



County Council Beaufort County, SC

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

Monday, May 13, 2024
5:00 PM

AGENDA

COUNCIL MEMBERS:

JOSEPH F. PASSIMENT, CHAIRMAN
DAVID P. BARTHOLOMEW
LOGAN CUNNINGHAM
YORK GLOVER
MARK LAWSON
ANNA MARIA TABERNIK

LAWRENCE MCELYNN, VICE CHAIR
PAULA BROWN
GERALD DAWSON
ALICE HOWARD
THOMAS REITZ

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION- Council Member Thomas Reitz
3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF AGENDA
- [5.](#) APPROVAL OF MINUTES - *April 8, 2024 & April 22, 2024*
6. ADMINISTRATOR'S REPORT
- [7.](#) PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL CORRECTIONAL OFFICERS WEEK - *Council Member Anna Maria Tabernik*
- [8.](#) PRESENTATION OF A PROCLAMATION RECOGNIZING EMERGENCY MEDICAL SERVICES WEEK - *Council Member Gerald Dawson*

CITIZEN COMMENTS

[9.](#) **CITIZEN COMMENT PERIOD - 15 MINUTES TOTAL**

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to AGENDA ITEMS ONLY and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language. In accordance with Beaufort County's Rules and Procedures, giving of a speaker's time to another is not allowed.

COMMITTEE REPORTS

10. LIASION AND COMMITTEE REPORTS

PUBLIC HEARINGS AND ACTION ITEMS

11. APPROVAL OF CONSENT AGENDA
12. MOTION TO REFER TO THE PUBLIC FACILITIES COMMITTEE A PROPOSED ORDINANCE FOR A 2024 TRANSPORTATION SALES AND USE TAX REFERENDUM
- [13.](#) PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN TO ADD THE BEAUFORT COUNTY LONG-TERM RESILIENCE STRATEGY AS AN APPENDIX - *Rob Merchant, Director of the Planning & Zoning Department*
- Vote at First Reading on April 22, 2024 - 11:0*
- [14.](#) PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO ACCEPT AND TO APPROPRIATE FUNDS FROM THE SOUTH CAROLINA OPIOID SETTLEMENT FUNDS. **(FISCAL IMPACT: The South Carolina Opioid Relief Fund (SCORF) award is \$582,606 for one year. No matching funds.)**
- Vote at First Reading on April 22, 2024 - 11:0*
- [15.](#) PUBLIC HEARING AND FIRST READING OF AN ORDINANCE TO CONSIDER A ZONING MAP AMENDMENT FOR 86.16 ACRES (R100 028 000 0264 000) LOCATED AT 98 JENNINGS ROAD FROM T2 RURAL (T2R) TO C3 NEIGHBORHOOD MIX USE (C3NMU)
- Vote at the Community Services and Land Use Committee Meeting on April 8, 2024, was to deny the rezoning amendment based on the recommendation from the Planning Commission and Staff. 6:0*
- [16.](#) SECOND READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO PURCHASE AND TO FUND THE PURCHASE OF THE REAL PROPERTY KNOWN AS PROJECT BRAVO
- Vote at First Reading by Title Only on April 22, 2024 - 11:0*
- [17.](#) FIRST READING OF AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MULTIPLE PARCELS OF REAL PROPERTY FROM BEAUFORT COUNTY TO SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SC 802 SAMS POINT ROAD RIGHT TURN LANE **(FISCAL IMPACT: these properties have already been purchased through the 2018 Sales Tax Program per an IGA with SCDOT. There is no financial consideration for the transfer of ownership from Beaufort County to SCDOT)**
- [18.](#) FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF A PORTION OF REAL PROPERTY ABUTTING THE HILTON HEAD ISLAND AIRPORT LOCATED ON SUMMIT DRIVE WITH TMS NO. R510 005 000 271A 0000 **(FISCAL IMPACT: purchase price of \$22,390.56 plus seller and purchaser closing costs. Account balance \$54,455.64, Account # 5402-90-0000-571320; costs to be reimbursed by grant funds (23-025) awarded by the South Carolina Aeronautics Commission)**
- [19.](#) APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A NON-TENANT COMMERCIAL OPERATING AGREEMENT BETWEEN BEAUFORT COUNTY AND M&L MOBILE DETAILING **(FISCAL IMPACT: Beaufort County Executive Airport will receive \$75.00 for each detailing transaction. Beaufort County will not incur any costs or expenses associated with this agreement)**
- [20.](#) APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO PURSUE CONDEMNATION FOR PORTIONS OF PARCELS R120 003 000 0609 0000 & R120 003 000 0682 0000

ASSOCIATED WITH RIGHT OF WAY ACQUISITION FOR A PATHWAY LOCATED ON DEPOT ROAD AS PART OF THE 2018 ONE CENT REFERENDUM (**FISCAL IMPACT: R120 003 000 0609 0000 is \$32,795.00; R120 003 000 0682 0000 is \$23,860.00. Funded by 2018 One Cent Referendum account# 4705-80-0000-PTHWY**)

- [21.](#) APPROVAL OF A RESOLUTION TO ACCEPT THE USDA COMPOSTING AND FOOD WASTE REDUCTION PROGRAM GRANT IN THE AMOUNT OF \$273,600 FOR A COUNTY PILOT COMPOST PROGRAM (**FISCAL IMPACT: The grant is a 75/25 match. 75% from USDA and 25% from local match. The county's match is \$68,400 will be from solid waste funds 2555-10-0000-43780. It is anticipated that \$50,000 of the local match will be expended in FY25 and remaining in FY26. Funds for the first \$50,000 in expenses have been budgeted for FY25**)

CITIZEN COMMENTS

22. CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language. In accordance with Beaufort County's Rules and Procedures, giving of a speaker's time to another is not allowed.

EXECUTIVE SESSION

23. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(1): TO ENGAGE IN DISCUSSIONS INCIDENT TO EMPLOYMENT, APPOINTMENT, OR COMPENSATION OF A PERSON REGULATED BY A PUBLIC BODY.
24. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO ENGAGE IN DISCUSSIONS INCIDENT TO CONTRACTUAL ARRANGEMENTS (STATE INFRASTRUCTURE BANK AGREEMENT)
25. PURSUANT TO S. C. CODE §30-4-70(a)(2): RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (PENDING LITIGATION - WALLS v. BEAUFORT COUNTY)

END OF EXECUTIVE SESSION

26. MATTERS ARISING OUT OF EXECUTIVE SESSION
27. ADJOURNMENT

CONSENT AGENDA

Items Originating from the Public Facilities Committee

1. THIRD READING OF AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Vote at First Reading on April 8, 2024 - 10:0

Vote at Public Hearing and Second Reading on April 22, 2024 - 11:0
2. THIRD READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE

Vote at First Reading on April 8, 2024 - 10:0

Vote at Public Hearing and Second Reading on April 22, 2024 - 11:0
3. THIRD READING OF AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Vote at First Reading on April 8, 2024 - 10:0

Vote at Public Hearing and Second Reading on April 22, 2024 - 11:0
4. RECOMMEND APPROVAL TO AWARD A CONTRACT TO J.H. HIERS CONSTRUCTION FOR RFP #032124 DIRT ROAD PAVING CONTRACT #55 IN THE AMOUNT OF \$2,966,517.00 (**FISCAL IMPACT: The contract fee is for design, materials, and construction of the base scope roads in the amount of \$2,541,846.00. The design alternative, Fredericka Ln, is included for the amount of \$37,734.00. Staff recommends a 15% contingency of \$386,397.00, bringing the projects total cost to \$2,966,517.00. The funding for this project will be TAG Road Improvements account #2342-30-0000-54500 with a current balance of \$3,601,556.76**)
5. RECOMMEND APPROVAL FOR A REQUEST TO PURCHASE A TEK84 BODY SCANNER FOR THE DETENTION CENTER \$207,000 (**FISCAL IMPACT: total funds requested are the bid amount \$207,000 plus a contingency of \$20,700 for a total cost of \$227,700. Funding is coming from the Detention Center fund, 1040-80-1250-54300. Current account balance is \$750,500.00**)

END OF CONSENT AGENDA

TO WATCH COMMITTEE OR COUNTY COUNCIL MEETINGS OR FOR A COMPLETE LIST OF AGENDAS AND BACKUP PACKAGES, PLEASE VISIT:

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>



County Council Meeting Beaufort County, SC

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

Monday, April 08, 2024
5:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting <https://beaufortcountysc.new.swagit.com/videos/302040>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:01 pm.

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn
Council Member David P. Bartholomew
Council Member Paula Brown
Council Member Logan Cunningham
Council Member Gerald Dawson
Council Member York Glover
Council Member Mark Lawson
Council Member Anna Maria Tabernik
Council Member Thomas Reitz

ABSENT

Council Member Alice Howard

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment let the Pledge of Allegiance and Council Member York Glover gave the Invocation.

3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT

Chairman Passiment stated public notice of this meeting had been published, posted, and distributed in compliance with SC FOIA.

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Glover, Seconded by Council Member Cunningham to approve the agenda.

The Vote: Motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Glover to approve the minutes from March 11, 2024.

The Vote: Motion was approved without objection.

6. ADMINISTRATOR'S REPORT

Please watch the video stream available on the County's website to view the full interim County Administrators Report.

<https://beaufortcountysc.new.swagit.com/videos/302040>

7. PRESENTATION OF A PROCLAMATION RECOGNIZING LIBRARY WEEK

Council Member Anna Maria Tabernik presented a proclamation recognizing Library Week.

8. PRESENTATION OF A PROCLAMATION RECOGNIZING APRIL 2024 AS SEXUAL ASSAULT AWARENESS MONTH

Council Member Paula Brown presented a proclamation recognizing Sexual Assault Awareness Month.

9. PRESENTATION OF A PROCLAMATION RECOGNIZING ALCOHOL AWARENESS AND UNDERAGE DRINKING PREVENTION MONTH IN BEAUFORT COUNTY

Vice-Chair Lawrence McElynn presented a proclamation recognizing Alcohol Awareness and Underage Drinking Prevention Month.

10. PRESENTATION OF A PROCLAMATION RECOGNIZING THE HILTON HEAD ISLAND PUBLIC SERVICE DISTRICT

Vice-Chair Lawrence McElynn presented a proclamation recognizing The Hilton Head Island Public Service District.

11. CITIZEN COMMENT PERIOD

Citizen comments were taken.

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/302040>

12. LIASION AND COMMITTEE REPORTS

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/302040>

13. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Brown to approve the following consent agenda items: third reading of an ordinance to amend Beaufort County's budget ordinance for fiscal year 2024 (ordinance no. 2023/22) to appropriate and transfer \$250,000 from fund balance of the general fund to the special revenue fund (fund 2546) to cover unbudgeted costs for the Daufuskie Island Ferry operations, to appropriate and transfer \$3,600,000 from fund balance of the general fund for the purchase of real property located at 333 and 335 Buckwalter Parkway pursuant to ordinance 2023/14, and to include three special revenue funds' budgets (funds 2230, 2252, and 2255) in an aggregate amount of \$402,918 which were converted to the general fund during the chart of accounts conversion process; Third reading of an ordinance amending chapter 66 taxation, article v hospitality tax of the Beaufort County Code of Ordinances; recommend approval for a request to purchase 48 recycling

roll-off containers (\$408,530); and approval of a request to purchase qty-13 waste compactor units for Beaufort County Convenience Centers.

The Vote - Motion was approved without objection.

14. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE A-TAX FUNDS AS RECOMMENDED BY THE STATE A-TAX COMMITTEE IN COMPLIANCE WITH THE REQUIREMENTS OF THE SOUTH CAROLINA CODE OF LAWS

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Cunningham to approve public hearing and third reading of an ordinance appropriating funds from the State A-Tax funds as recommended by the State A-Tax committee in compliance with the requirements of the South Carolina Code of Laws.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Dawson, Council Member Glover, Council Member Lawson, Council Member Tabernik
Voting Nay: Council Member Brown, Council Member Reitz. Motion passed 8/2

15. THIRD READING OF AN ORDINANCE AMENDING CHAPTER 66 TAXATION, ARTICLE II ACCOMMODATIONS TAX BOARD, DIVISION 1. GENERALLY AND DIVISION 2. ACCOMMODATIONS (3%) TAX

Motion: It was moved by Council Member Glover, Seconded by Council Member Tabernik to approve third reading of an ordinance amending chapter 66 taxation, article ii Accommodations Tax Board, Division 1. Generally and division 2. Accommodations (3%) Tax.

Motion to amend: It was moved by Vice-Chairman McElynn, Seconded by Council Member Dawson to amend the ordinance to include the division should become effective July 1 2024.

The Vote - Motion was approved without objection.

Main Motion: It was moved by Council Member Glover, Seconded by Council Member Tabernik to approve third reading of an ordinance amending chapter 66 taxation, article ii Accommodations Tax Board, Division 1. Generally and division 2. Accommodations (3%) Tax as amended.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Dawson, Council Member Lawson, Council Member Tabernik. Voting Nay: Council Member Glover, Council Member Reitz. The motion passed 8/2.

16. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Brown to approved first reading of an ordinance amending chapter 99 stormwater management, article ii stormwater management utility sections 110, stormwater service fee billing, delinquencies, and collections; and 113, enforcement and penalties of the Beaufort County Code of Ordinances.

The Vote: Motion was approved without objection.

17. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Bartholomew first reading of an ordinance amending ordinance 2023/32 an ordinance to amend the Beaufort County ordinance establishing a road use fee.

The Vote: Motion was approved without objection.

18. FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Tabernik first reading of an ordinance to amend chapter 2 administration, article vii finance, division 2 fees and service charges generally, section 2-437 road use fee of the Beaufort County Code of Ordinances.

The Vote: Motion was approved without objection.

19. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES PURSUANT TO A DEVELOPMENT AGREEMENT BETWEEN BEAUFORT COUNTY AND CHEROKEE BEAUFORT, LLC

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Cunningham first reading of an ordinance authorizing the Interim County Administrator to execute any and all necessary documents for the acceptance of properties pursuant to a development agreement between Beaufort County and Cherokee Beaufort, llc.

The Vote: Motion was approved without objection

20. APPROVAL OF A RESOLUTION AND AN INTERGOVERNMENTAL AGREEMENT BETWEEN BEAUFORT COUNTY AND HILTON HEAD ISLAND FOR WILLIAM HILTON PARKWAY SAFETY AND PEDESTRIAN IMPROVEMENTS

Motion: It was moved by Council Member Reitz, Seconded by Council Member Tabernik to approve a resolution and an intergovernmental agreement between Beaufort County and Hilton Head Island for William Hilton Parkway safety and pedestrian improvements

The Vote: Motion was approved without objection.

21. CITIZEN COMMENT PERIOD

Citizen comment was taken.

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/302040>

22. EXECUTIVE SESSION

Motion: made by Council Member Glover, Seconded by Vice-Chairman McElynn to go into executive session to discuss the items below.

Pursuant to S.C. Code §30-4-70(a)(2): receipt of legal advice where the legal advice relates to matters covered by the attorney-client privilege (freedom of information act)

Pursuant to S.C. Code section 30-4-70(a)(2): discussion of matters covered by the attorney-client privilege (inquiries and investigations pursuant to s.c. code section 4-9-660)

Pursuant to S.C. Code §30-4-70(a)(2): receipt of legal advice where the legal advice relates to matters covered by the attorney-client privilege (pending litigation - Walls v. Beaufort County)

Pursuant to S.C. Code section 30-4-70(a)(2) to engage in discussions and negotiations incident to proposed contractual arrangements (Daufuskie Ferry Emergency Services)

Pursuant to S.C. Code sec. 30-4-70(a)(2): receipt of legal advice where the advice relates to pending claims that are covered by the attorney-client privilege (Pine Island Holdings, Ilc v Beaufort County)

The Vote: Motion was approved without objection.

23. MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of executive session.

24. ADJOURNMENT

Chairman adjourned the meeting at 8:02pm.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph F. Passiment, Jr., Chairman

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified:



County Council Meeting Beaufort County, SC

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

Monday, April 22, 2024
5:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting <https://beaufortcountysc.new.swagit.com/videos/303325>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:00PM

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn
Council Member David P. Bartholomew
Council Member Paula Brown
Council Member Logan Cunningham
Council Member Gerald Dawson
Council Member York Glover
Council Member Alice Howard
Council Member Mark Lawson (virtually)
Council Member Anna Maria Tabernik
Council Member Thomas Reitz

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance and gave the Invocation.

3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT

Chairman Passiment stated public notice of this meeting had been published, posted, and distributed in compliance with SC FOIA

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Bartholomew to approve the agenda.

Motion to Amend: It was moved by Vice-Chairman McElynn, Seconded by Council Member Glover to add an item titled: presentation and public hearing of the 2024 Community development block grant (CBDG) By Michelle Knight of the Lowcountry Council of Governments.

The Vote - Motion was approved without objection.

2nd Motion to amend: It was moved by Vice-Chairman McElynn, Seconded by Council Member Reitz to add an item on the agenda to allow Senator Davis to speak.

The Vote - Motion was approved without objection.

Main Motion: It was moved by Council Member Tabernik, Seconded by Council Member Bartholomew to approve the agenda as amended.

The Vote - Motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Dawson to approve the minutes of March 25, 2024.

The Vote - Motion was approved without objection.

6. ADMINISTRATOR'S REPORT

To see the full Interim County Administrator report please click on the link below.

<https://beaufortcountysc.new.swagit.com/videos/303325>

7. PRESENTATION OF A PROCLAMATION RECOGNIZING PENN CENTER 1862 CIRCLE

Council Member Glover presented a proclamation recognizing Penn Center 1862 Circle Week.

8. PRESENTATION OF A PROCLAMATION RECOGNIZING DR. JOHN L. COAXUM

Council Member Glover presented a proclamation honoring Dr. John L. Coaxum.

9. CITIZEN COMMENT PERIOD

Senator Tom Davis gave an update.

Citizen comment was taken.

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/303325>

10. LIASION AND COMMITTEE REPORTS

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/303325>

11. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Glover to approve the following consent agenda items: approval to undertake due diligence and discussion/negotiations for the proposed fee simple purchase of real property known as Wallace Creek; recommend approval for a request to disburse allocated ARPA-good neighbor funds to the town of Bluffton; and approval for a request to purchase (1) new 36 passenger bus model: StarCraft Allstar xl.

The Vote - Motion was approved without objection.

12. FIRST READING OF AN ORDINANCE AMENDING THE BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN TO ADD THE BEAUFORT COUNTY LONG-TERM RESILIENCE STRATEGY AS AN APPENDIX

Motion: It was moved by Council Member Howard, Seconded by Council Member Glover to approve first reading of an ordinance amending Beaufort County 2040 Comprehensive Plan to add the Beaufort County Long-Term Resilience Strategy.

The Vote - Motion was approved without objection.

13. FIRST READING OF AN ORDINANCE TO ACCEPT AND TO APPROPRIATE FUNDS FROM THE SOUTH CAROLINA OPIOID SETTLEMENT FUNDS.

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Tabernik to approve first reading of an ordinance to accept and to appropriate funds from the South Carolina opioid settlement funds.

The Vote - Motion was approved without objection.

14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Motion: It was moved by Council Vice-Chair McElynn, seconded by Council Member Cunningham to approve public hearing and second reading of an ordinance amending chapter 99 stormwater management, article ii stormwater management utility sections 110, stormwater service fee billing, delinquencies and collections; and 113, enforcement and penalties of the Beaufort County Code of Ordinances.

Motion to Amend: It was moved by Council Member Brown, Seconded by Council Member Reitz to remove a paragraph that shows how Beaufort County pays its bill.

The Vote - Voting Yea: Council Member Brown. Voting Nay: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Cunningham, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Tabernik, and Council Member Reitz. Motion Failed 1:10

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

Main Motion: It was moved by Council Vice-Chair McElynn, seconded by Council Member Cunningham to approve public hearing and second reading of an ordinance amending chapter 99 stormwater management, article ii stormwater management utility sections 110, stormwater service fee billing, delinquencies and collections; and 113, enforcement and penalties of the Beaufort County Code of Ordinances.

The Vote - Motion was approved without objection.

15. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE

Motion: It was moved by Council Member Bartholomew, Seconded by Council Member Cunningham to approve public hearing and second reading of an ordinance amending ordinance 2023/32 an ordinance to amend the Beaufort County ordinance establishing a road use fee.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

The Vote - Motion was approved without objection.

16. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Motion: It was moved by Council Member Bartholomew, Seconded by Council Member Tabernik to approve public hearing and second reading of an ordinance to amend chapter 2 administration, article vii finance, division 2 fees and service charges generally, section 2-437 road use fee of the Beaufort County Code of Ordinances.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

The Vote - Motion was approved without objection.

17. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES PURSUANT TO A DEVELOPMENT AGREEMENT BETWEEN BEAUFORT COUNTY AND CHEROKEE BEAUFORT, LLC

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Cunningham to approve public hearing and second reading of an ordinance authorizing the Interim County Administrator to execute any and all necessary documents for the acceptance of properties pursuant to a development agreement between Beaufort County and Cherokee Beaufort, LLC.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

The Vote - Motion was approved without objection.

18. APPROVAL OF A RESOLUTION TO NAME THE PORT ROYAL LIBRARY FACILITY IN HONOR OF THE FORMER TOWN OF PORT ROYAL MAYOR, SAMUEL E. MURRAY

Motion: It was moved by Council Member Howard, Seconded by Council Member Brown to approve a resolution to name the Port Royal Library facility in honor of the former town of Port Royal Mayor, Samuel E. Murray.

The Vote - Motion was approved without objection.

19. APPROVAL OF A RESOLUTION RECOGNIZING FAIR HOUSING MONTH

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Tabernik to approve a resolution recognizing fair housing month.

The Vote - Motion was approved without objection.

20. APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF REAL PROPERTY IDENTIFIED AS TAX MAP SERIAL NUMBERS R100-026-00A-0260-0000 and R100-026-00A-0261-0000 AND ALSO KNOWN AS BOUNDARY STREET LOGAN

Motion: It was moved by Council Member Glover, Seconded by Council Member Howard to approve a resolution authorizing the interim county administrator to execute the necessary documents and provide

funding for the fee simple purchase of real property identified as tax map serial numbers known as Boundary Street Logan.

The Vote - Motion was approved without objection.

21. CITIZEN COMMENT PERIOD

Citizen comment was taken.

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/303325>

22. EXECUTIVE SESSION

Motion: It was moved by Vice-Chair McElynn, Seconded by Council Member Cunningham to go into executive session to discuss the items below.

Pursuant to S.C. Code section 30-4-70(a)(2): receipt of legal advice where the advice relates to pending claims that are covered by the attorney-client privilege (Pine Island Holdings, LLC v Beaufort County)

Pursuant to S.C. Code 30-4-70(a)(2): receipt of legal advice where the legal advice relates to matters covered by the attorney-client privilege (pending litigation - Pualsen v Beaufort County and James Beckert)

Pursuant to S.C. Code section 30-4-70(a)(2) discussions of negotiations incident to proposed contractual arrangements and potential purchasing of property (project bravo)

23. MATTERS ARISING OUT OF EXECUTIVE SESSION

Motion: It was moved by Council Member Howard, Seconded by Council Member Bartholomew to approve by title only an ordinance authorizing the Interim County Administrator to execute the necessary documents and fund the purchase of real property referred to as Project Bravo.

24. ADJOURNMENT

The Chairman adjourned the meeting at 7:32PM.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph F. Passiment, Jr., Chairman

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified:

~ Proclamation ~

Whereas, in 1987 Congress passed, and President Ronald Reagan signed, Public Law 99-611, proclaiming the first week of May as “National Correctional Officers Week”: and

Whereas, the operation of correctional and detention facilities represents a crucial component of our Criminal Justice System; and

Whereas, correctional officers play a vital role in protecting the rights of the public to be safeguarded from criminal activity; and

Whereas, correctional personnel are responsible for the safety and dignity of the human beings charged to their care; and

Whereas, correctional personnel work under demanding circumstances and face danger in their daily work lives, often sacrificing personal and family time to provide a necessary, but thankless, unrecognized, and behind the scenes service to the public; and

Whereas, the staff of the Beaufort County Detention Center has continually demonstrated their skill and professionalism in running one of the finest facilities in the State.

Now, therefore, be it resolved, that Beaufort County Council proclaims
May 5th – May 11th National Correctional Officers Week.

Dated this 13th day of May 2024.



Joseph Passiment

Joseph Passiment, Chairman
Beaufort County Council

~ Proclamation ~

Whereas, Beaufort County is fortunate in having a highly-trained and well equipped Emergency Medical Services; and

Whereas, this Emergency Medical Services is staffed by professional and experienced Emergency Medical Technicians and Paramedics who are on call day and night; and

Whereas, Emergency Medical Services is a vital public service; and

Whereas, the members of Emergency Medical Services teams are ready to provide lifesaving care to those in need 24 hours a day, 7 days a week; and

Whereas, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, the members of Emergency Medical Services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, it is appropriate to recognize the value and the accomplishments of Emergency Medical Services' providers by designating Emergency Medical Services Week.

Now, therefore, be it resolved, that Beaufort County Council proclaims

May 19th – May 25th Emergency Medical Services Week.

Dated this 13th day of May 2024.



A handwritten signature in blue ink that reads "Joseph Passiment".

Joseph Passiment, Chairman
Beaufort County Council

COUNTY COUNCIL
CITIZENS COMMENTS 2nd PORTION
 Any Topic
 DATE: 5/13/24
 PRINT FULL NAME: TRAVIS M STEWART
 TOPIC: CPO / ST HELENA PROTECTION

COUNTY COUNCIL
CITIZENS COMMENTS 2nd PORTION
 Any Topic
 DATE: 13 May 2024
 PRINT FULL NAME: Inez Miller
 TOPIC: CPO - HR

COUNTY COUNCIL
CITIZENS COMMENTS 2nd PORTION
 Any Topic
 DATE: 5-13
 PRINT FULL NAME: Deborah S L K
 TOPIC: Dan Fuskil Ferry

COUNTY COUNCIL
CITIZENS COMMENTS 2nd PORTION
 Any Topic
 DATE: 5-13
 PRINT FULL NAME: Stewart Yarborough
 TOPIC: Dan Fuskil Ferry

COUNTY COUNCIL

CITIZENS COMMENTS 2nd PORTION

DATE: 5/13/2024 Any Topic

PRINT FULL NAME: FLAXME SCOTT

TOPIC: TRAILS

COUNTY COUNCIL

CITIZENS COMMENTS 2nd PORTION

Any Topic

DATE: 5-13-24

PRINT FULL NAME: Arsia D Brown

TOPIC: CPO & PATH WAY

COUNTY COUNCIL

CITIZENS COMMENTS 2nd PORTION

Any Topic

DATE: 5/13/24

PRINT FULL NAME: Jubanne S. Petroff

TOPIC: Overdevelopment

COUNTY COUNCIL

CITIZENS COMMENTS 1ST PORTION

AGENDA ITEMS ONLY

DATE: 5/13/24

PRINT FULL NAME: Grant McClure

Agenda Item to be addressed: 5. Rezoning



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| RECOMMEND APPROVAL TO COUNCIL FOR FIRST READING OF AN ORDINANCE AMENDING THE BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN TO ADD THE BEAUFORT COUNTY LONG-TERM RESILIENCE STRATEGY AS AN APPENDIX. |
| MEETING NAME AND DATE: |
| Community Services and Land Use Committee, Monday, April 8, 2024 |
| PRESENTER INFORMATION: |
| Rob Merchant, Director of the Planning & Zoning Department 20 minutes |
| ITEM BACKGROUND: |
| <p>In 2019, Beaufort County Planning & Zoning, with the help of the SC Sea Grant Consortium, convened a Sea Level Rise Task Force comprised of municipal staff, members of the development community, conservation non-profits, and environmental education groups to begin assessing the real and anticipated impacts of sea level rise in Beaufort County. Their work is the foundation of the Long-Term Resilience Strategy, which was further developed with the assistance of the SC Sea Grant Consortium and input from several other Beaufort County departments, MCAS Beaufort, and MCRD Parris Island.</p> <p>As the Long-Term Resilience Strategy was being developed, Beaufort County updated its comprehensive plan (2040 Comprehensive Plan) and the SC Legislature passed a new law requiring resilience to be included as an element in all future comprehensive plan updates. In order to meet the requirements of the new law and be more competitive for grant funding, the Long-Term Resilience Strategy will act as the Resilience Element of the 2040 Comprehensive Plan and will be added as an appendix.</p> |
| PROJECT / ITEM NARRATIVE: |
| The Long-Term Resilience Strategy summarizes experienced changes to environmental trends recorded in the County, gauges anticipated future trends based on the most cutting-edge climate science, details anticipated impacts to our community based on input from the Sea Level Rise Task Force, and recommends strategies to fortify Beaufort County’s resilience against these impacts. |
| FISCAL IMPACT: |
| None |
| RECOMMENDATION TO COUNCIL: |
| Beaufort County Planning Commission recommends unanimous approval to County Council (March 4, 2024) |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve, modify, or deny an ordinance amending the Beaufort County 2040 Comprehensive Plan to add the Beaufort County Long-Term Resilience Strategy as an appendix. |



MEMORANDUM

To: Beaufort County Planning Commission
From: Juliana Smith, Environmental Long Range Planner
Subject: Beaufort County Long-Term Resilience Strategy
Date: March 4, 2024

STAFF REPORT:

Case No. CPA 2024-01
Applicant: Planning and Zoning Department
Proposed Amendment: Addition of the Beaufort County Long-Term Resilience Strategy as an Appendix to the Beaufort County 2040 Comprehensive Plan.

A. SUMMARY:

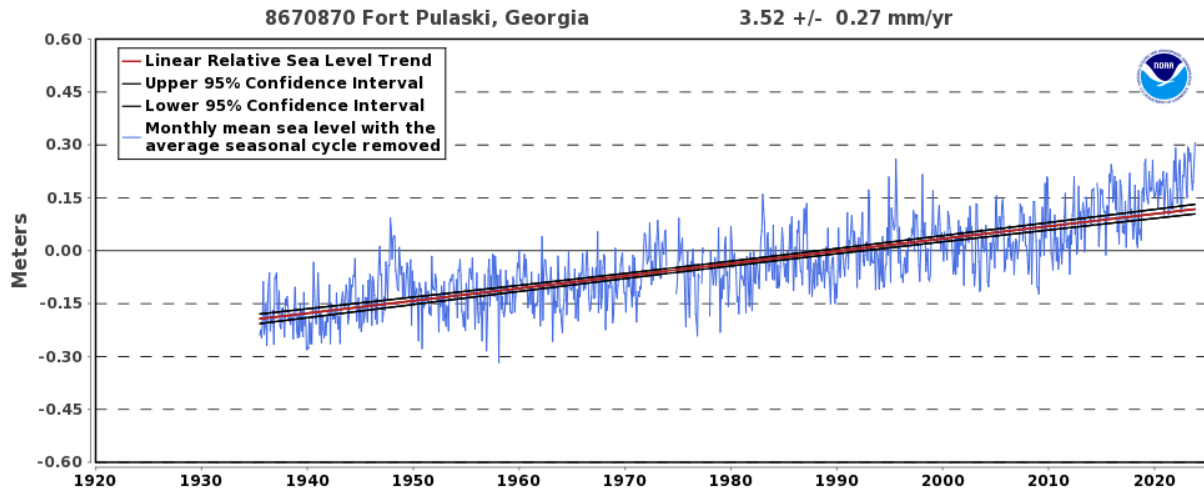


Figure 1. Documented tide heights at the Fort Pulaski Tide gauge. Tidal data has been collected since the mid-1930s and shows a clear increase in average tide height since that time. The y-axis shows the change in tide height in meters, the x-axis shows the year of record. Source: NOAA/National Ocean Service; [COOPS](#)

Beaufort County is experiencing higher tides as a result of an additional foot of sea level rise that has occurred approximately over the last 100 years (Figure 1). Nearly half of that rise has occurred since the year 2000, signaling an increased rate of change. Today, higher tides are bringing more frequent flooding events to low-lying and waterfront properties, higher rates of beach erosion, and causing salt marsh migration. As tides continue to rise, Beaufort County will

see more impacts. Staff created a document to help us plan and overcome them to the best of our ability.

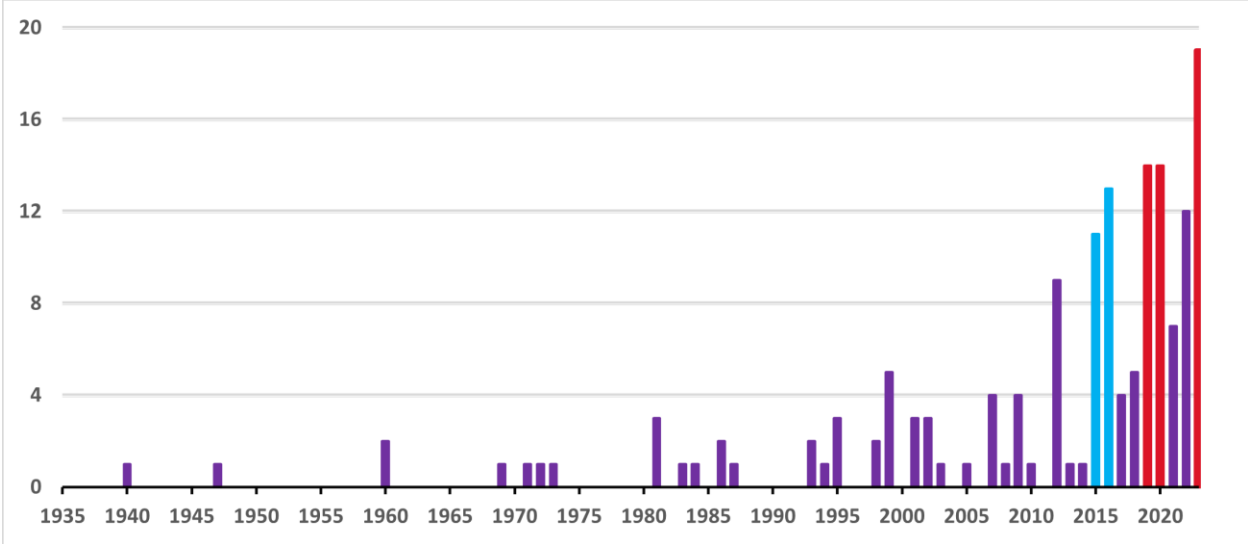


Figure 2. The chart shows the number of days that reached minor flood threshold (9.5 ft) at the Fort Pulaski Tide Gauge since 1935. A significant increase in the number of flood days has been occurring since the early 2010s. The y-axis shows the number of minor flood days, the x-axis shows the year of record. Prior to 2023, the highest number of flood days occurred in 2019 & 2020. Source: NOAA/NOS, [NWS](#)

Our state government recognizes the increased risks and costs of changing environmental trends. That’s why, in 2020, South Carolina adopted a statewide law requiring all comprehensive plans contain a “Resilience” element. Resilience is defined as “*the ability of communities, economies, and ecosystems within South Carolina to anticipate, absorb, recover, and thrive when presented with environmental change and natural hazards*” (Source: [SCOR](#)). That same law established the [South Carolina Office of Resilience](#), signaling our state leadership’s commitment to helping its communities anticipate and adapt to the impacts of climate change. During the same year, Beaufort County was in the process of updating our Comprehensive Plan and intentionally interlaced resilience throughout the document as one of three overarching themes. That plan was adopted by County Council in 2021. Since that time, the Beaufort County Planning & Zoning department has been developing a document that will serve as the official “Resilience” chapter of our comprehensive plan: the Beaufort County Long-term Resilience Strategy. The Long-term Resilience Strategy comprehensively addresses resilience needs, assessments, and actions county-wide to help our leadership and our community adapt to changes we are already experiencing and anticipate how they’ll change in the future.

B. HISTORY: In 2019, Beaufort County Planning & Zoning, with the help of the SC Sea Grant Consortium, convened a Sea Level Rise Task Force comprised of municipal staff, members of the development community, conservation non-profits, and environmental education groups to begin assessing the real and anticipated impacts of sea level rise in Beaufort County. The group developed information about needs to be addressed in the county to better bolster resilience against higher tides, more intense rainstorms, and stronger tropical storms. Their work is the foundation of the Long-Term Resilience Strategy, which Planning staff developed with the assistance of the SC Sea Grant Consortium and input from several other Beaufort County departments, MCAS Beaufort, and MCRD Parris Island.

C. CONTENT: The Beaufort County Long-Term Resilience Strategy supplements recommendations of the 2040 Comprehensive Plan. In general, the Strategy summarizes experienced changes to environmental trends recorded in the County, gauges anticipated future trends based on the most cutting-edge climate science, details anticipated impacts to our community based on input from the Sea Level Rise Task Force, and recommends strategies to fortify Beaufort County's resilience against these impacts. The recommended strategies are organized into four Resilience Strategy Groups: 1) Awareness, 2) Study, 3) Action, 4) Reassess. These groups guide the County through educational campaigns, information collection and sharing collaborations, recommended research needs, action items based on updated science and local understanding, and responsible reassessment of updated science and the policies/actions we implemented. Within the document, Beaufort County's Capital Projects, Facilities Management, Engineering, and Public Works departments provided department-specific resilience strategies that follow the framework of the overall document's Resilience Strategy groups. In general, department specific strategies yielded two themes: assessing the vulnerability of existing infrastructure to changing environmental trends and adapting existing infrastructure and planning policies for a resilient future.

D. RECOMMENDATION: The impacts of a changing climate, which include sea level rise, present significant future challenges to Beaufort County. To overcome them to the best of our ability, we must start now. The Long-Term Resilience Strategy will guide us through the process.

Staff recommends approval.

F. PLANNING COMMISSION RECOMMENDATION: At the March 4, 2024 meeting of the Beaufort County Planning Commission, the Commission voted unanimously to recommend approval of the proposed amendment.

G. ATTACHMENTS:

- Beaufort County Long-Term Resilience Strategy



Beaufort County Long- Term Resilience Strategy

2024

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Report Authors

Rob Merchant, Beaufort County; Juliana Smith, Beaufort County; Sarah Watson, S.C. Sea Grant Consortium and Carolinas Integrated Sciences and Assessments (CISA).

Beaufort County Sea Level Rise Taskforce Members

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Noah Krepps, Beaufort County Planning

Juliana Smith, Beaufort County Planning

Hakim Bayyoud, Beaufort County Building Inspections

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Jessie White, Coastal Conservation League

Dick Stewart, 303 Associates

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David Gasque, Surveying

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David Prichard, City of Beaufort

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Kim Jones, Town of Bluffton

Anne Cyran, Town of Hilton Head Island

Neal Desai, Beaufort County Public Works

K. Jenkins, City of Hardeeville

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Steve Andrews, Andrews Engineering

Charlotte Moore, Town of Bluffton

Katie Herrera, Beaufort County Stormwater

A report sponsored by the S.C. Sea Grant Consortium and the State of South Carolina pursuant to National Oceanic and Atmospheric Administration award number NA18OAR417009.

SCSGC-T-22-11



Executive Summary

As Beaufort County prepared to update its Comprehensive Plan, a County-led Sea Level Rise Task Force was convened to assess current conditions and updated projections of **sea level rise** and extreme weather impacts in Beaufort County over the next thirty years. The primary concern is flooding, which the County is already experiencing localized changes due to a combination of tide elevation increases, changes in rainfall event intensity, and hurricane and **tropical cyclone** impacts. The flooding impacts of these factors are compounded by the increasing population and rate of development being experienced countywide.

The Sea Level Rise Task Force first convened in 2019. The task force assessed current conditions in Beaufort County using available localized data supplemented with state averages. Then, the Task Force analyzed future projections to develop a fuller picture of the anticipated impacts of flooding in the County. Based on the current available data, sea level rise is projected to increase in Beaufort County between 1 to 1.5 feet by the year 2050. While 1.5 feet of sea level rise does not at first seem significant, properties that currently experience flooding issues intermittently as a result of **king tides** that happen several times a year will begin regularly experiencing inundation at every **spring tide**, which happens twice a month. At the same time, rainfall events, hurricanes, and tropical storms are anticipated to last longer and more rapidly intensify, creating heightened probabilities for flooding frequency in the county.

Once equipped with an understanding of future flooding and weather projections, the Task Force developed a chart of related impacts. They include, but are not limited to, septic tank failures, lost tourism and jobs revenue, and overwhelmed infrastructure. Overall, flooding impacts will permeate into every facet of life here in Beaufort County if actions are not taken to mitigate the anticipated effects and improve **resilience**.

Understanding the need to plan ahead, the Task Force developed proactive and protective plans and policies to best bolster Beaufort County against flooding impacts. The recommended strategies have been organized into four resilience planning phases (awareness, study, action, and reassess) and are implementable across both the public and private sectors of Beaufort County. Each strategy has been identified with potential partners and collaborators as well as indicators of successful implementation. The most important strategies target better coordination within government agencies and partners, improve targeted local data collection to inform policies and plans, and recommend regular revisions to update science, progress, and strategies for adaptation.

Ultimately, Beaufort County will continue to see an increase in flooding and extreme weather events. The County needs to begin preparations now to adapt to anticipated impacts and improve overall resilience. This report will act as a guide by providing up-to-date data, recommended resilience strategies, and mechanisms for regular reassessment.

Section 1. Introduction

This report is a revision of the 2015 Beaufort County Sea Level Rise Action Plan developed by S.C. Sea Grant Consortium and the Carolinas Integrated Sciences and Assessments. It includes an update of the sea level rise projections and climate change impacts driving changes Beaufort County is already experiencing as well as a suite of recommendations developed by the Sea Level Rise Task Force for how Beaufort County can improve its resilience to various hazards.

Beaufort County is experiencing changes in localized flooding due to a combination of sea level rise, a changing climate affecting rainfall patterns, and development. This report primarily focuses on helping the County prepare for a rising sea level, but where appropriate, it also includes recommendations that help the County mitigate localized flooding from multiple sources and prepare for a changing climate as it pertains to land use, growth, and development.

1.1 Overview

Beaufort County, like many coastal areas in the southeast, faces the challenge of increasing population compounded by an increased potential for flooding and other risks due to sea level rise (more people and more assets in harm's way). Beaufort County, South Carolina, is a low-lying coastal county with a high sensitivity to tidal flooding and **storm surge**. Just over half of Beaufort County is open water, sounds, marshes, and estuaries and much of its upland is located within a flood zone.

The impacts of a changing climate, which include sea level rise, present significant future challenges to Beaufort County. Coastal flooding is the primary concern. Beaufort County's low elevation combined with its 6 to 10-foot tidal range make it vulnerable to any increase in average sea level. A rise of 1 to 1.5 feet may not at first appear to have consequential impacts on the County's landscape, but combined with semi-regular extreme high tide events, significantly more acres of urban and residential land could regularly experience flooding. In addition to the built environment, salt marshes will struggle to migrate upland to keep pace with sea level rise. In places where marsh migration is impeded by development, marsh acreage may be lost. The impact of coastal flooding is compounded by extreme rain events, which are projected to occur at greater frequency due to climate change. Higher water tables as a result of sea level rise will impact drainage and septic systems in low-lying areas. Finally, sea level rise may adversely impact aquifers with greater salinity, threatening agriculture and those relying on groundwater as their potable water source.

In 2015, the County participated in a process facilitated by the Carolinas Integrated Sciences and Assessments and S.C. Sea Grant Consortium to identify vulnerability to sea level rise and to

develop initial ideas for how the County can begin to plan and prepare. The recommendations generated in that process were incorporated into the County's 2015 Comprehensive Plan update. As the County began to prepare for the 2020 Comprehensive Plan revision, it recognized the need to identify more specific planning and policy actions to begin the implementation process.

In 2019, the County convened the Beaufort County Sea Level Rise Task Force made up of county and municipal staff, local environmental experts, as well as members of the development community. Beginning in the fall of that year, the Task Force went through a series of exercises to identify the various impacts from sea level rise that Beaufort County could experience and then identified various ways that the County could address those impacts. Following those exercises, the Task Force further developed and discussed the identified responses and proposals, in particular discussing efficacy, governance, legality, and need. In December 2020, the task force met one last time to help organize and categorize the potential responses and proposals, ultimately developing the framework for this report.

1.2 Goal of This Report

This document is not designed to provide specific projects for all hazards affecting Beaufort County, but rather is intended to provide support for policy and planning to improve resilience overall in the County.

This report also provides the most up-to-date science related to sea level rise in Beaufort County and can help inform decision-making and act as a reference. The science in this report is closely linked to the National Climate Assessment and should be updated regularly to reflect emerging science.

Finally, this report provides a range of planning and policy development strategies that Beaufort County can undertake over the coming decade to better position itself for implementing resilient actions. This includes incorporating resilience planning and policy into the 2025 and 2030 comprehensive plan updates, including adopting the recommendations made by the Sea Level Rise Task Force through this report. Some strategies help to address more immediate needs and planning, while others are intended to give the County a plan for continually updating and understanding what to expect in the long-term to improve readiness for the coming changes related to sea level rise in a changing climate. These are practical and proactive recommendations intended to benefit the whole of the County.

1.3 How to Use This Report

This report is designed to provide support for policy and planning to improve resilience throughout Beaufort County. To be effective, the data and strategies within must be continually updated as new data is collected and analyzed. The provided action matrix will offer recommended strategies to begin improving resilience within Beaufort County today, while providing opportunities for reassessment.

Finally, words highlighted in **bold purple** are defined in the Glossary. See **“Section 8. Glossary” on page 36.**

Section 2. Overview of Current Rainfall and Sea Level Trends Influencing Flooding

Flooding in Beaufort County comes from multiple sources that often interact and exacerbate conditions. These sources include tidal flooding, sea level rise, and extreme precipitation. All sources contribute to increases in groundwater, which leads to drainage problems and standing water.

- Sea level has risen by about 1.14 feet since 1901 at the Charleston Harbor tide gauge^[1].
- Since 2000, sea level has risen about 6 inches^[2].
- Sea level will continue to rise, with projections for South Carolina calling for additional increases between 0.66 feet and 0.72 feet by 2030, 0.92 feet and 1.08 feet by 2040, and 1.18 feet and 1.51 feet by 2050. These are based on the NOAA 2022 intermediate-low, intermediate, and intermediate high scenarios (see **“Appendix C: Sea Level Rise projections for South Carolina” on page 42.**)^[3]
- Due to a lack of long-term measuring stations, there is no documented trend in Beaufort County or South Carolina for changes in frequency of extreme heavy rain.
- Anecdotally from residents, rainfall intensity and the frequency of extreme rainfall events has increased, but that increase can't be quantified.

This section will describe how conditions have been documented and highlights changes that have occurred.

[1] National Oceanic and Atmospheric Administration. *Sea level trends*. [NOAA Tides & Currents](#). Retrieved January 11, 2024.

[2] National Oceanic and Atmospheric Administration. *Sea level trends*. [NOAA Tides & Currents](#). Retrieved October 3, 2021.

[3] National Aeronautics and Space Administration. *Fort Pulaski Sea Level Rise for Different Sea Level Scenarios*. [Interagency Sea Level Rise Scenario Tool](#). Retrieved August 2, 2022.

2.1 About Tidal and Rainfall Records

Beaufort County lacks its own long-term recording stations for tides, but has one long-term recording station for rain and other climate records. We are using the following measurement sites for characterizing past, present, and future conditions:

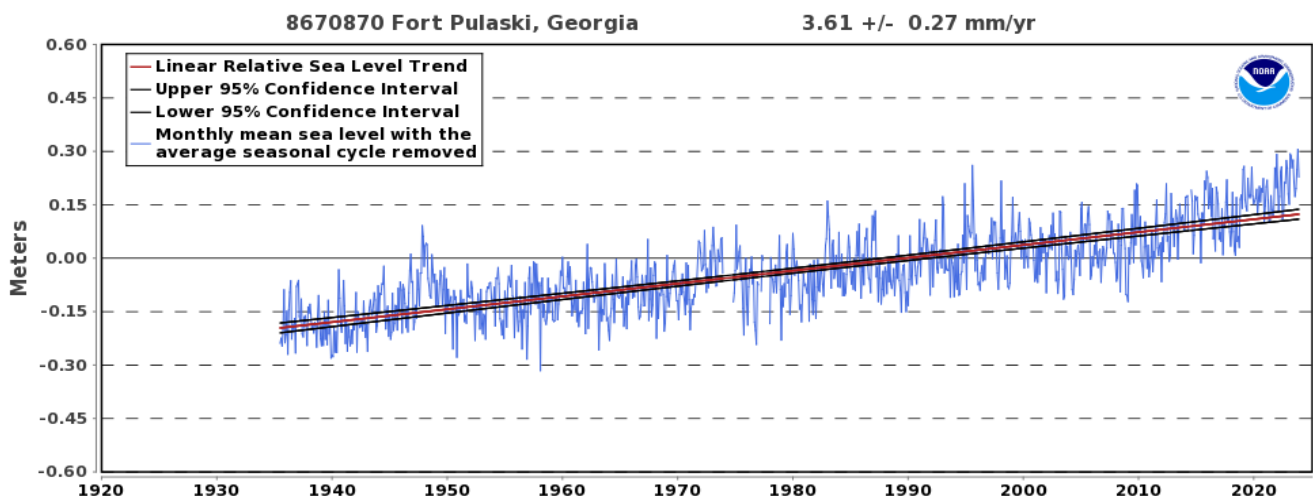
For tidal measurements: Beaufort County sits between two NOAA tide gauges: one in the Charleston Harbor and one at the entrance of the Savannah River in Fort Pulaski, GA. Because of the distance between the two and the localized nature of impacts, neither gauge fully reflects the number and type of storm surge or tidal flooding events experienced throughout Beaufort County. However, the overall trends and average measurements taken at both gauges are virtually identical. In this report, we use the Ft. Pulaski gauge for past conditions and for future sea level projections based on the 2022 Sea Level Rise Technical Report.

For rainfall measurements: The closest long-term measurement site is in Yemassee. These long-term measurement sites date back more than 100 years, making their data more appropriate for analyzing long-term climate trends.

2.2 Past Sea Level Trends in South Carolina

Since 1935, the sea level has risen about 1.18 feet at the Ft. Pulaski gauge^[4]. In this time frame, the average rate of rise per year is about 3.61 millimeters^[5], as illustrated in **Figure 1**. Since 2000, the sea level at the gauge has risen about 6 inches, though calculations for a precise amount will not be complete until 2025 when NOAA releases a new **tidal epoch datum**.

