting later distributions, but these adjustments must be made in the same fiscal year as the misallocations. However, allocations made as a result of city or county code errors must be corrected prospectively.

Section 2.13. The Department of Revenue shall furnish data to the State Treasurer and to the counties receiving revenues for the purpose of calculating distributions and estimating revenues. The information which must be supplied to counties upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of Section 12-54- 240. A person violating this section is subject to the penalties provided in Section 12-54-240.

Section 3. Order to Hold Referendum and Duties of Election Commission

Section 3.1. Upon receipt of this Ordinance, the county election commission shall conduct a referendum on the question of imposing the optional special sales and use tax in Beaufort County. A referendum for this purpose must be held at the time of the general election conducted on November 6, 2018. The election commission shall publish the date and purpose of the referendum once a week for four consecutive weeks immediately preceding the date of the referendum in a newspaper of general circulation in the jurisdiction. A public hearing must be conducted at least fourteen days before the referendum after publication of a notice setting forth the date, time, and location of the public hearing. The notice must be published in a newspaper of general circulation in the county at least fourteen days before the date fixed for the public hearing.

Section 3.2. Pursuant to Title 7, Chapter 13, Section 355, the Referendum question shall be submitted to the Beaufort County Board of Elections and Voter Registration to be placed on the ballot no later than 12:00 noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than 12:00 noon on the following business day.

Section 3.3. All qualified electors desiring to vote in favor of imposing the tax for a particular purpose shall vote "yes" and all qualified electors opposed to levying the tax for a particular purpose shall vote "no". If a majority of the votes cast are in favor of imposing the tax for the Projects, then the tax is imposed as provided herein; otherwise, the tax is not imposed. The election commission shall conduct the referendum pursuant to the election laws of this State, mutatis mutandis, and shall certify the result, no later than November thirtieth after the date of the referendum to the Beaufort County Council and to the Department of Revenue. Included in the certification must be the maximum cost of the projects to be funded in whole or in part from the proceeds of the tax, the maximum time specified for the imposition of the tax, and the principal amount of bonds, if any, to be supported by the tax receiving a favorable vote. Expenses of the referendum must be paid by the jurisdiction conducting the referendum.

Section 3.4. If the tax is approved in the referendum, the tax is imposed effective the first day of May following the date of the referendum. If the certification is not made timely to the Department of Revenue, the imposition is postponed for twelve months.

\Section 4. Implementation of Project Plan

Section 4.1. The Project Plan and Description as set forth in Section 2, having been approved by the Beaufort County Council, shall be implemented by the Beaufort County Administrator. The Beaufort County Administrator shall develop a comprehensive schedule to implement the Project Plan. The Administrator shall submit to the County Council, prior to implementing the Project Plan, a schedule and the County Council must approve the schedule prior to its implementation. At a minimum, the schedule must identify and list the projects as identified in Section 2.3, with an estimated start and completion date and the total amount of funds needed to complete the project.

Section 4.2. If the Referendum on the question relating to the imposition and levy of a one percent (1%) Sales and Use Tax is approved and if the referendum on the question relating to the issuance of general obligation bonds is approved, the County Administrator and his or her designees are authorized to implement the execution of the Projects subject to a comprehensive schedule to execute the Projects. Before implementing a Project Plan, the Administrator will submit the schedule to the Beaufort County Council for review and approval.

The Beaufort County Council recognizes that the order of Project implementation may vary due to unforeseen circumstances; acts of God including environmental conditions, weather and unforeseen and unanticipated conditions necessitating a change to the order of Project implementation and completion. Accordingly, the Beaufort County Council retains the right and privilege to alter, adjust, schedule and reschedule the order in which any particular Project will be undertaken and executed without the necessity of amending or repealing all of the Projects provided in this Ordinance at Section 2.3.

Section 5. Voting, Polling Places and Hours of Election

Section 5.1. The voting precincts in the County for the Referendum shall be those designated pursuant to Section 7-7-110 of the Code of Laws of South Carolina, 1976, as amended. The polling places for each of such precincts shall be designated by the Beaufort County Board of Elections and Voter Registration (the "Elections Board").

The polls shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the date fixed for the Referendum and shall be held open during said hours without intermission or adjournment.

Section 5.2. The Referendum shall be conducted using either voting machines or paper ballots as provided by State law. Upon approval by the Elections Board, the form of ballots to be used in the Referendum and the instructions to voters appearing thereon shall be in substantially the form set forth in Appendix A and B with such other changes as may be deemed necessary by the appropriate state and local officials upon concurrence of the Chairman of the County Council.

Section 5.3. Every person offering to vote must be at least 18 years of age on the date of the Referendum, must reside in the County and must be duly registered on the books of registration for Beaufort County as an elector in the precinct in which he or she resides and offers to vote on or before the date on which said books of registration are closed for the Referendum, and must present his or her registration certificate or valid South Carolina driver's license or other form of identification containing a photograph issued by the South Carolina Department of Public Safety, if not licensed to drive. Any registered elector who meets the requirements set forth in the preceding sentence and who has moved his or her place of residence within the County after the date on which said books of registration are closed for the Referendum, but before the date of the Referendum, shall be entitled to vote in his or her previous precinct of residence in the Referendum.

Section 6. Notice of Referendum

Section 6.1. A Notice of Referendum shall be published in compliance with the provisions of Sections 7-13-35 and 4-15-50 of the Code of Laws of South Carolina, 1976, as amended, not less than 60 days prior to the Referendum, not later than two weeks after such first notice is published, and once not less than 15 days prior to the occasion set for the holding of the Referendum.

The Elections Board is authorized to change any of the locations of polling places for the Referendum as deemed necessary or advisable. Appropriate changes are to be made to the Notice of Referendum.

