



Public Facilities and Safety Committee Beaufort County, SC

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

**Monday, March 25, 2024
3:00 PM**

MINUTES

A recording of this meeting is available on the county's website. You can listen to the council's discussion on a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/300683>

COMMITTEE MEMBERS:

LOGAN CUNNINGHAM, CHAIRMAN
THOMAS REITZ
ANNA MARIA TABERNIK

DAVID P. BARTHOLOMEW, VICE-CHAIRMAN
PAULA BROWN
JOSEPH F. PASSIMENT, EX-OFFICIO

1. CALL TO ORDER

Committee Chairman Cunningham called the meeting to order at 3:00 PM.

PRESENT

Committee Chair Logan Cunningham
Committee Vice-Chair David Bartholomew
Chairman Joseph Passiment
Council Member Thomas Reitz
Council Member Paula Brown
Council Member Anna Maria Tabernik
Council Member Alice Howard
Council Member York Glover

ABSENT

Vice-Chairman Lawrence McElynn
Council Member Mark Lawson
Council Member Gerald Dawson

2. PLEDGE OF ALLEGIANCE

Committee Chairman Cunningham led the Pledge of Allegiance.

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

Committee Chairman Cunningham noted that the public notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Tabernik, seconded by Council Member Brown to approve the agenda.

The Vote: motion was approved with no objections.

5. APPROVAL OF MINUTES- February 26, 2024

Motion: It was moved by Council Member Tabernik, seconded by Council Member Howard to the approve the minutes from February 26, 2024.

The Vote: motion was approved without objection.

6. 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.

There were no citizen comments.

7. ASSISTANT COUNTY ADMINISTRATOR REPORT - *Detention Center Update by Col. Quandara Grant, Beaufort County Detention Center Director*

Colonel Grant, Director of the Beaufort County Detention Center, gave Council an update on the operations of the Detention Center.

Presentation is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=125>

AGENDA ITEMS

8. RECOMMEND APPROVAL TO COUNCIL FOR 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 - *Brian Hulbert, Deputy County Attorney*

Staff have become aware of the need to clarify language in our Stormwater Ordinance to clarify what properties in Beaufort County are subject to Stormwater Fees. There is a requirement to define the language addressing penalties for late payment and when they are imposed. The maximum penalty that 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 that is prosecuted in magistrate court. It is recommended that the

Stormwater Ordinance be amended to clarify the penalty language and to amend the maximum penalty that may be imposed for a violation adjudicated in the magistrate's court.

Motion: It is moved by Council Chairman Passiment, Seconded by Committee Chair Bartholomew, to Recommend Approval to Council for 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.

Presentation and discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=586>

9. RECOMMEND APPROVAL TO COUNCIL FOR FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE - *Brian Hulbert, Deputy County Attorney*

In September 2023, the Council adopted Ordinance 2023/32 to amend the road use fee ordinance and to set the current motorized vehicle road use fee at \$20.00. The staff has become aware of a need to clarify language in the road use fee ordinance to clarify which motor vehicles in Beaufort County are subject to the road use fees. This amendment will clarify that only motor vehicles required to be licensed and carried on the tax records in Beaufort County will be subject to the road use fee in Beaufort County. The recommendation is to 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 road use fees.

Motion: It was moved by Council Chairman Passiment, seconded by Committee Vice Chair Bartholomew, to Recommend Approval to Council for a First Reading of an Ordinance 2023/32, an Ordinance to Amend the Beaufort County Ordinance Establishing a Road Use Fee.

The Vote: motion was approved without objection.

Presentation and discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=874>

10. RECOMMEND APPROVAL TO COUNCIL FOR 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 - *Brian Hulbert, Deputy County Attorney*

In 1993, the 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 County's general fund. Ordinance 2023/32 clarified the requirement to collect the road use fee 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. Recommend to amend Section 2-437 road use fee ordinance to bring it into compliance with Ordinance 2023/32 and Ordinance 1993/20.

Motion: It was moved by Council Chairman Passiment, seconded by Council Member Howard to Recommend Approval for a 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.

Presentation and discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=995>

11. RECOMMEND APPROVAL TO COUNCIL FOR 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 - *Jared Fralix, Assistant County Administrator & Neil Desai, Public Works Director*

On December 15, 2014, Beaufort County entered into a Development Agreement with Cherokee Beaufort, LLC, and Burton Development LLC via County Council Ordinance 2014/2. Under Section IX, subsection C(ii) of the Agreement, which states, "All such improvements (the "Cherokee Farms Road Improvements") shall adhere to applicable road and right of way construction standards. To the extent that all or any portion of Cherokee Farms Road is not owned by the County or the State of South Carolina, the same shall be dedicated and accepted by the County. Beaufort County staff have been working with the developers associated with designs outlined in the Development Agreement. Part of the agreement outlines conditions for the conveyance of Cherokee Farms Right of Way to be donated to the County. Beaufort County desires to fulfill the conditions of the Development Agreement by accepting Cherokee Farms Right of Way identified in EXH01, EXH02, and EXH03 on Cherokee Farms Road Right of Way Plans.

Motion: It was moved by Council Member Howards, seconded by Committee Vice-Chair Bartholomew, to Recommend Approval to Council for a 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 approved without objection.