Figure 1: Sea Level Trend at Ft. Pulaski Gauge



Source: NOAA/National Ocean Service; [COOPS](#)

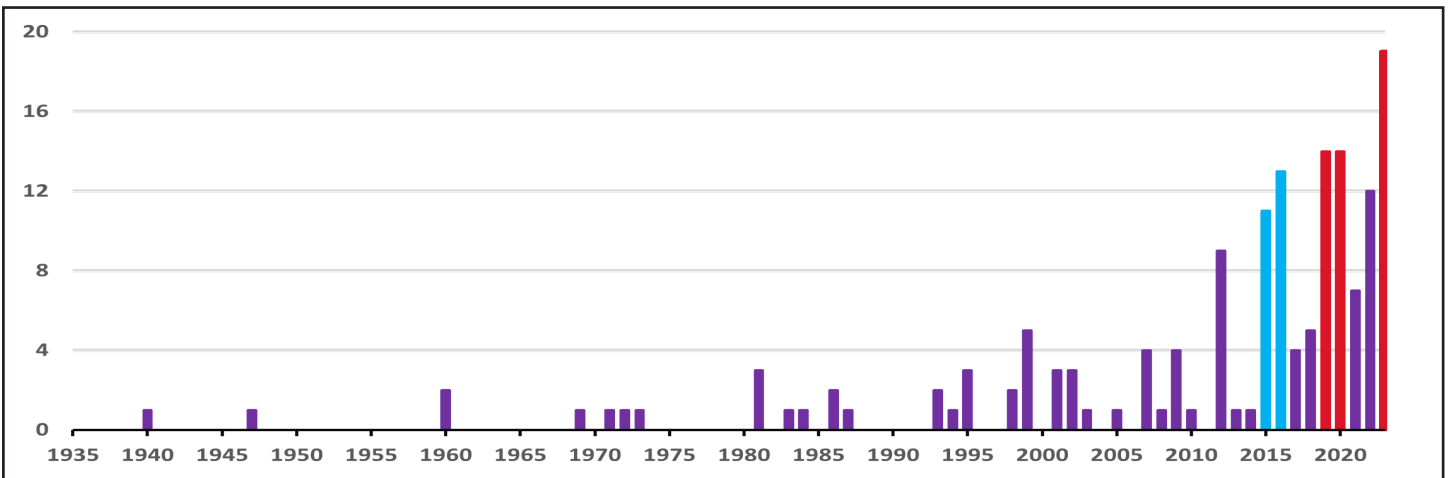
[4] National Oceanic and Atmospheric Administration. *Sea level trends*. [NOAA Tides & Currents](#). Retrieved January 11, 2024.

[5] National Oceanic and Atmospheric Administration. *Sea level trends*. [NOAA Tides & Currents](#). Retrieved February 22, 2024.

This observed rise since 2000 connects with an abrupt increase in the frequency of **tidal flooding** and the number of days when the water at the gauge reaches the minor flooding threshold of 9.5 feet above **Mean Lower Low Water (MLLW)** set by the National Weather Service^[6].

As illustrated in **Figure 2**, in 2015, the gauge recorded 11 flood days. In 2016, the tide gauge reached that threshold 13 days. Then in 2019 and 2020, the gauge recorded 14 flood days, and in 2023, it recorded 19 days. For more information about tidal flooding records broken down by number of events and thresholds, see **“Appendix A: A Detailed Look at Tidal Flooding Records at the Ft. Pulaski Gauge”** on page 38.

Figure 2: Total Number of Annual Flood Days at Ft. Pulaski Gauge



Source: NOAA/NOS, [NWS](#), Beaufort County

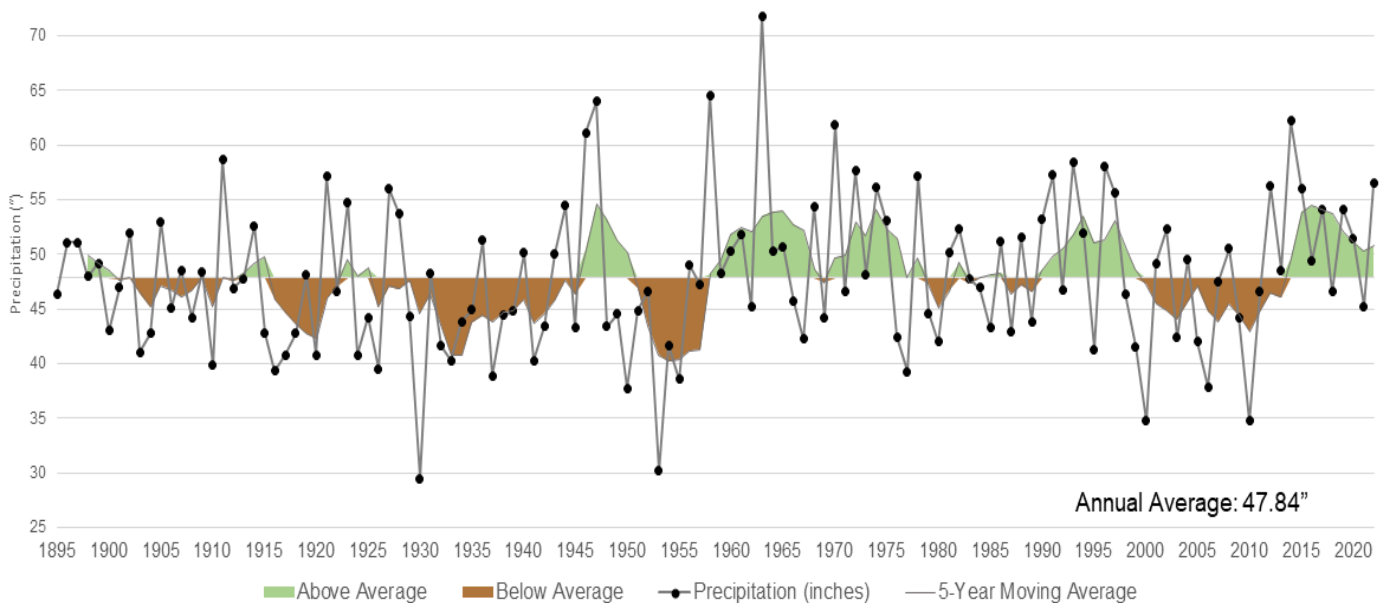
[6] U.S. Department of Commerce, NOAA. (2021, September 12). *Coastal Flood Event Database*. [National Weather Service](#). Retrieved January 11, 2024.

2.3 Past and Current Rainfall Observations

Documenting and characterizing rainfall patterns throughout Beaufort County is difficult due to the highly localized nature of summer thunderstorms, climatic variations in coastal South Carolina influenced by the **ACE Basin**, and a lack of long-term rain gauge recording stations.

For the purposes of this report, we will use the long-term station in Yemassee for documenting annual rainfall maximums and we will use the S.C. Southern Climate Division for annual averages. At this station, as with all other long-term reporting stations in S.C., there is no strong signal for changes in average annual rainfall (**Figure 3**.)

Figure 3: Southern Climate Division Annual Average Precipitation (1895-2023)



There is a small signal for an increase in the average precipitation for fall, which is calculated using all rainfall in the full months of September, October, and November. See **“Appendix B: Annual Precipitation Records from the S.C. Office of the State Climatologist” on page 39** for graphics illustrating these trends.

This data does not break out changes in the frequency of heavy rain events, nor is it able to highlight any changes in extreme events or changing intensity at this scale. However, there is a statistically significant trend towards more intense precipitation, particularly for the more extreme, less likely events with lower probability of occurrence (i.e., the **50-, 100-, 200-, 500- and 1000-year events**). The **annual return interval** 50-year event has a 2% chance of happening in any year regardless of what happened in previous years. Similarly, the 100-year event has a 1% chance and the 200-year event has a 0.5% chance.

2.4 Hurricanes and Other Tropical Cyclones

Beaufort County has been affected by numerous tropical cyclone events in the past 150 years. A storm making direct landfall is rare (but happened in 1874, 1885, 1928, 2021, and 2022). However, a storm several hundred miles away can cause extreme damaging impacts. Since 2016, Beaufort County has been substantially affected by two tropical cyclones, with multiple others causing minor disruptions during the event.

- **2016 – Hurricane Matthew:** This storm moved parallel to the southeast coast before making landfall in northern Charleston County. Matthew brought hurricane-force winds, up to 17 inches of rain, and a 5-foot storm surge that caused major flooding, beach erosion, beach washover, and other damage on the barrier islands in the County. The storm tide of 12.56 feet above MLLW from Matthew was the highest tide on record at the Ft. Pulaski gauge.
- **2017 – Tropical Storm Irma:** This massive storm traveled up the west coast of Florida, with tropical storm-force winds extending out more than 500 miles from the center. Irma caused tropical storm-force winds, nearly 6 inches of rain, and the second highest storm tide, totaling 12.24 feet above MLLW, recorded at the Ft. Pulaski gauge. Flooding in downtown Beaufort reached record levels and is considered the storm of record.
- **2019 – Hurricane Dorian:** This storm moved parallel to the southeast coast before making landfall in North Carolina, causing moderate beach erosion and minor flooding.
- **2020 – Hurricane Isaias:** This storm moved parallel to the southeast coast before making landfall near Myrtle Beach, S.C.
- **2021 – Tropical Storm Danny:** This storm made landfall at Pritchard’s Island in Beaufort County. It dropped over six inches of rain in areas of the County and brought tropical storm-force winds.
- **2021 – Tropical Storm Elsa:** This storm traveled up the west coast of Florida before crossing to the coastline of Georgia and traveling up the South Carolina coast. It caused severe storms and tornadoes in Beaufort County.
- **2021 – Tropical Storm Mindy:** This storm formed in the Gulf of Mexico before crossing to the Atlantic Ocean through Georgia. It dropped over four inches of rain in areas of Beaufort County.
- **2022 – Hurricane Nicole:** This storm formed in the Caribbean Sea before making landfall in Florida and tracking north to South Carolina as a tropical depression. It created tropical storm-force winds in Beaufort County.

- **2022 - Hurricane Ian:** This deadly storm formed in the Caribbean Sea and was a Category 3 Hurricane by the time it reached the Gulf of Mexico. It made landfall in Florida before re-entering the Atlantic Ocean where it restrengthened and made its second landfall near Georgetown, S.C. as a Category 1 Hurricane. It brought tropical storm-force winds and nearly four inches of rain to areas of Beaufort County.
- **2022 - Tropical Storm Colin:** This storm formed from a stationary front along the coast of South Carolina, making landfall near Hunting Island.
- **2023 - Tropical Storm Idalia:** This storm formed in the Caribbean Sea and entered South Carolina as a tropical storm. It brought gusts over 60 mph and nearly four inches of rain to Beaufort County. It also produced a storm surge that resulted in erosion of Beaufort County beaches.

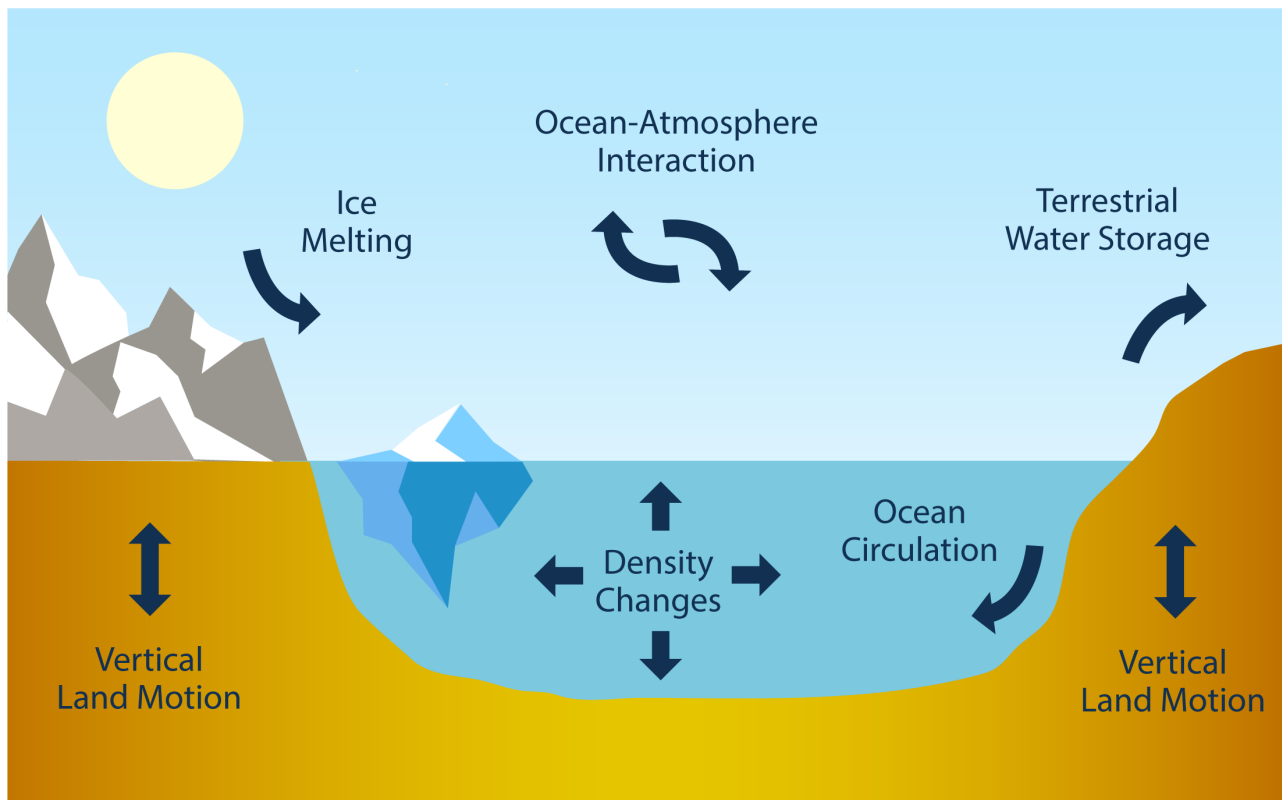
Section 3. Future Flooding and Storm Risks

Flooding in Beaufort County is occurring with increasing frequency and severity. This section will describe how flooding may change due to sea level rise, changes to rainfall, and tropical cyclones.

3.1 About Sea Level Rise

Sea level rise is caused by a number of factors illustrated in **Figure 4**. The predominant sources of sea level rise in Beaufort County since 1900 have been a combination of land elevation changes, increasingly warm ocean temperatures causing expansion and increase in volume of the water, and slowing of the Gulf Stream current offshore that pulls water away from the coasts. Sea level rise is projected to increase in the future due to those factors, plus a large influence of melting glaciers in Antarctica and Greenland. How fast glaciers will melt and precisely when South Carolina's coast will see the direct influences is still unclear, however projections provide a range of possibilities based on current evidence and understanding about the interactions of these changing processes.

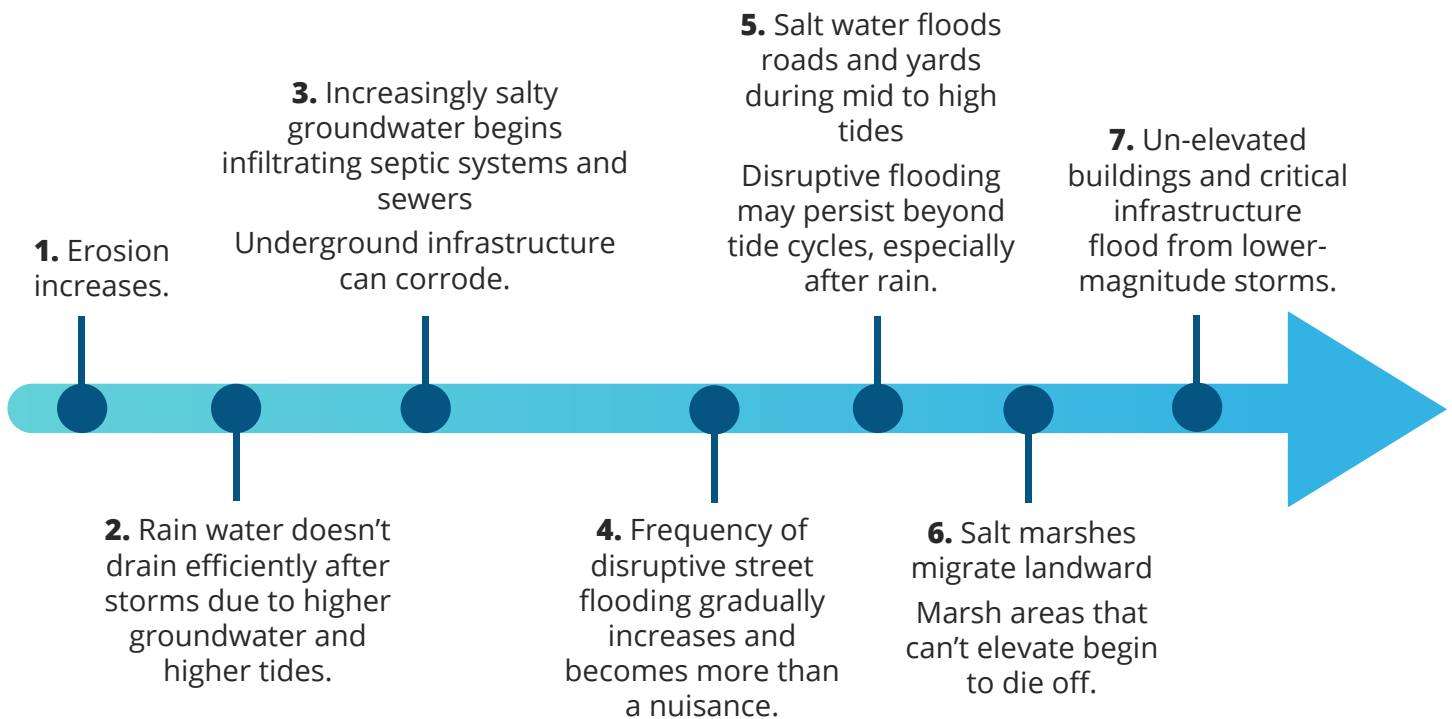
Figure 4: What Causes Sea Level Changes



Source: Sarah Watson, S.C. Sea Grant Consortium, recreated from Milne, 2009

We can see the effects of sea level rise through changes in how often various types of problems, such as street flooding and erosion, occur. **Figure 5** illustrates some of the primary indicators that Beaufort County and other South Carolina coastal communities are experiencing. The effects initially seem small, but other problems develop quickly and the frequency at which they occur accelerates.

Figure 5: Effects of Sea Level Rise in Coastal Communities



Source: Sarah Watson

One of the biggest challenges when it comes to envisioning the effects of sea level rise is connecting with tidal variation. Projections center on the rise in **mean sea level (MSL)**, but that does not communicate how high tide in the future will look. Using a "**total water level**" **approach** can help communicate this. In **Table 1**, top flood heights are listed in relation to the recorded height above **mean higher high water (MHHW)**. In **Table 2**, we use memorable flood heights connected with sea level rise to paint a fuller picture of what this means.

For example, five feet of sea level rise in **Table 2** will look like the flooding locally experienced during Hurricane Irma plus two additional feet of water. Visualizing future sea level rise in this way helps us to understand what sea level rise will actually look like here in Beaufort County.

Table 1: Examples of Top Flood Heights at Ft. Pulaski Gauge

| Date | Event | Ranking | Height Above MHHW | Total Storm Tide |
|------------|-------------------------|---------|-------------------|------------------|
| 10/08/2016 | Hurricane Matthew | 1 | 5.06 feet | 12.56 feet |
| 09/11/2017 | Tropical Storm Irma | 2 | 4.74 feet | 12.24 feet |
| 10/15/1947 | Cape Sable Hurricane | 3 | 3.36 feet | 10.86 feet |
| 11/07/2021 | November 2021 King Tide | 4 | 2.95 feet | 10.45 feet |
| 10/27/2015 | October 2015 King Tide | 5 | 2.93 feet | 10.43 feet |
| 11/10/2022 | November 2012 King Tide | 6 | 2.91 feet | 10.41 feet |
| 11/23/2018 | November 2018 King Tide | 8 | 2.75 feet | 10.25 feet |
| 06/04/2023 | June 2023 King Tide | 10 | 2.7 feet | 10.20 feet |

Source: [NOS/NOAA](#), [NWS](#).

Note: MHHW is 9.5ft at the Ft. Pulaski Gauge.

Table 2: Total Water Approach in Beaufort County

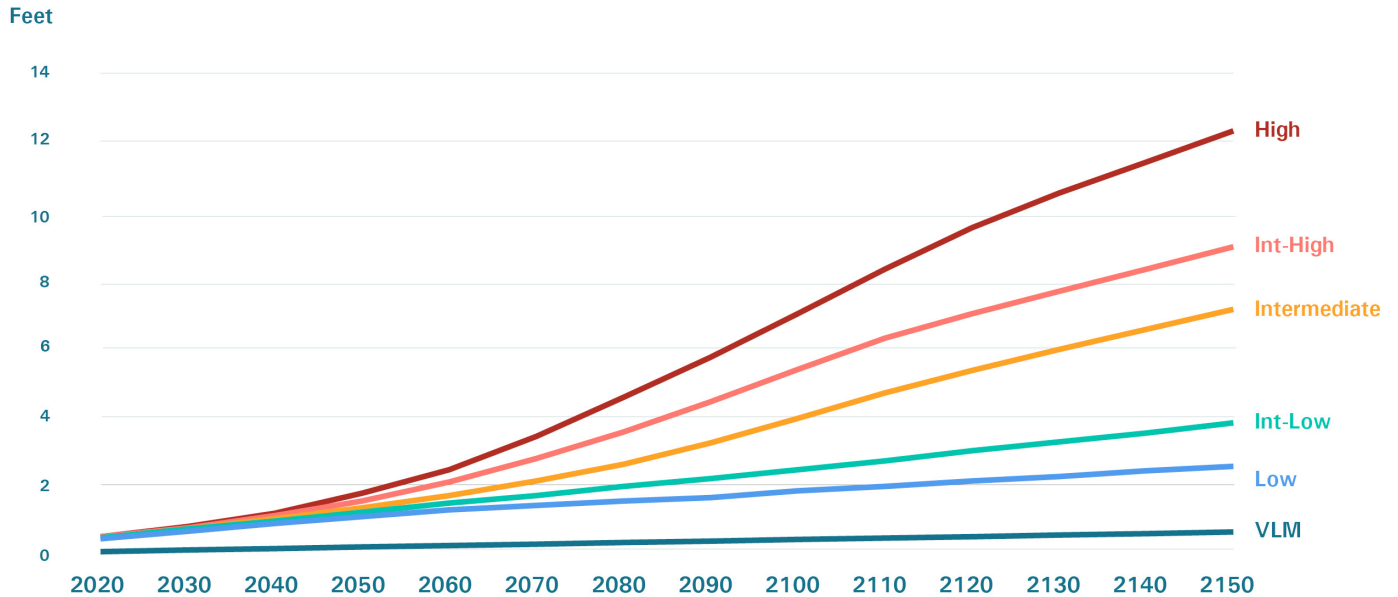
| Above MHHW | Current Equivalent Event | Sea Level Rise (SLR) |
|------------|--|-------------------------|
| 1 foot | Full/New Moon Tide (Spring Tide) | MHHW + 1ft SLR |
| 2 feet | King Tide | Full/New Moon + 1ft SLR |
| 3 feet | Cape Sable Hurricane or Nov 2021 King Tide | King Tide + 1ft SLR |
| 4 feet | None Documented | Nov. 2021 + 1ft SLR |
| 5 feet | Tropical Storm Irma or Hurricane Matthew | Nov. 2021 + 2 ft SLR |
| 6 feet | None Documented | Irma/Matthew + 1ft SLR |

3.2 Future Sea Level Projections

In 2022, NOAA developed a suite of projections for future sea level rise, which is the basis for the Fifth National Climate Assessment, released in 2023. An interagency task force comprised of NASA, NOAA, the U.S. Army Corp of Engineers, and others, have taken those projections and localized them to the NOAA tide gauges^[7], which are considered the reference data points for localized relative sea level rise. In **Figure 6**, the projections downscaled to the Ft. Pulaski gauge are illustrated. See **“Appendix C: Sea Level Rise projections for South Carolina” on page 42** for chart with scenario numbers for each decade.

[7] National Aeronautics and Space Administration. *Fort Pulaski Sea Level Rise for Different Sea Level Scenarios. Interagency Sea Level Rise Scenario Tool*. Retrieved August 4, 2022.

Figure 6: NOAA 2022 Sea Level Projections for the Ft. Pulaski Gauge



Source: NOAA et al, 2022, [2022 Sea Level Rise Technical Report Data Files](#), S.C. Sea Grant Consortium

The projection line labeled “VLM” solely depicts the rate of rise based on geological **vertical land movement** (VLM)^[8]. The rate of VLM in this projection is not highly localized and is not connected to local groundwater withdrawal or building compaction of soils. The projection line labeled “Low” depicts the rate of rise as the historic linear trend and does not include effects from climate change. The other projections connect sea level rise with global climate change **emissions scenarios**.

Sea level projections illustrate the change to the overall averages to sea level. What these projections do not effectively illustrate are the changes in extreme high tides, storm surges, increased frequency in sunny day tidal flooding, changes to the shallow **groundwater** table, marsh migration and loss, land loss, erosion, and other impacts.

States and communities along the east coast have varied approaches for selecting planning scenarios. Recommended practices include selecting multiple scenarios to apply to various types of decision-making based on life-span, risk tolerance, implementation timeline, and ability to retrofit.

[8] Sweet, W., Kopp, R.E., Weaver, C.P., Obeysekera, J.T., Horton, R.M., Thieler, E.R., & Zervas, C.E. (2017). *Global and Regional Sea Level Rise Scenarios for the United States Technical Report*. [NOAA Technical Report CO-OPS 083](#), Silver Spring, MD. Retrieved October 3, 2021.

3.3 Future Rainfall Projections

Projections for how rainfall may change in the future currently are not able to provide details for changes in the intensity, duration, and frequency of rainfall events. General projections from the Fifth National Climate Assessment predict an overall annual increase in total precipitation of between 5% and 10%. However, that average does not include the variations that make up that average. But scientists predict that the frequency and intensity of extremes – both wet and dry – will continue to increase^[9]. This translates to longer dry periods and more extreme wet periods with high impact and high intensity events, like **rain bombs**. According to the National Climate Assessment, the frequency and severity of extreme precipitation events are projected to continue increasing in the Southeast. By the end of the century, projections indicate that the number of heavy rainfall days (two-day events with at least a five-year return period) will double, with a 37% increase in the total amount of rain falling on the heaviest precipitation days^[10].

It is important to note that the frequency of community disruption from standing water, street flooding, and submerged septic systems due to heavy rain is likely to increase due to sea level rise reducing the drainage capacity of engineered systems, ditches, and the groundwater table. This means that a storm that would not have caused persistent and disruptive flooding in 2021 may do so in 2031 or 2041.

3.4 Future Hurricanes and Other Tropical Cyclones

Beaufort County has experienced a range of effects from hurricanes and tropical storms, with each individual event bringing specific hazards based on storm direction and dynamics. Hurricanes and tropical storms are primarily fueled by warm sea surface temperatures. Atmospheric steering currents and upper-level winds affect how storms travel and maintain intensity. Precisely how Beaufort County's future risk for hurricanes and tropical storms may change is unclear. However, climate science research is highlighting three core ways future conditions may affect storm frequency and effects^[11].

- **Frequency:** There is no strong consensus on how climate change will affect the total number of storms that form. Some research suggests that the overall number of storms

[9] Marvel, K., W. Su, R. Delgado, S. Aarons, A. Chatterjee, M.E. Garcia, Z. Hausfather, K. Hayhoe, D.A. Hence, E.B. Jewett, A. Robel, D. Singh, A. Tripathi, and R.S. Vose, 2023: Ch. 2. Climate trends. In: *Fifth National Climate Assessment*. Crimmins, A.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, B.C. Stewart, and T.K. Maycock, Eds. U.S. Global Change Research Program, Washington, DC, USA. <https://doi.org/10.7930/NCA5.2023.CH2>

[10] Kunkel, K.E., T.R. Karl, M.F. Squires, X. Yin, S.T. Stegall, and D.R. Easterling, 2020: Precipitation extremes: Trends and relationships with average precipitation and predictable water in the contiguous United States. *Journal of Applied Meteorology and Climatology*, 59 (1), 125-142. <https://doi.org/10.1175/jamc-d-19-0185.1>

[11] Emanuel, K. (2017). [Will Global Warming Make Hurricane Forecasting More Difficult?](#), *Bulletin of the American Meteorological Society*, 98(3), 495-501. Retrieved Aug 30, 2021.

may decline due to increases in wind shear and other forces that inhibit tropical cyclone development. Other research suggests an increased frequency in less severe events due to wider expanses of ocean with tropical cyclone-sustaining water temperatures.

- **Intensity:** There is research highlighting the potential for an increased frequency of high intensity events with rapid intensification due to warmer sea surface temperatures. This type of event has been seen in the Atlantic and Gulf of Mexico more frequently in the past six years, with storms such as Harvey, Irma, Maria, Michael, Dorian, Laura, and Ida rapidly intensifying, in some cases overnight, from a tropical storm-level cyclone to a major hurricane of at least Category 3 strength^[12].
- **Long-Duration Events:** Other research highlights the potential for the frequency of slow-moving storms that have weaker winds but produce extreme levels of rain similar to Hurricanes Harvey and Florence. These types of storms are the result of very weak to nonexistent upper-air steering currents and can linger over a region for days. As those types of storms weaken in intensity, especially if they were previously a very strong hurricane, the storm spreads out, affecting a wider area with heavy rainfall. Additionally, a warmer atmosphere can hold more water, further increasing the rainfall potential.

3.5 Other Extreme Weather Effects

Beaufort County will continue to assess other impacts of climate change, such as heat, and will continue to monitor specific actions that it has jurisdiction and authority to implement.

3.6 Conclusion

This section illustrated how conditions are changing in Beaufort County and how NOAA expects extreme weather and flooding occurrences will continue to increase. This information helps Beaufort County identify what resilience strategies may be needed to help residents and businesses prepare for the future.

[12] Emanuel, K. (2017). [Will Global Warming Make Hurricane Forecasting More Difficult?](#), *Bulletin of the American Meteorological Society*, 98(3), 495-501. Retrieved Aug 30, 2021.

Section 4. Sea Level Rise and Extreme Weather Impacts on Beaufort County

The listed impacts in this section were compiled through multiple discussions with the Beaufort County SLR Taskforce. Impacts span all aspects of Beaufort County's way of life, from impeding the functionality of the County's infrastructure to interrupting citizen's daily lives through personal property losses and community disruptions. The list is intended to help inform the development of the various recommendations and does not include all possible effects or impacts.

4.1 Infrastructure

- Existing infrastructure may be sited too low in elevation and vulnerable to sea level rise – issue for water, sewer, roads, stormwater, and public buildings.
- Blocked or disrupted evacuation routes.
- Siting and resilience of new infrastructure will be affected by sea level rise impacts.
- Inadequate conveyance of “typical” storm events now (under-sized existing infrastructure).
- Groundwater levels can affect functionality of septic systems and other underground infrastructure.

4.2 Natural Resources Degradation

- Loss of salt marshes.
- Erosion of beaches, dunes, and bluffs.
- Potential changes to water quality and potential harmful algal blooms.
- Loss of wildlife habitat (particularly where seawalls or bulkheads are present).
- Invasive species may become more prevalent with changing temperature and weather patterns, leading to additional strain on native plants and animals.
- Change to native plants and animals.

4.3 Community Disruptions

- Flooded roads will make some areas increasingly impassible.
- Repeated flooding may lead to people leaving the area.

- Disruption of daily life during evacuation and recovery – closing of business and schools (during storms and non-tropical events).
- Long-term societal losses to public health and mental health due to strain of storm recovery.
- Inaccessible resources (food banks, pharmacies, etc).

4.4 Public Health Impacts from Flooding

- **Saltwater intrusion** may affect agricultural uses.
- Long-term emotional and physical stress responses among individuals.
- Vector changes (ticks and mosquitoes).
- Harmful algal blooms.
- Increasing instances of **Vibrio** infections in humans and shellfish.
- Septic Failure.
- Saltwater intrusion may affect drinking water wells.

4.5 Economic Loss

- Tourism industry disrupted during and after storms – leading to loss in revenue.
- Storm clean-up costs money and places financial strain on homeowners, businesses, and local governments.
- Homeowners and business owners may be subject to higher insurance costs.
- Evacuations cost residents and businesses in lost wages and revenues.
- Repetitive loss areas lower property values and become blighted.
- Military bases (especially Parris Island) could flood, interrupting operations and threatening long-term viability. Vulnerable to Base Realignment and Closure (BRAC).
- Agriculture depends on groundwater which may experience saltwater intrusion.

4.6 Cultural Loss

- Many African-American and Gullah/Geechee communities or cemeteries located in low-lying areas along water.

- Low-lying historic areas threatened – Historic Beaufort, Corners Community on St. Helena Island.
- Loss of marshes and water quality issues may lead to decline in local shellfish population – affect legacy ways of life.
- Saltwater intrusion may affect agricultural uses.

4.7 Personal Property Damage

- Wind and water damage from more frequent storms.
- Rising insurance costs for homeowners.
- Erosion of beaches leads to loss of land and structures (homes, businesses, etc.).

Section 5. Recommended Strategies to Improve Resilience in Beaufort County

Adapting to a sea level rise is not a linear process with a beginning and end, but instead a cyclical process including many opportunities for reassessment to improve awareness and understanding, guide data collection and study, and inform actionable practices and policies. To capitalize on that system, the strategies offered in this report have been categorized into four Resilience Strategy groups – Awareness, Study, Action, and Reassess. Within each Resilience Strategy group, definitions of the strategy, measurements of successful implementation, potential partners and collaborators, and recommended actions are provided.

The first recommendations are focused on learning more about impacts, monitoring changes, and identifying how to connect science-based projections into what that means for Beaufort County (Awareness and Study). As this occurs over the coming five years, we will begin developing guidelines for more focused policy and planning recommendations along with timelines for implementation (Action). Throughout much of these coming steps, the County will continually reassess the most up-to-date science and engage with residents and stakeholders to understand their perspectives and apply their knowledge and opinions into shaping future resilience recommendations (Reassess). The goals listed in this section are tied to those listed in the County's 2040 Comprehensive Plan and include much more detail about specific activities, priorities, timelines for initiation and completion, as well as identify generally needed resources.

5.1 Resilience Strategies: Awareness

Definition: Effectively communicating to and educating all relevant parties, facilitating conversations about applying science to decision-making, and providing opportunities for conversations about next steps.

Measures of Success: Coordination between all stakeholders and jurisdictions have put everyone on the same page. Our residents and stakeholders recognize what is at stake and support our efforts.

2040 Comprehensive Plan Connections: NE 1.1, NE 5.1, NE 5.2, NE 6.1

Strategy - Collaboration

HIGH PRIORITY—LOW EFFORT

Purpose: Work collaboratively to encourage communication and joint activities among

government agencies and the private sector to increase the region's capacity to adapt to sea level rise.

Actions

- Maintain an ongoing, collaborative working group called the Coastal Resilience Working Group (CRWG) made up of county and municipal staff, environmental experts, local military installation staff, and members of the development community tasked with assessing issues and ideas related to sea level rise and resilience.
- Identify the sea level rise and climate change scenarios, based on the National Climate Assessment and other science-based documents, to use for planning purposes that can be incorporated throughout county policy and comprehensive planning. Use it to update the Long Term Resilience Strategy plan on an ongoing basis.
- Work collaboratively with municipalities, MCRD Parris Island, and MCAS Beaufort to develop science-based decision-points that inform future policy changes and actions.
- Apply for a grant to work with the University of South Carolina, College of Charleston, DNR, and the S.C. Sea Grant Consortium on conducting research that can inform the decision-point development process.

Strategy - Information Sharing & Communication

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Foster coordination among all partners and participants. Improve communication and connection among local government, state and federal agencies, and regional alliances and networks, to improve information sharing about flooding, sea level rise, and climate change effects.

Actions

- Work with S.C. Sea Grant Consortium, ACE Basin NERR, Clemson Extension, and other partners, to help foster better coordination and integration within county government departments on sea level rise and climate change.
- Develop and maintain relationships with MCRD Parris Island and MCAS Beaufort to build information sharing channels and coordinate resilience initiatives.
- Inform local decision makers and taxpayers about the impacts of increased risks of flooding, rain and storm impacts, and wind impacts on County infrastructure to build support for resilience initiatives.

Strategy - Expand Community-Level Science and Outreach Education

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Foster opportunities to learn about climate change science and impacts.

Actions

- Develop a county-level website that is a compendium of Beaufort County specific flooding and sea level rise information, including outreach materials, the sea level rise GIS portal, and other data sources. This website may count as Community Rating System outreach credit if National Flood Insurance info is included.
- Develop a flood, sea level rise, and climate change impacts education roadshow program to connect with community groups, homeowners' associations, and professional organizations not already served by existing programs, and other similar organizations for community outreach and education.
- Work with S.C. Sea Grant Consortium, DNR, the ACE Basin NERR, MCRD Parris Island, MCAS Beaufort, Port Royal Sound Foundation, and other partners to develop public outreach materials.
- Work with other outreach-serving organizations in the County to train them on including flood, sea level rise, and climate change impacts in their work. This helps expand the County's educational footprint.

Strategy - Integration with Emergency Management

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Fully incorporate and integrate future sea level rise and climate change impacts into emergency management and hazard mitigation plans.

Actions

- Invite the Emergency Management Division (EMD) to sit on the Coastal Resilience Working Group (CRWG).
- Collaborate and coordinate with EMD for selected CRWG members to join the Hazard Mitigation Planning teams.
- Partner with EMD, Beaufort County Planning and Zoning, S.C. Sea Grant Consortium, and

the College of Charleston’s Lowcountry Hazards Center to assist with incorporating sea level rise and climate change impacts into emergency management and hazard mitigation plans.

- Work with EMD to identify other vulnerable critical public facilities such as schools, government buildings, pump stations, electrical substations, and stormwater infrastructure that may need to be improved or relocated.

Strategy - Living Shorelines

MEDIUM PRIORITY—LOW EFFORT

Purpose: Continue working with SCDHEC/OCRM on the living shoreline permitting process.

Actions

- Work with the state to incentivize living shorelines and to ensure contractors are properly trained on siting and installing living shorelines.
- Identify and map where living shorelines can be effectively used, including recommendations about which types of living shorelines to use in different environmental conditions.
- Develop county-level policies to require property owners seeking to establish erosion control or edge protection to use living shorelines or green infrastructure rather than hard infrastructure such as bulkheads or revetments, unless impractical based on water and shoreline conditions.

5.2 Resilience Strategies: Study

Definition: Gathering scientific data and stakeholder information to support decision-making and developing plans that identify future policies and strategies to improve Beaufort County’s long-term resilience.

Measures of Success: Data and information collection that supports development of effective and appropriate policies and strategies is complete. We’ve developed a framework for proceeding with resilience actions. We’ve identified and developed preliminary policies and strategies.

2040 Comprehensive Plan Connections: NE 1.1, NE 3.1, NE 3.2, NE 3.3, StH 1.1, CF 1.1, CF 1.2

Strategy - Study Rainfall

HIGH PRIORITY—HIGH EFFORT

Purpose: Study how rainfall is changing, with a focus on extreme events, with the goal of helping to inform County and municipal stormwater standards.

Actions

- Work with the Office of the State Climatologist, the National Weather Service Charleston Office, and local military installations, non-profits, and others to engage residents in participating in the Community Collaborative Rain, Hail, and Snow Network (CoCoRaHS) program.
- Work with the Office of the State Climatologist, National Weather Service Charleston Office, S.C. Sea Grant Consortium, the Citadel, and College of Charleston Lowcountry Hazards Center on analyzing data.
- Work with other partners on exploring changes to the County's engineering standards for stormwater management.

Strategy - Better Characterize Local Tide Information

HIGH PRIORITY—LOW EFFORT

Purpose: Develop a program to monitor tide levels and conditions in Beaufort County's waterways to record sea level and tidal variations locally. Currently the County relies on tidal record data from Ft. Pulaski or Charleston, neither of which fully characterize conditions in the County.

Actions

- Work with partners to purchase and install tidal gauges at locations in Beaufort County. Possible locations could include the Whale Branch Bridge, the Broad River Bridge, and the bridge over Skull Creek at Hilton Head Island. Work with SCDOT to approve locations and installation.
- Learn from other S.C. coastal communities, such as Edisto Beach and Kiawah Island, about what they discovered in similar efforts.
- Seek partners to assist in funding and managing tidal gauges, including ACE Basin NERR, Palmetto Bluff Conservancy, Lowcountry Institute, S.C. Sea Grant Consortium, the College of Charleston, LCOG, MCRD Parris Island, and MCAS Beaufort.
- Explore partnerships to collect and manage data, and help maintain the gauges for the duration of the research projects.

- Work with research partners to analyze tidal data collected in Beaufort County to develop a suite of data products aimed at improving tidal flooding forecasting and high water marks.

Strategy - Plan for Water

HIGH PRIORITY—HIGH EFFORT

Purpose: Perform comprehensive water plans for vulnerable areas of the County to understand how water flows and learn how additional development and redevelopment can avoid creating or exacerbating flooding problems.

Actions

- Create a baseline for future development by studying and analyzing how stormwater, sea level rise, and storm surge interact in an area determined by geology and geological conditions. Study how wetlands will expand based on future environmental and weather conditions.
- Use the Stormwater Master Plan as a starting point for watershed-based planning and to investigate areas with flooding issues and poor soils for drainage.
- Map areas with geology and soil conditions that are conducive to development. Define parameters for areas appropriate for development and provide restrictions for those that are not. Identify incentives for directing development to appropriate areas. Use this map to inform the Coastal Resilience Overlay District.
- Generate a “water diet” to identify how much additional stormwater the studied area can manage to assist planners, developers, and engineers in understanding how development can occur in that watershed and how low-impact development and green infrastructure can reduce impacts.
- Consider partnering with appropriate entities, such as the College of Charleston, the S.C. Sea Grant Consortium, and other agencies for additional resources.
- Consider updating wetland protection ordinances to close gaps created by the changes to the Clean Water Act.

Strategy - Study Groundwater

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Study groundwater volume and salinity to help the County understand how various

services, such as water, sewer, and septic, are affected by rising sea levels and to help create timelines and decision points based on future projections.

Actions

- Work with the College of Charleston, University of South Carolina, SCDHEC, MCRD Parris Island, MCAS Beaufort, and other partners on characterizing groundwater volume and salinity, particularly in areas where agriculture relies heavily on groundwater for irrigation and other needs.
- Study and monitor the impacts of sea level rise and saltwater intrusion on groundwater supply. Work with the appropriate entities to do so.
- Work with USC, S.C. Sea Grant Consortium, and the College of Charleston to understand how sea level rise affects groundwater level and septic system functionality.
- Consider adopting watering and irrigation ordinances to promote the use of tertiary effluent reuse.
- Assess current codes and programs that already meet goals identified in sea level rise planning in order to ensure they are having the intended effects and consider the most up-to-date science.

Strategy - Identify Critical Infrastructure

HIGH PRIORITY—LOW EFFORT

Purpose: Define what counts as critical infrastructure for sea level rise planning in public, private, and quasi-public areas. Identify locations and any existing coordination between public and private entities for maintaining or upgrading critical infrastructure to meet future conditions.

Actions

- Map and analyze locations of existing vulnerable critical infrastructure and examine with projected future conditions. This includes developing an inventory of low-lying public facilities and infrastructure, including roads, sewer, water, public buildings, and stormwater infrastructure.
- Develop a strategy to retrofit the most vulnerable existing critical infrastructure facilities. Examples include raising structures or installing flood-proofing systems.

- Work with EMD and other local government officials to develop a risk rating system for existing critical facilities and roads.
- Evaluate whether facilities most at risk should be relocated in full or mitigated on existing sites.

Strategy - Identify Critical Roads

HIGH PRIORITY—LOW EFFORT

Purpose: Map and prioritize low-lying roads and causeways for protection and/or elevation as necessary.

Actions

- Develop inventory of low-lying roads that experience or have the potential to experience disruptive tidal and stormwater flooding.
- Develop prioritization criteria based on the importance of roadway improvements on such factors as average daily traffic counts (ADTs), lack of alternative routes, and importance of roadway for evacuations.
- Consider establishment of a minimum elevation requirement for new roads and road improvements.
- Develop policies for road construction elevation in the County to ensure sufficient future drainage and access during storms. Ensure other building policies support these efforts.

Strategy - Local Government Intervention

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Develop criteria for identifying when the County intervenes, either through policy and/or funding regarding flooding and sea level rise impacts to public, quasi-public, and private infrastructure and individual properties to ensure equitable and proportional responses.

Actions

- Study and develop criteria based on income and other means.
- Study and identify funding streams and opportunities other than FEMA.
- Explore whether participation criteria includes public benefit in exchange for participating

in a buyout-program. Public benefits include beach and water access, wetland restoration for flood water storage, or similar type benefits to public good.

Strategy - New Public Facilities & Capital Improvements

HIGH PRIORITY—LOW EFFORT

Purpose: Develop policies that require the design and location of future capital improvements and critical infrastructure to account for projected sea level rise and lifespan of structure, as well as promoting energy efficiency and reduced carbon footprint.

Actions

- Coordinate with EMD on design and location of future critical infrastructure.
- Work with S.C. Sea Grant Consortium, MCRD Parris Island, MCAS Beaufort, BJWSA, and others to convene a Public Service Working Group exploring sea level rise and climate effects on drinking water supply/distribution and sewer service.
- Coordinate with Beaufort-Jasper Water and Sewer Authority and public service districts on Hilton Head.

5.3 Resilience Strategies: Action

Definition: Beaufort County and related jurisdictions are adopting and implementing the policies and strategies identified in the Study stage.

Measures of Success: Various policies and protocols that improve Beaufort County's long-term resilience are implemented. Buildings are higher and safer. Infrastructure is being made more resilient. Resilience is being put into action.

2040 Comprehensive Plan Connections: NE 4.1, NE 4.2, CF 3.1

Strategy - Build More Resiliently

HIGH PRIORITY—HIGH EFFORT

Purpose: Retrofit existing and place future utilities and critical infrastructure out of harm's way.

Actions

- Adopt a policy to discourage the use of engineered on-site septic systems in low-lying areas and in hydric soils by limiting density of residential development that is not on public sewer.

- Partner with DOT to retrofit the priority low-lying roads and causeways for protection and/or elevation as necessary. Whenever possible, replace low-lying causeways with bridges.
- Design and construct future capital improvements and critical infrastructure to account for projected sea level rise and lifespan of structure, as well as promoting energy efficiency and reduced carbon footprint.
- Retrofit most vulnerable existing critical infrastructure facilities.
- Periodically evaluate policies related to Base Flood Elevation (BFE) based on emerging scientific evidence and changing conditions in the future.

Strategy – Coastal Resilience Overlay

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Adopt a coastal resilience overlay district that corresponds with areas in the 100-year and/or 500-year flood plain. Initial purpose of the district is to require informational disclosure to property buyers.

Actions

- Determine the appropriate criteria for the district. Initial focus should be on full real estate disclosure when property is transferred in low-lying areas. Disclosure should discuss the history of flood impacts and potential for future impacts.
- Remap the district after additional sea level monitoring work and water plan development occurs to recognize the combined impacts of sea level rise, king tides, and increased rainfall. The district should incorporate modifications to existing development standards.
- Develop a set of policies to require new infrastructure to be located outside of the Coastal Resilience Overlay district, unless deemed necessary.

Strategy – Protect Low-Lying Properties

HIGH PRIORITY—MEDIUM EFFORT

Purpose: Continue to promote smart growth principles of favoring infill and redevelopment over sprawl while recognizing that low-lying properties should not be targeted for intense development regardless of their location.

Actions

- Identify low-lying properties that serve important drainage and stormwater function based on elevation and soils.
- Utilize the Rural and Critical Lands Preservation or the Green Space programs to identify and preserve land best suited for future marsh migration. Leverage non-county funding through programs like the Lowcountry Sentinel Landscape and REPI.
- Develop a plan for targeting the most critical and vulnerable infill properties that serve important drainage and stormwater functions for acquisition or transfer of development rights.
- Develop policies that factor a property's suitability for development into future decisions on zoning amendments. Suitability for development should include factors such as elevation, soils, and vulnerability to sea level rise.
- Explore developing a County-run repetitive loss/severe repetitive loss buyout program. Consider revising definitions under the Rural and Critical Lands Preservation or the Green Space programs to target severe repetitive loss properties, low-lying and poorly drained lots, and lands suitable for future marsh migration.

5.4 Resilience Strategies: Reassess

Definition: Checking in to see if the policies and strategies are working as intended. Continuously examining scientific data that informs ongoing work under the Awareness, Study, and Action stages.

Measures of Success: Continuous examination of what we have implemented to ensure we are achieving the intended outcomes. Ongoing revision of plans, policies, and actions to incorporate the most recent scientific data necessary to inform effective resilience actions.

Strategy - Assess Current Codes and Programs

HIGH PRIORITY—HIGH EFFORT

Purpose: Examine and analyze existing codes and programs that have been implemented to meet the goals of identified sea level rise planning.

Actions

- Monitor and update policies and practices based on ongoing collection or study of tide levels, ground water volume and salinity, and rainfall.
- Reassess criteria for when the County intervenes, either through policy or funding regarding flooding and sea level rise impacts to public, quasi-public, and private

infrastructure and individual properties to ensure equitable and proportional responses.

- Monitor the application of the Southern Lowcountry Stormwater Ordinance and Design Manual and make necessary adjustments to the manual as revealed by new development and available science.
- Update the Coastal Resilience Overlay and policies that address how vulnerable critical infrastructure facilities are retrofitted and that require the design and location of future capital improvements and critical infrastructure to account for projected sea level rise and lifespan of the structure.
- Reassess criteria for retrofitting the most vulnerable existing critical infrastructure and for developing policies that impact the design and location of future capital improvements and critical infrastructure to account for updated projections of sea level rise and the lifespan of the structure, as well as promoting energy efficiency and reduced carbon footprint.

Section 6. Snapshot of Current Activities

Beaufort County is already working to address the flooding impacts caused by sea level rise, weather events, and compounded by development. The County has long held buffer requirements to keep buildings out of the path of coastal flooding and allow for marsh migration. In 2020, the County adopted an ordinance to regulate where and how much fill-dirt can be used to elevate low-lying areas on Lady's Island, which the County intends to expand. In 2019, the County adopted an ordinance to limit density in areas where sewer is not available. In 2021 and 2022, the County installed tide gauges in partnership with the Port Royal Sound Foundation and the Fripp Island Nature Center to begin collecting more localized and accurate tide data for the County. In 2021, the County updated its comprehensive plan, intentionally interweaving resilience throughout its ten elements to inform practices and policies across all aspects of life in the County.

The County also is a partner in a NOAA-funded project that will study groundwater impacts to underground infrastructure in four target areas. Researchers with the University of South Carolina, College of Charleston, S.C. Dept of Natural Resources, and the S.C. Sea Grant Consortium will use groundwater level data to work with the County and residents to identify specific challenges and help create detailed resilience planning in these areas. The target areas include St. Helena Island, Shellpoint, Mossy Oaks, and Alljoy.

Finally, in 2023, an interdepartmental group comprised of County staff motivated to improve community resilience coalesced. This group has been working to identify ways the County can internally improve resilience. Specifically, this group's goals are to preserve and protect County assets through two primary pathways: making resilience improvements to existing

infrastructure now, and incorporating resilience considerations at the outset of planning for future projects. Their priorities support, validate, and expand recommended strategies identified in this document. See **“Appendix D: Resilience Strategies Identified by Beaufort County Departments” on page 43** to learn more about this staff-led initiative and the specific strategies that have been identified by and for each department involved.

Section 7. Conclusion

Like many coastal areas in South Carolina, Beaufort County will experience impacts from sea level rise and extreme weather events. Fortunately, the County’s Sea Level Rise Task Force has worked to understand the projected future impacts in order to provide proactive strategies to bolster resilience. This report details actions we can take over the next decade to mitigate the most impactful consequences of sea level rise and better ensure the success of operations and livability here in Beaufort County over the next several decades.

Section 8. Glossary

ACE Basin: A vast estuary and tidal marsh in Colleton, Beaufort, and Charleston counties where the Ashepoo, Combahee, and Edisto rivers converge into the St. Helena Sound. It is one of the largest undeveloped estuaries on the east coast.