Section 7. Voter Registration and Elections Board

Section 7.1. A certified copy of this Ordinance shall be filed with the Elections Board, accompanied by written notice from the Chairman of the County Council establishing the date for the Referendum as November 7, 2006. The Elections Board is hereby requested as follows:

- (a) To join in the action of the County in providing for the Notice of Referendum in substantially the form contained herein;
- (b) To prescribe the form of a ballot to be used in the Referendum;
- (c) To arrange for polling places for each precinct, or any part of a precinct within the County;
- (d) To appoint Managers of Election;
- (e) To provide a sufficient number of ballots or voting machines, as the case may be, for the Referendum;
- (f) To conduct the Referendum, receive the returns thereof, canvass such returns, declare the results thereof, and certify such results to the County Council; and
- (g) To take other steps and prepare such other means as shall be necessary or required by law in order to properly conduct the Referendum.

Section 8. Applicability and Effective Date

This Ordinance shall become effective upon third and final reading by the County.

Section 9. Severability

If any part of this Ordinance is held by a court of competent jurisdiction to be unconstitutional, illegal, or invalid for any reason, it shall be construed to have been the legislative intent of the County Council of Beaufort County, South Carolina, to pass this Ordinance without such unconstitutional, illegal or invalid provision, and the remainder of this Ordinance shall be deemed and held to be constitutional, lawful and valid as if such portion had not been included. If this Ordinance or any provision thereof is held by a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

**APPROVED AND ADOPTED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA ON THIS ____ DAY OF _____, 201__.**

COUNTY COUNCIL OF BEAUFORT COUNTY

D. Paul Sommerville, Chairman

APPROVED AS TO FORM

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

(SEAL)
ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading: October 9, 2017
Second Reading:
Public Hearing:
Third and Final Reading:

APPENDIX A

FORM OF BALLOT
OFFICIAL BALLOT -- REFERENDUM
LOCAL QUESTION NUMBER 2A
AUTHORIZATION TO IMPOSE A ONE PERCENT (1%)
TRANSPORTATION SALES AND USE TAX
TO FINANCE THE TRANSPORTATION-RELATED PROJECTS DESCRIBED IN THE
QUESTION 2A

Precinct _____

No. _____

Initials of Issuing Officer

Local Question 2A

I approve a special transportation sales and use tax in the amount of one percent (1%) to be imposed in Beaufort County for not more than Four (4) years, or until a total of \$120,000,000 in resulting revenue has been collected, whichever comes first. The sales tax proceeds will be used for the following projects as described and for which an estimated capital cost is stated.

Hilton Head Island – US 278 Corridor Traffic Improvements: Repair and/or replace the existing spans of the bridges to Hilton Head Island and other improvements between Moss Creek Drive and Squire Pope Road\$80,000,000

Lady’s Island Corridor Traffic Improvements: Roadway traffic improvements between the Woods Memorial Bridge and the Chowan Creek Bridge as outlined in the Lady’s Island Corridor Study dated May 19, 2017.....\$30,000,000

Sidewalks and Multi-Use Pathways – Safe Routes to Schools: Installation and repair of sidewalks and multi-use pathways at multiple locations within Beaufort County so as to provide safe walking routes to schools and improved access to residential communities: (1) Burnt Church Road, Ulmer Road, and Shad Road, (2) Laurel Bay Road Pathway Widening, (3) Bluffton Parkway Phase 1, (4) Joe Frazier Road, (5) Meridian Road, (6) Alljoy Road, (7) Salem Road, Old Salem Road, and Burton Hill Road, (8) Middle Road, (9) Stuart Point, (10) Broad River Boulevard and Riley Road, (11) Broad River Drive, (12) Lake Point Drive and Old Miller Road Pathway Connection, (13) Dr. Martin Luther King, Jr. Drive, (14) Ribaut Road to Parris Island Gateway, (15) Pine Grove Road and Burton Wells Road, (16) Spanish Moss Trail Extension, (17) Seabrook Road, (18) Depot Road, (19) Chowan Creek Bluff, (20) U.S. 17 Pathway Extension, (21) Bruce K. Smalls, (22) Paige Point, (23) Big Road, and (24) Big Estate Road \$10,000,000

Total: \$120,000,000

Yes, in favor of the question []

No, opposed to the question []

If you are in favor of the question, place a check or cross-mark in the square after the words “Yes, in favor of the question”; if you are opposed to the question, place a check or cross-mark in the square after the words “No, opposed to the question.”

**APPENDIX B
FORM OF BALLOT
OFFICIAL BALLOT -- REFERENDUM
LOCAL QUESTION NUMBER 2B
AUTHORIZATION TO IMPOSE A ONE PERCENT (1%)
TRANSPORTATION SALES AND USE TAX
TO FINANCE THE TRANSPORTATION-RELATED PROJECTS DESCRIBED IN THE
QUESTION 2A**

Precinct _____
No. _____

Initials of Issuing Officer

Local Question 2B

I approve the issuance of not exceeding \$120,000,000 of general obligation bonds of Beaufort County, maturing over a period not to exceed Four (4) years to fund the Transportation - Related projects identified in Beaufort County Local Referendum Question 2A.

Yes, in favor of the question []

No, opposed to the question []

If you are in favor of the question, place a check or cross-mark in the square after the words "Yes, in favor of the question"; if you are opposed to the question, place a check or cross-mark in the square after the words "No, opposed to the question."

