

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

GERALD W. STEWART  
VICE CHAIRMAN

COUNCIL MEMBERS

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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, January 8, 2018  
6:00 p.m.

Council Chambers, Administration Building  
Beaufort County Government Robert Smalls Complex  
100 Ribaut Road, Beaufort

1. CALL TO ORDER - 6:00 P.M.
2. REGULAR SESSION
3. PLEDGE OF ALLEGIANCE
4. INVOCATION – Councilman Brian E. Flewelling
5. RECOGNITION / ADOPT-A-HIGHWAY VOLUNTEER GROUPS
6. ADMINISTRATIVE CONSENT AGENDA
  - A. Approval of Minutes
    1. December 11, 2017 Regular Session ([backup](#))
    2. December 11, 2017 Caucus ([backup](#))
  - B. Committee Reports (next meeting)
    1. Community Services (January 22, 2018 at 1:30 p.m., ECR)
    2. Executive (February 12, 2018 at 3:00 p.m., ECR)
      - a. Minutes – December 11, 2017 ([backup](#))
    3. Finance (February 5, 2018 at 2:00 p.m., ECR)
    4. Governmental (February 5, 2018 at 4:00 p.m., ECR)
    5. Natural Resources (January 16, 2018 at 2:00 p.m., ECR)
    6. Public Facilities (January 22, 2018 at 3:00 p.m., ECR)
7. PUBLIC COMMENT – Speaker sign-up encouraged no later than 5:45 p.m. day of meeting.



8. NEW BUSINESS

- A. ADOPTION OF 2018 CAUCUS AND REGULAR MEETING SCHEDULE ([backup](#))

9. CONSENT AGENDA

- A. AN ORDINANCE TO CREATE THE KEEP BEAUFORT COUNTY BEAUTIFUL BOARD FOR THE PURPOSE OF LITTER CONTROL, BEAUTIFICATION, AND WASTE REDUCTION FOR BEAUFORT COUNTY ([backup](#))

1. Consideration of second reading approval to occur January 8, 2018
2. Public hearing - Monday, January 22, 2018 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 December 11, 2017 / Vote 11:0
4. Natural Resources Committee discussion and recommendation to approve on first reading occurred November 20, 2017 / Vote 4:0

- B. TEXT AMENDMENTS TO THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE I, EMPLOYEE BENEFITS; DIVISION 3. ELECTED AND APPOINTED OFFICIALS ([backup](#))

1. Consideration of first reading approval to occur January 8, 2018
2. Executive Committee discussion and recommendation to approve on first reading occurred December 11, 2017 / Vote 5:1

10. PUBLIC HEARINGS

- A. AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TWO (2) YEAR EXTENSION OF THE LEASE AGREEMENT WITH THE SANTA ELENA FOUNDATION FOR THE FEDERAL COURTHOUSE ([backup](#))

1. Consideration of third and final reading to occur January 8, 2018
2. Second reading approval occurred December 11, 2017 / Vote 11:0
3. First reading approval occurred November 13, 2017 / Vote 11:0
4. Finance Committee discussion and recommendation to approve an amended lease extension for property located at 1501 Bay Street (known as former Federal Courthouse building), to perform all significant capital maintenance and repairs, as required, and to defer consideration of a lease extension and funding of the property known as the Dowling Family Lot until the end of fiscal year 17-18, contingent upon receipt of financial records from the Santa Elena Foundation. Discussion occurred November 6, 2017 / Vote 7:0

- B. AN ORDINANCE COMMITTING FUNDS FROM THE BUCKWALTER PLACE MULTI-COUNTY INDUSTRIAL PARK FEE IN LIEU OF TAXES REVENUE AND ADDITIONAL REVENUE GENERATED FROM THE BUCKWALTER PLACE DEVELOPMENT AFTER THE EXPIRATION OF THE MULTI-COUNTY INDUSTRIAL PARK, UP TO A TOTAL OF \$5,000,000.00, CONTINGENT UPON THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING IDENTIFYING THE CONTRIBUTIONS OF THE TOWN OF BLUFFTON AND THE BEAUFORT COUNTY SCHOOL DISTRICT TO FUND PORTIONS OF THE CONSTRUCTION COST OF THE LOWCOUNTRY CULINARY INSTITUTE AND TOURISM CENTER TO THE TECHNICAL COLLEGE OF THE LOWCOUNTRY ([backup](#))
1. Consideration of third and final reading to occur January 8, 2018
  2. Second reading approval occurred December 11, 2017 / Vote 11:0
  3. First reading approval occurred November 13, 2017 / Vote 11:0
  4. Finance Committee discussion and recommendation to approve on first reading occurred November 6, 2017 / Vote 7:0
- C. AN ORDINANCE ALLOCATING \$3,243,000.00 FROM LOCAL HOSPITALITY TAX FUNDS TO THE TECHNICAL COLLEGE OF THE LOWCOUNTRY FOR A PORTION OF COST FOR CONSTRUCTION OF A LOWCOUNTRY CULINARY AND TOURISM CENTER ([backup](#))
1. Consideration of third and final reading to occur January 8, 2018
  2. Second reading approval occurred December 11, 2017 / Vote 11:0
  3. First reading approval occurred November 13, 2017 / Vote 11:0
  4. Finance Committee discussion and recommendation to approve on first reading occurred November 6, 2017 / Vote 7:0
- D. AN ORDINANCE OF BEAUFORT COUNTY COUNCIL ADDING CHAPTER 38, ARTICLE 6: SINGLE-USE PLASTIC BAGS TO THE BEAUFORT COUNTY CODE OF ORDINANCES TO ENCOURAGE THE USE OF REUSABLE CHECKOUT BAGS AND RECYCLABLE PAPER CARRYOUT BAGS AND BANNING THE USE OF SINGLE-USE PLASTIC BAGS FOR RETAIL CHECKOUT OF PURCHASED GOODS IN THE UNINCORPORATED AREAS OF THE COUNTY ([backup](#))
1. Consideration of third and final reading to occur January 8, 2018
  2. Second reading approval occurred December 11, 2017 / Vote 10:1
  3. First reading approval occurred November 13, 2017 / Vote 10:1
  4. Council Work Session to receive public comment and input occurred November 8, 2017
  5. Council Work Session to receive public comment and input occurred November 1, 2017
  6. Council Work Session to receive public comment and input occurred October 25, 2017
  7. Natural Resources Committee discussion and recommendation to approve ordinance with amendments/additions occurred October 16, 2017 / Vote 4:1
  8. Natural Resources Committee Work Session to receive public comment and input occurred October 5, 2017

9. Natural Resources Committee Work Session to receive public comment and input occurred September 25, 2017
10. Natural Resources Committee discussion incident to the date and time of two Natural Resources Committee Work Sessions occurred September 18, 2017
11. Council postponed action and sent back to the Natural Resources Committee for additional public input and public comment on August 28, 2017
12. Natural Resources Committee discussion and recommendation to approve on first reading occurred August 22, 2017 / Vote 4:2

11. MATTERS ARISING OUT OF EXECUTIVE SESSION

12. PUBLIC COMMENT - Speaker sign-up encouraged.

13. ADJOURNMENT

Official Proceedings  
County Council of Beaufort County  
December 11, 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, December 11, 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, Council members Rick Caporale, Mr. Covert, Gerald Dawson, Brian Flewelling, Steven Fobes, York Glover, Alice Howard, Stewart Rodman and Roberts “Tabor” Vaux.

**PLEDGE OF ALLEGIANCE**

The Chairman led those present in the Pledge of Allegiance.

**INVOCATION**

Council member Alice G. Howard gave the Invocation.

**PRESENTATION / DISABILITIES AND SPECIAL NEEDS DEPARTMENT**

Mr. Bill Love, Executive Director, Disabilities and Special Needs (DSN) Department, stated Beaufort County DSN services more than 500 individuals daily. He provided recognition and thanks to the many volunteers who have provided time and dedication in many different areas.