Annual Return Interval (ARI):

- 50-year storm: An event that has a 2 percent chance of occurring in any given year.
- 100-year storm: An event that has a 1 percent chance of occurring in any given year.
- 200-year storm: An event that has a 0.5 percent chance of occurring in any given year.
- 500-year storm: An event that has a 0.2 percent chance of occurring in any given year.
- 1,000-year storm: An event that has a 0.1 percent chance of occurring in any given year.

Datum: A fixed point on a scale that determines a baseline for various types of measurements, such as the North American Vertical Datum or NOAA's Mean Sea Level datums. These points vary based on location.

Emissions Scenarios: Future sea level rise estimates based on varying carbon emission output scenarios that could reasonably occur within a given time frame as a result of human activities. The amount of carbon emissions released into the atmosphere has an impact on the amount of sea level rise anticipated. The more carbon emitted, the higher the levels of sea level rise.

Groundwater: Water found below the surface of the earth, taking up space between soil particles and rocks. Groundwater is found in multiple layers, sometimes referred to as the water table or an aquifer.

King Tide: An especially high tide that typically corresponds with the alignments of the Earth, sun, and moon. These typically occur a few times a year, most notably in the spring and fall. The heights of these types of tides has increased due to sea level rise.

Mean Higher High Water (MHHW): A datum that marks the annual average of the daily highest high tide. Of the daily two high tides we experience, one is always higher than the other.

Mean Lower Low Water (MLLW): A datum that marks the annual average of the daily lowest low tide. Of the daily two low tides we experience, one is always lower than the other.

Mean Sea Level (MSL): A datum that marks the average sea level, with extreme variations and storm surges averaged out of the calculation.

Rain Bomb: Term used to describe a sudden, large amount of rainfall recorded in an area over a short period of time, often resulting in flash flooding. These can be difficult for weather

forecasters to predict because they often happen over small areas.

Resilience: The ability of communities, economies, and ecosystems to successfully overcome and adapt to environmental changes and natural hazards.

Saltwater Intrusion: The movement of salt water into fresh water aquifers, which can lead to contamination of drinking or agricultural wells.

Sea Level Rise: An increase in the volume of the ocean due to a variety of factors, such as thermal expansion (warmer water takes up more space), melting glaciers in Antarctica and Greenland, and slowing down of large ocean currents. This results in more frequent tidal flooding.

Spring Tide: Slightly higher than average high tides that correspond with the new and full moon phases. These tides happen at least twice a month.

Storm Surge: A temporary rise in the surface level of the sea associated with storms, caused by wind and changes in atmospheric pressure; can cause extreme flooding and damage.

Tidal Epoch: A 19-year cycle that NOAA uses to calculate datums such as Mean Sea Level and Mean Higher High Water. The 2000 tidal epoch is based on records from 1983 to 2001. Tidal epochs are reconsidered for revision every 20-25 years.

Tidal Flooding: A temporary inundation of water caused by higher-than-usual tides. This type of flooding is becoming more frequent as sea level rise creates higher high tides. Also known as “sunny day flooding” because tidal flooding is not associated with or caused by rain. However, tidal flooding can be compounded by rain.

“Total Water Level” Approach: A way of visualizing future water levels by combining tidal variation and wave movements with sea level rise projections. Sea level rise projections are represented in mean heights above mean higher high tide and do not fully symbolize how tide levels will appear in real life.

Tropical Cyclone: Fast moving storm system that forms over oceans, fueled by warm, moist air and typically characterized by a low-pressure center, strong winds, and heavy rain.

Vertical Land Movement (VLM): A generic term for all processes that impact land elevation fluctuations at given locations (i.e. tectonic movements, subsidence, ground water extraction).

Vibrio: *Vibrio* refers to a strain of bacteria that thrives in warm salt and brackish water environments. It can cause human illness called vibriosis that can be contracted by eating raw or improperly cooked shellfish or through salt or brackish water exposure to open wounds.

Appendix A: A Detailed Look at Tidal Flooding Records at the Ft. Pulaski Gauge

Tidal records at the Ft. Pulaski gauge are kept by NOAA's National Ocean Service. The National Weather Service office in Charleston has developed a database of flooding records at the gauge and has posted it on its website. The database solely counts events, or each time a tide reaches the designated minor, moderate, or major flood thresholds. Records go back to 1935 for the Ft. Pulaski gauge. In **Table 3**, records since 2000 are listed by threshold level.

Table 3: Annual Flood Events Since 2000 at the Ft. Pulaski Gauge

| Threshold | Minor (9.5-9.99 ft) | Moderate (10.0-10.49 ft) | Major (10.5+ ft) | Total Flood Events by Year |
|-----------|------------------------|-----------------------------|---------------------|----------------------------------|
| 2000 | 0 | 0 | 0 | 0 |
| 2001 | 2 | 1 | 0 | 3 |
| 2002 | 3 | 0 | 0 | 3 |
| 2003 | 1 | 0 | 0 | 1 |
| 2004 | 0 | 0 | 0 | 0 |
| 2005 | 1 | 0 | 0 | 1 |
| 2006 | 0 | 0 | 0 | 0 |
| 2007 | 4 | 0 | 0 | 4 |
| 2008 | 1 | 0 | 0 | 1 |
| 2009 | 2 | 2 | 0 | 4 |
| 2010 | 1 | 0 | 0 | 1 |
| 2011 | 0 | 0 | 0 | 0 |
| 2012 | 9 | 0 | 0 | 9 |
| 2013 | 1 | 0 | 0 | 1 |
| 2014 | 1 | 0 | 0 | 1 |
| 2015 | 14 | 1 | 0 | 15 |
| 2016 | 11 | 1 | 1 | 13 |
| 2017 | 4 | 0 | 1 | 5 |
| 2018 | 3 | 2 | 0 | 5 |
| 2019 | 12 | 3 | 0 | 15 |
| 2020 | 13 | 2 | 0 | 15 |
| 2021 | 4 | 3 | 0 | 7 |
| 2022 | 10 | 2 | 0 | 12 |
| 2023 | 18 | 3 | 0 | 21 |

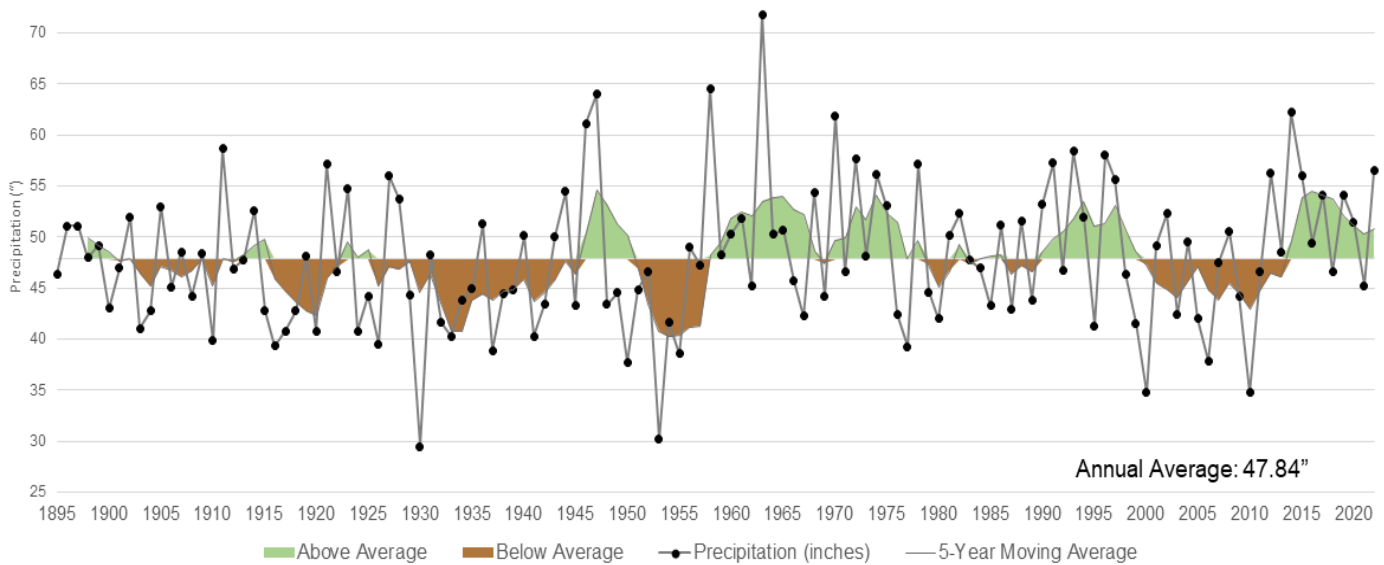
Source: National Ocean Service, [National Weather Service](#)

Appendix B: Annual Precipitation Records from the S.C. Office of the State Climatologist

Assessing precipitation changes over the long term can be challenging due to a lack of long-term recording stations and the highly localized nature of rainfall. For the purposes of this report, we're using two separate recording methods to highlight how rainfall patterns may or may not have changed. Examining a larger area has more statistical significance than a single location. The National Climatic Data Center and the S.C. Office of the State Climatologist use climate regions to better examine averages over the long term. The Southern Climate Division in South Carolina comprises of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Jasper, and Hampton counties.

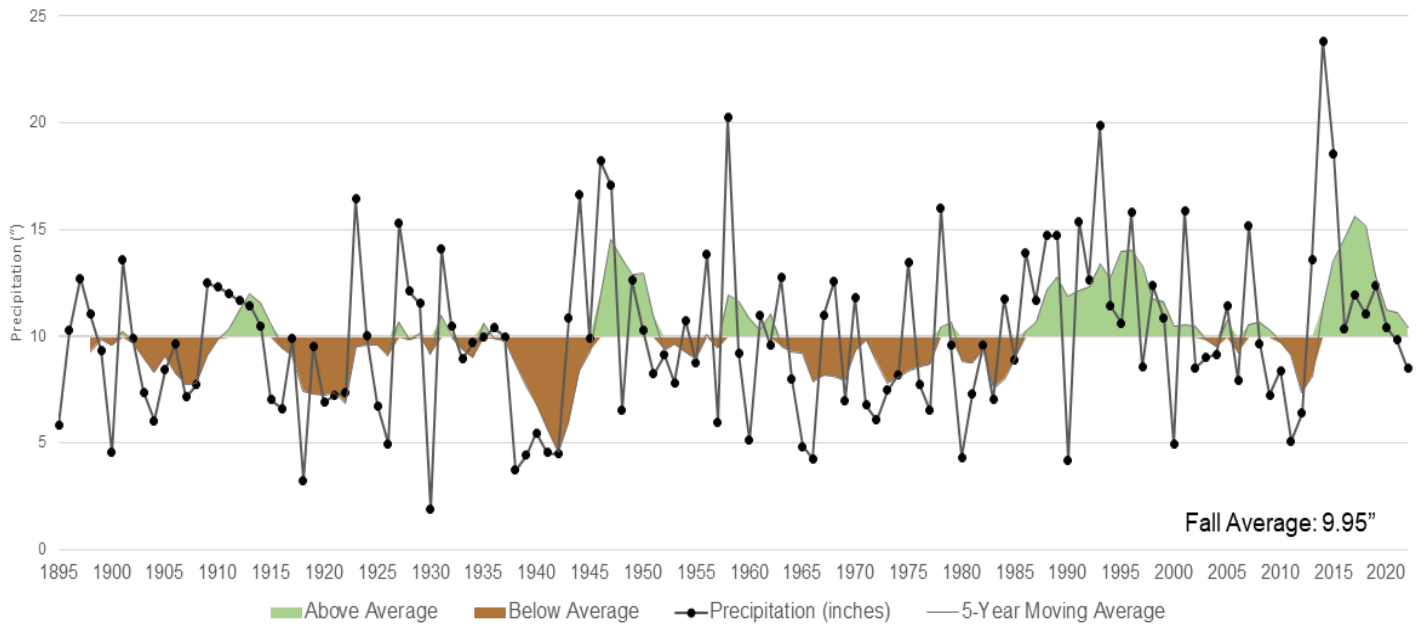
As illustrated in **Figure 7**, there is no defined trend in changes in annual precipitation. There is a slight trend showing an increase in average precipitation in meteorological fall, which is September, October, and November, illustrated in **Figure 8**.

Figure 7: Southern Climate Division Annual Average Precipitation (1895-2023)



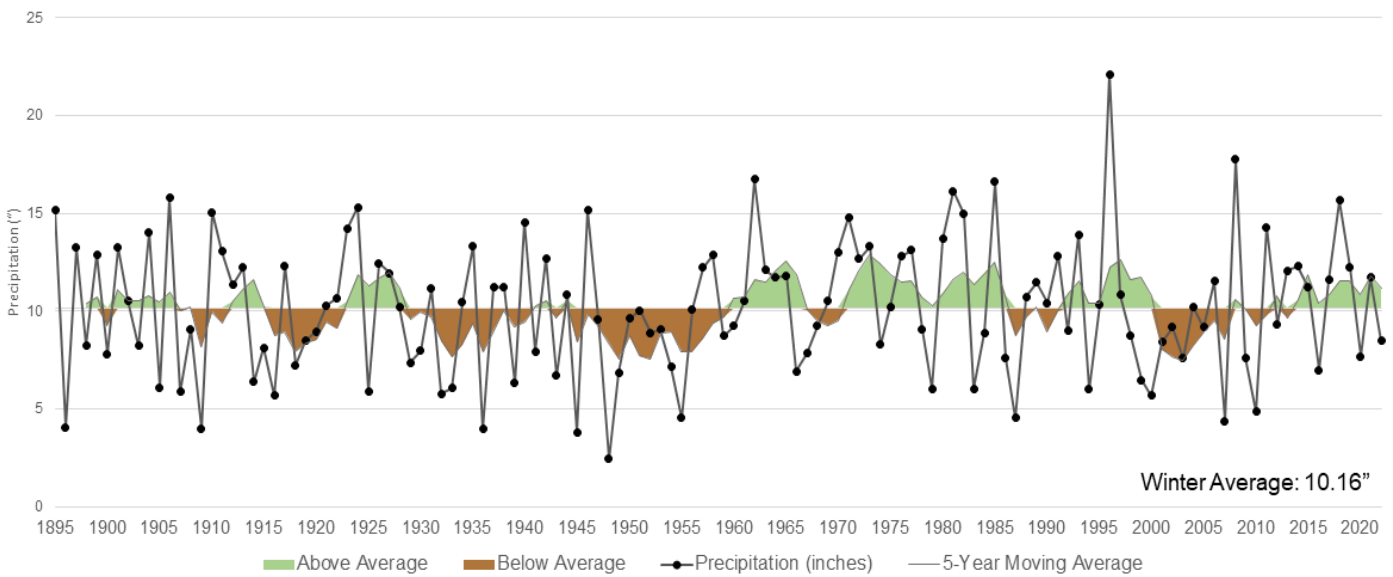
Source: Office of the State Climatologist/DNR

Figure 8: Southern Climate Division Fall Average Precipitation (1895-2023)



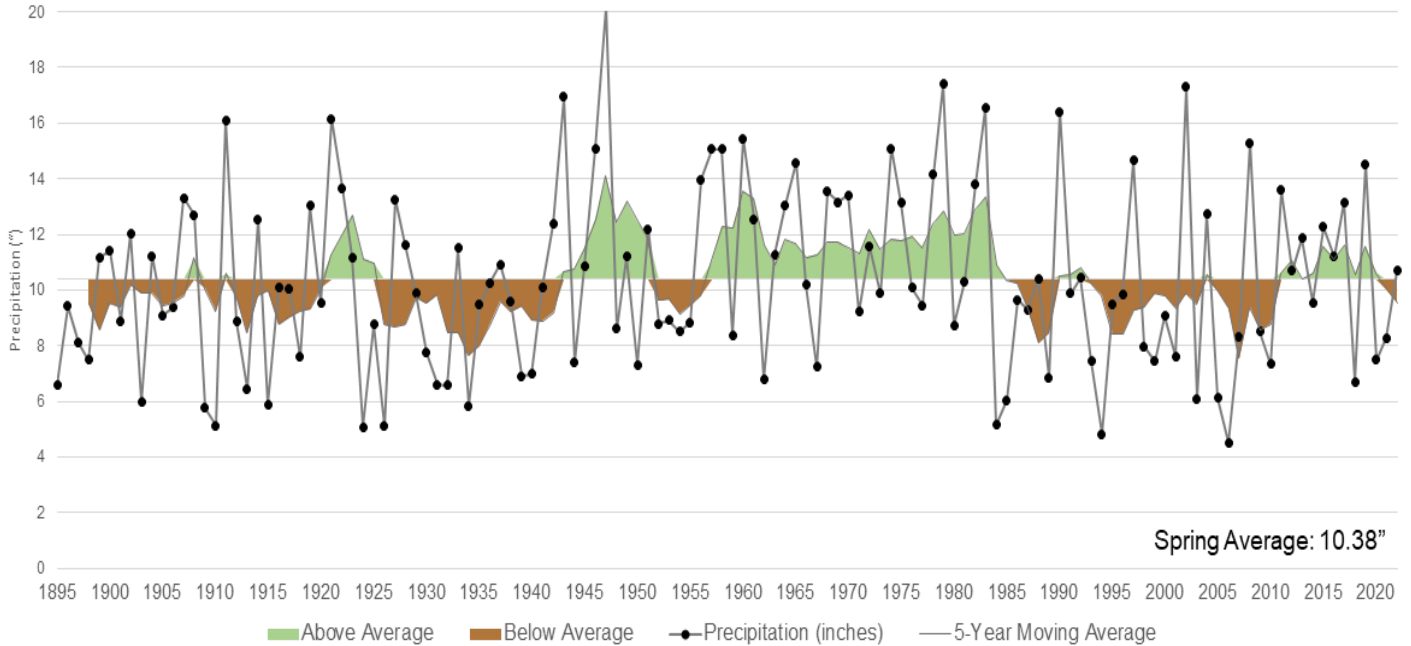
Source: Office of the State Climatologist/DNR

Figure 9: Southern Climate Division Winter Average Precipitation (1895-2023)



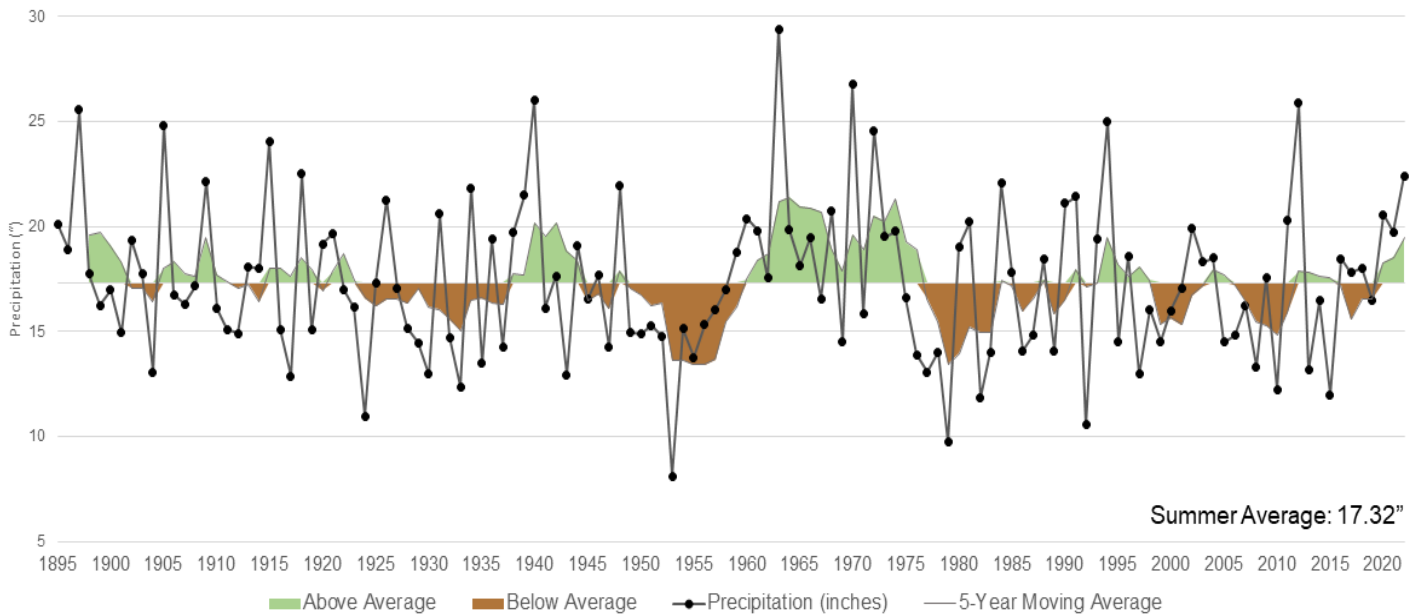
Source: Office of the State Climatologist/DNR

Figure 10: Southern Climate Division Spring Average Precipitation (1895-2023)



Source: Office of the State Climatologist/DNR

Figure 11: Southern Climate Division Summer Average Precipitation (1895-2023)

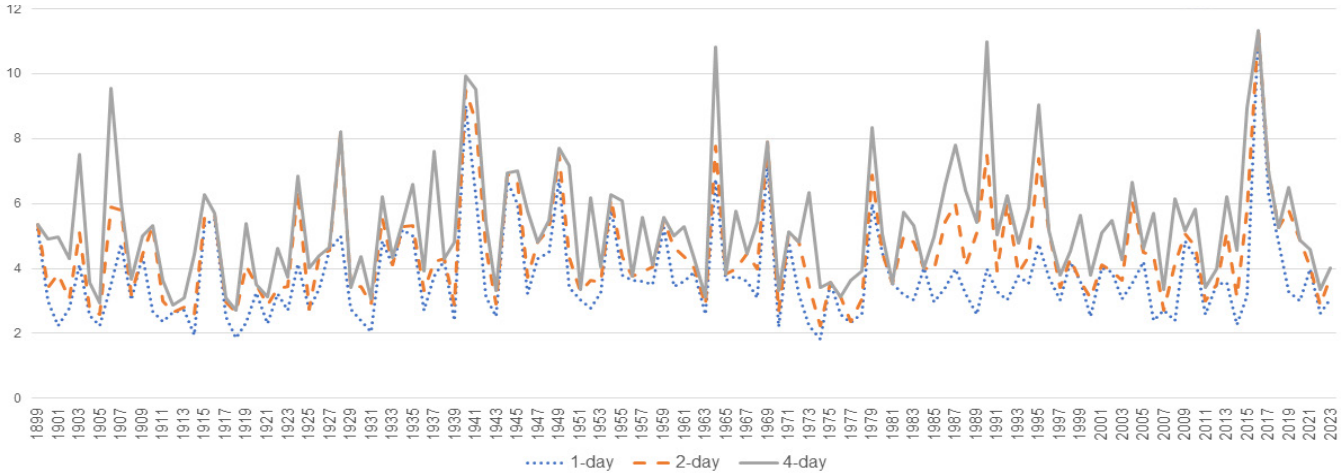


Source: Office of the State Climatologist/DNR

By zooming in to the long-term recording site at Yemassee, we can examine changes to daily maximum rainfall totals as a measure of how extreme precipitation may or may not be

changing. There is no real trend in the 1-day or 2-day maximum rainfall totals. Yet, there is a slight upward trend in 4-day maximum rainfall totals, as seen in **Figure 12**, which shows rain fall totals per year for 1-day, 2-day, and 4-day periods from 1899 to 2023.

Figure 12: Yemassee 1-day, 2-day, and 4-day Maximum Rainfall Totals



Source: Office of the State Climatologist/DNR

Appendix C: Sea Level Rise projections for South Carolina

Future rates of sea level rise vary depending on location for a number of reasons. The Sea Level Rise and Coastal Flood Hazard Scenarios and Tools Interagency Task Force, comprised of National Aeronautics and Space Administration (NASA), NOAA, Environmental Protection Agency, U.S. Geological Survey, and U.S. Army Corps of Engineers, downscaled the global sea level rise projections developed for the Fifth National Climate Assessment for the NOAA CO-OPS tidal gauges around the country. These calculations were incorporated into the Interagency Sea Level Rise Scenario Tool. The data for the Ft. Pulaski gauge is in Table 4 and is based on the sea level in 2000. Links to both the Scenario Tool and the NOAA 2022 report that forms the scientific basis for these projection curves are at the bottom of the table.

Table 4: NOAA 2022 Sea Level Rise Projections for Ft. Pulaski Gauge (in meters)

| Year | Low | Int-Low | Intermediate | Int-High | High |
|------|------|---------|--------------|----------|------|
| 2030 | 0.18 | 0.20 | 0.21 | 0.22 | 0.22 |
| 2040 | 0.25 | 0.28 | 0.30 | 0.33 | 0.35 |
| 2050 | 0.31 | 0.36 | 0.40 | 0.46 | 0.51 |
| 2060 | 0.37 | 0.43 | 0.51 | 0.63 | 0.75 |
| 2070 | 0.42 | 0.51 | 0.63 | 0.84 | 1.03 |
| 2080 | 0.45 | 0.58 | 0.79 | 1.07 | 1.38 |
| 2090 | 0.49 | 0.66 | 0.97 | 1.35 | 1.75 |
| 2100 | 0.54 | 0.73 | 1.19 | 1.64 | 2.14 |
| 2150 | 0.76 | 1.15 | 2.17 | 2.74 | 3.79 |

Source: [Interagency Sea Level Rise Scenario Tool](#); NOAA, et al 2022

Appendix D: Resilience Strategies Identified by Beaufort County Departments

The interdepartmental group of staff members working to achieve a more resilient future for Beaufort County is comprised of representatives from the Planning & Zoning Department, Engineering Department, Capital Improvements and Facilities Management Departments, and the Public Works Department. This group has been working to identify ways Beaufort County can protect and preserve its assets as a starting point to addressing resilience within the County. Below are department-specific contributions to the Long-Term Resilience Strategy that were developed by the group. While each department identified slightly different strategies, a common theme across all departments is to improve the resilience of County-owned infrastructure and facilities.

Introduction

Beaufort County owns and maintains diverse public infrastructure, including public boat landings, fishing piers, roads, libraries, stormwater systems, bridges, causeways, government buildings, swimming pools, airports, recreation centers, parks, multi-use pathways and sidewalks, public safety facilities, solid waste facilities, and more. Managing these facilities is extremely complex and doesn't end once a facility has been designed and constructed. Post-construction, County staff continually maintain, assess, and upgrade facilities as needed. While local building codes, which reflect International Building Code requirements, require that some current environmental conditions be considered from the outset of design in order to increase the longevity of the facility, changing environmental conditions are exerting additional pressures that haven't been planned for. These changing conditions reduce the lifespan of facilities and

increase the cost of routine maintenance, renovations, and upgrades when systems fail. Such realities are motivating County staff to proactively address resilience to account for future conditions as a part of both planning new and renovating existing County-owned infrastructure.

To begin to address these needs, staff have compiled specific strategies their departments can accomplish, like vulnerability assessments and creating policies to consider resilience during the planning phase of projects. While these strategies may initially increase the financial burden of supporting infrastructure, it will reduce costs over the life of the facilities.

Facilities Management and Capital Projects

Several environmental factors are putting pressure on County-owned buildings. Rising tides, higher intensity rainfall events, higher intensity winds, and increased risk of tropical cyclones all take a toll on existing County-owned buildings. These factors also impact how we site and build future County-owned buildings for public or emergency use, ranging from libraries to fire stations. Such realities will limit where we build and may require the County to reject more cost-effective parcels of land that are threatened by environmental changes in favor of a better suited site, like those that are free of localized flooding and maintain accessibility during a storm event, now and in the future.

Higher intensity rainfall events have additional impacts on County-owned buildings, other than flood risks. These events result in larger amounts of water over shorter durations and stronger winds than the weather patterns we are used to seeing. Many of our County-owned buildings have near-flat roofs with drains and internal piped gutter systems that can be quickly overwhelmed by intense rain events. They require routine maintenance to remain free flowing and clear of debris, and higher intensity events will increase the frequency of these maintenance activities. Where more intense rainfall will more frequently impact the function of roofing and draining systems, wind-driven rain will threaten the entire building. The entire building envelope, including the roof, windows, soffits, and foundations, can be subjected to water infiltration when wind pushes rain into places typically protected from water.

The potential of damage from all of these environmental factors, wind, rain, and flooding, become heightened during a tropical event, like hurricanes. It's because of this reality that local building codes require higher design standards for both wind and flood protection than found in other parts of the country. Maintaining and adhering to higher design standards minimizes the risk of damage during an event, and further bolstering those standards to consider future conditions through our own policies lengthens the life of our county-owned buildings. However, meeting the current local codes, and raising our standards beyond them, carries a higher construction and operational cost.

Resilience Strategies: Awareness

Strategy - Expand Community-Level Science Outreach and Education

Purpose: Clearly communicating with the public and leadership at Beaufort County about the pressures facilities currently face, the anticipated effects of future conditions, and the costs of building to a higher standard with the goal of forming a foundation of support needed to fund and improve the resilience of our building infrastructure.

Actions

- Work with the Public Facilities Committee to bring them important information about the condition of our buildings and the need to assess their vulnerability to future conditions.

In 2021, the County completed a Facility Master Plan. This plan focused on the growth of staff and the need for expanded facilities and additional employee campuses to accommodate a growing team. A similar assessment needs to be completed for county facilities to assess their current condition and their vulnerability to future environmental forecasts in order to improve facility longevity and integrity, especially when faced with increasing pressures. To fully understand the scope of upgrades necessary to make our buildings more resilient, as well as the expected cost of doing so, we must conduct a Facility Condition and Vulnerability assessment.

Resilience Strategies: Study

Strategy - Identify Critical Infrastructure

Purpose: To utilize a Facility Condition and Vulnerability Assessment to determine how existing County-owned buildings can or cannot withstand projected weather conditions.

Actions

- Allocate funding with a request in the Capital Improvements Plan to hire professional consultants who will inventory each of our existing facilities, assessing their current condition and vulnerability to future weather and tidal conditions. This team would be expected to document the design and nature of each building system (e.g. roof, HVAC, foundation, generator, etc.) and determine each building's current age, condition, and rehabilitation needs for current and future environmental conditions. The result of this effort would be a prioritized list of rehabilitation needs and upgrades with cost estimates to be tackled over short- and long-term implementation plans.

Resilience Strategies: Action

Strategy - Build More Resiliently

Purpose: To develop and maintain resilient facilities and staff to support them.

Actions

- Implement the recommendations from the Facility Condition and Vulnerability Assessment.
- Develop a well-trained, resilience-aware workforce on resilient procedures and policies, providing resources and information, so staff can make decisions and take actions to effectively implement the Facility Condition and Vulnerability assessment recommendations.
- Closely coordinate with the Finance, Procurement, Building Codes, Public Works, Engineering, Planning & Zoning, and Human Resources departments to maintain a properly trained workforce, resilient facilities, and the facilities' associated operational needs.
- Implement improved building and design regulations to ensure we begin planning for resilience at the outset of the planning phase of new projects, thereby reducing the impact of costly upgrades and renovations in the future.

Planning for and incorporating resilience into our initiatives isn't a one-time process. It's cyclical and will need to be periodically revisited. We will need to regularly assess the actions we've taken to improve our County-owned facilities' resilience to ensure our upgrades are properly working, new technologies and data are incorporated, and additional changes are made as needed. We must constantly be intentional about incorporating resilience into our facilities.

Resilience Strategies: Reassess

Strategy - Assess Facilities and Programs

Purpose: To continually improve education campaigns, training programs, and our facilities by assessing what's in place and adapting it based on the most up-to-date science and knowledge.

Actions

- Periodically communicate with County elected leaders and staff about resilience initiatives and how they strengthen our planning, designing, construction, and operation of County-owned buildings.
- Regularly host staff training sessions incorporating the most recent data to inform and improve resilience initiatives.

- Conduct a Facilities Condition and Vulnerability Assessment every three to five years to stay current and ahead of the curve. Make sure to consider growth projections, as these will impact the need for new facilities in the County. Even if conditions or needs go unchanged, a reassessment will provide opportunities to update cost estimates and adjust priorities.

Engineering Department

In many ways, a jurisdiction's most expensive and important asset is its roadway system. Roadway systems enable the safe and efficient transport of goods and people. While allowing for commerce, they also provide safe evacuation routes during natural disasters. Beaufort County maintains more than 200 miles of paved roadways and over 70 miles of unimproved roadways. The County's municipalities, along with SCDOT, own and maintain the remainder of the public network, which is more than double the size of the County's. As the County feels the effects of climate change, including rising tides and more extreme rainfall events, its roadway system becomes more exposed to the risk of flooding. Given that our community is comprised of numerous sea islands and barrier islands served by causeways or bridges, and many of our other roads occur at low-lying elevations or are constructed on embankments that cross marshlands, the resilience of our roadway system impacts most of our community. If it's not already occurring, these roadways are at risk of over-topping or other failures in the future. For much of our community, these roadways provide the only viable evacuation route in the event of a hurricane or are the only connection to everyday needs, like grocery stores, medical facilities, and schools. They are literal lifelines in both good and bad times. It is necessary that we develop strategies to prevent the degradation of our roadways, our most valuable asset.

The entire state of South Carolina is feeling widespread impacts of climate change. In response to several years of destructive weather events related to changing environmental conditions, South Carolina created the South Carolina Office of Resilience (SCOR), who developed and published a Statewide Resilience and Risk Reduction Plan. While this plan identifies many strategies, it does not directly address infrastructure. We can look to other states and entities for examples of resilient road and transportation planning, though. The Virginia Department of Transportation has developed a Resilience Plan for their transportation network, going so far as creating an Office of Transportation Sustainability. The Delaware Department of Transportation has created a Division for Transportation Resilience and Sustainability. Other states along the Atlantic coast, including Florida and North Carolina, have also made investments in resilience, including creating dedicated departments and strategic plans. At the federal level, the U.S. Department of Transportation, Federal Highway Administration, U.S. Army Corps of Engineers, Department of Defense, and National Oceanic and Atmospheric Administration are all working toward improving infrastructure to be more resilient. Many guiding documents and programs

have been established through these agencies, accompanied by substantial increases in funding opportunities for resilience that our County can leverage for our own local projects.

Understanding the growing risks our infrastructure faces, the Beaufort County Engineering Department is developing a holistic approach to resilience that will address all of our engineering projects. Balancing the need to create and promote resilient infrastructure while being fiscally responsible and maintaining current levels of service will be challenging. The following emphasis areas will be incorporated into our resilience initiatives.

Resilience Strategies: Awareness

Strategy - Expand Community-Level Science Outreach and Education

Purpose: To ensure stakeholders, like elected officials, municipal groups, local non-profit organizations, and more, are aware of the need to incorporate resilience in transportation and roadway projects.

Actions:

- Work with stakeholders and advocacy groups to develop a coalition dedicated to sustainability and resilience in the local infrastructure network.

Beaufort County has an opportunity to become a leader in regional resilience. Due to our unique geography, location, and assortment of stakeholders, we can become an example of productive regional cooperation. Much of this work has already begun and is ongoing. Between the various conservation groups, municipal planning organizations, cultural organizations, the Department of Defense, and other stakeholders, there are many existing research and planning documents that can be built upon.

Resilience Strategies: Study

Strategy - Identify Critical Roads

Purpose: To determine our roadway network's ability to withstand future environmental conditions and identify new, resilient techniques for incorporation into projects.

Actions:

- Within one year, conduct a Vulnerability Assessment of at-risk infrastructure and develop an implementation plan based on the assessment.

As required in the Comprehensive Plan and reiterated in the Long-Term Resilience Strategy, conducting a vulnerability assessment is one of the first steps toward improving the resilience of our County-owned infrastructure. This assessment should make sure to review, at a minimum, causeways, low-lying roadways, and culvert pipes. As part of the assessment, a

rating system shall be developed for project prioritization. The final deliverable will be a five-year implementation plan documenting recommended repair and estimated project costs.

Strategy - Identify Resilient Techniques

Purpose: Assess new techniques that can be incorporated into existing and future roadway projects to improve resilience.

Actions:

- Identify opportunities to utilize green infrastructure.

Green infrastructure uses more natural processes to achieve the same effect as “gray” infrastructure, which can negatively impact adjacent properties. Additionally, much more funding is available for projects incorporating green infrastructure, signaling a general interest in shifting toward these development techniques. Even without funding, the use of green infrastructure in lieu of gray infrastructure can reduce initial project costs. Examples include using living shorelines to protect vulnerable causeways instead of or in combination with gray infrastructure, like rip-rap. Green infrastructure projects also create opportunities for teaming up with other stakeholders through funding opportunities like the Department of Defense’s REPI Challenge program.

Resilience Strategies: Action

Strategy - Build More Resiliently

Purpose: Retrofit existing and place future utilities and critical infrastructure out of harm’s way.

Actions:

- Review future projects with resilience and sustainability in mind to incorporate these aspects early in the planning and design process.

By conducting resilience reviews during the planning and design process, we can identify areas to make projects more resilient, as well as sustainable. Identifying these opportunities for improvement early on and pairing them with a cost-benefit analysis will reveal the best long-term options for improving infrastructure. Many of our infrastructure projects possess a multitude of possibilities to incorporate resilience. Examples include: streetscaping projects with vegetated medians to provide opportunities to capture and treat stormwater, reducing localized flooding on roads and treating water before it impacts nearby salt marshes. Using vegetated slopes along causeways can slow the rate of erosion. Pervious pavement or geocell applications may lessen the impact of dirt road projects on the surrounding natural areas

and reduce the need for costly stormwater BMP installation.

- By the next funding window, establish a process to identify and pursue grant opportunities for funding resilience projects.

The recently passed Bipartisan Infrastructure Law (BIL) has opened multiple avenues of funding, making available billions of dollars for resilience initiatives. It has also created new programs that facilitate resilience projects. Many of these opportunities can be found through grant programs like FEMA BRIC, PROTECT, and NOAA Climate Resilience Regional Challenge Grants, among others.

- Within one year, establish a minimum roadway elevation.

Work with stakeholders to review tidal data and determine a minimum roadway elevation that takes into account current tide levels and anticipated sea level rise impacts. Develop an ordinance to adopt the new minimum as a part of County standards. Adapt existing at-risk County roads to the new standard.

- Become an Envision Certified entity within one year and have all projects evaluated for certification within two years.

ASCE, APWA, and ACEC created the Institute for Sustainable Infrastructure (ISI) in collaboration with Harvard University. The ISI established the envision program, which is a framework and rating system that reviews civil infrastructure projects and provides multiple levels of verification relating to both the resilience and sustainability of a project. Agencies and private entities can become Envision Certified, opening the door to additional benefits and project ratings.

Resilience Strategies: Reassess

Strategy - Continually Assess Techniques and Programs

Purpose: To ensure the most up-to-date science and building techniques are understood and used.

Actions:

- Work with researchers and vendors to test new products or techniques. Incorporate successful products or techniques into ongoing programs for future projects.

Beaufort County has already begun to build these relationships. The Engineering team has joined the CORE SC Infrastructure working group and has worked to build partnerships with organizations like The Ray. Through these partnerships, we can be a local driving force in

resilience and technological advancement in infrastructure. Additional opportunities may be present to work with organizations like NOAA, SC Sea Grant Consortium, and local higher education institutes to identify research opportunities to evaluate new technologies. Not far from Beaufort, Charleston County has led the way in this area and created an exemplary model for us to adapt to our own local needs.

Public Works Department

The Public Works Department is currently engaged in routine monitoring of County assets, including road infrastructure, bridges, boat landings, fishing piers, and drainage systems to determine the impacts of sea level rise. Each of these facilities is subject to tidal fluctuations that we experience today. Of particular concern are the impacts of King Tides, which currently bring water levels to above-average heights several times a year. As tides rise in Beaufort County, we will see normal daily tides that look like today's King Tides, and our infrastructure will become regularly exposed to the impacts of consistently higher water levels. The Public Works Department recognizes that proactively planning and budgeting for infrastructure improvement projects that take into consideration forecasted environmental trends will decrease the financial strain of acting after anticipated impacts begin degrading the integrity of our infrastructure. By taking action today, we can lessen the burden of a once-enormous financial outlay for capital projects in the future.

With this in mind, the Public Works Department has identified the following strategies as those most imperative to improving future resilience:

Resilience Strategies: Awareness

Strategy - Expand Community-Level Science Outreach and Education

Purpose: Conduct education campaigns targeting elected officials and citizens.

Actions:

- Continue to educate elected officials and citizens on the importance of planning for resilience.

Resilience Strategies: Study

Strategy - Identify Critical Infrastructure

Purpose: Identify critical infrastructure and determine how they withstand future environmental trends.

Actions:

- Most importantly, conduct a Vulnerability Assessment that identifies County-owned infrastructure that's in need of improvement to prolong its functional life considering anticipated worsening environmental trends. Use the results of the assessment to prioritize infrastructure upgrades and adaptation projects, then implement the recommendations.

Resilience Strategies: Action**Strategy - Build More Resiliently**

Purpose: Improve standards, policies, planning, and design procedures to improve how we build.

Actions:

- Review and improve County standards and policies to address resilience related initiatives. These standards may improve our current building codes, floodplain policies, stormwater management practices, and engineering standards.
- Review and improve County facilities to accommodate resilient design. This is not only important for the general maintenance and management of our current facilities, but also sets an example for our community and neighbors.

Resilience Strategies: Reassess**Strategy - Continually Assess Techniques and Programs**

Purpose: Continually review the vulnerability status of facilities.

- Supplement the work being conducted by the Planning & Zoning department by implementing cyclical reviews of facilities and adapting for resilience.

To jump-start this process, the Department has already begun identifying infrastructure it suspects or knows to be at risk of current tidal conditions and, especially, future anticipated conditions. These facilities are Paukie Island Road, Old Jericho Road Bridge, Half Moon Island Road, Witsell Road, Butcher's Island Boat Landing, Marshland Boat Landing, and Sugar Hill Boat Landing.

ORDINANCE 2024/ _____

AN ORDINANCE AMENDING THE BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN TO ADD THE BEAUFORT COUNTY LONG-TERM RESILIENCE STRATEGY AS AN APPENDIX

WHEREAS, coastal South Carolina has experienced changing environmental trends including over one foot of sea level rise in the last 100 years and increasing frequencies of intense rainfall and tropical events; and

WHEREAS, the impacts of changing environmental trends are costly, impart damages to public and private infrastructure, and disrupt local economies, communities, and ecosystems; and

WHEREAS, to better protect South Carolinians, South Carolina State Legislature recognized the need to plan for resilience as a result of changing environmental conditions and passed the 2020 South Carolina Disaster Relief and Resilience Act, which created a requirement for comprehensive plans to include a resilience element; and

WHEREAS, Beaufort County Council adopted the 2040 Comprehensive Plan, wherein resilience was incorporated as a major theme, on November, 8, 2021; and

WHEREAS, the Comprehensive Plan is intended to be a living document that is responsive and relevant to changing conditions; and

WHEREAS, Beaufort County Planning Staff found it necessary and prudent to more directly address resilience in the 2040 Comprehensive Plan and developed the Long-Term Resilience Strategy (Exhibit “A”); and

WHEREAS, the Long-Term Resilience Strategy addresses experienced environmental changes, assesses anticipated future climate trends, identifies potential impacts to the economy, community, and environment, and provides prioritized strategies to prepare Beaufort County to anticipate, absorb, recover, and thrive in changing environmental systems; and

NOW, THEREFORE, BE IT ORDAINED that Beaufort County Council, duly assembled, does hereby authorize an ordinance amending the Beaufort County 2040 Comprehensive Plan to add the Beaufort County Long-Term Resilience Strategy as an appendix.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| RECOMMEND APPROVAL TO COUNCIL OF AN ORDINANCE TO ACCEPT AND TO APPROPRIATE FUNDS FROM THE SOUTH CAROLINA OPIOID SETTLEMENT FUNDS |
| MEETING NAME AND DATE: |
| Finance, Administration, and Economic Development Committee April 15, 2024 |
| PRESENTER INFORMATION: |
| Audra Antonacci – Ogden, ACA Rebecca Whitt Burgess, Director, Alcohol and Drug Abuse Department 10 Minutes |
| ITEM BACKGROUND: |
| Beaufort County is party to a national opioid lawsuit settlement. As the South Carolina Opioid Relief Funds (SCORF) Board provides opportunities for Beaufort County to apply for funds allocated to Beaufort County, Beaufort County applies for funds to enhance capacity or new initiatives towards opiate abatement strategies. Beaufort County applied in February of 2024 and was approved. |
| PROJECT / ITEM NARRATIVE: |
| Allocation of award funds shall be given to opiate issues from prevention to recovery, and to equip those impacted with the necessary resources to provide innovative interventions to reduce opiate issues, address unmet needs and to reduce the opioid-related overdoses death across Beaufort County. |
| FISCAL IMPACT: |
| The South Carolina Opioid Relief Fund (SCORF) award is \$582,606 for one year. No matching funds. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of an Ordinance to accept and appropriate funds for the South Carolina Opioid Settlement Funds |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve an Ordinance to accept and appropriate funds from the South Carolina Opioid Settlement Funds or motion to deny an Ordinance to accept and appropriate funds from the South Carolina Opioid Settlement Funds. |

Ordinance 2024/

AN ORDINANCE TO ACCEPT AND TO APPROPRIATE FUNDS FROM THE SOUTH CAROLINA OPIOID SETTLEMENT

Whereas, the process for obtaining Beaufort County’s South Carolina Opioid Settlement Funds for allocation are at least annually applied for to the South Carolina Opiate Relief Fund Board with opiate abatement core strategies and uses found in South Carolina’s Guide to Approved Uses for Investing Opioid Settlement Funds.

Whereas, once the applications are approved by the South Carolina Opiate Relief Fund Board and the funds are obtained, Beaufort County Council will allocate those funds consistent with the core strategies and uses approved if they are found to create or supplement existing projects and not supplant; and

Whereas, funds will only be provided for approved uses to county departments or other Beaufort County entities providing for opiate abatement uses. All Beaufort County’s South Carolina Opioid Settlement Funds will have the final approval of the Beaufort County Administrator after assurances are made that the projects to be funded are found in South Carolina’s Guide to Approved Uses for Investing Opioid Settlement funds.

Whereas, the Beaufort County Council finds it appropriate to allocate \$582,606 to extend the treatment for the incarcerated population, medication assisted treatment programming, and to expand warm handoff programs, and then enhance Naloxone or other approved drug to reduce opioid overdoses by providing medications for opioid use disorders, education, and awareness to first responders and citizens through community partners, continue community drug disposal programs, for prevention opioid response to link community members to needed serves, media campaigns, and for leadership, planning, and coordination.

NOW, THEREFORE, BE IT ORDAINED, that Beaufort County Council, in a meeting duly assembled, hereby accepts, and appropriates, funds in the amount of \$582,606 from the South Carolina Opioid Settlement Funds as set forth in Exhibit “A”.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

March 21, 2024

The South Carolina Opioid Recovery Fund Board has reviewed your request for South Carolina Opioid Recovery Funds and approved your request as set forth below.

As a condition of receiving South Carolina Opioid Recovery Funds, implementation of the approved abatement strategies should start within 120 days from disbursement of the funds.

Please complete and return the attached Point of Contact form within 5 days upon receipt of this notice. In addition, you are required to report to the Board periodically to confirm how the requested funds were used and to provide information regarding the impact of the funds. Please note that GPS Subfund recipients should provide attached program and fiscal reports. Annual reports will be due on or before March 31, 2025. Additional information regarding the format and content of the annual report can be found on the website scorf.sc.gov or by contacting program staff.

We look forward to learning the results of how the requested funds were used for approved abatement strategies to help combat the opioid crisis in the State of South Carolina. If you have any questions, please feel free to email contact@scorf.sc.gov.

Sincerely,



Eric M. Bedingfield, Chair
Disburse Funds to:

Payee: Beaufort County
Address: 1905 Duke Street
PO Drawer 1228
Beaufort, South Carolina 29901

SCEIS Vendor No.: 700017466

Amount: \$582,606

Approval No.: BEA2e5909

SubFund: GPS DFS

*All approvals of SC Opioid Recovery Funds are for one year only on the calendar year. All projects are to be completed by 12/31. Recipients can reapply for funds for subsequent years.

SCORF Finance Use (please do not stamp in this area):

| | | | | |
|-----|------------|-----------|----------|------------|
| GPS | E600010000 | E600_UNBD | 41220030 | 5170750000 |
| DFS | E600010000 | E600_UNBD | 41220020 | 5170750000 |

South Carolina Opioid Recovery Fund Board
1201 Main Street, Suite 420 Columbia, SC 29201
contact@scorf.sc.gov

BOARD MEMBERS

Eric Bedingfield, *Chair*

Aditi Bussells, Ph.D.
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Steven Donaldson

Mayes DuBose, MD

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Williams



Beaufort County Opioid Settlement Funding Technical Proposal

Please see Beaufort County Government's funding request addressing core opioid reduction strategies within the community. This continues to be a collaborative process and will require continued collaboration to reach the desired impact in our community.

1. **Core Abatement Strategy: Naloxone or Other FDA Approved Drug to Reverse Opioid Overdoses (Continuation and Expansion):** *(New): Approved Use:* **Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.**

Issue: Per the DAODAS Just Plain Killers website (Most current data), Beaufort County saw a 25% increase in opioid deaths, a 31.47% increase in fentanyl-related deaths, a 5% increase in opioid prescriptions prescribed, but no increase in the amount of emergency medical services use of Naloxone in 2021 compared to 2020. Per medical contract staff at the Beaufort County Detention Center, approximately 80-120 detainees have opioid or other substance misuse issues—the detention center as a whole houses about 2,000 detainees annually. Therefore, nearly 50% of those incarcerated have opioid or substance misuse issues. Upon discharge, those with opioid issues have a reduced tolerance for opioid use, thus making them more susceptible to opioid overdoses.

Beaufort County is currently working with DAODAS on a Narcan Saturation Plan for Beaufort but is limited to distributing 300 units. DAODAS only allows their Naloxone to be distributed to disadvantaged citizens. Beaufort County sought funds in the first SCORF application to conduct county staff training through a training film deployed through the Human Resources Training Portal so high-traffic offices could have Naloxone as part of their first-aid kits. Over 100 Beaufort County employees have been trained, and Naloxone is embedded in first aid kits throughout high-traffic citizen areas, including libraries, the airport, and social service settings. The training will be ongoing and self-sustaining. Estimates while making purchases did not account for the amount needed before the 12/31/2023 deadline for purchase. Therefore, more will be required.

Additionally, the Coroner indicates that having Narcan to do training and distribution when responding to fatalities where other suspected opioid users are living. To that end, the coroner is a first responder in need of life-saving medication to prevent other fatalities.

Implementation: by Increasing the availability of Naloxone (Narcan) to citizens, especially vulnerable populations leaving detention, to supply Beaufort County offices with high citizen traffic, and the coroner's staff who is a vital first responder.

Output Target:

- Distribute at least 300 naloxone kits to Beaufort Couty Citizens leaving detention.
- Distribute 36 Narcan kits to Beaufort County offices and the Coroner's staff.