2017 /

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 4,
SECTION 4.2.20 GENERAL STANDARDS AND LIMITATIONS, T3-EDGE, T3-HAMLET
NEIGHBORHOOD, AND T3-NEIGHBORHOOD (TO ALLOW PRIVATE FISH PONDS)

WHEREAS, added text is highlighted in yellow and deleted text is struck through.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading: September 25, 2017

Second Reading: October 9, 2017

Public Hearing:

Third and Final Reading:

Table 4.2.20A: Table of Permitted Accessory Uses

Accessory Use/ Structure Type	Additional Requirements	T1 N	T2R T2RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
Accessory / Secondary Dwelling Unit	4.2.30	--	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--
Cottage Industry	4.2.40	--	P	--	P	P	--	--	--	--	--	--	--	--	--	--	--
Fences and Walls	4.2.50	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Food Sales (Indoor)	4.2.60	--	P	--	P	P	--	--	--	P	P	P	P	--	P	P	P
Freestanding Accessory Structure (includes Garages and Sheds)	4.2.20.E	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Guest House	4.2.70	--	P	P	P	P	P	P	--	--	--	--	--	P	--	--	--
Home Business	4.2.80	P	P	P	P	P	--	--	P	P	P	P	P	P	--	--	--
Home Office	4.2.90	--	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--
Outdoor Display (as an Accessory Use)	4.2.100	--	--	--	P	P	--	--		--	P	P	P	--	P	P	--
Outdoor Storage (as an Accessory Use)	4.2.110	--	--	--	--	P	--	--	--	--	--	P	P	--	P	P	P
Private Fish Ponds	4.2.200	--	P	P	P	P	P	P	P	--	--	--	--	P	--	--	--
Private Stables	4.2.120	--	P	P	P	--	--	--	--	--	--	--	--	P	--	--	--
Satellite Dish Antenna	4.2.130	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Security Quarters	4.2.140	--	--	--	--	P	--	--	--	--	P	P	P	--	P	P	P
Small Wind Energy System	4.2.150	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	P
Solar Energy Equipment	4.2.160	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pools, Hot Tubs, and Ornamental Ponds and Pools	4.2.170	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Waste Receptacles and Refuse Collection Areas	4.2.180	--	P	P	P	P	--	--	P	P	P	P	P	P	P	P	P
Water/Marine-Oriented Facilities	4.2.190	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

P=Permitted Subject to the Additional Requirements --=Not Allowed

4.2.200 Private Fish Ponds

A Private Fish Pond shall comply with the following standards:

- A. **Zones Allowed.** Private fish ponds shall be permitted as an accessory use to a principal residential dwelling unit in accordance with Table 4.2.20 (Table of Permitted Accessory Uses).
- B. **Size/Area.**
 - 1. Ponds are permitted to be excavated on lots a minimum of three acres in size.
 - 2. Ponds shall be no larger than one acre in size.
- C. **Setbacks.** All excavation activities shall meet all setbacks applicable to the principal structure, except that these activities shall be set back a minimum of 100 feet from the OCRM critical line, if applicable.
- D. **Maximum Depth of Excavation.** Ponds shall be excavated no deeper than 12 feet from existing grade.
- E. **Safe Edges.** Safe edges shall be provided for any excavation on the site to prevent accidents. Safe edges shall require a long shelf with a slope a minimum of 1:5 to a depth of three feet.
- F. **Engineer's Report Required for Disturbance Greater than 10,000 Square Feet.** Any private pond excavation resulting in a land disturbance of 10,000 sq. ft. or greater shall provide a certified engineer's report ensuring that drainage and runoff do not adversely impact the property or surrounding properties.
- G. **Hours of Operation.** Excavation activities are limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday.
- H. **Noise.** Maximum noise at the property line shall not exceed 65 decibels.
- I. **Truck Routing Plan Haul Route.** The hauling of fill dirt through existing residential areas should be avoided, or the shortest route should be utilized. The property owner shall be responsible for damage to roads caused by truck traffic related to the excavation of the pond. A truck routing plan shall be submitted that ensures that truck traffic through residential areas is avoided or mitigated to the extent practicable. Any roads brought to sub-standard condition due to work on the site as determined by SCDOT and/or the County must be brought up to standard. At a minimum, a road must be returned to its initial condition.
- J. **State Permit Required if Fill Dirt Leaves the Site or is Sold.** If fill dirt leaves the site or is sold, the property owner shall submit a valid mining permit issued by the appropriate state agency at the time of application for a private fish pond.

2017 /

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 3.1.70 LAND USE DEFINITIONS, AGRICULTURE (TO ADD THE AQUAPONICS USE TO AGRICULTURE AND CROP HARVESTING LAND USE TYPE)

WHEREAS, added text is highlighted in yellow and deleted text is struck through.

Adopted this _____ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

First Reading: September 25, 2017

Second Reading: October 9, 2017

Public Hearing:

Third and Final Reading:

Table 3.1.60. Consolidated Use Table

Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
AGRICULTURE																		
1. Agriculture & Crop Harvesting	P	P	P	P	P	P	P	--	--	--	--	--	--	--	P	--	--	--
2. <u>Aquaponics</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>								<u>S</u>			
3. Agricultural Support Services	--	P	P	P	P	P	--	--	--	--	P	P	P	--	TCP	P	P	P
4. Animal Production	--	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--
5. Animal Production: Factory Farming	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
6. Seasonal Farmworker Housing	--	C	C	C	C	C	C	--	--	--	--	--	--	--	C	--	--	--
7. Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
8. Commercial Stables	--	C	C	C	C	C	--	--	--	--	--	--	--	--	C	--	--	--

Table 3.1.70 Land Use Definitions

AGRICULTURE

This category is intended to encompass land uses connected with a business or activity involving farming, animal production, forestry, and other businesses serving primarily agricultural needs.