**CEREMONIAL SIGNING / JOINT LAND USE STUDY (JLUS)**

Beaufort County Councilman and Lowcountry Council of Governments Board Member Brian Flewelling, Lowcountry Realtors Association representative Janet Griffin, Beaufort City Mayor Billy Keyserling, Lowcountry Council of Governments representative Ginny Kazak, Marine Corps Air Station Beaufort Colonel Miller, Town of Bluffton Mayor Sam Murray, Planning Commission Chairman Robert Semmler, Council Chairman Paul Sommerville, Marine Corps Recruit Depot Parris Island Colonel St. Clair, and Beaufort Regional Chamber of Commerce President Blakely Williams participated in the ceremonial signing of the Lowcountry Joint Land Use Study (JLUS).

## **ADMINISTRATIVE CONSENT AGENDA**

### **Review of the Proceedings of the Caucus held November 13, 2017**

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve the minutes of the caucus held November 13, 2017. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

### **Review of the Proceedings of the Regular Session held November 13, 2017**

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve the minutes of the regular session held November 13, 2017. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

## **Committee Reports**

### **Natural Resource Committee**

Natural Resources Committee Chairman Brian Flewelling announced the cancelation of the December 18, 2017 meeting of the Natural Resources Committee. The January meeting includes Malind Bluff and Malind Pointe as well as a Lady's Island Zoning map amendment and rezoning request. He asked that Committee members receive the Malind Bluff/Pointe documents well in advance of the January 2018 meeting.

## **PUBLIC COMMENT**

Ms. Galen Warden, a Beaufort resident, spoke in favor of the single-use plastic bag ban. It is not a matter of convenience, but the reality that we are contaminating our sea life, water, soil and food.

Ms. Vanaye McGlashan, a Beaufort County resident, spoke in favor of the single-use plastic bag ban. There are groups that will help soften the impact of the transition and minimize costs. Please consider the affect these plastics pose to our marine environment.

Ms. Jennifer Sharp, representing Beaufort Indivisible, spoke in favor of the single-use plastic bag ban. She provided a petition of 916 signatures in favor of a ban on single-use plastic bags.

Mr. William Smith, a resident of St. Helena Island, spoke about the need for after school facilities and programs for our youth. What is there for our youth to do after 5:00 p.m.? How can we move forward and promote these types of businesses in Beaufort County.

Mr. Ferol de Gastyne, a resident of Beaufort County, spoke against the development of Whitehall Plantation property. He has provided an alternative plan for the development. He asked that Council take his concerns under advisement.

Ms. Kathryn Hancock, a resident of Bluffton, spoke against the huge influx of traffic that would result from connecting Old Miller Road to Lake Point Drive. This would become a major commute route for anyone traveling to Savannah, Pooler and south I-95. Mr. John Cardamone, developer, Village Park Homes, is the only party to gain from connecting the two roads. This is a detriment to the safety and security of all living adjacent to either road.

**TIME SENSITIVE ITEMS POTENTIALLY COMING FORTH FROM DECEMBER 11, 2017 COMMITTEE MEETINGS FOR COUNCIL CONSIDERATION**

**CONSTRUCTION SERVICES AND EQUIPMENT CONTRACT / SECURITY KIOSK AT HUMAN SERVICES BUILDING**

Discussion of this item occurred at the December 11, 2017 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a construction services and equipment contract to Patterson Construction, Beaufort, South Carolina to provide construction services and equipment for a security kiosk at the Human Services Building. The total cost is \$146,154 and funding would come from account 40080011-54427, 2013 General Obligation Bond Capital Funding. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**STATE CONTRACT PURCHASE / TWO 2018 DUMP TRUCKS FOR PUBLIC WORKS – STORMWATER INFRASTRUCTURE SECTION**

Discussion of this item occurred at the December 11, 2017 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a state contract to Carolina International Trucks, Inc., Columbia, South Carolina for the purchase of two 2018 dump trucks for the Public Works Department – Stormwater Infrastructure Section. The total cost is \$318,308.52 to be funded from Account 50250011-54000, Stormwater Utility Enterprise Fund Vehicle Purchases. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**NATIONAL JOINT POWERS ASSOCIATION COOPERATIVE CONTRACT (NJPA)  
VENDOR PURCHASE / ONE 2018 CAT MODEL 315F EXCAVATOR FOR PUBLIC  
WORKS – STORMWATER INFRASTRUCTURE SECTION**

Discussion of this item occurred at the December 11, 2017 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. Fobes, that Council award a National Joint Powers Association Cooperation contract to Blanchard CAT, Columbia, South Carolina for the purchase of one 2018 CAT Model 315F excavator for Public Works – Stormwater Infrastructure Section in the amount of \$162,782. This contract will be funded from Account 50250011-54200, Stormwater Utility Enterprise Fund Specialized Capital Equipment. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville and Mr. Stewart. Mr. Vaux recused himself (his law firm represents sales representatives for Blanchard CAT). The motion passed.

**SOFTWARE, HARDWARE, LICENSES AND TECHNICAL ASSISTANCE PURCHASE  
/ SCHOOL ZONE FLASHER SYSTEM**

Discussion of this item occurred at the December 11, 2017 meeting of the Public Facilities Committee.

Mr. Covert stated he will vote in favor of this, but would like this subject to remain on the table for future discussions.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract to Temple, Inc., Decatur, Alabama for software, hardware, licenses and technical assistance for school zone flasher system. The amount totals \$113,889.32 (\$108,466.02 contract and \$5,423.30 contingency) which will be funded from County Motorized Licensed Vehicle Road Use Fee (TAG) Funds. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**CONSTRUCTION SERVICES CONTRACT / VOTERS REGISTRATION WAREHOUSE**

Discussion of this item occurred at the December 11, 2017 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract to Patterson Construction, Beaufort, South Carolina, for construction services relative to the Voters Registration warehouse. The amount totals \$231,917.34 (\$210,834 contract and \$21,083.34 contingency) to be funded from 2017 General Obligation Bond, Account 40100011-54420, Enovation Existing Building, Voters Registration. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**ITEMS REMOVED FROM CONSENT AGENDA**

**AN ORDINANCE OF BEAUFORT COUNTY COUNCIL ADDING CHAPTER 38, ARTICLE 6: SINGLE-USE PLASTIC BAGS TO THE BEAUFORT COUNTY CODE OF ORDINANCES TO ENCOURAGE THE USE OF REUSABLE CHECKOUT BAGS AND RECYCLABLE PAPER CARRYOUT BAGS AND BANNING THE USE OF SINGLE-USE PLASTIC BAGS FOR RETAIL CHECKOUT OF PURCHASED GOODS IN THE UNINCORPORATED AREAS OF THE COUNTY**

**Main motion:** It was moved by Mr. Flewelling, as Natural Resources Committee Chairman, that Council approve on second reading an ordinance adding Chapter 38, Article 6: Single-Use Plastic Bags to the Beaufort County Code of Ordinances to encourage the use of reusable checkout bags and recyclable paper carryout bags and banning the use of single-use plastic bags for retail checkout of purchased good in the unincorporated areas of the County.

**Motion to amend by substitution:** It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council remove Section 38-163(D) – “All business establishments shall provide or make available to a customer reusable carryout bags or recyclable paper bags.” The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

Mr. Chris Inglese, Assistant County Attorney, provided Council update on the municipalities’ consideration of such ordinance. The City of Beaufort will review this item December 12, 2017; Town of Bluffton December 13, 2017; and Town of Hilton Head Island December 19, 2017.

Mr. Stewart stated this ordinance is not addressing the true issue. The issue is people’s actions, not plastics.

**Vote on main motion to include the motion to amend by substitution:** Council approve on second reading an ordinance adding Chapter 38, Article 6: Single-Use Plastic Bags to the Beaufort County Code of Ordinances to encourage the use of reusable checkout bags and recyclable paper carryout bags and banning the use of single-use plastic bags for retail checkout of purchased good in the unincorporated areas of the County; with the removal of Section 38-163(D) – “All business establishments shall provide or make available to a customer reusable carryout bags or recyclable paper bags.” The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville and Mr. Vaux. NAY – Mr. Stewart. The motion passed.

