



Natural Resources Committee Beaufort County, SC

This meeting will be held at the County Council Chambers, 100 Ribaut Road, Beaufort, and virtually through Zoom.

**Monday, June 06, 2022
3:00 PM**

AGENDA

COMMITTEE MEMBERS:

**ALICE HOWARD, CHAIRMAN
LOGAN CUNNINGHAM
YORK GLOVER**

**GERALD DAWSON, VICE-CHAIR
LAWRENCE MCELYNN**

1. CALL TO ORDER
2. 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
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - MAY 2, 2022
6. **CITIZEN COMMENTS - (ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes (a total of 15 minutes) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)**

AGENDA ITEMS

7. RECOMMEND APPROVAL TO APPLY FOR A GRANT TO FUND A PORTION OF THE HILTON HEAD ISLAND AIRPORT TERMINAL IMPROVEMENTS PROJECT. THE GRANT OPPORTUNITY IS AN AIRPORT IMPROVEMENT PROGRAM GRANT THROUGH THE FEDERAL AVIATION ADMINISTRATION. (*FISCAL IMPACT: FAA AIP GRANT- \$11,000,000; \$1,000,000 ANNUAL ENTITLEMENT FUNDS + \$10,000,000 DISCRETIONARY FUNDS; SPONSOR MATCH \$861,111- INCLUDED IN 2023 BUDGET 54020011-54980*)
8. RECOMMEND APPROVAL OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS 36 HUNTER ROAD FOR THE HILTON HEAD ISLAND AIRPORT EXPANSION PROJECT (*FISCAL IMPACT: PROPOSED PURCHASE PRICE \$947,500; FAA VIA BIL AIG GRANT REIMBURSEMENT \$814,500; AIRPORT IS RESPONSIBLE FOR \$133,000 WHICH WILL BE PAID WITH ARPA FUNDS*)

9. RECOMMEND APPROVAL OF A RESOLUTION TO ALLOCATE HOSPITALITY TAX FUNDS FOR THE EMERGENCY REPAIR OF THE SANDS BOAT LANDING (*FISCAL IMPACT: HOSPITALITY TAX REVENUES NOT TO EXCEED \$177,000*)
10. RECOMMEND APPROVAL OF AN AWARD FOR A NON-COMPETITIVE CONTRACT WITH THE UNIVERSITY OF SOUTH CAROLINA BEAUFORT (USCB) WATER QUALITY LAB (*FISCAL IMPACT: \$170,000.00 FOR ANNUAL SERVICES*)
11. RECOMMEND APPROVAL OF AN AWARD FOR THE SHELL POINT DRAINAGE IMPROVEMENT PROJECT CONSULTANT FOR DESIGN, ENGINEERING, AND PERMITTING STORMWATER TO J. BRAGG CONSULTING (*FISCAL IMPACT: \$800,000 FROM FY23 STORMWATER UTILITY BUDGET*)
12. RECOMMEND APPROVAL OF THE APPOINTMENT OF EDWARD WARNER TO THE STORMWATER MANAGEMENT UTILITY BOARD FOR A 4 YEAR TERM WITH AN EXPIRATION DATE OF 2026
13. RECOMMEND APPROVAL OF THE APPOINTMENT OF PERCY BERRY TO THE BEAUFORT-JASPER WATER AND SEWER AUTHORITY BOARD OF DIRECTORS FOR A 6 YEAR TERM WITH AN EXPIRATION DATE OF 2028
14. ADJOURNMENT

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



Natural Resources Committee Beaufort County, SC

This meeting was held at the County Council Chambers, 100 Ribaut Road, Beaufort, and virtually through Zoom.

Monday, May 02, 2022
3:00 PM

MINUTES

1. **CALL TO ORDER**

Committee Chair Howard called the meeting to order at 3:42 p.m.

PRESENT

Committee Chair Alice Howard
Committee Vice-Chair Gerald Dawson
Council Member Joseph F. Passiment
Council Member Stu Rodman
Council Member York Glover
Council Member Chris Hervocho
Council Member Mark Lawson
Council Member Logan Cunningham

ABSENT

Council Member D. Paul Sommerville
Council Member Brian Flewelling
Council Member Lawrence McElynn

2. **PLEDGE OF ALLEGIANCE**

Committee Chair Howard led the Pledge of Allegiance.