Land Use Type	Definition
1. Agriculture and Crop Harvesting	A nursery, orchard, or farm, greater than 10,000 SF, primarily engaged in the growth and harvesting of fruits, nuts, vegetables, plants, or sod. The premises may include agricultural accessory structures, plant nurseries, and secondary retail or wholesale sales.
2. <u>Aquaponics</u>	<u>The symbiotic use of plants and fish in single environment where the fish thrive off of the plant waste and the plants absorb the fish waste as fertilizer. Both the fish and the plants are harvested.</u>
3. Agricultural Support Services	Nursery, orchard, forestry, or farm supply and support services including, but not limited to: equipment dealers, support uses for agricultural, harvesting, and/or animal production, seasonal packing sheds, etc.
4. Animal Production	The raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption, including, but not limited to: cattle, pigs, sheep, goats, fish (aquaculture), bees, rabbits, and poultry. This does not include "Factory Farming" operations.
5. Animal Production: Factory Farming	The raising, breeding, feeding, and/or keeping of livestock (typically cows, pigs, turkeys, or chickens) in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption.
6. Seasonal Farmworker Housing	Housing located on farmland for temporary occupancy during seasonal farming activity.
7. Forestry	Perpetual management, harvesting, replanting, and enhancement of forest resources for ultimate sale or use of wood products, subject to S.C. Forestry Commission BMPs.
8. Commercial Stables	Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar purpose.

Division 4.1: Specific to Use		Page 4-1
4.1.10	Purpose	4-1
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4.1.30	Animal Production	4-2
4.1.40	Animal Services: Kennel	4-2
4.1.50	Commercial Stables	4-2
4.1.60	Day Care (Adult or Child)	4-3
4.1.70	Drive-Through Facilities	4-3
4.1.80	Family Compound	4-3
4.1.90	Seasonal Farmworker Housing	4-4
4.1.100	Gas Station / Fuel Sales	4-4
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4.1.130	Manufactured Home Community	4-6
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4.1.160	Mining / Resource Extraction	4-7
4.1.170	Multi-Family Dwellings	4-9
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4.1.190	Recreation Facility: Campgrounds	4-10
4.1.200	Recreation Facility: Commercial Outdoor	4-10
4.1.210	Regional (Major) Utility	4-10
4.1.220	Residential Storage Facility	4-11
4.1.230	Restaurant, Café, Coffee Shop	4-12
4.1.240	Salvage Operations	4-12
4.1.250	Tattoo or Body Piercing Facility	4-12
4.1.260	Vehicle Sales and Rental: Automobiles, Light Trucks, Boats	4-13
4.1.270	Vehicle Services: Maintenance and Repair	4-13
4.1.280	Warehousing, Wholesaling, and Distribution	4-14
4.1.290	Waste Management Facility: Community Waste Collection and Recycling	4-15
4.1.300	Waste Management Facility: Regional Waste Transfer and Recycling	4-15
4.1.310	Waste Management Facility: Regional Waste Disposal and Resource Recovery	4-16
4.1.320	Wireless Communications Facility	4-17
4.1.330	Ecotourism	4-19
4.1.340	Aquaponics	4-19

4.1.340 Aquaponics

Aquaponics shall comply with the following:

- A. An operational plan shall be submitted that indicates that this use will result in no adverse impacts on neighboring properties including noise and odors.
- B. The principle product of aquaponics shall be vegetables with fish available from time to time as a bi-product.
- C. All standards that apply to the zoning districts which allow Agriculture and Crop Harvesting shall be followed, and aquaponics may be an accessory use on the site.
- D. The entire aquaponics process shall take place inside an enclosed greenhouse to protect from outside contaminants, and the need for pesticides or herbicides is to be avoided.
- E. No excavation of the ground to create the potential of sand mining shall be allowed in the pursuit of an aquaponics zoning permit.

Section 3.2.30

E. TI Allowed Uses		
Land Use Type¹	Specific Use Regulations	TI
Agricultural		
Agriculture & Crop Harvesting		P
<u>Aquaponics</u>	<u>4.1.340</u>	<u>S</u>
Forestry		P
Residential		
Dwelling: Single Family Detached Unit		P
Dwelling: Group Home		P
Home Office	4.2.90	C
Recreation, Education, Safety , Public Assembly		
Park, Playground, Outdoor Recreation Areas	2.8	P
Recreation Facility: Campground	4.1.190	S
Ecotourism	4.1.330	S

Key	
P	Permitted Use
C	Conditional Use
S	Special Use Permit Required
---	Use Not Allowed

End Notes

¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.

Section 3.2.40

H. T2R Allowed Uses				
Land Use Type ¹	Specific Use Regulations	T2R	T2RL	
Agricultural				
Agriculture & Crop Harvesting		P	P	
Aquaponics	4.1.430	S	S	
Agricultural Support Services		P	P	
Animal Production	4.1.30	C	---	
Animal Production: Factory Farming	4.1.30	S	---	
Seasonal Farmworker Housing	4.1.90	C	C	
Forestry		P	P	
Commercial Stables	4.1.50	C	C	
Residential				
Dwelling: Single Family Detached Unit		P	P	
Dwelling: Accessory Unit	4.2.30	C	C	
Dwelling: Family Compound	2.7.40	C	C	
Dwelling: Group Home		P	P	
Home Office	4.2.90	C	C	
Home Business	4.2.80	C	---	
Cottage Industry	4.2.40	C	---	
Retail & Restaurants				
General Retail 3,500 SF or less	4.1.120	C	---	
Gas Station/Fuel Sales	4.1.100	S	---	
Offices & Services				
Animal Services: Kennel	4.1.40	C	---	
Day Care: Family Home (up to 8 clients)		P	P	
Lodging: Bed & Breakfast (5 rooms or less)	7.2.130	S	S	
Lodging: Inn (up to 24 rooms)	7.2.130	S	---	
Recreation, Education, Safety, Public Assembly				
Community Public Safety Facility		P	P	
Institutional Care Facility	7.2.130	S	---	
Detention Facility	7.2.130	S	---	
Meeting Facility/Place of Worship (less than 15,000 SF)	4.1.150	C	---	
Meeting Facility/Place of Worship (15,000 SF or greater)	4.1.150	S	---	
Park, Playground, Outdoor Recreation Areas	2.8	P	P	
Recreation Facility: Commercial Outdoor	4.1.200	S	---	
Recreation Facility: Golf Course		P	---	
Recreation Facility: Campground	4.1.190	C	---	
Ecotourism	4.1.330	C	---	
Infrastructure, Transportation, Communications				
Airport, Aviation Services	7.2.130	S	---	
Infrastructure and Utilities: Regional (Major) Utility	4.1.210	C	C	
Waste Management: Community Waste Collection & Recycling	4.1.290	C	---	
Waste Management: Regional Waste Transfer & Recycling	4.1.300	S	---	
Waste Management: Regional Waste Disposal & Resource Recovery	4.1.310	S	---	
Wireless Communications Facility	4.1.320	S	S	
Industrial				
Mining & Resource Extraction	4.1.160	S	S	

