



## Community Services and Land Use Committee Beaufort County, SC

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

Monday, March 11, 2024  
3:00 PM

### AGENDA

#### COMMITTEE MEMBERS:

ALICE HOWARD, CHAIR  
GERALD DAWSON  
THOMAS REITZ

YORK GLOVER, VICE-CHAIRMAN  
PAULA BROWN  
JOSEPH PASSIMENT, EX-OFFICIO

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 - *January 8, 2024 & February 12, 2024*
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.*
7. ASSISTANT COUNTY ADMINISTRATOR REPORT- *Chuck Atkinson, Assistant County Administrator & Audra Antonacci-Ogden, Assistant County Administrator*

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#### AGENDA ITEMS

8. PRESENTATION OF ST. HELENA GULLAH HOUSING PROJECT - *David House, CEO and Sara Reynolds Green, Vice Chair*
9. RECOMMEND APPROVAL OF A RESOLUTION TO AMEND AN INTERGOVERNMENTAL AGREEMENT TO JOINTLY CREATE, FUND, AND OPERATE A REGIONAL HOUSING TRUST FUND, TO ESTABLISH AN OVERSIGHT BOARD TO OVERSEE THE FUND, AND TO PROVIDE FOR THE ADMINISTRATION OF THE FUND (**FISCAL IMPACT: Adoption of the Resolution and amendments to the IGA would have no fiscal impact on the**

**County. The County's contributions to the RHTF will remain the same. The County will simply contract with B-JHT to provide the services that Community Works provided in 2023 on the same terms) - Thomas J. Keaveny, II County Attorney**

10. RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THE PROCUREMENT OF A CONSERVATION EASEMENT ON SEVERAL PARCELS OF REAL PROPERTY LOCATED IN JASPER COUNTY AND KNOWN, COLLECTIVELY, AS GREGORIE NECK (PIN# 087-00-09-022, 087-00-09-023, 087-00-09-025, 087-00-09-031) (**FISCAL IMPACT: \$1,000,000 from the Beaufort County Green Space Program Sales Tax Fund # 4706**) - Mike McShane, Chairman of the Green Space Advisory Committee
11. RECOMMEND APPROVAL OF THE GREEN SPACE ADVISORY COMMITTEE RECOMMENDATIONS TO FUND OR NOT TO FUND DUE DILIGENCE AND NEGOTIATE TERMS OF ACQUISITIONS FOR GREEN SPACE APPLICATIONS - Mr. Mike McShane, Chair of Green Space Advisory Committee & Mr. Mark Davis, Deputy Director of Planning and Zoning
12. ADJOURNMENT

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



## Community Services and Land Use Committee Beaufort County, SC

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

Monday, January 8, 2023  
3:00 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/293628>

#### 1. CALL TO ORDER

Committee Chair Howard called the meeting to order at 3:00 p.m.

#### PRESENT

Chair Alice Howard  
Vice-Chair York Glover  
Council Member Paula Brown  
Council Member Logan Cunningham  
Council Member Gerald Dawson  
Council Member York Glover  
Council Member Alice Howard  
Council Member Lawrence McElynn  
Council Member Joseph F. Passiment  
Council Member Anna Maria Tabernik  
Council Member Thomas Reitz

#### ABSENT

Council Member Mark Lawson  
Council Member David Bartholomew

#### 2. PLEDGE OF ALLEGIANCE

Committee Chair Howard led the Pledge of Allegiance.

#### 3. FOIA

Committee Chair Howard noted that 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

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

<https://beaufortcountysc.new.swagit.com/videos/281301?ts=293628>

**Motion to Amend:** It was moved by Committee Vice-Chair Glover, seconded by Council Member Tabernik, to amend the agenda to postpone agenda item number 7, “Recommend Approval Of A Resolution Amending Resolution 2022/51, Which Authorized The County Administrator To Enter Into An Intergovernmental Agreement To Jointly Create, Fund, And Operate A Regional Housing Trust Fund, To Establish An Oversight Board To Oversee The Fund, And To Provide For Administration of the Fund” and item number 8 “Recommend Approval Of A Resolution Authorizing The County Administrator To Enter Into An Agreement With The Beaufort-Jasper Housing Trust, Inc. To Provide Management and Administrative Support Services Over the Regional Housing Trust Fund” indefinitely until such time as staff can consult with Beaufort-Jasper Housing Trust, Inc. and all the parties to reach a consensus on the language to be used in the resolution and the agreements.

**DISCUSSION:** Committee Vice-Chair Glover commented that the language needs to be clarified before moving forward.

Council Member McElynn objects to the motion language in the motion of “indefinitely.”

Council Member Tabernick asked that legal weigh in on how the language should be written for this motion. Does it have to be indefinite? Thought it would be postponed until the next Community Services and Land Use Committee Meeting.

County Attorney Tom Keaveny responded that the word indefinitely was used to give everyone enough time to work on the language of the resolution. Didn't want to set the postponement to where there wouldn't be enough time given.

Vice-Chairman McElynn asked what the nature of the objection was and who was objecting to the language.

Council Member Glover stated that the language is not consistent, so it needs to be made sure that the same language is used throughout.

Committee Chair Howard mentioned that some entities have not been consulted with.

Mr. Keaveny updated the committee, stating that the intergovernmental agreement involves Jasper County and Beaufort County and includes all the municipalities within Beaufort County, the City of Hardeeville, and the City of Yemassee. The Beaufort Jasper Housing Trust wants to weigh in on some of the language regarding the agreement that the county is looking at entering.

Vice-Chairman McElynn asked about the agreement and thought it had already been agreed to. Is this specific to a particular action?

Mr. Keaveny said yes that it is looking into making Beaufort Jasper Housing Trust the fiscal agent for the fund. Community Works has been the fiscal agent.

Chairman Passiment is also troubled by the word indefinitely.

**Motion to Amend the Amendment:** It was moved by Chairman Passiment, seconded by Committee Vice-Chair Glover, to postpone consideration of item 7 and item 8 to a time certain of no later than March 11, 2024.

**Discussion:** Council Member Cunningham said that it doesn't seem clear what language is being objected to.

Committee Chair Howard said that it is because all the municipalities and Jasper County have not been consulted.

Council Member Cunningham asked what the postponement had to do with the language. It should be postponed, allowing staff more time.

Committee Chair Howard stated that there could be significant changes to the language that council might not be aware of.

Council Member Tabernik wants the council/committee to weigh in on the language and questions in the document. Can the Beaufort Jasper Housing Trust do what they say in Exhibit A?

Council Member Dawson said by chance, if the deadline comes and staff aren't ready, it can be extended.

Chairman Passiment changed his motion to say no later than the March 11<sup>th</sup> Community Services and Land Use Committee.

**The Vote - The motion to amend 7:2** – Objections: Vice-Chairman McELynn and Council Member Cunningham.

**The Vote – The motion to amend amendment 9:0** – The motion was approved without objection.

**Main Motion:** It was moved by Committee Vice-Chair Glover, seconded by Council Member Tabernik, to amend the agenda to postpone agenda item number 7, “Recommend Approval Of A Resolution Amending Resolution 2022/51, Which Authorized The County Administrator To Enter Into An Intergovernmental Agreement To Jointly Create, Fund, And Operate A Regional Housing Trust Fund, To Establish An Oversight Board To Oversee The Fund, And To Provide For Administration of the Fund” and item number 8 “Recommend Approval Of A Resolution Authorizing The County Administrator To Enter Into An Agreement With The Beaufort-Jasper Housing Trust, Inc. To Provide Management and Administrative Support Services Over the Regional Housing Trust Fund” to a certain time of no later than the Community Services and Land Use meeting on March 11, 2024, to give staff more time to consult with Beaufort-Jasper Housing Trust, Inc. and all the parties to reach a consensus on the language to be used in the resolution and the agreements.

**The Vote- Main Motion 9:0** – the motion was approved with no objections.

**Motion:** It was moved by Chairman Passiment, seconded by Committee Vice-Chair Glover to approve the agenda as amended.

**The Vote- 9:0** – the motion was approved without objection.

**5. CITIZEN COMMENT PERIOD**

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

<https://beaufortcountysc.new.swagit.com/videos/293628>

- 1. Robert Simler

**6. ASSISTANT COUNTY ADMINISTRATOR REPORT**

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

<https://beaufortcountysc.new.swagit.com/videos/281301?ts=293628>

Assistant County Administrator Chuck Atkinson introduced Brandi Hussmann, Business Licensing Administrator, who presented the council with a synopsis of what her department does and business licensing.

Vice-Chairman McElynn asked how many businesses were licensed in Beaufort County. - 5,000

Committee Chair Howard wanted to know what part of incorporated Beaufort County generates the most A-Tax money. -Fripp Island

Committee Chair Howard asked how the department tracks down expired and not renewed licenses. – Every year, the licenses are reviewed, and if they haven't been renewed, they are contacted about renewing

Council Member Cunningham asked if the H-Tax was in state or county. – the county

Vice-Chairman McElynn would like to know when a person makes an application for a business license and how the fee is determined. – Gross proceeds: in the first year, they estimate the revenue for the year; the second year is based on their tax returns, which could result in a refund or additional payment.

Vice-Chairman McElynn wanted to know if businesses produce their tax returns. – Every business must submit a tax return to the licensed renewed.

Council Member Brown asked how the department tracks down businesses that didn't apply for a license. – Code enforcement and phone calls.

Council Member Glover asked if there are any hotels in the county's unincorporated area besides Fripp Island. – Yes, there are some in Okatie and in Bluffton, south of the broad.

Assistant County Administrator Audra Antonnaci-Ogden introduced Rebecca Whitney Burgess, Director of the Alcohol and Drug Abuse Department, to give an update on the department and present the council with her plans for 2024.

Vice-Chairman McElynn asked of all the people in the treatment and admissions area how many of them were opioid-derivative. – Alcohol use disorder, marijuana use disorder, and then opioid is a smaller number.

Vice-Chairman McElynn wanted to know if the opioid group is prescription or street. – Both

Vice-Chairman McElynn stated that the alcohol driver safety is 245 admissions. – That is over a 12-month period

Vice-Chairman McElynn asked if they came through Magistrates court. – Yes

Vice-Chairman McElynn asked if the program would unsuspend their licenses. Yes, if they complete the program.

Committee Vice-Chair Glover asked about the dangers of vaping. – vaping is not safe. It causes harm, is addictive, and is more popular among youth. There is also vaping associated with marijuana and THC.

Council Member Tabernik stated that the outreach to students in the school system is bringing awareness.

Committee Chair Howard asked about the 4000 people educated. Was it in the schools? – It is through media and presentations throughout the school, going to community health fairs and events.

Committee Chair Howard asked what the biggest benefit is to date with opioid money the county received. - Reducing the stigma associated with people who are using substances. The focus is on prevention, intervention, and treatment.

Vice-Chairman McElynn stated that 245 people this year pleaded guilty and have an alternative way of working out their sentencing. Are there other programs in the county, or is BCADAD the only program in the county to which convictions can be diverted? - Not aware of any other programs which are approved by the South Carolina Department of Motor Vehicles.

**\*A PORTION OF THIS MEETING IS WITHOUT VIDEO OR AUDIO\***

- 7. **RECOMMEND APPROVAL OF A RESOLUTION AMENDING RESOLUTION 2022/51, WHICH AUTHORIZED THE COUNTY ADMINISTRATOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT TO JOINTLY CREATE, FUND, AND OPERATE A REGIONAL HOUSING TRUST FUND, TO ESTABLISH AN OVERSIGHT BOARD TO OVERSEE THE FUND, AND TO PROVIDE FOR THE ADMINISTRATION OF THE FUND.**

The item was postponed until March 11, 2024, Community Services and Land Use Committee meeting.

- 8. **RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE BEAUFORT-JASPER HOUSING TRUST, INC. TO PROVIDE MANAGEMENT AND ADMINISTRATOR**

The item was postponed until March 11, 2024, Community Services and Land Use Committee meeting.

- 9. **RECOMMEND APPROVAL OF A RESOLUTION TO ADOPT THE PASSIVE PARKS DEPARTMENT BUSINESS USE POLICY, APPLICATION, AND FEE SCHEDULE**

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

<https://beaufortcountysc.new.swagit.com/videos/281301?ts=293628>

**\*A PORTION OF THIS MEETING IS WITHOUT VIDEO OR AUDIO\***

On December 11, 2023, the County Council referred this item back to the committee. Revisions were made to the original submittal based on County Council feedback.

County staff have been informed of numerous businesses using Passive Park properties without prior approval, scheduling, or compensation to the county for those activities. Business use of county Passive Parks can negatively affect the primary conservation goals of Passive Parks, public visitor enjoyment, other scheduled events on the properties, and the duties of the Passive Park Naturalist. Staff feel a specific policy, use application, and fee schedule is necessary to appropriately manage business use on Passive Park properties to manage overuse of conservation land, avoid public/private user conflicts, ensure appropriate coordination with the county's Naturalist, and appropriately compensate the county for business use of public land. One of the duties of the county's Naturalist is to maintain a programming schedule, including those approved through the submitted policy.

Assistant County Administrator Chuck Atkinson started off by giving the Council an update on Passive Parks. There are 17 Passive Parks, there are 10 more on the way and that doesn't include what is going to be developed in Greenspace. Growing at a rapid rate. The Passive Parks initiative is only 6 years old, and that is where the parks are currently. For the use of the park, there isn't a current policy specific to businesses using the parks. The start of putting together a policy will protect the integrity of the parks.

Passive Parks Director Stefanie Nagid gave a more in-depth look at the Passive Park program and its uses, the business policy, and its changes. The policy has come back to the committee with further refinements from legal and county staff that meet the council's objectives while still allowing staff management discretion. Since properties under the Passive Parks Department's purview were purchased through rural and critical lands, many of them were acquired under terms and conditions that restrict or prohibit business and or commercial activity. This policy was created to manage nonpublic use of the county's Passive Park properties. The policy does not restrict public access but protects public access by carefully managing non-public access. The fee schedule has been revised to define and accommodate user requests and hourly and yearly use. The policy changes were given to the council.

Council Member Cunningham suggested that the fee schedule could be broken up by size.

**Motion:** It was moved by Council Member Cunningham, seconded by Council Member Brown, to recommend approval of a resolution to adopt the Passive Parks Department Business Use Policy, Application, and Fee Schedule.