Funding Request to Expand Capacity:

- NV54 Naloxone Vending Machine for the Detention Center \$ 4,500
- Naloxone for county offices and Coroner @60 \$ 1,296
- Naloxone for Vending Machine (500 kits) @\$60 \$ 31,800

Total Cost: \$37,596
Carryover: \$ 601
Admin Costs: \$ 1,850
Total Requests: \$ 38,845

2. Core Abatement Strategy: Medication Assisted Treatment (MAT) and Other Opioid-Related Treatment (Continuation): *Strategy (Continuation): Increase MAT distribution to uninsured individuals or those whose insurance does not cover the needed Service.*

Issue: Per the DAODAS Just Plain Killers website (Most current data), Beaufort County saw a 25% increase in opioid deaths, a 31.47% increase in fentanyl-related deaths, a 5% increase in opioid prescriptions prescribed, but no increase in the amount of emergency medical services use of Naloxone in 2021 compared to 2020. In 2021, Medicaid data indicates that 176 of their beneficiaries in Beaufort County have an opioid use disorder. Yet, the alcohol and drug authority in Beaufort County has only engaged 11 total opioid use disorder patients in the past 12 months. To that end, a service gap exists, and people are overdosing and dying. Therefore, we will need to enhance engagement protocols to be able to treat more citizens with opioid use disorders with medication-assisted treatment as part of the strategy.

Concurrently, through the second funded SCORF application, Beaufort County contracted with community partners to provide indigent medication-assisted treatment services through Beaufort Memorial Hospital's Addiction Services and to support a MAT provider. The BMH program expanded the census by serving an additional forty-three (43) patients, or a **32.86 increase**. Beaufort sought and received a No Cost Extension, given the short funding period (7 months). Beaufort, per the SCORF Award, provided \$125,000 to that entity. Per preliminary reports, all funds will be exhausted. The indigent medication fund is already depleted, and the program is on target to contribute \$15,000 towards the salaries of the staff brought on board to expand access.

Given that the Alcohol and Drug Abuse Department has indigent funding available and BMH does not, it is anticipated that with embedded the staff at BMH will result in capacity building to serve more unfunded or underinsured patients with opioid use issues.

Implementation: Beaufort County will continue to employ a SCORF-funded MAT Coordinator/Counselor. The MAT Coordinator will become community-based and work within Beaufort Memorial Hospital (BMH), in addition to working within the Beaufort County Alcohol and Drug Abuse Departments locations (Beaufort and Bluffton) to provide information and coordinate treatment and medication services to those identified with an opioid use disorder moderate to severe. Additionally, continuation of contractual arrangements with Beaufort Memorial Hospital to provide medical and medication services to eligible Beaufort citizens with moderate or severe opioid use disorders will be continued.

Output:

- a. Provide up to 40 additional OUD patient services at the local alcohol and drug abuse authority.
- b. Provide medication services to up to 25 patients without insurance or those under-insured at Beaufort Memorial Hospital.
- c. Engage at least 40 new patients with OUD-related medical services.

Funding Request:

- MAT Coordinator/Counselor Salary \$ 69,955
- 3% Cola \$ 2,098
- Fringe (36%) \$ 25,939
- Advertising \$ 500
- Training and Travel \$ 1,000
- Certification Fees \$ 250
- Office Supplies \$ 500
- Telephone & Service \$ 3,600
- Liability Insurance \$ 1,000
- Electronic Medical Record Fees \$ 2,000
- Workforce Development/Supervision
For All counselors, administrators, and
Peers working with OUD patients \$28,600
- Medical and medication contractual
Services with BMH \$125,000

Total Cost: \$270,442

Admin Cost: \$13,522

***Carryover: \$ 98,864**

Total Requests: \$ 185,100

***Carryover is complicated.** Beaufort has had two applications approved by SCORF. The second approved application funding cycle ENDS before the first funding cycle with Beaufort believing it would be later (no dates were known from SCORF), and a candidate

was not immediately engaged to draw down funds from the first application, so the carryover is excessive. Further, cycle two funding in operating on a No-Cost extension to continue those programs expanded through SCORF awards. However, applying now is necessary so new programs can start, and this government entity can continue other programs with an aligned funding cycle.

3. Naloxone or Other Approved Drug to Reduce Opioid Overdoses by providing Medications for Opioid Use Disorders (MOUD) education and awareness to first responders and citizens/Provide Targeted Naloxone Distribution (Continuation):

Strategy: Expand training for first responders, schools, community support groups, and families

Issue: An increasing number of citizens in Beaufort County interface with first responders, given overdoses. Per the DAODAS Just Plain Killers website (Most current data), Beaufort County saw a 25% increase in opioid deaths, a 31.47% increase in fentanyl-related deaths, and a 5% increase in opioid prescriptions prescribed but no increase in the amount of emergency medical services use of Naloxone in 2021 compared to 2020. The ODMAP data shows that more than 50% of the opioid hot spots are in the Northern section of Beaufort County, despite having a first responder team to reduce the opioid misuse impact on Beaufort County. Given that fire districts are often the first line of defense to fatalities from overdoses when 911 dispatch is called, preparation is necessary to respond appropriately and without the impact of any stigmatizing response to care and the chain of survival.

Beaufort County partnered with the City of Beaufort and the Town of Port Royal Fire Department to employ a medical educator to provide first responder training for firefighters, law enforcement, and citizens. Part of the education to first responders is anti-stigma, the good Samaritan laws, creating awareness of community resources, and teaching how to use Naloxone. On an in-kind basis, the fire department also distributes Narcan. At the mid-point of their funding cycle, training materials have been developed, and sixty-nine (69) first responders and 20 citizens have been trained and educated as applicable. Further, Naloxone has been distributed as needed.

Implementation: The strategy is to continue the community partnership with the City of Beaufort and the Town of Port Royal Fire Department to provide education and awareness to first responders and citizens on opioid issues, naloxone use, to combat stigma, and to deliver targeted Naloxone distribution to citizens in Beaufort and Port Royal.

Output:

- a. Train a minimum of 100 first responders and 100 citizens with education and anti-stigma awareness and the use of Naloxone.
- b. On an in-kind basis, distribute Naloxone, as appropriate, and report those numbers to the funder.

Funding Request:

- Medical Education Officer (\$100,000, salary and Fringe included)

- Education supplies and Naloxone were provided in kind.

Total Cost: \$100,000

Admin Cost: \$5,000

***Carryover: \$0**

Total Requests: \$ 105,000

***Carryover is complicated:** Although there is a current carryover, given that the project is working on a no-cost extension and the subsequent funds are available, there is no anticipated carryover to occur.

4. Expansion of Warm Hand-Off Programs and Recovery Services (Continuation):

Strategy: Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare

Issue: Beaufort County has four recovery residences, but until the SCORF assisted in opening a men's house, no program allowed residents on MAT. Medication-assisted treatment is evidence-based, and the county believed that safe, sober housing for OUD users on MAT was needed. One house was opened, but it is limited to serving five residents. There is a need for another men's house to expand this option in Beaufort County.

Currently, Mercy Me is operational. It opened on July 1, 2023, in Port Royal, SC. They have served 25 men to date. Some alumni stay engaged with the house after transitioning into the community to share their strengths, experiences, and hopes with new residents. Beaufort County provided technical assistance and the requirement to become accredited by SCARR. Mercy Me is currently "In-process." Mercy Me is now nearly self-sufficient. The \$25,000 provided through SCORF funds enabled them to operationalize this endeavor. The faith community and other volunteers offer their time to provide administrative and operational oversight. Therefore, rents by residents are sustaining operations.

Implementation: Provide comprehensive wrap-around services to individuals in recovery, including housing and transportation. Furthermore, the strategy is to open a second sober living facility for men in Beaufort County.

Output

- Increase capacity by 5 beds for men in Beaufort County and serve at least 10men during funding period.

Funding Request:

- \$25,000 for deposit and rent for the first three months, utilities, furnishings, transportation costs, and other wrap-around services needed to start and operate a second recovery residence.
- Staff will be provided "in-kind" by the board, the fiscal authority, and volunteers.

Total Cost: \$25,000

Admin Costs: \$ 1,250

***Carryover: \$0**

Total Requests: \$ 26,250**5. Treatment of the Incarcerated Population (Continuation): Strategy: Increase funding for jails to provide treatment to inmates with OUD**

Issue: Based on post-Covid data, Beaufort County detains approximately 200 individuals annually. This is a reduction from previous numbers. During COVID-19, the contracted medical staff reported that between 40-60% of detainees per month reported having substance or opioid misuse issues. Despite the problems identified, there was no substance misuse intervention occurring while those individuals were in a controlled environment. Therefore, Beaufort County leadership applied for SCORF funds to start easing some of those issues, and funding was awarded to hire a counselor and to fund associated expenses to provide substance misuse interventions in the detention center. Funds were awarded in both Beaufort's first application and the second to continue supporting the initiative.

After SCORF funding was awarded, Beaufort County's Alcohol and Drug Abuse Department worked with the leadership of the detention center to design the program and work out safety protocols. It took several months before a counselor was engaged, resulting in a significant delay in moving forward with offering treatment to the incarcerated population. Therefore, no meaningful outcome data is yet available.

The program's first funding cycle ends on 1/31/2024, and the second with continuation funds ends on 12/31/2024. When completing the second application, no guidance was available to define the funding period. Therefore, given the time it took to engage a counselor, there is a carryover from the first fund. The second cycle funding was approved for a No-Cost Extension to operate until 6/30/2024. Carryover funds will reflect annualized costs until the second funding cycle period ends. The program's goal is to obtain year three funding and request a No Cost Extension to align the funding cycles to the county fiscal year. Then, apply once annually in the future.

Implementation: A counselor will work with inmates identified by medical personnel and cleared through the multi-disciplinary team. The counselor will do screenings, provide substance use education, train detainees on the use of Naloxone, and make warm hand-offs to other treatment providers as part of the community transition.

Output:

- Screen at least 50 detainees annually.
- Provide didactic services to at least 24 detainees per month.
- Refer at least 25 detainees to further services to continue treatment and recovery services to either MAT programming, the local alcohol and drug abuse department, or mutual help.

Funding Request:

- Counselor salary \$56,555

- Cola @ 3% \$ 1,697
- Fringe \$20,388
- Security for Program \$25,000
- Educational Materials \$ 1,500
- Training and Travel \$ 1,000
- Certification Fees \$ 250
- Office Supplies \$ 500
- Telephone & Service \$ 3,600
- Liability Insurance \$ 1,000

Total Cost: \$111,490
Admin Costs: \$ 5,575
Carryover: \$100,681
Total Requests: \$ 16,384

6. a Prevention- Prevent of Overdose Deaths and Other Harms- (New): Strategy: Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or strategies that connect at-risk individuals to behavioral health services and supports

Issue: Per the DAODAS Just Plain Killers website (Most current data), Beaufort County saw a 25% increase in opioid deaths, a 31.47% increase in fentanyl-related deaths, a 5% increase in opioid prescriptions prescribed, but no increase in the amount of emergency medical services use of Naloxone in 2021 compared to 2020. The 2021 SEOW report indicated fewer Beaufort County 11th graders than previous studies would be objectionable to peers' using substances or unlawfully obtaining or using prescription drugs. Therefore, it is logical to be concerned about a heightened risk for opioid misuse by adolescents into adulthood.

The previous Beaufort County Administrator believed enhancing prevention in the Beaufort Community was necessary to ward off opiate misuse by adolescents and young adults. Beaufort County applied for \$150,000 in funding in the second cycle of GPS applications and was awarded. However, given some administrative issues with the plans for using the funds, the fiscal agents of the funds determined the funds would not be used. Therefore, they are all carried over, and a new strategy is submitted.

Implementation: The local alcohol and drug abuse department will expand the Prevention Department by hiring a new FTE (Opioid Prevention Coordinator) to provide evidence-based program guidance for substance use prevention education in schools, public education, and social media campaigns. The prevention staff will also monitor ODMAP, partner with the coroner's office, use real-time data from overdose fatalities, and provide prevention education, including how to use Naloxone in overdose "hot spots" throughout Beaufort County.

Materials needed for this preventionist will include using a harm reduction mobile van. Then, prevention and harm reduction outreach into the community will occur. The funding for the van will cover the Cost of the vehicle, supplies, vehicle retrofitting (slide-out table, vehicle wrap), safety materials, prevention materials, and signage. The vehicle is estimated to cost \$70,000 from the SC Preferred Vendor's List. The additional supplies and retrofitting will cost an estimated \$30,000.

Output:

- 48 outreach events annually
- 20 school events
- Map Beaufort County Opioid Abatement Strategies and share with leadership and community partners
- 24 Social Media Advertisements Annually

Funding Request:

- Prevention salary \$ 60,000
- Cola @ 3% \$ 1,800
- Fringe \$ 21,630
- Van & Supplies \$ 100,000
- Educational Materials \$ 5,000
- Social Media Fees: \$ 350
- Training and Travel \$ 1,000
- Prevention Fees \$ 250
- Office Supplies \$ 500
- Liability Insurance \$ 1,000

Total Cost: \$191,530
Admin Costs: \$ 9,577
Carryover : \$150,000
Total Requests:\$ 51,107

6. b Strategy: Prevention of overdose deaths and other harms (New): Strategy: Supporting screening for fentanyl in routine clinical toxicology testing.

Issue: In 2021, the Beaufort County Coroner's Office reported 1,820 deaths. The population of Beaufort County increased by 21% since that time, according to US Census data. An increase in population also increases productivity in the coroner's office. 2400 deaths in Beaufort County is estimated for 2024. The increasing demand for coroner services also means an increase in costs for toxicology, when deemed appropriate. A RANDOX Toxicology analyzer is used by Beaufort County to obtain toxicology results. Like urine drug screens, the more specificity desired, the higher the costs. Beaufort County is using a more inexpensive reagent (MultiStat), which does not yield the desired results in the opioid overdose era. The desired reagent to use is TopPlex. Also, the coroner sometimes runs out of the reagent and relies on sending off labs to NMS for both preliminary and confirmation.

This can 6-8 weeks. Therefore, the current capacity to have reliable toxicology data on demand for opioid abatement purposes is sub-par. Having the financial resources for more test kits (TopPlex) on hand and the more expensive test kits is desired to have the best available rapid test information to make community interventions.

Implementation: Improve the integrity and reliability of real-time data through TopPlex reagent testing, so targeted outreach, education, and naloxone distribution to reverse opioid overdoses for family members and other community members in Beaufort by the Prevention Outreach Coordinator.

Output:

- All suspected overdoses have TopPlex testing.
- Coroner sharing all rapid-testing data associated with the Prevention Outreach Coordinator, according to a Business Associate Agreement executed between the Beaufort County Coroner's Office and the Beaufort County Alcohol and Drug Abuse Department.
- Prevention outreach is conducted either with decedent survivors or in the vicinity of opioid overdose locations ("hotspots") within 72 hours of rapid test results detecting opioid or Xylazine agents.

Funding requested:

- Budget \$1,242 per month vs \$315 or an increase of \$11,124 annually to the coroner's budget.

Total Cost: \$11,124
Admin Costs: \$ 556
Carryover: NA
Total Requests: \$11,680

7. Prevention: Strategy: *Funding for Community Drug Disposal Programs- (New)*

Issue: Beaufort County's Prevention Department has been distributing Deterra Bags at community events to promote the safe disposal of unused and expired medications for years. The bags are given away at the two National Prescription Take Back Events, to patients at the local alcohol and drug abuse authority, and the community at other prevention events. The SC DAODAS paid for the items. However, DAODAS's next budget eliminates the expenditure and places it on the prevention departments at the local alcohol and drug abuse authority. Without the use of SCORF funds, this initiative will end.

Implementation: Beaufort County will equip the mobile vehicle with Deterra Bags to do giveaways at community events. The rest of the Prevention Department will give these items away at National DEA Prescription Drug Take Back Days and naloxone training events.

Output:

- 1,400 Medium- or Extra-Large Deterra Bags will be distributed by the Prevention Department annually.

Funding Request:

- 8 Cases Medium Deterra Bags @ \$856 per case = \$6,848 (Free Shipping)
- 2 cases (40) Extra-Large Deterra Bags @\$549 per case = \$1,098
- Tax= \$557

Total Cost: \$8,503
Admin Costs: \$ 425
Carryover: NA
Total Request: \$8,928

8. Provide Funding for Media Campaigns to Prevent Opioid Use(New) Strategy: Funding for media campaigns to prevent opioid use (similar to the FDA's Real Cost" campaign to prevent youth from misusing tobacco)

Issue: Beaufort County has no advertising resources to fund media campaigns to prevent opioid misuse, corrective advertising, or affirmative public education campaigns based on evidence to support anti-stigma.

Implementation: Beaufort County Alcohol and Drug Abuse Department will develop a media campaign and create higher visibility with "Google Click." The platform will have resource information and evidence-based information. Advertisements will be created for cineplexes and the drive-in theater to raise awareness of opioid dangers and community resources.

Output:

- Develop and deploy ads in at least two publications, the drive-in movie theater, and the Bluffton Cinema, to run quarterly.
- Analytics to exceed 10,000 impressions from aggregated advertising.

Funding Request:

- Drive-in and Movie Ads @ \$6,000 x4= \$24,000
- Google Click Campaign \$1,000 per month x12 months = 12,000

Total Cost: \$36,000
Admin Costs: \$ 1,800
Carryover: NA
Total Request: \$37,800

9. Leadership, Planning, and Coordination Strategy: Evidence-based collection and research analyzing the effectiveness of the abatement strategies within Beaufort County

Issue: There is no funding source for managing SCORF funds and projects. Applications, community partnership funding requests, and other evaluation and deliverables require contracting for assistance.

Implementation: Invest in the infrastructure of staffing at government or not-for-profit agencies to support collaborative, cross-system coordination to prevent overprescribing, opioid misuse, or overdoses, treating those with opioid use disorders, and supporting efforts to build systems to alleviate other problems in Beaufort County associated with substance misuse.

Output:

- Manage data points and costs associated with opioid abatement strategies.
- Complete comprehensive community reports for SCORF and the county to analyze practical outputs and outcomes associated with new and existing programs involved in opioid abatement strategies.

Funding Request:

- Contracted Consultant @ \$80 per hour x 30 hours monthly or \$28,800 annually.

Total Cost

| | |
|-----------------------|-----------------|
| Total Cost: | \$28,800 |
| Admin Costs: | \$ 1,440 |
| Carryover: | NA |
| Total Request: | \$30,240 |

10. Expansion of Warm Hand-off Program and Recovery Services (Continuation)

Strategy: Broaden the scope of recovery services to include co-occurring SUD or mental health conditions

Issue: Beaufort County's Good Neighbor Free Medical Clinic operates because there are pockets of extreme poverty despite the county's wealth. In Beaufort, where the clinic works, 21% of the citizens live below the federally established poverty guideline standards. Poverty enhances health disparities, and a startling number of individuals served at the clinic present with addiction and opiate issues, as well as co-occurring mental health issues.

During the last funding cycle, adding personnel, SBIRT Training, and developing warm hand-off protocols enabled the clinic to focus on addiction, mental health issues, and other wrap-around services. The clinic was able to have 38 staff trained in SBIRT, 17 medical staff with prescription authority was trained in opioid prescription best practices, and 60 staff were all trained on the use of Naloxone and how to respond to an overdose. After the training, 365 SBIRT screenings occurred, which resulted in 21 patients connected to addiction counseling (may have resulted in MAT, but unknown), 14 patients related to mental health counseling, and two patients connected to safe, sober housing.

Implementation: The Free Clinic wants to continue employing personnel charged with this initiative to make funds available for MAT and provide necessary transport to where warm hand-offs were made to increase the likelihood of a linkage. Furthermore, there is a fee for Service to do screenings and to have Alan Lyme return to do a refresher SBIRT training for existing and new staff to ensure SBIRT screenings are evidence-based.

Funding Requests:

| | |
|------------------------|----------|
| Salaries & Fringe | \$22,941 |
| SBIRT Training | \$ 5,000 |
| Program Implementation | \$44,470 |

(Includes medical screenings, drug screens, MAT for 20 patients, transportation, and SBIRT)

Output:

- 20 patients provided MAT Services
- 25 patients were provided with transportation
- 240 patients provided SBIRT
- All staff are provided with SBIRT Training/Refresher

| | |
|----------------------|-----------------|
| Total Cost | \$72,411 |
| Admin Costs | \$ 3,621 |
| Carryover | NA |
| Total Request | \$76,032 |

Total Budget:

| | |
|----------------------|------------------|
| Strategy 1. | \$ 38,845 |
| Strategy 2. | \$185,100 |
| Strategy 3. | \$105,000 |
| Strategy 4. | \$ 26,250 |
| Strategy 5. | \$ 16,384 |
| Strategy 6. a | \$ 51,107 |
| Strategy 6. b | \$ 11,680 |
| Strategy 7. | \$ 8,928 |
| Strategy 8. | \$ 37,800 |
| Strategy 9. | \$ 30,240 |
| Strategy 10. | \$ 76,032 |
| SubtotalTotal | \$587,366 |

Minus Interest 4,760 (Interest was accrued on carryover. The application system would not let me reflect this. Therefore, the amount below is the actual request.)

Total Requested: \$582,606

Respectfully Submitted: SWD



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|--|
| ITEM TITLE: |
| CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING MAP FOR 86.16 ACRES (R100 028 000 0264 0000) LOCATED AT 98 JENNINGS ROAD FROM T2 RURAL (T2R) TO C3 NEIGHBORHOOD MIXED USE (C3NMU) |
| MEETING NAME AND DATE: |
| Community Services and Land Use Committee Meeting, April 8, 2024 |
| PRESENTER INFORMATION: |
| Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion) |
| ITEM BACKGROUND: |
| This rezoning application went before the Beaufort County Planning Commission at their March 4, 2024, meeting. At that time, the Commission voted unanimously to recommend denial of the proposed amendment to County Council. |
| PROJECT / ITEM NARRATIVE: |
| The applicant is seeking to amend the zoning of an undeveloped, 86-acre parcel. It is currently zoned T2 Rural, and the applicant is requesting a zoning amendment to C3 Neighborhood Mixed Use in order to accommodate 184 single-family detached homes. |
| FISCAL IMPACT: |
| Not applicable |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends denial of the proposed zoning amendment. 1. The proposed is not consistent with, and does not further the goals, and policies of the Comprehensive Plan. The plan specifically recommends for a Hamlet Place Type Overlay, a framework that aims to ensure orderly and walkable development within the area, which is important especially in areas where a school is present. 2. It does not address a demonstrated community need. 3. It is not required by changed conditions, in fact, it is important to note that there exists a notable abundance of undeveloped properties currently zoned as C3 in the vicinity. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve, modify, or deny the application as submitted;* Approval of the application with a reduction in the area proposed to be rezoned;* Approval of a rezoning to a more restricted base zone than requested in the application;* or Denial of the application.* *Council's decision must be based on the standards in Section 7.3.40 C of the Community Development Code (Attachment A to this AIS) and must clearly state the factors considered in making its decision and the basis or rationale for the decision. (7.4.90 B.3). These factors are as follows: 1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code. In areas of new development, a finding of consistency with the |

Comprehensive Plan shall be considered to meet the standards below, unless compelling evidence demonstrates the proposed amendment would threaten the public health, safety, and welfare if the land subject to the amendment is classified to be consistent with the Comprehensive Plan;

2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;
3. Addresses a demonstrated community need;
4. Is required by changed conditions;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;
6. Would not adversely impact nearby lands;
7. Would result in a logical and orderly development pattern;
8. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

Attachment A.

CDC Section 7.3.40 B.7 Zoning Map Amendment (Rezoning) provides:

The County Council’s decision shall be based on the standards in Subsection 7.4.30 C and shall be one of the following:

1. Approval of the application as submitted;
2. Approval of the application with a reduction in the area proposed to be rezoned;
3. Approval of a rezoning to a more restricted base zone than requested in the application;
4. Denial of the application.

CDC Section 7.3.40 C. Zone Map Amendment Review Standards.

The advisability of an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the County Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code. In areas of new development, a finding of consistency with the Comprehensive Plan shall be considered to meet the standards below, unless compelling evidence demonstrates the proposed amendment would threaten the public health, safety, and welfare if the land subject to the amendment is classified to be consistent with the Comprehensive Plan;
2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;
3. Addresses a demonstrated community need;
4. Is required by changed conditions;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;
6. Would not adversely impact nearby lands;

7. Would result in a logical and orderly development pattern;
8. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

CDC Section 7.4.90 B.3 provides:

County Council's decision shall clearly state the factors considered in making the decision and the basis or rationale for the decision.

ORDINANCE 2024/ _____

AN ORDINANCE AMENDING THE ZONING MAP FOR 86.16 ACRES (R100 028 000 0264 0000) LOCATED AT 98 JENNINGS ROAD FROM T2 RURAL (T2R) TO C3 NEIGHBORHOOD MIXED USE (C3NMU)

WHEREAS, the property located at the 98 Jennings Road (R100 028 000 0264 0000) is currently zoned T2 Rural; and

WHEREAS, the owner of the property has requested to change to zoning of the property to C3 Neighborhood Mixed Use; and

WHEREAS, the Beaufort County Comprehensive Plan encourages moderate-density residential as the primary use with supporting neighborhood retail establishments and designates this site as a location to implement a Hamlet Place Type; and

WHEREAS, the Beaufort County Planning Commission considered the request on March 4, 2024, voting unanimously to recommend that County Council deny the request; and

WHEREAS, County Council now wishes to amend the zoning map to change the zoning of the property from T2 Rural to C3 Neighborhood Mixed Use.

NOW, THEREFORE be it ordained by County Council in a meeting duly assembled as follows:

To adopt an ordinance amending the zoning map for 86.16 acres (R100 028 000 0264 0000) located at 98 Jennings Road from T2 Rural (T2R) to C3 Neighborhood Mixed Use (C3NMU).

Ordained this ___ day of _____, 2024

Joseph Passiment, Chairman

Sarah Brock, Clerk to Council



MEMORANDUM

TO: Alice Howard, Chair, Community Services and Land Use Committee of County Council

FROM: Robert Merchant, AICP, Beaufort County Planning and Zoning Department

DATE: March 21, 2024

SUBJECT: ZONING MAP AMENDMENT/REZONING REQUEST FOR 86.16 ACRES (R100 028 000 0264 0000) LOCATED AT 98 JENNINGS ROAD FROM T2 RURAL (T2R) TO C3 NEIGHBORHOOD MIXED USE (C3NMU)

STAFF REPORT:

A. BACKGROUND:

| | |
|---|---|
| Case No. | CDPA-000032-2023 |
| Owner: | Claire Nitze |
| Agent: | Josh Tiller |
| Property Location: | 98 Jennings Road |
| District/Map/Parcel: | R100 028 000 0264 0000 |
| Property Size: | 86.16 Acres |
| Current Future Land Use Designation: | Neighborhood/ Mixed-Use (Hamlet Place Type) |
| Current Zoning District: | T2 Rural |
| Proposed Zoning District: | C3 Neighborhood Mixed-Use |

B. SUMMARY OF REQUEST: The applicant is requesting to rezone an undeveloped parcel of 86.16 acres. The request is to accommodate 184 single-family detached homes. The current zoning of the property is T2R which would only permit approximately 28 houses. The surrounding lands are either undeveloped or comprised of single-family dwelling units; on the other side of Jennings Road is Battery Creek High School.

C. EXISTING ZONING: The lot is currently zoned T2 Rural (T2R), which permits residential development at a density of one dwelling unit per three acres. T2 Rural also permits very limited non-residential uses. A portion of this parcel is located in Noise Zone 1 which requires notification to the Marine Corps Air Station.

D. PROPOSED ZONING: The CDC defines the Neighborhood Mixed Use district as “The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under

three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.” Businesses such as a Park, Gas Station, Golf Course, and Major Utility are some of the permitted/conditional uses. While it is the developer’s intent to develop 184 single-family houses, the proposed 86.16 acres of C3 zoning could yield the following:

| Gross Density | |
|-------------------------------|--|
| Single-Family Detached | 2.6 d.u./acre |
| Single-Family Attached/Duplex | 2.6 d.u./acre |
| Multi-Family Unit | 12 d.u./acre, Maximum of 80 Dwelling units |
| Traditional Community Plan | 3.5 d.u./acre ² |
| Floor Area Ratio | |
| Non-residential buildings | 0.18 max. |

E. TRAFFIC IMPACT ANALYSIS (TIA): According to Section 6.3.20.D of the CDC, “*An application for a rezoning shall include a TIA where the particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.*”

Beaufort County Office of Engineering has reviewed and concurs with the land use code utilized, resultant trip generation, and intersections to be studied in the Traffic Impact Analysis (TIA) Memorandum for 98 Jennings Road. However, to account for residents traveling south for work and east for shopping during the weekdays the following intersections would require study as well: Joe Frazier at Broad River Road, Broad River Road at WK Alston Drive, and Parris Island Gateway at Broad River Road. In addition, we agree with the trip assignments assumed for the development, for the most part, but we believe that the demand for commuters heading to Bluffton and Hilton Head for work holds more weight than what is currently being assigned at Broad River Road and Jennings Road. In light of this, the applicant will be required to amend the memorandum to include this trip assignment adjustment. This amended memorandum will address the Office of Engineering's concerns, and the development should move through the County's procedures as it normally would. However, the final TIA must include an analysis of the intersections aforementioned before final development approval.

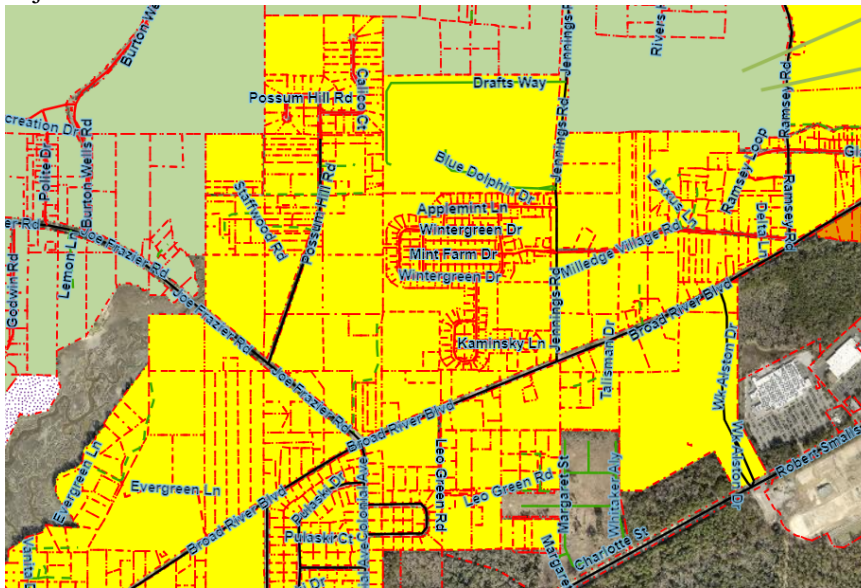
F. ZONING MAP AMENDMENT REVIEW STANDARDS: In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

- 1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;**

While the proposed C3 Zoning District is one of the districts that implements this future land use designation, the Comprehensive Plan identifies this particular site as a Hamlet Place Type. This means that the Place Type Overlay provision should be used when this property is upzoned. Hamlets are typically larger and more intense than rural crossroads and are often located at the edge of the rural and urban condition. A hamlet often has a small, pedestrian-oriented main street with surrounding and supporting residential fabric that is scaled to the size of a pedestrian shed. The main street and surrounding residential fabric transitions quickly into agricultural uses and/or the natural environment. A historic example of a hamlet includes the original settlement of Bluffton along Calhoun Street.

2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;**
To be consistent with the Comprehensive Plan, the Play Type Overlay provision should be used to upzone this property.

3. **Addresses a demonstrated community need;**
The requested rezoning is not considered a community necessity due to the existence of ample undeveloped land zoned C3 (shown in yellow below) in the area and the more suitable prospect of implementing a Place Type Overlay. These factors collectively illustrate that the proposed rezoning does not align with the community's immediate needs or long-term development objectives.



4. **Is required by changed conditions;**
See 3

5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;**
Much of the existing land use patterns in the immediate vicinity of this site consist of vacant land and low density residential. However, immediately west of the site is Battery Creek High School and Mint Farms, a moderate density residential subdivision.

6. **Would not adversely affect nearby lands;**

The proposed rezoning could significantly impact nearby lands in several aspects. Firstly, it may strain the capacity of the existing two-lane roads due to increased traffic from the additional housing units. Secondly, there might be potential stress on water and sewer capacities with the introduction of a larger number of residences. Lastly, the shift to 70-foot-wide minimum lots could clash with the surrounding rural land, potentially altering the area's character and development pattern.

7. Would result in a logical and orderly development pattern;

See 5 and 6

8. Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment:

Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.

9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):

The School District has been notified. There is a concern in this general area that existing water and sewer lines and other sewer infrastructure may not be adequately sized to serve a development of this size without significant upgrades. It has yet to be verified that the capacity is adequate to serve additional development that would occur from this rezoning. The developer will be responsible for covering any required enhancements or expansions to water and sewer capacities resulting from the proposed project.

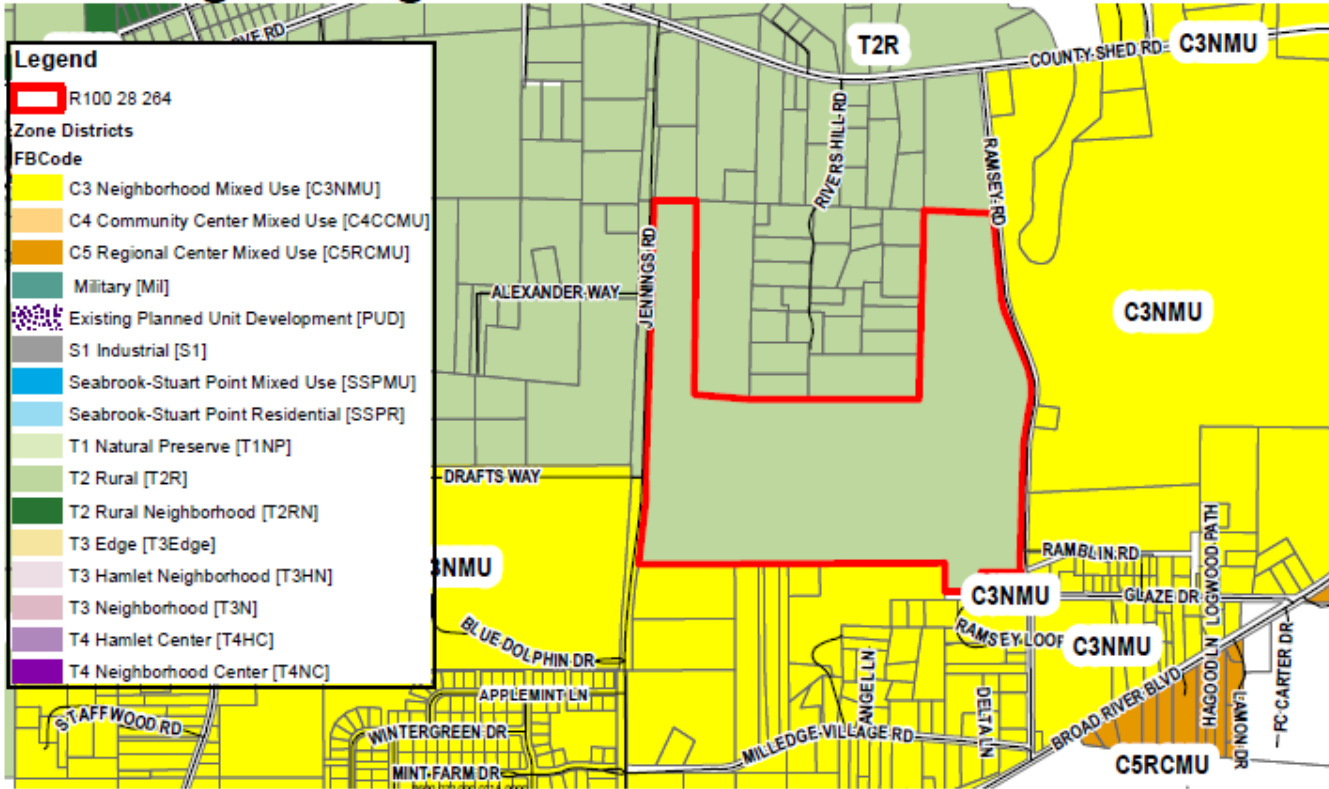
G. STAFF RECOMMENDATION: Staff recommends denial. Primarily, the proposed rezoning does not align with the established guidelines outlined in the comprehensive plan. The plan specifically recommends for a Hamlet Place Type Overlay, a framework that aims to ensure orderly and walkable development within the area, which is important especially in areas where a school is present. Furthermore, it's crucial to note that there exists a notable abundance of undeveloped properties currently zoned as C3 in the vicinity. Granting the requested rezoning could set a precedent that may lead to inconsistent development and utilization of the area.

H. This rezoning application went before the Beaufort County Planning Commission at their March 4, 2024 meeting. At that time, the Commission voted unanimously to recommend denial of the proposed amendment to County Council.

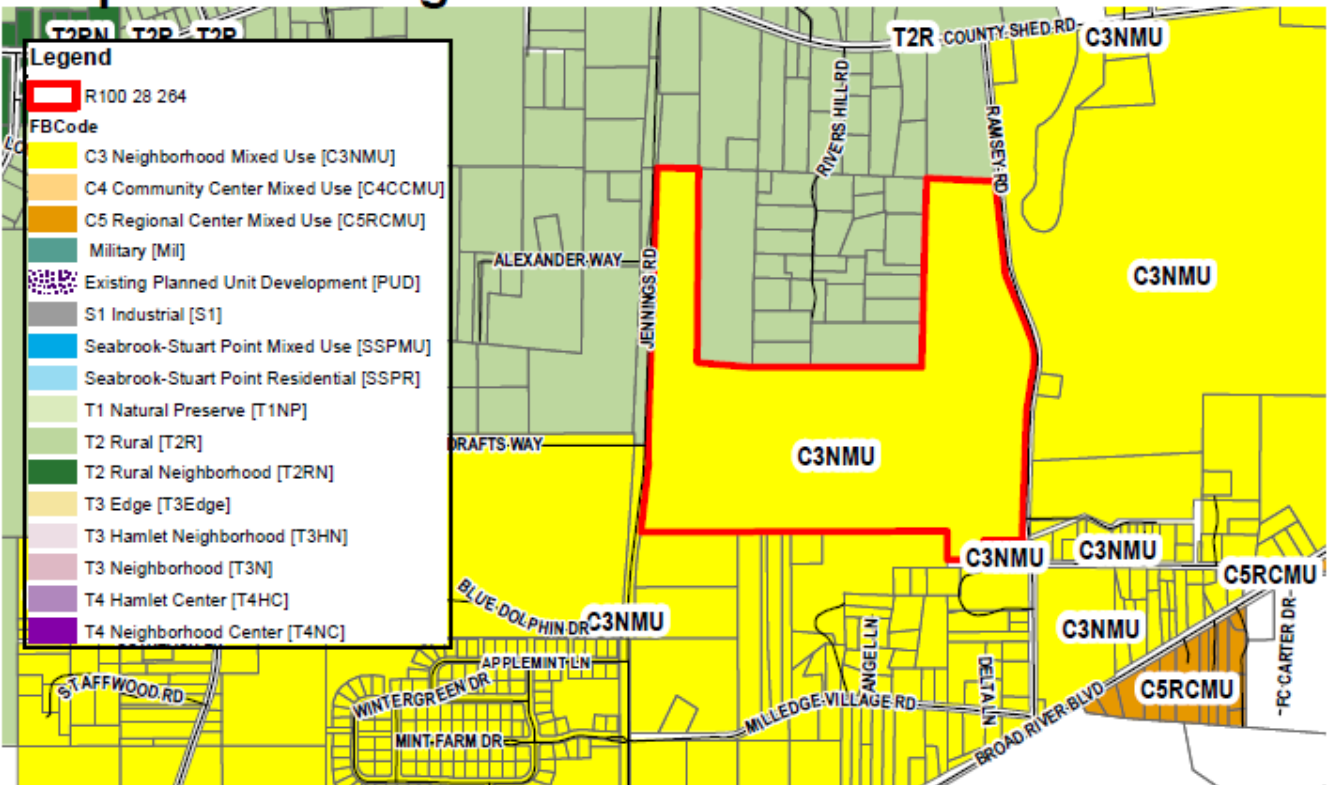
I. ATTACHMENTS

- Zoning Map (existing and proposed)
- Application and TIA

Existing Zoning



Proposed Zoning



REZONING REQUESTS

I MOVE THAT WE GRANT/**(DENY)** THE REQUEST FOR REZONING FOR THE FOLLOWING REASONS (**STATE ALL THAT SUPPORT YOUR MOTION**).

THE REQUEST:

1. IS/ **(IS NOT)** CONSISTENT WITH THE GOALS AND POLICIES OF THE COMPREHENSIVE CODE AND THE PURPOSES OF THE DEVELOPMENT CODE; _____
2. IS NOT/ **(IS)** IN CONFLICT WITH PROVISIONS OF THE DEVELOPMENT CODE AND OR OUR CODE OF ORDINANCES; _____
3. DOES/ **(DOES NOT)** ADDRESS A DEMONSTRATED COMMUNITY NEED; _____
4. IS/ **(IS NOT)** REQUIRED BY CHANGED CONDITIONS; _____
5. IS/ **(IS NOT)** COMPATIBLE WITH EXISTING AND PROPOSED USE OF LAND SURROUNDING THIS LAND; _____
6. WOULD NOT/ **(WOULD)** ADVERSELY AFFECT NEARBY LAND; _____
7. WOULD/ **(WOULD NOT)** RESULT IN LOGICAL AND ORDERLY DEVELOPMENT PATTERNS; _____
8. WOULD NOT/ **(WOULD)** RESULT IN ADVERSE IMPACT ON THE NATURAL ENVIRONMENT (WATER, AIR, NOISE, STORMWATER MANAGEMENT, WILDLIFE, VEGETATION, WETLANDS, AND THE NATURAL FUNCTIONING OF THE ENVIRONMENT); _____
9. WOULD/ **(WOULD NOT)** RESULT IN DEVELOPMENT THAT IS ADEQUATELY SERVED BY PUBLIC FACILITITES (STREETS, POTABLE WATER, SEWER, STORMWATER MANAGEMENT, SOLID WASTE COLLECTION AND DISPOSAL, SCHOOLS, PARKS, POLICE, FIRE, EMERGENCY MEDICAL FACILITIES). _____



**ZONING MAP AMENDMENT NARRATIVE
FOR
A REQUEST FOR REVIEW OF APPLICATION FOR THE ZONING MAP AMENDMENT
BY
Ramsey Farm LP
(Claire Nitze)
CONCERNING
98 Jennings Rd
(R100 028 000 0264 0000)
BEAUFORT COUNTY, SOUTH CAROLINA**

This project narrative is submitted to the Beaufort County Planning Department as a portion of an application for Zoning Map Amendment of the Ramsey Farm LP's ("Owner") property at 98 Jennings Road, currently zoned Rural T2R. This narrative is submitted to the Beaufort County Planning Commission and the Beaufort County Council to explain the request and describe how the Application meets the criteria of the Section 7.3.40 of the Community Development Code ("CDC") and to explain the reason(s) for the zoning request as required by the Application for rezoning.

I. NARRATIVE

a. Introduction, Background, and Request

The Property located at 98 Jennings Road is an approximately 86.16 acre parcel of real property identified by Beaufort County Tax map number R100 028 000 0264 0000, ("Property"), currently zoned Rural Neighborhood (T2R), located within the unincorporated Beaufort County and bounded to the south by several vacant and residential parcels that are zoned Neighborhood Mixed-Use (C3NMU), to east by Ramsey Road, to the west by Jennings Road, and to the north several parcels zoned Rural (T2R). The property is accessed from both Ramsey and Jennings Roads.

The existing 86.16 acre property has been used to farm planted pines over the years. Of the 86.16 acres, approximately 15.59 acres are wetlands, the largest of which occupies the southeast corner of the property.

The property owner is seeking a rezoning to Neighborhood Mixed-use (C3NMU), aligning with the current C3NMU zoning of adjacent parcels to the southwest, south, and east. This proposal is in line with the Comprehensive Plan's Future

Land Use Map, designating the area as Neighborhood Mixed-Use, consistent with the existing zoning of neighboring properties to the north and west of the parcel. The expansion of mixed-use development is intended to diversify commercial and residential options, fostering a centralized development that bolsters employment opportunities while preserving the rural character of northern Beaufort County.

Furthermore, there is a likelihood that the property will be developed for single-family residential use, catering to the housing needs of Marine Corps Air Station families by offering entry-level housing options.

The Owner submits this Application requesting the approval of:

- i. An amendment to the County's Zoning Map designating the Property with the zoning district of Neighborhood Mixed-use (C3NMU) with land uses described listed in the CDC Division 3.3.30.G and shown below.

| Land Use Type ¹ | Specific Use Regulations | C3 |
|---------------------------------------|--------------------------|-----|
| Agricultural | | |
| Agriculture & Crop Harvesting | | P |
| Agricultural Support Services | 2.3 | TCP |
| Seasonal Farmworker Housing | 4.1.90 | C |
| Forestry | | P |
| Commercial Stables | 4.1.50 | C |
| Residential | | |
| Dwelling: Single-Family Detached Unit | | P |
| Dwelling: Single-Family Attached Unit | | P |
| Dwelling: Two-Family Unit (Duplex) | | P |
| Dwelling: Multi-Family Unit | 4.1.170 | C |
| Dwelling: Group Home | | P |
| Dwelling: Family Compound | 2.7.40 | C |

| Land Use Type ¹ | Specific Use Regulations | C3 |
|--|--------------------------|-----|
| Community Residence (dorms, convents, assisted living, temporary shelters) | 2.3 | TCP |
| Home Office | 4.2.90 | C |
| Home Business | 4.2.80 | C |
| Live/Work | 2.3 | TCP |
| Manufactured Home Community | 4.1.130 | C |
| Retail & Restaurants | | |
| General Retail 3,500 SF or less | 2.3 | TCP |
| Gas Station/Fuel Sales | 4.1.100 | C |
| Restaurant, Café, Coffee Shop | 2.3 | TCP |
| Offices & Services | | |
| General Offices & Services 3,500 SF or less | 4.1.110 | C |
| Animal Services: Clinic/Hospital | 2.3 | TCP |
| Day Care: Family Home (up to 8 clients) | | P |
| Day Care: Commercial Center (9 or more clients) | 2.3 | TCP |
| Lodging: Short-Term Housing Rental (STHR) | 4.1.360 | S |
| Lodging: Inn (up to 24 rooms) | 2.3 | TCP |
| Medical Service: Clinics/Offices | 2.3 | TCP |
| Recreation, Education, Safety, Public Assembly | | |
| Community Oriented Cultural Facility (less than 15,000 SF) | 2.3 | TCP |

| Land Use Type ¹ | Specific Use Regulations | C3 |
|---|--------------------------|----|
| Community Public Safety Facility | | P |
| 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 | C |
| Park, Playground, Outdoor Recreation Areas | | P |
| Recreation Facility: Golf Course | | P |
| School: Public or Private | | P |
| School: Specialized Training/Studio | | P |
| School: College or University | 7.2.130 | S |
| Infrastructure, Transportation, Communications | | |
| Infrastructure and Utilities: Regional (Major) Utility | 4.1.210 | C |
| Wireless Communications Facility | 4.1.320 | S |
| Key | | |
| P Permitted Use | | |
| C Conditional Use | | |
| S Special Use Permit Required | | |
| TCP Permitted only as part of a Traditional Community Plan under the requirements in Division 2.3 | | |
| — Use Not Allowed | | |
| End Notes | | |
| ¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions. | | |

II. REZONING CRITERIA

- a. Applicability. The current zoning for the Property is Rural Neighborhood (T2R). The proposed amendment requests designating the Neighborhood Mixed-use (C3NMU). The Owner submits that it is appropriate to permit the agricultural, residential, commercial, recreational, and infrastructure land uses to be consistent with adjacent existing and proposed developments and in accordance with the Beaufort County Comprehensive Plan.
- b. Application Review Criteria. (CDC Division 7.3.40 - Zone Map Amendment (Rezoning) Review Standards). The Owner proposes that this Application satisfies or exceeds the requirements for a Zoning Map Amendment as set forth below.
- c. Consistency with the 2040 Beaufort County Comprehensive Plan

- i. **NATURAL ENVIRONMENT** – The distinctive charm of Beaufort County is closely tied to its abundant natural resources. The county is committed to maintaining a harmonious equilibrium between human activities and the preservation of its natural environment. Any potential redevelopment will align with the Comprehensive Plan's objectives, specifically focusing on Water Quality and Quantity, Habitat Preservation and Protection, Environmental Education and Outreach with the Public, and the promotion of Sustainable Development. Presently utilized as a pine plantation, the property has undergone clear-cutting and replanting cycles over the past few decades. The development of the parcel will not result in adverse impacts to the natural environment or cause detrimental effects to the surrounding natural ecosystem.
- ii. **CULTURE**– Preserving and safeguarding Beaufort County's rich cultural heritage and history remains a top priority for the county. It is crucial to acknowledge evolving socio-economic and cultural trends while actively promoting the arts. The proposed amendment aligns with the Cultural Resources element of the Comprehensive Plan, underscoring the county's commitment to these objectives.

The military presence in the area significantly influences the local economy. Given the site's proximity to the Marine Corps Air Station, the proposed rezoning presents a valuable opportunity to expand housing options for service members' families. Additionally, it opens doors for local retail and non-retail commercial ventures. This strategic rezoning initiative aims to address the housing needs of Beaufort County's diverse population, contributing to a more inclusive and thriving community.

- iii. **ECONOMY** – The Comprehensive Plan underscores the importance of enhancing options for entry-level housing to address the diverse economic needs essential for sustaining the vitality of Beaufort County's community. Instead of solely focusing on attracting new businesses and industries to diversify the tax base, the establishment of entry-level

housing opportunities aims to provide housing that supports the County's growing economies. This is achieved by strengthening and expanding the business tax base while simultaneously creating quality, value-added housing options for residents.

Within the framework of the Comprehensive Plan, a key objective is to ensure a sufficient supply of appropriately located land zoned for non-retail commercial uses. This strategic allocation aims to promote the economic well-being and diversity of the region. Additionally, the Economy component of the Comprehensive Plan advocates for the planning, development, and permitting of mixed-use developments tailored to appeal to young professionals and military families.

In this context, the rezoning to Neighborhood Mixed-use (C3NMU) offers an opportunity to extend and diversify the predominantly rural residential tax base. The focus shifts towards accommodating the housing needs of the workforce, thereby creating a more resilient and inclusive foundation for Beaufort County's economic sustainability.

- iv. **MOBILITY** – In the realm of urban planning, careful consideration is given to aspects such as land use development, mobility, public safety, infrastructure costs, environmental conservation, and the visual and economic appeal of neighborhoods and communities. The tangible consequences of new growth, particularly in terms of diminished quality of life due to traffic congestion, underscore the importance of comprehensive planning. The introduction of the Neighborhood Mixed-use (C3NMU) zoning, allowing for both retail and non-retail commercial development, not only promotes local and diverse job opportunities and shopping options but also serves to curtail extensive vehicle travel, thereby safeguarding road capacity.

Moreover, this zoning initiative goes beyond by incorporating measures to enhance interconnectivity, introducing a secondary street infrastructure that strategically improves traffic impacts. By facilitating smoother traffic flow, these additional enhancements contribute to an overall improvement in the livability and functionality of neighborhoods. Additionally, the rezoning effort enables the establishment of housing in closer proximity to employment centers, ensuring greater accessibility for future residents and fostering a more sustainable and interconnected urban environment.

