



## County Council Meeting Beaufort County, SC

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

**Monday, January 13, 2025  
6:00 PM**

### AGENDA

#### COUNCIL MEMBERS:

**ALICE HOWARD, CHAIRMAN  
DAVID P. BARTHOLOMEW  
LOGAN CUNNINGHAM  
YORK GLOVER  
LAWRENCE McELYNN  
THOMAS REITZ**

**ANNA TABERNIK, VICE CHAIR  
PAULA BROWN  
GERALD DAWSON  
MARK LAWSON  
JOE PASSIMENT**

1. CALL TO ORDER: Alice Howard, Chair
2. PLEDGE OF ALLEGIANCE AND INVOCATION: Council Member Mark Lawson
3. STATEMENT OF COMPLIANCE WITH FOIA: Alice Howard, Chair
4. APPROVAL OF AGENDA
5. PROCLAMATION RECOGNIZING MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS' WEEK  
Anna Tabernik, Vice-Chair
6. ADMINISTRATOR'S REPORT: Michael Moore, Administrator
7. COMMITTEE REPORTS:
  - Community Services Committee
  - Natural Resources Committee
  - Finance, Administration, and Economic Development Committee
  - Public Facilities Committee
8. PUBLIC COMMENT PERIOD – 30 MINUTES TOTAL  
*Anyone who wishes to speak during the Citizen Comment portion of the meeting will 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.*
9. ORDINANCES FOR THIRD READING:

- a. **2025/01** AN ORDINANCE AMENDING BUDGET ORDINANCE 2024/25, TO REFLECT THE APPROVAL OF USE OF GENERAL FUND -FUND BALANCE FOR \$3,300,000 FOR FLEET SERVICES VEHICLE AND EQUIPMENT PURCHASES  
*Vote at First Reading on November 12, 2024 - 10:0*  
*Vote at Public Hearing and Second Reading on December 9, 2024 - 11:0*

**10. ORDINANCES FOR SECOND READING:**

- a. **2025/02** AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION A.6.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE COMMUNITY PRESERVATION DISTRICT (DCP) AND SECTION A.7.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE MIXED USE DISTRICT (DMU) **(PUBLIC HEARING)**  
*Item The item was approved without objection at the Community Services and Land Use Committee Meeting on November 12, 2024. (Recusal: Councilman Dawson)*  
*Vote at the First Reading on December 9, 2024 - 11:0*
- b. **2025/03** AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF RIGHT-OF-WAY OR TEMPORARY CONSTRUCTION EASEMENTS ON REAL PROPERTY ASSOCIATED WITH THE STUART POINT ROAD SIDEWALK PROJECT **(PUBLIC HEARING)**  
*Vote at First Reading on December 9, 2024 - 11:0*
- c. **2025/04** AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH *MITCHELVILLE PRESERVATION PROJECT, INC.* FOR SUITE 134 AND SUITE 142 OF THE COUNTY-OWNED OFFICE BUILDING LOCATED AT 539 WILLIAM HILTON PARKWAY ON HILTON HEAD ISLAND **(PUBLIC HEARING)**  
*Vote at First Reading on December 9, 2024 - 11:0*
- d. **2025/05** AN ORDINANCE TO INVEST \$4,300,000 FROM THE GENERAL FUND - FUND BALANCE IN AN INFRASTRUCTURE DEVELOPMENT PROJECT AT BEAUFORT EXECUTIVE AIRPORT (ARW) TO FUND CONSTRUCTION OF AIRCRAFT HANGERS **(PUBLIC HEARING)**  
*Vote at First Reading on December 9, 2024 - 10:1*

**11. ORDINANCES FOR FIRST READING**

- a. **2025/06** AN ORDINANCE PLACING LAND PURCHASED BY PROJECT MICRO INTO AN EXISTING MULTI-COUNTY INDUSTRIAL PARK
- b. **2025/07** AN ORDINANCE FOR BEAUFORT COUNTY TO ENTER INTO A SPECIAL SOURCE REVENUE CREDIT AGREEMENT WITH PROJECT MICRO

**12. EXECUTIVE SESSION**

- a. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO PENDING LITIGATION (BEAUFORT COUNTY v MASHBURN et al BUCKWALTER REC CENTER)
- b. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO PENDING LITIGATION (BEAUFORT COUNTY et al v AIRBNB [SHORT TERM RENTAL AND BUSINESS LICENSE LITIGATION])
- c. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO PENDING LITIGATION (BEAUFORT COUNTY v DAVID COLEMAN)

- d. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO MATTERS COVERED BY THE ATTORNEY CLIENT PRIVILEGE (DISCUSSION RELATED TO PRIVILEGED COMMUNICATIONS BY COUNTY ATTORNEYS WITH STAFF AND COUNCIL)

13. MATTERS ARISING OUT OF THE EXECUTIVE SESSION

14. ADJOURNMENT

**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>

## ~ Proclamation ~

**Whereas,** Medicolegal death investigation professionals are an indispensable component of the public health and public safety systems in Beaufort County as they speak for those who can no longer speak for themselves; and

**Whereas,** Medicolegal death investigation professionals ensure that suspicious, violent, unattended, unexplained, and unexpected deaths that occur are investigated; and

**Whereas,** Medicolegal death investigation professionals aim to complete the highest quality medicolegal death investigations through national standards; and

**Whereas,** Beaufort County supports the goals and ideals of National Medicolegal Death Investigation Professionals Week and acknowledges the contributions of medicolegal death investigation professionals working throughout Beaufort County.

**Now, therefore be it resolved,** that Beaufort County Council does hereby proclaim

### “January 19-25, 2025 Medicolegal Death Investigation Professionals Week”

Dated this 13<sup>th</sup> day of January 2025.



---

Alice Howard, Chairman  
Beaufort County Council



**CITIZEN COMMENTS**  
County Council Regular Session  
January 13, 2025

FULL NAME (print only)

Agenda Topic

Ronald Walsh

Elizabeth Hayes

Maintenance of Code Enforcement  
Pine Island



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 9.

### ITEM TITLE: Supplemental AIS for Amended Ordinance Amendment

Approval of an Ordinance amending Budget Ordinance 2024/25, to reflect the approval of use of General Fund -Fund balance for \$3,300,000 for Fleet Services vehicle and equipment purchases.

### MEETING NAME AND DATE:

County Council Meeting, November 12, 2024

### PRESENTER INFORMATION:

John Robinson, Assistant County Administrator – Public Safety, and Todd Davis – Fleet Services Director  
10 minutes

### ITEM BACKGROUND:

Beaufort County Finance department must amend the FY 25 Budget to reflect the appropriation of funds from General Fund -Fund Balance.

County Administration desires to use General Fund-Fund Balance to authorize the transfer of \$3,300,000 from general fund-fund balance to the Fleet Service line item in the capital fund for the purchase of 36 vehicles and equipment to support Beaufort County departments.

At the Finance, Administration, and Economic Development Meeting on October 28, 2024, the Committee voted to amend the proposed Budget Amendment Ordinance to remove the 2<sup>nd</sup> project related to providing funds to the Beaufort Executive Airport for the construction of additional hangars and the waiver of their debt in the amount of \$712,750.52 to the general fund.

Additionally, the Committee voted to amend the amount to \$3,300,000 to match the amount specified in the back-up materials.

### PROJECT / ITEM NARRATIVE:

Please see additional back-up material describing the project and options.

### FISCAL IMPACT:

If approved by Council, the finance department will amend Budget Ordinance 2024/25 to reflect the funding options selected by council.

### STAFF RECOMMENDATIONS TO COUNCIL:

Staff recommends approval of an Ordinance amending the Budget Ordinance 2024/25, to reflect the approval of use of General Fund -Fund balance for \$3,300,000 Fleet Services vehicle and equipment purchases.

### OPTIONS FOR COUNCIL MOTION:

Motion to approve/deny/amend the proposed Budget Ordinance Amendment.



# BEAUFORT COUNTY COUNCIL

## AGENDA ITEM SUMMARY

Item 9.

### ITEM TITLE: Supplemental AIS for Amended Ordinance Amendment

Approval of an Ordinance amending Budget Ordinance 2024/25, to reflect the approval of use of General Fund -Fund balance for \$3,200,000 for Fleet Services vehicle and equipment purchases. ~~\$4,303,000 for Beaufort Executive Airport hangar construction, and waiving \$712,750.52 Beaufort Executive Airport payable loan to the General Fund.~~

### MEETING NAME AND DATE:

Finance, Administration, and Economic Development Meeting, October 28, 2024

### PRESENTER INFORMATION:

John Robinson, Assistant County Administrator – Public Safety

Todd Davis – Fleet Services Director

~~Jon Rembold – Airports Director~~

10 minutes

### ITEM BACKGROUND:

Beaufort County Finance department must amend the FY 25 Budget to reflect the appropriation of funds from General Fund -Fund Balance.

County Administration desires to use General Fund-Fund Balance to ~~complete two county projects.~~

~~Project #1 – The request to authorize the transfer of \$3,200,000 from general fund-fund balance to the Fleet Service line item in the capital fund for the purchase of 36 vehicles and equipment to support Beaufort County departments.~~

~~Project #2 – The request to authorize the transfer of \$4,303,000 from the general fund – fund balance to the Beaufort Executive Airport Enterprise fund for the construction of additional hangars and waive the existing debt of \$712,750.52 to the general fund.~~

### PROJECT / ITEM NARRATIVE:

Please see additional back-up material describing each project and options for each.

~~Project #1 Fleet Vehicle purchasing~~

~~Project #1 ARW Hangar Financing~~

### FISCAL IMPACT:

If approved by Council, the finance department will amend Budget Ordinance 2024/25 to reflect the funding options selected by council.