**The Vote:** 9:0 - the motion was approved without objection.

#### **DISCUSSION:**

Council Member Tabernik mentioned that the recurring use of Passive Park properties, defined as use that occurs on a regular basis, reoccurring use may only be permitted once per month. Is that restrictive for companies that go there more than once a month, twelve visits a year? - Yes, but it's on every property. Passive Parks has 17 properties that are currently open to the public. Of those properties, there are a few that prohibit business use because it has restricted easements, conservation easements, or sale agreements. There are 4 properties that are managed by other entities that have their own policy. Someone could go to each park available to the public once a month but could visit seven different properties in one month.

Council Member Tabernik asked that this portion of the policy be revisited to be read more clearly for the public and businesses.

Vice-Chairman McElynn asked if you have an annual pass, and you want to go back to that property in the same month can you come back and pay the \$50 for four hours? - Without having to put every single scenario in this policy, it is suggested that staff should have that discretion based on scheduling availability and other uses occurring on the property.

Council Member Cunningham suggested that the policy should state if available they are allowed to visit more than once and lower the price for yearly pass holders. Some eco-tours and students use the same three or four parks, so giving them some discounted rate would be something for being a member and using it all the time.

Stefanie Nagid, Director of Passive Park, informed the council that Passive Parks has its own Naturalist who will use these properties to do programming for the department. There will be programs for schools and for the public for free. There needs to be a balance; she has her own schedule, which is going to be a more frequent occurrence than a business use. There are a lot of properties within the county that can be used by businesses besides the Passive Parks. There should be diversification.

Vice-Chairman McElynn wanted to know if this policy goes forward and is published before there is a council meeting, what would the people who were here last time say this time. – That it is too much money.

Council Member Cunningham said that \$200 for a yearly membership is a good cost.

Chuck Atkinson, Assistant County Administrator, Development, said that everyone knows what the parks are intended for, and when an entity models their business plan on having unfettered free access to public land, that is a flawed business model. Some will come back and say if it isn't free, it isn't going to work for their business. This is not meant to be a deterrent; to Stefanie's point, the goal is to control this so that the public remains the primary user, and that was the intent behind the policy.

Vice-Chairman McElynn made the comment that the Passive Parks were not established so people could run their businesses.

Committee Vice-Chair Glover said that the business policy is satisfactory, but the language needs to be cleared up so there isn't any room for interpretation. The clearer the language, the better. The "friends

of” these parks, specifically White Hall, since the gentleman from citizen comments was specifically concerned with that park, do they have a memorandum of understanding? - No, they don’t

Committee Vice-Chair Glover, do the Friends of Fort Fremont have a memorandum of understanding? - Yes

Committee Vice-Chair Glover, “friends,” should have a memorandum of understanding with the policy. How does this policy affect the Friends of Fort Fremont? - It doesn’t affect them at all regarding the use of the park.

Committee Vice-Chair Glover, when someone uses the park, who should they go to Friends of Fort Fremont or Passive Parks? - Staff. That is why staff are given the directions in this policy to coordinate that use because we know who is coming and what the demand, their schedules. We don’t want everybody there at one time and the park unusable to the general public. The friend's group has a separate use agreement which has a separate purpose and a separate use.

Committee Chair Howard, do we need to amend the motion for the language to be changed? – Everything has been noted, and we will have those corrections at the council meeting.

Council Member Cunningham suggested that there be language in the policy for those with a yearly pass to visit the same park again in the same month by paying a fee if the schedule allows. – With the understanding that there is already a demand for the park, and if it fits into that framework with staff discretion, there will be no problem with that.

**10. REQUEST FOR APPROVAL OF CAMP ST. MARY’S PARK CONCEPTUAL PLAN**

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

<https://beaufortcountysc.new.swagit.com/videos/281301?ts=293628>

County Council approved the purchase of Camp St. Mary’s through the Rural and Critical Lands Preservation Program on July 10, 2023.

In August 2023, the Passive Parks Director hired Wood and Partner to create a conceptual plan for Camp St. Mary’s Park. A public open house was held on November 9, 2023, which had over 30 participants providing feedback on a draft plan. The draft plan was revised based on public input and is being presented to the committee for approval. An estimate of proposed costs is also included in the backup; however, this estimate is for informational purposes only, and approval of the conceptual plan does not constitute approval for future funds.

Stefanie Nagid, Passive Parks Director, said that if approved tonight by the committee, the next step would be to move forward with civil drawing and permitting for future construction. The engineers who created this plan gave a rough construction estimate, which is within the department's budget. This is not a request for funds, only for information.

Committee Chair Howard wanted to clarify that the only action today will be to recommend the conceptual plan and drawings.

**Motion:** It was moved by Chairman Passiment, seconded by Vice-Chairman McElynn, to recommend the approval request for Camp St. Mary’s conceptual plan.

**The Vote:** 9:0- The motion was approved without objection.

**Discussion:**

Council Member Brown asked if this was going to be a restrictive access park. - The park will have an entry gate and will be closed at night like the other parks.

Council Member Brown wanted clarification on the park's process for those still in the park after the gate is closed. – If you entered the park through the gate, you could leave through the gate; you just can't reenter. The gate is on an automatic timer, 6 am-7 pm during the winter and 7 am-8 pm in the summer.

Council Member Brown asked why all the parks are restricted with gates or fences. - All of the parks are closed at night.

Council Member Brown then asked if the building on the site was going to be removed. – Yes, they will be removed. They are not historic.

Council Member Brown wanted to know if the county could build cabins at the property to rent. – No, that can not be done because this property is owned by rural and critical lands and cannot be active.

Chuck Atkinson, Assistant County Administrator- Development, wanted to let the public know that none of the Passive Parks are intended to be boat ramps. If you have a kayak, you can enjoy the associated waterways with the park and can arrive by kayak, but there is no launching from the parks. Kayaks or canoes. The kayak portion of the dock is meant for people to come to visit the park by kayak and potentially a part of a kayak trail in the future. People will come and have kayaks and walk down and put them on the waterway and enjoy that, but that is not the intended primary use; it is not a primary launch for clubs.

Stefanie Nagid, Passive Parks Director, explained that the dock that is there now is an existing pier and dock. It is heavily used by fishermen and crabbers now. The pier and dock are the only open portions of the whole property right now, and they are governed by the public works department like all other piers and docks.

Committee Vice-Chair Glover asked that more discussion be held about the kayak launching because the plans for White Hall have a launching dock for kayaks. – There is an easy kayak launch that's at the dock and is going to be accessible by kayak, and that is because it is part of the blue way. If you put in at White Hall boat landing, you could kayak from Factory Creek fishing pier to White Hall Park, downtown Beaufort, Fort Frederick preserve, and the sands. These stops on the way are for people to stop at if the weather turns bad; they have a safe place until it passes. This can be done at Camp St. Mary's, and it will be for people on the water to stop and visit the park, use the restroom, etc. The park

Council Member Cunningham wanted to know if 17 parking spots were enough. – The community's concern is the amount of traffic down Camp St. Mary's Road. One of the ways to manage that is the infrastructure. There is enough space for a few more parking spots and have 20.

Chairman Passiment mentioned that additional parking is okay so that as the park grows, you can expand and not be defined by a number.

Council Member Cunningham asked what the parking lot was going to be, gravel or cement. – The materials are yet to be determined and will come with the next phase of planning, but it should be some kind of crushed aggregate, not loose gravel.

Council Member Tabernik stated that the AIS says that there is \$1,000,009 in the fund, and the projected budget is \$1,000,009. Does this include the demolition of existing buildings? Do you have enough? – Yes, money was allocated to the White Hall dock, and the bid came in much lower than expected, so there are additional funds for civil planning and demolitions without affecting the budget for Camp St. Mary's.

**11. RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND TO PROVIDE FUNDING FOR THE PURCHASE OF TAX MAP SERIAL NUMBER TMS R600-021-000-0078-0000 AND ALSO KNOWN AS BARRELL LANDING ORR**

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

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Rural and Critical Land Preservation Board (RCLPB) recommended to pursue due diligence on May 11, 2023. Community Services and Land Use Committee recommended due diligence on June 12, 2023. Rural and Critical Land Preservation Board recommended to purchase on November 9, 2023.

Barrell Landing Orr property consists of approximately 1.82 acres, zoned community center mixed-use in unincorporated Beaufort County in the Okatie watershed. The property is surrounded almost entirely by existing RCLP Program acquisitions. Its purchase would improve the county's access to those investments and make the county property boundary whole.

The proposed purchase includes the opportunity to purchase real property identified as R600-021-000-0078-0000, also known as Barrell Land Orr. The agreed-upon purchase price is \$434,000.00 plus closing costs.

Amanda Flake, Natural Resource Planner, stated that this property was surrounded by other properties purchased by Rural and Critical Lands.

**Motion:** It was moved by Chairman Passiment, seconded by Committee Vice-Chair Glover, to recommend the approval of a resolution authorizing the interim county administrator to execute the necessary documents and to provide funding for the purchase of tax map serial number TMS R600-021-000-0078-0000 and also known as Barrell Landing Orr.

**The Vote:** 9:0- The motion was approved without objection.

**Discussion:**

Vice-Chairman McElynn, as the legal staff, if there is any statutory language that says that if the county buys something, it must be done by ordinance rather than a resolution, and why is this property done by resolution? - To sell property is done by ordinance. This is Rural and Critical property and Rural and Critical property is subject to an overarching ordinance that created the funds.

**12. RECOMMEND APPROVAL TO UNDERTAKE DUE DILIGENCE AND DISCUSSIONS/NEGOTIATIONS FOR THE PROPOSED FEE SIMPLE PURCHASE OF REAL PROPERTY KNOWN AS RAWSTROM ROAD**

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

<https://beaufortcountysc.new.swagit.com/videos/281301?ts=293628>

Rural and Critical Land Preservation Board recommended approval for due diligence on November 19, 2023.

Rawstrom Road is recommended for due diligence. The purchase would protect 12 acres adjacent to Altamaha Heritage Preserve (DNR) and improve access to the property. The property is in the Okatie watershed.

Amanda Flake, Natural Resource Planner, said there is a private road for access, and there is a potential of another 8.5 acres that maybe another possibility when doing due diligence.

**Motion:** It was moved by Council Member Cunningham, seconded by Chairman Passiment, to recommend approval to undertake due diligence and discussion/negotiations for the proposed fee simple purchase of real property known as Rawstrom Road.

**The Vote:** 9:0 – The motion was approved without objection.

**DISCUSSION:**

No discussion.

**13. RECOMMEND APPROVAL TO UNDERTAKE DUE DILIGENCE AND DISCUSSION/NEGOTIATIONS FOR THE PROPOSED FEE SIMPLE PURCHASE OR PROPOSED DEVELOPMENT RIGHTS OF REAL PROPERTY KNOWN AS SEASIDE ROAD**

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

<https://beaufortcountysc.new.swagit.com/videos/281301?ts=293628>

Rural and Critical Land Preservation Board recommended approval for due diligence on November 9, 2023.

Seaside Road PDR/Fee is recommended for due diligence. PDR would protect 9.36 acres of active farmland in marsh migration and farming corridor off Seaside Road; Fee would protect property across the street to be owned and maintained like other vista projects such as Blocker Field Extension. The proposed fee property is adjacent to the cemetery.

**Motion:** It was moved by Committee Vice-Chair Glover, seconded by Council Member Cunningham, to recommend approval to undertake due diligence and discussion/negotiations for the proposed fee simple purchase or proposed development rights of real property known as Seaside Road.

**The Vote:** 9:0 – The motion was approved without objection.

**DISCUSSION:**

No discussion.

**14. ADJOURNMENT**

Adjourned: 4:30 p.m.

Ratified:



## Community Services and Land Use Committee Beaufort County, SC

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

Monday, February 12, 2024  
3:00 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/297169>

1. **CALL TO ORDER**

Committee Chair Howard called the meeting to order at 3:00 pm.

**PRESENT**

Committee Chair Alice Howard  
Committee Vice-Chair York Glover  
Council Member Paul Brown  
Council Member Gerald Dawson  
Council Member Thomas Reitz  
Ex-Officio Joseph Passiment  
Council Member Logan Cunningham  
Council Member Anna Maria Tabernik

**ABSENT**

Council Member Lawrence McElynn  
Council Member David Bartholomew  
Council Member Mark Lawson

2. **PLEDGE OF ALLEGIANCE**

Committee Chair Howard led the Pledge of Allegiance.

3. **FOIA**

Committee Chair Howard noted 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 Ex-Officio Passiment, Seconded by Council Member Tabernik, to approve the agenda.

**The Vote** - Motion was approved without objection.

5. **APPROVAL OF MINUTES**- November 13, 2023, November 23, 2023- Workshop, December 11, 2023- Special Called Meeting,

**Motion:** It was moved by Council Member Tabernik, Seconded by Council Member Brown, to approve the minutes of November 13, 2023, November 23, 2023, and December 11, 2023.

**The Vote** - Motion was approved without objection.

6. **CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL**

There were no citizen comments.

7. **ASSISTANT COUNTY ADMINISTRATOR REPORT**- *Chuck Atkinson, Assistant County Administrator Development, and Audra Antonacci-Ogden, Assistant County Administrator Community Services*

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

<https://beaufortcountysc.new.swagit.com/videos/297169?ts=3>

Updates of Green Space Advisory Committee by Chuck Atkinson and Mark Davis

Mark Davis, Deputy Director Planning stated the Green Space Advisory Committee is in the second cycle. Mr. Davis explained the process cycle of the Green Space Applications. There have been seven applications in total. Mr. Davis stated the Green Space has generated a little over \$39 Million from the time of its inception. Assistant County Administrator, Chuck Atkinson added as the applications are received on a quarterly basis and they are recommended for due diligence, it could be weeks, months, or over a year for due diligence. Committee Chair Howard reminded the public that any willing landowner in Beaufort County or an adjacent county can apply to the program.

Updates of Point in Time Count through HUD by Anna Ramirez.

Ann Ramirez, Coordinator of the Point in Time Count explained The Point in Time Count is through HUD. It is a requirement for communities to receive federal funding for programs that offer rapid rehousing or preventative services to address homelessness. Hope Horizons and Family Promise are two organizations that are benefiting from the initiative. The count is once a year where volunteers go out into the community and count the individuals who are experiencing homelessness. Last year's count was 65. The numbers for this year are not back yet. The preliminary observation count was about 80 individuals they interacted with.

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**AGENDA ITEMS**

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8. **PRESENTATION BY THE TECHNICAL COLLEGE OF THE LOWCOUNTRY**

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

<https://beaufortcountysc.new.swagit.com/videos/297169?ts=1527>

The Technical College of the Lowcountry's objective of the presentation is to secure construction cost support, so the Arthur E Brown Regional Workforce Training Center is open and operational by the end of year 2027. Presentation was made by: TCL President: Richard Gough, Vice-President for Institutional Advancement & Workforce Development: Mary Lee Carns, and Vice-President of Academic Affairs: Laura Dukes.