**CONSENT AGENDA**

**CONSIDERATION OF CONTRACT AWARD / SOLE SOURCE PURCHASE OF THREE NEW HOMES FOR THE BEAUFORT COUNTY DISABILITIES AND SPECIAL NEEDS DEPARTMENT**

This item comes before Council under the Consent Agenda. Discussion occurred at the November 20, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract for the purchase of three new homes for the Beaufort County Disabilities and Special Needs Department as follows: Hutter Construction Corporation, Beaufort, South Carolina (\$350,000 for home in Live Oaks Development), Salt Line Construction, Port Royal, South Carolina (\$350,000 for home on Waddell Road), and Salt Line Construction, Port Royal, South Carolina (\$317,000 for home on Center Drive West). The total amount is \$1,017,000 and will come from Account 24470011-54410, Disabilities and Special Needs – Building Acquisition. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**AN ORDINANCE TO CREATE THE KEEP BEAUFORT COUNTY BEAUTIFUL BOARD FOR THE PURPOSE OF LITTER CONTROL, BEAUTIFICATION, AND WASTE REDUCTION FOR BEAUFORT COUNTY**

This item comes before Council under the Consent Agenda. Discussion occurred at the November 20, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on first reading an ordinance to create the Keep Beaufort County Beautiful Board for the purpose of litter control, beautification, and waste reduction for Beaufort County. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**CONSIDERATION OF CONTRACT AWARD / ENERGOV PLANNING, PERMITTING AND LICENSING SOFTWARE**

This item comes before Council under the Consent Agenda. Discussion occurred at the November 20, 2017 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council award a contract to Tyler Technologies, Inc. for Energov Planning Permitting and Licensing Software in the amount of (i) \$373,250 for Software and Implementation - The funding sources are \$269,374 / 2013 General Obligation Bond Capital Projects; \$91,203 / 2017 General Obligation Bond Capital Projects; \$12,673 / 2009 General Obligation Bond Capital Projects; and (ii) \$125,722 for annual maintenance recurring costs – The current users of Munis modules: Permits & Code Enforcement and Business License Departments, have been and will continue to be responsible for the \$10,000 annual maintenance recurring cost. Going forward, the following departments will be responsible for estimated annual maintenance increase of \$115,722: \$38,574 Community Development (Planning and Zoning) Department, \$38,574 Building Codes Department, and \$38,574 Business License Department). The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TWO (2) YEAR EXTENSION OF THE LEASE AGREEMENT WITH THE SANTA ELENA FOUNDATION FOR THE FEDERAL COURTHOUSE**

This item comes before Council under the Consent Agenda. Discussion occurred at the November 6, 2017 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading an ordinance authorizing the Interim County Administrator to execute a two-year extension of the lease agreement with the Santa Elena Foundation for the Federal Courthouse. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**AN ORDINANCE COMMITTING FUNDS FROM THE BUCKWALTER PLACE MULTI-COUNTY INDUSTRIAL PARK FEE IN LIEU OF TAXES REVENUE AND ADDITIONAL REVENUE GENERATED FROM THE BUCKWALTER PLACE DEVELOPMENT AFTER THE EXPIRATION OF THE MULTI-COUNTY INDUSTRIAL PARK, UP TO A TOTAL OF \$5,000,000.00, CONTINGENT UPON THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING IDENTIFYING THE CONTRIBUTIONS OF THE TOWN OF BLUFFTON AND THE BEAUFORT COUNTY SCHOOL DISTRICT TO FUND PORTIONS OF THE CONSTRUCTION COST OF THE LOWCOUNTRY CULINARY INSTITUTE AND TOURISM CENTER TO THE TECHNICAL COLLEGE OF THE LOWCOUNTRY**

This item comes before Council under the Consent Agenda. Discussion occurred at the November 6, 2017 meeting of the Finance Committee.

Mr. Covert removed this item from the Consent Agenda for discussion only and added it back to the Consent Agenda for matter of vote. He wants to ensure that this ordinance in no way limits other jurisdictions from contributing more than what is outlined within the document.

Mr. Joshua Gruber, Interim County Administrator, stated this ordinance does not limit, in any way, other entities. This ordinance only sets Council's intended funding mechanism. Additional discussion will be needed as it pertains to debt servicing of this project.

Mr. Stewart stated alternative ways to look at this issue. Several groups stepping up and supporting the organization in various ways.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading an ordinance committing funds from the Buckwalter Place Multi-County Industrial Park Fee in Lieu of Taxes Revenue and additional revenue generated from the Buckwalter Place Development after the expiration of the Multi-County Industrial Park, up to a total of \$5,000,000, contingent upon the execution of a Memorandum of Understanding identifying the contributions of the Town of Bluffton and the Beaufort County School District to fund portions of the construction cost of the Lowcountry Culinary Institute and Tourism Center to the Technical College of the Lowcountry. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**AN ORDINANCE ALLOCATING \$3,243,000.00 FROM LOCAL HOSPITALITY TAX FUNDS TO THE TECHNICAL COLLEGE OF THE LOWCOUNTRY FOR A PORTION OF COST FOR CONSTRUCTION OF A LOWCOUNTRY CULINARY INSTITUTE AND TOURISM CENTER**

This item comes before Council under the Consent Agenda. Discussion occurred at the November 6, 2017 meeting of the Finance Committee.

Mr. Covert removed this item from the Consent Agenda for discussion only and added it back to the Consent Agenda for matter of vote. He wants to ensure that this ordinance in no way limits other jurisdictions from contributing more than what is outlined within the document.

Mr. Joshua Gruber, Interim County Administrator, stated this ordinance does not limit, in any way, other entities. This ordinance only sets Council's intended funding mechanism. Additional discussion will be needed as it pertains to debt servicing of this project.

Mr. Stewart stated alternative ways to look at this issue. Several groups stepping up and supporting the organization in various ways.

It was moved by Mr. Flewelling, seconded by Mr. Stewart, that Council approve on second reading an ordinance allocating \$3,243,000 from Local Hospitality Tax Funds to the Technical College of the Lowcountry for a portion of the cost for construction of a Lowcountry Culinary Institute and Tourism Center. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**MATTERS ARISING OUT OF EXECUTIVE SESSION**

It was moved by Mr. Flewelling, seconded by Mr. Fobes, that Council enter into a contract with the Lowcountry Council of Governments in the amount of \$12,500 for support in providing a request for qualifications (RFQ) for employment consultant. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**PUBLIC COMMENT**

There were no requests to speak.

**ADJOURNMENT**

Council adjourned at 7:24 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  
December 11, 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, December 11, 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 Council members Rick Caporale, Michael Covert, Gerald Dawson, Brian Flewelling, Steven Fobes, York Glover, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux.

**PLEDGE OF ALLEGIANCE**

The Chairman led those present in the Pledge of Allegiance.

**CALL FOR EXECUTIVE SESSION**

It was moved by Mr. Stewart, seconded by Mr. Vaux, that Council go immediately into executive session regarding receipt legal advice relating to a relationship with Lowcountry Council of Government (LCOG) and receipt of legal advice relative to S.C. Ethics Act and proposed referendums. The vote: YEAS – Mr. Caporale, Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mr. Glover, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. The motion passed.

**EXECUTIVE SESSION**

**ADJOURNMENT**

Council adjourned at 6:06 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

\_\_\_\_\_  
Ashley M. Bennett, Clerk to Council

Ratified:

## EXECUTIVE COMMITTEE

December 11, 2017

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

The Executive Committee met Monday, December 11, 2017 beginning at 4:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

### ATTENDANCE

Chairman Jerry Stewart and members Gerald Dawson, Brian Flewelling, Alice Howard and Stu Rodman. Non-Committee members Rick Caporale, Steven Fobes, York Glover, Mike Covert and Paul Sommerville present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Joshua Gruber, Interim County Administrator; Chris Inglese, Assistant County Attorney; Tom Keaveny, County Attorney; Ray McBride, Library System Director; Jon Rembold, Airports Director; Monica Spells, Assistant County Administrator-Civic Outreach and Engagement; and Rod Sproatt, Magistrate.