3. **FOIA**

Committee Chair Howard stated public notice of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

4. **APPROVAL OF AGENDA**

Motion to Amend: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Rodman, to move item# 13, pursuant to S.C. Code Section 30-4-70(A)(2) discussion of negotiations incident to proposed contractual arrangements and proposed purchase or sale of property (Lobeco, due diligence) into open session.

The Vote - The motion was approved without objection

Motion: It was moved by Council Member Rodman, seconded by Council Member Glover, to approve the agenda as amended.

The Vote - The motion was approved without objection

5. **APPROVAL OF MINUTES - APRIL 4, 2022**

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Glover, to approve the April 4, 2022, minutes.

6. **CITIZEN COMMENTS**

Jessie White commented on the support of the ordinance for a text amendment to the Community Development Code (CDC): section 5.11.100.f.1 (tree removal on developed properties) to close a loophole that allows specimen and mitigation trees to be removed post-construction of single-family homes, an ordinance for a text amendment to the community development code (CDC): section 6.1.40.g (base site area calculations) to clarify that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site and discussion of negotiations incident to proposed.

Contractual arrangements and proposed purchase or sale of property (Lobeco, due diligence) area to determine base site area for development held in open session.

7. **RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) TO CLOSE A LOOPHOLE WHICH ALLOWS SPECIMEN AND MITIGATION TREES TO BE REMOVED POST-CONSTRUCTION OF SINGLE-FAMILY HOMES.**

Motion: It was moved by Council Member Rodman, seconded by Council Member Glover, to approve the recommendation of an ordinance for a text amendment to the Community Development Code (CDC): section 5.11.100.f.1 (tree removal on developed properties) to close a loophole which allows specimen and mitigation trees to be removed post-construction of single-family homes and move forward to County Council for approval.

The Vote - The motion was approved without objection

8. **RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3 (CONVENTIONAL ZONES) TO CORRECT AND CLARIFY PARKING SPACE REQUIREMENT CONFLICTS BETWEEN ZONING DISTRICTS AND THE PARKING SPACE REQUIREMENTS TABLE IN SECTION 5.5.40.B.**

Motion: It was moved by Council Member Rodman, seconded by Council Member Passiment, to approve the recommendation of an ordinance for a text amendment to the Community Development Code (CDC): sections in division 3.2 (transect zones) and sections in division 3.3 (conventional zones) to correct and clarify parking space requirement conflicts between zoning districts and the parking space requirements table in section 5.5.40.B. and move forward to County Council for approval.

The Vote - The motion was approved without objection

9. **RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX A.13.50.D (GUEST HOUSES) TO CLARIFY THE STANDARDS FOR MINIMUM LOT SIZE REQUIREMENTS FOR GUEST HOUSES LOCATED IN THE MAY RIVER COMMUNITY PRESERVATION DISTRICT.**

Motion: It was moved by Council Member Glover, seconded by Council Member Rodman, to approve the recommendation of an ordinance for a text amendment to the Community Development Code (CDC):

appendix A.13.50.D (guest houses) to clarify the standards for minimum lot size requirements for guest houses located in the May River Community Preservation District and move forward to County Council for approval.

The Vote - The motion was approved without objection

10. **RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) TO CLARIFY THAT BOTH JURISDICTIONAL AND NON-JURISDICTIONAL WETLANDS MUST BE SUBTRACTED FROM THE GROSS SITE AREA TO DETERMINE BASE SITE AREA FOR DEVELOPMENT.**

Motion: It was moved by Committee Vice-Chair Dawson, Seconded by Council Member Rodman, to approve the recommendation of an ordinance for a text amendment to The Community Development Code (CDC): Section 6.1.40.G (base site area calculations) to clarify that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site area to determine base site area for development and move forward to County Council for approval.

The Vote - The motion was approved without objection

11. **RECOMMEND APPROVAL OF THE REAPPOINTMENT OF GERALD SCHULZE TO THE BJWSA BOARD OF DIRECTORS**

Motion: It was moved by Council Member Glover, Seconded by Council Member Rodman, to approve the recommendation of the reappointment of Gerald Schulze to the BJWSA Board of Directors and move forward to County Council for approval.