9. **RECOMMEND APPROVAL OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO CONVEY A PORTION OF PROPERTY OWNED BY BEAUFORT COUNTY WITH TMS NO. R510 005 000 0329 0000, LOCATED ON BEACH CITY ROAD, HILTON HEAD ISLAND**

**Motion:** It was moved by Council Member Cunningham, Seconded by Council Member Tabernik to recommend approval of an ordinance authorizing the Interim County Administrator to execute the necessary documents to convey a portion of property owned by Beaufort County with TMS No. R510 005 000 0329 0000, located on Beach City Road, Hilton Head Island.

**Discussion:** Council Member Tabernik asked who found the discrepancy. It was bought for the staff's attention; it was in review. Staff and the legal department determined it was there prior to the original closing.

**The Vote** - The motion was approved without objection.

10. **RECOMMEND APPROVAL TO PURCHASE (1) NEW 36 PASSENGER BUS MODEL: STARCRAFT ALLSTAR XL**

**Motion:** It was moved by Vice-Chairman Glover, Seconded by Council Member Tabernik, to recommend approval to purchase (1) new 36 passenger bus Model: Starcraft Allstar XL.

**Discussion:** Council Member Glover thanked Mr. Robinson for finding a nice brand-new vehicle and stated that it will represent the County well as the seniors go to their respective places.

Council Member Tabernik was concerned the current vehicle is old, but it only has 76,000 miles and they are getting rid of it because of prolonged periods of inactivity and lack of maintenance.

**The Vote** - The motion was approved without objection.

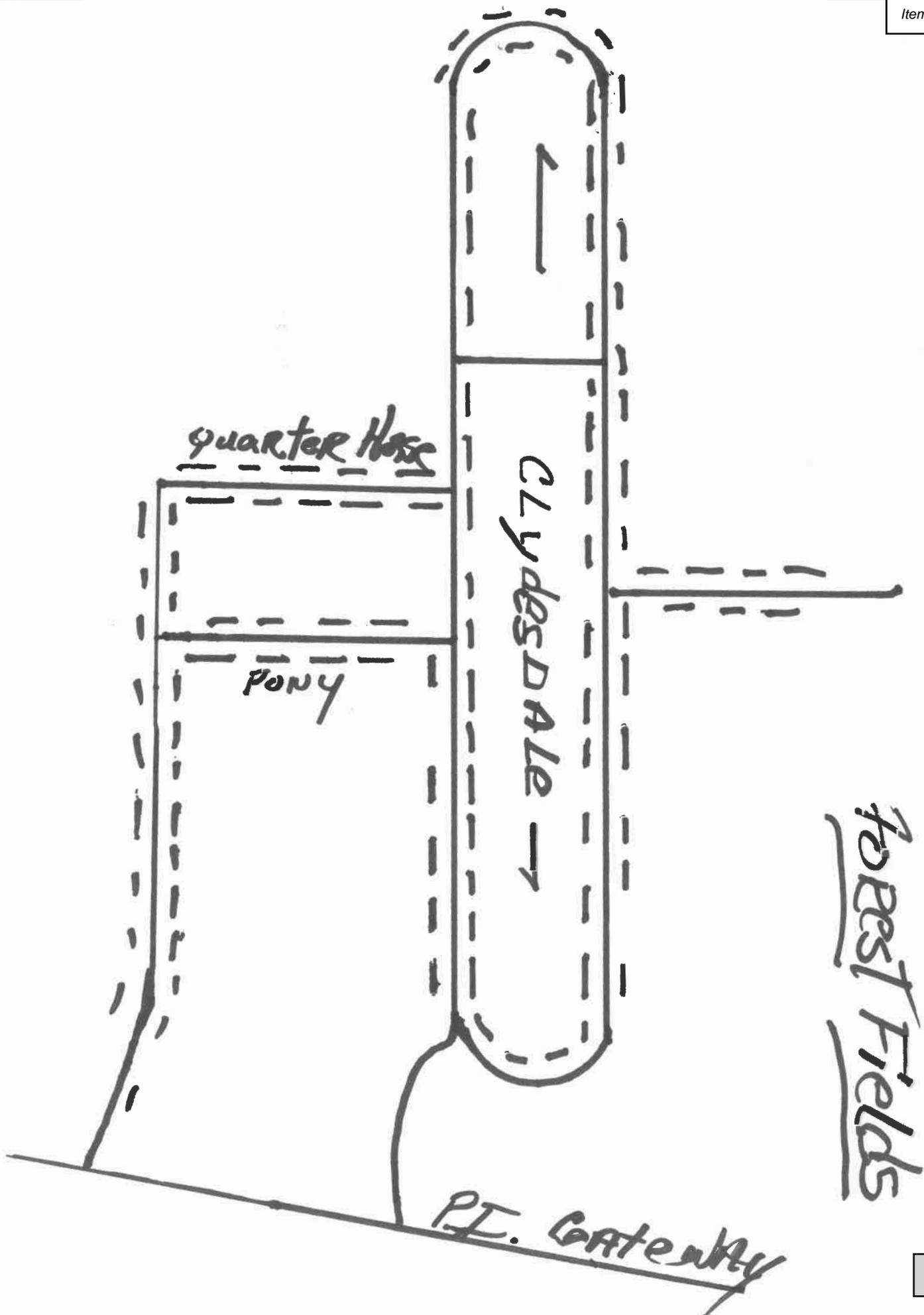
11. **ADJOURNMENT**

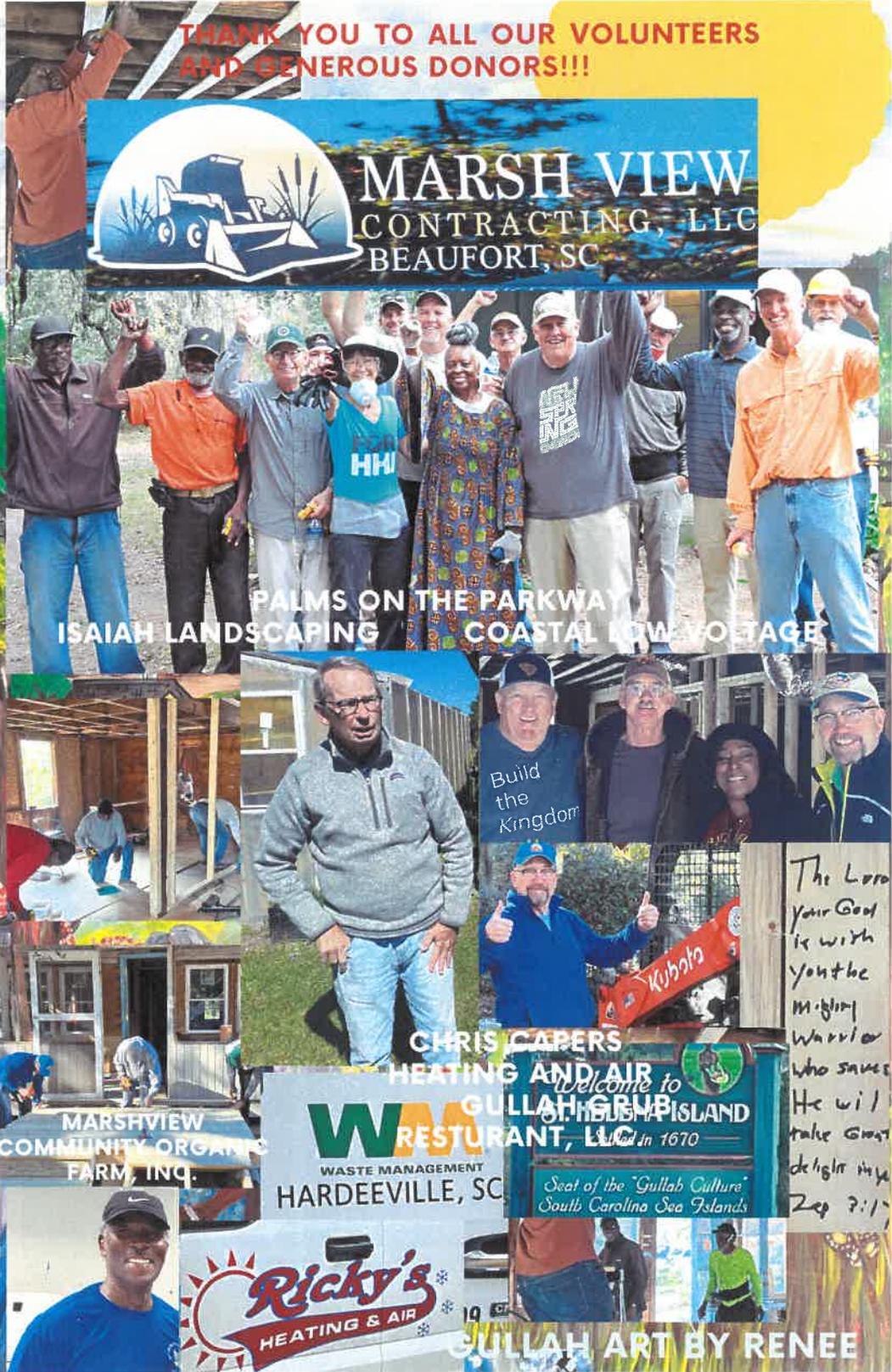
The meeting was adjourned at 4:19pm.

**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>

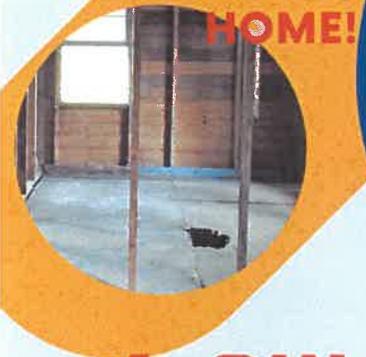
Ratified:





**THE ST. HELENA GULLAH  
COMMUNITY HOUSING  
PROJECT IN PARTNERSHIP  
WITH MARSHVIEW  
COMMUNITY ORGANIC  
FARM, INC.**

**CORDIALLY INVITES YOU  
TO ATTEND A GROUND  
BREAKING GULLAH  
CELEBRATION FOR A  
NEWLY RENOVATED  
HOME!**



# **A GULLAH HOUSE WARMING!**

*March 3rd @ 4pm*

**96 CAPERS ISLAND RD  
ST. HELENA ISL. SC**

ADVISORY BOARD  
CEO-DAVID HOUSE, VICE  
CHAIR -SARA R. GREEN,  
TREASURER -KEN  
DALRYMPLE, SECRETARY-  
SAUNDRA RENEE SMITH

**SEE WHAT CARING FOR  
YOUR COMMUNITY CAN DO  
@DELORES'S HOUSE**

**THANK YOU TO ALL  
THE VOLUNTEERS WHO  
MADE THIS POSSIBLE**

# Who We Are

## Background

The St. Helena Gullah Housing Project is a volunteer and pending non-profit 501c3 organization composed of six members whose dedication to the Gullah community is focused on six areas of need, one of which is safe and healthy living condition and housing. Our officers are, CEO- David House, Vice Chair- Sara Reynolds Green, Treasurer-Ken Dalrymple, Secretary-Saundra Renee Smith. Other members include Dr. Faith Polkey, Ms. Tracy Mccurty, and Ms. Marylyn Harris.

## OUR MISSION

our mission is to identify the social areas of need within the St. Helena community based on the degree of hunger, homelessness, lack of education, lack of employment, poor healthcare, and disappearing spirituality with a primary focus on providing safe, healthy, livable housing through repairs for those residents and heirs of the Gullah community of St. Helena Island.

## OUR GOALS

Our role is to act as intermediaries for transformational changes in the six identified areas of need. We will be guided by the vision of being impactful leaders to foster a new attitude, and provide resources for producing directional oversight to address not only the issue of homelessness and housing, but community, caring and involvement.

March 3, 2024  
4:00 PM

96 CAPERS ISLAND ROAD,  
ST. HELENA ISLAND, SC  
29920



# A GULLAH HOUSE WARMING!



PLEASE MAKE YOUR KIND DONATION CHECKS PAYABLE TO:  
Marshview Community Organic Farms, Inc. FOR  
St. Helena Island Gullah Housing Project  
EMAIL- [marshview35@gmail.com](mailto:marshview35@gmail.com), Sara Green, or  
Saundra Renee Smith- [saundra.smith.scc@gmail.com](mailto:saundra.smith.scc@gmail.com) for  
information. THANK YOU!

OUR VOLUNTEERS AND  
DONORS MADE THE  
DIFFERENCE!

Meet Those Who Made Delores's House  
Renovation Possible!



TANK YAH, TANK  
YAH, TANK YAH!!

RESTORING A  
LEGACY!

Item 8.

Delores's House  
Warming Program

**Song-** Gullah Community & Children

**Opening Prayer**

-Ken Dalrymple

**Welcome/Introduction**

-Sara Reynolds Green

**History Of Matilda Middleton**

-Rev. Joseph Bryant

**Dedication of Art-**

"Time Fa Laugh En Praise"

-Saundra Renee Smith

**Blessing of the House & Meal-**

Family Friend

**Remarks-**Delores & Family

**Closing Remarks**

Mr. David House

**HOME TOUR!**

- Jan and Dave House  
Kenneth & Bonnie Dalrymple  
Jean and Bill Hossan      Scott and Patrice Smith  
Steve Hamilton      Beullah Smalls      Dave Selhiem  
Isaiah Palms on the Parkway Landscaping  
Dave Cove      George Brown      Rod Jensen  
Larry and Greg Hartford      Jordon Simmons  
Nate, Arron, and James Johnson  
Paul Willis. Alex Willis, and Aaron Willis of  
Marshview Contracting, LLC      Michael Carden  
Teresa & Tanny Jenkins      Helen Buehler  
Gloria Fripp      Brett Crosby      Winston Wilfong  
Saundra Renee and Michael Smith  
Gullah Art By Renee, LLC  
SC Coastal Community Development Corp.  
Tim Bouchillion  
Sara Reynolds Green and Bill Green  
Jeff O'hara and Grayco Building Supplies  
Popeye's In-Kind      Stevie Middleton  
Chris Capers and Rick's Heating and Air  
Marshview Community Organic Farm, Inc.  
The Gullah Grub Restaurant, LLC  
WM Waste Management of Hardeeville, SC  
Sammy Grant, Duncan Fripp and Richard Smalls  
Sheetrocking      Elaine Lawton  
King Tide Contractors      Whipple Roofing  
ABC Supplies      Nimmer Turf  
Coastal Low Voltage Electrical

TANK YAH TO SO MANY  
OTHERS WHO WE COULD NOT  
NAME, BUT PRAYED FOR OUR  
SUCCESS!