### STAFF RECOMMENDATIONS TO COUNCIL:

Staff recommends approval of an Ordinance amending the Budget Ordinance 2024/25, to reflect the approval of use of General Fund -Fund balance for \$3,200,000 Fleet Services vehicle and equipment purchases, ~~\$4,303,000 Beaufort Executive Airport hangar construction, and waving \$712,750.52 Beaufort Executive Airport payable loan to the General Fund.~~

**OPTIONS FOR COUNCIL MOTION:**

Motion to approve/deny/amend the proposed Budget Ordinance Amendment.

~~If approved, the proposed ordinance will move to Council for approval.~~



# BEAUFORT COUNTY COUNCIL

## AGENDA ITEM SUMMARY

Item 9.

### ITEM TITLE:

Approval of an Ordinance amending the Budget Ordinance 2024/25, to reflect the approval of use of General Fund -Fund balance for \$3,200,000 for Fleet Services vehicle and equipment purchases, \$4,303,000 for Beaufort Executive Airport hangar construction, and waving \$712,750.52 debt of Beaufort Executive Airport payable loan to the General Fund.

### MEETING NAME AND DATE:

Finance, Administration, and Economic Development Meeting, October 28, 2024

### PRESENTER INFORMATION:

John Robinson, Assistant County Administrator – Public Safety

Todd Davis – Fleet Services Director

Jon Rembold- Airports Director

10 minutes

### ITEM BACKGROUND:

Beaufort County Finance department must amend the FY 25 Budget to reflect the appropriation of funds from General Fund -Fund Balance.

County Administration desires to use General Fund-Fund Balance to complete two county projects.

**Project #1** – The request to authorize the transfer of \$3,200,000 from general fund-fund balance to the Fleet Service line item in the capital fund for the purchase of 36 vehicles and equipment to support Beaufort County departments.

**Project #2** – The request to authorize the transfer of \$4,303,000 from the general fund- fund balance to the Beaufort Executive Airport Enterprise fund for the construction of additional hangars.

Additionally, County Staff is recommending the waiver of a debt of the Beaufort Executive Airport in the amount of \$712,750.52 so this amount may be reinvested in the airport. A brief of the existing payable debt is included in the Project #2 ARW Hanger Financing document.

### PROJECT / ITEM NARRATIVE:

Please see additional back-up material describing each project and options for each.

Project #1 Fleet Vehicle purchasing

Project #2 ARW Hangar Financing

Documentation of Debt owed by Beaufort Executive Airport

### FISCAL IMPACT:

If approved by Council, the finance department will amend Budget Ordinance 2024/25 to reflect the funding options selected by council.

**STAFF RECOMMENDATIONS TO COUNCIL:**

Staff recommends approval of an Ordinance amending the Budget Ordinance 2024/25, to reflect the approval of use of General Fund -Fund balance for \$3,20,000 for Fleet Services vehicle and equipment purchases, \$4,303,000 for Beaufort Executive Airport hangar construction, and waving \$712,750.52 Beaufort Executive Airport payable loan to the General Fund.

**OPTIONS FOR COUNCIL MOTION:**

Motion to approve/deny/amend the proposed Budget Ordinance Amendment.

If approved, the proposed ordinance will move to Council for approval.

**ORDINANCE 2024/**

**AN ORDINANCE TO AMEND BEAUFORT COUNTY'S BUDGET ORDINANCE FOR FISCAL YEAR 2025 (ORDINANCE NO. 2024/25) TO APPROPRIATE AND TRANSFER \$3,300,000 FROM FUND BALANCE OF THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND TO COVER THE COST OF VEHICLE AND EQUIPMENT PURCHASES.**

**WHEREAS**, the Beaufort County Council, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, has the authority to prepare an annual budget for all Beaufort County Department, Agencies, Elected Officials, Boards and Commissions; and

**WHEREAS**, Beaufort County Council adopted Ordinance 2024/25 on June 27, 2024, which set the County's FY 2024-2025 budget and associated expenditures; and

**WHEREAS**, Beaufort County desires to amend budget ordinance 2024/25 to reflect the transfer of \$3,300,000 from general fund-fund balance to the Fleet Service line item within the Capital Fund for the purchase of vehicles and equipment for county purposes; and

**WHEREAS**, in the interest of good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect the additional appropriation of funds as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL** that the FY 2024-2025 Beaufort County Budget Ordinance 2024/25 is hereby amended to reflect the transfer of \$3,300,000 from the fund balance of the General Fund to the Capital Improvement Fund to cover the cover the cost of vehicle and equipment purchases.

Done this \_\_\_\_ day of \_\_\_\_ 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk to Council

## ORDINANCE 2024/

**AN ORDINANCE TO AMEND BEAUFORT COUNTY'S BUDGET ORDINANCE FOR FISCAL YEAR 2025 (ORDINANCE NO. 2024/25) TO APPROPRIATE AND TRANSFER \$3,200,000 FROM FUND BALANCE OF THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND TO COVER THE COST OF VEHICLE AND EQUIPMENT PURCHASES AND \$4,300,000 TO THE BEAUFORT EXECUTIVE AIRPORT ENTERPRISE FUND FOR THE CONSTRUCTION OF HANGARS AND TO WAIVE THE BEAUFORT EXECUTIVE AIRPORT PAYABLE LOAN TO THE GENERAL FUND IN THE AMOUNT OF \$712,750.52 DOLLARS.**

**WHEREAS**, the Beaufort County Council, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, has the authority to prepare an annual budget for all Beaufort County Department, Agencies, Elected Officials, Boards and Commissions; and

**WHEREAS**, Beaufort County Council adopted Ordinance 2024/25 on June 27, 2024, which set the County's FY 2024-2025 budget and associated expenditures; and

**WHEREAS**, Beaufort County desires to amend budget ordinance 2024/25 to reflect the transfer of \$3,200,000 from general fund-fund balance to the Fleet Service line item within the Capital Fund for the purchase of vehicles and equipment for county purposes; and

**WHEREAS**, Beaufort County Council desires to fund a Hangar expansion project at the Beaufort Executive Airport; and

**WHEREAS**, Beaufort County desires to amend the budget ordinance to reflect the transfer of \$4,300,000 from general fund-fund balance to the Beaufort Executive Airport Enterprise fund for the construction of additional hangars at Beaufort Executive Airport; and

**WHEREAS**, Beaufort Executive Airport is indebted to Beaufort County with a Payable loan of \$712,750.52 owed and payable to the Beaufort County General Fund; and

**WHEREAS**, Beaufort County Council desires to waive the Beaufort Executive Airports Payable loan of \$712,750.52 to the General Fund as it is in the best interest of the County to relieve the payable loan debt; and

**WHEREAS**, Beaufort County Council desires to amend the budget ordinance to reflect a waiver of a Payable loan of \$712,750.52 owed by Beaufort Executive Airport and to remove this amount from the accounts receivable portion of the budget; and

**WHEREAS**, in the interest of good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect the additional appropriation of funds and waiver or payable loan debt as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL** that the FY 2024-2025 Beaufort County Budget Ordinance 2024/25 is hereby amended to reflect the transfer of \$3,200,000 from the fund balance of the General Fund to the Capital Improvement Fund to cover the cover the cost of vehicle and equipment purchases;



and to transfer \$4,300,000 from the Fund balance of the General Fund to the Beaufort Executive Airport Enterprise Fund for the construction of hangars; and to waive the Beaufort Executive Airport Payable Payable Loan debt to the General Fund in the amount of \$712,750.52 and to remove this debt from the accounts receivable portion of the budget.

Done this \_\_\_\_ day of \_\_\_\_ 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Joeseeph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk to Council

## ORDINANCE 2024/

**AN ORDINANCE TO AMEND BEAUFORT COUNTY'S BUDGET ORDINANCE FOR FISCAL YEAR 2025 (ORDINANCE NO. 2024/25) TO APPROPRIATE AND TRANSFER \$3,200,000 FROM FUND BALANCE OF THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND TO COVER THE COST OF VEHICLE AND EQUIPMENT PURCHASES ~~AND \$4,300,000 TO THE BEAUFORT EXECUTIVE AIRPORT ENTERPRISE FUND FOR THE CONSTRUCTION OF HANGARS AND TO WAIVE THE BEAUFORT EXECUTIVE AIRPORT PAYABLE LOAN TO THE GENERAL FUND IN THE AMOUNT OF \$712,750.52 DOLLARS.~~**

**WHEREAS**, the Beaufort County Council, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, has the authority to prepare an annual budget for all Beaufort County Department, Agencies, Elected Officials, Boards and Commissions; and

**WHEREAS**, Beaufort County Council adopted Ordinance 2024/25 on June 27, 2024, which set the County's FY 2024-2025 budget and associated expenditures; and

**WHEREAS**, Beaufort County desires to amend budget ordinance 2024/25 to reflect the transfer of \$3,200,000 from general fund-fund balance to the Fleet Service line item within the Capital Fund for the purchase of vehicles and equipment for county purposes; and

~~**WHEREAS**, Beaufort County Council desires to fund a Hangar expansion project at the Beaufort Executive Airport; and~~

~~**WHEREAS**, Beaufort County desires to amend the budget ordinance to reflect the transfer of \$4,300,000 from general fund-fund balance to the Beaufort Executive Airport Enterprise fund for the construction of additional hangars at Beaufort Executive Airport; and~~

~~**WHEREAS**, Beaufort Executive Airport is indebted to Beaufort County with a Payable loan of \$712,750.52 owed and payable to the Beaufort County General Fund; and~~

~~**WHEREAS**, Beaufort County Council desires to waive the Beaufort Executive Airports Payable loan of \$712,750.52 to the General Fund as it is in the best interest of the County to relieve the payable loan debt; and~~

~~**WHEREAS**, Beaufort County Council desires to amend the budget ordinance to reflect a waiver of a Payable loan of \$712,750.52 owed by Beaufort Executive Airport and to remove this amount from the accounts receivable portion of the budget; and~~

**WHEREAS**, in the interest of good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect the additional appropriation of funds ~~and waiver or payable loan debt~~ as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL** that the FY 2024-2025 Beaufort County Budget Ordinance 2024/25 is hereby amended to reflect the transfer of \$3,200,000 from the fund balance of the General Fund to the Capital Improvement Fund to cover the cover the cost of vehicle and equipment purchases.