Key

P	Permitted Use
C	Conditional Use
S	Special Use Permit Required
---	Use Not Allowed

End Notes

¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.

Section 3.2.50

H. T2RN Allowed Uses			
Land Use Type ¹	Specific Use Regulations	T2RN	T2RNO
Agricultural			
Agriculture & Crop Harvesting		P	P
Aquaponics	4.1.430	S	S
Agricultural Support Services		P	P
Animal Production	4.1.30	C	C
Seasonal Farmworker Housing	4.1.90	C	C
Forestry		P	P
Commercial Stables	4.1.50	C	C
Residential			
Dwelling: Single Family Detached Unit		P	P
Dwelling: Accessory Unit	4.2.30	C	C
Dwelling: Family Compound	2.7.40	C	C
Dwelling: Group Home		P	P
Home Office	4.2.90	C	C
Home Business	4.2.80	C	C
Cottage Industry	4.2.40	C	C
Live/Work		---	P
Retail & Restaurants			
General Retail 3,500 SF or less		---	P
Restaurant, Café, Coffee Shop		---	P
Offices & Services			
General Offices & Services 3,500 SF or less		---	P
Day Care: Family Home (Up to 8 clients)		P	P
Day Care: Commercial Center (9 or more clients)	4.1.60	---	C
Lodging: Bed & Breakfast (5 rooms or less)		---	P
Medical Offices: Clinics/Offices		---	P
Recreation, Education, Safety, Public Assembly			
Community Public Safety Facility		P	P
Meeting Facility/Place of Worship (Less than 15,000 SF)	4.1.150	C	C
Park, Playground, Outdoor Recreation Areas		P	P
Ecotourism	4.1.330	C	C
Infrastructure, Transportation, Communications			
Infrastructure and Utilities: Regional (Major) Utility	4.1.210	C	C
Wireless Communication Facility	4.1.320	S	S

Key

P	Permitted Use
C	Conditional Use
S	Special Use Permit Required
---	Use Not Allowed

End Notes

¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.

Section 3.2.60

G. T2RC Allowed Uses

Land Use Type ¹	Specific Use Regulations	T2R C	Land Use Type ¹	Specific Use Regulations	T2R C
Agricultural			Recreation, Education, Safety, Public Assembly		
Agriculture & Crop Harvesting		P	Community Oriented Cultural Facility (less than 15,000 SF)		P
Aquaponics	4.1.430	S	Community Oriented Cultural Facility (greater than 15,000 SF)	7.2.130	S
Agricultural Support Services		P	Community Public Safety Facility		P
Animal Production	4.1.30	C	Institutional Care Facility	7.2.130	S
Seasonal Farmworker Housing	4.1.90	C	Meeting Facility/Place of Worship (less than 15,000 SF)	4.1.150	C
Forestry		P	Meeting Facility/Place of Worship (15,000 SF or greater)	4.1.150	C
Commercial Stables	4.1.50	C	Park, Playground, Outdoor Recreation Areas		P
Residential			Recreation Facility: Community-Based		P
Dwelling: Single Family Detached Unit		P	Ecotourism	4.1.330	C
Dwelling: Accessory Unit	4.2.30	C	School: Public or Private	7.2.130	S
Dwelling: Family Compound	2.7.40	C	School: Specialized Training/Studio	7.2.130	S
Dwelling: Group Home		P	School: College or University	7.2.130	S
Community Residence (dorms, Convents, assisted living, temporary shelters)		P	Infrastructure, Transportation, Communications		
Home Office	4.2.90	C	Infrastructure and Utilities: Regional (Major) Utility	4.1.210	C
Home Business	4.2.80	C	Parking Facility, Public or Commercial		P
Cottage Industry	4.2.40	C	Transportation, Terminal	7.2.130	S
Retail & Restaurants			Waste Management: Community	4.1.290	C
General Retail 25,000 SF or less		P	Waste Collection & Recycling		
Bar, Tavern, Nightclub		P	Wireless Communications Facility	4.1.320	S
Gas Station/Fuel Sales	4.1.100	C	Industrial		
Open Air Retail		P	Manufacturing, Processing, and Packaging - Light (less than 15,000 SF)	4.1.140	C
Restaurant, Café, Coffee Shop		P	Outdoor Maintenance / Storage Yard	4.1.180	C
Vehicle Sales and Rental: Light	4.1.260	C	Warehousing	4.1.280	C
Offices & Services			Wholesaling and Distribution	4.1.280	C
General Offices & Services <10,000 SF		P			
General Offices & Services: with Drive-Through Facilities	4.1.70	C			
Animal Services: Clinic/Hospital		P			
Animal Services: Kennel	4.1.40	C			
Day Care: Family Home (up to 8 Clients)		P			
Day Care: Commercial Center (9 or more clients)	4.1.60	C			
Lodging: Bed & Breakfast (5 rooms or less)		P			
Lodging: Inn (up to 24 rooms)		P			
Medical Service: Clinics/Offices		P			
Vehicle Services: Minor Maintenance And Repair	4.1.270	C			
Vehicle Services: Major Maintenance And Repair	4.1.270	C			
Key					
P	Permitted Use				
C	Conditional Use				
S	Special Use Permit Required				
---	Use Not Allowed				
End Notes					
¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.					