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<b>RECOMMEND APPROVAL OF A RESOLUTION TO AMEND AN INTERGOVERNMENTAL AGREEMENT TO JOINTLY CREATE, FUND, AND OPERATE A REGIONAL HOUSING TRUST FUND, TO ESTABLISH AN OVERSIGHT BOARD TO OVERSEE THE FUND, AND TO PROVIDE FOR THE ADMINISTRATION OF THE FUND</b>
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee, March 11, 2024
<b>PRESENTER INFORMATION:</b>
Thomas J. Keaveny, II County Attorney
<b>ITEM BACKGROUND:</b>
<p>In September 2022, Council adopted Resolution 2022/51. It authorized the County Administrator to enter into an intergovernmental agreement with Jasper County, Town of Hilton Head Island, Town of Bluffton, City of Hardeeville, Town of Port Royal, City of Beaufort and Town of Yemassee to establish, fund, and operate a regional housing trust fund (RHTF). All Parties signed the agreement. The RHTF (Fund) was created. Section 4 of the IGA provided for the establishment of an Oversight Board. The IGA also set forth the responsibilities of the Board. Section 6 of the IGA provided that Community Works would serve as the RHTF’s fiscal agent to manage the relationship between the parties and to provide financial reports to the Parties on a quarterly basis. For this reason, Beaufort County entered into a three (3) year agreement with Community Works to manage the Fund, to work with the Board, and the Parties.</p> <p>Thereafter, the Oversight Board incorporated into a non-profit (as permitted by the intergovernmental agreement). The former Board is now known as the Beaufort-Jasper Housing Trust, Inc. (B-JHT). The Trust received 501(c)(3) status from the IRS in June 2023. In late 2023, B-JHT expressed a desire to assume management of the Fund from Community Works. Community Works indicated it had no objection to the change. The three year agreement between Beaufort County and Community Works allowed the parties to terminate the agreement by mutual consent. All the governmental parties to the IGA indicated their consent to this change. The agreement with Community Works was terminated earlier this year.</p> <p>Council must approval the proposed amendments to the IGA. The amendments are summarized in the Resolution that is attached. They are set forth in Exhibit 1. Deletions are stricken through; additions are <u>underlined and colorized</u>.</p>
<b>PROJECT / ITEM NARRATIVE:</b>
See above
<b>FISCAL IMPACT:</b>

Adoption of the Resolution and amendments to the IGA would have no fiscal impact on the County. The County's contributions to the RHTF will remain the same. The County will simply contract with B-JHT to provide the services that Community Works provided in 2023 on the same terms.

**STAFF RECOMMENDATIONS TO COUNCIL:**

Administration believes Council should adopt the Resolution.

**OPTIONS FOR COUNCIL MOTION:**

Motion to adopt the amended IGA as proposed, adopt further amendments to the IGA, or not amend it.

**RESOLUTION 2024/\_\_\_\_\_**

**A RESOLUTION TO AMEND AN INTERGOVERNMENTAL AGREEMENT TO JOINTLY CREATE, FUND, AND OPERATE A REGIONAL HOUSING TRUST FUND, TO ESTABLISH AN OVERSIGHT BOARD TO OVERSEE THE FUND, AND TO PROVIDE FOR THE ADMINISTRATION OF THE FUND**

**WHEREAS**, on the twenty-second day of September, 2022 County Council adopted Resolution 2022/51 which authorized the County Administrator to enter into an intergovernmental agreement with Jasper County, Town of Hilton Head Island, Town of Bluffton, Town of Port Royal, City of Beaufort, City of Hardeeville, and the Town of Yemassee to jointly create and fund a regional housing trust fund (“RHTF” or “Fund”), to establish an Oversight Board for the Fund, and to contract with Community Works to provide for the managerial and administrative, day-to-day operation of the Fund; and

**WHEREAS**, Resolution 2022/51 incorporated an exhibit entitled Intergovernmental Agreement Regarding Affordable Housing; and

**WHEREAS**, County Council now desires to amend the Intergovernmental Agreement as reflected in Exhibit 1 due to developments that have occurred since the Agreement was executed; and

**WHEREAS**, The primary amendments appear in four sections of the Agreement. First, Section 1.a. is amended to define affordable housing as “residential housing for rent or sale that is appropriately priced for rent or sale to a person whose income does not exceed eighty percent of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD).” Second, Section 3.f. is amended to provide that “preference must be given to a program or project that promotes the development or rehabilitation of affordable housing for an individual or family with an annual income at or below fifty percent of the median income for the area, adjusted for family size according to current data from HUD.” Third, Section 4.c.iii is amended to indicate that in 2023 the Oversight Board voted to become a non-profit corporation known as the Beaufort-Jasper Housing Trust, Inc. (“B-JHT” or “Trust”) (a South Carolina Corporation), which the Internal Revenue Service subsequently determined is exempt from federal income tax under IRC Sections 501(c)(3), and that the Trust will hire staff to manage the day to day operations of the Fund (which Community Works has performed up to this point) to include hiring and firing of personnel, negotiating potential workforce housing agreements, and other items that require approval as outlined in the bylaws which the Oversight Board (now B-JHT) adopted in 2023. Fourth, Section 6 is amended to indicate that Beaufort County will contract with the B-JHT, rather than with Community Works, to serve as the fiscal agent of the Fund. A minor amendment, for the purposes of clarification, is proposed to Section 3.b. The amendment identifies the date on which the annual contribution is due and to whom it is to be given for the purposes of depositing it in the RHTF.

**NOW, THEREFORE, BE IT RESOLVED** that Beaufort County Council does hereby amend the Intergovernmental Agreement Regarding Affordable Housing as set forth in Exhibit 1.

DONE this \_\_\_\_\_ day of \_\_\_\_\_, 2024

BEAUFORT COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk of Council

**EXHIBIT 1A**

STATE OF SOUTH CAROLINA	)	<u>AMENDED AND RESTATED</u>
	)	INTERGOVERNMENTAL AGREEMENT
COUNTY OF JASPER	)	REGARDING AFFORDABLE HOUSING
COUNTY OF BEAUFORT	)	

THIS AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT is entered into with an effective date of \_\_\_\_\_, 20224 by and among Beaufort County, Jasper County, the Town of Hilton Head Island, the Town of Bluffton, the City of Beaufort, the Town of Port Royal, the City of Hardeeville and the Town of Yemassee (collectively referred to as "the Parties").

WHEREAS, the member Parties of Beaufort County, Jasper County, the Town of Hilton Head Island, the Town of Bluffton, and City of Hardeeville belong to a regional association that seeks to identify problems and opportunities that face the entire southern low country as identified by each member jurisdiction known collectively as the Southern Lowcountry Regional Board ("SoLoCo"); and

WHEREAS, the member Parties of Beaufort County, Jasper County, the Town of Hilton Head Island, the Town of Bluffton, and the City of Hardeeville, known collectively as the Southern Lowcountry Regional Board ("SoLoCo"), desired to expand the regional housing trust fund study area by inviting the member parties making up the Northern Regional Plan Committee of City of Beaufort, Town of Port Royal and Town of Yemassee to also participate in the initiative; and

WHEREAS, the Parties recognize that decent, affordable housing is important in that it fulfills a basic human need for shelter, contributes to the well-being of families, provides stability which may lessen the catalysts of physical illness and mental illness and stress, and is a critical component of the economic vitality of the region to attract and retain employees in the local workforce; and

WHEREAS, private enterprise and investment has not produced, without government assistance, the needed construction of sanitary, decent, and safe residential housing that people with lower incomes can afford to buy or rent; and

WHEREAS, the Parties commissioned an analysis of regional housing needs and a recommendation report which was completed August 2021 by Asakura Robinson and presented to SoLoCo; and

WHEREAS, the Asakura Robinson report recommended the establishment of a non-profit 501c(3) Regional Housing Trust Fund ("RHTF") in accordance with legislation passed by the South Carolina State Legislature known as the "William C. Mescher Local Housing Trust Fund Enabling Act" which, inter alia, allows for the establishment of Regional Housing Trust Funds among local governments; and

WHEREAS, the purpose of this intergovernmental agreement (hereinafter "Agreement") is to authorize the parties to jointly create, fund, and operate a regional housing trust fund and an Oversight board to improve affordable housing;

NOW, THEREFORE, for and in consideration of these premises and the mutual covenants set forth below, the Parties hereto hereby agree as follows:

### **Section 1 Definitions.**

For purposes of this Agreement:

- a. "Affordable housing" means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed ~~one hundred eighty~~ percent ~~(100%)~~ (80%) of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD). Projects serving households with income at or below ~~60%~~ fifty percent (50%) of the Annual Median Income will receive priority consideration.
- b. "Regional housing trust fund" (RHTF) means a multi-jurisdictional government fund separate from the general fund and established jointly by the governing authorities of one or more municipalities or county governments with one or more dedicated sources of public revenue and authorized expenditures as provided in this chapter.
- c. "Special needs housing" means housing or shelter provided by private or public entities including privately operated elderly housing, nursing homes, community residential care facilities, and other special needs population housing facilities regardless of purpose or type of facility.

### **Section 2 Priorities.**

The priorities identified in the Asakura Robinson study of August 2021 are hereby adopted as follows:

- a. Providing accessible, affordable housing to the region to support the workforce in the service economy, as well as others with high housing cost burdens.
- b. Overcoming barriers to affordable development, such as financial gaps and land availability.
- c. Ensuring a regional approach for affordable housing that addresses the needs of each jurisdiction, while meeting important strategic goals for housing location.
- d. Understanding the tools and resources available to Housing Trust Funds through various state and federal laws and regulations.
- e. Identifying a stable and reliable dedicated revenue source.

### **Section 3 Funding.**

- a. SC Code Section 31-22-30, as amended, provides that "a local government, including a municipality or county, may jointly form a regional housing trust fund by ordinance. A regional housing trust fund created under this chapter is subject to the same requirement and has the same power as a local housing trust fund created by an individual local government".
- b. The Parties agree the RHTF established by this Agreement shall be funded for a period of ten (10) years with annual contributions by the Parties apportioned based on annual census population numbers. See Attachment A for Year 1 apportionment. Apportionment for Years 2-9 shall be

updated annually after the population census numbers are released and documented via written amendment to this Agreement to be signed by all the Parties. Each Party agrees to that its annual contribution to the RHTF will be provided directly to B-JHT no later than July 31 of each year.

- c. Funding shall be committed via the Parties' budgeting authority. Sources of these funds include, but are not limited to, one or more of the following:
  - i. donations;
  - ii. bond proceeds; and
  - iii. grants and loans from a state, federal, or private source.
  - iv. any other public funds which may be lawfully used to support Affordable Housing.
  
- d. Alternate sources of funding for the RHTF
 

The Parties may alter a source of funding for the regional housing trust fund by amending the ordinance(s) that establish financing for the regional housing trust fund, but only if sufficient funds exist to cover the projected debts or expenditures authorized by the regional housing trust fund in its budget. State law does not create, grant, or confer a new or additional tax or revenue authority to a local government or political subdivision of the State unless otherwise provided by the law of this State. Each Party will make an initial contribution to the RHTF based on the Chart outlined in Attachment A.
  
- e. The Parties shall safeguard the fund in the same manner as the general fund or a separate utility fund established for specific purposes. The RHTF may be included in the required financial expense reports or annual audit for each local government.
  
- f. The Parties may allocate funds to a program that promotes the development or rehabilitation of affordable housing as defined in the state enabling legislation. Regarding the distribution of funds from a regional housing trust fund, preference must be given to a program or project that promotes the development or rehabilitation of affordable housing for an individual or family with an annual income at or below one hundred eighty percent (80%) of the median income with priority consideration being given to projects serving those individuals or families with incomes at or below sixty (60) fifty percent (50%) of the median income for the local area, adjusted for family size according to current data from HUD, the development or rehabilitation of special needs housing, or the development or rehabilitation of homeless housing.
  
- g. RHTF funds may be used to match other funds from federal, state, or private resources, including the State Housing Trust Fund. The Parties shall seek additional resources for housing programs and projects to the maximum extent practicable. The Parties shall administer the RHTF through a new or existing nonprofit organization to encourage private charitable donation to the funds. Where a regional housing trust fund receives such a donation, the donation must be used and accounted for in accordance with the purpose as established by the RHTF Oversight Board and in accordance with State statutes.
  
- h. State statutes provide that a A regional housing trust fund established, utilized, or funded under this Agreement and enabling ordinances must shall provide an annual report to the Parties that

created the fund and attested to this agreement. Minimum requirements for such said report is outlined in Attachment B. The regional housing trust fund director must offer to present to each Parties' Council the annual report details and make the report available to the public by posting it on the appropriate website of the member local governments. Any alteration or amendment to such governing documents must conform to the provisions of the enabling legislation

- i. The Parties agree that projects funded by the RHTF will be judged on their merits and that funding and location of those projects will vary from year to year; and

#### **Section 4 Operations.**

- a. Each Party shall appoint one (1) representative to serve a two-year term on the Regional Housing Trust Oversight Board ("the Board") for so long as they remain a financial contributing party. The director of the regional housing trust fund will serve as Ex Officio member of the Board. The ninth appointee would be an at large representative agreed upon by the Parties making the membership a total of nine representatives. Board Members shall represent a diverse field of experts familiar with affordable housing, real estate, and local government housing priorities. No elected officials may serve on the Oversight Board.
- b. Meetings will be held six times per year.
- c. Board responsibilities include:
  - i. Providing feedback on community needs, serving as an advocate for affordable housing and the RHTF, connecting the Administrative Operating Contractor with community resources, and acting as a direct liaison between the RHTF and the local government entity.
  - ii. Drafting and adopting bylaws for the operation of the Board within six (6) months of the creation of the RHTF; By-laws shall address how a member Party may terminate their participation and funding, including how that termination will or could impact RHTF projects in their jurisdiction, and the methodology for complete dissolution of the RHTF if a voting majority of the Parties agree; By-laws shall address how a quorum is established, a meeting and reporting schedule, and any other requirements as defined by State statute
  - iii. ~~Making Make~~ decisions on how the RHTF will operate to include whether to ~~establish a 501(c)3~~, hire employees, contract with a Certified Development Financial Institution (CDFI), or other method agreed upon by a majority of the Board, manage the operations of the RHTF to include hiring, firing, potential contracts, and other items that require approval as outlined in adopted bylaws.
  - iv. Allocating other permissible funds to projects including, but not limited to, impact fee waivers, water and sewer impact fees,
  - v. Develop an annual budget with projected revenues and expenditures.
  - vi. Define types of projects eligible for funding.