~~and to transfer \$4,300,000 from the Fund balance of the General Fund to the Beaufort Executive Airport Enterprise Fund for the construction of hangars; and to waive the Beaufort Executive Airport Payable Payable Loan debt to the General Fund in the amount of \$712,750.52 and to remove this debt from the accounts receivable portion of the budget.~~

Done this \_\_\_\_ day of \_\_\_\_ 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Joeseeph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah Brock, Clerk to Council



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

### Purchase of vehicles via Fleet Services

During the preparation of the budget for FY25 options for funding the needed 38 vehicles assets, shop equipment, and other capital equipment needs were discussed. Enterprise leasing for fleet vehicles was considered. Enterprise did a presentation for the committee as well as prepared a leasing estimate for those vehicles. The cost of that lease was \$687,000 per year, with an option to trade in for the asset value or pay off the balance at the end of the leasing period. (approx. 20% of initial cost) This \$687,000 was included as a capital item in the FY25 budget, however the funding source was listed as the GO Bond. The GO Bond also included \$3,000,000 million for Equipment/Vehicles.

After discussion amongst staff, funding via the GO Bond was determined to be a poor decision due to the nature of quickly depreciating capital assets being funded within the 30-year debt service of a GO Bond. This is not a favorable financial decision. Further, after intense study of the cost and conditions of the lease contract, this practice was determined to be less favorable than the outright purchase of the assets needed as the end cost exceeds the initial purchase by more than \$800,000 dollars, offered less flexibility of asset management, and included other hidden or unknown future expenses.

#### Option 1

Authorize the use of \$3,200,000 million dollars from general Fund – fund balance for the purchase of the 36 vehicles needed.

#### Option 2

Authorize the use of \$2,777,205 from General Fund -Fund Balance for the lease nine (9) specialized vehicles at a cost of \$498,735 for the first year and 4 additional lease years of \$185,931 with the option to purchase at the end of the lease, and \$2,278,470 for the purchase of the 27 pending vehicle requests.

#### Option 3

Authorize the use of \$1,844,119 from General Fund-Fund Balance and approve the transfer of funds (\$933,086 ) from the Facilities Management Capital Equipment line item to Fleet services for the purchase of the lease nine (9) specialized vehicles at a cost of \$498,735 for the first year and 4 additional lease years of \$185,931 with the option to purchase at the end of the lease, and \$2,278,470 for the purchase of the 27 pending vehicle requests.

The transfer of funds to accommodate the vehicle purchases will require the Public Works Department to defer equipment purchases until the next budget year and rent equipment as needed.



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

### Staff Recommendation

Staff's recommendation is option 1. This is the least expensive overtime and offers the greatest flexibility to manage assets. Beaufort County Fleet Service Maintenance is now a department of Beaufort County and as such it is probable that proper preventative maintenance will increase the longevity of the county's rolling stock assets.

Any leasing option would require an annual budget for leasing expenses. The impacts of leasing are higher long-term costs and additional fees at the end of the contract period, and less flexibility of purchase and sale of assets.



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

### Option 1

Authorize the use of \$3,300,000 million dollars from general Fund – fund balance for the purchase of the 36 vehicles needed.

Priority	Request Title	Department	FY2025 Vehicle	Asset Replacing/Adding
1	Ambulance	EMS	\$383,859.00	40303 Ambulance 2016 Ram 4500 232,933 mi
2	Quick Response Unit	EMS	\$63,000.00	23157 Pickup Truck · 2007 Ford F-150 · 89,974 mi
3	Midsized Truck	Passive Parks	\$28,227.00	Add- New Employee was Hired
4	Class 7/8 Dump Truck	Public Works R/D	\$208,000.00	22814 2004 Freightliner FL112 260,956 mi
5	1/2 ton or Midsized Truck	Mosquito Control	\$58,300.00	22907 Truck 2004 Ford F-150 Heritage 127,736 mi
6	3/4 Ton Utility Truck	Public Works R/D	\$62,000.00	23492 2011 Ford F-250 Super Duty 198,297 mi
7	3/4 Ton Utility Truck	Public Works R/D	\$62,000.00	23133 2007 F-150 169,406 mi
8	Mid-Size SUV-Explorer	IT-Broadcast Services	\$48,000.00	2 Broadcast Vans pending auction.
9	Ambulance	EMS	\$385,859.00	38294 Ambulance 2012 Ram 4500 105,494 mi
10	1/2 ton or Midsized Truck	Mosquito Control	\$58,300.00	22906 Truck 2004 Ford F-150 Heritage 88,451 mi
11	Compact SUV	IT	\$35,000.00	23360 2009 Explorer 123,199 mi
12	Compact SUV	Library	\$35,000.00	23351 Van · 2009 Dodge Grand Caravan · 90,158 mi
13	Compact SUV	IT	\$35,000.00	23336 2008 Escape 188,634
14	Cargo Van	Library	\$55,000.00	41744 Van · 2018 Ford Transit Connect 82,459mi
15	3/4 Ton Utility Truck	Public Works R/D	\$62,000.00	23310 2008 Ford F-250 Super Duty 167,697 mi
16	Compact SUV	DSN	\$35,000.00	23204 2007 Chevrolet Impala 162,888 mi
17	Compact SUV	DSN	\$35,000.00	23459 2010 Avenger 135,467 mi
18	Passenger Van	DSN	\$60,000.00	22997 2006 Stratus 106,385mi
19	Passenger Van	DSN	\$60,000.00	Lakes Crossing CTHLL staff
20	3/4 Ton Utility Truck	Facilities Management	\$62,000.00	23156 Truck 2007 Ford F-150 153,896 mi
21	3/4 Ton Utility Truck	Facilities Management	\$62,000.00	23262 Truck 2008 Ford F-150 181,003 mi
22	Compact SUV	IT	\$35,000.00	23248 Suburban 94,433
23	1/2 ton or Midsized Truck	Mosquito Control	\$58,300.00	21298 Truck 2002 Ford F-150 83,939 mi
24	Compact SUV	Planning & Development	\$35,000.00	23187- Car - 2007 Ford Focus-152,224 mi
25	SUV/ Cargo Van	Records Management	\$55,000.00	40706 1- Cargo Van 2017 Ford Transit 190,273 mi
26	Cargo Van low Roof	Animal Control	\$75,000.00	23249 Miles 189,561
27	Passenger Van	DSN	\$60,000.00	New fleet addition
28	F350 Transit Van	DSN	\$101,600.00	40686 Van 2017 E-Series – 91,974 mi
29	F350 Transit Van	DSN	\$101,600	40676 Van · 2016 Ford E-Series · 98,843 mi
30	SUV/Minivan w/ wheelchair ramp ADA	DSN	\$ 80,000.00	38418 2015 Dodge Grand Caravan 135,806 mi
31	15 Passenger Van ADA	Parks and Rec	\$105,000.00	22916 22 Bus · 2004 Chevrolet Express · 64,298 mi
32	15 Passenger Van ADA	Parks and Rec	\$105,000.00	22918 Van · 2004 Chevrolet Express 114,522 m
33	12 Passenger Van	Parks and Rec	\$ 60,000.00	38282 Van · 2012 Chevrolet Express · 137,497 mi
34	12 Passenger Van Prisoner Transport	Detention Center	\$ 130,000.00	23566- Van- 2011 Ford E-Series- 146,620 mi
35	Bucket Truck	Traffic Operations	\$202,000.00	23266 2008 Ford 550 Bucket Truck 129,362 mi (Bucket is not replaceable)
36	Bucket Truck	Facilities Management	\$ 202,800.00	23266 2008 Ford 550 Bucket Truck 129,362 mi (Bucket is not replaceable)



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

Total		\$3,299,845.00	
-------	--	----------------	--

### Option 2

Authorize the use of \$2,800,000 from General Fund -Fund Balance for the lease nine (9) specialized vehicles at a cost of \$498,735 for the first year and 4 additional lease years of \$185,931 with the option to purchase at the end of the lease, and \$2,278,470 for the purchase of the 27 pending vehicle requests.

### FY2025 ENTERPRISE LEASING, VEHICLE AND EQUIPMENT REQUEST

#### Enterprise Leasing:

A revised quote for Enterprise Leasing of 9 selected vehicles has been received, estimating the first-year cost at \$498,735. This figure includes a 50% down payment for aftermarket upfitting, with a consistent annual lease payment of \$185,931 scheduled over the next four years.