Public: State Senator Tom Davis.

Media: Joe Croley, *Lowcountry Inside Track*.

Councilman Jerry Stewart chaired the meeting.

### ACTION ITEM

- 1. Text Amendments to the Beaufort County Code of Ordinances, Chapter 2, Administration: Article I, Employee Benefits; Division 3. Elected and Appointed Officials**
- 2. A Resolution Establishing the Number of Full-Time and Part-Time Magistrate Positions, the Number of Hours Required of each Position, the Compensation for Each Position and the Area of the County to Which Each Position is Assigned**

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

These two agenda items were taken up together for discussion.

**Discussion:** Mr. Tom Keaveny, County Attorney, reviewed these items with the Committee.

Item 1: Text amendments to the Beaufort County Code of Ordinances, Chapter 2, Administration; Article I. Employee Benefits; Division 3. Elected and Appointed Officials, would remove the increased minimum salary put in place by Ordinance 2014/13 and Magistrate salaries and compensation will then be determined by *South Carolina Code of Laws §22-8-10 et seq.*

Item 2: The second item is a resolution establishing the number of full-time and part-time magistrate positions, the number of hours required of each position, the compensation of each position and the area of the county to which each position is assigned. Beaufort County has taken a position that only full-time employees are eligible for health insurance.

Mr. Sommerville would like to go back to the state regulations as it relates to magistrate salaries. In regard to health insurance, many would love to have health insurance; but, the answer is “no” for part-time employees. We treat everyone the same, regardless of the position. Regarding the number of magistrates, he is not partial, one way or the other.

Senator Davis stated County Council does not have the authority to decide the number of magistrates. Does Council want attorneys to become magistrates? Beaufort County has historically been at a low percentage of the number of attorneys serving as magistrates, but he has solicited attorneys for such. The objective is to improve the quality of the bench. Council has the right not to provide benefits, but it will reduce the quality. It is more beneficial to provide insurance and, in return, receive 10 to 15 hours from qualified magistrates.

Mr. Flewelling stated the decision regarding health insurance benefits for part-time employees has already been made. The magistrate system is dependent on the state. As long as the Local Government Fund (LGF) remains unfunded, our obligation to fund is limited. We have to do what is necessary to ensure our general fund is covered and to keep fairness with all employees of Beaufort County. Since changing the salary from that regulated by the State, we have been sued twice. We need to change it back. We cannot keep being sued.

Senator Davis stated it is difficult to get minority participation. We are going to lose good people. It is hard for the Legislative Delegation to get minority attorneys to serve as a magistrate.

Mr. Glover agrees with Senator Davis regarding the need of attracting minorities to the bench; but, does not feel they need to be attorneys in order to serve in that capacity.

**Motion:** It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Committee approve and recommend Council approve on first reading text amendments to the Beaufort County Code of Ordinances, Chapter 2, Administration; Article I, Employee Benefit; Division 3. Elected and Appointed Officials. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mrs. Howard, Mr. Stewart and Mr. Sommerville. NAY – Mr. Rodman. The motion passed.

**Recommendation:** Council approve on first reading text amendments to the Beaufort County Code of Ordinances, Chapter 2, Administration; Article I, Employee Benefit; Division 3. Elected and Appointed Officials.

### **INFORMATION ITEMS**

#### **3. Review / HDX/Hilton Head Island and ARW/Beaufort County Airports Capital Improvement Projects**

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

**Status:** This item will be discussed in January 2018.

#### **4. 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](http://beaufort.granicus.com/ViewPublisher.php?view_id=2)

**Status:** This item will be discussed in January 2018

#### **5. Discussion / Library Impact Fees**

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

**Status:** This item will be discussed in January 2018.

## County Council of Beaufort County 2018 Meetings

Date	CAUCUS		REGULAR	
	Time	Location	Time	Location
January 8, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
January 22, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
February 19, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
March 12, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
March 26, 2018	5:00 p.m.	Hilton Head Island Branch Library	6:00 p.m.	Hilton Head Island Branch Library
April 9, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
April 23, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
May 14, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
May 29, 2018 *	5:00 p.m.	Bluffton Branch Library	6:00 p.m.	Bluffton Branch Library
June 11, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
June 25, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
July 23, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
August 27, 2018	5:00 p.m.	Hilton Head Island Branch Library	6:00 p.m.	Hilton Head Island Branch Library
September 10, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
September 24, 2018	5:00 p.m.	Bluffton Branch Library	6:00 p.m.	Bluffton Branch Library
October 8, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
October 22, 2018	5:00 p.m.	Hilton Head Island Branch Library	6:00 p.m.	Hilton Head Island Branch Library
November 12, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers
December 10, 2018	5:00 p.m.	Executive Conference Room	6:00 p.m.	Council Chambers

\* Tuesday in lieu of Monday (Memorial Day)

Bluffton Branch Library, 120 Palmetto Way, Bluffton  
 Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort  
 Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort  
 Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island

Adopted:

**AN ORDINANCE TO CREATE THE KEEP BEAUFORT COUNTY BEAUTIFUL BOARD FOR THE PURPOSE OF LITTER CONTROL, BEAUTIFICATION, AND WASTE REDUCTION FOR BEAUFORT COUNTY**

WHEREAS, Keep Beaufort County Beautiful (KBCB) has been an active organization, created as a non-profit organization under South Carolina law since 1986; and

WHEREAS, KBCB has operated with the support of County staff from the Department of Solid Waste and Recycling; and

WHEREAS, KBCB has a mission to educate and empower the Beaufort County Community (including governments, businesses, schools, and citizens) to participate directly in improving the environment through an all-out effort in beautification, litter control, and waste reduction; and

WHEREAS, KBCB has maintained its status as an affiliate of Keep America Beautiful (KAB) and Palmetto Pride by meeting the requirements of a KAB affiliate including filing the required annual reports; and

WHEREAS, KBCB has managed volunteers for the SCDOT Adopt A Highway program; and

WHEREAS, being chartered by County Council will acknowledge the success of the KBCB and solidify the organization within the County structure and provide for continued staff support for the purposes set forth below; and

WHEREAS, a county chartered organization will not have an adverse impact on the traditional funding sources from Palmetto Pride and further will have no adverse impact on affiliate status with KAB; and

WHEREAS, it is the intention of the existing Keep Beaufort County Beautiful Board of Directors to dissolve the existing non-profit and become a county chartered organization.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council that there is hereby created a Keep Beaufort County Beautiful Board and that such Board shall be organized and operated according to the following Charter Provisions. The Beaufort County Code of Ordinances is hereby amended by inserting the following Article VII Sections 62-58 through 62-67 into Chapter 62:

Chapter 62- Solid Waste

Article VII Section 62-58. – Litter Control and Beautification Board

Sec. 62-58. - Title.

The name of the organization shall be known as the Keep Beaufort County Beautiful Board (KBCBB).

Sec. 62-59. - Composition.

The board shall be comprised of the following membership:

- (a) One member from County Council District 1.
- (b) One member from County Council District 2.
- (c) One member from County Council District 3.
- (d) One member from County Council District 4.
- (e) One member from County Council District 5.
- (f) One member from County Council District 6.
- (g) One member from County Council District 7.
- (h) One member from County Council District 8.
- (i) One member from County Council District 9.
- (j) One member from County Council District 10.
- (l) One member from County Council District 11.

Sec. 62-60. - Filling of vacancies; removal of board members; terms.

- (1) A vacancy on the board is filled in the same manner as provided for under sections 2-191 through 2-198 of the Beaufort County Code of Ordinances, upon nomination of the respective member of County Council.
- (2) Board members are subject to removal procedures provided in Sec. 2-193 of the Beaufort County Code of Ordinances.
- (3) Board members shall serve at the pleasure of county council. Board members shall be appointed to one (1) term. A term of appointment shall be for four (4) years. No board member shall serve for more than four (4) consecutive terms except that county council may approve a fifth term by unanimous vote.