### **Section 5 Term and Termination.**

The term of this Agreement shall be ten (10) years from the date of full execution by the Parties which shall be understood to be the date first set forth above. This Agreement may be renewed for another ten (10) year term as agreed to in writing by the Parties. Termination of the Agreement in whole may only occur via dissolution of the RHTF.

### **Section 6 Fiscal Agent.**

Beaufort County will contract with ~~Community Works- Beaufort Jasper Housing Trust, Inc., (B-JHT)~~ to serve as the fiscal agent and will manage the financial relationship with the Parties ~~and B-JHT, Community Works and the Board. Beaufort County will provide financial reports on a quarterly basis to the Parties.~~

### **Section 7 Notices.**

All notices required or permitted under this Agreement shall be in writing. All notices and payments shall be sent to the official main address of the member parties or to such other address as may from time to time be designated by written notice or via email with confirmation of email delivery receipt. Notices shall be deemed delivered when five (5) days after deposit in U.S. registered mail, postage prepaid, addressed to the other party or upon confirmation of email delivery receipt.

### **Section 8 Governing Law and Severability Clause.**

This Agreement is governed and interpreted in accordance with the laws of the State of South Carolina. Any and all disputes between the Parties that may arise pursuant to this Agreement shall be brought and fully litigated in a court of competent jurisdiction located in Beaufort County, South Carolina. If any term, covenant or condition of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each such term, covenant or condition of this Agreement shall be valid and enforceable to the full extent permitted by law. The stricken provision of this Agreement shall be enforced to the maximum extent permissible so as to affect the intent of the Parties, and the remainder of this Agreement shall continue in full force and effect.

### **Section 9 Assignment.**

This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors, heirs, administrators, representatives, and assigns. However, this provision shall not be construed to permit or allow assignments not otherwise allowed under this Agreement.

### **Section 10 Miscellaneous.**

This IGA expresses the complete agreement and understanding of the undersigned parties, and any and all prior or contemporaneous oral agreement or prior written agreement regarding the subject matter hereof shall be merged herein and then extinguished. The captions and headings used in this IGA are for convenience only and do not in any way limit, amplify, or otherwise modify the provisions of this IGA. As used in this IGA, the masculine, feminine or neuter gender and the singular or plural number shall each include the others whenever the context so indicates. This IGA may be executed in multiple counterparts, each of which shall be deemed an original but all of which, taken together, shall constitute the same instrument.

**Section 11 Authorization and Execution.**

This AGREEMENT is signed by the authorized representatives of the Parties set forth below, and is effective as of the date first set forth above.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as set forth below.

BEAUFORT COUNTY: \_\_\_\_\_ date: \_\_\_\_\_

JASPER COUNTY: \_\_\_\_\_ date: \_\_\_\_\_

THE TOWN OF HILTON HEAD ISLAND: \_\_\_\_\_ date: \_\_\_\_\_

THE CITY OF BEAUFORT: \_\_\_\_\_ date: \_\_\_\_\_

THE TOWN OF BLUFFTON: \_\_\_\_\_ date: \_\_\_\_\_

THE TOWN OF PORT ROYAL: \_\_\_\_\_ date: \_\_\_\_\_

THE CITY OF HARDEEVILLE: \_\_\_\_\_ date: \_\_\_\_\_

THE TOWN OF YEMASSEE: \_\_\_\_\_ date: \_\_\_\_\_

## Attachment A

Year Sum	Beaufort County	Hilton Head Island	Bluffton	Port Royal	City of Beaufort	Jasper County	Hardeeville	Yemassee	
Y1*	\$2,035,058	\$1,119,523	\$156,815	\$59,474	\$197,669	\$200,671	\$175,240	\$108,699	\$16,967

\*Year 1 = 3% of American Rescue Plan funds

Y2	\$515,000	\$228,605	\$86,559	\$63,702	\$32,683	\$31,274	\$57,117	\$12,579	\$2,482
Y3	\$530,750	\$235,596	\$89,206	\$65,650	\$33,682	\$32,230	\$58,864	\$12,964	\$2,558
Y4	\$546,672	\$242,664	\$91,882	\$67,619	\$34,693	\$33,197	\$60,629	\$13,353	\$2,635
Y5	\$563,072	\$249,944	\$94,639	\$69,648	\$35,734	\$34,193	\$62,448	\$13,753	\$2,714
Y6	\$579,965	\$257,442	\$97,478	\$71,737	\$36,806	\$35,219	\$64,322	\$14,166	\$2,795
Y7	\$597,363	\$265,165	\$100,402	\$73,889	\$37,910	\$36,275	\$66,251	\$14,591	\$2,879
Y8	\$615,284	\$273,120	\$103,414	\$76,106	\$39,047	\$37,364	\$68,239	\$15,028	\$2,966
Y9	\$633,743	\$281,314	\$106,517	\$78,389	\$40,218	\$38,485	\$70,286	\$15,479	\$3,055
Y10	\$652,755	\$289,753	\$109,712	\$80,741	\$41,425	\$39,639	\$72,395	\$15,944	\$3,146
Sum	\$7,269,662	\$3,443,127	\$1,036,623	\$706,955	\$529,866	\$518,548	\$755,791	\$236,555	\$42,197

# Attachment B

## Reporting Requirements

~~The annual report will be provided to RHTF Oversight Board by the Operating Administrator and/or staff responsible for managing and administering the Fund as outlined in a separate operating agreement between the two parties.~~ The annual report [which is reference in Section 3.h. of the IGA](#) must include, at a minimum, the following metrics:

- 1) Impact Data: the project names and location funded in each participating jurisdiction, the amount of funding provided per project, the number and type of dwelling units built/or preserved in each funded project along with an affordability percentage breakdown, and demographic data where available.
- 2) Financial Data: ~~the an~~ accounting of revenues and expenditures of the fund, additional funding raised to support the RHTF including additional project capital and operating investments, project leveraging amounts and other in kind or financial support provided to support the purpose of the fund.
- 3) Where feasible and available, success stories and project highlights, including pictures and testimonials.



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<b>RECOMMEND COUNCIL APPROVE A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THE PROCUREMENT OF A CONSERVATION EASEMENT ON SEVERAL PARCELS OF REAL PROPERTY LOCATED IN JASPER COUNTY AND KNOWN, COLLECTIVELY, AS GREGORIE NECK (PIN# 087-00-09-022, 087-00-09-023, 087-00-09-025, 087-00-09-031)</b>
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee, Monday, March 11, 2024
<b>PRESENTER INFORMATION:</b>
Mike McShane, Chairman of the Green Space Advisory Committee 10 -15 minutes
<b>ITEM BACKGROUND:</b>
On December 11, 2023, the Community Services and Land Use Committee approved initial due diligence on Gregorie Neck. Thereafter, on January 31, 2024, the Green Space Advisory Committee met, reviewed the due diligence, and recommended contribution of funds to the procurement of a conservation easement on Gregorie Neck.
<b>PROJECT / ITEM NARRATIVE:</b>
The Nature Conservancy (TNC) is the current fee simple owner of 4,409-acre property known as Gregorie Neck, which is comprised of four tracts. TNC intends to place a conservation easement on the entire property. To achieve this, several partners will contribute funds. Partners include the Department of Defense via the REPI Challenge (\$6,000,000 confirmed), TNC (\$4,500,000 confirmed), and the SC Conservation Bank (\$2,000,000 applied for). Beaufort County Open Land Trust (the applicant) has asked for \$1,000,000 from the Green Space Program funds to help procure this conservation easement. The total purchase price for this Conservation Easement is \$13,500,000. The easement will be held and managed by the Beaufort County Open Land Trust.
<b>FISCAL IMPACT:</b>
\$1,000,000 from the Beaufort County Green Space Program Sales Tax (Fund # 4706)
<b>RECOMMENDATION TO COUNCIL:</b>
Green Space Advisory Committee (GSAC) recommends approval
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve, modify, or deny a Resolution to expend \$1,000,000 from the Green Space Program to contribute to the procurement of the conservation easement on Gregorie Neck.

**RESOLUTION 2024/ \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THE PROCUREMENT OF A CONSERVATION EASEMENT ON SEVERAL PARCELS OF REAL PROPERTY LOCATED IN JASPER COUNTY AND KNOWN, COLLECTIVELY, AS GREGORIE NECK (PIN# 087-00-09-022, 087-00-09-023, 087-00-09-025, 087-00-09-031)**

**WHEREAS**, the Property is located at the headwaters of the Port Royal Sound where incompatible development of the property would interfere with the goals of protecting the waterbody and produce undesirable downstream impacts to Beaufort County; and

**WHEREAS**, the Property is located within the flight path of the Marine Corps Air Station (MCAS) Beaufort, and incompatible development would produce undesirable impacts to the mission of the installation; and

**WHEREAS**, the Beaufort County Council recognizes the need to preserve land that provides scenic, natural, environmental, recreational, rural, and open space character which is deemed essential to the County's economic viability, environmental resilience, and overall quality of life; and

**WHEREAS**, the Beaufort County staff received a Conservation Easement Application which was presented to the Green Space Advisory Committee (GSAC) at their December 6, 2023 meeting where the GSAC voted to recommend initial due diligence to the Community Services and Land Use Committee; and

**WHEREAS**, the Beaufort County Community Services and Land Use Committee authorized staff to engage in due diligence and negotiations during their December 12, 2023 meeting; and

**WHEREAS**, the Beaufort County staff conducted due diligence and further evaluation of the property and application against the Beaufort County Green Space Program Criteria to calculate the procurement benefits and overall value; and

**WHEREAS**, the Beaufort County staff presented their evaluation to the Green Space Advisory Committee (GSAC) during their January 31, 2024 meeting, the Green Space Advisory Committee reviewed the due diligence and it voted to recommend expenditure of Green Space funds to the procurement of a conservation easement on Gregorie Neck; and

**WHEREAS**, the Conservation Easement Terms Sheet is attached hereto and incorporated herein by reference (Exhibit "A"); and

**WHEREAS**, Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the Interim County Administrator to execute the necessary documents and to provide funding for the procurement of development rights through a conservation easement on the property.

**NOW, THEREFORE, BE IT RESOLVED** that Beaufort County Council, duly assembled, does hereby authorize the Interim County Administrator to execute the documents necessary and to provide funds to contribute to the procurement of a conservation easement on several parcels of real property located in Jasper County and known, collectively, as Gregorie Neck (PIN# 087-00-09-022, 087-00-09-023, 087-00-09-025, 087-00-09-031).

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_

Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_

Sarah W. Brock, Clerk to Council

# Exhibit "A"

**Restrictions and Limitations:**

<b>Subdivision:</b>	<i>Property currently exists as four (4) parcels. The property can be subdivided into eight (8) total parcels, with no subdivision being less than 400 acres in size, except for the "battle of the Tullifinny battle site" which may be 285 acres to encompass the historic resource.</i>
<b>Impervious Surface Limitation:</b>	<i>This refers to roads and rooftops and any impervious surface from Residential Structures, Agricultural Structures, Related Outbuildings, Recreational Structures, roads, boardwalks are included in this allocation. We recommend impervious surface square footage is ½-1% of total parcel size.</i>
<b>Residential Structures:</b>	<p><i>Each newly subdivided parcel can have two (2) residential structures, where residential structures are defined as freestanding buildings with kitchen, bathroom and living quarters. Each residential may be associated with accessory buildings. If subdivided parcel size is greater than or equal to 1000 acres, then three (3) residential structures are permitted per subdivision.</i></p> <p><i>Accessory buildings, including but not limited to utility sheds, detached garages, guest houses, pool houses; and associated agricultural buildings including but not limited to barns, pole sheds are permitted. All buildings are subject to total impervious surface limitations.</i></p> <p><i>A designated building area or footprint within which residential structures can be built, is required.</i></p>
<b>Building Height:</b>	<i>Building height is not to exceed 35 feet above the minimum 1st floor FEMA elevation.</i>
<b>Docks:</b>	<i>Each subdivided parcel can have one dock on public waters, subject to all OCRM/ACOE standards. Dock lighting should not interfere with river navigation or night sky. Internal docks on internal impoundments may be permitted, subject to approval and subject to all OCRM/ACOE standards.</i>
<b>Towers:</b>	<i>Wildlife observation towers (e.g. skeet shooting towers, deer stands) permitted, subject to height limitations. There shall be no other towers, including, but not limited to, radio, microwave, broadcast, communication and cellular towers.</i>
<b>Road/Marsh Buffers:</b>	<i>150 foot setback from OCRM critical line along marsh edges; 200' setback from public roads where gates and mailboxes can occur within the buffer but no structures.</i>
<b>Industrial Uses:</b>	<i>All industrial uses, activities, structures, or rights of passage are prohibited.</i>
<b>Commercial Uses:</b>	<i>All commercial uses, activities, structures, or right of passage are prohibited. For the purposes of many easements, Agricultural Activities, Forest Management Practices and the leasing of hunting, trapping and fishing rights shall not be considered Commercial Uses.</i>
<b>Services:</b>	<i>Construction of water wells, septic systems, utility services and associated facilities and service roadways are limited to serve allowed uses and subject</i>

	<i>to all restrictions and limitations and all applicable governmental laws and regulations. Grantor is permitted to grant utility and other easements as necessary to enable the delivery of these services.</i>
<b>Roads:</b>	<p><i>Roads shall be limited to those required to facilitate the uses permitted by this Easement, provided there shall be no road constructed or covered with Impervious Surface except as otherwise necessary.</i></p> <p><i>Existing roads will be recorded in the easement baseline, and it is encouraged that few new roads be built if existing roads can meet the needs of the property access.</i></p>
<b>Landscaping:</b>	<p><i>Landscaping is permitted around the residential structures and natural/native vegetation is encouraged.</i></p> <p><i>The right to use agrichemicals, including, but not limited to, fertilizers, biocides, herbicides, and rodenticides, but only in those amounts and with that frequency of application constituting the minimum necessary to accomplish agricultural and residential activities permitted by the terms of this Easement and in accordance with label instructions and any applicable legal regulations. No use of agrichemicals will be permitted if such use would result in (i) unlawful contamination of any source of water or (ii) any significant impairment of any natural ecosystem or process on the Property. Structural elements of landscaping, including but not limited to walkways and patios, shall be subject to Impervious Surface restrictions and limitations as provided for in this Easement.</i></p>
<b>Signs:</b>	<i>Property signs limited to eight (8) square feet in size that refer to the property itself or offer direction, not advertisement for outside interests are permitted. Signs must be erected at a height that does not interfere with any flight path or military mission, when said sign is visible from off the Property.</i>
<b>Lighting</b>	<i>All lighting equipment, including floodlights, searchlights, landscape lighting, and all protective lighting, such as streetlights, shall have positive, optical control so that no light is emitted above the horizontal plane.</i>
<b>Archeological and Paleontological Excavations:</b>	<i>Notice required for archeological or paleontological excavation. Sites shall be returned to, or as close as possible to, its previous state, unless to be maintained for interpretive purposes related to education.” This is a common form of research and/or public access on protected properties.</i>
<b>Forestry Uses:</b>	<i>Forest management practices including those associated with commercial timber farming are permitted. Notice is required for timber harvests and controlled burns; burn notice may be provided to local military installation following issuance of a burn number by SC Forestry commission. Acceptable management practices shall be those management practices offered by the South Carolina Forestry Commission or its successor agency.</i>
<b>Agricultural Uses:</b>	<i>Agricultural Activities shall be defined as activities directly related to the production of plant or animal products on the Property, including crop production, raising cattle and other livestock for sale, animal husbandry, flori-culture and horticulture, in a manner that preserves the long-term</i>