#### Proposed Vehicles to lease

Request Title	Department	Cost to Purchase	Asset Replacing/Adding
F350 Transit Van	DSN	\$ 101,600.00	40686 Van · 2017 Ford E-Series · 91,974 mi
F350 Transit Van	DSN	\$ 101,600.00	40676 Van · 2016 Ford E-Series · 98,843 mi
SUV/Minivan w/ wheelchair ramp ADA	DSN	\$ 80,000.00	38418 2015 Dodge Grand Caravan 135,806 mi
15 Passenger Van	Parks and Rec	\$105,000.00	22916 22 Bus · 2004 Chevrolet Express · 64,298 mi
15 Passenger Van	Parks and Rec	\$ 105,000.00	22918 Van · 2004 Chevrolet Express 114,522 m
12 Passenger Van	Parks and Rec	\$ 60,000.00	38282 Van · 2012 Chevrolet Express · 137,497 mi
12 Passenger Van Prisoner Transport	Detention Center	\$ 130,000.00	23566- Van- 2011 Ford E-Series- 146,620 mi
Bucket Truck	Traffic Operations	\$202,000.00	23266 2008 Ford 550 Bucket Truck 129,362 mi (Bucket is not replaceable)
Bucket Truck	Facilities Management	\$ 202,800.00	23428 Bucket Truck · 2010 Ford F-550 · 56,757 mi
Total if purchased		1,088,000.00	9 Vehicles: ADA/Specialty Vehicles



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.



## Menu Pricing

### Beaufort County

Vehicle Request	Department	Replacement Vehicle Year	Replacement Vehicle Make	Replacement Vehicle Model	Term (Months)	Monthly Cost	Annual Cost	Cost of Aftermarket	Down Payment (50% of Aftermarket)
Express Van ADA	DSN	2023	Chevy	Express Allstar/Starcraft 12x2x1 (ESTIMATE) Wheel Chair Bus	60	\$1,668	\$20,018	\$77,824	\$38,912
Express Van ADA	DSN	2023	Chevy	Express Allstar/Starcraft 12x2x1 (ESTIMATE) Wheel Chair Bus	60	\$1,668	\$20,018	\$77,824	\$38,912
Minivan w/ wheelchair ramp ADA	DSN	2024	Toyota	Sienna LE 8 Passenger 4dr 1 W/C (Rear) 2 Passenger	60	\$1,120	\$13,440	\$23,412	\$11,706
Bucket Truck	Facilities Maintenance	2024	Ford	F-550 Regular Cab 169 wb. 4x4 - Bucket Upfit Custom Truck One Source	60	\$2,558	\$30,696	\$105,000	\$52,500
15 Passenger Van/Bus	Parks and Recreation	2023	Chevy	Express Cutaway with Thomas Body 14 Passenger + Driver (ESTIMATE)	60	\$1,426	\$17,112	\$60,677	\$30,338
15 Passenger Van/Bus	Parks and Recreation	2023	Chevy	Express Cutaway with Thomas Body 14 Passenger + Driver (ESTIMATE)	60	\$1,426	\$17,112	\$60,677	\$30,338
15 Passenger Van/Bus	Parks and Recreation	2023	Chevy	Express Cutaway with Thomas Body 14 Passenger + Driver (ESTIMATE)	60	\$1,426	\$17,112	\$60,677	\$30,338
12 Passenger Prison Transport Van	Detention Center	2024	Ford	Transit 350 Cargo High Roof 148 in. Havis Prisoner Transport Insert (12 Prisoners, Rear A/C, Light Package, Etc.)	60	\$1,644	\$19,728	\$54,520	\$27,260
Bucket Truck	Traffic Operations	2024	Ford	F-550 Regular Cab 169 wb. 4x4 - Bucket Upfit Custom Truck One Source	60	\$2,558	\$30,696	\$105,000	\$52,500
Total:							\$185,931	\$625,611	\$312,804

Lease Rates are Estimates Based on Requested Quotes from Beaufort County  
All Vehicles are Paid to a \$0 Residual at Term (60 Months)  
Standard Policy for Aftermarket Equipment:  
50% of AME Cost as Down Payment over \$10,000  
25% of AME Cost as Down Payment over \$5,000





## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

\$185,931	Total Annual Lease Cost
\$312,804	Total Down Payment 50% of Aftermarket (Year 1)
\$498,735	Total Annual Payment Year 1 (annual lease cost & down payment)
\$185,931	Total Annual Payment Year 2-5



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

### Option 3

Authorize the use of \$1,844,119 from General Fund-Fund Balance and approve the transfer of funds (\$933,086 ) from the Facilities Management Capital Equipment line item to Fleet services for the purchase of the lease nine (9) specialized vehicles at a cost of \$498,735 for the first year and 4 additional lease years of \$185,931 with the option to purchase at the end of the lease, and \$2,278,470 for the purchase of the 27 pending vehicle requests.

The transfer of funds to accommodate the vehicle purchases will require the Public Works Department to defer equipment purchases until the next budget year and rent equipment as needed.

### Equipment Requests:

The request for equipment, specifically for Fleet Management and Public Works Heavy Equipment, totals \$1,333,000. Urgently required vehicles and equipment have been purchased from this account leaving an available balance of \$933,086. Use of these funds would defer purchase of the equipment listed below until FY 26 budget year, and require rental of this equipment as needed.

Priority	Request Title	Department	Cost	Add/Replace Asset
1	16 K 2 Post Lift	Fleet Management	\$ 30,000.00	RPLC
2	30,000 lb. HD four post alignment lift.	Fleet Management	\$ 65,000.00	RPLC
3	420 Backhoe	Public Works R/D	\$ 127,000.00	16772 1996 JCB Backhoe
4	Bush Hog w/Boom mower	Public Works R/D	\$ 230,000.00	20207 2001 John Deere 7,610hr
5	Bush Hog w/Boom mower	Public Works R/D	\$ 230,000.00	21060 2002 John Deere 6,936
6	120 grader RPLC	Public Works R/D	\$ 259,000.00	18911 John Deere grader 7,699hr
7	120 grader RPLC	Public Works R/D	\$ 259,000.00	20300 2001 John Deere grader 9,072 hr.
8	V3300 DIAGNOSTIC WHEEL ALIGNMENT	Fleet Management	\$ 38,000.00	Add
9	Beam EV ARC	Fleet Management	\$ 95,000.00	Add
Total			\$ 1,333,000.00	9 Equipment Request

### Enterprise leasing

Request Title	Department	Cost to Purchase	Asset Replacing/Adding
F350 Transit Van	DSN	\$ 101,600.00	40686 Van · 2017 Ford E-Series · 91,974 mi
F350 Transit Van	DSN	\$ 101,600.00	40676 Van · 2016 Ford E-Series · 98,843 mi
SUV/Minivan w/ wheelchair ramp ADA	DSN	\$ 80,000.00	38418 2015 Dodge Grand Caravan 135,806 mi
15 Passenger Van	Parks and Rec	\$105,000.00	22916 22 Bus · 2004 Chevrolet Express · 64,298 mi
15 Passenger Van	Parks and Rec	\$ 105,000.00	22918 Van · 2004 Chevrolet Express 114,522 m
12 Passenger Van	Parks and Rec	\$ 60,000.00	38282 Van · 2012 Chevrolet Express · 137,497 mi
12 Passenger Van Prisoner Transport	Detention Center	\$ 130,000.00	23566- Van- 2011 Ford E-Series- 146,620 mi
Bucket Truck	Traffic Operations	\$202,000.00	23266 2008 Ford 550 Bucket Truck 129,362 mi (Bucket is not replaceable)
Bucket Truck	Facilities Management	\$ 202,800.00	23428 Bucket Truck · 2010 Ford F-550 · 56,757 mi
Total if purchased		1,088,000.00	9 Vehicles: ADA/Specialty Vehicles



## BEAUFORT COUNTY FLEET MANAGEMENT

120 Shanklin Road  
Beaufort, South Carolina 29906  
(843) 255-6415  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

Item 9.

### Vehicle Requests

Priority	Request Title	Department	FY2025 Vehicle	Asset Replacing/Adding
1	Ambulance	EMS	\$383,859.00	40303 Ambulance 2016 Ram 4500 232,933 mi
2	Quick Response Unit	EMS	\$63,000.00	23157 Pickup Truck · 2007 Ford F-150 · 89,974 mi
3	Midsized Truck	Passive Parks	\$28,227.00	Add- New Employee was Hired
4	Class 7/8 Dump Truck	Public Works R/D	\$208,000.00	22814 2004 Freightliner FL112 260,956 mi
5	1/2 ton or Midsized Truck	Mosquito Control	\$58,300.00	22907 Truck 2004 Ford F-150 Heritage 127,736 mi
6	3/4 Ton Utility Truck	Public Works R/D	\$62,000.00	23492 2011 Ford F-250 Super Duty 198,297 mi
7	3/4 Ton Utility Truck	Public Works R/D	\$62,000.00	23133 2007 F-150 169,406 mi
8	Mid-Size SUV-Explorer	IT-Broadcast Services	\$48,000.00	2 Broadcast Vans pending auction.
9	Ambulance	EMS	\$385,859.00	38294 Ambulance 2012 Ram 4500 105,494 mi
10	1/2 ton or Midsized Truck	Mosquito Control	\$58,300.00	22906 Truck 2004 Ford F-150 Heritage 88,451 mi
11	Compact SUV	IT	\$35,000.00	23360 2009 Explorer 123,199 mi
12	Compact SUV	Library	\$35,000.00	23351 Van · 2009 Dodge Grand Caravan · 90,158 mi
13	Compact SUV	IT	\$35,000.00	23336 2008 Escape 188,634
14	Cargo Van	Library	\$55,000.00	41744 Van · 2018 Ford Transit Connect 82,459mi
15	3/4 Ton Utility Truck	Public Works R/D	\$62,000.00	23310 2008 Ford F-250 Super Duty 167,697 mi
16	Compact SUV	DSN	\$35,000.00	23204 2007 Chevrolet Impala 162,888 mi
17	Compact SUV	DSN	\$35,000.00	23459 2010 Avenger 135,467 mi
18	Passenger Van	DSN	\$60,000.00	22997 2006 Stratus 106,385mi
19	Passenger Van	DSN	\$60,000.00	Lakes Crossing CTHLL staff
20	3/4 Ton Utility Truck	Facilities Management	\$62,000.00	23156 Truck 2007 Ford F-150 153,896 mi
21	3/4 Ton Utility Truck	Facilities Management	\$62,000.00	23262 Truck 2008 Ford F-150 181,003 mi
22	Compact SUV	IT	\$35,000.00	23248 Suburban 94,433
23	1/2 ton or Midsized Truck	Mosquito Control	\$58,300.00	21298 Truck 2002 Ford F-150 83,939 mi
24	Compact SUV	Planning & Development	\$35,000.00	23187- Car - 2007 Ford Focus-152,224 mi
25	SUV/ Cargo Van	Records Management	\$55,000.00	40706 1- Cargo Van 2017 Ford Transit 190,273 mi
26	Cargo Van low Roof	Animal Control	\$75,000.00	23249 Miles 189,561
27	Passenger Van	DSN	\$60,000.00	Add
	Total		\$ 2,211,845.00	27 Vehicle Requests



October 2024

Beaufort County Council  
100 Ribaut Road  
Beaufort SC 29906

## Beaufort Executive Airport (ARW) Hangar Development Funding Options

### Request

Authorize the use of \$4,303,000 million dollars from General Fund balance to complete a hangar expansion project at Beaufort Executive airport and waive the existing loan debt to the general fund of \$712,750.52.