- a. Upon passage of this Charter, all eleven (11) board members shall be appointed by county council.
- b. For Districts one, two, three, four, five, and six the board members shall be re-appointed after the initial two (2) years for a full four (4) year term, thereby staggering appointments of board members. The initial two (2) year term shall not count toward the four (4) term limit.
- c. For Districts, seven, eight, nine, ten, and eleven, the board members' term shall expire after the full four (4) year term and vacancies be filled by re-appointment, or filled by new appointment.

Sec. 62-61. – Officers, officers' duties, and elections of officers.

The members shall elect three (3) officers from its membership, a chairperson, a co-chairperson and a secretary. A majority of board members present and voting, when a quorum is established, shall elect the officers.

- (1) Chairperson- The chairperson shall be responsible for leading the Board in program development and policy consistent with the Keep America Beautiful objectives. The chairperson shall be spokesperson for the Board at functions, prepare and work with the county staff in preparation of reports including but not limited to the annual Keep America Beautiful report and perform such other duties as the Board shall elect.
- (2) Co-Chairperson- The co-chairperson shall serve as the Chairperson in his or her absence, and shall discharge such other duties as the Board shall direct.
- (3) Secretary- The secretary shall keep minutes of all Board meetings and shall forward the approved minutes to the appropriate County staff person for record keeping and storage. The secretary shall also perform such other duties as the Board shall direct.

Sec. 62-62. - Meetings.

The board shall meet at the call of the chairperson, at least quarterly, and shall be conducted in compliance with the South Carolina Freedom of Information Act. Minutes shall be kept of any meetings and the minutes shall be stored in the Department of Solid Waste and Recycle or the Records Management Department of the County. A majority of the number of members on the board shall constitute a quorum for transaction of business at any meeting. A majority of those present and voting shall be required to decide any issue after a quorum has been established.

Sec. 62-63. - Purpose.

The purpose of the board will be to educate and empower the Beaufort County Community (including governments, businesses, schools, and citizens) to participate directly in improving the environment through an all-out effort in beautification, litter control, and waste reduction.

Sec. 62-64. - Objectives.

The objectives of the board include but are not limited to:

- A. Conduct and promote continuing education programs; and
- B. Develop new programs which will result in the sustained reduction of litter, graffiti and increase recycling in Beaufort County; and
- C. Encourage stricter code enforcement regarding litter and dumping; and
- D. Review and recommend appropriate legislative changes regarding environmental ordinances in Beaufort County; and
- E. Encourage placing, planting and preservation of trees, flowers, shrubs and objects of ornamentation in Beaufort County; and
- F. Maintain affiliate certification with Keep America Beautiful; and
- G. File the required annual report to Keep America Beautiful; and
- H. Pursue and secure funding from available sources.

Sec. 62-64- Keep America Beautiful Affiliation

The board shall maintain the Keep America Beautiful affiliation status and utilize the KAB resources whenever possible. The board's activities are limited to the boundaries of Beaufort County but should not be construed to exclude activities within the municipal boundaries located in Beaufort County.

Sec. 62-65. - Annual budget.

The board shall submit a recommended annual budget to Beaufort County Council for review and adoption indicating all anticipated sources of revenue, all anticipated expenditures, and any remaining funds that have been carried over from previous years. Additionally, the board shall advise and make recommendations to county council on the expenditure of any and all county funds that may be appropriate to it as well as the design and implementation of any improvement projects that will occur on land owned, maintained, or subject to the control of Beaufort County Council.

Sec. 62-66. - Appointment of other committees.

The board may appoint such other standing, special, or advisory committees from time to time as it deems appropriate. Members of such committees may include board members, as well as individuals representing specialized interests in areas that would be beneficial to the board carrying out its purpose.

Sec. 62-67. - Conflict of interest.

The board shall adhere to all conflict of interest prohibitions and disclosure requirements provided in South Carolina Code of Laws § 8-13-700 et seq., as well as any applicable provisions of the Beaufort County Code of Ordinances.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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: December 11, 2017  
Second Reading:  
Public Hearing:  
Third and Final Reading:

**ORDINANCE 2018 / \_\_\_\_\_**

**AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES  
CHAPTER 2, ARTICLE VI, DIVISION 3, SECTION 2-346 *ET SEQ.* ESTABLISHING  
SALARIES FOR ELECTED AND APPOINTED OFFICIALS**

**WHEREAS**, Beaufort County previously established, by Ordinance, a Salary Administration Program, which establishes compensation for elected and appointed officials; and

**WHEREAS**, included in the Salary Administration Program is a procedure for compensating magistrates which is different from that which is set forth in South Carolina Code of Laws; and

**WHEREAS**, Council's purpose in adopting a procedure for compensating magistrates, which is different from the procedure set forth in state law, was to enhance the compensation magistrates receive; and

**WHEREAS**, Council's experience in the past several years has shown that its decision to adopt a procedure for compensating magistrates which is different from state law has led to confusion, acrimony and litigation between the magistrates and the County over the appropriate compensation of magistrates; and

**WHEREAS**, Council has concluded that the best way to avoid further and continued confusion, acrimony and litigation over the appropriate compensation for magistrates in the future is to compensate magistrates in accordance with state law as set forth in the *South Carolina Code of Laws*.

**NOW, THEREFORE, BEAUFORT COUNTY COUNCIL** hereby amends Chapter 2, Article VI, Division 3, Section 2-346 *et seq.* of its Code of Ordinances as set forth below.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

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Thomas J. Keaveny, II, Esquire  
Beaufort County Attorney

ATTEST:

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Ashley M. Bennett, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

DIVISION 3. - ELECTED AND APPOINTED OFFICIALS

Sec. 2-346. - Salary Administration Program created.

There is created a Salary Administration Program for compensating elected and appointed officials, other than magistrates and members of the council, and to establish entry level salaries for the following elected and appointed positions.

- (1) Auditor.
- (2) Clerk of court.
- (3) Coroner.
- (4) Probate judge.
- (5) Sheriff.
- (6) Treasurer.
- (7) Master-in-equity.

(Code 1982, § 2-66; Ord. No. 98-20, § 1(A), 10-12-1998; Ord. No. 2004/36, § 1(A), 10-25-2004; Ord. No. 2007/32, § 1(A), 8-13-2007; Ord. No. 2015/7, 4-13-2015.)

Sec. 2-347. - Entry level salary.

- (a) *Salary.* The entry level salary for elected and appointed official designated below is established as follows:
- (1) *Auditor:* \$59,915.00, which excludes any other stipend paid by the county and/or state.
  - (2) *Clerk of court:* \$79,837.00, which excludes any other stipend paid by the county and/or state.
  - (3) *Coroner:* \$70,367.00, which excludes any other stipend paid by the county and/or state.
  - (4) *Probate judge:* \$100,067.00, which excludes any other stipend paid by the county and/or state.
  - (5) *Sheriff:* \$102,380.00, which excludes any other stipend paid by the county and/or state.
  - (6) *Treasurer:* \$64,327.00, which excludes any other stipend paid by the county and/or state.
  - (7) *Master-in-equity:* Set pursuant to S.C. Code Ann. § 14-11-30, which excludes any other stipend paid by the county and/or state.

The above entry level salaries were established using the average salaries of peer counties in the tier 1 classification as determined by population in the South Carolina Association of Counties Annual Salary Survey for each position, or the current Beaufort County salary, whichever is greater.

- (b) *Cost of living.* At each instance of a cost of living allowance (COLA) pay increase awarded by the Beaufort County Council, after the enactment date of this ordinance [September 2007], the entry level salary of each elected or appointed office listed in subsection (a) above will be increased accordingly.

(Code 1982, § 2-69; Ord. No. 98-20, § 1(B), 10-12-1998; Res. of 7-26-1999; Ord. No. 2004/36, § 1(D), 10-25-2004; Ord. No. 2007/32, § 1(D, E), 8-13-2007; Ord. No. 2015/7, 4-13-2015.)

Sec. 2-348. - Incorporation of state payments.