	<i>productivity of the soil. Permitted activities shall not include feedlots, intensive livestock production facilities or any type of large-scale operation where animals are confined. Restoration of fields and pastures and upland impoundments for agricultural activities is also permitted.</i>
<b>Recreational Uses</b>	<i>Lawful hunting, fishing, shooting, tennis, swimming, camping, aquaculture, and equine sports are permitted, as well as land and game management practices to maintain and support these activities.</i>
<b>Ponds/Impoundments</b>	<p><i>Existing ponds are documented in the baseline. Existing tidal impoundments (approx. 90 acres) can be maintained and improved for wildlife management.</i></p> <p><i>Grantor retains right to repair and manage existing ponds, wetland impoundments, dams, dikes and with Notice, may expand existing ponds and impoundments.</i></p> <p><i>Former "Shrimp farm" feature can be converted back into impoundment for waterfowl and wildlife habitat.</i></p> <p><i>Grantor may create new ponds, wetland impoundments and greentree reservoirs not to exceed 100 acres in aggregate, subject to all local state and federal standards and regulations.</i></p> <p><i>Should the pond(s) or impoundment(s) attract such a concentration of birds to the extent that they cause a training or operational hazard, Notice shall be provided, and Grantor and Grantee shall cooperate and shall act in good faith to arrive at a way to mitigate or eliminate the hazard.</i></p> <p><i>The sale or gift of extracted soil, sand, gravel or other materials produced in connection with the enlargement or construction of pond(s), or any other permitted or non-permitted use, is strictly prohibited.</i></p>
<b>Mining:</b>	<i>Surface and mineral mining is strictly prohibited. U.S.C. 170(h)(5).</i>
<b>Topography and Hydrology:</b>	<i>No adverse material alteration of the topography or hydrology, unless otherwise provided for in the Easement (e.g. if a new pond was created).</i>
<b>Significant Tree Protection:</b>	<i>Live oaks, cypress and magnolia trees with DBH of 16 inches or greater protected.</i>
<b>Other Operational &amp; Training Hazards.</b>	<p><i>No operations of any type are permitted that produce smoke, glare or other visual hazards, or encourage concentrations of birds that may be dangerous for aircraft operating from the Installation.</i></p> <p><i>Prior to commencing controlled burns for agricultural purposes, recreational purposes, habitat improvement and mitigation of fire hazards, Grantor must give as much reasonable prior notice to Grantee as is practical. Once a burn number has been issued by the S.C. Forestry Commission, and prior to burn ignition, notification must be given to local installation (Marine Corps Air Station Beaufort) and local Fire Department, including the time the burn is to be conducted. Notification by phone is acceptable.</i></p>
<b>Eligibility for Conservation Programs</b>	<i>The Grantor reserves the right to participate in federal, state, county, or nongovernmental organization conservation and/or preservation contracts, programs, or leases existing now or permitted in the future for any activity</i>

	<p><i>or use permitted on the Property under this Easement, including but not limited to carbon sequestration, carbon offsets, greenhouse gas credits, endangered species credits, or water quality credits. Any programs entered into by the Grantor must be consistent with the terms of this Easement.</i></p>
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## MEMORANDUM

**To:** Beaufort County Community Development and Land Use Committee  
**From:** Beaufort County Planning & Zoning Department  
**Subject:** Green Space Program – Gregorie Neck Conservation Easement  
**Date:** March 11, 2024

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### STAFF REPORT:

**Applicant:** Beaufort County Open Land Trust  
**Application Type:** Conservation Easement  
**Procurement Number:** GS-01-2024  
**Expenditure of Funds:** Green Space Program funds to procure a conservation easement on Gregorie Neck located in Jasper County for \$1,000,000.

### A. PROJECT OVERVIEW:

Located between the Tulifiny and Coosawhatchie Rivers in the headwaters of the Port Royal Sound sits Gregorie Neck, a 4,409 +/- acre peninsula comprised of a variety of lowcountry habitats including freshwater forested wetlands, emergent freshwater wetlands, salt marsh, upland pine savannahs, deciduous hardwood forests, and impoundments. In addition to its ecological value, the property is also located along I-95 and near Highway 17, connecting it to Savannah and Charleston and their associated economies and ports.

For the past 30 years, this property has been protected by its owners and used in part as a farm, hunting grounds, and retreat. Recently, the property (made up of four different parcels) was placed on the market for sale. Given its attractiveness for development, its critical location in the Port Royal Sound, and its inclusion in a priority conservation corridor connecting the Savannah River basin to the ACE basin, The Nature Conservancy (TNC) quickly acted to purchase the parcels. In the process of pursuing the property, TNC has been working closely with the Open Land Trust (OLT) to develop a Conservation Easement that OLT will hold and manage. TNC does not intend to keep this property. Instead, it will be sold after a Conservation Easement protecting the property is put in place.

Gregorie Neck was acquired by The Nature Conservancy (TNC) on February 14<sup>th</sup>, 2024 through a fee simple purchase. In January, prior to closing, the Readiness and Environmental Protection Integration (REPI) Program announced that the Open Land Trust (OLT) had been awarded \$6,000,000 to help fund the \$13,500,000 conservation easement for Gregorie Neck. Such an

investment by the Department of Defense demonstrates their commitment to preserving the military mission of our local military installations by preventing incompatible development in the flight paths of both MCAS Beaufort and the Townsend Bombing Range in Georgia, all while protecting water quality of the Port Royal Sound and promoting the resilience of our local habitats, especially salt marsh. While TNC will contribute to the purchase of the conservation easement through a donation of funds, the OLT has also applied to both the South Carolina Conservation Bank and the Beaufort County Green Space Program to fund the remainder of the conservation easement.

## **B. SUMMARY FUND REQUEST AND APPLICATION MERITS:**

The Open Land Trust (OLT) applied during the 4<sup>th</sup> quarter of 2023, the first application cycle of the new Green Space Program. At the time of application, the applicant requested \$1,000,000. Staff evaluated the application for Gregorie Neck against the parameters of the Green Space Program criteria and priorities and found it ranked highly as a result of the following:

### **Connectivity to Regional Conservation Investment**

Gregorie Neck is immediately adjacent to protected properties and located within the middle of a conservation corridor containing numerous conservation investments that protect thousands of acres of land. Gregorie Neck is a critical piece of this effort to create a green corridor from the ACE basin to the Savannah River.

### **Preservation of Critical Habitat**

Gregorie Neck possesses a diverse array of natural habitats. Impoundments, salt marsh, and mud flats all serve to support varied species of wildlife, including but not limited to, shorebird, waterfowl, wading bird, songbird, marine fish, crustacean, and mammalian species. Forested freshwater wetlands, emergent freshwater wetlands, upland pine savannahs, and mixed deciduous hardwood forests support a variety of animals including, but not limited to, herpetofauna (reptiles and amphibians), mammalian, songbird, raptors, fowl, and pollinator species. In addition to its natural habitats, Gregorie Neck includes working farmlands.

### **High Level Public Benefit**

Because of its location at the headwaters of the Port Royal Sound and its 13 miles of waterfront, preserving Gregorie Neck in its near natural state avoids potential massive impacts to our local ecosystems, namely the entirety of the Port Royal Sound, as a result of development. Among other impacts, the development of Gregorie Neck would impair water quality, marine fish and crustacean populations, and coastal resilience of our migrating salt marshes.

Because of its location along major transportation corridors, preserving Gregorie Neck avoids placing excessive demand on services like transportation networks, emergency services, utilities, schools, etc. The development of Gregorie Neck would impact downstream and neighboring communities.

**Leveraging of Funds**

The Applicant has leveraged funds by pulling from different sources so that each entity contributes a financial investment.

**Committed Funds**

Department of Defense via the REPI program.....	\$6,000,000
The Nature Conservancy via donation.....	\$4,500,000

**Requested Funds**

Beaufort County Green Space Program.....	\$1,000,000
SC Conservation Bank.....	\$2,000,000

With contribution from the Green Space Program, Beaufort County residents and visitors would invest in the protection of the headwaters of the Port Royal Sound as well as all the other benefits a conservation easement will provide at a great value of the Green Space Program funds.

**C. EXISTING LAND USE POLICIES:**

Jasper County Zoning

*(Information provided by the governmental jurisdiction in which the property is located.)*

The current zoning of these properties is Rural Preservation. The Rural Preservation Zoning District is intended to preserve, sustain, and protect from suburban encroachment rural areas and resources, particularly forest and agricultural, and maintain a balanced rural-urban environment. The retention of open lands, woodlands, plantations, and farmlands, which make up a large part of this area, are essential to clean air, water, wildlife, many natural cycles, and a balanced environment, among other things.

Jasper County Comprehensive Plan

*(Information provided by the governmental jurisdiction in which the property is located.)*

According to Jasper County’s Comprehensive Plan’s Future Land Use Map, Gregorie Neck is located within the Resource Conservation District. The Resource Conservation areas fall alongside the rivers that flank the east and west of Jasper County. These areas are vital components to the riverine systems and provide critical habitat for plants and wildlife. These areas are dominated by hydric soils, which are frequently associated with wetlands. In addition, these soils are very poorly suited to support septic systems. These areas should be used primarily for conservation and recreation. Any development should be very low in impact.

Jasper County Development Moratorium

*(Information provided by the governmental jurisdiction in which the property is located.)*

Jasper County Council enacted a temporary development moratorium in May 2023 to take stock of existing zoning and land use policies, revise the future land use map, and plan for smart growth in this important corridor. Gregorie Neck lies within the moratorium area and land

protection with a conservation easement is complementary to the overall Jasper County planning objectives.

#### **D. RECOMMENDATION:**

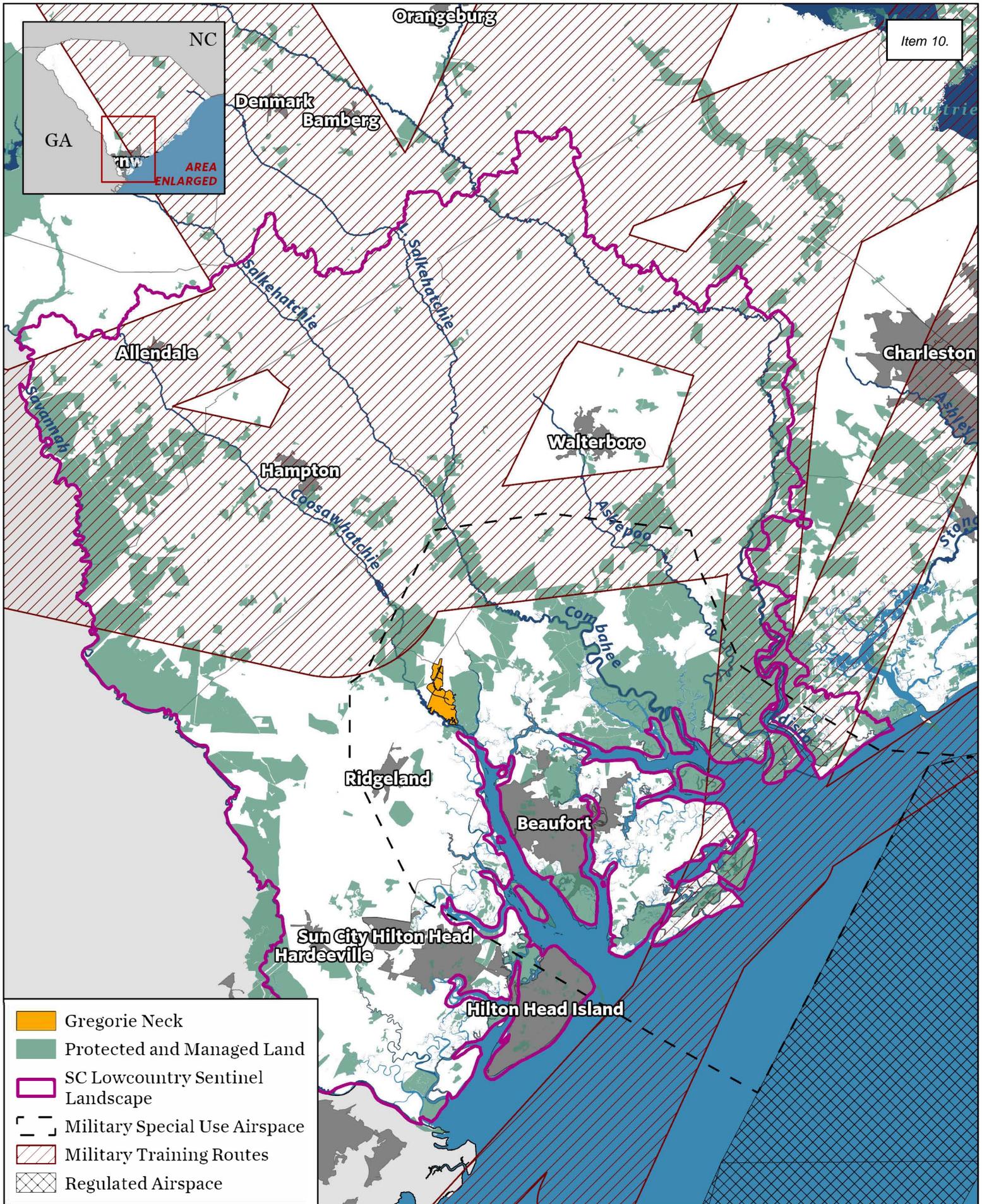
This application has been evaluated against the Beaufort County Green Space Program Criteria and analyzed to calculate the procurement benefits and overall value. Staff presented their application findings and recommendation to the Green Space Advisory Committee during their January 31, 2024 meeting. Based on this, and the reasons stated in this report, staff finds:

Placing a conservation easement on Gregorie Neck benefits Beaufort County significantly by protecting our local economies (military installations, natural resources, water-based tourism) and our quality of life (water quality, air quality, traffic congestion, service demands), all while protecting critical habitat, farming, and ecosystem services. In addition, a procurement of this magnitude will position Beaufort County and the surrounding geographic region with meaningful community and environmental resilience. The partnerships involved in this procurement and level of matching funds provide an outstanding value and should be considered the gold standard for land conservation efforts.