### Background

Beaufort County is the residence of record for 195 taxable private aircraft, many of which are stored and operated from Beaufort Executive Airport (ARW). Property taxes on these aircraft generate more than \$1 million dollars in taxable revenue which is deposited in Beaufort County's general fund. In the past 10 years, Beaufort County has not invested tax dollars in the maintenance or capital improvement of Beaufort Executive Airport.

The airport operates as an Enterprise, or as a business of the county. The airport enterprise generates revenue from fuel sales, hangar rental, and tie downs, then reinvests that very small margin of revenue into the facility for maintenance and capital improvements or to pay debt service.

Beaufort Executive Airport has been at 100% hangar capacity for at least ten years. The airport designed a hangar development project to partially relieve the pressure of the 68-person waiting list. Currently, aircraft owners are forced to choose other airports outside of Beaufort County to house their aircraft which is a loss of fuel revenue for ARW and a loss of personal property tax revenue for Beaufort County. It also adds tremendous inconvenience to tax-paying county residents when they are forced to drive to another county to access their aircraft.

## Project Scope

Following this narrative is a site plan showing the proposed hangars located immediately adjacent to the existing hangars.

- Hangar 500A consists of a 50'x 50' Box addition on the current 500 series T Hangar section
- Hangar 400 consists of 1 row of 12 nested T hangars
- Hangar 300 consists of 1 row of 8 Standard T hangars
- Hangar 200 consists of 1, 120' x 60' Box hangar

## Funding options and available funds

The total estimated cost to complete both sitework and construction is \$7.1 million.<sup>1</sup> Current available funds for the hangar project include \$1.4 million in ARPA funds and \$1.4 million (pending grant award) in South Carolina Aeronautics Commission (SCAC) funds. The additional funds needed for the project are \$4.3 million.

Cost Estimate	
Site work cost	\$ 2,325,000
Structure cost	<u>4,766,000</u>
<b>Total Estimated Cost</b>	<b>7,091,000</b>
Current available funds	
ARPA	\$ 1,400,000
SCAC	<u>1,388,000</u>
<b>Total current available funds</b>	<b><u>2,788,000</u></b>
<b>Additional funds needed</b>	<b><u>\$ 4,303,000</u></b>

<sup>1</sup> This estimate includes a 10 percent contingency for potential overages.

Following are three funding options:

**Option 1 - Approval of the request for \$4,303,000 dollars from General Fund Balance and waive the existing \$712,750.52 loan from the General Fund.**

This is the most favorable option for staff. Capital investment in Beaufort Executive airport will encourage growth and allow the airport to reinvest a higher margin of revenue into future maintenance and capital projects as well as complete deferred runway safety projects. This investment will generate more interest and increased capacity resulting in an increase of high value taxable aircraft homebased in Beaufort County.

**Predicted Return on Investment**

		Monthly	Annually
T Hangar (20 units)	\$ 600	\$ 12,000	\$ 144,000
Small Box Hangar (monthly)	2,200	2,200	26,400
Large Box Hangar (Nightly 15 days)	200	3,000	36,000
Large Box Hangar (Monthly)	500	1,000	12,000
		ARW Annual Hangar Revenue	\$ 218,400
		ARW Annual Debt Service	\$ -
		<b>ARW Annual ROI</b>	<b>\$ 218,400</b>

**Unfunded Capital Projects:**

- Design and construction of additional section of parallel taxiway (airfield safety)
- Rehabilitation of existing aircraft parking aprons (airfield maintenance and FAA sponsor assurance)
- Design and construction of an additional aircraft parking apron (airfield safety)
- Fuel Farm maintenance and accessory upgrades (safety and maintenance)
- Aircraft Hangar Roof Repairs – repair leaks on existing hangar roofs (facility maintenance)
- Aircraft Hangar Door Repairs – repair/replace aging door motors and cables (safety and facility maintenance)
- Planning, design, and construction of additional hangars to meet market demand

**Waiver of past debt \$712,750.52**

Beaufort County has an unstructured loan to the Beaufort Executive Airport with a balance of \$712,750.52. An unstructured loan meaning no schedule of payment or interest paid. The initial loan balance is unknown, and the initial loan purpose is unknown. The debt is carried in General Fund Account 5100-90-0000-20115 as a payable to the general fund. This unstructured loan is an annual finding in the Beaufort County Finance Audit.

In 2002 there was a runway safety project at the airport funded by a grant from the Army Corps of Engineers (USACE). The Beaufort Executive match was \$473k. The taxiway safety project was completed but the matching funds were not paid until 2016-2017, when ARW was again working with USACE on another safety project. The active project would not advance until the balance owed was paid. As ARW did not have the cash flow, a loan from fund balance covered the expense. It is also believed that in addition to covering this old debt, a hangar project was also partially funded between 2002-2013, but no documentation could be produced. Since 2013 ARW has paid towards the debt, however with a very small profit margin of the airport, some years less than \$100,000, Beaufort Executive will carry this debt for many more years. For the fiscal year 2024 ARW paid \$10k towards this debt.

### **Option 2 – Structured loan from General Fund balance to ARW for \$4,303,000 dollars.**

**This option consists of a loan from the Beaufort County General Fund Balance. The loan would cover the full remaining cost (\$4.3 million) to complete all sitework and building construction.**

Option 2 allows the airport to own the hangars and enjoy the revenues, minus the associated debt service. A loan offer from Beaufort County could provide an extremely competitive interest rate, can be paid in full early and would contain favorable terms. The following table shows the revenue associated with the new hangars less the associated debt service. The annual debt service is based on financing \$4.3 million at a 2.5 percent interest rate for a 30-year term (See Appendix 1 for the associated debt service schedule).

<b>Option 2 (County Loan-ARW Pay)</b>			
		<b>Monthly Hangar Rents</b>	<b>Annually</b>
T Hangar (20 units)	\$ 600	\$ 12,000	\$ 144,000
Small Box Hangar (monthly)	2,200	2,200	26,400
Large Box Hangar (nightly 15 days)	200	3,000	36,000
Large Box Hangar (monthly)	500	1,000	<u>12,000</u>
ARW Annual Hangar Revenue			\$ 218,400
ARW Annual Debt Service			<u>204,025</u>
<b>ARW Annual Return on Investment (ROI)</b>			<b><u>\$ 14,375</u></b>

As shown in the previous table, the associated annual hangar revenue is \$218,400 while the estimated annual debt service is \$204,025 resulting in annual revenue of \$14,375 before associated maintenance expenses. The net present value (NPV) of the project to ARW utilizing a 3.95% discount rate over a 30-year period is estimated at \$1.54 million (See Appendix 2)<sup>1</sup>

<sup>1</sup> As of September 10, 2024, the US Discount Rate is at 5.50%. This is higher than the long-term average of 2.18%. For the purposes of this analysis, we have applied a U.S 30-year treasury yield for the discount rate given the life of the assets involved and the low risk associated with the project. The 30-year period is based on the estimated life of the hangars.