Any salary and/or stipend received from the state by any elected and appointed official will be incorporated into the overall compensation plan as an addition to the county-paid salary.

(Code 1982, § 2-70; Ord. No. 98-20, § 1(C), 10-12-1998; Ord. No. 2004/36, § 1(E), 10-25-2004; Ord. No. 2007/32, § 1(F), 8-13-2007; Ord. No. 2015/7, 4-13-2015)

Sec. 2-349. - County and/or state salary adjustments.

- (a) Each elected and appointed official shall receive the county's annual cost of living adjustment.
- (b) Elected or appointed officials will receive mandated state salary adjustments or council-approved salary adjustments, whichever is the greater of the two.

(Code 1982, § 2-71; Ord. No. 98-20, § 1(D), (F), 10-12-1998; Ord. No. 2004/36, § 1(F), 10-25-2004; Ord. No. 2007/32, § 1(G), 8-13-2007; Ord. No. 2015/7, 4-13-2015)

Sec. 2-350. - Reelection or reappointment.

An elected or appointed official, who is reelected and/or reappointed to his/her same office, without a break in service, will receive a five percent increase at the beginning of his/her new term of office.

(Code 1982, § 2-67; Ord. No. 98-20, § 1(E), 10-12-1998; Ord. No. 2004/36, § 1(B), 10-25-2004; Ord. No. 2007/32, § 1(B), 8-13-2007; Ord. No. 2015/7, 4-13-2015)

Sec. 2-351. - Pay for performance program.

Elected and/or appointed officials will not be eligible for the county pay for performance program.

(Code 1982, § 2-72; Ord. No. 98-20, § 1(G), 10-12-1998)

Sec. 2-352. - Appointment to unexpired term.

A person who is appointed to fill an unexpired term of an official will, in accordance with state law, be compensated at the same salary of the person who was holding the office for the remainder of that unexpired term of office. If the appointee is subsequently elected or reappointed to the same office, his/her salary will revert to the entry-level salary of that particular office shown in section 2-347, when his/her elected term of office becomes effective, plus a five-percent election increase.

(Code 1982, § 2-68; Ord. No. 98-20, § 1(H), 10-12-1998; Ord. No. 2004/36, § 1(C), 10-25-2004; Ord. No. 2007/32, § 1(C), 8-13-2007; Ord. No. 2015/7, 4-13-2015)

Sec. 2-353. – Magistrate Salaries and Compensation.

Magistrate salaries and compensation shall be determined solely by, and in accordance with, South Carolina Code of Laws §22-8-10 et seq. and shall not be affected by the aforesaid provisions of this Division.

Secs. 2-354 – 2-400. Reserved.

**ORDINANCE 2018 / \_\_\_\_**

**AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TWO (2) YEAR EXTENSION OF THE LEASE AGREEMENT WITH THE SANTA ELENA FOUNDATION FOR THE FEDERAL COURTHOUSE**

**WHEREAS**, Beaufort County owns and operates the Federal Courthouse located at 1501 Bay Street, Beaufort, South Carolina; and

**WHEREAS**, on October 8, 2014 Beaufort County solicited for Requests for Proposals (“RFP”) (RFP/#100814) for the potential future use of the Federal Courthouse; and

**WHEREAS**, the Santa Elena Foundation (“Foundation”), duly submitted a response to the RFP requesting use of the building as a historical interpretive center and archaeological laboratory; and

**WHEREAS**, The County and the Foundation entered into a lease agreement for the Foundation’s use of the Federal Courthouse property pursuant to Ordinance 2015/6, said lease dated March 23, 2015 for a term of three (3) years beginning July 1, 2015 and ending June 30, 2018; and

**WHEREAS**, the Foundation requested to exercise its option of renewing the lease and the Finance committee unanimously recommends that County Council renew the existing lease to extend the terms of the lease for an additional two (2) years commencing on July 1, 2018 and ending on June 30, 2020; and

**WHEREAS**, it is the intention of County Council to include in the lease renewal that the landlord will cover the cost of major capital maintenance and repairs to the building; and

**WHEREAS**, the lease renewal shall not, at this time, include renewal of the adjacent parking lot on the property known as the Dowling Family lot, and County Council reserves the right to address the terms of the rental of the parking lot at a later time; and

**WHEREAS**, it is the intention of County Council that the Foundation present its financial records for review by the Finance Committee before considering the terms of renewing the parking lot lease; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens to renew the lease of the Federal Courthouse upon such terms and conditions and amendments expressed herein.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council that the Interim County Administrator is hereby authorized to execute a two (2) year renewal of the lease agreement with the Santa Elena Foundation for the use of the Federal Courthouse except that the

issue of the parking lot provisions of the lease shall be deferred until such time that the Foundation presents its financial records and the Finance Committee has reviewed the same.

Adopted this \_\_\_ day of \_\_\_\_\_, 20\_\_.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Ashley Bennett, Clerk to Council

First Reading: November 13, 2017  
Second Reading: December 11, 2017  
Public Hearing:  
Third and Final Reading:

**ORDINANCE NO. 2018 / \_\_\_\_**

**AN ORDINANCE COMMITTING FUNDS FROM THE BUCKWALTER PLACE MULTI-COUNTY INDUSTRIAL PARK FEE IN LIEU OF TAXES REVENUE AND ADDITIONAL REVENUE GENERATED FROM THE BUCKWALTER PLACE DEVELOPMENT AFTER THE EXPIRATION OF THE MULTI-COUNTY INDUSTRIAL PARK, UP TO A TOTAL OF \$5,000,000.00, CONTINGENT UPON THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING IDENTIFYING THE CONTRIBUTIONS OF THE TOWN OF BLUFFTON AND THE SCHOOL DISTRICT TO FUND PORTIONS OF THE CONSTRUCTION COST OF THE LOWCOUNTRY CULINARY INSTITUTE AND TOURISM CENTER TO THE TECHNICAL COLLEGE OF THE LOWCOUNTRY**

**WHEREAS**, the Technical College of the Lowcountry (TCL) seeks public funds for construction of a culinary institute and tourism center; and

**WHEREAS**, the hospitality industry has demonstrated a need for a trained workforce; and

**WHEREAS**, TCL has developed a business plan for the construction of and the operations and maintenance of a culinary institute and tourism center; and

**WHEREAS**, Beaufort County and the Town of Bluffton, along with the County of Jasper have entered into an Intergovernmental Agreement (IGA) pursuant to Ordinance 2008/15 as amended by Ordinance 2008/22 creating a Multi-County Industrial Park (MCIP) at the intersection of Buckwalter Place Boulevard and Buckwalter Parkway and more particularly described in the IGA; and

**WHEREAS**, the parties to the MCIP agree to use revenues generated from the MCIP for the purpose of economic development; and

**WHEREAS**, Beaufort County Council believes a culinary institute and tourism center will provide for economic development by creating a competitive work force and preparing students for a career in the culinary arts; and

**WHEREAS**, Beaufort County Council believes that TCL has developed a business plan that includes a culinary interpretative center that will be a tourist destination and attract visitors; and

**WHEREAS**, the Town of Bluffton appears to have committed \$500,000.00 for the cost of construction of the Lowcountry Culinary Institute and Tourism Center pursuant to a special meeting of the Town of Bluffton on August 22, 2017; and

**WHEREAS**, the Beaufort County School District has committed the equivalent of \$2,500,000.00 in support for the construction cost of the Lowcountry Culinary Institute and Tourism Center; and

**WHEREAS**, TCL representatives have made diligent effort and are committed to continue their efforts to secure funding from other municipalities and counties that they serve; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens and visitors of Beaufort County, to provide support for the construction of a culinary arts institute under the direction and management of the Technical College of the Lowcountry; and

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council commits Beaufort County's portion of the fee-in-lieu revenues generated from the MCIP IGA, or from revenues generated from the Buckwalter Place development after the expiration of the MCIP IGA, up to a total of \$5,000,000.00 to the Lowcountry Culinary Institute and Tourism Center. It is further ordained, that County Council hereby authorizes the Interim County Administrator to execute a Memorandum of Understanding with the Town of Bluffton and the Beaufort County School District memorializing the financial commitments of each toward the construction costs of the Lowcountry Culinary Institute and Tourism Center.