Section 3.2.70

G. T3 E Allowed Uses

Land Use Type ¹	Specific Use Regulations	T3E
Agricultural		
Agriculture & Crop Harvesting		P
Aquaponics	4.1.430	S
Seasonal Farmworker Housing	4.1.90	C
Forestry		P
Residential		
Dwelling: Single Family Detached Unit		P
Dwelling: Accessory Unit	4.2.30	C
Dwelling: Family Compound	2.7.40	C
Dwelling: Group Home		P
Community Residence (dorms, convents, assisted living, temporary shelters)		P
Home Office	4.2.90	C
Home Business	4.2.80	C

Land Use Type ¹	Specific Use Regulations	T3E
Offices & Services		
Day Care: Family Home (up to 8 clients)		P
Lodging: Bed & Breakfast (5 rooms or less)		P
Recreation, Education, Safety, Public Assembly		
Meeting Facility/Place of Worship (Less than 15,000SF)	4.1.150	C
Park, Playground, Outdoor Recreation Areas		P
Infrastructure, Transportation, Communications		
Infrastructure and Utilities: Regional (Major) Utility	4.1.210	S

Key

P	Permitted Use
C	Conditional Use
S	Special Use Permit Required
---	Use Not Allowed

End Notes

¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.

ORDINANCE NO. 2017 / ____

AN ORDINANCE PROVIDING FOR A QUIT CLAIM DEED FROM BEAUFORT COUNTY TO KUZZENS INC. RELEASING ANY CLAIMS OVER A PORTION OF LAND OCCUPIED BY THE TOMATO SHEDS

WHEREAS, Kuzzens Inc. owns property known as 9 Airport Circle PIN# R200 018 000 0055 0000; and

WHEREAS, recently it was discovered that no deed into the Kuzzens Inc. existed for the back 1.79 acres at 9 Airport Circle; and

WHEREAS, further research discovered that in 1972 it was the intention of Beaufort County to sell to Kuzzens Inc. the 1.79 acre portion for the amount of ONE THOUSAND (\$1,000.00) DOLLARS and 00/cents; however no deed is available on file with the Register of Deeds; and

WHEREAS, Kuzzens Inc. has built substantial structures on the property to be quit-claimed from the County to Kuzzens Inc.; and

WHEREAS, Kuzzens Inc. has been paying taxes for the above referenced PIN# for 3.9 acres which includes the 1.79 acres to be quit-claimed by the County to Kuzzens Inc.; and

WHEREAS, Kuzzens Inc. has requested that the County quit-claim any interest in the 1.79 acre portion so that a deed may be filed with the Register of Deeds and to correct the apparent oversight; and

WHEREAS, Kuzzens Inc. has agreed to quit-claim back to the County a small portion of approximately .01 acres or 543 square feet that aligns with an existing driveway on Airport property; and

WHEREAS, Beaufort County Council believes that it is in the best interests of its citizens to forever relinquish any claim of right it may have over the 1.79 portion of PIN# R200 018 000 0055 0000.

NOW, THEREFORE, BE IT ORDAINED that Beaufort County Council does hereby authorize the County Administrator to execute the necessary documents to provide for a quit-claim deed to Kuzzens Inc. for the 1.79 acre portion of PIN# R200 018 000 0055 0000 as shown on the attached Exhibit A.

DONE this ___ day of _____, 2017.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, Esquire
Beaufort County Attorney

ATTEST:

Ashley M. Bennett, Clerk to Council

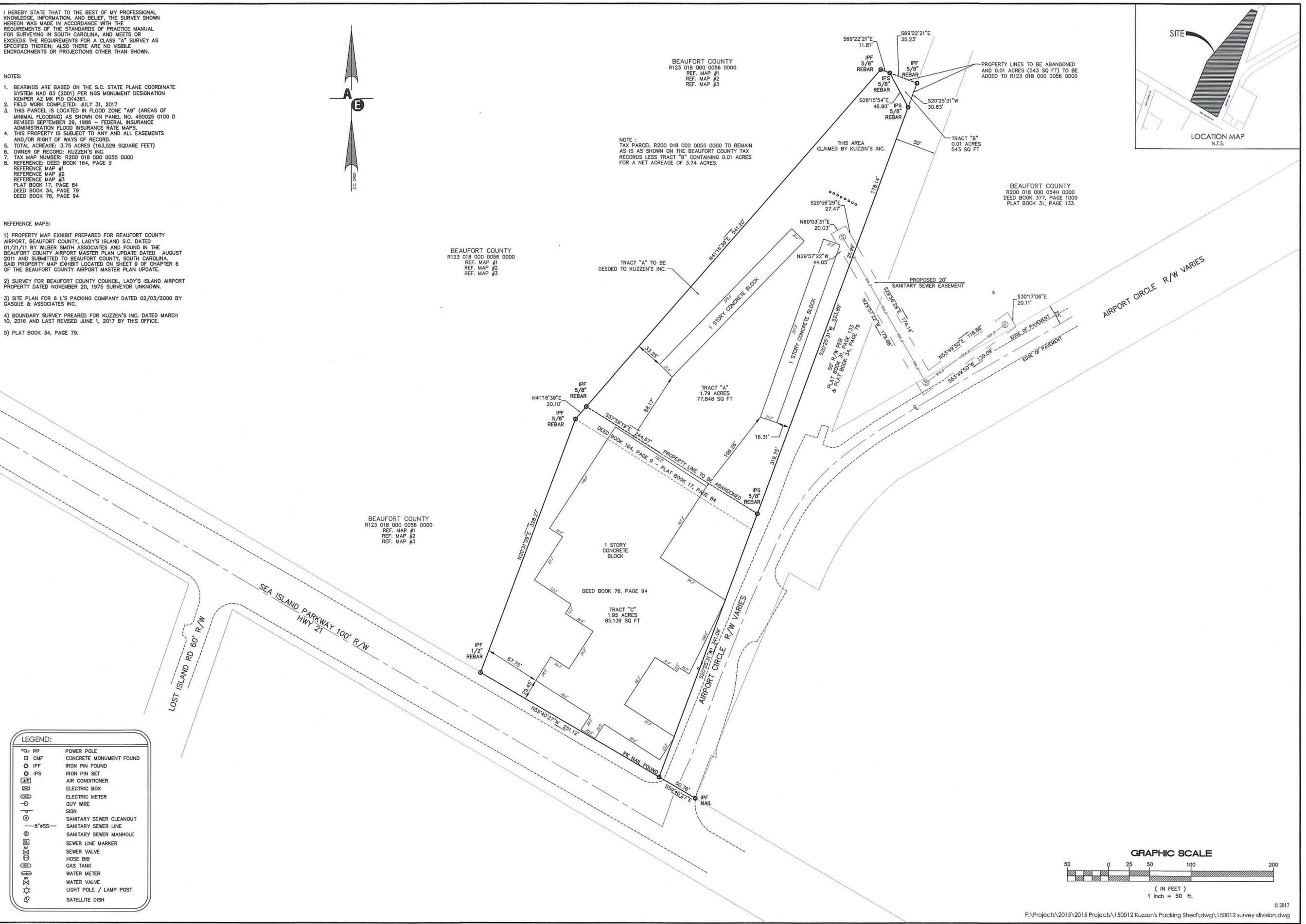
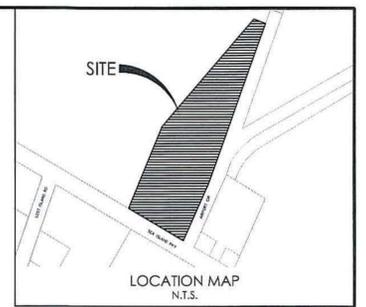
First Reading: September 25, 2017
Second Reading: October 9, 2017
Public Hearing:
Third and Final Reading:

DRAFT

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

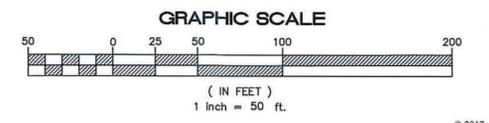
- NOTES:
- BEARINGS ARE BASED ON THE S.C. STATE PLANE COORDINATE SYSTEM NAD 83 (2011) PER NGS MONUMENT DESIGNATION KEMPER AZ MK PID CK4361.
 - FIELD WORK COMPLETED: JULY 31, 2017
 - THIS PARCEL IS LOCATED IN FLOOD ZONE "A9" (AREAS OF MINIMAL FLOODING) AS SHOWN ON PANEL NO. 450025 0100 D REVISED SEPTEMBER 29, 1988 - FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAPS.
 - THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHT OF WAYS OF RECORD.
 - TOTAL ACREAGE: 3.75 ACRES (163,529 SQUARE FEET)
 - OWNER OF RECORD: KUZZEN'S INC.
 - TAX MAP NUMBER: R200 018 000 0055 0000
 - REFERENCE: DEED BOOK 164, PAGE 9
REFERENCE MAP #1
REFERENCE MAP #2
REFERENCE MAP #3
PLAT BOOK 17, PAGE 84
DEED BOOK 34, PAGE 79
DEED BOOK 76, PAGE 94

- REFERENCE MAPS:
- PROPERTY MAP EXHIBIT PREPARED FOR BEAUFORT COUNTY AIRPORT, BEAUFORT COUNTY, LADY'S ISLAND S.C. DATED 01/21/11 BY WILBER SMITH ASSOCIATES AND FOUND IN THE BEAUFORT COUNTY AIRPORT MASTER PLAN UPDATE DATED AUGUST 2011 AND SUBMITTED TO BEAUFORT COUNTY, SOUTH CAROLINA. SAID PROPERTY MAP EXHIBIT LOCATED ON SHEET 9 OF CHAPTER 6 OF THE BEAUFORT COUNTY AIRPORT MASTER PLAN UPDATE.
 - SURVEY FOR BEAUFORT COUNTY COUNCIL, LADY'S ISLAND AIRPORT PROPERTY DATED NOVEMBER 20, 1975 SURVEYOR UNKNOWN.
 - SITE PLAN FOR 6 L'S PACKING COMPANY DATED 02/03/2000 BY GASQUE & ASSOCIATES INC.
 - BOUNDARY SURVEY PREPARED FOR KUZZEN'S INC. DATED MARCH 10, 2016 AND LAST REVISED JUNE 1, 2017 BY THIS OFFICE.
 - PLAT BOOK 34, PAGE 79.