- v. **HOUSING** – With the uptick in housing prices and a trend reflecting the migration of affluent retirees to the area, housing accessibility is becoming an increasing priority. Under the proposed zoning, suitable entry-level housing can be provided near employment opportunities. The allowed residential uses under the proposed zoning address barriers to housing accessibility, as recommended in the Comprehensive Plan. The option to provide entry-level housing on this site would mean that the County can more easily protect and preserve the family compounds prevalent in the rural areas of Northern Beaufort County.

- vi. **COMMUNITY FACILITIES** – County departments offer a range of services, encompassing General Government, Detention Center, Emergency Management, EMS, Libraries, Park and Recreations, as well as Solid Waste/ Recycling. The suggested rezoning to Neighborhood Mixed-use (C3NMU) is anticipated to have no adverse effects on the mission and objectives of community facilities. Given the property's existing management under pine plantation, it already accommodates many of these services. Any alterations in land use resulting from the rezoning are expected to balance the demand by augmenting the tax revenue base. Additionally, it's worth noting that the local schools near the parcel currently operate under capacity.
- vii. **BUILT ENVIRONMENT** – Effective land use planning serves as the cornerstone for all redevelopment initiatives within the County, ensuring a balanced and sustainable distribution of various land use categories to meet both present and future community needs. Looking ahead, growth management will persistently prioritize redevelopment, employing innovative strategies to adapt to unique conditions. The identified parcel and its adjacent area are designated as "Neighborhood Mixed-Use" on the Future Land Use Map of the Comprehensive Plan. The current property usage falls short of aligning with the standards of neighboring development, impacting quality of life and limiting diverse employment opportunities. The proposed rezoning aims to expand the range and diversity of existing land uses in the vicinity.

The Comprehensive Plan indicates that the average population growth in this area is driven by individuals seeking retirement and economic opportunities. The relocating population tends to be well-educated, affluent, and residing in smaller households. Projections in the Comprehensive Plan foresee substantial residential growth in Northern Beaufort County, particularly in this section. Recent population trends validate these expectations. The Comprehensive Plan recommends strategies focused on creating walkable communities with a variety of housing options. The C3 Neighborhood Mixed-use zone, as outlined in the 2040 Beaufort County Atlas, facilitates high-quality, moderately dense residential development, incorporating denser zones for multi-family and mixed-use structures to promote walkability and affordable housing choices. Design requirements aim to cultivate a suburban character while encouraging both pedestrian and automobile access.

- viii. **FOCUSED PLANNING AREAS** – This parcel is situated within the Beaufort & Port Royal Planning Areas. The adoption of the 2020 Beaufort County Comprehensive Plan, in conjunction with the Port Royal Comprehensive Plan, presented an opportunity to establish unified planning principles. In the Beaufort & Port Royal Focal Area, particular attention should be given to the redesign of roads for enhanced safety, multimodal accessibility, and a human-scaled environment. Prioritizing plans for a Palmetto Breeze trolley service connecting Port Royal and Downtown Beaufort is crucial, as it would significantly contribute to mobility and a cohesive sense of place.

For growth management west of Port Royal, guidance should be derived from Place Types influenced by the Greenprint Overlay Map, the existing transportation network, and the potential integration of a trolley service. Introducing a new Town Place Type along Parris Island Gateway is proposed to create a walkable destination and residential space, fostering a distinct sense of place and identity for this specific County area.

Successful execution of the Port Royal and Beaufort County plans relies on joint planning, cooperation, an annexation strategy, and shared standards for development and infrastructure services. As outlined in the Comprehensive Plan for the Beaufort & Port Royal Planning Area, the recommended future land use for this parcel is Neighborhood Mixed-use.

- d. Is not in conflict with any provision of this Development Code, or the Code of Ordinances. The Property is designated, according to the Future Land Use Map. Rezoning this Property to C3NMU is compatible and consistent with the adjacent properties and with the Future Land Use Map in the Comprehensive Plan.
- e. Addresses a demonstrated community need. In the northern part of Beaufort County, the predominant tax base consists of rural residential areas. The suggested rezoning aims to promote a range of entry level housing options and address potential commercial requirements, both of which have been recognized as essential community priorities in the Comprehensive Plan.
- f. Is required by changed conditions. The use of the property as a pine plantation is no longer considered its optimal use. The prospective owners aim to align the property's zoning with the Future Land Use Map outlined in the Comprehensive Plan. They envision transforming the land into entry-level housing to meet the housing needs of the growing employment base in northern Beaufort County. Given the county's remarkable rate of growth, which is expected to persist, there is a pressing need to address the imbalance between high demand and limited supply. Rezoning this property presents an opportunity to tackle this crucial issue of accommodating the area's rapid growth.
- g. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land. Owing to its close proximity to neighboring parcels presently zoned as Neighborhood Mixed-Use (C3NMU) and the Future Land Use Map designating adjacent parcels as C3NMU, the proposed zoning aligns seamlessly with the surrounding zoning and land uses. This parcel is poised to function as a natural extension of the existing Neighborhood Mixed-Use (C3NMU) in this area. The residential uses permitted under the C3NMU zoning are anticipated to have no adverse effects on the neighboring existing and planned uses.
- h. Would not adversely impact nearby lands. The newly implemented stormwater ordinance in the County will be applicable to all forthcoming property developments. Furthermore, these future developments will incorporate buffers to safeguard adjacent properties against any visual impacts.

- i. Would result in a logical and orderly development pattern. The location is conveniently reachable from both Jennings and Ramsey Roads, seamlessly linking to the neighboring development layout and offering the potential for a secure and pedestrian-friendly community experience.
- j. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment. The property's future development would meet or exceed the County's current development standards for natural resource protection and stormwater management.
- k. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities). It is anticipated that the proposed rezoning and redevelopment will be served by existing utilities and community facilities. There is adequate space to address stormwater on site for any development. No additional roadways would be required to serve this site.

III. CONCLUSION.

- a. The Owner believes the foregoing narrative and analysis demonstrates that this Application for Zoning Map Amendment is in conformance with the County's Comprehensive Plan and meets the criteria of the CDC Division 7.3.40. Accordingly, the Owner respectfully requests that the Planning Commission and County Council:
 - b. Review this Application and the supporting documentation.
 - c. Find the following:
 - i. That this Application is consistent with and furthers the goals and policies of the Comprehensive Plan and the purposes of this Development Code.
 - ii. That this Application is not in conflict with any provision of this Development Code, or the Code of Ordinances
 - iii. That this Application addresses a demonstrated community need.
 - iv. That this Application is required by changed conditions.
 - v. That this Application is compatible with existing and proposed uses surrounding the land subject to the application and is the appropriate zone and uses for the land.
 - vi. That this Application would not adversely impact nearby lands.
 - vii. That this Application would result in a logical and orderly development pattern.
 - viii. That this Application would not result in adverse impacts on the natural environment.

- ix. That this Application would result in development that is adequately served by public facilities.

- d. Recommend approval of this Application and the rezoning of the Property to Neighborhood Mixed-use (C3NMU) with the uses and density set forth in the Beaufort County Community Development Code.

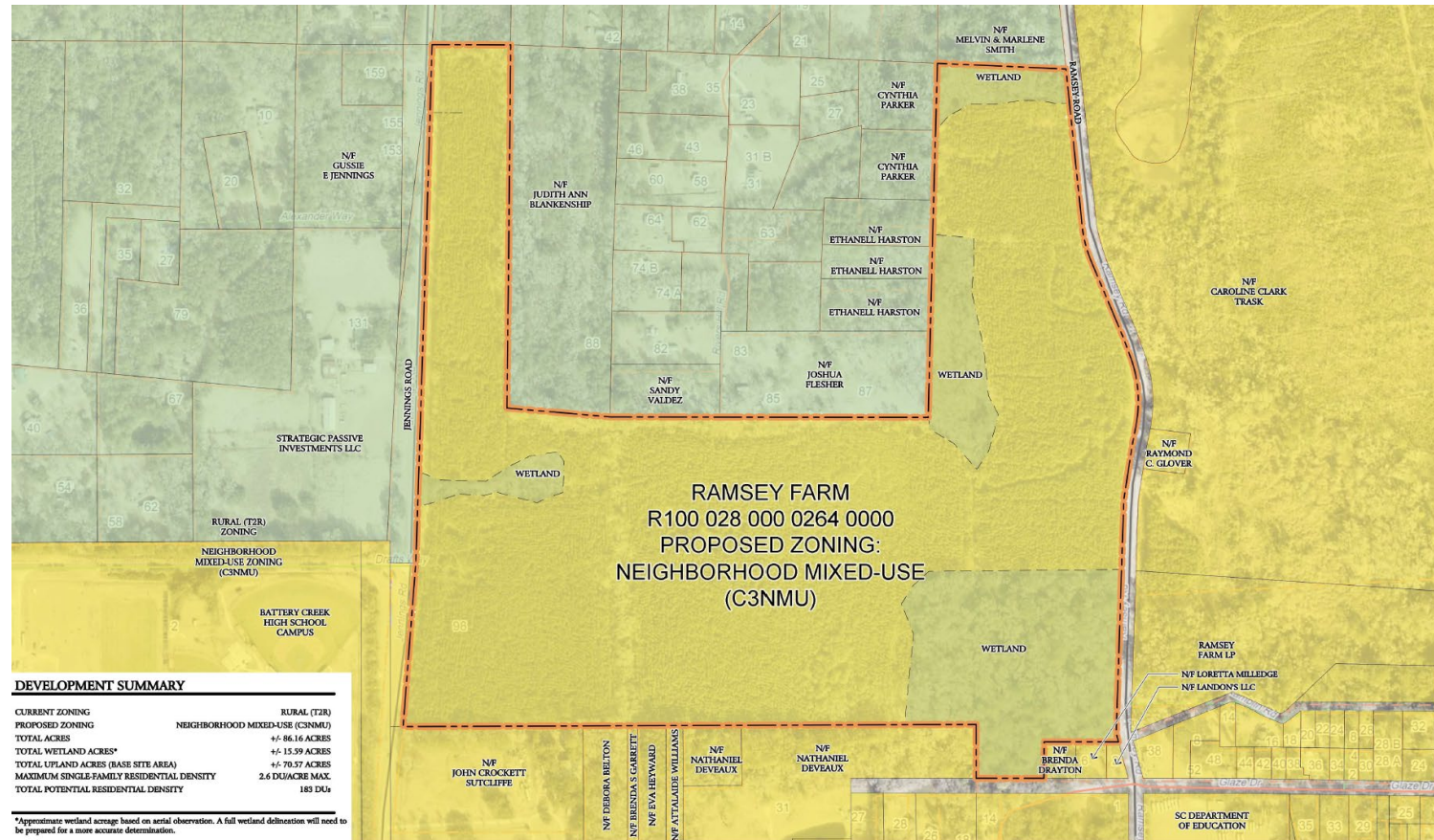
Respectfully submitted on behalf of the Owner this 28 day of November 2023.

Regards,


Josh K. Tiller, PLA, ASLA
President, J.K. Tiller Associates, Inc.

RAMSEY FARM LP REZONING

98 JENNINGS ROAD



DEVELOPMENT SUMMARY

| CURRENT ZONING | RURAL (T2R) |
|---|--------------------------------|
| PROPOSED ZONING | NEIGHBORHOOD MIXED-USE (C3NMU) |
| TOTAL ACRES | ± 86.16 ACRES |
| TOTAL WETLAND ACRES* | ± 15.59 ACRES |
| TOTAL UPLAND ACRES (BASE SITE AREA) | ± 70.57 ACRES |
| MAXIMUM SINGLE-FAMILY RESIDENTIAL DENSITY | 2.6 DU/ACRE MAX. |
| TOTAL POTENTIAL RESIDENTIAL DENSITY | 183 DU |

*Approximate wetland acreage based on aerial observation. A full wetland delineation will need to be prepared for a more accurate determination.

E. TRAFFIC IMPACT ANALYSIS (TIA): According to Section 6.3.20.D of the CDC, “An application for a rezoning shall include a TIA where the particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.”

Beaufort County Office of Engineering has reviewed and concurs with the land use code utilized, resultant trip generation, and intersections to be studied in the Traffic Impact Analysis (TIA) Memorandum for 98 Jennings Road. However, to account for residents traveling south for work and east for shopping during the weekdays the following intersections would require study as well: Joe Frazier at Broad River Road, Broad River Road at WK Alston Drive, and Parris Island Gateway at Broad River Road. In addition, we agree with the trip assignments assumed for the development, for the most part, but we believe that the demand for commuters heading to Bluffton and Hilton Head for work holds more weight than what is currently being assigned at Broad River Road and Jennings Road. In light of this, the applicant will be required to amend the memorandum to include this trip assignment adjustment. This amended memorandum will address the Office of Engineering's concerns, and the development should move through the County's procedures as it normally would. However, the final TIA must include an analysis of the intersections aforementioned before final development approval.

From: Sullivan, Kevin <kevin.sullivan@bcgov.net>
Sent: Wednesday, December 27, 2023 11:22:46 AM
To: Turner, Dillon <Dillon.Turner@kimley-horn.com>
Cc: Merchant, Robert <robm@bcgov.net>
Subject: Re: Traffic Impact Analysis

You don't often get email from kevin.sullivan@bcgov.net. [Learn why this is important](#)

Good Morning Dillon,

I am back in the office. Whenever you are ready to discuss, just give me a call. Just be aware of the context of your development:

- The applicant is requesting an upzoning. If approved it will yield a drastic change to the surrounding roadway network. And I am not embellishing at all - it will be drastic. Of course we can talk about the peak only, but 1200 plus more trips in total every day is nothing to sneeze at. Which is why midday trip generation and assignments will be required as well for the final TIA. You might say why? This is only 200 homes. And we would say why not? The communities (residential, business, educational) that are adjacent to this new 200 homes deserve the ultimate amount of transparency that we can provide to equip them with the information they would need to support this development. We do want the community support this development? Don't we? No better way to get there support, than full transparency.
- Then there is the timing of your development - its no secret, we are in the midst of a development boom. Several more developments in the vicinity are currently under construction or in the pipe line. Your applicant not proposing 200 homes in the middle of rural America, on the contrary, her/she is proposing 200 homes at ground zero of a new urbanized Burton, SC. So, if the number of intersections that you are being required to scope seems conservative, it is because it is. The County reserves the right to study the traffic impact on their roadway network with as much conservatism as they deem necessary.

Traffic Impact

Zoning Map Amendment Review Standards

1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;

While the proposed C3 Zoning District is one of the districts that implements this future land use designation, the Comprehensive Plan identifies this particular site as a Hamlet Place Type. This means that the Place Type Overlay provision should be used when this property is upzoned. Hamlets are typically larger and more intense than rural crossroads and are often located at the edge of the rural and urban condition. A hamlet often has a small, pedestrian-oriented main street with surrounding and supporting residential fabric that is scaled to the size of a pedestrian shed. The main street and surrounding residential fabric transitions quickly into agricultural uses and/or the natural environment. A historic example of a hamlet includes the original settlement of Bluffton along Calhoun Street.

3.4.80 - Place Type Overlay (PTO) Zone Standards



- A. **Purpose.** The purpose of the Place Type Overlay (PTO) Zone is to provide the opportunity for properties that are identified in the Comprehensive Plan as rural crossroad, hamlet, and village place types to seek a comprehensive zoning amendment to establish transect zones (Division [3.2](#)) to implement the vision for these place types.

The Place Type Overlay (PTO) Zone is intended to create and reinforce walkable, urban environments with a mix of housing, civic, retail, and service choices and that achieve the following:

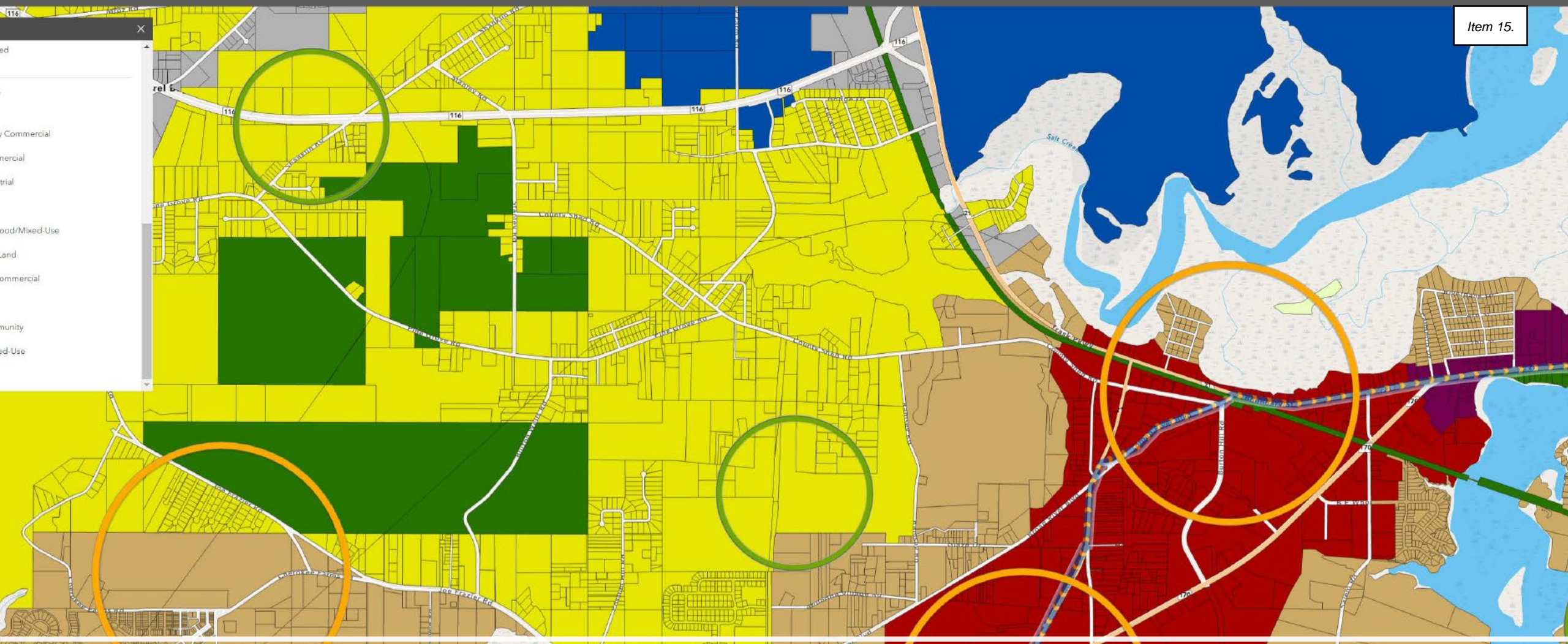
1. Improve the built environment and human habitat

Search Google Maps

← 83 Calhoun St
Bluffton, South Carolina
Google Street View
Apr 2022 See more dates







Comprehensive Plan Future Land Use

Zoning Map Amendment Review Standards (From our Narrative):

c. Consistency with the 2040 Beaufort County Comprehensive Plan

- i. **NATURAL ENVIRONMENT** – The distinctive charm of Beaufort County is closely tied to its abundant natural resources. The county is committed to maintaining a harmonious equilibrium between human activities and the preservation of its natural environment. Any potential redevelopment will align with the Comprehensive Plan's objectives, specifically focusing on Water Quality and Quantity, Habitat Preservation and Protection, Environmental Education and Outreach with the Public, and the promotion of Sustainable Development. Presently utilized as a pine plantation, the property has undergone clear-cutting and replanting cycles over the past few decades. The development of the parcel will not result in adverse impacts to the natural environment or cause detrimental effects to the surrounding natural ecosystem.
- ii. **CULTURE**– Preserving and safeguarding Beaufort County's rich cultural heritage and history remains a top priority for the county. It is crucial to acknowledge evolving socio-economic and cultural trends while actively promoting the arts. The proposed amendment aligns with the Cultural Resources element of the Comprehensive Plan, underscoring the county's commitment to these objectives.

The military presence in the area significantly influences the local economy. Given the site's proximity to the Marine Corps Air Station, the proposed rezoning presents a valuable opportunity to expand housing options for service members' families. Additionally, it opens doors for local retail and non-retail commercial ventures. This strategic rezoning initiative aims to address the housing needs of Beaufort County's diverse population, contributing to a more inclusive and thriving community.

- iii. **ECONOMY** – The Comprehensive Plan underscores the importance of enhancing options for entry-level housing to address the diverse economic needs essential for sustaining the vitality of Beaufort County's community. Instead of solely focusing on attracting new businesses and industries to diversify the tax base, the establishment of entry-level housing opportunities aims to provide housing that supports the County's growing economies. This is achieved by strengthening and expanding the business tax base while simultaneously creating quality, value-added housing options for residents.

Within the framework of the Comprehensive Plan, a key objective is to ensure a sufficient supply of appropriately located land zoned for non-retail commercial uses. This strategic allocation aims to promote the economic well-being and diversity of the region. Additionally, the Economy component of the Comprehensive Plan advocates for the planning, development, and permitting of mixed-use developments tailored to appeal to young professionals and military families.

In this context, the rezoning to Neighborhood Mixed-use (C3NMU) offers an opportunity to extend and diversify the predominantly rural residential tax base. The focus shifts towards accommodating the housing needs of the workforce, thereby creating a more resilient and inclusive foundation for Beaufort County's economic sustainability.

- iv. **MOBILITY** – In the realm of urban planning, careful consideration is given to aspects such as land use development, mobility, public safety, infrastructure costs, environmental conservation, and the visual and economic appeal of neighborhoods and communities. The tangible consequences of new growth, particularly in terms of diminished quality of life due to traffic congestion, underscore the importance of comprehensive planning. The introduction of the Neighborhood Mixed-use (C3NMU) zoning, allowing for both retail and non-retail commercial development, not only promotes local and diverse job opportunities and shopping options but also serves to curtail extensive vehicle travel, thereby safeguarding road capacity.

Moreover, this zoning initiative goes beyond by incorporating measures to enhance interconnectivity, introducing a secondary street infrastructure that strategically improves traffic impacts. By facilitating smoother traffic flow, these additional enhancements contribute to an overall improvement in the livability and functionality of neighborhoods. Additionally, the rezoning effort enables the establishment of housing in closer proximity to employment centers, ensuring greater accessibility for future residents and fostering a more sustainable and interconnected urban environment.

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The Comprehensive Plan indicates that the average population growth in this area is driven by individuals seeking retirement and economic opportunities. The relocating population tends to be well-educated, affluent, and residing in smaller households. Projections in the Comprehensive Plan foresee substantial residential growth in Northern Beaufort County, particularly in this section. Recent population trends validate these expectations. The Comprehensive Plan recommends strategies focused on creating walkable communities with a variety of housing options. The C3 Neighborhood Mixed-use zone, as outlined in the 2040 Beaufort County Atlas, facilitates high-quality, moderately dense residential development, incorporating denser zones for multi-family and mixed-use structures to promote walkability and affordable housing choices. Design requirements aim to cultivate a suburban character while encouraging both pedestrian and automobile access.

- viii. **FOCUSED PLANNING AREAS** – This parcel is situated within the Beaufort & Port Royal Planning Areas. The adoption of the 2020 Beaufort County Comprehensive Plan, in conjunction with the Port Royal Comprehensive Plan, presented an opportunity to establish unified planning principles. In the Beaufort & Port Royal Focal Area, particular attention should be given to the redesign of roads for enhanced safety, multimodal accessibility, and a human-scaled environment. Prioritizing plans for a Palmetto Breeze trolley service connecting Port Royal and Downtown Beaufort is crucial, as it would significantly contribute to mobility and a cohesive sense of place.

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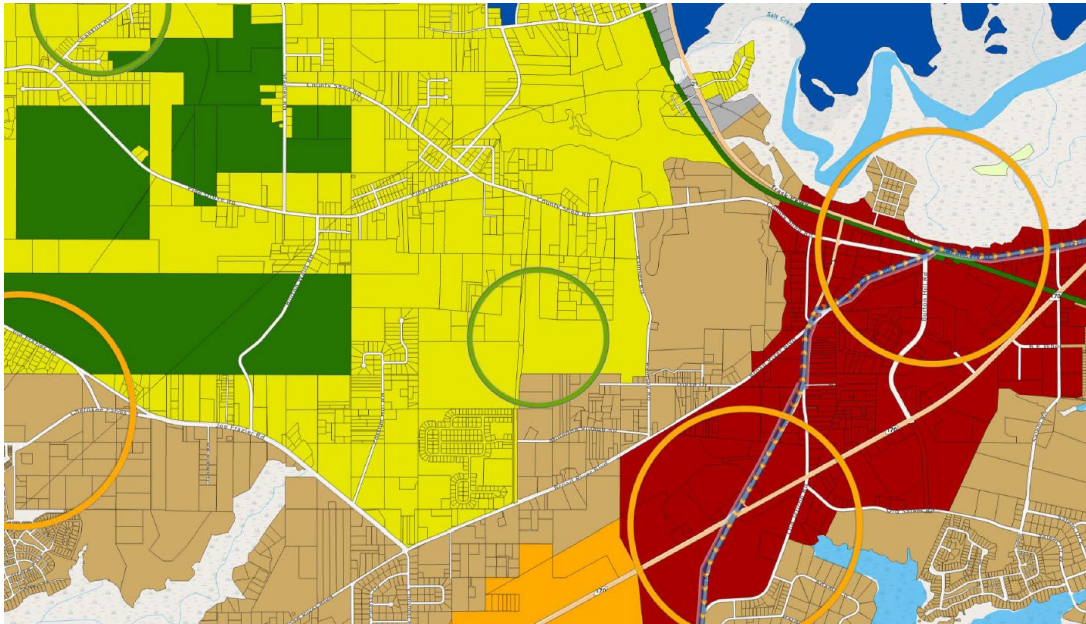
Successful execution of the Port Royal and Beaufort County plans relies on joint planning, cooperation, an annexation strategy, and shared standards for development and infrastructure services. As outlined in the Comprehensive Plan for the Beaufort & Port Royal Planning Area, the recommended future land use for this parcel is Neighborhood Mixed-use.

Zoning Map Amendment Review Standards

2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;**
To be consistent with the Comprehensive Plan, the Play Type Overlay provision should be used to upzone this property.

From our narrative:

- d. Is not in conflict with any provision of this Development Code, or the Code of Ordinances. The Property is designated, according to the Future Land Use Map. Rezoning this Property to C3NMU is compatible and consistent with the adjacent properties and with the Future Land Use Map in the Comprehensive Plan.



3.4.80 - Place Type Overlay (PTO) Zone Standards



- A. **Purpose.** The purpose of the Place Type Overlay (PTO) Zone is to provide the **opportunity** for properties that are identified in the Comprehensive Plan as rural crossroad, hamlet, and village place types to seek a comprehensive zoning amendment to establish transect zones (Division [3.2](#)) to implement the vision for these place types.

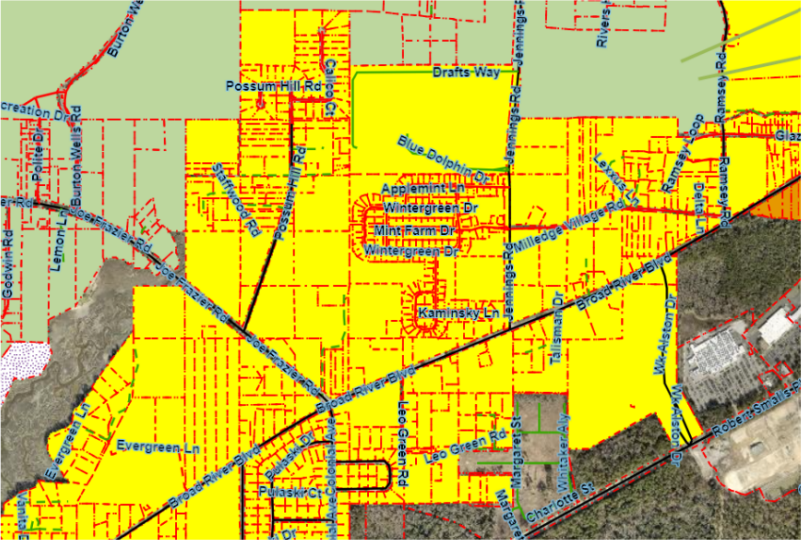
The Place Type Overlay (PTO) Zone is intended to create and reinforce walkable, urban environments with a mix of housing, civic, retail, and service choices and that achieve the following:

1. Enhance the built environment and human habitat

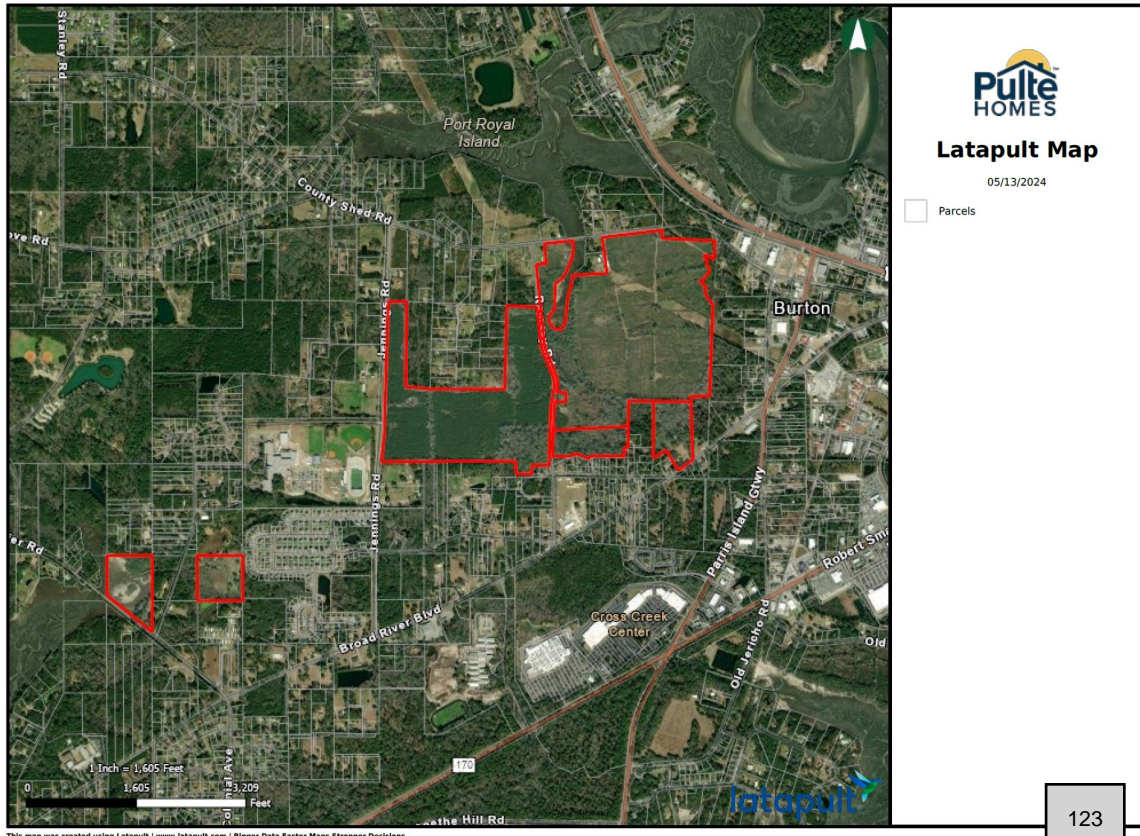
Zoning Map Amendment Review Standards

3. **Addresses a demonstrated community need;**

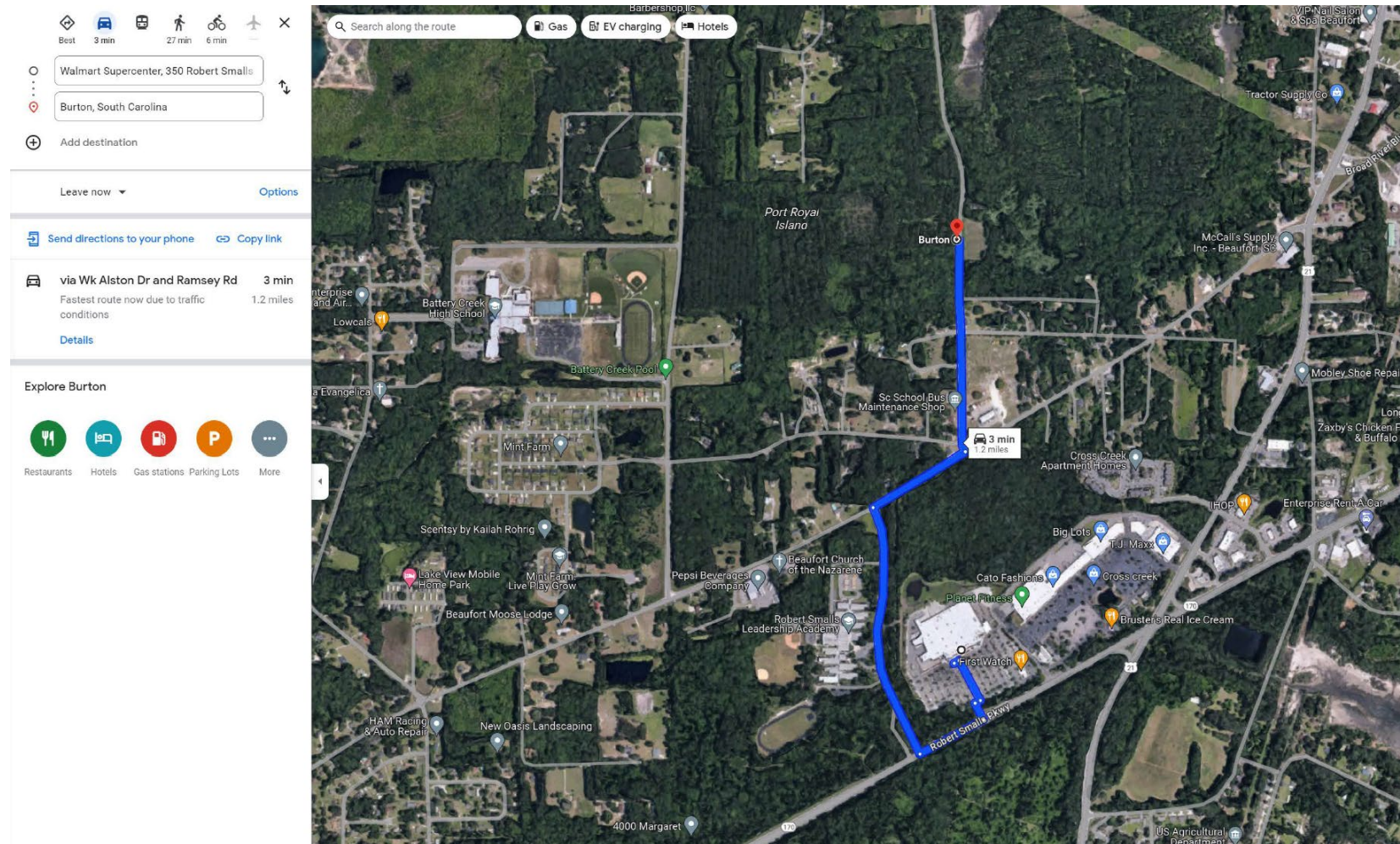
The requested rezoning is not considered a community necessity due to the existence of ample undeveloped land zoned C3 (shown in yellow below) in the area and the more suitable prospect of implementing a Place Type Overlay. These factors collectively illustrate that the proposed rezoning does not align with the community's immediate needs or long-term development objectives.



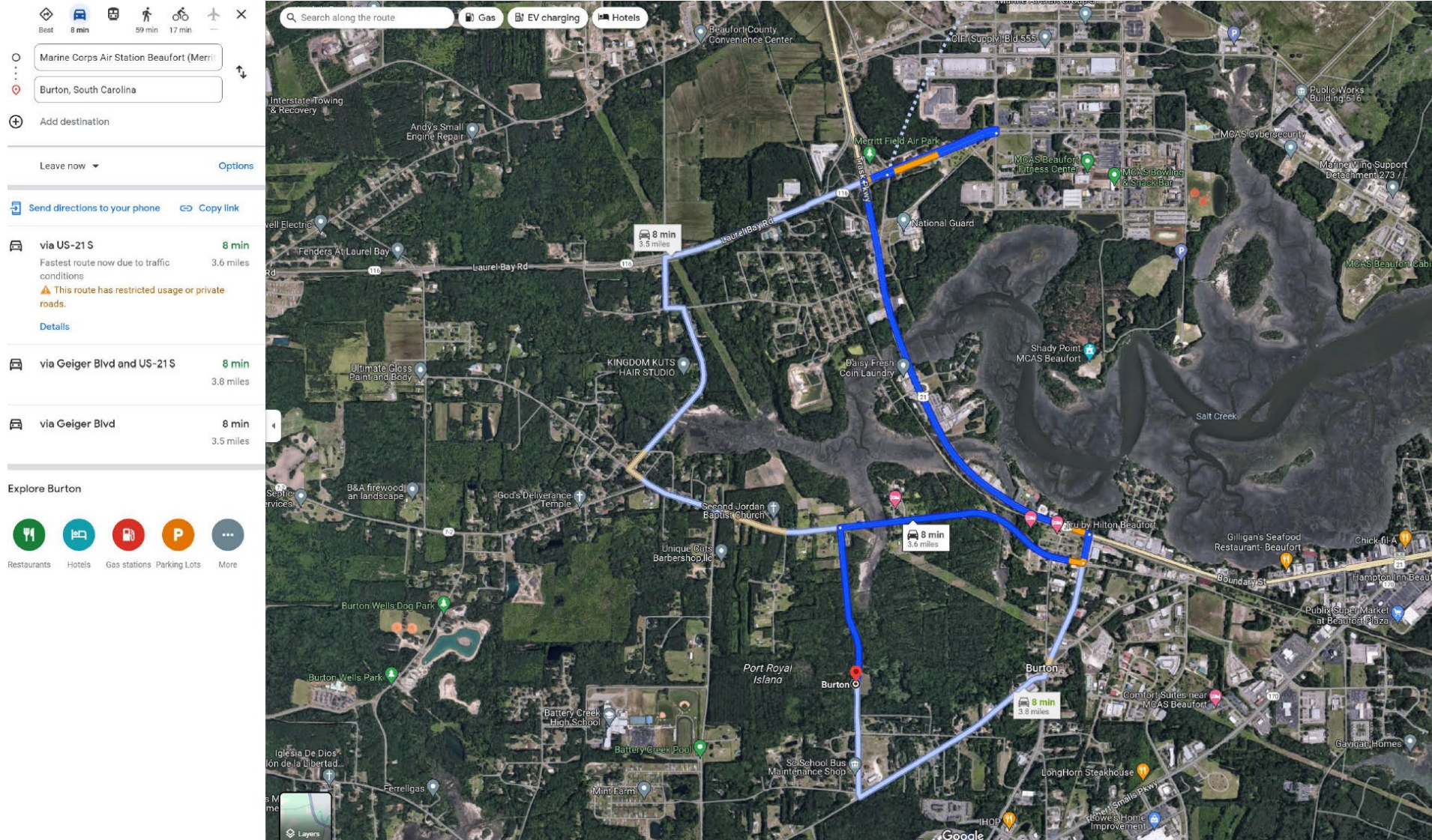
e. Addresses a demonstrated community need. In the northern part of Beaufort County, the predominant tax base consists of rural residential areas. The suggested rezoning aims to promote a range of entry level housing options and address potential commercial requirements, both of which have been recognized as essential community priorities in the Comprehensive Plan.



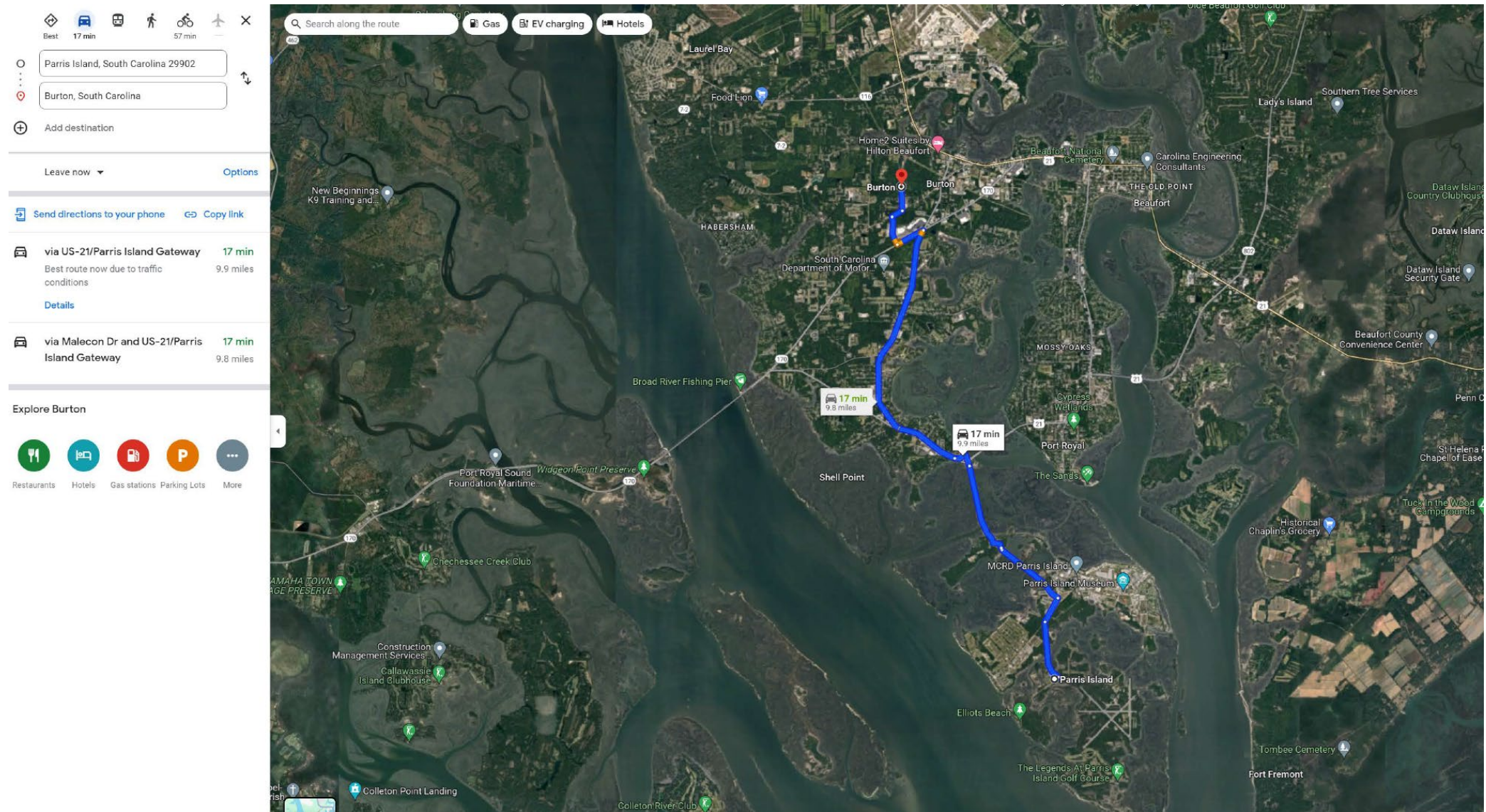
Proximity to Commercial and Employment



Proximity to Commercial and Employment



Proximity to Commercial and Employment



Zoning Map Amendment Review Standards

4. **Is required by changed conditions;**
See 3

From our narrative:

- f. Is required by changed conditions. The use of the property as a pine plantation is no longer considered its optimal use. The prospective owners aim to align the property's zoning with the Future Land Use Map outlined in the Comprehensive Plan. They envision transforming the land into entry-level housing to meet the housing needs of the growing employment base in northern Beaufort County. Given the county's remarkable rate of growth, which is expected to persist, there is a pressing need to address the imbalance between high demand and limited supply. Rezoning this property presents an opportunity to tackle this crucial issue of accommodating the area's rapid growth.

Zoning Map Amendment Review Standards

5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;**

Much of the existing land use patterns in the immediate vicinity of this site consist of vacant land and low density residential. However, immediately west of the site is Battery Creek High School and Mint Farms, a moderate density residential subdivision.

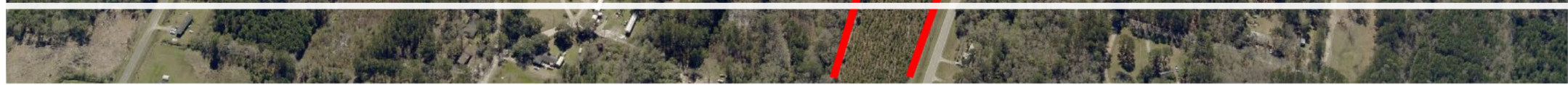
From our narrative:

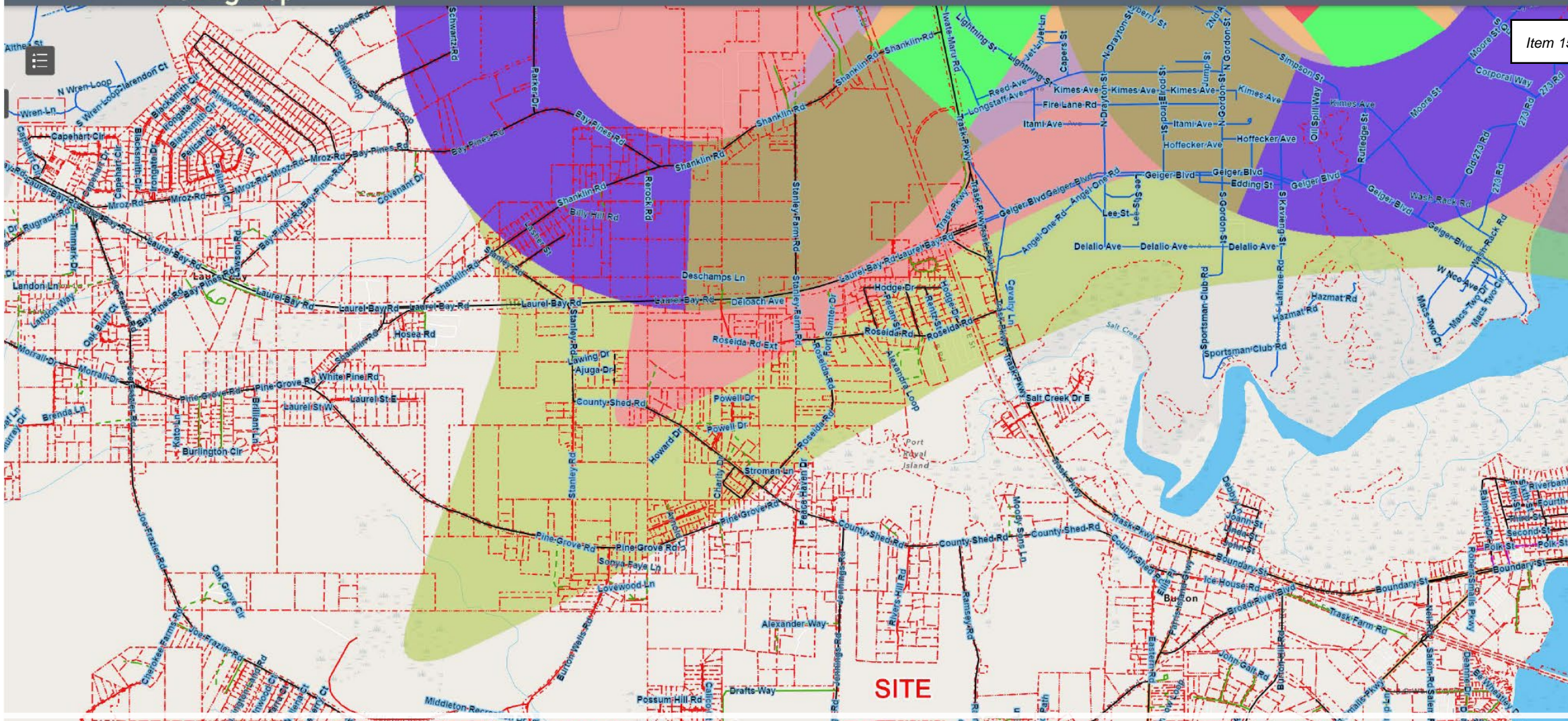
- g. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land. Owing to its close proximity to neighboring parcels presently zoned as Neighborhood Mixed-Use (C3NMU) and the Future Land Use Map designating adjacent parcels as C3NMU, the proposed zoning aligns seamlessly with the surrounding zoning and land uses. This parcel is poised to function as a natural extension of the existing Neighborhood Mixed-Use (C3NMU) in this area. The residential uses permitted under the C3NMU zoning are anticipated to have no adverse effects on the neighboring existing and planned uses.



Item 15.

Compatible with existing and proposed adjacent uses





Item 15.

Does not impact MCAS ACUZ Zone



Zoning Map Amendment Review Standards

6. **Would not adversely affect nearby lands;**

The proposed rezoning could significantly impact nearby lands in several aspects. Firstly, it may strain the capacity of the existing two-lane roads due to increased traffic from the additional housing units. Secondly, there might be potential stress on water and sewer capacities with the introduction of a larger number of residences. Lastly, the shift to 70-foot-wide minimum lots could clash with the surrounding rural land, potentially altering the area's character and development pattern.

From our narrative:

- h. Would not adversely impact nearby lands. The newly implemented stormwater ordinance in the County will be applicable to all forthcoming property developments. Furthermore, these future developments will incorporate buffers to safeguard adjacent properties against any visual impacts.

Similar in scale
to adjacent
residential:

Ramblin Rd

Ramblin Rd

Glaze Dr

Glaze Dr

Item 15.

Applemint Ln

Applemint Ln



6 SNAKE ROAD, OKATIE, SC 29909-3937
Phone 843.987.8100 | Fax 843.548.0096
Customer Service 843.987.9200
Operations & Maintenance 843.987.8046
Engineering 843.987.8065
www.bjwsa.org

Item 15.

Our mission: Provide quality water and wastewater services to our current and future customers in the Lowcountry

VERNA ARNETTE, GENERAL MANAGER

October 4, 2023

Rob Marek
Pulte Group
138 Kings Creek Dr.
Bluffton, SC 29909

Via email: rob.marek@pulte.com

Subject: Availability – Ramsey Farms: 98 Jennings Road, PIN R100 028 000 0264 0000.

Dear Mr. Marek,

This letter is in response to the water and sewer availability request for the proposed 180 lot, single family development at the above referenced parcel. Water is available from BJWSA's existing 8" water main located at the southeastern border of the property on Ramsey Road. There is also an 8" water main approximately 700' south of the subject property, at the corner of Blue Dolphin Drive on Jennings Road, which may be extended at the owner/developer's expense. Sewer is available from BJWSA's existing 8" force main wastewater line on Jennings Road or 14" force main on Ramsey Road. Please be advised that, depending on the amount of water and sewer capacity required to serve the development, the developer may be responsible for offsite improvements or upgrades to the existing system.

If or when you wish to proceed with this development, design drawings and calculations must be submitted to BJWSA's Engineering Department for review and approval. Upon approval, capacity and project fees will be determined based on the information provided. These fees must be paid in full before a capacity commitment can be issued or a pre-construction meeting may be held. If construction on the proposed water and sewer systems has not started within twelve (12) months from the date of this letter this availability will be invalid.

Should you have questions or require additional information, please contact me at 843-987-8082 or james.clardy@bjwsa.org.