**Green Space Advisory Committee Recommendation - Approval** (unanimous)

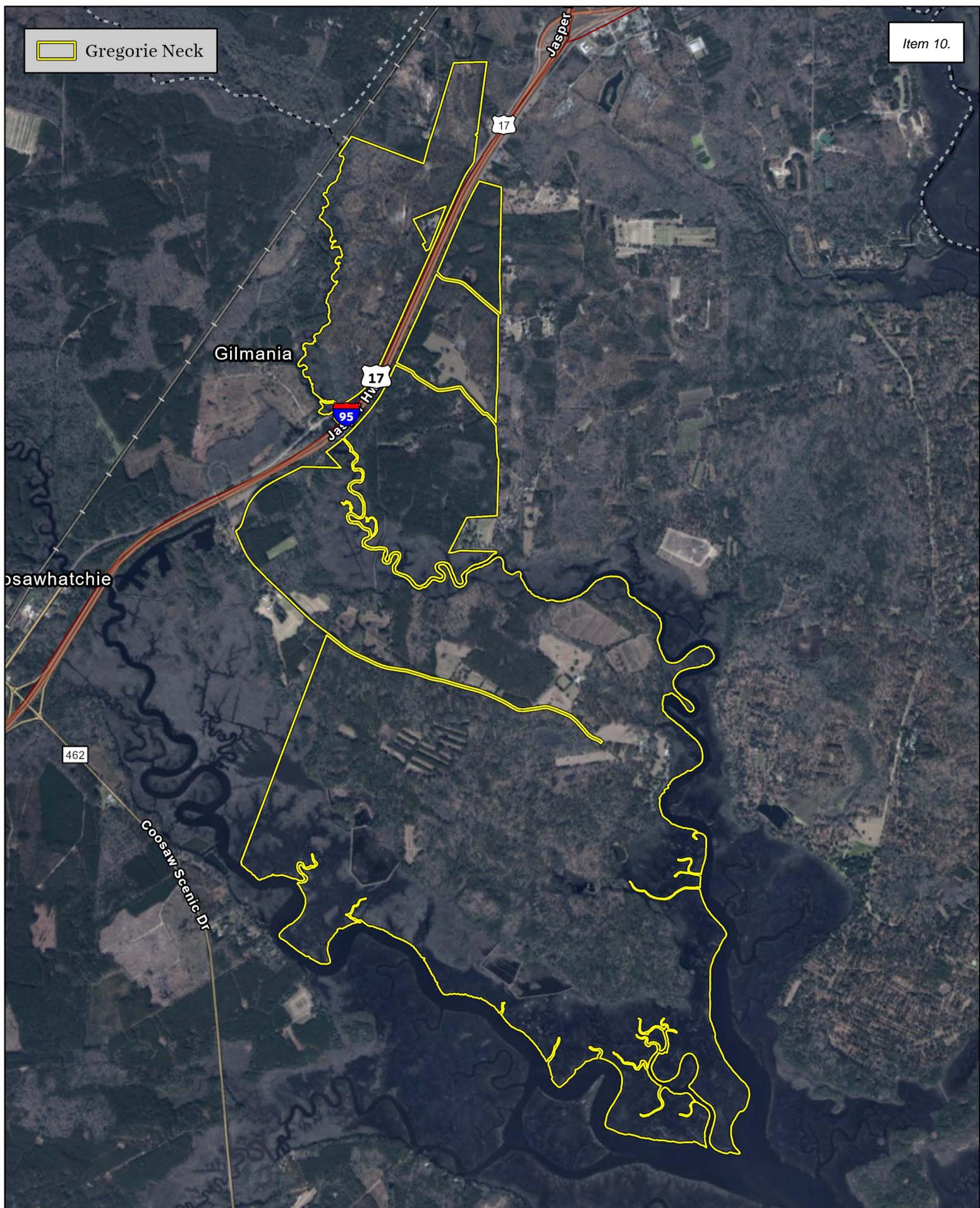
#### **E. ATTACHMENTS:**

- Maps of Gregorie Neck
- Applicant/Staff photos of the property
- Letter of Support from Jasper County's Administrator



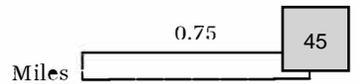
Gregorie Neck

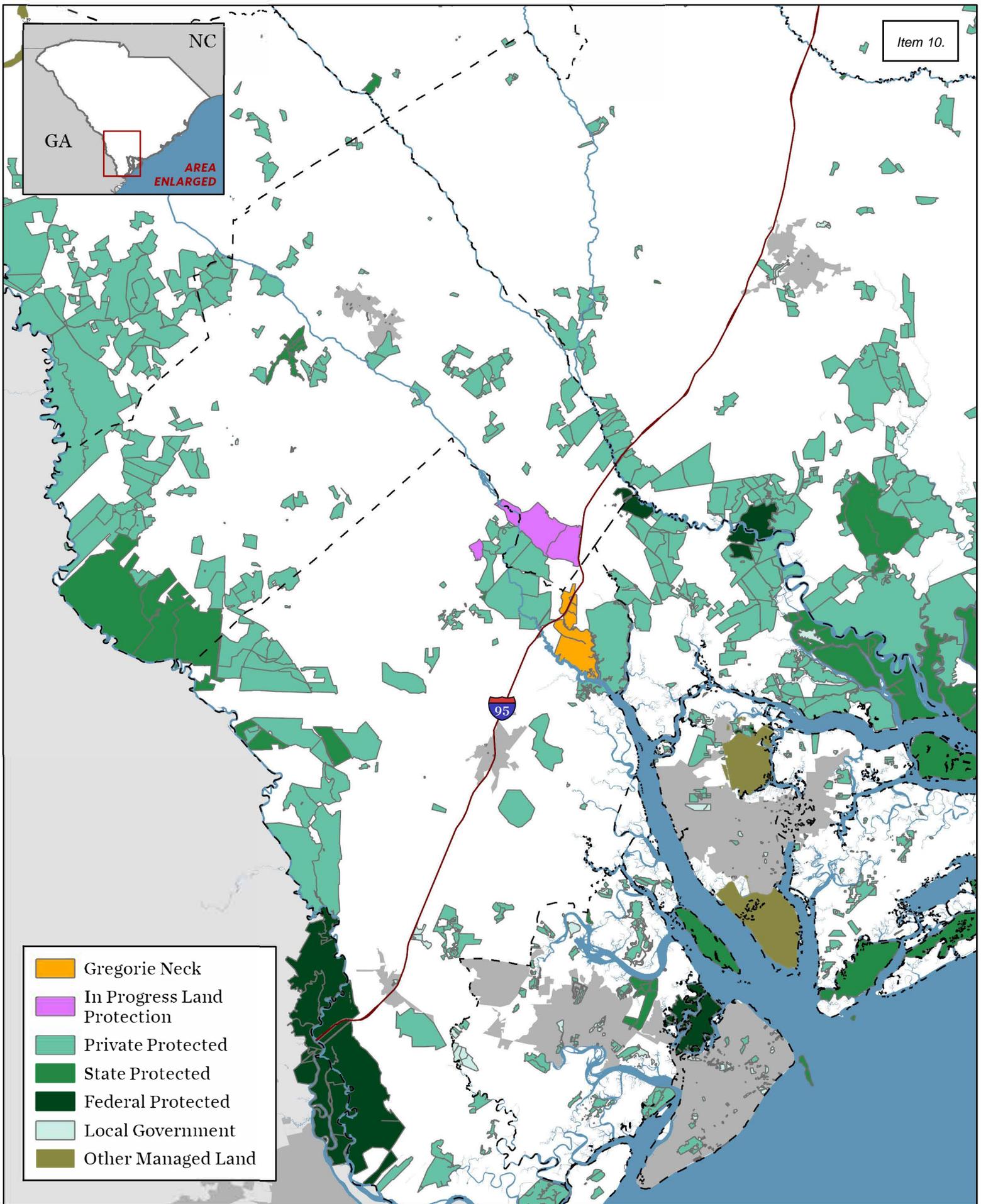
Item 10.



**Gregorie Neck**

Jasper County, SC | South Carolina 2020 Imagery | June 2023

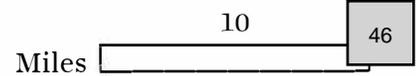




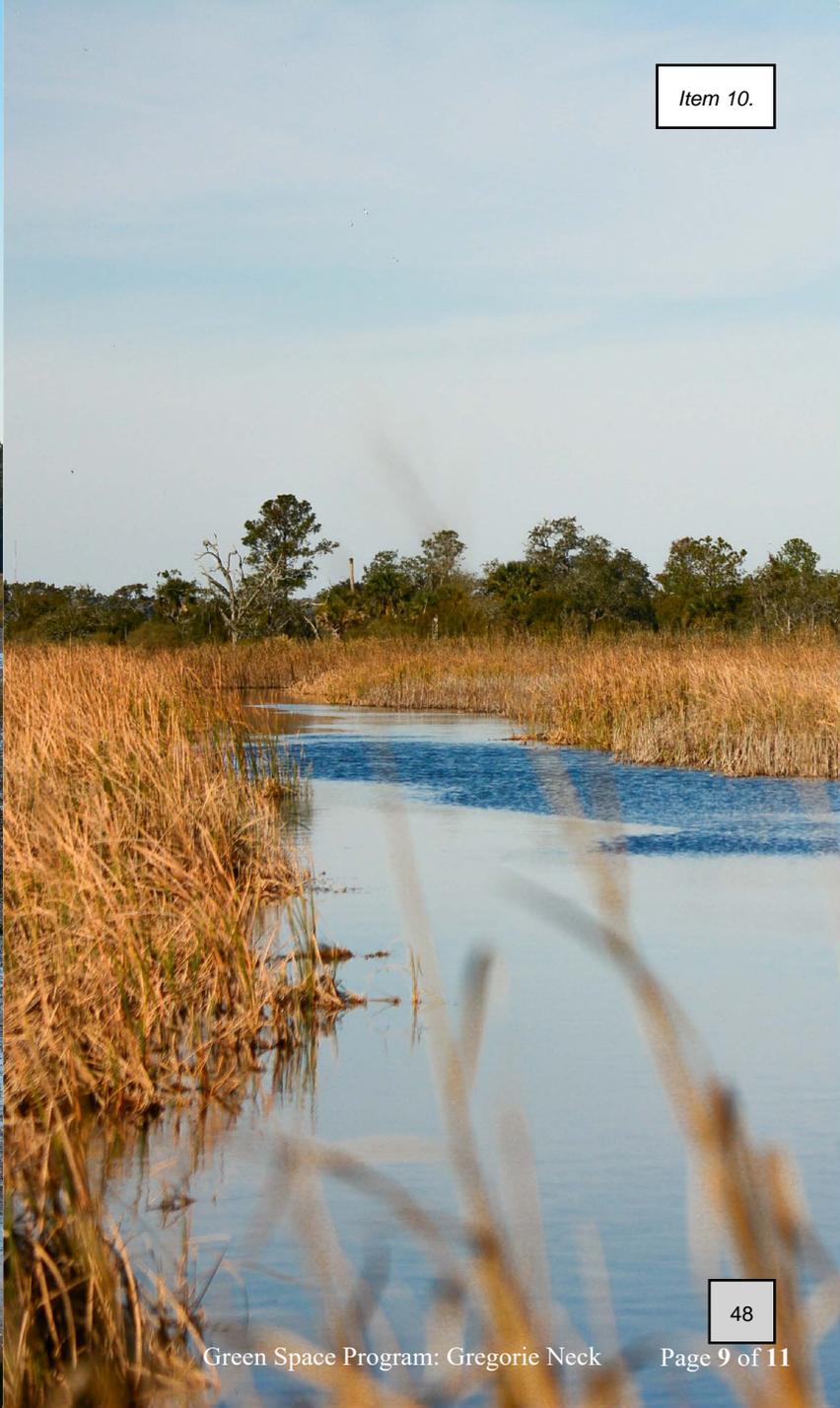
- Gregorie Neck
- In Progress Land Protection
- Private Protected
- State Protected
- Federal Protected
- Local Government
- Other Managed Land



**Gregorie Neck**  
Neighboring Land Protection | May 2023







Item 10.



## OFFICE OF THE JASPER COUNTY ADMINISTRATOR

Jasper County Clementa C. Pinckney Government Building  
358 Third Avenue – Courthouse Square – Post Office Box 1149  
Ridgeland, South Carolina 29936 - 843-717-3690 – Fax: 843-726-7800

Andrew P. Fulghum  
County Administrator

[afulghum@jaspercountysc.gov](mailto:afulghum@jaspercountysc.gov)

Tisha L. Williams  
Executive Assistant

[tlwilliams@jaspercountysc.gov](mailto:tlwilliams@jaspercountysc.gov)

October 27, 2023

**VIA Electronic Mail Delivery**

Mr. Michael Mcshane, Chair  
Beaufort County Greenspace Program  
c/o Mark Davis, Deputy Planning Director  
Post Office Drawer 9  
Beaufort, SC 29901

Re: Letter of Support for the 4,409-acre Gregorie Neck Project

Dear Mr. Mcshane:

Jasper County Administration is pleased to endorse the Beaufort County Greenspace Application for a Conservation Easement to protect a 4,409 acre property known as Gregorie Neck. Gregorie Neck lies in the heart of Jasper County and permanent protection would prevent incompatible development, while protecting habitat and linking wildlife corridors.

Jasper County is growing rapidly and we are at an important point in time to direct that growth and shape our region for the next generation. To do our part, Jasper County Council enacted a temporary development moratorium in May 2023 to take stock of our existing zoning policies, revise our future land use map, and plan for our growth in this important corridor. Gregorie Neck lies within the moratorium area and land protection with a conservation easement is complementary to our overall planning and zoning objectives.

Gregorie Neck is positioned between significant built infrastructure, like Interstate-95, and natural infrastructure, such as the Tulifinny, Coosawhatchie and Broad Rivers. Its permanent protection would help protect water quality in the upper reaches of the Port Royal Sound, reduce daily trips on congested infrastructure, and link wildlife corridors. These benefits will be felt by both Beaufort and Jasper Counties alike.