The Vote - The motion was approved without objection

12. **RECOMMEND APPROVAL OF APPOINTMENTS OF DENNIS ROSS FOR AT-LARGE AND RONALD BUCHANAN FOR STORMWATER DISTRICT 8 TO THE STORMWATER MANAGEMENT UTILITY BOARD WITH AN EXPIRATION DATE OF 2026**

Motion: It was moved by Council Member Glover, seconded by Council Member Rodman, to approve the recommendation of appointments of Dennis Ross for at-large and Ronald Buchanan for Stormwater district 8 to the Stormwater Management Utility Board with an expiration date of 2026 and move forward to County Council for approval.

The Vote - The motion was approved without objection

13. **PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY (LOBECO, DUE DILIGENCE)**

Discussion: Eric Greenway stated approval is needed to secure a contractual negotiation for a property purchase in Lobeco with due diligence. Authorization is not required to do this; however, if County Council does not wish to purchase the property Administration does not want to use funds. The parcels are listed for industrial use; however, there is no sewer on these properties. The administration wants to purchase the property to build a road from Highway 21 on the railroad right away to the property and would terminate John Meeks Road on the Kings Neck End and the Morgan Road. The truck traffic would have to use Highway 21. Then the acquired property would be rezoned for light industrial use.

Motion: It was moved by Committee Vice-Chair Dawson, Seconded by Council Member Rodman, to approve the negotiations incident to proposed contractual arrangements and proposed purchase or sale of property (Lobeco, due diligence).

The Vote - The motion was approved without objection



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation for approval to apply for a grant to fund a portion of the Hilton Head Island Airport Terminal Improvements Project. The grant opportunity is an Airport Improvement Program grant through the Federal Aviation Administration in the amount of \$11,000,000.
MEETING NAME AND DATE:
Executive Committee; June 6, 2022
PRESENTER INFORMATION:
Jon Rembold, Airports Director 5 min
ITEM BACKGROUND:
Most recently, this item was briefed as part of a presentation to Finance Committee March 21, 2022. Following this meeting, Council approved a resolution (March 28, 2022) to pursue the Terminal Project, which included this grant as an element of the funding package.
PROJECT / ITEM NARRATIVE:
This is the terminal improvements project that is currently out for bids. The project will increase the terminal's efficiency and service level by adding new boarding gate areas, new security screening areas, new baggage systems, and new technology throughout. The project is a signature project for the airport and for the county as the airport continues to improve its service to the traveling public.
FISCAL IMPACT:
FAA AIP Grant: \$11,000,000 (\$1,000,000 Annual Entitlement Funds + \$10,000,000 Discretionary Funding) Sponsor Match: \$861,111 (included in 2023 budget; 54020011-54980)
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval so application can be made to the FAA soon after bids are received.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny application to the FAA for AIP Grant funding for the Terminal Improvements Project Move forward to Council for Approval June 13, 2022



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS 36 HUNTER ROAD FOR THE HILTON HEAD ISLAND AIRPORT EXPANSION PROJECT
MEETING NAME AND DATE:
Executive Committee June 6, 2022
PRESENTER INFORMATION:
Jon Rembold, Airports Director 5 minutes
ITEM BACKGROUND:
36 Hunter Road is the fifth of five properties to be purchased in support of the terminal campus improvements project. This acquisition is contemplated in the master plan that was approved in 2010 to support the development of the commercial service passenger terminal and the ancillary services such as vehicle parking.
PROJECT / ITEM NARRATIVE:
Detailed negotiations with the property owner over a 2-year period resulted in the proposed purchase price. Appraisals and review appraisals support the proposed purchase price. The FAA is in agreement with the base price and supports the project. The property owner is a willing seller. Following the purchase, the County will lease the property to Avis Car Rentals for temporary use as a rental car cleaning facility. The lease will generate revenue to assist in paying the sponsor share of the project cost.
FISCAL IMPACT:
Proposed purchase price: \$947,500 FAA via BIL AIG grant will reimburse \$814,500 The Airport is responsible for \$133,000 which will be paid with ARPA funds.
STAFF RECOMMENDATIONS TO COUNCIL:
Approve the funding and purchase of real property as proposed and forward to County Council with a recommendation to approve.
OPTIONS FOR COUNCIL MOTION:
Move forward to Council on June 13, 2022