Presentation and discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=1097>

12. RECOMMEND APPROVAL TO COUNCIL OF A RESOLUTION AND AN INTERGOVERNMENTAL AGREEMENT BETWEEN BEAUFORT COUNTY AND HILTON HEAD ISLAND FOR WILLIAM HILTON PARKWAY SAFETY AND PEDESTRIAN IMPROVEMENTS (*FISCAL IMPACT: not to exceed amount of \$600,000 to be funded from the Hilton Head Island/Daufuskie Island Road Impact Fees account 2300-30-0000-54500-12300 with a remaining balance of \$800,000. The Town shall submit paid invoicing documentation to the County for reimbursement*) - *Jared Fralix, Assistant County Administrator*

Beaufort County and the Town of Hilton Head Island seek to establish an agreement whereby the County offers aid and assistance to the Town for safety improvements and pedestrian accommodations along sections of William Hilton Parkway (US 278) in 2024. The two safety projects are located on William Hilton Parkway:

- a) William Hilton Parkway - Northridge Area Segment 3 Safety Improvements.

- This project will update the crosswalk pavement markings and replace existing pedestrian signs with a push-button rectangular rapid flash beacon (RRFP), in pavement crosswalk lighting and roadway lighting.
- b) William Hilton Parkway and Palmetto Bay Road Intersection Improvements, Signage, and Pavement Marking.
 - This project will update pavement marking, street signs, and make minor safety improvements to intersections.

Motion: It was moved by Council Chairman Passiment, Seconded by Council Member Tabernik, to Recommend Approval to Council of a Resolution and an Intergovernmental Agreement between Beaufort County and Hilton Head Island for William Hilton Parkway Safety and Pedestrian Improvements.

The Vote: motion approved without objection.

Presentation and discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=1171>

- 13. RECOMMEND APPROVAL TO COUNCIL FOR A REQUEST TO PURCHASE 48 RECYCLING ROLL-OFF CONTAINERS (\$408,530). (FISCAL IMPACT: Per the original ARPA ordinance (2022/06), \$2,000,000 of ARPA funds were allocated to Solid Waste & Recycling. Those funds have already been transferred to the Solid Waste Enterprise Fund and the funds have been divided into separate line items within the Solid Waste account. The quote for the purchase of these containers is for \$408,530. The remaining Solid Waste & Recycling ARPA funds will be \$1,591,470. The funding for this item is from account the Solid Waste & Recycling non-capital equipment account: 5010-90-1340-52600 with an available balance of \$408,747.01) - Jared Fralix, Assistant County Administrator & Neil Desai, Public Works Director**

The current vendor, Waste Management, owns and leases the recycling roll-off containers to the county. In the fall of 2023, an RFP for recycling services was issued. I2 Recycle was awarded the contract. The contract award from I2 Recycle included a fee to lease the containers from I2 as the new vendor. Upon additional review, it was determined by Solid Waste & Recycling staff that it would be advantageous to purchase the containers versus rent them. Similar to our initial plans, it is intended for I2 to source the containers through their contract. Pending approval, we will amend the I2 contract to remove the multi-year cost of leasing the containers with an on-time cost of purchasing containers.

Solid Waste & Recycling needs to purchase 48 roll-off containers, with recycle hip roof with sliding doors, for use by its new contractor, i2 Recycle. To place Beaufort County logos and the Rerun image on the units it is necessary to purchase the roll-off containers. In addition to the quote provided by I2 Recycle. Two additional quotes (one being from the state contract vendor) and have found the quote from I2 as comparable.

Motion: It is moved by Council Member Tabernik, Seconded by Council Member Brown, to Recommend Approval to Council for a request to Purchase 48 Recycling Roll-Off Containers.

The Vote: motion was approved without objection.

Presentation and discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=1424>

- 14. RECOMMEND APPROVAL OF REQUEST TO PURCHASE QTY-13 WASTE COMPACTOR UNITS FOR BEAUFORT COUNTY CONVENIENCE CENTERS (FISCAL IMPACT: \$624,021.42) - Jared Fralix, Assistant County Administrator & Neil Desai, Public Works Director**

Compactor units at the Convenience Centers have surpassed their recommended service life of 10 years. They experience mechanical issues, and services at the Convenience Centers are negatively affected by this. The selected vendor is under a state contract. Quote prices were compared with those of other vendors with similar units. The state contract is preferable as it provides all services needed: installing metal guards, removing existing units, and installing new units. Based on the individual needs of each center the following units are being proposed for purchase: Bluffton-RJ-0450HD (5), RJ-450 (4) total: \$460,875.32, St. Helena- RJ-450 (3) total: \$122,193.47, and Hilton Head- RJ-450 (1) total: 440,952.63. The total cost of the 13 units and additional parts is \$642,021.42.

Solid Waste & Recycling would like to replace compactor units that are in disrepair. Staff requests to move forward with the purchase of the compactor units under the state contract with Becker Complete Compactor Inc. The estimated cost for the purchase has been budgeted for FY24. A quote has been provided for the units at each center.

Motion: It was moved by Council Member Howard, Seconded by Council Member Brown to Recommend Approval of Request to Purchase qty-13 Waste Compactor Units for Beaufort County Convenience Centers.

The Vote: motion approved without objection.

Presentation and Discussion is available on the County's website:

<https://beaufortcountysc.new.swagit.com/videos/300683?ts=1537>

EXECUTIVE SESSION

15. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO ENGAGE IN DISCUSSIONS AND NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS (EXECUTIVE SEARCH)

Motion: It was moved by Council Chairman Passiment, Seconded by Council Member Brown, to move into Executive Session.

The Vote: motion was approved without an objection.

Executive Session: 3:27 PM - 3:49 PM

16. MATTERS ARISING OUT OF EXECUTIVE SESSION

No matters arising out of Executive Session.

17. ADJOURNMENT

Meeting adjourned at 3:49 PM.

Ratified: April 22, 2024