Sincerely,

James Clardy
Development Program Manager

JBC/mya

| | | | |
|---|---|--|---|
| GREGORY A. PADGETT CHAIR | ANDERSON M. KINGHORN, JR. VICE CHAIR | WILLIAM SINGLETON, Ed. D. SECRETARY/TREASURER | JAMES E. BAKER, JR. IMMEDIATE PAST CHAIR |
| JEFFERSON P. ACKERMAN, P. E. R. THAYER RIVERS, JR. | MICHAEL L. BELL GERALD H. SCHULZE | LORRAINE W. BOND DAVID R. STRANGE | J. ROBERT McFEE, P. E. |

Zoning Map Amendment Review Standards

7. **Would result in a logical and orderly development pattern;**
See 5 and 6

From our narrative:

- i. Would result in a logical and orderly development pattern. The location is conveniently reachable from both Jennings and Ramsey Roads, seamlessly linking to the neighboring development layout and offering the potential for a secure and pedestrian-friendly community experience.



Item 15.

Logical and Orderly Development Pattern



Zoning Map Amendment Review Standards

8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment:**

Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.

From our narrative:

- j. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment. The property's future development would meet or exceed the County's current development standards for natural resource protection and stormwater management.

We agree with Staff!!!

Zoning Map Amendment Review Standards

9. **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):**

The School District has been notified. There is a concern in this general area that existing water and sewer lines and other sewer infrastructure may not be adequately sized to serve a development of this size without significant upgrades. It has yet to be verified that the capacity is adequate to serve additional development that would occur from this rezoning. The developer will be responsible for covering any required enhancements or expansions to water and sewer capacities resulting from the proposed project.

From our narrative:

- k. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities). It is anticipated that the proposed rezoning and redevelopment will be served by existing utilities and community facilities. There is adequate space to address stormwater on site for any development. No additional roadways would be required to serve this site.

Best 2 min 25 min 6 min

Robert Smalls Leadership Academy, 43 W
Burton, South Carolina

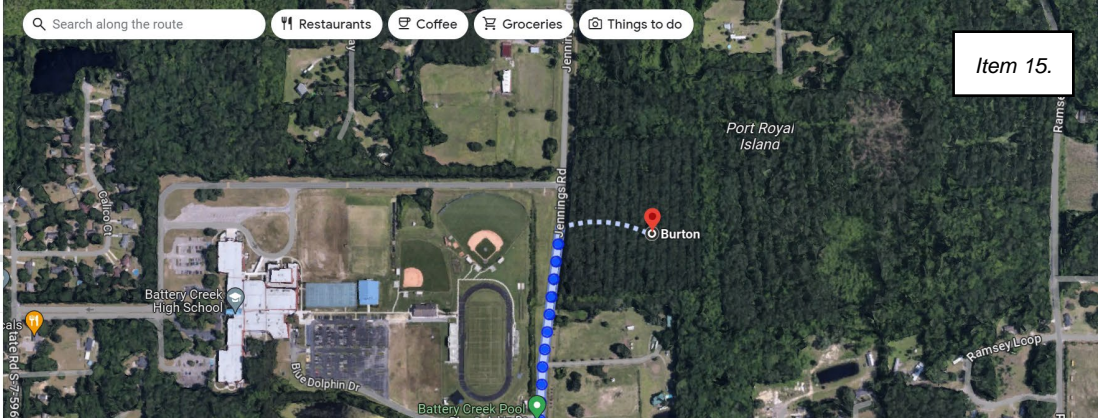
Add destination

Options

Send directions to your phone Copy link

via Broad River Blvd/State Rd S-7-20 and Jennings Rd 25 min 1.2 miles

Details



best 2 min 13 min 3 min

Battery Creek High School, 1 Blue Dolphin
Burton, South Carolina

Add destination

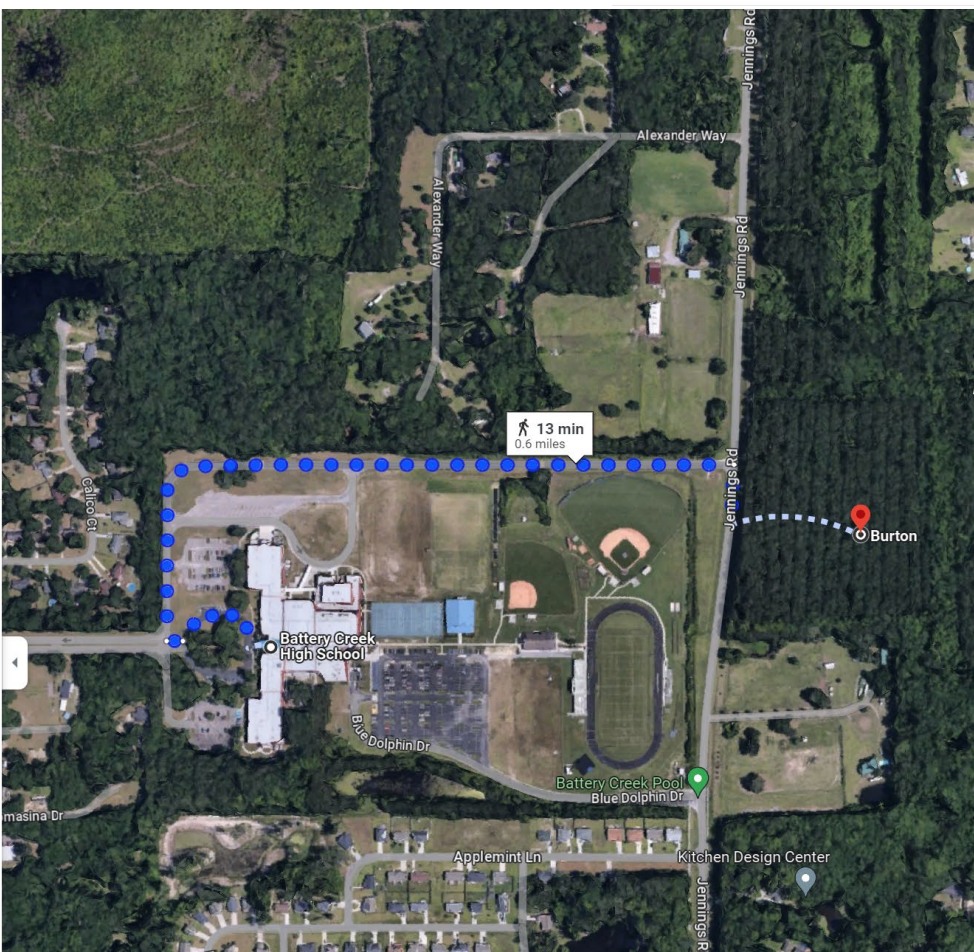
Options

Send directions to your phone Copy link

via Jennings Rd 13 min 0.6 mile

Details

Mostly flat





6 SNAKE ROAD, OKATIE, SC 29909-3937
Phone 843.987.8100 | Fax 843.548.0096
Customer Service 843.987.9200
Operations & Maintenance 843.987.8046
Engineering 843.987.8065
www.bjwsa.org

Item 15.

Our mission: Provide quality water and wastewater services to our current and future customers in the Lowcountry

VERNA ARNETTE, GENERAL MANAGER

October 4, 2023

Rob Marek
Pulte Group
138 Kings Creek Dr.
Bluffton, SC 29909

Via email: rob.marek@pulte.com

Subject: Availability – Ramsey Farms: 98 Jennings Road, PIN R100 028 000 0264 0000.

Dear Mr. Marek,

This letter is in response to the water and sewer availability request for the proposed 180 lot, single family development at the above referenced parcel. Water is available from BJWSA's existing 8" water main located at the southeastern border of the property on Ramsey Road. There is also an 8" water main approximately 700' south of the subject property, at the corner of Blue Dolphin Drive on Jennings Road, which may be extended at the owner/developer's expense. Sewer is available from BJWSA's existing 8" force main wastewater line on Jennings Road or 14" force main on Ramsey Road. Please be advised that, depending on the amount of water and sewer capacity required to serve the development, the developer maybe responsible for offsite improvements or upgrades to the existing system.

If or when you wish to proceed with this development, design drawings and calculations must be submitted to BJWSA's Engineering Department for review and approval. Upon approval, capacity and project fees will be determined based on the information provided. These fees must be paid in full before a capacity commitment can be issued or a pre-construction meeting may be held. If construction on the proposed water and sewer systems has not started within twelve (12) months from the date of this letter this availability will be invalid.

Should you have questions or require additional information, please contact me at 843-987-8082 or james.clardy@bjwsa.org.

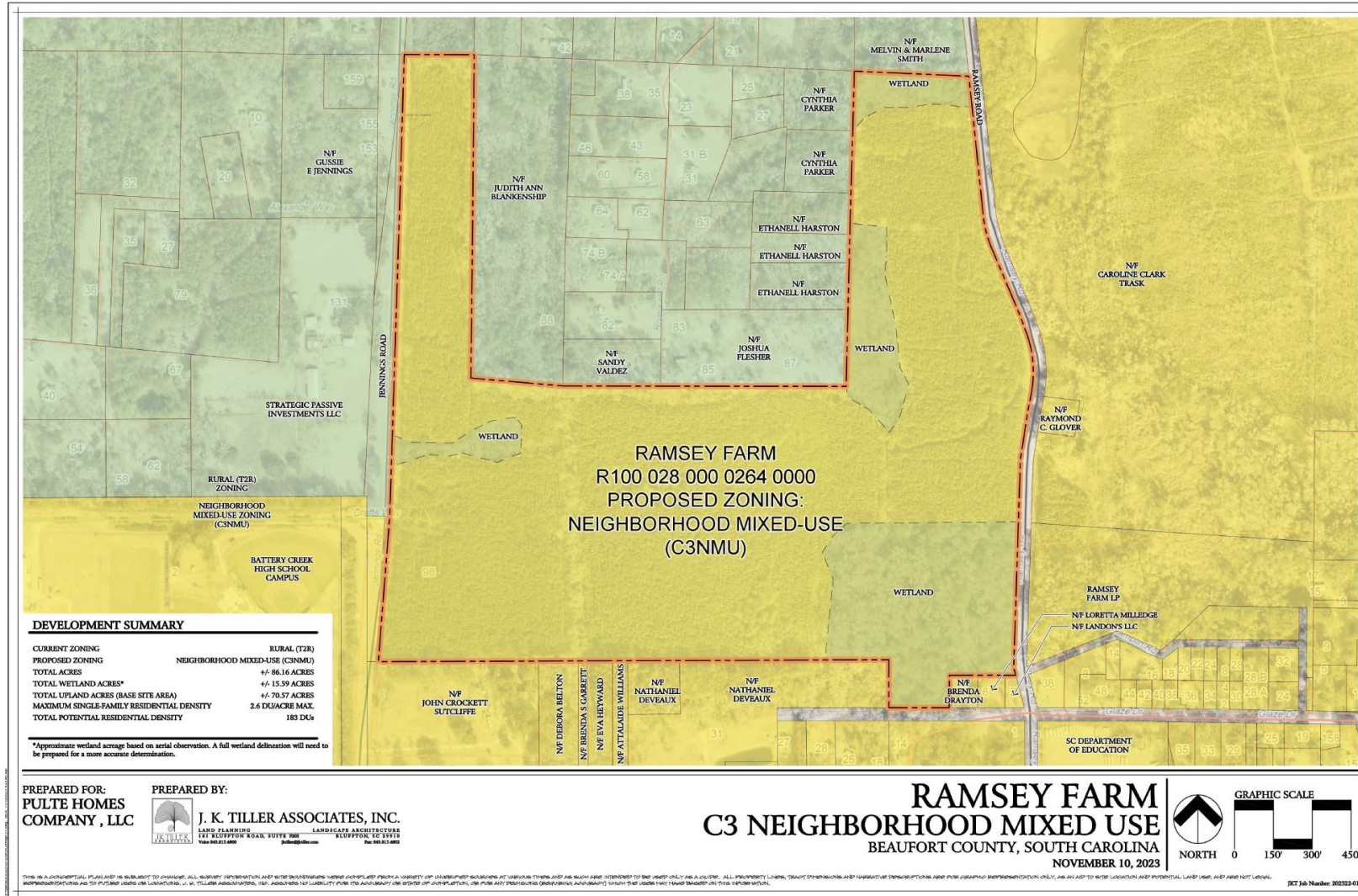
Sincerely,

James Clardy
Development Program Manager

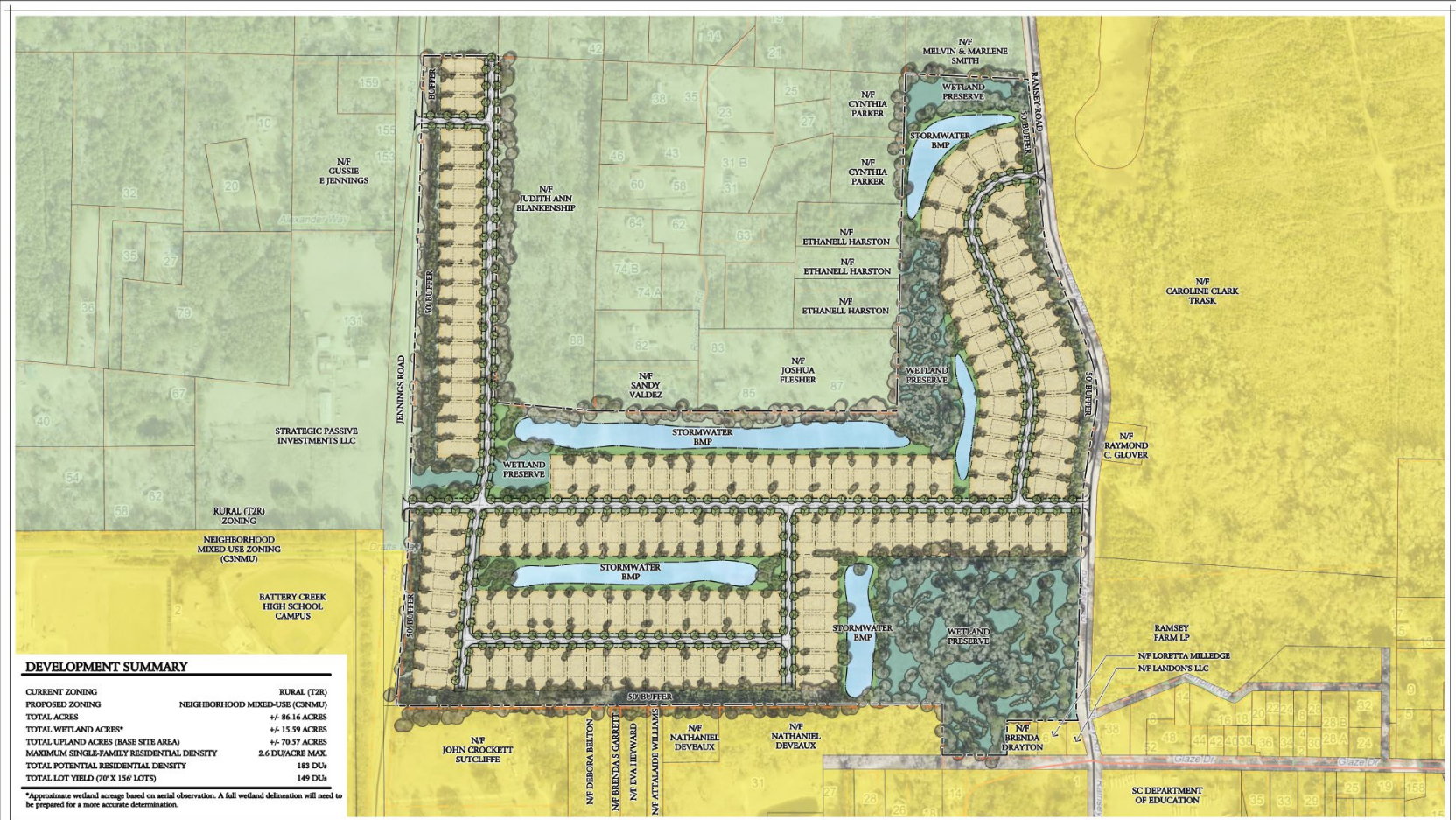
JBC/mya

| | | | |
|--|--|---|--|
| GREGORY A. PADGETT CHAIR | ANDERSON M. KINGHORN, JR VICE CHAIR | WILLIAM SINGLETON, Ed. D SECRETARY/TREASURER | JAMES E. BAKER, JR IMMEDIATE PAST CHAIR |
| JEFFERSON P. ACKERMAN, P. E. R. THAYER RIVERS, JR | MICHAEL L. BELL GERALD H. SCHULZE | LORRAINE W. BOND DAVID R. STRANGE | J. ROBERT McFEE, P. E. |

Proposed Zoning Map



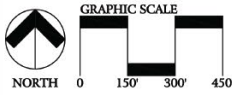
Conceptual Development Plan



PREPARED FOR:
PULTE HOMES COMPANY, LLC

PREPARED BY:
J. K. TILLER ASSOCIATES, INC.
LAND PLANNING LANDSCAPE ARCHITECTURE
181 KLUFFTON ROAD, SUITE 200 KLUFFTON, SC 29115
www.jktiller.com

RAMSEY FARM CONCEPT A
C3 NEIGHBORHOOD MIXED USE
BEAUFORT COUNTY, SOUTH CAROLINA
NOVEMBER 10, 2023



THIS IS A CONCEPTUAL PLAN AND IS SUBJECT TO CHANGE. ALL SURVEY INFORMATION AND SITE INFORMATION WERE OBTAINED FROM A VARIETY OF SOURCES AND ARE NOT GUARANTEED TO BE ACCURATE. ALL PROPERTY LINES, TRACT DIMENSIONS AND NEIGHBORING PROPERTIES ARE FOR GENERAL INFORMATION ONLY. AS AN AID TO SITE LOCATION AND POTENTIAL LAND USE, AND ARE NOT LEGAL REPRESENTATIONS AS TO EXISTING OR PROPOSED LOTS, LOTS, OR TRACTS. THE INFORMATION IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE INFORMATION IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE INFORMATION IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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|---|
| ITEM TITLE: |
| AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO PURCHASE AND TO FUND THE PURCHASE OF THE REAL PROPERTY KNOWN AS PROJECT BRAVO |
| MEETING NAME AND DATE: |
| COUNTY COUNCIL; May 13, 2024 |
| PRESENTER INFORMATION: |
| Hank Amundson (5 mins) |
| ITEM BACKGROUND: |
| <p>Due to the sale of the properties located on King & Wilmington Streets in Beaufort in order to promote affordable housing, the local Health Department and Administrative offices for South Carolina Department of Health and Environmental Control must be relocated.</p> <p>Last year at the February 21, 2023 at the Finance, Administration, and Economic Development Committee meeting, and at the February 27, 2023 County Council meeting, approval was given to the County Administrator to purchase property at 1505 Salem Road in the amount not to exceed \$4,500,000 for this purpose. Efforts to negotiate an agreeable purchase price were unsuccessful. Staff started looking for an alternative location. At this time, staff recommends property in northern Beaufort County as an alternative site. The property will be referred to as Project Bravo until Council gives third reading to this ordinance.</p> |
| PROJECT / ITEM NARRATIVE: |
| <p>Staff has identified a well situated and attainable location for this action. This project property is in Northern Beaufort County. CIP Staff has developed a remodeling concept to upfit the site to suit the needs of the SC-DHEC staff and recommends a Design-Build contract to expedite the construction and occupancy. The total funds requested is a purchase price not to exceed \$1,700,000 plus closing costs. CIP staff will come back for approval of the contract for the upfit.</p> <p>The expenses for this project will be requested from ARPA funds which is an allowable public health ARPA expense.</p> |
| FISCAL IMPACT: |
| \$1,700,000 plus closing costs from the American Rescue Plan Act (ARPA) funds (current account balance in the account is \$3,000,000) |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of an ordinance authorizing the Interim County Administrator to execute the necessary documents to purchase and to fund the purchase of the real property known as Project Bravo. |
| OPTIONS FOR COUNCIL MOTION: |
| <p>Motion to approve/deny 2nd reading of an ordinance authorizing the County Administrator to execute the necessary documents to purchase and to fund the purchase of real property known as Project Bravo.</p> <p><i>Next Step: Move forward to County Council for public hearing and 3rd reading of an ordinance authorizing the County Administrator to execute the necessary documents to purchase and to fund the purchase of a portion of real property referred to as Project Bravo.</i></p> |

ORDINANCE 2024/_____

AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO PURCHASE AND TO FUND THE PURCHASE OF THE REAL PROPERTY KNOWN AS PROJECT BRAVO

WHEREAS, Beaufort County Council and Beaufort County (“County”) is a body politic and political subdivision of the State of South Carolina; and

WHEREAS, under SC Code Ann. Section 4-9-25 and 4-9-30, the County is empowered to act in the interests of public safety and in matters involving the health and welfare of its citizens, and may acquire real property; and

WHEREAS, under SC Code Ann. Section 44-1-20, South Carolina Department of Health and Environmental Control (SCDHEC) is overseen by the S.C. Board of Health and Environmental Control who is empowered to make, adopt, and enforce reasonable rules and regulations for the promotion of public health; and

WHEREAS, in support of SCDHEC’s promotion of public health, the County provides SCDHEC with the operational facilities to serve the citizens of Beaufort County and in the near future the current facility will no longer be available for occupancy; and

WHEREAS, the County has identified the real property located in northern Beaufort County, hereinafter referred to as the “Property” and known as Project Bravo, as the best available option for a new facility for SCDHEC to occupy; and

WHEREAS, the Property will serve as the Beaufort County SCDHEC facility until such time it is ever determined as no longer adequate or needed, in order to further the goal of promoting the health and welfare of Beaufort County citizens; and

WHEREAS, the County has negotiated a purchase price not to exceed \$1,700,000 plus closing costs, based on a recent appraisal conducted by the County; and

WHEREAS, the funding for the purchase of the Property will be from the American Rescue Plan Act (“ARPA”) funds allocated to Public Health; and

WHEREAS, Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County to purchase the Property for the reasons stated above.

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council, duly assembled, authorizes the Interim County Administrator to execute the necessary documents to purchase and to fund the purchase of real property located in northern Beaufort County known as Project Bravo as described above.

DONE this ____ day of _____ 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| RECOMMEND APPROVAL TO COUNCIL OF AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MULTIPLE PARCELS OF REAL PROPERTY FROM BEAUFORT COUNTY TO SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SC 802 SAMS POINT ROAD RIGHT TURN LANE |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee Meeting April 22, 2024 |
| PRESENTER INFORMATION: |
| Jared Fralix, P.E., Assistant County Administrator, Engineering (5 Minutes) |
| ITEM BACKGROUND: |
| On November 6, 2018 -Project was included in the 2018 Sales Tax Referendum that was approved by voters. County Council approved associated condemnations of properties in Resolution 2020-27. |
| PROJECT / ITEM NARRATIVE: |
| As identified in our IGA with SCDOT, all of the right-of-way purchases as part of our transportation sales tax programs are initially purchased in Beaufort County's name. At the conclusion of the project, a single deed is established to convey all of the parcels at one time to SCDOT for long-term right-of-way ownership. Beaufort County staff, with support of legal and design consultants through the sales tax program, has completed the right-of-way process and is prepared to convey the said properties to SCDOT. |
| FISCAL IMPACT: |
| These properties have already been purchased through the 2018 Sales Tax Program and per our IGA with SCDOT there is no financial consideration for the transfer of ownership from Beaufort County to SCDOT. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends the approval of an ordinance authorizing the conveyance of multiple parcels of real properties from Beaufort County to South Carolina Department of Transportation in connection with SC 802 Sams Point Road Right Turn Lane. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to either approve, deny or amend an ordinance authorizing the conveyance of multiple parcels of real properties from Beaufort County to South Carolina Department of Transportation in connection with SC 802 Sams Point Road Right Turn Lane. |
| Next Step – Move to County Council on 5/13/24 for 1 st Reading. |

“EXHIBIT A”

SC 802 Sams Point Road Right Turn Lane Transfer Deed to SCDOT

EXHIBIT A

Prepared by:
Beaufort County Engineering Department
104 Industrial Village Rd. Bldg 3, Beaufort, SC 29906

TITLE TO REAL ESTATE

THE STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

Approximate Survey Station
10+23.93 To 14+15.68 Lt
SC Route 802

Road/Route.....S.C. 802
Encroachment Permit No. 240081
File 7.514
Tract 45A (Consisting of Tracts 1, 2, & 3 acquired by Beaufort County)

WHEREAS, Beaufort County acquired certain rights-of-way from Three (3) conveyances in connection with the construction of a dedicated right turn lane on Sams Point Road (SC-802) at Sea Island Parkway (US 21); and

WHEREAS, Beaufort County wishes to convey these rights-of-way to the South Carolina Department of Transportation.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS that **Beaufort County**, a political subdivision of the State of South Carolina, P.O. Drawer 1228, Beaufort, SC 29901-1228 (“Grantor”), in consideration of the sum of **Ten and No/100 (\$10.00) Dollars** to it in hand paid and before the sealing of these presents by the **South Carolina Department of Transportation, Columbia, South Carolina (“Grantee”)**, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and release, unto the said South Carolina Department of Transportation, its successors and assigns, all those certain real properties of the Grantor in fee simple along **SC Highway 802**, State and County aforesaid, and identified in plans prepared by Infrastructure, Consulting & Engineering, entitled “Plan and Profile of Sams Point Road (SC-802) Right Turn Lane at Sea Island Parkway (US 21),” and dated January 18, 2024.

SPECIAL PROVISIONS: The above consideration is for all those certain 3 conveyances of land, or portions thereof containing 0.121 acres (5,229 SF), more or less, and all improvements thereon, if any, owned by the County of Beaufort, shown as “Area[s] of Acquisition” on Exhibit A attached hereto and made a part hereof and on the aforementioned plans. Said plans are stored in the Office of the Beaufort County Records Management located at 113 Industrial Village Road, Beaufort, SC 29906.

File No. 7.514 **SC Route 802** **Tract** 45A

The Rights-Of-Way to Be Transferred to SCDOT includes:

That being a **3,472 SF** portion of property acquired from Jerri Ann Roseneau, Clerk of Court for County of Beaufort for KHP, Limited Partnership, Walgreens Homecare, Inc., and Bank of America, NA by Annotated Condemnation Notice & Tender of Payment dated August 3, 2022, and recorded in Deed Book 4172 at Page 979 in the records of the ROD Office for Beaufort County, designated as **Tract 1 marked and attached as Exhibit A.** This portion of the property was acquired from the parcel identified as Tax Map No. R123 015 000 0551 0000; and

That being a **1,551 SF** portion of property acquired from Jerri Ann Roseneau, Clerk of Court for County of Beaufort for Lab Holdings, LLC and Ameris Bank, by Annotated Condemnation Notice & Tender of Payment dated February 21, 2023 and recorded in Deed Book 4220 at Page 2963 in the records of the ROD Office for Beaufort County, designated as **Tract 2 marked and attached as Exhibit A.** This portion of the property was acquired from the parcel identified as Tax Map No. R123 015 000 116G 0000; and

That being a **206 SF** portion of property acquired from Jerri Ann Roseneau, Clerk of Court for County of Beaufort for Tidal Wave Auto Spa of Beaufort, LLC and Branch Banking and Trust Company, by Annotated Condemnation Notice & Tender of Payment dated May 9, 2022 and recorded in Deed Book 4147 at Page 26 in the records of the ROD Office for Beaufort County, designated as **Tract 3 marked and attached as Exhibit A.** This portion of the property was acquired from the parcel identified as Tax Map No. R123 015 000 1002 0000; and

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

AND, the said **Beaufort County**, a political subdivision of South Carolina does hereby bind itself and its successors and assigns to warrant and forever defend, all and singular, the said premises unto the said **South Carolina Department of Transportation**, its successors and assigns, against it and its successors and assigns, and all other persons whomsoever lawfully claiming, or to claim the same or any part thereof.

File No. 7.514 **SC Route 802** **Tract** 45A

TO HAVE AND TO HOLD, all and singular, the premises before mentioned unto the **South Carolina Department of Transportation** its successors and assigns, forever.

IN WITNESS ITS HAND(S) AND SEAL(S) this _____ day of _____, 2024.

Signed, sealed and delivered in the presence of:

COUNTY OF BEAUFORT

1st Witness

By: John C. Robinson Grantor (L.S.)
Its: Interim County Administrator

2nd Witness

Grantor (L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Transportation.

THE STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____
by John C. Robinson, Its Interim County Administrator.

Signature of Notary Public

Printed Name of Notary Public

**NOTARY PUBLIC FOR THE STATE
OF**

My Commission Expires: _____
(Affix seal if outside SC)

Project ID No. _____

Tract _____

Page 3 of 4 pages

File No. 7.514

SC Route 802

Tract 45A

EXHIBIT "A"

THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "AREA OF ACQUISITION" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS: 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 809-105-00.

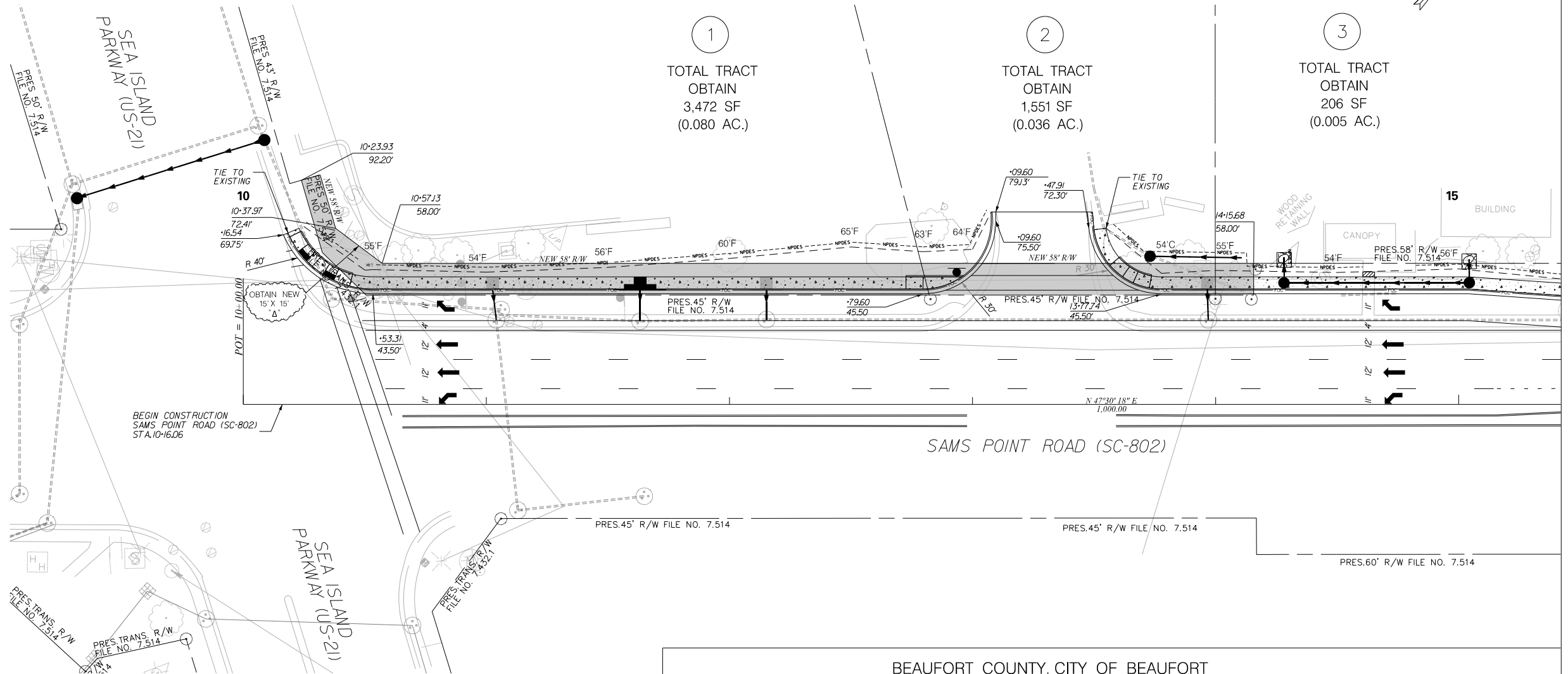
Item 17.

TRACT 45A
TOTAL OBTAIN
5,229 SF
(0.121 AC)

①
TOTAL TRACT OBTAIN
3,472 SF
(0.080 AC.)

②
TOTAL TRACT OBTAIN
1,551 SF
(0.036 AC.)

③
TOTAL TRACT OBTAIN
206 SF
(0.005 AC.)



BEGIN CONSTRUCTION
SAMS POINT ROAD (SC-802)
STA. 10+16.06

SAMS POINT ROAD (SC-802)

BEAUFORT COUNTY, CITY OF BEAUFORT
SAMS POINT ROAD (SC-802)

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF ACQUISITION FROM TRACT 45A

NOTE:
TRACT 45A CONSISTS OF TRACTS 1, 2, AND 3 ACQUIRED BY BEAUFORT COUNTY.

PREPARED 07 /22 /2020

SCALE 0 25 50 100 FEET



ORDINANCE NO. 2024/_____

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MULTIPLE PARCELS OF REAL PROPERTY FROM BEAUFORT COUNTY TO SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SC 802 SAMS POINT ROAD RIGHT TURN LANE

WHEREAS, on November 6, 2018, Beaufort County voters approved an ordinance authorizing the imposition of a Transportation Sales and Use Tax to finance transportation-related projects in Beaufort County; and

WHEREAS, the Transportation Sales and Use Tax funds were used for the acquisition of certain real property; and

WHEREAS, Beaufort County now owns certain real properties along US 802 (Sams Point Road Right Turn Lane) and wishes to convey to South Carolina Department of Transportation (SCDOT) the properties as shown on the attached **Exhibit A** and more particularly described in the Title to Real Estate formally granting the real properties to the SCDOT; and

WHEREAS, Beaufort County believes that it is in the best interests of its citizens to forever relinquish any claim of right it may have over the properties along US 802 Sams Point Road Right Turn Lane and convey these lands to the SCDOT.

NOW, THEREFORE, BE IT ORDAINED that Beaufort County Council does hereby authorize the Interim County Administrator to execute the necessary documents to convey to South Carolina Department of Transportation the properties along US 802 (Sams Point Road Right Turn Lane as shown on the attached **Exhibit A** and more particularly described in the Title to Real Estate.

DONE this ____ day of _____ 20____.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

Third and Final Reading
Public Hearing
Second Reading
First Reading



BEAUFORT COUNTY COUNCIL

AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| RECOMMEND TO COUNCIL TO APPROVE AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF A PORTION OF REAL PROPERTY ABUTTING THE HILTON HEAD ISLAND AIRPORT LOCATED ON SUMMIT DRIVE WITH TMS NO. R510 005 000 271A 0000 |
| MEETING NAME AND DATE: |
| Public Facilities & Safety Committee – April 22, 2024 |
| PRESENTER INFORMATION: |
| Jon Rembold, Airports Director; 5 minutes |
| ITEM BACKGROUND: |
| June 12, 2023, County Council approved Resolution 2023/29 authorizing the purchase of the real property for \$19,800 plus County closing costs |
| PROJECT / ITEM NARRATIVE: |
| When Hilton Head Island Airport (“HXD”) executed the taxiway relocation in 2017, a portion of the taxiway was located on a portion of ExecAir’s real property effectively making the real property a part of HXD since there was airfield infrastructure installed as part of the FAA project. ExecAir’s real property is located on Summit Drive, Hilton Head Island, Beaufort County, SC 29926, with a tax parcel number R510 005 000 271A 0000 (“Property”). A commercial appraisal was obtained establishing the fair market value at \$19,800.00 was the basis for the offer, the appraised value was confirmed by a review appraisal. On June 12, 2023, County Council approved Resolution 2023/29 authorizing the purchase of the Property. Additional negotiations have occurred between the County and ExecAir, where an increase of \$2,590.56 plus seller closing costs has been requested to cover additional costs that have been incurred since initial negotiations occurred. The full costs associated with the purchase of Property will be reimbursed by Grant Funds (23-025) awarded by the SC Aeronautics Commission. |
| FISCAL IMPACT: |
| Purchase price of \$22,390.56 plus seller and purchaser closing costs (Account Balance \$53,455.64, Acct #5402-90-0000-57130); costs to be reimbursed by grant funds (23-025) awarded by the South Carolina Aeronautics Commission |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Approve the purchase of a portion of the real property owned by the Exec Air/Hilton Head Owners Association, Inc. for a purchase price of \$22,390.56 plus seller and purchaser closing costs. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to move to Council an ordinance authorizing the Interim County Administrator to execute the necessary documents for the purchase of a portion of the real property abutting the Hilton Head Island Airport located on Summit Drive with TMS No. R510 005 000 271A <i>Next step: Move forward to County Council on May 13, 2024 for first reading of an ordinance (public hearing needed)</i> |

ORDINANCE 2024/ _____

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF A PORTION OF REAL PROPERTY ABUTTING THE HILTON HEAD ISLAND AIRPORT LOCATED ON SUMMIT DRIVE WITH TMS NO. R510 005 000 271A 0000

WHEREAS, Beaufort County ("County") desires to purchase a portion of the real property owned by the Exec Air/Hilton Head Owners Association, Inc. ("ExecAir") located on Summit Drive, Hilton Head Island, Beaufort County, SC 29926 with Tax Parcel Number R510 005 000 271A 0000 ("Property"); and

WHEREAS, the Hilton Head Island Airport ("Airport") relocated Taxiway A, which affected the location of drainage, lighting, and utilities. Due to the new location of the aforementioned infrastructure, the Property is now located within the active airfield and pursuant to Federal Aviation Administration ("FAA") guidelines the said Property must be owned by the County in order to be in compliance with FAA guidelines; and

WHEREAS, the County agrees to purchase, and the Seller agrees to sell the Property at the fair market value rate as determined by a licensed real estate appraiser. The parties have agreed to a final purchase price of \$22,390.56 plus seller and purchaser closing costs; to be funded by the Airport Operating Budget and reimbursed by previously awarded grant funds (23-025) from the South Carolina Aeronautics Commission; and

WHEREAS, Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County to purchase the Property in order to comply with the aforementioned FAA guidelines.

NOW, THEREFORE, BE IT ORDAINED that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute the necessary documents and provide funding for the purchase of a portion of real property abutting the Hilton Head Island Airport located on Summit Drive with TMS No. R510 005 000 271A 0000 from Exec Air/Hilton Head Owners Association, Inc.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

RESOLUTION 2023/29

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE PURCHASE OF A PORTION OF THE REAL PROPERTY ABUTTING THE HILTON HEAD ISLAND AIRPORT LOCATED ON SUMMIT DRIVE WITH TMS NO. R510 005 000 271A 0000

WHEREAS, Beaufort County (“County”) desires to purchase a portion of the real property owned by the Exec Air/Hilton Head Owners Association, Inc. (“Exec Air”) located on Summit Drive, Hilton Head Island, Beaufort County, SC 29926 with Tax Parcel Number R510 005 000 271A 0000 (“Property”); and

WHEREAS, the Hilton Head Island Airport (“Airport”) relocated Taxiway A which effected the location of drainage, lighting and utilities. Due to the new location of the aforementioned infrastructure the Property is now located within the active airfield and pursuant to Federal Aviation Administration (“FAA”) guidelines the said Property must be owned by the County in order to be in compliance with FAA guidelines; and

WHEREAS, the County agrees to purchase, and the Seller agrees to sell the Property at the fair market value rate as determined by a licensed real estate appraiser. The parties have agreed to a purchase price of \$19,800 plus closing costs to be funded by the Airport Operating Budget and to be reimbursed by previously awarded grant funds from the South Carolina Aeronautics Commission.

WHEREAS, Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County to purchase the Property in order to comply with the aforementioned FAA guidelines.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute the necessary documents for the purchase of a portion of real property abutting the Hilton Head Island Airport located on Summit Drive with TMS No. 510 005 000 271A 0000 from Exec Air/Hilton Head Owners Association, Inc.

Adopted this 12th day of June 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: Joseph Passiment
Joseph Passiment, Chairman

ATTEST:
Sarah W. Brock
Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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| ITEM TITLE: |
| RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A NON-TENANT COMMERCIAL OPERATING AGREEMENT BETWEEN BEAUFORT COUNTY AND M&L MOBILE DETAILING. |
| MEETING NAME AND DATE: |
| Public Facilities & Safety Committee – March 25, 2024 |
| PRESENTER INFORMATION: |
| Jon Rembold, C.M. Airports Director (5 minutes) |
| ITEM BACKGROUND: |
| The Airports Board reviewed and approved the resolution at its monthly meeting held on January 18, 2024. |
| PROJECT / ITEM NARRATIVE: |
| M&L Mobile Detailing engages in the business of airplane detailing. The owner approached Airport staff about expanding their business to Beaufort Executive Airport. Airport tenants are supportive of this opportunity to have this detailing service available to them. This agreement will produce revenue for the airport with no cost to the airport. |
| FISCAL IMPACT: |
| Beaufort County/Beaufort Executive Airport will receive \$75.00 for each occurrence of aircraft detailing. There is no cost to the airport. |
| STAFF RECOMMENDATIONS TO COMMITTEE: |
| Approve the resolution for a non-tenant commercial operating agreement between Beaufort County and M&L Mobile Detailing and forward to County Council for approval |
| OPTIONS FOR COMMITTEE MOTION: |
| Motion to approve /deny the resolution for a Non-Tenant Commercial Operating Agreement between Beaufort County and M&L Mobile Detailing. |
| Next step: County Council Meeting – April 8, 2024 |

RESOLUTION 2024/_____

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A NON-TENANT COMMERCIAL OPERATING AGREEMENT BETWEEN BEAUFORT COUNTY AND M&L MOBILE DETAILING, LLC

WHEREAS, the Beaufort Executive Airport (“Airport”) desires to enter into a Non-tenant Commercial Operating Agreement with M&L Mobile Detailing, LLC (“Operator”), that shall include a reasonable rate based on Airport access fees; and

WHEREAS, the Operator will engage in the business of aircraft detailing, and desires to use certain areas and facilities owned by the County and acquire from County certain rights and privileges in connection with its use of Airport; and

WHEREAS, the County has the right to permit use of the Airport grounds upon the terms and conditions hereinafter set forth and has full power and authority to enter into this Agreement; and

WHEREAS, County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the Interim County Administrator to enter into a Non-tenant Commercial Operating Agreement with M&L Mobile Detailing, LLC on the same, or substantially similar, terms set forth in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the Interim County Administrator to enter into a Non-tenant Commercial Operating Agreement with M&L Mobile Detailing, LLC on the same, or substantially similar, terms as set forth in Exhibit A.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BEAUFORT) **NON-TENANT COMMERCIAL OPERATING
) AGREEMENT**

This Non-Tenant Commercial Operating Agreement (the "Agreement") is entered into by and between the County of Beaufort, a political subdivision of the State of South Carolina, as the governing body of the Beaufort County Airport, a body politic and corporate, existing under and by virtue of the laws of the State of South Carolina ("County"), and M&L Mobile Detailing LLC (the "Operator"), having its principal office at 8439 Dorchester Road 523, North Charleston, SC 29420.

WITNESSETH:

WHEREAS, County is the owner and operator of the Beaufort County Airport (the "Airport") located at 39 Airport Circle, Beaufort, South Carolina, 29907; and

WHEREAS, Operator is engaged in the business of **aircraft detailing** and desires to use certain areas and facilities owned by the County and acquire from County certain rights and privileges in connection with its use of Airport; and

WHEREAS, County has the right to permit use of the Airport upon the terms and conditions hereinafter set forth and has full power and authority to enter into this Agreement.

NOW, THEREFORE, for and inconsideration of the promises and the mutual covenants, agreements and conditions contained herein, the parties hereto agree as follows:

ARTICLE I
 TERM

The term of this Agreement shall commence on date signed by County Administrator at 12:01 a.m. ("Date of Commencement") and shall end at 11:59 p.m. on February 1, 2025.

After that time, this Agreement may be renewed for a one year period, unless thirty (30) days' prior written notice of intent not to renew is given by either party, one to the other, and provided further that such renewal be upon terms mutually agreeable to both parties hereto. This renewal option shall be in effect for 2 years from the end of the initial term of this Agreement.

ARTICLE II
 USES AND PRIVILEGES

The County hereby grants to Operator, subject to all the terms and conditions of this Agreement the following rights, uses, and privileges:

- Scope of Privilege. The Operator shall only have the non-exclusive right and privilege to access the Airport to provide **aircraft detailing**. Operator understands and agrees that

it shall not engage in any other business at the Airport under this Agreement. Operator acknowledges that no right or privilege has been granted to Operator which would operate to prevent any person, firm or corporation from operating an aircraft on the Airport. It is not the intent of this Agreement to grant to Operator the exclusive right to provide any or all of the services described in this article at any time during the term of this Agreement. County reserves the right, at its sole discretion, to grant others certain rights and privileges upon the Airport, which are identical in part or in whole to those granted to Operator.

Operator may engage in the following specific activities and services:

(a) Aircraft Detailing

Any other activity to be engaged in by Operator will require advance written permission from County and any unauthorized activity by Operator is grounds for immediate termination of this Agreement.

2. Access. Subject to the provisions hereof, the Rules, Regulations and Ordinances and such restrictions as County may impose, County hereby grants to Operator, its agents, suppliers, employees, contractors, passengers, guests, and invitees, the right and privilege of free and unrestricted access, ingress and egress to the Airport and to public areas and public facilities at the Airport.

The ingress and egress provided for above shall not be used, enjoyed or extended to any person engaging in any activity or performing any act of furnishing any service for or on behalf of Operator that Operator is not authorized to engage in or perform under the provisions hereof unless expressly authorized by County.

County shall have the right at any time or times to close, relocate, reconstruct, change, alter, or modify any such means of access provided for Operator's use pursuant to this Agreement or otherwise, either temporarily or permanently; provided that reasonable notice to Operator and a reasonably convenient and adequate means of access, ingress and egress shall exist or be provided in lieu thereof. County shall suffer no liability by reason thereof and such action shall in no way alter or affect any of Operator's obligations under this Agreement.

Operator agrees that there shall be no restrictions or interference with public use and access of any public facilities.

ARTICLE III
ADDITIONAL PRIVILEGES

Operator shall be entitled, in common with others so authorized, to the use of all facilities and improvements of a public nature which now are or may hereafter be connected with or appurtenant to the Airport, including the use of operating area, runways, taxiways, terminal facilities, aircraft parking areas and vehicle parking areas designed by County.

ARTICLE IV
CHARGES AND FEES

1. Manner and Extent of Payment. Commencing with the Date of Commencement, the Operator, in return for use of the Airport facilities and privileges granted hereunder, agrees to pay County without deduction or setoff, during the term of this Agreement, certain charges and fees as set forth herein, in the following manner unless specified otherwise: **AIRPORT ACCESS FEE OF \$75.00 PER CUSTOMER FOR AIRCRAFT DETAILING.**

- (a) All payments herein are to be made in lawful money of the United States of America and are payable to Beaufort County Council.

Mail To (or hand deliver): Airport Director, Beaufort Executive Airport
39 Airport Circle
Beaufort, SC 29907

2. Delinquent Charges or Fees. Without waiving any other right or action available to County in the event of default in payment of charges or fees hereunder, in the event that Operator is delinquent for a period of fifteen (15) days or more after invoice in paying to County any charge or fee payable to County pursuant to this Agreement, Operator shall pay to County interest thereon at the rate of eighteen (18%) percent per annum from the date such item was due and payable until paid.

3. Monthly Activity Report. Operator shall furnish to County on or before the fifteenth (15th) day of each month an accurate report (EXHIBIT A) setting forth all data necessary to calculate fees and charges due under this Agreement. Said statements are to be signed by a responsible individual employed by Operator.

In the event County retains counsel to collect any sums owing to it from Operator, Operator agrees to pay to County the sums expended by County on account of the retention of such counsel as well as court costs and expenses incurred by County, including all direct salary costs, materials, supplies, and administrative overhead.

ARTICLE V
PERFORMANCE AND SERVICE STANDARDS

1. Type of Operation. Operator shall provide all services to be provided under this Agreement on a nondiscriminatory basis to all users of the Airport. Operator shall maintain and operate its business in a first-class manner and shall keep it in a safe, clean, orderly, and inviting condition at all times, to such an extent as shall be satisfactory to County. Service shall be prompt, courteous and efficient.

Operator and its agents and employees shall not engage in open, notorious, and public disputes, disagreements, or conflicts tending to deteriorate the quality of the aeronautical services of Operator and its compatibility with the best interests of the public at the Airport.

2. Management. The management, maintenance and operation of privileges under this Agreement shall at all times during the term hereof be under the supervision and direction of an active, qualified, competent, and experienced manager representing Operator, who shall be subject at all times to the direction and control of Operator. Such manager shall be available upon reasonable request during normal business hours.

3. Personnel. Operator shall, in the operation of the services under this Agreement, employ or permit the employment of only such personnel as will assure a high standard of service to the public. All such personnel, while on duty, shall be clean, neat in appearance, and courteous at all times, and shall be appropriately attired, with uniforms in such instances as are appropriate. No personnel employed by Operator while on or about the Airport shall use improper language, act in a loud, boisterous or otherwise improper manner, or be permitted to solicit business in an inappropriate manner.

ARTICLE VI INSURANCE

1. Operator shall carry, during the term of this Agreement or any extension hereof, the liability insurance coverage with limits as hereinafter stated, but the carrying of such insurance coverage shall not relieve Operator of any of its obligations under this Agreement.

2. Operator shall, upon commencement of the term hereof, obtain and cause to be kept in force liability insurance coverage insuring against the liabilities set forth in the indemnification paragraph below, such insurance to include, by way of example but not by way of limitation, comprehensive general liability coverage and shall be in not less than the amounts hereinafter stated. Such insurance coverage shall be provided by policies issued by a company or companies of sound and adequate financial responsibility. Such insurance policies shall contain an endorsement providing that County will be given not less than thirty (30) days' notice prior to the cancellation or change of any of the provisions provided by said policies. The comprehensive general liability policies shall include contractual liability coverage, and shall make reference to this Agreement. Such policies shall name County as an additional insured and Operator shall cause a certificate of insurance to be furnished to County evidencing such insurance coverage prior to Operator's use of the Airport pursuant to the terms of this Agreement. The following statement is required on the face of the insurance certificate: "Beaufort County, its officials, servants, agents and employees are named as additional insured." In the event County is notified that any of the coverage required herein is to be cancelled or changed in such a manner as not to comply with the requirements of this Agreement, Operator shall, immediately obtain and provide County with certificates evidencing the re-establishment of the insurance coverage required hereby.

3. The minimum limits of coverage shall be as follows:
- a. Commercial General Liability Insurance including, but not limited to, Personal Injury, Broad Form Contractual and Broad Form Property Damage (per accident). Combined Limit: One Million Dollars (\$1,000,000) per occurrence.
 - b. Automobile Liability
 - c. Worker's Compensation (if applicable)

Please ensure that the Certificate Holder is listed as Beaufort County (not the airport name), PO Box 1228, Beaufort, SC 29902.

Evidence of coverage is to be kept on file with the airport.

4. Insofar as said commercial general liability insurance provides protection against liability for damages to third parties for personal injury, death and property damage, County shall be included as a named insured; provided, however, such liability insurance coverage shall also extend to damage, destruction, and injury, to County owned or leased property and County personnel, and caused by, or resulting from work, acts, operations, or omissions of Operator, its officers, agents, employees, and independent contractors on the Airport. County shall have no liability for any premiums charged for such coverage, and the inclusion of County as a named insured is not intended to, and shall not, make County a partner or joint venturer with Operator in its operations on the Airport.