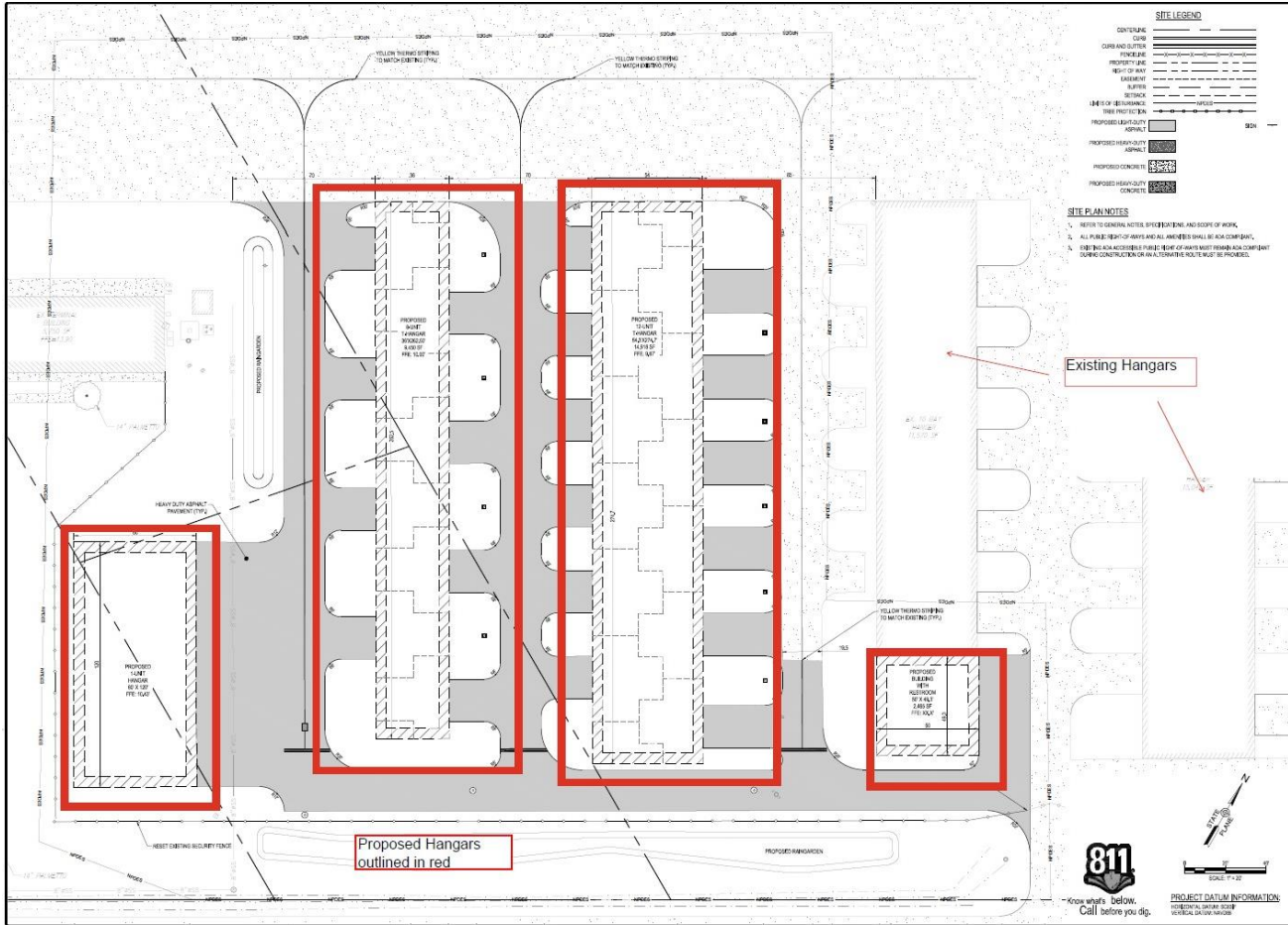
### Option 3—General Obligation (GO) Bond – Hangar Project costs plus existing airport debt to County

This option involves Beaufort County initiating a GO bond for the \$4,303,000 hangar funding plus the current debt owed by ARW to the County which now stands at \$712,751. The total financing would be \$5,015,751 and the County would be responsible for paying the debt service associated with the GO bond. The following table summarizes the Option B scenario. ARW would receive the full annual hangar revenue of \$218,400 before maintenance expenses. The County would pay approximately \$237,819 in annual debt service based on financing \$5.0 million at a 2.5 percent interest rate for a 30-year term (See Appendix 3 for the associated debt service).

<b>Option 3 (Hangar Project costs plus existing airport debt County)</b>			
		<b>Monthly Hangar Rents</b>	<b>Annually</b>
T Hangar (20 units)	\$ 600	\$ 12,000	\$ 144,000
Small Box Hangar (monthly)	2,200	2,200	26,400
Large Box Hangar (Nightly 15 days)	200	3,000	36,000
Large Box Hangar (Monthly)	500	1,000	12,000
ARW Annual Hangar Revenue			\$ 218,400
ARW Annual Debt Service			\$ -
<b>ARW Annual ROI</b>			<b>\$ 218,400</b>
Total being financed for ARW hangars			\$ 4,303,000
Total being financed to repay old debt			712,751
<b>Aggregate total being financed by the County</b>			<b>\$ 5,015,751</b>
<b>Annual Debt Service being paid by the County</b>			<b>\$ 237,819</b>

As shown in the above table, the associated annual hangar revenue is \$218,400 prior to hangar associated maintenance expenses and allows ARW to recoup all the hangar revenue. The net present value of the project to ARW utilizing a 3.95% discount rate over a 30-year period is estimated at \$5.16 million (See Appendix 4).





## APPENDIX 1 – Option 2 - County Loan to ARW

### Annual Amortization Table

Year	Opening Balance	Annual Loan Repayment	Monthly Loan Repayment	Interest Charged	Capital Repaid	Closing Balance	% Capital Outstanding
1	4,303,000.00	204,024.63	17,002.05	106,462.14	97,562.49	4,205,437.51	97.7%
2	4,205,437.51	204,024.63	17,002.05	103,994.93	100,029.69	4,105,407.82	95.4%
3	4,105,407.82	204,024.63	17,002.05	101,465.34	102,559.29	4,002,848.52	93.0%
4	4,002,848.52	204,024.63	17,002.05	98,871.77	105,152.86	3,897,695.67	90.6%
5	3,897,695.67	204,024.63	17,002.05	96,212.62	107,812.01	3,789,883.65	88.1%
6	3,789,883.65	204,024.63	17,002.05	93,486.22	110,538.41	3,679,345.24	85.5%
7	3,679,345.24	204,024.63	17,002.05	90,690.87	113,333.76	3,566,011.49	82.9%
8	3,566,011.49	204,024.63	17,002.05	87,824.83	116,199.79	3,449,811.69	80.2%
9	3,449,811.69	204,024.63	17,002.05	84,886.32	119,138.31	3,330,673.39	77.4%
10	3,330,673.39	204,024.63	17,002.05	81,873.50	122,151.13	3,208,522.26	74.6%
11	3,208,522.26	204,024.63	17,002.05	78,784.48	125,240.14	3,083,282.12	71.7%
12	3,083,282.12	204,024.63	17,002.05	75,617.35	128,407.27	2,954,874.84	68.7%
13	2,954,874.84	204,024.63	17,002.05	72,370.13	131,654.50	2,823,220.35	65.6%
14	2,823,220.35	204,024.63	17,002.05	69,040.79	134,983.83	2,688,236.51	62.5%
15	2,688,236.51	204,024.63	17,002.05	65,627.26	138,397.37	2,549,839.15	59.3%
16	2,549,839.15	204,024.63	17,002.05	62,127.40	141,897.22	2,407,941.92	56.0%
17	2,407,941.92	204,024.63	17,002.05	58,539.04	145,485.58	2,262,456.34	52.6%
18	2,262,456.34	204,024.63	17,002.05	54,859.94	149,164.69	2,113,291.65	49.1%
19	2,113,291.65	204,024.63	17,002.05	51,087.79	152,936.84	1,960,354.81	45.6%
20	1,960,354.81	204,024.63	17,002.05	47,220.26	156,804.37	1,803,550.44	41.9%
21	1,803,550.44	204,024.63	17,002.05	43,254.91	160,769.71	1,642,780.73	38.2%
22	1,642,780.73	204,024.63	17,002.05	39,189.30	164,835.33	1,477,945.40	34.3%
23	1,477,945.40	204,024.63	17,002.05	35,020.87	169,003.76	1,308,941.64	30.4%
24	1,308,941.64	204,024.63	17,002.05	30,747.02	173,277.61	1,135,664.03	26.4%
25	1,135,664.03	204,024.63	17,002.05	26,365.10	177,659.53	958,004.50	22.3%
26	958,004.50	204,024.63	17,002.05	21,872.36	182,152.26	775,852.23	18.0%
27	775,852.23	204,024.63	17,002.05	17,266.01	186,758.61	589,093.62	13.7%
28	589,093.62	204,024.63	17,002.05	12,543.18	191,481.45	397,612.17	9.2%
29	397,612.17	204,024.63	17,002.05	7,700.91	196,323.72	201,288.45	4.7%
30	201,288.45	204,024.63	17,002.05	2,736.18	201,288.45	-	0.0%

## APPENDIX 2 – Net Present Value of Investment Option 2 (County Loan to ARW)

Option A (County Loan-ARW Pay)					
Year	ARW Revenue	Debt Service	Hangar Maint. Expense	Net Cash Flow	Net Present Value
1	\$ 218,400	\$ 204,025	\$ -	\$ 14,375	\$ 14,100
2	218,400	204,025	-	14,375	13,564
3	229,320	204,025	-	25,295	22,960
4	229,320	204,025	-	25,295	22,088
5	240,786	204,025	-	36,761	30,880
6	240,786	204,025	2,500	34,261	27,687
7	252,825	204,025	2,538	46,263	35,965
8	252,825	204,025	2,576	46,225	34,570
9	265,467	204,025	2,614	58,828	42,323
10	265,467	204,025	2,653	58,789	40,687
11	278,740	204,025	2,693	72,022	47,952
12	278,740	204,025	2,734	71,982	46,104
13	292,677	204,025	2,775	85,878	52,914
14	292,677	204,025	2,816	85,836	50,879
15	307,311	204,025	2,858	100,428	57,266
16	307,311	204,025	2,901	100,385	55,067
17	322,676	204,025	2,945	115,707	61,060
18	322,676	204,025	2,989	115,663	58,717
19	338,810	204,025	3,034	131,752	64,343
20	338,810	204,025	3,079	131,706	61,877
21	355,751	204,025	3,126	148,600	67,161
22	355,751	204,025	3,172	148,553	64,589
23	373,538	204,025	3,220	166,293	69,554
24	373,538	204,025	3,268	166,245	66,892
25	392,215	204,025	3,317	184,873	71,561
26	392,215	204,025	3,367	184,823	68,823
27	411,826	204,025	3,418	204,384	73,214
28	411,826	204,025	3,469	204,332	70,415
29	432,417	204,025	3,521	224,871	74,548
30	432,417	204,025	3,574	224,819	71,698
Total Net Present Value of the Hangar Project = Option 2					\$ 1,539,457

\* Net Present Value (NPV) is the value of all future cash flows (positive and negative) over the entire life of an investment discounted to the present. NPV analysis is a form of intrinsic valuation and is used extensively across finance and accounting for determining the value of a business, investment security, capital project, new venture, cost reduction program, and anything that involves cash flow. To calculate NPV, the timing and amount of future cash flows is estimated, and a discount rate is chosen that is equivalent to the minimum acceptable rate of return.