ORDINANCE 2022/_____

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS 36 HUNTER ROAD FOR THE HILTON HEAD ISLAND AIRPORT EXPANSION PROJECT

WHEREAS, the Hilton Head Island Airport (“Airport”) located in Beaufort County (“County”) is in the process of expanding the terminal in order to provide better service to both residents and tourists (“Expansion Project”); and

WHEREAS, on April 8, 2019, the Beaufort County Council approved hiring Talbert, Bright & Ellington, Inc. as consultants (“Consultants”) for the Expansion Project; and

WHEREAS, the Consultants determined the Expansion Project requires the County to acquire the real property located at 36 Hunter Drive, Hilton Head Island, 29926 (“Property”); and

WHEREAS, the County has negotiated a purchase price of the Property for \$947,500 plus closing costs; and

WHEREAS, the funding for the purchase of the Property will be provided from American Rescue Plan Act funds in the amount of \$133,000 and the remaining amount of \$814,500 plus closing costs from the General Fund; and

WHEREAS, the Expansion Project is eligible for Federal Aviation Administration (“FAA”) funding, which requires the County to purchase the Property and the FAA will then reimburse ninety (90%) percent of the approved expenditures; and

WHEREAS, the \$814,500 plus closing costs from the General Fund will be submitted for reimbursement from the FAA; and

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

NOW, THEREFORE, BE IT ORDAINED by Beaufort County Council, duly assembled, authorizing the County Administrator to execute the necessary documents and provide funding for the purchase of real property identified as 36 Hunter Road for the Hilton Head Island airport expansion project.

Adopted this ____ day of _____ 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
A RESOLUTION TO ALLOCATE HOSPITALITY TAX FUNDS FOR THE EMERGENCY REPAIR OF THE SANDS BOAT LANDING
MEETING NAME AND DATE:
County Council, June 13
PRESENTER INFORMATION:
Eric Greenway, County Administrator
ITEM BACKGROUND:
Discussed at May 23, 2022
PROJECT / ITEM NARRATIVE:
The Sands Boat Landing located in Port Royal has historically been maintained by the County. Due to extensive damage to the Landing there is a high risk of injury to citizens and visitors, which required repairs to be made as quickly as possible. The County may expend hospitality tax funds for emergency purposes such as to make the necessary repairs to the Landing.
FISCAL IMPACT:
Hospitality Tax Revenues, account 20020011-54127 Not to exceed \$177,000
STAFF RECOMMENDATIONS TO COUNCIL:
Approve allocation of funds from the hospitality tax funds in an amount not to exceed \$177,000
OPTIONS FOR COUNCIL MOTION:
Motion to Approve Motion to Deny

RESOLUTION 2022/ _____

A RESOLUTION TO ALLOCATE HOSPITALITY TAX FUNDS FOR THE EMERGENCY REPAIR OF THE SANDS BOAT LANDING

WHEREAS, Beaufort County (“County”) collects and administers a 2% local hospitality tax pursuant to SC Code Sections 4-9-30 and 6-1-700 and as provided in Beaufort County Code Section 66-531, hereinafter referred to as “H-Tax”; and

WHEREAS, pursuant to Beaufort County Code Section 66-534(a)(3) H-Tax revenues may be used for the purpose of “river/beach access and renourishment”; and

WHEREAS, pursuant to Beaufort County Code Section 66-537(c) and Ordinance 2020/46, County Council may on a case-by-case basis approve a resolution to allocate funds out of the H-Tax fund for an emergency purpose; and

WHEREAS, the Sands Boat Landing (“Landing”) located in the Town of Port Royal is maintained by the County and has recently been significantly damaged by natural causes; and

WHEREAS, due to the extensive damage to the Landing, the risk of injury to citizens and visitors is so significant that it is in the best interest of all parties that the Landing be repaired as quickly as possible; and

WHEREAS, County Council may, under the circumstances set forth above, adopt an emergency resolution for the allocation of H-Tax funds in an amount not to exceed One Hundred Seventy Seven Thousand (\$177,000) Dollars in order to make the necessary repairs to the Landing.