DONE this \_\_\_ day of \_\_\_\_\_, 2018.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Ashley Bennett, Clerk to Council

First Reading: November 13, 2017  
Second Reading: December 11, 2017  
Public Hearing:  
Third and Final Reading:

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is being entered into this \_\_\_ day of \_\_\_\_\_, 2017, by and between Beaufort County, South Carolina ("County"), the Beaufort County School District ("School District"), and the Town of Bluffton, South Carolina ("Town") (and together "Parties").

WITNESSETH:

WHEREAS, the County is a political subdivision of the State of South Carolina ("State") and has all powers granted to counties by the Constitution and the general law of the State, including the powers expressed herein; and

WHEREAS, the Town is a political subdivision of the State located in Beaufort County, South Carolina, and is entitled to exercise all the powers and privileges provided to municipal corporations in the State; and

WHEREAS, the School District is a body politic pursuant to Title 59 of the South Carolina Code of Laws and has all powers granted to school districts, including the powers expressed herein and under the general law of the State; and

WHEREAS, by Ordinance, adopted April 28, 2008 ("County Ordinance"), the County agreed to enter into Multi-County Industrial Park (MCIP) Agreement; and

WHEREAS, by Ordinance, adopted April \_\_\_, 2008 ("Town Ordinance" and with the County Ordinance, "Authorizing Ordinances"), the Town agreed to enter into the MCIP Agreement; and

WHEREAS, the School District opted out of the Multi-County Industrial Park Agreement; and

WHEREAS, it was the intent of the County and the Town to commit 100% of the MCIP revenue to economic development purposes while having no impact on any revenues payable to or for the School District; and

WHEREAS, the Technical College of the Lowcountry is in the process of developing a culinary arts institute with a culinary museum and other tourist attractions, and has sought public funds to support the cost of construction; and

WHEREAS, by this MOU, the Parties wish to confirm their commitment to contributing to the construction costs for the culinary institute;

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AND COVENANT:

Section One. The Town of Bluffton's commitment: The Town of Bluffton held a special meeting on August 22, 2017. The Town of Bluffton pledged a commitment of \$500,000 of the Town of Bluffton's MCIP funds until April 28, 2028 conditioned on:

1. Beaufort County School District's current motion, which stated at the August 15<sup>th</sup> Beaufort County School District Board Meeting is to support the project at Buckwalter Place and pledge \$125,000 per year for 20 years with a cap of \$2.5 million to be used for debt service only; in turn TCL will provide a credit of \$125,000 annually on dual enrollment tuitions, is fulfilled;
2. Technical College of the Lowcountry (TCL) uses its best reasonable efforts to solicit pledges and support from third parties, such as Kroger, Sonesta, etc.;
3. Beaufort County Council approves the recommendation of its Finance Committee;
4. Technical College of the Lowcountry uses its best efforts to work with the Town of Bluffton to value engineer the construction and not have the const of construction exceed \$300 per square foot.
5. Technical College of the Lowcountry agrees to consult with the Don Ryan Center on the business plan of the culinary arts program regarding at least innovation concepts.

Section Two. The School District's commitment: At the Beaufort County Board of Education August 15, 2017 meeting, the board voted in support of the culinary institute. The Board voted to:

1. Forego up to \$125,000 per year of MCIP funds for 20 years contingent upon an agreement for TCL to provide \$125,000 or more in services to Beaufort County k-12 students for an equal length of time.
2. If those services drop below that threshold, the agreement to contribute will be voided.
3. The above commitment is contingent on TCL obtaining commitments from all funding partners as needed levels presented to this board.

Section Three. The County's commitment: At the August 7, 2017 Beaufort County Council Finance Committee voted to support the TCL Culinary Institute. The Finance Committee voted to:

1. Recommend that the full County Council agree to extend the length of time of the Multi-County Industrial Park (MCIP) Intergovernmental Agreement (IGA) between Beaufort County and the Town of Bluffton; and
2. To commit Beaufort County's portion of the fee-in-lieu of taxes money generated from the MCIP to the Lowcountry Culinary Institute up to \$5,000,000; and
3. That the County's commitment would be contingent upon the balance being funded by other parties.

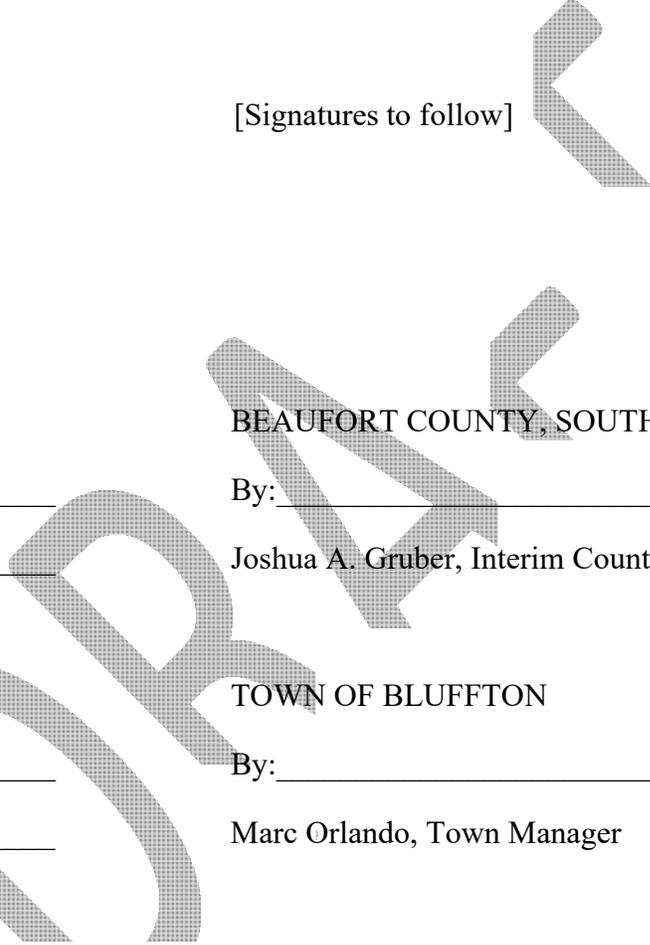
Subsequently, at the November 6, 2017 meeting of the County's finance committee, the finance committee affirmed its desire to commit \$5,000,000.00 from the MCIP IGA. Additionally, the finance committee voted to commit an additional \$3,243,000.00 of local hospitality tax funds to the construction of the culinary institute.

Section Four. It is the intention of the Town and the County to utilize MCIP fee in lieu of taxes revenue to meet the commitments expressed herein. And each shall provide for its commitment regardless of the expiration of the MCIP IGA.

Section Five. It is the intention of the School District to utilize revenues generated from the development of Buckwalter Place up to \$125,000.00 per year for twenty years, regardless of the expiration of the MCIP fee in lieu of taxes agreement.

Section Six. This Agreement constitutes the entire agreement between the Parties with respect to this subject matter and supersedes all agreements, representations, warranties, statements, promises and understandings, whether oral or written, with respect to this subject matter, and neither Party is to be bound by any oral or written agreements, statements, promises, or understandings not specifically set forth in this Agreement.

Section Seven. The Parties may execute this Agreement in original or by electronic or photostatic means, in multiple counterparts. Written consent or an agreement from each Party shall be evidenced by an ordinance or resolution of the governing body of each Party.