ARTICLE VII INDEMNIFICATION

Operator agrees to indemnify and hold harmless County from and against any and all claims, demands, suits, judgments, costs and expenses asserted by any person or persons, including agents, servants, employees or independent contractors of Operator or County, by reason of death or injury to persons or loss or damage to property, resulting from Operator's operations or acts or omissions of Operator's agents, servants, employees, officers, contractors, or anything done or omitted by Operator, under this Agreement except to the extent that such claims, demands, suits, judgments, costs and expenses may be attributed to the negligent acts or omissions of County or its agents or employees.

ARTICLE VIII EQUIPMENT, LICENSES, PERMITS AND SUPPLIES

Operator will provide all its own equipment, licenses, permits and supplies if applicable. If a license, registration or permit of any kind is required of the Operator, its employees, agents or subcontractors, by federal or state law, Operator warrants that such license, registration or permit has been obtained, is valid and in good standing, and that any applicable bond has been posted in accordance with applicable laws and regulations.

ARTICLE IX RULES, REGULATIONS AND ORDINANCES

Operator shall observe and obey all lawful and reasonable Rules, Regulations and Ordinances promulgated, from time to time during the term hereof, by County governing conduct on and operations at the Airport and use of its facilities. Copies of the Rules, Regulations and Ordinances adopted, shall be available to Operator.

ARTICLE X DEFAULT AND TERMINATION

1. Termination by Operator. This Agreement shall be subject to termination by Operator in the event of any one or more of the following defaults:

- (a) The abandonment of the Airport as an airport;
- (b) The default by County in the performance of any of the terms, covenants or conditions of this Agreement, and the failure of County to remedy, or undertake to remedy, to Operator's satisfaction, such default for a period of thirty (30) days after receipt of notice from Operator to remedy the same; or
- (c) Damage to or destruction of all or a material part of the Airport facilities necessary to the operation of Operator's business.

2. Termination by County. This Agreement shall be subject to termination by County in the event of any one or more of the following defaults:

- (a) Failure by Operator to pay County any payments due hereunder within the time as provided by this Agreement;
- (b) Failure by Operator to observe and perform any covenant, condition or agreement on its part as herein provided or failure to provide authorized services to the public during normal business hours or normal business days for a period of ten (10) days after written notice to do so by County;
- (c) Dissolution or liquidation of Operator or by the filing by Operator of a voluntary petition in bankruptcy;
- (d) Insolvency of Operator, or if Operator makes a general assignment for the benefit of creditors;
- (e) Consent by Operator to the appointment of a receiver, trustee or liquidator of all or essentially all of the property;
- (f) Desertion, abandonment or vacation of Operator's operations at the Airport.

3. Default. Upon default as above provided:

- (a) County may expel Operator or those claiming under it and may act in any way necessary to ensure the continuing and proper operation of the Airport. In such event, the term of this Agreement shall end.
- (b) County may take any other action at law or in equity that it may deem appropriate, necessary or desirable to collect any amounts due from Operator and to enforce performance and observance of any obligation, agreement or covenant of Operator under this Agreement.

4. Causes of Breach; Waiver. Neither party shall be held to be in breach of this Agreement because of any failure to perform any of its obligations hereunder if said failure is due to any cause for which it is not responsible and over which it has no control; provided, however, that the foregoing provision shall not apply to failures by Operator to pay fees, rents or other charges to County.

The waiver of any breach, violation or default in or with respect to the performance or observance of the covenants and conditions contained herein shall not be taken to constitute a waiver of any such subsequent breach, violation or default in or with respect to the same or any other covenant or condition hereof.

5. Termination of Agreement for Convenience. In addition to the grounds of default and termination provided herein, this Agreement may be terminated for convenience upon thirty (30) days' notice to Operator by the County or to County by Operator.

ARTICLE XI
NO PARTNERSHIP OR JOINT VENTURE

No partnership or joint venture between the parties is intended to or shall be created hereunder. In conducting its business hereunder, Operator acts independently and not as an agent of County. The selection, retention, assignment, direction and payment of Operator's employees shall be the sole responsibility of Operator and County shall not attempt to exercise any control over the business activities of Operator or daily performance of duties by Operator's employees.

ARTICLE XII
ASSIGNMENT AND SUBLETTING

This Agreement, or any part thereof, may not be assigned, transferred or subleased by Operator, by process or operation of law or in any other manner whatsoever, without the prior written consent of County.

ARTICLE XIII
ARBITRATION

Any controversy which shall arise between County and Operator regarding the rights, duties or liabilities of any party hereunder shall be settled by binding arbitration pursuant to the rules of the American Arbitration Association, and judgment upon the award shall be entered in accordance with the South Carolina Uniform Arbitration Act. The parties agree, subject to the consent of the American Arbitration Association, that such arbitration shall be processed pursuant to the American Arbitration Association "Expedited Procedure" notwithstanding that the amount in controversy may exceed the limits set for such procedure. If any action, including arbitration, shall be brought by any party to recover any sums hereunder, or for or on account of any breach of, or to enforce or interpret any of the covenants, terms or conditions of this Agreement, the prevailing party shall be entitled to recover costs and expenses, including reasonable attorney's fees. If an arbitration proceeding is brought by any party to this Agreement, a request shall be made by the parties to the arbitrator that in the event a prevailing party is not determined by the outcome of the action, the arbitrator shall make a final determination concerning payment of all costs and expenses (including reasonable attorney's fees) by one or both parties, as the arbitrator deems appropriate based upon the facts and circumstances of the case.

ARTICLE XIV
MISCELLANEOUS

1. Entire Agreement. This Agreement constitutes the entire understanding between the parties, and as of its effective date supersedes all prior representations, agreements and understandings, oral or written, relating to the subject matter hereof. Any change or modification hereof must be in writing signed by both parties.

2. Governing Law and Venue. This Agreement is made and entered into in the State of South Carolina and shall be construed in accordance with the laws of the State of South Carolina. Venue for any litigation arising from this Agreement is to be in the Circuit Court for Beaufort County, South Carolina.

3. Severability. If a provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void, but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties.

4. Notices. Any notice given by one party to the other in connection with this Agreement shall be in writing and shall be sent by certified mail, return receipt requested, with postage and registration fees prepaid. Either party shall have the right, by giving written notice to the other, to change the address at which its notices are to be received. Until any such change is made, notices shall be delivered as follows:

AS TO COUNTY:

Airport Director/Supervisor
39 Airport Circle
Beaufort, SC 29907

With a Copy to:

Beaufort County Staff Attorney
P. O. Drawer 1228
Beaufort, SC 29901-1228

With a Copy to:

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

AS TO OPERATOR:

M&L Mobile Detailing LLC
8439 Dorchester Road 523
North Charleston, SC 29420

With a Copy to:

Notices shall be deemed to have been received on the date of receipt as shown on the return receipt.

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

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the latest dated of execution as noted below.

ATTEST:

BEAUFORT COUNTY

By: _____
 , County Administrator

Date: _____

ATTEST:

OPERATOR:

By: _____
Printed Name: _____
Title: _____

Date: _____



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO PURSUE CONDEMNATION FOR PORTIONS OF PARCELS R120 003 000 0609 0000 & R120 003 000 0682 0000 ASSOCIATED WITH RIGHT OF WAY ACQUISITION FOR A PATHWAY LOCATED ON DEPOT ROAD AS PART OF THE 2018 ONE CENT REFERENDUM |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee Meeting April 22, 2024 |
| PRESENTER INFORMATION: |
| Jared Fralix, P.E., Assistant County Administrator - Infrastructure (5 minutes) |
| ITEM BACKGROUND: |
| On November 6, 2018 -Depot Road pathway Project was included 2018 Sales Tax Referendum that was approved by voters. Resolution 2019/44 outlines the need for R/W acquisition from property owners to include eminent domain. |
| PROJECT / ITEM NARRATIVE: |
| County legal representatives have made contact with the property owners of tracts 20 and 29 for needed R/W associated with the Depot Road pathway project. Written and verbal communication have not been successful in reaching an agreement with property owners. Consultants and staff recommend condemnation to move forward with the project. |
| FISCAL IMPACT: |
| Condemnation expenses range from \$5,000-\$15,000 Plus owner compensation for R/W: R120 003 000 0609 0000 "Tract 20" (appraised value for 2,161 SF Land = \$32,095.00 & 270 SF Temp R/W = \$700.00 Total Appraised value = \$32,795.00) R120 003 000 0682 0000 "Tract 29" (appraised value for 1,794 SF Land = \$23,130.00 & 316 SF Temp R/W = \$730.00 Total Appraised value = \$23,860.00) Funded by 2018 One Cent Referendum Account # 4705-80-0000-PTHWY |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of a resolution authorizing the County Administrator to pursue condemnation for portions of parcels R120 003 000 0609 0000 & R120 003 000 0682 0000 associated with right of way acquisition for a pathway located on Depot Road as part of the 2018 One Cent Referendum. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve/Deny/Amend a resolution authorizing the County Administrator to pursue condemnation for portions of parcels R120 003 000 0609 0000 & R120 003 000 0682 0000 associated with right of way acquisition for a pathway located on Depot Road as part of the 2018 One Cent Referendum. (Next Step - Move forward to County Council for Approval) |

RESOLUTION NO. 2024/

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO PURSUE CONDEMNATION FOR PORTIONS OF PARCELS R120 003 000 0609 0000 & R120 003 000 0682 0000 ASSOCIATED WITH RIGHT OF WAY ACQUISITION FOR A PATHWAY LOCATED ON DEPOT ROAD AS PART OF THE 2018 ONE CENT REFERENDUM

WHEREAS, a Referendum to approve the expenditure of One Hundred Twenty Million Dollars (\$120,000,000) by implementation of a One Percent (1%) Sales Tax was held on November 6, 2018; and

WHEREAS, the voters of Beaufort County voted to approve implementing the one (1%) percent sales tax by a margin of nearly fifty-eight (58%) percent; and

WHEREAS, Beaufort County Council adopted an Ordinance on November 13, 2017 to impose a One Percent (1 %) Transportation Sales and Use Tax for not more than four (4) years, as approved by referendum, to authorize the issue of General Obligation Bonds not to exceed One Hundred Twenty Million Dollars (\$120,000,000) to fund Transportation-related projects; and

WHEREAS, it is necessary to acquire right-of-ways from private landowners for the purpose of constructing additional pathways on Depot Road as outlined in Resolution 2019/44; and

WHEREAS, County legal representatives have attempted both written and verbal communication with property owners for Right of Way (R/W) to be acquired from parcels R120 003 000 0609 0000 “**Tract 20**” (R/W needed 2,161 SF of land and 270 SF of temporary right of way) and R120 003 000 0682 0000 “**Tract 29**” (R/W needed 1,794 SF of land and 316 SF of temporary right of way) as specified on attached EXHIBIT “A”; and

WHEREAS, County legal representatives have made contact with the property owners of tracts 20 and 29 resulting in unsuccessful written and verbal communication efforts; and

WHEREAS, County Engineering Staff and legal representatives have determined that condemnation efforts may be necessary for R/W acquisitions associated with tracts 20 and 29 for construction of the Depot Road pathway as specified on attached EXHIBIT “A”; and

WHEREAS, condemnation of the aforementioned tracts will benefit the County by providing a safe multiuse pathway that leads to the Spanish Moss Trail; and

WHEREAS, Beaufort County Council believes that it is in the best interest of its citizens to pursue condemnation of parcels R120 003 000 0609 0000 “**Tract 20**” (R/W needed 2,161 SF

of land and 270 SF of temporary right of way) and R120 003 000 0682 0000 “Tract 29” (R/W needed 1,794 SF of land and 316 SF of temporary right of way) for construction of the Deport Road pathway as specified on attached EXHIBIT “A”.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council hereby authorizes the Interim County Administrator to pursue condemnation of parcels R120 003 000 0609 0000 “Tract 20” (R/W needed 2,161 SF of land and 270 SF of temporary right of way) and R120 003 000 0682 0000 “Tract 29” (R/W needed 1,794 SF of land and 316 SF of temporary right of way) for construction of the Deport Road pathway as specified on attached EXHIBIT “A”.

ADOPTED this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____

Joseph Passiment, Chairman

ATTEST:

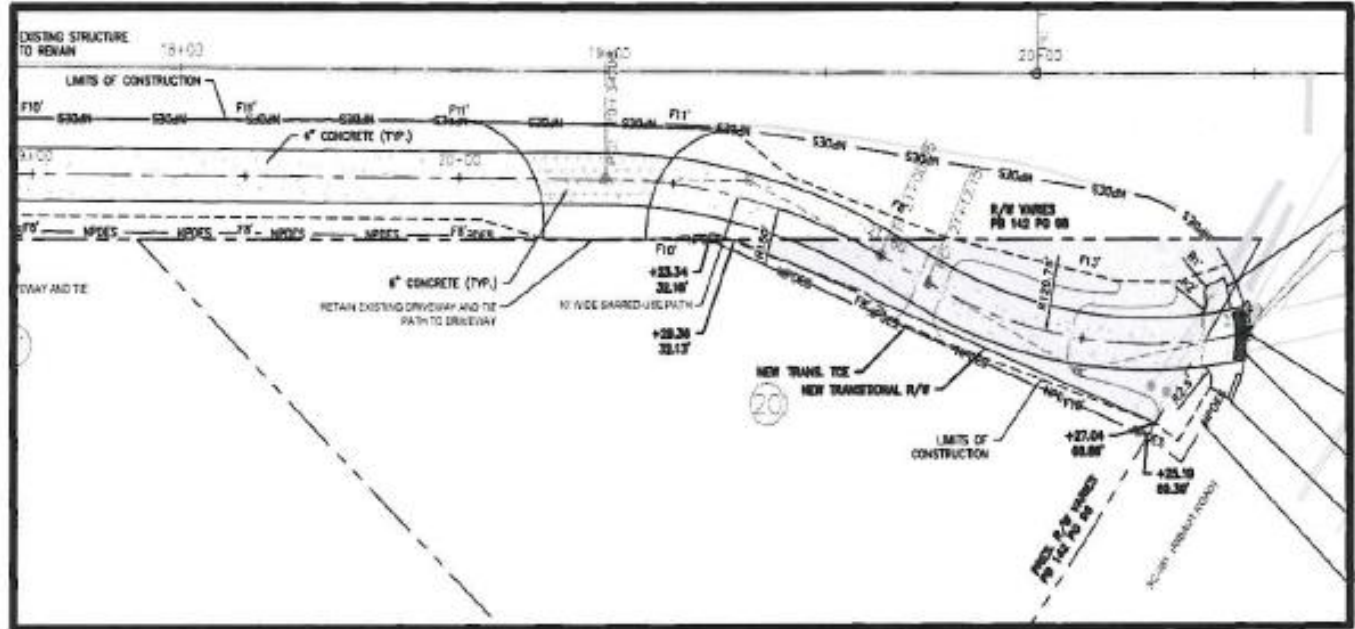
Sarah W. Brock, Clerk to Council

EXHIBIT "A"

APPRAISAL REVIEW

| | | | | | |
|------------------------------|---|--|-------------------|-------------------------|-------------------|
| Project ID No.: | P041778 | Road/Route: | Depot Road | County: | Beaufort |
| | | | | Tract No.: | 20 |
| | Before Value | After Value | Acquisition Value | | |
| Appraisal No. 1 | \$344,470 | \$311,675 | \$32,795 | | |
| Appraisal No. 2 | | | \$0 | | |
| Appraiser Name/Certification | Debi Wilcox, MAI, CCIM | Date of Value: | December 6, 2023 | Report Date: | December 13, 2023 |
| Land Acquired | \$32,095.00 (Including Site Improvements) | | | | |
| Improvements Acquired | | | | | |
| Damages to Remainder | | | | | |
| Cost to Cure | | | | | |
| Less Benefits to Remainder | | | | | |
| (1) Total | \$32,095.00 | | | | |
| Plus Uneconomic Remainder | | | | | |
| (2) Total | \$32,095.00 | | | | |
| Temporary Right of Way: | \$700.00 | for | 270 sf | sf/acres of land. | |
| Fair Market Rent: | (From Paragraph 33 of Standard Report) | | | | |
| Right of Way: | \$32,095.00 | For: | 2,161 SF | land, site improvements | |
| Damages (minus benefits): | \$0.00 | | | | |
| (1) Total: | \$32,095.00 | | | | |
| OR | | | | | |
| Plus Uneconomic Remainder: | \$0.00 | (Enter value of uneconomic remainder.) | | | |
| (2) Total: | \$32,095.00 | for: | n/a | | |

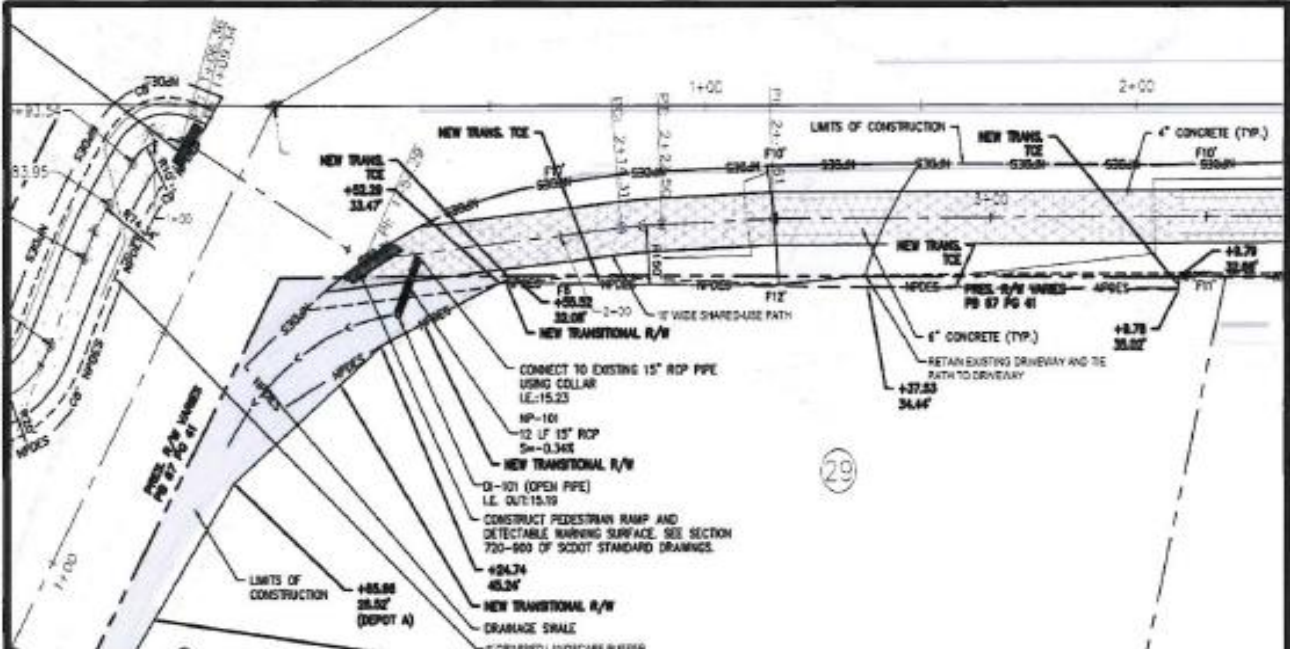
The area to be acquired includes 0.05 acres/2,161 square feet of land along the Depot Road frontage. It will include new transitional right of way, a portion of the gravel drive and trees, bushes, and grass. A temporary construction easement will encumber an additional 270 square feet for two (2) years.



APPRAISAL REVIEW

| | | | | | |
|------------------------------|---|--|-------------------|------------------------------|-------------------|
| Project ID No.: | P041778 | Road/Route: | Depot Road | County: | Beaufort |
| | | | | Tract No.: | 29 |
| | Before Value | After Value | Acquisition Value | | |
| Appraisal No. 1 | \$584,320 | \$560,460 | \$23,860 | | |
| Appraisal No. 2 | | | \$0 | | |
| Appraiser Name/Certification | Debi Wilcox, MAI, CCIM | Date of Value: | December 6, 2023 | Report Date: | December 13, 2023 |
| Land Acquired | \$23,130.00 (Including Site Improvements) | | | | |
| Improvements Acquired | | | | | |
| Damages to Remainder | | | | | |
| Cost to Cure | | | | | |
| Less Benefits to Remainder | | | | | |
| (1) Total | \$23,130.00 | | | | |
| Plus Uneconomic Remainder | | | | | |
| (2) Total | \$23,130.00 | | | | |
| Temporary Right of Way: | \$730.00 | for | 316 | sf/acres of land. | |
| Fair Market Rent: | (From Paragraph 33 of Standard Report) | | | | |
| Right of Way: | \$23,130.00 | For: | 1,794 SF | land, site improvements, TCE | |
| Damages (minus benefits): | \$0.00 | | | | |
| (1) Total: | \$23,130.00 | | | | |
| OR | | | | | |
| Plus Uneconomic Remainder: | \$0.00 | (Enter value of uneconomic remainder.) | | | |
| (2) Total: | \$23,130.00 | for: | n/a | | |

The area to be acquired includes 0.041 acres/1,794 square feet of land at the intersection of Depot Road and Depot Street. It will include new transitional right of way and will extend along Depot Street southward. The acquisition will include chain link fencing, shrubbery, grass, and a portion of the driveway on Depot Street. A temporary construction easement will encumber an additional 316 square feet for two (2) years.



RESOLUTION 2019 / 44

WHEREAS, Beaufort County Council adopted an Ordinance on November 13, 2017 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 One Hundred Twenty Million Dollars (\$120,000,000) to fund Transportation-related projects; and

WHEREAS, a Referendum to approve the expenditure of One Hundred Twenty Million Dollars (\$120,000,000) by implementation of a One Percent (1%) Sales Tax was held on November 6, 2018; and

WHEREAS, the voters of Beaufort County voted to approve implementing the one (1%) percent sales tax by a margin of nearly fifty-eight (58%) percent; and

WHEREAS, it is necessary to acquire right-of-ways from private landowners for the purpose of implementing the public projects hereinafter enumerated which were approved by the citizens of Beaufort County; and

WHEREAS, all acquisitions of such right-of-ways will conform to the standards approved by Beaufort County, South Carolina Department of Transportation and the Federal Highway Administration; and

WHEREAS, the construction of all projects is vital to the health and safety of the residents, citizens and tourists in Beaufort County, including, but not limited to, evacuation routes in the event of hurricanes; and

WHEREAS, Beaufort County will conduct 2 public meetings on each of the roadway and pathway projects in order to disseminate project information and obtain community feedback, and;

WHEREAS, Beaufort County staff will update the Public Facilities Committee on a quarterly basis regarding the status of ongoing capital projects, and;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that County Council authorizes the acquisition of all right-of-ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right-of-ways needed to complete the following projects:

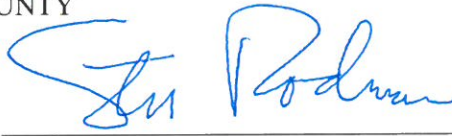
1. Hilton Head Island – US 278 Corridor Traffic Improvements
2. Lady’s Island Corridor Traffic Improvements
3. Sidewalks and Multi-Use Pathways – Safe Routes to School:
 - a. Burnt Church Road, Ulmer Road, and Shad Road
 - b. Laurel Bay Road Pathway Widening
 - c. Bluffton Parkway Phase I
 - d. Joe Frazier Road
 - e. Meridian Road
 - f. Alljoy Road
 - g. Salem Road, Old Salem Road, and Burnt Hill Road
 - h. Middle Road
 - i. Stuart Point
 - j. Broad Rover Boulevard and Riley Road
 - k. Broad River Drive
 - l. Lake Point Drive and Old Miller Road Pathway Connection

- m. Dr. Martin Luther King, Jr. Drive
- n. Ribuat Road to Parris Island Gateway
- o. Pine Grove Road and Burton Wells Road
- p. Spanish Moss Trail Extension
- q. Seabrook Road
- r. Depot Road
- s. Chowan Creek Bluff
- t. U.S. 17 Pathways Extension
- u. Bruce K. Smalls
- v. Paige Point
- w. Big Road
- x. Big Estate Road

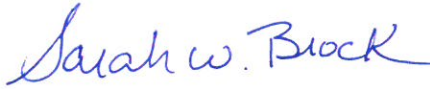
IT IS FURTHER RESOLVED, that County Council further authorizes, as necessary, such acquisitions to include highways, roads, streets, bridges, mass transit systems, green belts and other transportation related project facilities, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges and other transportation related projects.

Adopted this 18th day of November, 2019.

COUNTY COUNCIL OF BEAUFORT
COUNTY

By: 
Stewart H. Rodman , Chairman

Attest:


Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|--|
| ITEM TITLE: |
| Recommend approval to Council of a Resolution to accept the USDA Composting and Food Waste Reduction Program grant in the amount of \$273,600 for a County pilot compost program. |
| MEETING NAME AND DATE: |
| Public Facilities & Safety Committee Meeting - April 22, 2024 |
| PRESENTER INFORMATION: |
| Jared Fralix, P.E. - Assistant County Administrator - Infrastructure Neil Desai, P.E. - Public Works Director (5 mins) |
| ITEM BACKGROUND: |
| Beaufort County's Solid Waste & Recycling Department applied for the USDA Composting and Food Waste Prevention Reduction Program grant in the summer of 2023. The grant funds will help the Solid Waste Department create a pilot compost program. The grant was awarded on January 26, 2024. |
| PROJECT / ITEM NARRATIVE: |
| The Solid Waste and Recycling Department has been looking for opportunities to limit the amount of organic material that makes it into our waste stream. By collecting food waste from the source, we can begin to divert it from entering the waste stream and through processing, can create a compostable material. The pilot project would provide for the collection of food waste from residents and restaurants, implement an educational campaign, and purchase an in-vessel composting machine to process the material. This pilot would be a small-scale project to prove proof of concept. If successful, we will explore ideas on how to expand the program. |
| FISCAL IMPACT: |
| The grant is a 75/25 match: 75% from USDA and 25% from Local Match. The grant award is for a total \$273,600. The County's match of \$68,400 will be from Solid Waste funds in account 2555-10-0000-43780. The duration of the project is expected to run for the next two years (FY25-FY26). It is anticipated that \$50,000 of the local match will be expended in FY 25 and the remaining in FY 26. Funds for the first \$50,000 in expenses have been budgeted for in the FY 25 budget. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of the Resolution to accept the USDA Composting and Food Waste Reduction Program grant in the amount of \$273,600.00 for a County pilot compost program. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve /deny the Resolution to accept the USDA Composting and Food Waste Reduction Program grant in the amount of \$273,600.00 for a County pilot compost program. <i>(Next Step –Move to County Council 5/13/24.)</i> |

RESOLUTION 2024 /__

A RESOLUTION TO ACCEPT THE COMPOSTING AND FOOD WASTE REDUCTION PROJECT COOPERATIVE GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) FOR THE AMOUNT OF \$273,600 FOR THE SOLID WASTE AND RECYCLING PILOT COMPOST PROGRAM

WHEREAS Beaufort County Solid Waste and Recycling Department aims to reduce the amount of organic material that enters our waste stream; and

WHEREAS composting is a more sustainable approach to disposing of organic material as it saves room in the landfill and creates a marketable by-product that can be reintroduced into our food production life cycle; and

WHEREAS by developing a program that collects food waste from the source, hauling, and disposal costs for the County can be reduced; and

WHEREAS Beaufort County Solid Waste and Recycling Department applied for funding to meet South Carolina Waste Diversion goals on June 15th, 2023 for the amount of \$273,600; and

WHEREAS Beaufort County Solid Waste and Recycling was awarded \$273,600 from the USDA Composting and Food Waste Reduction Project, with a \$68,400 match from the County; and

WHEREAS Beaufort County will execute the grant’s requirements during the duration of the project while completing all applicable reporting.

NOW THEREFORE, BE IT RESOLVED, THAT THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA hereby approves the acceptance of the Composting and Food WASTE Reduction cooperative agreement from the USDA for the amount of \$273,600.00 for the Beaufort County Pilot Composting Project.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

**United States Department of Agriculture
National Institute of Food and Agriculture
AWARD FACE SHEET**

Item 21.

| | | | | |
|---|---------------------------------|---|--|---|
| 1. Award No. 2024-70510-41958 | 2. Amendment No. | 3. Proposal Number 2023-12444 | 4. Period of Performance 06/01/2024 through 05/31/2026 | 5. Type of Instrument Cooperative Agreement |
| 6. Type of Action New | 7. CFDA Number 10.935 | 8. FAIN 20247051041958 | 9. Method of Payment ASAP 70510419587051023000 | 10. CRIS Number 1031787 |

11. Authority. 7 U.S.C. 6923, Section 12302 of P.L 115-334, Composting and Food Waste Reduction cooperative agreement pilot program

| | |
|---|---|
| 12. Agency (Name and Address) Awards Management Division National Institute of Food and Agriculture/USDA 805 Pennsylvania Ave Kansas City, MO 64105 | 13. Awardee Organization COUNTY OF BEAUFORT BEAUFORT, SC 29901 |
|---|---|

| | | |
|--|---|--|
| 14. Program Point of Contact: Lydia Kaume Telephone: 000-000-0000 lydia.kaume@usda.gov | Administrative Point of Contact: Jenifer Denison Telephone: 208-512-5069 jenifer.denison@usda.gov | 15. Project Director/Performing Organization Victoria Hoffman COUNTY OF BEAUFORT Beaufort, SC 29902-4453 |
|--|---|--|

| | | | | | | |
|-----------------------|----------------|--------------------|-----------------------------|---------------|-------------------|---------------|
| 16. Funding: | <u>Federal</u> | <u>Non-Federal</u> | 17. Funds Chargeable | <u>Amount</u> | <u>FY-TAS-FDC</u> | <u>Amount</u> |
| Previous Total | \$0.00 | \$0.00 | <u>FY-TAS-FDC</u> | | | |
| + or - | \$273,600.00 | \$68,400.00 | 21-12X0502-70510 | \$273,600.00 | | |
| Total | \$273,600.00 | \$68,400.00 | | | | |
| Grand Total | \$342,000.00 | | | | | |

18. Title of Proposal
Beaufort County- Organics Diversion Pilot Program

PROVISIONS

This Award incorporates the following:

- Funds in the amount of \$273,600 are withheld pending NIFA's receipt of a counter-signed Award Face Sheet (NIFA Form 2009). The Authorized Representative's signature certifies two requirements. First, that the recipient understands and accepts the Cooperative Agreement as represented in Attachment A. Second, that the recipient understands their responsibility in ensuring the program's 25% matching condition is met per the requirements and standards in 2 CFR 200.306 and that match documentation must be available upon request for audit purposes. Once signed, return a PDF copy of the Award Face Sheet to awards@usda.gov and the Administrative Point of Contact listed in Block 14 above. Award funds will not be made available until the counter-signed document is received.
- In addition to the Cooperative Agreement, as applicable, the March 2024 USDA/FPAC General Award Terms and Conditions (available at <https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>) and January 2024 USDA/NIFA Research Terms and Conditions (available at: <https://www.nifa.usda.gov/grants/regulations-and-guidelines/terms-conditions>) apply.
- Indirect cost recovery has been voluntarily waived by the applicant as evidenced by the application budget submitted.
- Failure to submit complete, accurate, and timely reports may result in possible award delays or enforcement actions. Federal Financial SF-425 forms are to be sent to awards@usda.gov. Project progress reports are to be completed in the REEport portal located at <https://portal.nifa.usda.gov>. Questions regarding access to REEport should be directed to electronic@usda.gov. Additional information regarding grant management and closeout can be found at: <https://www.nifa.usda.gov/grants/lifecycle/post-award> and <https://www.nifa.usda.gov/grants/lifecycle/close-out>.
- The obligation of funds may be terminated without further cause unless the recipient commences the timely drawdown of funds; initial drawdown of funds signifies acceptance of award terms and conditions and should commence in a timely manner within the award period. Inquiries regarding ASAP Payment Accounts should be directed to the Financial Management Division at

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

This award, subject to the provisions above, shall constitute an obligation of funds on behalf of the Government. Such obligation may be terminated without further cause unless the recipient commences the timely drawdown of funds; such drawdowns may not exceed one year from issuance date of the award.

| | | |
|---|-------------------------------|---------------------------|
| Typed Name Mark Heap Authorized Departmental Officer | Signature MARK.HEAP | Date 03/28/2024 |
|---|-------------------------------|---------------------------|

FOR THE PERFORMING ORGANIZATION
Signature of person authorized by the governing body of the performing organization to incur contractual obligations.
Signature indicates acceptance when a cooperative agreement is cited in Type of Instrument (block 5) above.

| | | |
|-----------------------------|------------------|-------------|
| Typed Name and Title | Signature | Date |
|-----------------------------|------------------|-------------|

**United States Department of Agriculture
National Institute of Food and Agriculture
AWARD FACE SHEET**

Item 21.

| | | | | |
|---|---------------------------------|---|--|---|
| 1. Award No. 2024-70510-41958 | 2. Amendment No. | 3. Proposal Number 2023-12444 | 4. Period of Performance 06/01/2024 through 05/31/2026 | 5. Type of Instrument Cooperative Agreement |
| 6. Type of Action New | 7. CFDA Number 10.935 | 8. FAIN 20247051041958 | 9. Method of Payment ASAP 70510419587051023000 | 10. CRIS Number 1031787 |

11. Authority. 7 U.S.C. 6923, Section 12302 of P.L 115-334, Composting and Food Waste Reduction cooperative agreement pilot program

| | |
|---|---|
| 12. Agency (Name and Address) Awards Management Division National Institute of Food and Agriculture/USDA 805 Pennsylvania Ave Kansas City, MO 64105 | 13. Awardee Organization COUNTY OF BEAUFORT BEAUFORT, SC 29901 |
|---|---|

| | | |
|--|---|--|
| 14. Program Point of Contact: Lydia Kaume Telephone: 000-000-0000 lydia.kaume@usda.gov | Administrative Point of Contact: Jenifer Denison Telephone: 208-512-5069 jenifer.denison@usda.gov | 15. Project Director/Performing Organization Victoria Hoffman COUNTY OF BEAUFORT Beaufort, SC 29902-4453 |
|--|---|--|

| 16. Funding: | 17. Funds Chargeable | |
|--------------------|----------------------|--------------------|
| | <u>Federal</u> | <u>Non-Federal</u> |
| Previous Total | \$0.00 | \$0.00 |
| + or - | \$273,600.00 | \$68,400.00 |
| Total | \$273,600.00 | \$68,400.00 |
| Grand Total | \$342,000.00 | |

| <u>FY-TAS-FDC</u> | <u>Amount</u> | <u>FY-TAS-FDC</u> | <u>Amount</u> |
|-------------------|---------------|-------------------|---------------|
| 21-12X0502-70510 | \$273,600.00 | | |

18. Title of Proposal
Beaufort County- Organics Diversion Pilot Program

PROVISIONS

asapcustomerservice@usda.gov.

6. Prohibition against using funds under Grants and Cooperative Agreements with entities that require certain internal confidentiality agreements are referenced at <https://nifa.usda.gov/prohibition-confidentiality-agreements>.

7. Form AD-1048 or other NIFA approved format must be completed by the approved consultant(s) and returned to the recipient for retention in the official award file. It is not necessary to send a copy to NIFA (available at: <https://www.usda.gov/sites/default/files/documents/ad-1048.pdf>).

8. Equipment and/or other property acquired under this award is subject to requirements of award terms and conditions and 2 CFR 200.310-316 Property Standards.

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

This award, subject to the provisions above, shall constitute an obligation of funds on behalf of the Government. Such obligation may be terminated without further cause unless the recipient commences the timely drawdown of funds; such drawdowns may not exceed one year from issuance date of the award.

United States Department of Agriculture
National Institute of Food and Agriculture

COOPERATIVE AGREEMENT No. 2024-70510-41958

Between

COUNTY OF BEAUFORT

and the

U.S. DEPARTMENT OF AGRICULTURE

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE (NIFA)

and the

OFFICE OF URBAN AGRICULTURE AND INNOVATIVE PRODUCTION (OUAIP)

I. Introduction and Purpose:

The U.S. Department of Agriculture (USDA) is committed to addressing the problem of food loss and waste through its programs, policies, and guidance. USDA's Office of Urban Agriculture and Innovative Production (OUAIP) was formed through the 2018 Farm Bill to improve USDA's support for urban and innovative farming operations through cooperative agreements and oversees the Compost Food Waste and Reduction (CFWR) Pilot Program. The National Institute of Food and Agriculture (NIFA) ' is part of USDA's Research, Education, and Economics (REE) mission area. The agency administers federal funding to address the agricultural issues impacting people's daily lives and the nation's future.

OUAIP, in partnership with NIFA will be managing the FY23 CFWR awards to enhance cross-agency support for awardees and allow for interagency data collection and strategic collaboration of composting and food loss and waste issues at the national level. The purpose of the CFWR program is to enter into cooperative agreements with eligible entities to develop and test strategies for planning and implementing municipal compost plans and food waste reduction plans.

The United States Department of Agriculture (USDA) and the County of Beaufort in South Carolina hereafter referred to as the Cooperator, enter into this agreement and work cooperatively as they develop and test strategies for planning and implementing municipal compost plans and food waste reduction plans towards completion of the purposes and activities outlined in the County of Beaufort's CFWR Application entitled: Beaufort County- Organics Diversion Pilot Program

South Carolina's Department of Health and Environmental Control's (SCDHEC) 2022 Solid Waste Management Annual Report recommended local government's maximize food waste reduction and recovery. Nationally, U.S. Department of Agriculture (USDA), the U.S. Environmental Protection Agency (EPA) and the U.S. Food and Drug Administration (FDA) has set a goal of reducing food loss and waste by 50% by 2030. Beaufort County has made a commitment to re-evaluate its solid waste management program to meet SCDHEC and national food loss and waste goals. The County currently has no access to composting infrastructure. This investment will support development of a plan to allow the County to explore their capacity to operate, finance, and retain participation in a county-wide organics program. The key objectives of this project are to: (i) increase residential education; (ii) encourage food waste prevention; (iii) produce nutrient-rich compost; and (iii) protect agricultural lands and culture through the promotion of sustainable agriculture practices. Through the education and investments of this pilot program, Beaufort County residents will directly benefit. These benefits include, utilizing high-quality compost to improve the quality of their soils aiding in water retention; promote crop growth, and reduce greenhouse gases associated with landfill disposal. To bring the pilot program plan to fruition and ensure its success, the County will collaborate with local stakeholders and formalize partnerships with a local composting company, a local organic hauling company and a local consulting firm to assist in the management of the study. The success of the education and outreach program will be measured based on the numbers and outcomes reported by residents and stakeholders, as well as the number of outreach materials produced throughout the program. For the pilot compost program, the quantity organic of materials collected, the compost product produced, and the end-user consumption and use of the product will be documented to assess the program's effectiveness. Other counties with limited access to composting will also be able to use the results of this study to help develop and implement their own food waste diversion programs.

II. Authority:

The Composting and Food Waste Reduction (CFWR) cooperative agreement pilot program is authorized by Section 222 of the Department of Agriculture Reorganization Act of 1994, as added by Section 12302 of the Agriculture Improvement Act of 2018, 7 U.S.C. 6923. Funding was made available by the American Rescue Plan Act of 2021, Public Law 117-2. NIFA is authorized to enter into this agreement pursuant to Section 1006 of the American Rescue Plan Act of 2021 (Pub. L. 117-2), as amended by Section 22007 of the Inflation Reduction Act of 2022 (Pub. L. 117'169), and 7 U.S.C. 3318(c) pertaining to cooperative agreements.

III. Agreement:

NIFA alongside OUAIP will coordinate the substantial federal involvement required by this agreement on behalf of USDA.

A. It is agreed that the County of Beaufort ('cooperator'), NIFA, and OUAIP, together referred to as the 'Parties,' will cooperate for their mutual benefit to develop and test strategies for planning and implementing municipal compost plans and food waste reduction plans as outlined in the cooperator's Composting and Food Waste Reduction CFWR Application. This agreement will be effective from June 1, 2024, through May 31, 2026.

B. The signatories hereby certify that they have authority to enter into this agreement, and by their signatures do hereby enter into this agreement. NIFA Award Face Sheet will be the official award and obligating document. NIFA Authorized Departmental Officer and the cooperator's signatory will be required to both sign the award Face Sheet for a legally binding agreement.

IV. Funding Information:

County of Beaufort's UEI is XFSKWHHQM58 and EIN is 57-6000311.

V. Points of Contact:

A. For USDA Programmatic Contact: Program Leader listed in block 14 of the NIFA Award Face Sheet.

B. For USDA Administrative Contact: NIFA's Authorized Departmental Officer (ADO) listed in block 14 of the Award Face Sheet.

C. For County of Beaufort: Victoria Hoffman, Solid Waste & Recycling Program Manager, (843) 255-2735, victoria.hoffman@bcgov.net, or their designee or successor will serve as lead Project Director.

D. For County of Beaufort: Christine Webb, Finance Compliance Director, (843) 812-3947, christine.webb@bcgov.net, or their designee or successor will serve as the Authorized Representative (AOR).

VI. Responsibilities of the Parties:

A. County of Beaufort agrees to:

1. Assure and certify that in addition to terms stated in this cooperative agreement it has and/or will comply and require subrecipients to comply with the requirements contained in the NIFA Research Terms and Conditions for Grants and Cooperative Agreements, as well as the reporting requirements specified below.

2. Participate in ongoing coordination with USDA in the planning and delivery of activities.

3. Carefully manage project funds to complete deliverables, as outlined in the grant application.

4. Share Cooperator expertise and experiences with other cooperators and USDA to better inform USDA's approach to addressing food loss and waste.

5. Reporting: Financial

a. NIFA requires all cooperators to submit a Federal Financial Report Form SF-425, annually no later than 90 days after the award anniversary date. The final SF-425 is due no later than 120 days after the termination date of the grant. The form should be emailed as a PDF attachment to both: awards@usda.gov and urbanagriculture@usda.gov. All questions relating to the SF-425 reports should be directed to the Administrative Contact listed in block 14 of the Award Face Sheet.

b. NIFA requires all cooperators to submit a Project Financial Report through REEport on an annual basis, due February 1st of each year. Assistance for submitting online forms through REEport should be directed to REEport Customer Service at electronic@usda.gov

6. Reporting: Annual Progress

a. NIFA requires all cooperators to submit an annual technical progress report through REEport, due within 90 days after the award anniversary date. Progress reports must cover only the most recent annual budget period and should adequately describe the project's progress toward performance objectives and clearly highlight the major accomplishments achieved during the reporting period.

b. OUAIP requires OUAIP Supplemental Reporting Form (NRCS-OUAIP-1), reporting on specific project indicators, must be submitted to urbanagriculture@usda.gov annually, due within 90 days after the award anniversary.

7. Reporting: Final Technical Report

a. NIFA requires all cooperators to submit a final technical progress report through REEport, due within 120 days of the expiration of the award. The final progress report are required to cover the duration of the project, from start to end date. Reports should adequately describe how performance objectives were achieved and highlight the major accomplishments and non-technical impacts of the project.

b. OUAIP requires all cooperators to submit a final OUAIP Supplemental Reporting Form (NRCS-OUAIP-1), reporting on specific project indicators, to urbanagriculture@usda.gov within 120 days of the expiration of the award.

B. The USDA agrees to:

1. Assign a NIFA National Program Leader (NPL) with appropriate expertise who will monitor the project, make recommendations concerning planning and procedures to be followed, and ensure that objectives are being fulfilled.

2. Provide funds in the amount of \$273,600 in this funding authorization under the U.S. Department of Treasury Authority

Standard Application for Payment (ASAP) system. The total cost to NIFA under this Agreement will not exceed \$273,600.

3. Reimburse the Cooperator for allowable, allocable, and reasonable costs as specified on the Award Face Sheet, Form NIFA-2009 and the approved budget. Tuition remission is unallowable.
4. Provide guidance in the evaluation process and other technical assistance as needed.
5. Collaborate with the cooperator in evaluating, accepting and achieving the milestones for the project as proposed by the cooperator.
6. Provide technical direction to the overall program, as well as the individual program elements as it is determined to be necessary and appropriate by USDA.
7. Participate during the full duration of the project and will have continuing rights to conduct ongoing negotiations with the cooperator regarding the technical direction of the work conducted under this agreement.
8. Attend meetings and participate in the formation and direction of scope of the key development activities.
9. Ensure the Program Leader named in block 14 of the NIFA Award Face Sheet will participate in the development, review and approval of all statements of work, including subcontractor statement of work, prior to execution of any subcontract.
10. Review technical progress reports and provide input to these reports as deemed necessary. USDA will use these reports to evaluate the cooperative agreement deliverables; thus, providing an additional measure of technical progress.
11. Collaborate with the cooperator in the allocation of funds budgeted for this agreement. Further as work progresses, funding needs may change and depending upon availability of funds, as appropriate. USDA will work with the cooperator to reallocate funds budgeted between different programs and projects, if necessary.
12. Monitor all phases of the cooperator's activities, including the participation in the cooperator's review of its contractors' and subawardees' activities and review of the contractors' and subawardees' reports to the cooperator.
13. USDA will actively participate in the cooperator's process of reviewing and approving each phase of the proposed programs and projects.

C. It is mutually agreed that:

1. This Agreement shall be deemed effective as of June 1, 2024, and shall remain in effect until May 31, 2026, unless extended by mutual consent.
2. USDA's NIFA will utilize its normal payment management system to make the federal financial assistance funding available to the cooperator. After the agreement is fully signed and the federal funds are recorded as an obligation, NIFA will authorize the agreement amount in the Department of Treasury application known as the Automated Standard Application for Payments (ASAP) system. NIFA will also provide to the cooperator enrollment instructions for the ASAP system through which the cooperator will access their funding. The cooperator may obtain assistance with the ASAP system from NIFA at asapcustomerservice@usda.gov. For more information on the amounts and timing of ASAP drawdowns, see 2 CFR Part 200.305, 'Federal payment.' Funds must be drawn on an as-needed basis only. Should there be unobligated funds remaining at the conclusion of the project, such funds shall be refunded to the NIFA-USDA and any undrawn authorization under the ASAP System shall be revoked.
3. Provisions of the approved proposal on which this Agreement is based that may not be explicitly stated herein are considered an integral part of this Agreement.
4. The provisions of Executive Order No. 11246 dated September 24, 1965, Sec. 202, para. (1) through (7) are made a part of this Agreement. As appearing throughout these paragraphs, the word "contract" shall be construed to mean "agreement" and the word "contractor" shall be construed to mean County of Beaufort.
5. No member of or delegate to Congress shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.
6. All travel using Federal funds must be directly related to the work required under this agreement. All travel must comply with 31 U.S.C. ' 1345, Federal Travel Regulations, and applicable cost principles.
7. This agreement may be amended at any time by mutual written agreement of the parties and will be amended in writing by the Authorized Departmental Officer.
8. Nothing in this agreement may be interpreted to imply that USDA endorses any product, service, or policy of the cooperator or the cooperator's partners, contractors, and/or subawardees. The cooperator will not take any action or make any statement that suggests or implies an endorsement.
9. As a condition of this Cooperative Agreement, the recipient assures and certifies that it is in compliance with, and will comply in the course of the Agreement with, all applicable laws, regulations, Executive Orders, and other generally applicable requirements specifically stated in this agreement and otherwise applicable. These regulations include the protection of human subjects with the requirements set out in 7 CFR 1c.103 and in the Department of Health and Human Services regulations in 45 CFR part 46, as amended, which hereby are incorporated in this Agreement by reference, and such other statutory provisions as are specifically set forth herein.
10. In accordance with 2 CFR part 418, the recipient (and any subtier recipient) is prohibited from making any payments from Federal funds for lobbying a Member of Congress, an officer or employee of Congress, an employee of Congress or any Federal agency in connection with the awarding, renewal, extension, continuation, amendment or modification of a part

contract, cooperative agreement, grant, or loan. If any lobbying activity from non-appropriated funds occurs and the application or award action exceeds \$100,000, then the recipient (and any sub-tier recipient, if applicable) must file certification and disclosure forms (instructions found in Appendix A & B of 2 CFR part 418). Primary recipients are required to collect the certification and disclosure forms from their sub-tier recipients and submit them to NIFA-USDA. If required as stated above, certification and disclosure forms must be executed before an award action which exceeds \$100,000 is made.

11. Pursuant to the provisions of 2 CFR part 180, subpart C, as supplemented by 2 CFR part 417, subpart C, the recipient agrees as a condition of this award that it shall not knowingly enter into any lower-tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in a covered transaction, unless specifically authorized by NIFA-USDA.

12. Recipient must comply with applicable National Policy Requirements attached to all NIFA awards and listed here on this link, <https://www.nifa.usda.gov/nifa-21-002-appendix-i-national-policy-requirements>. For questions regarding applicability contact the Program Leader identified listed in block 14 of the NIFA Award Face Sheet.

13. Pursuant to the provisions of 2 CFR Part 421, which implements the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101-8106), you as the recipient must comply with the Drug-Free workplace requirements in Subpart B or (Subpart C, if the recipient is an individual) of part 421, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D: 41 U.S.C. 8101-8106).

14. Except as otherwise provided in the terms and conditions of this Agreement, the author or the recipient organization is free to copyright any books, publications, or other copyrightable material developed in the course of or under this Agreement, but the Federal sponsoring agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, the work for Government purposes.

15. This award, and sub-awards at any tier under this award, shall be governed to the extent applicable by the provisions of 2 CFR Part 400, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards. The OMB guidance found in subparts A through F of 2 CFR part 200 is both adopted and supplemented in 2 CFR part 400. Part 400, along with the adopted 2 CFR part 200, acts as USDA policies and procedures for uniform administrative requirements, cost principles, and audit requirements for Federal awards. This guidance supersedes and streamlines requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in OMB guidance); Circulars A-89, A-102 and A-133; and the guidance in Circular A-50 on Single Audit Act follow up. In addition, this award or agreement is governed by the following administrative provisions: (a) 2 CFR 415, General program administrative regulations (b) 2 CFR 416, General program administrative regulations for grants and cooperative agreements to state and local governments In addition to any other terms and conditions attached hereto, or stated herein, recipients of awards shall be bound by the Administrative Provisions established for particular programs.

16. The substantial involvement by USDA under this agreement will remain in effect for the term of the cooperative agreement award.

17. Work performed pursuant to this agreement may be subject to the National Environmental Policy Act (NEPA). If applicable, prior to any ground-disturbing activities related to NRCS funding, the awardee must work with NRCS staff to complete an environmental evaluation (EE) related to those activities. Awardees may be required to prepare or pay for preparation of an environmental assessment (EA) or environmental impact statement (EIS), should any environmental review find that an EA or EIS is required.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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| ITEM TITLE: |
| AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES. |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee March 25, 2024 |
| PRESENTER INFORMATION: |
| (Deputy County Attorney Brian Hulbert) (5 minutes) |
| ITEM BACKGROUND: |
| Staff has become aware of a need to clarify language in our stormwater ordinance to make it more clear what properties in Beaufort County are subject to stormwater fees. There is a requirement to clarify the language addressing penalties for late payment and when they are imposed. The maximum penalty which may be imposed for a violation is also being amended to keep it within the jurisdictional maximum allowed under state law for a local ordinance which is prosecuted in magistrate court. |
| PROJECT / ITEM NARRATIVE: |
| Amend the stormwater ordinance to make the penalty language more clear and to amend the maximum penalty which may be imposed for a violation which is adjudicated in the magistrates court. |
| FISCAL IMPACT: |
| <i>There would be no direct fiscal impact on the County.</i> |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of the Ordinance Amendments. |
| OPTIONS FOR COUNCIL MOTION: |
| (Move forward to Council for Approval/Adoption or to not Approve on March 25, 2024) |

ORDINANCE 2024/ ____

AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES

WHEREAS, Chapter 99, Article II Stormwater Management Utility was adopted on August 27, 2001 and was thereafter amended on August 22, 2005, September 28, 2015, September 26, 2016, May 26, 2020, January 11, 2021, and on January 10, 2022; and

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

WHEREAS, The Stormwater Management Utility ordinance needs to be amended to more clearly reflect the imposition of penalties for late and delinquent payments of the fees and the maximum penalty which may be assessed by a magistrate for a violation; and

WHEREAS, staff now wishes to amend Chapter 99, Article II to clarify the imposition of penalties for late and delinquent payments of the fees and the maximum penalty which may be assessed by a magistrate for a violation.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL THAT:

Chapter 99, Stormwater Management, Article II Stormwater Management Utility which appears in Beaufort County Code of Ordinances is hereby amended to reflect the language as depicted in exhibit A.