NOW, THEREFORE, BE IT RESOLVED by Beaufort County Council, duly assembled, hereby allocates H-Tax funds in an amount not to exceed One Hundred Seventy Seven Thousand (\$177,000) Dollars for the emergency repair of the Sands Boat Landing.

DONE this _____ day of June, 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph L. Passiment, Jr.

ATTEST:

Sarah Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation of Award– Non-Competitive Contract with University Of South Carolina Beaufort (USCB) Water Quality Lab (\$170,000.00)
MEETING NAME AND DATE:
Natural Resources Committee – June 6th, 2022
PRESENTER INFORMATION:
Jared Fralix, ACE – Engineering Neil Desai, P.E - Public Works Director (<i>Alternate</i>) (5 min)
ITEM BACKGROUND:
June 2013 – County and USCB entered MOU contracting water quality lab services June 2016 – County and USCB renewed MOU February 2022 – Presented at the Stormwater Utility Board Meeting April 2022– All Cost Sharing Municipalities provided Management Budget concurrence letters
PROJECT / ITEM NARRATIVE:
In the County’s mission to protect our water resources, the County has contracted with the University of South Carolina Beaufort (USCB) since 2013. The County would like to continue its water quality efforts with the Water Quality Lab at USCB. The current contract expires at the end of June. This contract also supports work done within the City of Beaufort and the Town of Port Royal limits, which is cost shared through Stormwater Utility Fees. Cost share concurrence letters from both municipalities have been obtained.
FISCAL IMPACT:
USCB requires \$170,000.00 to provide annual services, which includes staff funding, equipment repair and purchase, sample analysis, and other costs associated with running the Water Quality Lab.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends the Non-Competitive Contract award to USCB.
OPTIONS FOR COUNCIL MOTION:
Motion to approve recommendation of Non-Competitive Contract award to USCB for \$170,000.00 Motion to deny recommendation of Non-Competitive Contract award to USCB for \$170,000.00 <i>(Next Step – Upon approval, send to County Council for Approval)</i>

Service Agreement between Beaufort County South Carolina and University of South Carolina - Beaufort for Water Quality Monitoring Services

1. Governing Document

It is the intent of the parties that this contract shall supersede any other agreements entered between the County and USCB regarding monitoring services.

USCB

- a. USCB shall be responsible to utilize a SC certified laboratory to conduct the required analyses if the USCB Water Quality Laboratory does not currently hold SC DHEC certification for that parameter (s).
- b. USCB shall continue to operate and manage a laboratory able to receive and analyze the County's samples during normal hours of operation of 8:00 AM to 4:00 PM, Monday through Friday. If extenuating circumstances occur that require certain services, such as sample receipt, outside of normal operating hours, the County should inform Laboratory personnel in advance so that accommodations can be made. Samples requiring analysis for BODS, Chlorophyll-a and/or microbiology, must be received by the Laboratory no later than noon on Thursday.
- c. All analytical results will be reported within 30 days of sample receipt. A preliminary report of completed results prior to 30 days can be issued to the County in the event of illicit discharge tracking, time sensitive projects, or when requested by the County and agreed upon by both parties. Analytical results for microbiological parameters are typically available 48 hours after sample receipt and can be conveyed to the County thereafter. Analytical results will be conveyed to the County via email, unless otherwise requested. Additional costs may be incurred for customized reporting and/or data interpretation.
- d. USCB laboratory staff will make a good faith effort to be responsive to unforeseen water quality needs as they arise.
- e. USCB will separately track monitoring services provided North of the Broad River to the City of Beaufort and the Town of Port Royal and provide the County's accounting office with summary reports separating such services accordingly.
- f. USCB will submit to the County a summary of all monitoring activity conducted on its behalf, as well as related expenses, on January 1st and July 1st each year.

- g. USCB may provide laboratory services to entities other than the County, with just compensation for said services, provided doing so does not interfere with its monitoring responsibilities to the County.