We understand the Open Land Trust will place a permanent conservation easement on the property and has applied for Greenspace and Department of Defense grant funds. Please consider our letter of support for this application.

Please contact me if you have any questions. We respectfully offer our support for funding by the Beaufort County Greenspace Program for the conservation easement on Gregorie Neck.

Sincerely,



Andrew P. Fulghum, ICMA-CM



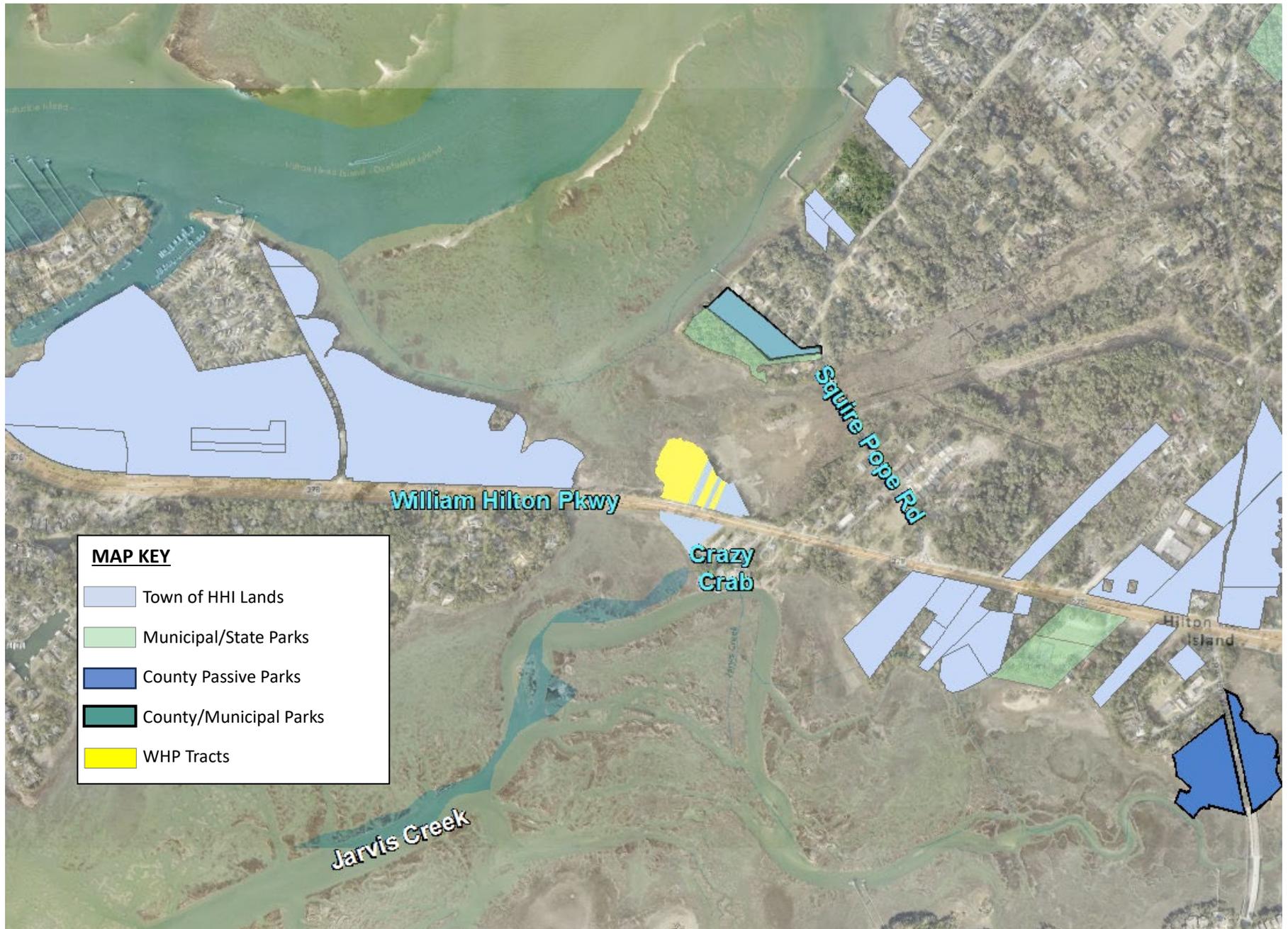
# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<b>RECOMMEND APPROVAL OF GSAC RECOMMENDATIONS TO FUND OR NOT TO FUND DUE DILIGENCE AND NEGOTIATE TERMS OF ACQUISITIONS FOR GREEN SPACE APPLICATIONS</b>
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee, March 11, 2024
<b>PRESENTER INFORMATION:</b>
Mr. Mike McShane, Chair of Green Space Advisory Committee & Mr. Mark Davis, Deputy Director of Planning and Zoning (15 minutes)
<b>ITEM BACKGROUND:</b>
During its March 4, 2024 meeting, the Green Space Advisory Committee (GSAC) reviewed three applications. Below are the GSAC's recommendations.
<b>PROJECT / ITEM NARRATIVE:</b>
The recommendations of the Committee are as follows:  (1) <b>FEE SIMPLE APPLICATION:</b> WILLIAM HILTON PARKWAY, HILTON HEAD ISLAND; POLITICAL JURISDICTION – TOWN OF HILTON HEAD; GEOGRAPHIC REGION – SOUTHERN. PURSUE DUE DILIGENCE.  (2) <b>FEE SIMPLE APPLICATION:</b> JONESVILLE ROAD, HILTON HEAD ISLAND; POLITICAL JURISDICTION – TOWN OF HILTON HEAD; GEOGRAPHIC REGION – SOUTHERN. PURSUE DUE DILIGENCE.  (3) <b>FEE SIMPLE APPLICATION:</b> NEW RIVER TRACT (NO ROAD FRONTAGE), BLUFFTON; POLITICAL JURISDICTION – TOWN OF BLUFFTON; GEOGRAPHIC REGION – WESTERN. DO NOT PURSUE DUE DILIGENCE.
<b>FISCAL IMPACT:</b>
For William Hilton Parkway - Up to \$35,000-due diligence fees Green Space Program Sales Tax For Jonesville Road - Up to \$35,000-due diligence fees Green Space Program Sales Tax
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve, modify, or deny the recommendations of the Green Space Advisory Committee.

# WILLIAM HILTON PARKWAY TRACTS – FEE SIMPLE

APPLICANT – TOWN OF HILTON HEAD ISLAND

3.44 Acres +/- .25 acres



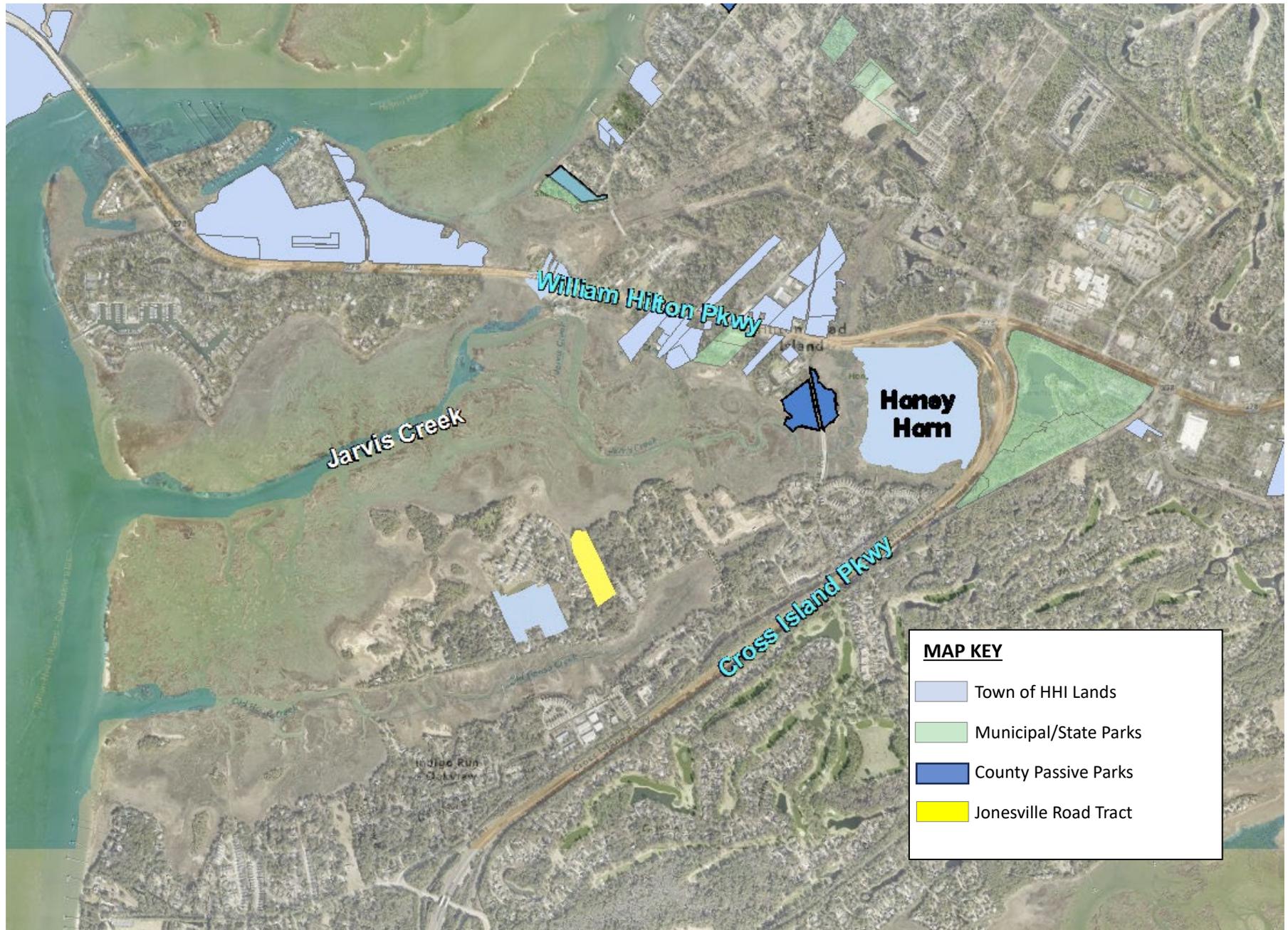
# WILLIAM HILTON PARKWAY TRACTS – FEE SIMPLE



# JONESVILLE ROAD TRACT – FEE SIMPLE

APPLICANT – TOWN OF HILTON HEAD ISLAND

6.58 Acres



# JONESVILLE TRACT – FEE SIMPLE

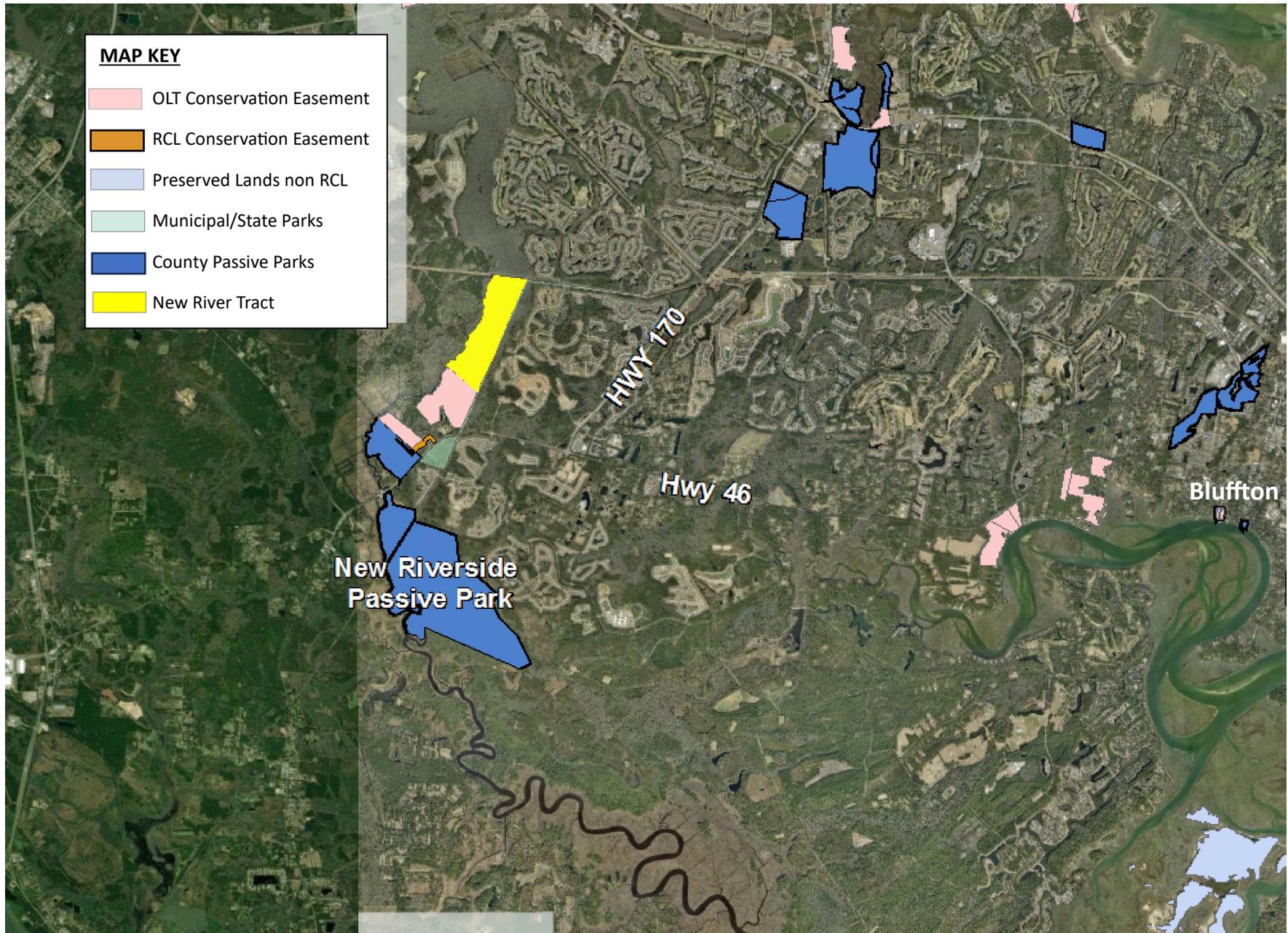
Item 11.



# NEW RIVER TRACT – FEE SIMPLE

APPLICANT – RYAN HILLYER

231.4 Acres



# NEW RIVER TRACT – FEE SIMPLE

Item 11.



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community