### APPENDIX 3 – Hangar Project costs plus existing airport debt to County – Option 3

**Annual Amortization Table**

Years	Opening Balance	Annual Loan Repayment	Monthly Loan Repayment	Interest Charged	Capital Repaid	Closing Balance	% Capital Outstanding
1	5,015,751.00	237,819.37	19,818.28	106,462.14	97,562.49	4,918,188.51	98.1%
2	4,918,188.51	237,819.37	19,818.28	103,994.93	100,029.69	4,818,158.82	96.1%
3	4,818,158.82	237,819.37	19,818.28	101,465.34	102,559.29	4,715,599.52	94.0%
4	4,715,599.52	237,819.37	19,818.28	98,871.77	105,152.86	4,610,446.67	91.9%
5	4,610,446.67	237,819.37	19,818.28	96,212.62	107,812.01	4,502,634.65	89.8%
6	4,502,634.65	237,819.37	19,818.28	93,486.22	110,538.41	4,392,096.24	87.6%
7	4,392,096.24	237,819.37	19,818.28	90,690.87	113,333.76	4,278,762.49	85.3%
8	4,278,762.49	237,819.37	19,818.28	87,824.83	116,199.79	4,162,562.69	83.0%
9	4,162,562.69	237,819.37	19,818.28	84,886.32	119,138.31	4,043,424.39	80.6%
10	4,043,424.39	237,819.37	19,818.28	81,873.50	122,151.13	3,921,273.26	78.2%
11	3,921,273.26	237,819.37	19,818.28	78,784.48	125,240.14	3,796,033.12	75.7%
12	3,796,033.12	237,819.37	19,818.28	75,617.35	128,407.27	3,667,625.84	73.1%
13	3,667,625.84	237,819.37	19,818.28	72,370.13	131,654.50	3,535,971.35	70.5%
14	3,535,971.35	237,819.37	19,818.28	69,040.79	134,983.83	3,400,987.51	67.8%
15	3,400,987.51	237,819.37	19,818.28	65,627.26	138,397.37	3,262,590.15	65.0%
16	3,262,590.15	237,819.37	19,818.28	62,127.40	141,897.22	3,120,692.92	62.2%
17	3,120,692.92	237,819.37	19,818.28	58,539.04	145,485.58	2,975,207.34	59.3%
18	2,975,207.34	237,819.37	19,818.28	54,859.94	149,164.69	2,826,042.65	56.3%
19	2,826,042.65	237,819.37	19,818.28	51,087.79	152,936.84	2,673,105.81	53.3%
20	2,673,105.81	237,819.37	19,818.28	47,220.26	156,804.37	2,516,301.44	50.2%
21	2,516,301.44	237,819.37	19,818.28	43,254.91	160,769.71	2,355,531.73	47.0%
22	2,355,531.73	237,819.37	19,818.28	39,189.30	164,835.33	2,190,696.40	43.7%
23	2,190,696.40	237,819.37	19,818.28	35,020.87	169,003.76	2,021,692.64	40.3%
24	2,021,692.64	237,819.37	19,818.28	30,747.02	173,277.61	1,848,415.03	36.9%
25	1,848,415.03	237,819.37	19,818.28	26,365.10	177,659.53	1,670,755.50	33.3%
26	1,670,755.50	237,819.37	19,818.28	21,872.36	182,152.26	1,488,603.23	29.7%
27	1,488,603.23	237,819.37	19,818.28	17,266.01	186,758.61	1,301,844.62	26.0%
28	1,301,844.62	237,819.37	19,818.28	12,543.18	191,481.45	1,110,363.17	22.1%
29	1,110,363.17	237,819.37	19,818.28	7,700.91	196,323.72	914,039.45	18.2%
30	914,039.45	237,819.37	19,818.28	2,736.18	201,288.45	712,751.00	14.2%

**APPENDIX 4 – Net Present Value of Investment Option 3 - Hangar Project costs plus existing airport debt to County and Net Present Value of Option 1 – PREFERRED OPTION County Development Grant**

<b>Option 3 - Hangar Project costs plus existing airport debt to County or 1 -PREFERRED OPTION County Development Grant</b>					
	<b>ARW Revenue</b>	<b>Debt Service</b>	<b>Hangar Maint. Expense</b>	<b>Net Cash Flow</b>	<b>Net Present Value</b>
1	\$ 218,400	\$ -	\$ -	\$ 218,400	\$ 214,210
2	218,400	-	-	218,400	206,071
3	229,320	-	-	229,320	208,152
4	229,320	-	-	229,320	200,242
5	240,786	-	-	240,786	202,265
6	240,786	-	2,500	238,286	192,559
7	252,825	-	2,538	250,288	194,572
8	252,825	-	2,576	250,250	187,150
9	265,467	-	2,614	262,852	189,105
10	265,467	-	2,653	262,813	181,892
11	278,740	-	2,693	276,047	183,791
12	278,740	-	2,734	276,006	176,782
13	292,677	-	2,775	289,902	178,626
14	292,677	-	2,816	289,861	171,814
15	307,311	-	2,858	304,452	173,606
16	307,311	-	2,901	304,409	166,985
17	322,676	-	2,945	319,731	168,726
18	322,676	-	2,989	319,687	162,292
19	338,810	-	3,034	335,776	163,982
20	338,810	-	3,079	335,731	157,730
21	355,751	-	3,126	352,625	159,372
22	355,751	-	3,172	352,578	153,295
23	373,538	-	3,220	370,318	154,890
24	373,538	-	3,268	370,270	148,985
25	392,215	-	3,317	388,898	150,534
26	392,215	-	3,367	388,848	144,796
27	411,826	-	3,418	408,408	146,300
28	411,826	-	3,469	408,357	140,723
29	432,417	-	3,521	428,896	142,185
30	432,417	-	3,574	428,843	136,765
<b>Total Net Present Value of the Hangar Project = Option 1 &amp; 3</b>					<b>\$ 5,158,399</b>



# BEAUFORT COUNTY COUNCIL

## AGENDA ITEM SUMMARY

Item 10.

### ITEM TITLE:

*RECOMMEND APPROVAL OF AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION A.6.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE COMMUNITY PRESERVATION DISTRICT (DCP) AND SECTION A.7.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE MIXED USE DISTRICT (DMU)*

### MEETING NAME AND DATE:

*Community Services and Land Use Committee Meeting, November 12, 2024*

### PRESENTER INFORMATION:

*Robert Merchant, AICP, Director, Beaufort County Planning and Zoning  
(10 minutes needed for item discussion)*

### ITEM BACKGROUND:

*This text amendment application went before the Beaufort County Planning Commission at their October 7, 2024 meeting. At that time, the Commission voted 5-3 to recommend denial of the proposed amendment to County Council.*

### PROJECT / ITEM NARRATIVE:

*At the time of adoption in 2020, the short-term rental use was added as a special use to all transect and conventional zones except for T1 Natural Preserve and S1 Industrial. The special use was not added to any of the Community Preservation districts; however, DCP is consistent with transect zone districts that allow short-term rentals. The applicant is seeking to amend the Community Development Code (CDC) to allow the use of Short-term Rental in Dale Community Preservation District.*

### FISCAL IMPACT:

*Not applicable*

### STAFF RECOMMENDATIONS TO COUNCIL:

*Staff recommends approval and encourages that the zoning district Dale Mixed Use (DMU) also adopts the amendment to continue further consistency.*

### OPTIONS FOR COUNCIL MOTION:

*Motion to approve, modify, or deny the application as submitted.\**

*\*Council's decision must be based on the standards in Section 7.3.30 C of the Community Development Code (Attachment A to this AIS) and must clearly state the factors considered in making its decision and the basis or rationale for the decision. (7.4.90 B.3). These factors are as follows:*

- 1. Is consistent with the goals, objectives, and policies of the Comprehensive Plan;*
- 2. Is not in conflict with any provision of this Development Code or the Code of Ordinances;*
- 3. Is required by changed conditions;*
- 4. Addresses a demonstrated community need;*
- 5. Is consistent with the purpose and intent of the zones in this Development Code, or would improve compatibility among uses and ensure efficient development within the County;*
- 6. Would result in a logical and orderly development pattern; and*

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

## Attachment A.

**CDC Section 7.3.30 B.7 Text Amendments** provides:

The County Council's decision shall be based on the standards in Subsection 7.3.30.C.