3. The County

- a. The County shall issue an annual purchase order for \$170,000 to USCB for sampling and analytical services and other tasks as described in Attachment I. Payments of \$85,000 will be made bi-annually by the County on January 1st and July 1st each year.
- b. Any funds in excess of those required for the County's services will be spent at the discretion of USCB laboratory staff on local water quality projects, laboratory operations including obtaining and maintaining State certifications, and equipment upgrades, replacements, and service contracts.
- c. Prior to any sampling and analysis by USCB, an "Analytical Water Quality Service Request" form (see attachment 2) must be completed to ensure a mutual understanding of requested services. Any modification to the requested services will require the completion of a new "Analytical Water Quality Service Request" form.

4. General Requirements of the Agreement

- a. The parties hereto intend that no master/servant, employer/employee, or principal/agent relationship will be created by this Agreement. Nothing contained herein creates any relationship between the County and USCB other than that which is expressly stated herein. The County is interested only in the results to be achieved under this Agreement, and the conduct and control of the agents and employees of USCB and the methods utilized by USCB in fulfilling its obligations hereunder shall lie solely and exclusively with USCB, and its agents and employees shall not be considered agents or employees of the County for any purpose. No person employed by USCB shall have any benefits, status, or right of employment with the County.
- b. This Agreement shall not be modified unless such modification is made by mutual consent of both parties at any time in writing and signed by both the County and USCB.

- c. USCB may not assign this Agreement to another organization without the prior written approval of the County.

5. Default Remedies

In the event USCB does not remedy such conditions that have been found in violation of this Agreement with 30 days after written notice to do so is given by the County, or if insufficient progress is being made toward the remedy within those 30 days, the County may use a portion, or all, of the allocated funds to remedy the conditions.

6. Term

The term of this contract shall be from the date of execution for five (5) years. The Contract will be reviewed by the County and USCB annually to determine funding availability for the upcoming year, as well as changes to the "Scope of Services" (see attachment 1).

7. Termination for Convenience

- a. In addition to any other rights to termination set forth in this Contract, in the event both parties mutually agree to terminate this Agreement prior to the expiration of the Term, the County shall be entitled to a pro-rata refund of the money set out in Paragraph 3a above.
- b. The County shall have the right to terminate this Agreement for convenience upon 60 days written notice to USCB. In the event the County terminates this Agreement for convenience, the County shall pay the Laboratory for services performed.

IN WITNESS WHEREOF, the parties hereto have affixed their signature hereto the date first written hereinabove.

COUNTY OF BEAUFORT

By: _____
Eric Greenway
County Administrator
Management

Date:

Address:
Beaufort County
PO Drawer 1228
Beaufort, SC 29901

UNIVERSITY OF SOUTH CAROLINA

By: _____
Michele Hay
Digitally signed by Michele Hay
Date: 2022.04.28 12:39:25
-04'00'
~~Nida Reid Williamson~~ **Michele Hay**
Associate Director, Sponsored Awards
TEAM LEADER

Date:

Address:
University of South Carolina
Sponsored Awards Management
1600 Hampton Street, Suite 414
Columbia, SC 29208

Attachment 1

SCOPE OF SERVICES

The Scope of Services in the Contract between Beaufort County and USCB includes those activities specified in sections A and B below.

A. Sampling and Analysis Services

1. Field collection, *in situ* analysis, and laboratory-based analysis of water samples at locations and frequencies agreed upon by both parties and as reflected in the "Analytical Water Quality Service Request" form.
2. USCB shall be responsible for maintenance and repair of analytical equipment, purchasing laboratory supplies, and supplying qualified personnel to provide sampling and analytical services.

B. Stormwater Meeting Attendance, Input Into Monitoring Plan, and Annual Report Generation

1. USCB Laboratory staff shall attend monthly stormwater coordination meetings in person or via conference call, as workload allows.
2. USCB Laboratory staff shall participate in the development and routine updates of the County's water quality monitoring plan.