[Signatures to follow] 

WITNESSES:

BEAUFORT COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
By: \_\_\_\_\_

Joshua A. Gruber, Interim County Administrator

WITNESSES:

TOWN OF BLUFFTON

\_\_\_\_\_  
By: \_\_\_\_\_

Marc Orlando, Town Manager

WITNESSES:

BEAUFORT COUNTY SCHOOL DISTRICT

\_\_\_\_\_  
By: \_\_\_\_\_

Dr. Jeffrey Moss, Superintendent

**ORDINANCE NO. 2018 / \_\_\_\_**

**AN ORDINANCE ALLOCATING \$3,243,000.00 FROM LOCAL HOSPITALITY TAX FUNDS TO THE TECHNICAL COLLEGE OF THE LOWCOUNTRY FOR A PORTION OF COST FOR CONSTRUCTION OF A LOWCOUNTRY CULINARY AND TOURISM CENTER**

**WHEREAS**, the Technical College of the Lowcountry (TCL) seeks public funds for construction of a culinary institute and tourism center; and

**WHEREAS**, the hospitality industry has demonstrated a need for a trained workforce; and

**WHEREAS**, TCL has developed a business plan for the construction of and the operations and maintenance of a culinary institute and tourism center; and

**WHEREAS**, it appears that the Town of Bluffton has committed \$500,000.00 to the construction of the Lowcountry Culinary Institute and Tourism Center; and

**WHEREAS**, it appears the School District has committed the equivalent of \$2,500,000.00 in support for the construction of the Lowcountry Culinary Institute and Tourism Center; and

**WHEREAS**, the County has previously committed \$5,000,000.00 from revenues generated from the Buckwalter Place Multi-County Industrial Park fee-in-lieu revenues or revenues otherwise generated from the Buckwalter Place development; and

**WHEREAS**, TCL representatives have made diligent efforts and are committed to continue their efforts to secure funding from other municipalities and counties that they serve; and

**WHEREAS**, despite the diligent effort of TCL representatives there is still a shortfall of \$3,243,000.00; and

**WHEREAS**, an August 30, 2017 Attorney General opinion concluded that Local Hospital Tax Funds could be used for a culinary institute and tourism center; and

**WHEREAS**, the TCL business plan has been modified to include a culinary interpretative center that would be a tourist destination site and be served by the culinary institute and tourism center; and

**WHEREAS**, Beaufort County Council believes a culinary institute and tourism center with an interpretative center will provide for economic development by creating a unique tourist destination, and developing a competitive work force by preparing students for a career in the culinary arts; and

**WHEREAS**, Beaufort County Council believes that it is in the best interests of its citizens and visitors of Beaufort County, to provide support for the construction of a culinary arts institute and culinary interpretative center under the direction and management of the Technical College of the Lowcountry.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council hereby allocates \$3,243,000.00 of Local Hospitality Tax Funds to the Technical College of the Lowcountry for the construction of the Lowcountry Culinary Institute and Tourism Center.

DONE this \_\_\_ day of \_\_\_\_\_, 2018.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Ashley Bennett, Clerk to Council

First Reading: November 13, 2017  
Second Reading: December 11, 2017  
Public Hearing:  
Third and Final Reading:

## Ordinance 2018/

AN ORDINANCE ADDING CHAPTER 38, ARTICLE 6: SINGLE-USE PLASTIC BAGS TO THE BEAUFORT COUNTY CODE OF ORDINANCES TO ENCOURAGE THE USE OF REUSABLE CHECKOUT BAGS AND RECYCLABLE PAPER CARRYOUT BAGS AND BANNING THE USE OF SINGLE-USE PLASTIC BAGS FOR RETAIL CHECKOUT OF PURCHASED GOODS IN THE UNINCORPORATED AREAS OF THE COUNTY

### Section 38-161 Purpose and Intent.

This chapter is adopted to improve the environment of the county by encouraging the use of reusable checkout bags and recyclable paper carryout bags and banning the use of single-use plastic bags for retail checkout of purchased goods. Business establishments are encouraged to make reusable bags available for sale, to make recyclable paper carryout bags available for distribution and to continue offering bins for all recyclable products including but not limited to plastic products. This Ordinance does not impose a tax on the use of plastic products of any kind including but not limited to single use plastic bags.

### Section 38-162 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- **Business Establishment.** Any commercial enterprise that provides carryout bags to its customers through its employees or independent contractors associated with the business. The term includes sole proprietorships, joint ventures, partnerships, corporations, or any other legal entity, whether for profit or not for profit.
- **Single-Use Plastic Carryout Bag.** A bag provided by a business establishment to a customer typically at the point of sale for the purpose of transporting purchases, which is made predominantly of plastic derived from either petroleum or a biologically-based source. "Single-use plastic carryout bag" includes compostable and biodegradable bags, but does not include reusable carryout bags.
- **Reusable Carryout Bag.** A carryout bag that is specifically designed and manufactured for multiple reuse, and meets the following criteria:
  - (1) Displays in a highly visible manner on the bag exterior, language describing the bag's ability to be reused and recycled;
  - (2) Has a handle; except that handles are not required for carryout bags constructed out of recyclable paper with a height of less than 14 inches and width of less than eight inches; and

- (3) Is constructed out of any of the following materials:
  - (a) Cloth, other washable fabric, or other durable materials, whether woven or non-woven; or
  - (b) Recyclable plastic, with a minimum thickness of 2.25 mils;

- **Customer.** A person who purchases merchandise from a business establishment.

### **Section 38-163 Regulations.**

- (A) No person may provide single-use plastic carryout bags at any county facility, county-sponsored event, or any event held on county property.
- (B) No business establishment within the unincorporated county limits may provide single use plastic carryout bags to its customers.
- (C) Business establishments within the county limits are strongly encouraged to provide prominently displayed signage advising customers of the benefit of reducing, reusing and recycling and promoting the use of reusable carryout bags and recyclable paper carryout bags by customers.

### **Section 38-164 Exemptions.**

This chapter shall not apply to:

- (A) Laundry dry cleaning bags, door-hanger bags, newspaper bags, or packages of multiple bags intended for use as garbage, pet waste, or yard waste;
- (B) Bags provided by pharmacists or veterinarians to contain prescription drugs or other medical necessities;
- (C) Bags used by a customer inside a business establishment to:
  - (1) Contain bulk items, such as produce, nuts, grains, candy, or small hardware items;
  - (2) Contain or wrap frozen foods, meat, or fish, whether or not prepackaged;
  - (3) Contain or wrap flowers, potted plants or other items to prevent moisture damage to other purchases; or
  - (4) Contain unwrapped prepared foods or bakery goods; and
- (D) Bags of any type that the customer bring to the store for their own use for carrying away from the store goods that are not placed in a bag provided by the store.

### **Section 38-165 Penalties.**

- (A) Any business establishment that violates or fails to comply with any of the provisions of this chapter after a written warning notice has been issued for that violation shall be deemed guilty of a misdemeanor. The penalty shall not exceed \$100 for a first violation; \$200 for a second violation within any 12-month period; and \$500 for each additional violation within any 12-month period. Each day that a violation continues will constitute a separate offense.
- (B) In addition to the penalties set forth in this section, repeated violations of this chapter by a person who owns, manages, operates, is a business agent of, or otherwise controls a

business establishment may result in the suspension or revocation of the business license issued to the premises on which the violations occurred. No business license shall be issued or renewed until all fines outstanding against the applicant for violations of this chapter are paid in full.

- (C) Violation of this chapter is hereby declared to be a public nuisance, which may be abated by the county by restraining order, preliminary and permanent injunction, or other means provided for by law, and the county may take action to recover the costs of the nuisance abatement.

**Section 38-166 Effective Date and Review.**

- (A) The provisions of this Chapter shall take effect 8 months from the date County Council enacts this Ordinance provided that the same or a substantially similar Ordinance has been adopted by every municipality in Beaufort County. If the same or substantially similar Ordinance has not been adopted by every municipality in Beaufort County on the date County Council adopts this Ordinance, then this Ordinance shall take effect on the date the last municipality does adopt such an Ordinance.
- (B) Provided this Ordinance takes effect, the County will implement a program to evaluate the success of this Chapter by soliciting input, including statistical data, from all parties and organizations with an interest in this legislation. County Council will review the evaluation three (3) years from the date this Ordinance goes into effect.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

APPROVED AS TO FORM:

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

ATTEST:

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Ashley M. Bennett, Clerk to Council

First Reading: November 13, 2017

Second Reading: December 11, 2017

Public Hearing:

Third and Final Reading:

DRAFT