Adopted this _____ day of _____ 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah w. Brock, JD, Clerk to Council

Sec. 99-110. Stormwater service fee billing, delinquencies and collections.

- (a) *Method of billing.* A stormwater service fee bill may be attached as a separate line item to the county's property tax billing or may be sent through the United States mail or by alternative means, notifying the customer of the amount of the bill, ~~The the~~ date the fee is due is thirty days after the mailing of the fee notice or January 15, whichever occurs later. (January 15), and the date when past due (March 17 – see Title 12, Section 45-180 of the South Carolina State Code). The stormwater service fee bill may be billed and collected along with other fees, including, but not limited to, the Beaufort County property tax billing, other Beaufort County utility bills, or assessments as deemed most effective and efficient by the Beaufort County Council. Failure to receive a bill is not justification for non-payment. Regardless of the party to whom the bill is initially directed, the owner of each parcel of land shall be ultimately obligated to pay such fees and any associated fines or penalties, including, but not limited to, interest on delinquent service fees. If a customer is under-billed or if no bill is sent for a particular property, Beaufort County may retroactively bill for a period of up to one year, but shall not assess penalties for any delinquency during that previous unbilled period.
- (b) *Declaration of delinquency.* ~~A stormwater service fee shall be declared delinquent if not paid within 60 days of the date of billing, or upon the date (March 17) of delinquency of the annual property tax billing if the stormwater service fee is placed upon the annual property tax billing or enclosed with or attached to the annual property tax billing.~~
- (b) *Method of payment by County for County owned property.* The County shall pay the annual stormwater fees owed for County owned properties by way of a journal entry prepared by the Finance Office charging the General Fund's budgeted Stormwater Fees line items and crediting the Stormwater Fund's revenue line item for the total stormwater fees for county owned property.
- (c) *Nonpayment of fee.* For non-payment of all or any part of the stormwater service fee, the monetary penalty shall be the same penalty set forth in S.C. Code 1976, § 12-45-180. If any fee shall remain 60 days after the due date, the county may issue a lien upon the parcel for the stormwater service fee, penalties and costs of collection and shall proceed to collect in the same manner as prescribed by law for the collection of other fees and taxes.

(Ord. No. 2015/24, 9-28-2015 ; Ord. No. 2021/04, 1-11-2021 ; Ord. No. 2022/02 , 1-10-2022)

Sec. 99-111. Appeals.

Any customer who believes the provisions of this article have been applied in error may appeal in the following manner and sequence:

- (a) An appeal of a stormwater service fee must be filed in writing with the Beaufort County Public Works Director, or his/her designee within 30 days of the fee being mailed or delivered to the property owner and stating the reasons for the appeal. In the case of stormwater service fee appeals, the appeal shall include a survey prepared by a registered land surveyor or professional engineer containing information on the impervious surface area and any other feature or conditions that influence the development of the property and its hydrologic response to rainfall events.
- (b) Using information provided by the appellant, the county public works director or his/her designee shall conduct a technical review of the conditions on the property and respond to the appeal in writing within 30 days after receipt of the appeal. In response to an appeal, the county public works director or his/her designee may adjust the stormwater service fee applicable to the property in conformance with the general purposes and intent of this article.
- (c) A decision of the public works director or his/her designee that is adverse to an appellant may be further appealed to the county administrator or his/her designee within 30 days of the adverse decision. The appellant, stating the grounds for further appeal, shall deliver notice of the appeal to the county administrator or his designee. The county administrator or his designee shall issue a written decision on the appeal within 30 days. All decisions by the county administrator or his designee shall be served on the customer personally or by registered or certified mail, sent to the billing address of the customer. All decisions of the county administrator or his designee shall be final.
- (d) The appeal process contained in this section shall be a condition precedent to an aggrieved customer seeking judicial relief. Any decisions of the county administrator or his designee may be reviewed upon application for writ of certiorari before a court of competent jurisdiction, filed within 30 days of the date of the service of the decision.

(Ord. No. 2015/24, 9-28-2015 ; Ord. No. 2021/04, 1-11-2021 ; Ord. No. 2022/02 , 1-10-2022)

Sec. 99-112. No suspension of due date.

No provision of this article allowing for an administrative appeal shall be deemed to suspend the due date of the service fee with payment in full. Any adjustment in the service fee for the person pursuing an appeal shall be made by refund of the amount due.

(Ord. No. 2015/24, 9-28-2015 ; Ord. No. 2021/04, 1-11-2021 ; Ord. No. 2022/02 , 1-10-2022)

Sec. 99-113. Enforcement and penalties.

Any person who violates any provision of this article may be subject to a civil penalty of not more than ~~\$1,000.00~~, **five hundred dollars (\$500.00)** or such additional maximum amount as may become authorized by state law, provided the owner or other person deemed to be in violation has been notified of a violation. Notice shall be deemed achieved when sent by regular United States mail to the last known address reflected on the county tax records, or such other address as has been provided by the person to the county. Each day of a continuing violation may be deemed a separate violation. If payment is not received or equitable settlement reached within 30 days after demand for payment is made, a civil action may be filed on behalf of the county in the **magistrate court or the** circuit court to recover the full amount of the penalty. This provision on penalties shall be in addition to and not in lieu of other provisions on penalties, civil or criminal, remedies and enforcement that may otherwise apply.

(Ord. No. 2015/24, 9-28-2015 ; Ord. No. 2021/04, 1-11-2021 ; Ord. No. 2022/02 , 1-10-2022).

From: Walls, Maria <mwalls@bcgov.net>

Sent: Tuesday, April 9, 2024 12:07 PM

To: Bartholomew, David <dbartholomew@bcgov.net>; Brown, Paula <paula.brown@bcgov.net>; Cunningham, Logan <logan.cunningham@bcgov.net>; Dawson, Gerald <gdawson@bcgov.net>; Glover, York <ygllover@bcgov.net>; Howard, Alice G. <ahoward@bcgov.net>; Lawson, Mark <markl@bcgov.net>; McElynn, Lawrence <lawrencem@bcgov.net>; Passiment, Joseph <jpassiment@bcgov.net>; Reitz, Thomas <thomas.reitz@bcgov.net>; Tabernik, Anna <anna.tabernik@bcgov.net>

Subject: Stormwater Fees

Good afternoon,

I am deeply concerned about the recent discussions Council has had regarding an amendment to the Stormwater Fees ordinance. It is certainly your prerogative to amend any ordinance you choose; my concern is the disingenuous nature of what has been presented to Council and to the public.

Reviewing the [March 25th meeting](#) of the Public Facilities and Safety Committee and [last night's Council meeting](#), Administration did not communicate to Council or to our constituents watching that "staff [became] aware of a need to clarify language in [the] stormwater ordinance" when Administration failed to pay the County's tax bills on time.

Like any other taxpayer, Administration's payment was not processed and we requested the additional funding necessary to cover the penalties. Administration refused.

Through the County Auditor, Administration sought guidance from DOR who communicated that the existing ordinance was not written in a manner that clearly permitted the application of penalties. As a result, the County Assessor and County Auditor voted to waive the County's penalties and the Auditor removed the penalties from the County's accounts.

While there were many emails on this matter, the attached offers a summary beginning with the timely provision of the County's tax bills and details my vehement disagreement with the handling of this matter.

The repeated response to my questioning was that the County was not going to pay itself. This misses the point.

My concern isn't the County, it's our taxpayers. If the ordinance was so insufficient that it absolved the County from penalties, shouldn't it also absolve our taxpayers?

Despite asking multiple times, I never received a response from Administration or County Legal as to how they intended to extend this same treatment to the thousands of taxpayers who have paid the very penalties Administration refused to pay. After viewing Council's recent meetings, it appears there may not be any intention to refund these taxpayers.

This is not the first time an Administration has paid the County's tax bills late. When this occurred before, the pre-Greenway Administration paid the penalties charged just like any other taxpayer would have.

The proposed ordinance was not shared with our Office at any time or we would have expressed the above concerns again and raised the question of how Administration plans to have their tax bills satisfied. A general ledger transfer does not accomplish that and certainly doesn't ensure that the County pays the fees to the Stormwater fund like every other taxpayer is required to.

Out of respect for our shared constituents, I needed to ensure you were all aware of what led to the ordinance clarification. I truly hope you weren't as it is the only explanation for our constituents being kept in the dark and subjugated to a double standard.

Best regards,

Maria Walls, CPA
Beaufort County Treasurer
Telephone: [843-255-2586](tel:843-255-2586)
www.BeaufortCountyTreasurer.com

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



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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| ITEM TITLE: |
| RECOMMEND APPROVAL OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee March 25, 2024 |
| PRESENTER INFORMATION: |
| (Deputy County Attorney Brian Hulbert) (5 minutes) |
| ITEM BACKGROUND: |
| In September 2023 Council adopted Ordinance 2023/32 to amend our road use fee ordinance and to set the current motorized vehicle road use fee at \$20.00. Staff has become aware of a need to clarify language in the road use fee ordinance to clarify which motorized vehicles in Beaufort County are subject to the road use fees. This amendment will clarify that only motorized motor vehicles required to be licensed and which are carried on the tax records in Beaufort County will be subject to the road use fee in Beaufort County. |
| PROJECT / ITEM NARRATIVE: |
| Amend the road use fee ordinance to clarify language in the road use fee ordinance to clarify which motorized vehicles in Beaufort County are subject to the road use fees. |
| FISCAL IMPACT: |
| <i>There would be no direct fiscal impact on the County (aside from the lack of collection of road use fees from vehicles not subject to the road use fee).</i> |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of the Ordinance Amendments. |
| OPTIONS FOR COUNCIL MOTION: |
| (Move forward to Council for Approval/Adoption or to not Approve on April 08, 2024) |

ORDINANCE 2024/ _____

**AN ORDINANCE TO AMEND ORDINANCE 2023/32 THE BEAUFORT COUNTY
ORDINANCE ESTABLISHING A ROAD USE FEE**

WHEREAS, in 1993 Beaufort County Council (the “Council”) adopted Beaufort County Ordinance 93/20 establishing the road use fee on all vehicles which are domiciled and garaged in Beaufort County (the “County”) and thereby use the roadways and bridges owned and maintained by the County and the State; and

WHEREAS, the Council has amended Ordinance 93/20 with Ordinances 2012/13, 2015/8, 2020/28, AND 2023/32; and

WHEREAS, the Council has the authority under South Carolina law to charge and collect the road use fee and to impose new service or user fees; and

WHEREAS, the Council has determined that it is in the best interests of its citizens to amend its existing road use fee; and

WHEREAS, the Council has determined that it is in the best interests of its citizens to amend its existing road use fee ordinance 2023/32 to clarify that the road use fee shall only apply to motorized vehicles required by the state to be licensed and which are subject to the taxes in Beaufort County.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council to amend the road use fee and does hereby amend the Beaufort County Road Use Fee Ordinance 2023/32 as follows:

Section 1. Findings and Authority. County Council makes the following findings of fact and authority in connection with the enactment of this ordinance (this “*Ordinance*”):

(a) The County is a political subdivision of the State of South Carolina and possesses certain powers granted by the Constitution and general laws of the State.

(b) Pursuant to the provisions of Title 4, Chapter 9, Article 13 (the “*Home Rule Act*”) of the South Carolina Code of Laws, as amended (the “*S.C. Code*”), and specifically, Section 4-9-30(5)(a) of the Home Rule Act, County Council is authorized to assess and levy property taxes and uniform service charges and to make appropriations for certain functions of the County specifically including general public works, roads and drainage.

(c) Pursuant to Section 57-17-10 of the S.C. Code, the governing body of the County shall have control and supervision of all county designated roads.

(d) Pursuant to Title 6, Chapter 1, Article 3 of the S.C. Code, specifically Sections 6-1-300 and 330 of the S.C. Code, County Council is authorized to charge and collect service or user fees, including uniform service charges. Section 6-1-300(6) of the S.C. Code, defines a “service or user fee” as a “charge required to be paid in return for a particular government service or

program” and further requires that the revenue generated from the service or user fee must: (i) be used to benefit the payers, even if the general public also benefits; (ii) only be used for the specific improvement contemplated; (iii) not exceed the cost of the improvement; and (iv) be uniformly imposed on all payers.”

(e) Pursuant to Section 6-1-330 of the S.C. Code, County Council is authorized to charge and collect service or user fees, including uniform service charges, subject to the following requirements: (i) the service or user fee must be imposed by adoption of an ordinance approved by a positive majority of County Council; (ii) County Council must provide public notice of the service or user fee being considered and hold a public hearing on the proposed service or user fee prior to final adoption; (iii) revenue derived from the service or user fee to finance the provision of public services must be used to pay costs related to the provision of the service or program for which the service or user fee is paid; and (iv) a local governing body that imposes a user or service fee pursuant to S.C. Code § 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county’s website.

(f) Pursuant to Section 6-1-330(A) of the S.C. Code, a fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of Title 6, Chapter 1, Article 3 of the S.C. Code.

(g) In 1993, County Council imposed a road use fee of Ten and NO/100 (\$10.00) Dollars annually on every motor vehicle required ~~to be registered~~ which are carried on the tax records of the County and licensed in the County pursuant to Ordinance 93/20, enacted June 28, 1993, and thereafter amended the ordinance by adopting Ordinances 2012/13, 2015/8, and 2020/28 (the “**Initial Fee Ordinance**”).

(h) Council never repealed the Initial Fee Ordinance and has collected the fee continuously from January 1, 1994, to the present date.

(i) Pursuant to the Initial Fee Ordinance, the road maintenance fee is uniformly imposed on all owners of vehicles ~~required to be registered~~ which are carried on the tax records of in the County by the South Carolina Department of Motor Vehicles.

(j) Pursuant to the Initial Fee Ordinance, the proceeds from the collection of the road use fee are deposited into a special road maintenance account and specifically used to maintain and improve the County’s road system and to pay for debt service on any outstanding General Obligation Bond issued by the County for road improvements.

(k) Pursuant to the Initial Fee Ordinance, any interest earned on road use fee funds shall accrue to the road maintenance account. Funds which are not used in any fiscal year shall be carried forward and used for the construction, maintenance, and improvement of County roads and related drainage, as well as to pay debt service on any General Obligation Bond issued exclusively for County road improvements.

(l) For the past 30 years, the County has used the road use fee as a dedicated revenue source to maintain and improve the County road system. The revenue generated from the road use fee is used only for the maintenance and improvement of the County road system.

(m) The County road system consists of approximately seven hundred (700) lane miles of paved and unsurfaced roads designated as major arterial roads, collector roads, residential collector roads and local roads. The County's road system provides vital access for local residents to employment, commerce, housing, social services, health services, education services, and reliable emergency evacuation routes. The County's road system is maintained by the Beaufort County Public Works Department.

(n) The condition of every *paved* County road is evaluated every three (3) years by an independent firm and assigned a pavement condition rating. Higher scores reflect roads that require either preventative maintenance or no maintenance at all. Low-range scores reflect roads that require the costliest repairs or full reconstruction.

(o) According to the latest report, which was prepared in February 2022 by F&ME Consultants, none on Beaufort County's roads are in excellent condition. According to the report, twelve point five percent (12.5%) of the roads are in very good condition, sixty-three point five percent (63.5%) are in good condition, twenty-three point four percent (23.4%) are in fair condition and three point six percent (3.6%) are in poor condition. The remaining one point two percent (1.2%) are in poor or very poor condition. Of particular importance is the fact that fully twenty-eight percent (28%) of the County's paved roads are deemed to be in fair to poor condition. If these roads are left unrepaired, they will decline rapidly and become candidates for costly reconstruction. (This report, and all subsequent reports regarding the condition of County Pavement, are incorporated into this ordinance by reference.)

(p) The condition of every *unsurfaced* County road is also evaluated approximately every three (3) years by an independent firm. Each road is assigned an overall rating. Higher scores reflect roads with a higher priority for improvement. Lower scores reflect with lower priority.

(q) According to the November 2022 Beaufort County 2026 – 2030 Dirt Road Paving Plan Report, which was prepared by Consor Engineers, the County's *unsurfaced* road system consists of two hundred nine (209) roads totaling approximately seventy-seven (77) miles. Due to the limited funding that is currently available, the County can afford to improve about only one to two (1 – 2) miles of *unsurfaced* roads each year. (This report, and all subsequent reports regarding Dirt Road Paving, are incorporated into this ordinance by reference.)

(r) Beaufort County's plan is to improve all County unsurfaced roads while maintaining the paved roadway system with at least ninety-five percent (95%) of paved roads in good or very good condition. Currently, seventy-six percent (76%) of paved roads are good to very good. Approximately seventy-seven (77) miles of unsurfaced dirt roads are left to be improved.

(s) The current road use fee of Ten and No/100 (\$10.00) Dollars per vehicle generates approximately \$1.6 million annually. Increasing the road use fee to Twenty and No/100 (\$20.00) Dollars per vehicle would generate approximately \$3 million annually. Neither the current road use fee, nor the proposed increase, will generate revenue that would meet or exceed the cost of maintaining and improving the County's road system.

(t) Despite the County's efforts to maintain and improve the County's road network, significant unfunded road maintenance remains, and it is growing every year. The pavement

condition of County's roads is deteriorating faster than the County can repave them based on available resources.

(u) The life cycle of the County's road system is greatly affected by the County's ability to perform timely maintenance and upgrades to ensure that road surfaces last as long as possible.

(v) Cost-effective preventive maintenance reduces costly future repairs. The cost of fixing roads after they have deteriorated is many times greater than the cost of preventive maintenance.

(w) All individuals who pay the fee (those who own vehicles registered in the County licensed, which are carried on the tax records of Beaufort County) have enjoyed and will continue to enjoy the benefits provided by the purchase, condemnation, construction, ownership, maintenance, and repairs of County and State-owned roads and bridges. The County specifically finds that those paying the fee receive the following benefits from the expenditures of the fee:

- a. *Enhanced Emergency Response Time.* Those paying the fee receive the benefit of enhanced emergency response time. Quality road systems have a direct impact on emergency response times. The revenue from the fee is used to build, design, and maintain a road network that enhances public safety and emergency response times. *See FY 20212 Performance and Accountability Report, Montgomery County Fire Rescue Services.*
- b. *Evacuation Routes.* Those paying the fee receive the benefit of a network of roadways that allow them to safely and timely evacuate the County to avoid impending hurricanes, storms, floods, or other Acts of God. The County borders the Atlantic Ocean. The County is prone to hurricanes, storms, and flooding, all of which threaten the health and safety of those paying the fee. When hurricanes, storms, and floods threaten the County, it is vital that the County residents have a safe, functioning network of roads to allow for the mass exodus of County residents. The revenue from the fee is used to build, design, and maintain a road network to allow for safe and expeditious evacuation of County residents. The findings in this subparagraph are axiomatic and obvious to all. coastal communities in South Carolina and other States bordering the ocean have endured and suffered through violent storms and flooding throughout human history. These storms and flooding have caused numerous injuries and loss of life to those residents of coastal communities. *See National Weather Service Website, www.weather.gov/chs/TChistory (From 1851 through 2018, forty-one (41) Tropical Cyclones have made landfall in the NWS Charleston, SC County Warning Area (CWA), which runs from Charleston County, SC to McIntosh, GA).*
- c. *Increased Property Values.* Those paying the fee receive the benefit of increased property values. The revenue from the fee is used to build, design, and maintain a road network. This road network increases the property values of those who pay the fee. There are numerous scholarly public and private

reports evidencing a manifest nexus between the good quality of roads and increased property values, as well as the poor condition of roads and lower property values. The County craves reference to those selected reports cited below:

- i. An eighteen year (1982-1999) parcel-level real estate assessment study using a land value model, an improvement or structure value model, and a total property value model, yielding empirical results that suggest that improvement type, freeway proximity, parcel location at key network points (e.g., corner parcels), and timing of construction and completion play key roles in property valuation. *See Property Values and Highway Expansions: An Investigation of Timing, Size, Location, and Use Effects* by Brian ten Siethoff, Cambridge Systematics, Inc., and Kara M. Kockelman, C.B. Luce Assistant Professor of Civil Engineering Department of Civil Engineering, The University of Texas at Austin, Transportation Research Record No. 1812: 191-200, Presented at the 81st Annual Meeting of the Transportation Research Board, January 2002.
- ii. Highway capitalization studies analyzing the effects of highway construction on residential sale prices. *See* Transportation Research Board (TRB), *Special Report Number 245 1995. Expanding Metropolitan Highways*. Washington, DC: National Academy Press.
- iii. Extensive literature by Huang (1994) finding that virtually every major land use study came to the conclusion that transportation improvements positively affect the value of nearby land. *See* Huang, W. 1994. "The Effects of Transportation Infrastructure on Nearby Property Values: A Review of the Literature." Institute of Urban and Regional Development: Berkeley, CA.
- iv. A 1997 study of median housing prices and monthly rents in the San Francisco Bay Area showing a strong positive association between accessibility and land prices, after controlling for a wide variety of other variables, including parcel size and square footage of development. *See* Kockelman, K.M. 1997. "Effects of Location Elements on Home Purchase Prices and Rents in San Francisco Bay Area." *Transportation Research Record No. 1606*, 40-50.
- v. A 2001 report concluding that homeowners and renters value improvements to the transportation network whether their perception of the travel benefits is direct or indirect. *See* Mikelbank, Brian. 2001. "Spatial Analysis of the Relationship between Housing Values and Investments in Transportation Infrastructure." Paper presented at the 40th Annual Meeting of the Western Regional Science Association, Palm Springs, CA (February).
- vi. Classical economic theory study showing that when a highway is built, large parcels of land that previously had poor accessibility—or none at

- all—are suddenly underpriced. Often, the market immediately responds: the area is quickly developed and the real estate market establishes a new equilibrium based on the new transportation technology. The land-value impacts that are experienced can be significant. *See* Giuliano, G. 1989. “New Directions for Understanding Transportation and Land Use.”
- vii. Major improvements to infrastructure should also have a strong, positive effect on nearby real estate values. *See* Landis, J., Guhathakurta, S., Huang, W., and Zhang, M. 1995. “Rail Transit Investments, Real Estate Values, and Land Use Change: A Comparative Analysis of Five California Rail Transit Systems.” The University of California Transportation Center, University of California at Berkeley: Berkeley, CA; *see also* Tomasik, J. 1987. “Socioeconomic and Land Values of Urban Freeways in Arizona.” Phoenix, AZ: Arizona Department of Transportation.
 - viii. A 1961 study concluding that lack of access may decrease land values. *See* Mohring, Herbert. 1961. “Land Values and the Measurement of Highway Benefits.” *Journal of Political Economy* 49 (June), 236-249.
 - ix. Construction associated impacts and property values. *See* Nelson, J.P. 1982. “Highway noise and property values: A survey of recent evidence,” *Journal of Transport Economics and Policy*, 16(2), 117-38.
 - x. Property-value models predictions that depressed freeway designs contribute more to residential property values than at-grade freeways. *See* Lewis, C.A., Buffington, J.L., and Vadali, S.R. 1997. “Land Value and Land Use Effects of Elevated, Depressed, and At-Grade Level Freeways in Texas.” Texas Transportation Institute Research Report Number 1327-2. Texas A&M University: College Station, TX.
 - xi. “Improvements to transportation networks, especially those in growing areas, tend to have impacts on local land markets. In principle, an improvement to a link in the network will confer economic benefits to adjacent and nearby properties by increasing the utility that the network provides [U]rban economic theory suggests that many of these benefits are capitalized into local property values, yielding a localized spillover effect. *See* “The Economic Impact of Upgrading Roads, 2009-2016,” Minnesota Department of Transportation.
- d. *Reduced Automobile Operating Costs.* Those paying the fee receive the benefit of reduced automobile operating costs. The revenue from the fee is used to construct and maintain roads and bridges in the County. This construction and maintenance work helps improve the quality of roads in the County. Those paying the fee normally use the roads and bridges in the County; therefore, those paying the fee receive the benefit of reduced automobile operating costs..

- e. *Reduced Automobile Insurance Premiums.* Those paying the fee receive the benefit of reduced automobile insurance premiums. The revenue from the fee is used to construct and maintain roads and bridges in the County. Because of the quality of the roads and bridges in the County, those paying the fee receive the benefit of reduced automobile insurance premiums. *See Cotto, Tony, Cost Drivers: How Riskier Roads, Rising Repairs, and Reckless Driving Are Increasing Insurance Costs (NAMIC 2021) (“[T]he rate you pay for your auto insurance depends in part on where you live.”).*
- f. *Safety and Convenience Benefits.* Those paying the fee receive the safety and convenience benefits associated with having a well-built, well designed, and well-maintained network of roads. The roads in the County are used by those who pay the fee. The roads built, designed, and maintained with the revenue from the fee provide those paying the fee with access to the entire State and federal road network. Further, the roads built, designed, and maintained with the revenue from the fee provide safe, reliable, and efficient access to the entire road network in the County, State, and parts beyond.

(x) County Council finds that increasing the road use fee to Twenty and No/100 (\$20.00) Dollars is desirable and necessary for the County to maintain and to improve the County road system, additional revenues are needed to adequately maintain the County road system, the County road system has experienced degradation due to insufficient maintenance funding, additional degradation is expected without additional maintenance funding, and road maintenance fees are a stable form of revenue that is generated by users of the County road system.

Section 2. Road Use Fee Amendment. Section 2 of the Initial Fee Ordinance (Ordinance 93/20) is hereby amended to increase the road use fee to Twenty and No/100 (\$20.00) Dollars. Section 4 of the Initial Fee Ordinance which provides that the funds shall be deposited in the General Fund is amended to provide that the funds collected shall be deposited into the road maintenance account, that any interest collected on these funds in this account shall be deposited into this account, and that all funds in the account shall be used solely and exclusively for the purposes set forth herein above.

Section 3. Compliance with Title 6, Chapter 1, Article 3 of the S.C. Code.

(a) *Initial Fee Grandfathered.* County Council finds that the Initial Fee Ordinance imposing an annual road use fee was adopted prior to December 31, 1996, and in accordance with the grandfathering language of Section 6-1-330 of the S.C. Code, remains in force and effect until repealed by County Council.

(b) *Increase to the road maintenance fee satisfies S.C. Code § 6-1-330(6).* Beaufort County Council finds that the Ten and No/100 (\$10.00) Dollar increase to the road use fee bringing the total fee to Twenty and no/100 (\$20.00) Dollars is (i) uniformly imposed on all owners of motor vehicles required to be registered in the County by the South Carolina Department of Motor Vehicles licensed, which are carried on the tax records of Beaufort County; (ii) revenues generated from the fee are exclusively used for the maintenance and improvement of the County road system; (iii) payers of the fee benefit from maintenance and improvement of the County road system, even if the general public also benefits; and (iv) revenues generated from the fee do not exceed the cost of maintaining and improving the County road system.

(c) *Adopted by positive majority of County Council.* This Ordinance must be adopted by a positive majority of County Council, which is defined in Section 6-1-330(5) of the S.C. Code as “a vote for adoption by the majority of the members of Council, whether present or not.”

(d) *Public Hearing.* County Council must provide public notice of the fee increase being considered and hold a public hearing on the proposed fee increase prior to final adoption of the Ordinance in compliance with S.C. Code § 6-1-330.

(e) *Road use fee revenues published on County website.* The annual revenues collected from the road use fee and any increase must be published on the County’s website in compliance with S.C. Code § 6-1-330.

Section 4. **Severability.** Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. **Repeal.** All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section 6. **Effective Date.** This Ordinance shall take effect upon the date of its adoption.

Adopted this ___ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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| ITEM TITLE: |
| RECOMMEND APPROVAL OF AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee March 25, 2024 |
| PRESENTER INFORMATION: |
| (Deputy County Attorney Brian Hulbert) (5 minutes) |
| ITEM BACKGROUND: |
| In 1993 Beaufort County Council adopted an ordinance to establish a road use fee in Section 2-437 of the Beaufort County code of ordinances. The road use fee ordinance was amended in 2012, 2015, 2018, 2020, and 2023. In 2023 Council amended the ordinance to increase the road use fee to \$20.00. Currently Section 2-437 requires the fee to be evaluated annually and to be established in the annual County Operations Budget. This amendment would remove this annual requirement. Additionally, Section 2-437 requires the road use fee collected to be deposited in the general fund of the County. Ordinance 2023/32 clarified the requirement to have the road use fees collected to be deposited into a special road maintenance account and be specifically used to maintain and improve the County's road system and to pay for debt service on any outstanding General Obligation Bond issued by the County for road improvements. This amendment will match the language of 2-437 with Ordinance 2023/32 and the 1993 Ordinance language. |
| PROJECT / ITEM NARRATIVE: |
| Amend Section 2-437 Road Use Fee ordinance to bring it into compliance with Ordinance 2023/32 and Ordinance 1993/20. |
| FISCAL IMPACT: |
| <i>There would be no direct fiscal impact on the County .</i> |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of the Ordinance Amendments. |
| OPTIONS FOR COUNCIL MOTION: |
| (Move forward to Council for Approval/Adoption or to not Approve on April 08, 2024) |

ORDINANCE 2024/ _____

AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES

WHEREAS, in 1993 Beaufort County Council (the “Council”) adopted Beaufort County Ordinance 93/20 establishing the road use fee on all vehicles which are domiciled and garaged in Beaufort County (the “County”) and thereby use the roadways and bridges owned and maintained by the County and the State; and

WHEREAS, the Council has amended Ordinance 93/20 with Ordinances 2012/13, 2015/8, 2020/28, AND 2023/32; and

WHEREAS, the Council has the authority under South Carolina law to charge and collect the road use fee and to impose new service or user fees; and

WHEREAS, the Council has determined that it is in the best interests of its citizens to amend its existing road use fee; and

WHEREAS, the Council has determined that it is in the best interests of its citizens to amend its existing road use fee ordinance 2023/32 to clarify that the road use fee shall only apply to motorized vehicles required by the state to be licensed and which are subject to the taxes in Beaufort County.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council to amend the road use fee and does hereby amend the Beaufort County Road Use Fee Ordinance 2023/32 as follows:

Sec. 2-437. Road use fee.

(a) Established. There is established a road use fee on all motorized licensed vehicles required by the state to be licensed, which are carried on the tax records of the county. Any person owning such vehicle shall be subject to and shall pay, in addition to any other licensing fees and taxes, a per vehicle per annum or road use fee with a value as established in Beaufort County Ordinance Section 2-437(b).

(b) Assessments. The auditor shall add a uniform charge per vehicle to all motorized licensed vehicles subject to the taxes in the county beginning with tax notices which become due and each month thereafter. The charge shall become due and payable at the time other personal property taxes become due and payable. The fee shall be ~~evaluated yearly and the value shall be established in the annual County Operation Budget Ordinance~~ **Twenty and no/100 (\$20.00) Dollars.**

(c) Collection. The county treasurer is directed to collect the charges in this section at the time of collection of all other charges and taxes due on such vehicles.

(d) Purpose and use of funds collected. The funds collected under the terms and conditions of this section shall be deposited in the general fund of the county and shall be utilized for the purchase, condemnation, construction, ownership, maintenance, and repairs of all county and state owned roads and bridges. The funds collected shall be deposited into the road maintenance account, that any interest collected on these funds in this account shall be deposited into this account, and that all funds in the account shall be used solely and exclusively for the purposes maintain and improve the County's road system and to pay for debt service on any outstanding General Obligation Bond issued by the County for road improvements.

Effective Date. This Ordinance shall take effect upon the date of its adoption.

Adopted this ___ day of _____, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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| ITEM TITLE: |
| Recommend to Council to award a contract to J.H. Hiers Construction for RFP # 032124 Dirt Road Paving Contract #55 in the amount of \$2,966,517.00. |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee – April 22, 2024 |
| PRESENTER INFORMATION: |
| Jared Fralix, Assistant County Administrator - Infrastructure (5 mins) |
| ITEM BACKGROUND: |
| On February 16, 2024, Beaufort County published RFP # 032124 Dirt Road Paving Contract #55 requesting qualifications for the design and construction of all aspects and scope of James D. Washington Rd, Leo Green Dr, and Dolphin Watch Pt. On March 21, 2024, The County received 2 proposals. J.H. Hiers Construction was ranked the highest and upon review, their proposed bid was acceptable. |
| PROJECT / ITEM NARRATIVE: |
| Resolution 2019/24 established a 5-year Dirt Road paving program. Resolution 2021/1 amended this resolution. The project will consist of design and construction services for the roads included in the proposal. Year five of the program includes James D. Washington Rd, Leo Green Dr, and Dolphin Watch Pt. An alternate for the design of Fredricka Taylor Ln was included. |
| FISCAL IMPACT: |
| The contract fee is for design, materials, and construction of the base scope roads in the amount of \$2,541,846.00. The design of the alternative, Fredericka Taylor Ln, is included for the amount of \$37,734.00. Staff recommends a 15% contingency of \$386,397.00, bringing the project's total cost to \$2,966,517.00. The funding for this project will be TAG Road Improvements account #2342-30-0000-54500 with a current balance of \$3,601,556.76. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval to award to J.H. Hiers Construction for RFP # 032124 Dirt Road Paving Contract #55. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve/deny recommendation to award J.H. Hiers Construction for RFP # 032124 Dirt Road Paving Contract #55. <i>Next Step: Move forward to County Council on 5/13/24 to award J.H. Hiers Construction for RFP # 032124 Dirt Road Paving Contract #55.</i> |

| Beaufort County Dirt Road Contract #55 | | | |
|---|------------------------|------------------------|------------------------|
| RFP 032124 | | | |
| Summary Score Sheet | | | |
| | | | |
| | | | |
| Evaluators | Name of Company | Name of Company | Name of Company |
| | <u>APAC Atlantic</u> | <u>J.H. Hiers</u> | |
| Bauer | 87 | 96 | |
| Bratz | 97 | 100 | |
| Harriott | 90 | 100 | |
| Larson | 85 | 88 | |
| | | | |
| TOTALS: | 359 | 384 | 0 |
| | | | |
| | | | |
| 1. J.H. Hiers | 384 | | |
| 2. APAC Atlantic | 359 | | |



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| Recommend Approval to Council of a request to purchase a Tek84 Body Scanner for the Detention Center (\$207,000) |
| MEETING NAME AND DATE: |
| Public Facilities and Safety Committee – April 22, 2024 |
| PRESENTER INFORMATION: |
| John Robinson, Interim County Administrator (5 mins) |
| ITEM BACKGROUND: |
| On February 13, 2023, a proposal was received from Tek84 for the Intercept Tek84 Body Scanner for the Detention Center, in the amount of \$207,000. During the SCDHEC permit application process, we also became aware of a new Federal Subaward for the Tek84 Body Scanner that would cover up to \$218,700 of the equipment purchase price. We are in the process of applying for this Subaward according to the SCDHEC requirements. |
| PROJECT / ITEM NARRATIVE: |
| Beaufort County Detention Center wishes to add the Tek84 Body Scanner as part of the booking process for inmates. The X-ray body scanner detects the presence of drugs and other forms of contraband both internally and externally on the body. The total funds requested are the bid amount (plus a contingency) (\$207,000 + \$20,700 = \$227,700) Purchasing has not submitted a draft contract to Legal. This will occur after contract award. |
| FISCAL IMPACT: |
| \$227,000. Funding comes from Detention Center Fund, 1040-80-1250-54300. Current account balance is \$750,500.00 |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of the purchase of a Tek84 Body Scanner for the Detention Center in the amount of \$207,000 with a \$20,700 contingency fund for a total of \$227,700. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve/deny recommendation of award Tek84 for Detention Center Body Scanner. <i>Next Step: Move forward to County Council to award Tek84 for Detention Center Body Scanner.</i> |



Quote

March 29, 2024

Colonel Quandara Grant
Beaufort County Sheriff's Office
2001 Duke Street
Beaufort SC
843-255-5218

QUO 2023-02-13 R3

Please see the quotation below for the Tek84 Intercept Body Scanner. The scanner includes all that is listed below as well as (1) built in camera to include a photo of the subject with each scan (2) Your agency's logo on the scanner as well as on each scan report. (3) Training by a medical professional on the use of the product, required radiation training and expert training on reading the scan results. (4) A one-time grab or your JMS database to upload the current list of subjects currently and previously in your facility. (5) 1 year parts and labor warranty

| Qty | Part Number | Description | Net Each | Ext Price |
|-----|--------------|--|---------------|-------------------------|
| 1 | SSD-017-1102 | Tek84 Intercept Whole Body Security Scanning System | \$ 139,000.00 | \$ 139,000.00 |
| | | High Strength Aluminum Unibody Frame. 106Kv Monoblock Oil Cooled Generator. 34" X 72" X 90" (79" top removed) foot print. 4 Second Scan Time. Variable Scanning Dosage from 0.25 uSv to 8.0 uSv | | |
| | | Tethered Ethernet Connected Work Station with 27" Vertically Mounted Touch Screen Monitor. PC with Win OS and (2) 1 TB HDD. RAID. 1 million image storage capacity. Transportable on Built in Heavy Duty Caster System. Corner Mounting Feet. 16 million Grey Scale Levels. 110 V/60hz. 1Kva | | |
| 1 | INT-Shipping | Freight from San Diego, CA to Beaufort SC | \$ 3,500.00 | \$ 3,500.00 |
| 1 | INT-WARRANTY | Initial One (1) Year Parts and Labor on Entire System from Time of Delivery | Included | \$ - |
| 1 | INT-Training | 2.5 days Formal, classroom, on-site | Included | \$ - |
| | | OPTIONAL | | |
| 1 | INT-PN 13282 | Bundled ICI Thermal Scanner - For Temperature Scanning | \$ 20,000.00 | \$ 20,000.00 |
| 5 | INT-EXT-WAR | Years of Additional Warranty Starting Month 13 | \$ 8,900.00 | \$ 44,500.00 |
| | | *\$8900/yr if selected at the time of initial purchase | disco | \$ (4,500.00) |
| | | Total | | \$ 207,000.00 ** |

** Up to Five Additional years of addition warranty can be purchased. (Indicate as necessary)

By execution of this agreement, by an authorized signature, the customer agrees to purchase the products specified subject to the terms and conditions set forth in the agreement and subject to Tek84 and conditions available at www.Tek84.com.

This quote will expire on: 05/28/24
Delivered-at-place: Beaufort SC
Terms: Net 30
Taxes: Circle one Exemption certificate attached Tax rate provided here:
*if taxes apply, please request updated quote

Accepted By:
Printed Name and Title: _____
Authorized Signature _____
Date _____

Prepared by:
Margo McNeely, Regional Sales Manager

3/29/2024

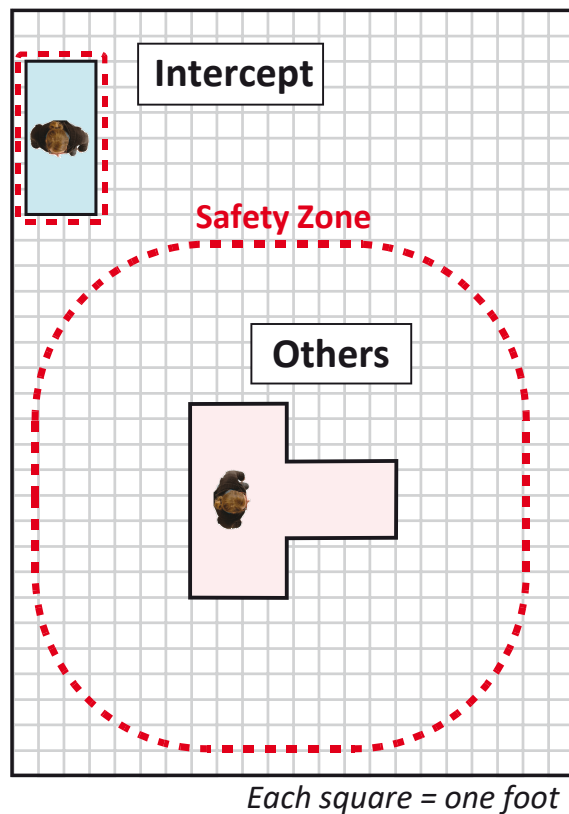
INTERCEPT™

Quick, Convenient, Reliable

Ultra-Small Footprint and Safety Zone

Intercept is extremely compact, requiring a floor space of only 34" x 72". Other body scanners require three times this area. But more important is the **Safety Zone**, where bystanders & operators must be excluded during operation. The Safety Zone for Intercept is nothing more than the scanner footprint. The Safety Zone for other scanners is enormous, 5 to 8 feet away in all directions.

The small footprint, no additional Safety Zone and easy movement allows Intercept to fit just about anywhere. Many facilities even operate Intercept in a hallway, with nothing more than a standard wall plug being needed.



Intercept is shipped fully assembled and can be pushed through standard doorways. A typical installation is less than 2-hours. Other body scanners must be shipped on multiple pallets and built at the site over several days.

Intercept™ Specifications

Physical

Footprint: 34" x 72" (86 x 183 cm)
 Height: 90" (211 cm) Assembled
 79" (201 cm) top removed for transport
 Weight: 720 lbs (328 kg)

Electrical

Power: 100/120/230 VAC, 50/60 Hz, 800 watt
 Tolerant of poorly regulated power

Environmental

Operating: 32-120°F (0-50°C)
 Humidity: Less than 95%, noncondensing

Radiation Safety

Dose: General-use: 0.25 uSv (25 uRem) per scan, suitable for daily screening;
 Limited-use: up to 2.0 uSv (200 uRem) per scan, suitable for weekly screening;
 effective dose to subject measured in accordance with ANSI/HPS N43.17-2009
 Leakage: Inspection zone is the scanner footprint;
 <20 uGy (2 mR) in any 1 hour
 Standards: Complies with ANSI/HPS N43.17-2009 (Body Scanner Radiation Safety)
 Complies with ANSI/IEEE N42.47-2010 (Body Scanner Image Quality)

Intercept is protected under U.S. patents: 10,481,295, 10,705,244, 10,705,245, and 10,845,500. International and other U.S. patents pending.

INTERCEPT™ Item 5.



Full Body Scanner– External and Internal



Detects both metallic and nonmetallic threats, including weapons, drugs, cell phones and other contraband. Screens from below the feet to above the head, revealing items under the clothing and within the body.

- ✓ Widely used in US jails
- ✓ Subject doesn't move
- ✓ Quick 3.8 second scan
- ✓ Ultra-small footprint
- ✓ 2-hour installation
- ✓ Photo ID tied to scan
- ✓ Buy with Covid ARP funds!!



13495 Gregg Street, Poway, CA 92064
 858-676-5382 Sales@Tek84.com

Tek84 develops and manufactures high-technology security products for screening and surveillance. For over three decades we have pioneered the use of ultra-low-dose x-ray imaging. Our products rapidly & safely screen for weapons, explosives, drugs, and other contraband. Our engineers created the world's first body scanner (1991); highest resolution surveillance camera (2001); the first drive-through car bomb detection portal (2009); and Intercept, the first inmate scanner with vertical scanning technology (2018).



INTERCEPT™

Internal and External Threat Detection

Easy to use – Widely Accepted

More than 2,000 jails, prisons and other detention facilities rely on x-ray body scanners to search inmates. The subject simply stands on the Intercept stationary platform for a quick 3.8 second scan. Instantly, a detailed x-ray image appears on the high-resolution monitor, showing objects hidden under the clothing and within body cavities.

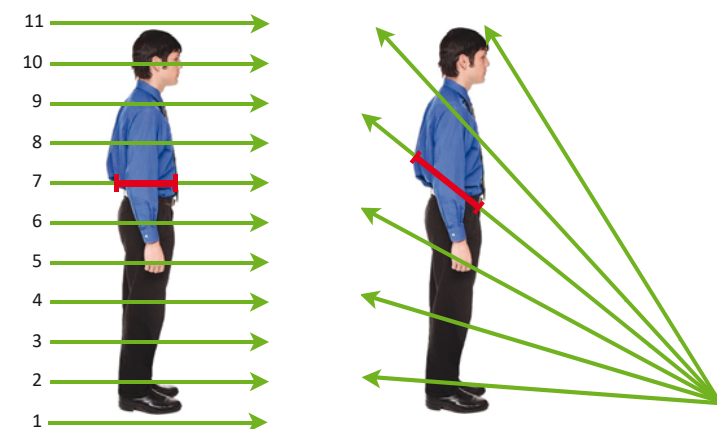
Extremely Safe – Regulated by the FDA

Airport body scanners only detect items hidden under the clothing, not within the body. Intercept is different, transmitting a weak x-ray beam completely through the subject. The scanned images appear similar to medical exams, but use less than 1% of the x-ray level. Federal safety standards allow each person to be screened up to 1,000 times per year on the lowest setting, allowing daily use. Intercept's highest setting produces more detailed images, with up to 125 scans per year.

Better Images, Lower Dose, No Distortion

As shown below, Intercept's scanning beam passes through the person directly from back to front. This is the shortest distance possible through the body, about 11 inches in thickness. In contrast, other products scan at an *angle*, requiring the beam to pass through about 16 inches of tissue. This five inches of extra thickness has a devastating effect on image quality and dose, making a 140 lbs person look like 300 lbs!

Just as important, this means that Intercept's images have no distortion; the belly button appears directly in front of the small of the back, as it should. With angled x-ray scanning, the belly button appears at the same location as the shoulder blades, making image analysis extremely difficult.



The Intercept beam passes through about 11 inches of body tissue in the torso.

Other scanners use an angled path, making the beam pass through about 16 inches.

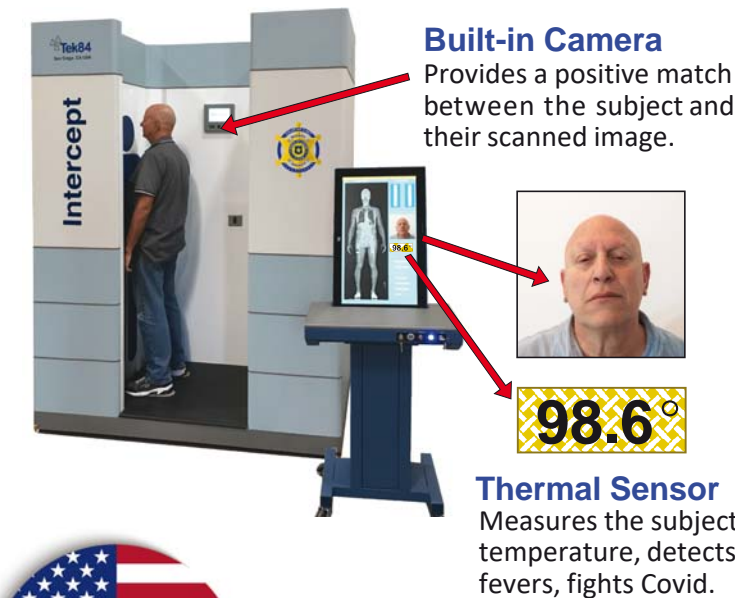


A typical image from Intercept on the lowest setting, 0.25 uSv. Items: teeth fillings, neck chain, object in shoe heel, ring and zipper. Intercept can operate at up to 200 uRem for even better image quality.

The Critical Difference: Vertical Scanning

Intercept is a true breakthrough. Other scanners require the person to stand for 7-14 seconds on a moving conveyor belt or platform, transporting them *horizontally* through the x-ray beam. Intercept's patented technology is different; the subject remains stationary, while the scanning apparatus moves *vertically* around them. Why is this better?

- **Best image quality, lowest dose.** Because the beam always passes through the minimum body thickness.
- **Subject safety.** Subjects are often handcuffed, intoxicated, and/or combative. The last place you want them standing is on moving equipment.
- **A quick 3.8 second scan.** Other body scanners require 7-14 seconds, the fastest you can move a person on a conveyor.
- **Ultra-small footprint.** At only 34" deep and 72" wide, Intercept can fit just about anywhere. The footprint of other scanners needs to be about 8' x 8' to move the person.
- **Ultra-small safety zone.** Federal standards require a safety zone around body scanners, where operators and bystanders are prohibited during operation. This is typically a 20' diameter circle around other scanners. Intercept's unique construction allows sophisticated internal radiation shielding, making the safety zone nothing more than the *footprint of the scanner*.
- **Easy installation and relocation.** Intercept installs like a refrigerator. It ships fully assembled on wheels, rolls through standard doorways, and plugs into a standard wall socket. A typical installation is 2-hours. Other scanners are too large to install this way; they ship on multiple pallets and build on site.



Built-in Camera

Provides a positive match between the subject and their scanned image.

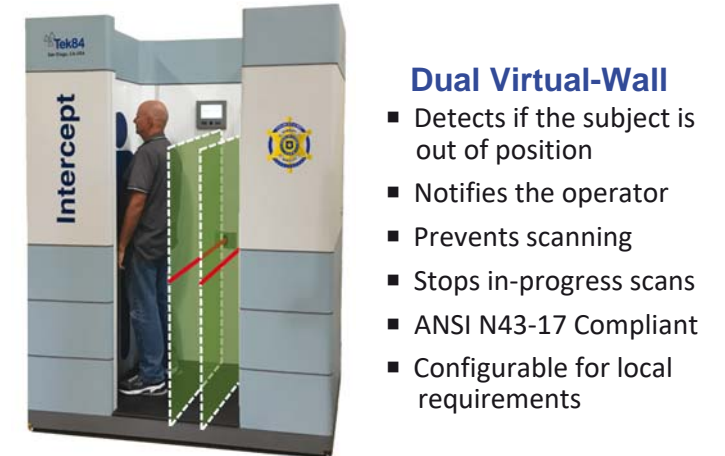
Thermal Sensor
Measures the subject temperature, detects fevers, fights Covid.



Tek84 proudly makes Intercept in the USA. Competing products are imported from China, Brazil, Belarus & Western Europe.

Case Study: Internal Detection of Drugs

An actual seizure from a US Jail in 2020. A round Item 5. at booking showed a dark anomaly, consistent with an object concealed in the rectum. When confronted, the subject removed two balloons, one containing cannabis gummies and the other sleeping pills.



Dual Virtual-Wall

- Detects if the subject is out of position
- Notifies the operator
- Prevents scanning
- Stops in-progress scans
- ANSI N43-17 Compliant
- Configurable for local requirements

Join Hundreds of Jails & Prisons Using CARES and ARP Funds to Buy Body Scanners

Intercept detects concealed threats while reducing Covid transmission— making it an ideal purchase for your unused CARES and American Rescue Plan funds. One staff member can screen up to 180 subjects per hour while maintaining the required 6-foot Covid-safe distance. An FDA approved thermal camera measures the body temperature of each subject to provide indication of Covid-19 and other infections.



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