C. USCB Water Quality Laboratory Assays

1. A comprehensive list of assays currently conducted by the USCB laboratory is shown below. Should the County request an assay not among those in USCB's list of assays, USCB will attempt to find a laboratory capable of such analysis or at its discretion, develop the capability to perform the assay through the purchase of additional equipment and supplies and receipt of additional training, as needed. Both parties will evaluate each request beyond current laboratory capability and together, determine which party will be responsible for funding. The funding mechanism will be mutually agreed upon and may come from the original funding supplied by the County (see paragraph 3a of the Agreement), additional County funds, or a combination of the two.
2. Laboratory Contacts:

Title	Name	Contact	
Laboratory Director:	Dr. Alan Warren	Office:	843-208-8338
		Mobile:	843-812-3887
Laboratory Manager:	Danielle Mickel	Office:	843-208-8193 (WQL)
		Mobile:	843-298-1612
Water Quality Analyst:	Hamp Simkins	Office:	843-208-8193 (WQL)
		Mobile:	843-252-1616

USCB Water Quality Laboratory Assays	
IN-SITU PARAMETERS	
Ambient Air and Water Temperature, Turbidity, pH, Dissolved Oxygen, Salinity, Conductivity, Depth	
INORGANIC-NUTRIENTS	
Ammonia Nitrogen {NH3}	
Total Kjeldahl Nitrogen (TKN}	
Nitrate plus Nitrite Nitrogen {NOx}	
Total Nitrogen {TN}	
Total Phosphorus (TP)	
METALS	
Cadmium	
Chromium	
Copper	
Iron	
Lead	
Manganese	
Mercury	
Nickel	
Zinc	
INORGANIC-DEMAND	
Total Organic Carbon (TOC)	
Biochemical Oxygen Demand (BODS)	
INORGANIC-RESIDUE	
Total Suspended Solids	
BIOLOGICAL	
Chlorophyll-a	
MICROBIOLOGICAL	
Total Coliform+ <i>E. coli</i>	
Fecal Coliform	
Enterococcus	



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation of Award for Shell Point Drainage Improvement Project Consultant for Design, Engineering, and Permitting Stormwater to J. BRAGG Consulting (\$800,000.00)
MEETING NAME AND DATE:
Natural Resources Committee – June 6, 2022
PRESENTER INFORMATION
Neil Desai, P.E. – Public Works Director Jared Fralix, P.E. – ACA Engineering (alternate) (10 min)
ITEM BACKGROUND:
June 2021 – Drainage Study Complete May 19, 2022 – Approved by Stormwater Utility Board
PROJECT / ITEM NARRATIVE:
Flooding has been an issue after rain events of all sizes, and several times each year residents are unable to leave their homes because of standing water across roadways. A drainage study was performed on the project area in FY21 that identified problem areas and made recommendations for improvements that will alleviate the routine flooding of the area. This project aims to solve the issues comprehensively on a regional basis and to be proactive in making the system resilient as future conditions are projected to continue to change. The Shell Point Drainage Improvements project will begin design, engineering, and permitting in FY23. An RFP was put out in March and the decision process took place in April. The consultant will handle the project design and permitting in the near future and will then see the project to completion with construction management and closeout. J. Bragg Consulting, Inc. is recommended by the review team to be the consultant for this project.
FISCAL IMPACT:
\$800,000 for this project is designated in the FY23 Stormwater Utility budget.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends the approval of J. Bragg Consulting, Inc as the consultant for this project.
OPTIONS FOR COUNCIL MOTION:
Motion to approve recommendation of J.BRAGG Consulting, Inc and bring forth to County Council for approval. Motion to deny recommendation of J.BRAGG Consulting, Inc.
(Next Step – Bring ordinance to next County Council meeting for 1st reading)

Shell Point Design, Engineering and Permitting Services				
RFP 040722				
Summary Score Sheet				
ROUND 2 SCORES				
Evaluators	Name of Company	Name of Company	Name of Company	
	<u>J. Bragg</u>	<u>Woolpert</u>	<u>Parrish & Partners</u>	
Julianna Corbin	81	65	73	
Katie Herrera	76	68	69	
Juliana Smith	94	94	95	
Neil Desai	73	71	68	
TOTALS:	324	298	305	
1. J. Bragg	324			
2. Parrish & Partners	305			
3. Woolpert	298			