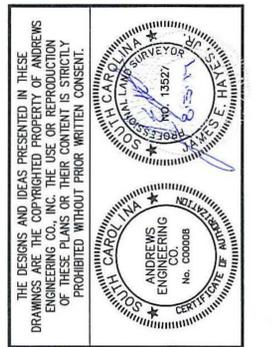
LEGEND:

□	POWER POLE
□	CONCRETE MONUMENT FOUND
○	IRON PIN FOUND
○	IRON PIN SET
⊠	AIR CONDITIONER
⊠	ELECTRIC BOX
⊠	ELECTRIC METER
—	GUY WIRE
⊠	SIGN
—	SANITARY SEWER CLEANOUT
—	SANITARY SEWER LINE
⊠	SANITARY SEWER MANHOLE
—	SEWER LINE MARKER
⊠	SEWER VALVE
⊠	HOSE BIB
⊠	GAS TANK
⊠	WATER METER
⊠	WATER VALVE
⊠	LIGHT POLE / LAMP POST
⊠	SATELLITE DISH



PLAN REVISIONS

NO.	DESCRIPTION:	DATE:	BY:
1			
2			
3			
4			
5			
6			
7			
8			



2712 Bull Street Suite A
Beaufort, SC 29902
843.379.2222
Fax 843.379.2223

Andrews Engineering & Surveying

COMBINATION / RE-COMBINATION PLAT
Prepared for
KUZZEN'S INC.

9 AIRPORT CIRCLE
LADY'S ISLAND
BEAUFORT COUNTY
SOUTH CAROLINA

Date Drawn: 07/20/17
Last Revised: 08/03/17
Drawn By: BC
Surveyor: J. Hayes

SHEET #:
1

JOB: 150012

EXHIBIT "A"

ALL that certain piece, parcel or lot of land, situate, lying and being on Lady's Island, Beaufort County, South Carolina, being shown and designated as 3.75 ACRES TOTAL on that certain plat prepared by Andrews Engineering and Surveying, for KUZZENS, INC., dated March 10, 2016, last revised June 1, 2017, and recorded in Plat Book 27 at Page 182 at the office of the Register of Deeds for Beaufort County, South Carolina.

This conveyance is made subject to all easements, restrictions, covenants and conditions of record and otherwise affecting the property.

The being a portion of the property conveyed to the within Grantor by deed from Christopher Heyward, recorded January 4, 1956, in Book 80 at Page 490 in the office of the Register of Deeds for Beaufort County, South Carolina.

This deed was prepared without the benefit of a title exam and therefore no opinion given by Kevin E. Dukes, Esquire, of Harvey & Battey, PA, 1001 Craven Street, Beaufort, South Carolina 29902.

BEAUFORT COUNTY TAX MAP REFERENCE: R200 018 000 0055 0000

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: Delinquent Tax Sale Presentation
Date Submitted: October 23, 2017
Submitted By: Maria Walls
Venue: County Council Regular Session



Beaufort County
TREASURER

Maria Walls, CPA

Topic: Delinquent Tax Sale Presentation
Date Submitted: October 23, 2017
Submitted By: Maria Walls
Venue: County Council Regular Session

Delinquent Tax Sale

- Total collected during posting \$ 2,711,391
 - Beaufort County Schools - \$1,410,106
 - County - \$718,222
- Total collected during advertising \$1,173,959
 - Beaufort County Schools - \$613,928
 - County - \$292,056

Delinquent Tax Sale

- Online bidder registration
- Deed preparation fees were collected with the winning bid
- Partnered with County Departments
- Interactive Delinquent Tax Map

Delinquent Tax Sale Comparison

Tax Sale	2014	2015	2016	2017
Parcels sent to auction	808	567	649	439
Number of Bidders	243	252	270	194
Parcels Sold	552	382	357	291
Number of Forfeits	4	2	2	2
Parcels sent to FLC	122	107	140	103
Number of Add-on Parcels	134	56	148	45
Total Bids Collected	\$ 21,637,685	\$ 12,559,412	\$ 15,862,814	\$ 14,810,326
Total Taxes Due	\$ 1,206,491	\$ 687,546	\$ 783,908	\$ 537,075
Total Overage	\$ 20,431,194	\$ 11,871,866	\$ 15,078,906	\$ 14,273,271

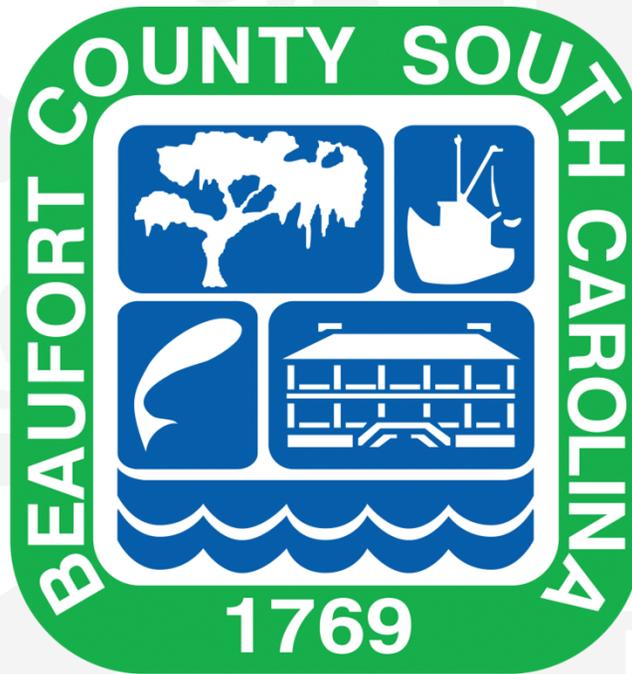
The Beaufort County Treasurer's Office, professionals serving with innovation and enthusiasm.

Current Financials

- Cash on hand
 - Unrestricted cash - \$100,092,673
 - Restricted cash - \$139,060,766
- Investment Returns - \$756,326

Current Financials

- Collection Rate for Tax Year 2016 – 98.28%
- Collection Rate for Tax Year 2015 – 97.98%



Beaufort County
TREASURER

Questions