**CDC Section 7.3.30 Code Text Amendment Review Standards.**

The advisability of amending the text of this Development Code is a matter committed to the legislative discretion of the County Council and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the County Council shall weigh the relevance of and consider whether, and the extent to which, the proposed amendment:

1. Is consistent with the goals, objectives, and policies of the Comprehensive Plan;
2. Is not in conflict with any provision of this Development Code or the Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zones in this Development Code, or would improve compatibility among uses and ensure efficient development within the County;
6. Would result in a logical and orderly development pattern; and
7. Would not result in adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

**CDC Section 7.4.90 B.3** provides:

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

## TEXT AMENDMENT REQUESTS

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

### THE REQUEST:

1. IS/ (IS NOT) CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN; \_\_\_\_\_
2. IS NOT/ (IS) IN CONFLICT WITH ANY PROVISION OF THIS DEVELOPMENT CODE OR THE CODE OF ORDINANCES; \_\_\_\_\_
3. IS/ (IS NOT) REQUIRED BY CHANGED CONDITIONS; \_\_\_\_\_
4. DOES/ (DOES NOT) ADDRESS A DEMONSTRATED COMMUNITY NEED; \_\_\_\_\_
5. IS/ (IS NOT) CONSISTENT WITH THE PURPOSE AND INTENT OF THE ZONES IN THIS DEVELOPMENT CODE, OR WOULD IMPROVE COMPATIBILITY AMONG USES AND ENSURE EFFICIENT DEVELOPMENT WITHIN THE COUNTY; \_\_\_\_\_
6. WOULD/ (WOULD NOT) RESULT IN A LOGICAL AND ORDERLY DEVELOPMENT PATTERN; \_\_\_\_\_
7. WOULD NOT/ (WOULD) RESULT IN ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT INCLUDING BUT NOT LIMITED TO WATER, AIR, NOISE, STORMWATER MANAGEMENT, WILDLIFE, VEGETATION, WETLANDS, AND THE NATURAL FUNCTIONING OF THE ENVIRONMENT. \_\_\_\_\_





## MEMORANDUM

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

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

**DATE:** November 12, 2024

**SUBJECT:** CONSIDERATION OF AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION A.6.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE COMMUNITY PRESERVATION DISTRICT (DCP) AND SECTION A.7.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE MIXED USE DISTRICT (DMU)

### STAFF REPORT:

#### A. BACKGROUND:

<b>Case No.</b>	CDPA-00042-2024
<b>Applicant</b>	Michael Dawson
<b>Proposed Amendment:</b>	Amendment to Section A.6.40 and Section A.7.40 of the Community Development Code

#### B. SUMMARY AND BACKGROUND:

The applicant seeks to revise the Dale Community Preservation District (DCP) to include short-term rentals as an allowable special use. The purpose of the DCP is to maintain or improve the livability and character of existing residential neighborhoods; to encourage infill of available lands and to accommodate housing types which will relate well with existing neighborhood character, scale and density.

Per Ordinance 2020-32, robust short-term rental standards were established in the Community Development Code. At the time of adoption, the short-term rental use was added as a special use to all transect and conventional zones except for T1 Natural Preserve and S1 Industrial. The special use was not added to any of the Community Preservation districts; however, DCP is consistent with transect zone districts that allow short-term rentals. Therefore, the addition of short-term rentals as a special use to this district is appropriate.

**C. CODE TEXT AMENDMENT REVIEW STANDARDS:** In determining whether to adopt or deny the proposed text amendment, the County Council shall weigh the relevance of and consider whether, and the extent to which, the proposed amendment:

1. Is consistent with the goals, objectives, and policies of the Comprehensive Plan;

Yes, the proposed text amendment is consistent with the Comprehensive Plan, which envisions this area to be Rural Community.

**2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;**

No, the short-term rental use is not in conflict with this Development Code. In the DCP, “certain structures and uses serving governmental, religious or recreational needs of such areas are permitted by special or conditional use subject to restrictions and requirements intended to preserve and protect residential neighborhood. Home uses are specifically provided for, if they conform to the provisions of this section. Multifamily and the planned residential option are limited to areas south of, but not along, Keans Neck Road. The housing types permitted within the Dale CP area are limited to single-family and duplexes, except within a planned development.”

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

Yes, it is required by changed conditions. Per Ordinance 2020-32, short-term rental standards were established as a special use in the Community Development Code within transect and conventional zones. These standards were not added to Community Preservation Districts.

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

See 3.

**5. Is consistent with the purpose and intent of the zones in this Development Code, or would improve compatibility among uses and ensure efficient development within the County;**

Yes, it is consistent. See 2.

**6. Would result in logical and orderly development pattern;**

Yes, it would result in logical and orderly development. As a special use, each applicant seeking to establish a short-term rental property in the DCP will be required to apply to the Zoning Board of Appeals for approval. In addition to typical considerations, the Zoning Board of Appeals (ZBOA) may also establish an appropriate rental limit as a condition of approval after conducting the public hearing and finding that conditions exist making such a limitation necessary for short-term rental applications.

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

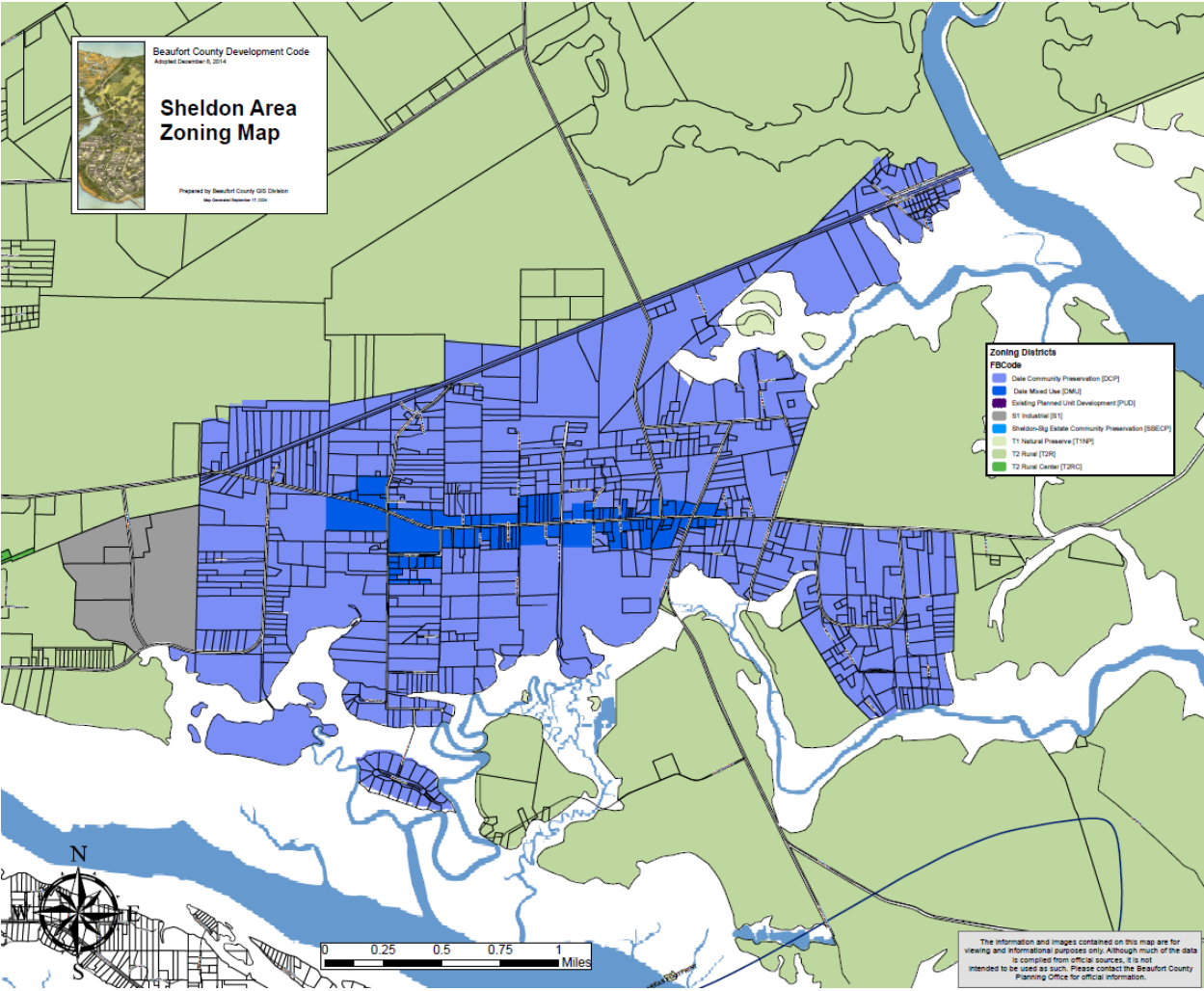
Yes, it would not result in adverse impacts. Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.

**D. STAFF RECOMMENDATION:** Staff recommends approval. Staff also recommends that the amendment also be applied to the Dale Mixed Use District (DMU).

**E. PLANNING COMMISSION RECOMMENDATION:** This text amendment went before the Beaufort County Planning Commission at their October 7, 2024 meeting. At that time, the Commission voted 5-3 to recommend denial of the proposed amendment.

**F. ATTACHMENTS:**

- Map of DCP and DMU district
- Revised DCP and DMU district use tables.



#### A.6.40 - Permitted Activities

The permitted uses are primarily residential. Limited nonresidential uses are allowed generally subject to the special or conditional use process. Uses not listed are prohibited. The following are descriptions of permitted uses, permitted accessory uses and structures for the Dale CP District:

Table A.6.40: Dale Community Preservation District Land Use		
Land Use	Use Definition	Use Permission
<b>Agriculture</b>		
Agriculture	Crop (see below: Clearcutting,) and animal production, plant nurseries, tree farms. (NAICS 111, 112)	P
Forestry	Perpetual management, harvesting and enhancement of forest resources for ultimate sale or use of wood products, requiring replanting, and subject to S.C. Forestry Commission BMPs. (NAICS 113)	C
<b>Clearcutting</b>	<ol style="list-style-type: none"> <li>1. Management, harvesting and use of forest or woodland (NAICS 113) for sale or use of wood products, without replanting or regeneration of the tree crop.</li> <li>2. Clearing, grubbing or other destruction and cutting of ground cover, grading or otherwise moving the topsoil, or burning of the vegetative cover of more than 10,000 square feet of land. Landscaping improvements to private residential properties shall not be considered clearcutting, and shall not require a development permit.</li> <li>3. Cutting of any tree over eight inches DBH, or any specimen tree.</li> <li>4. Cultivation of any land as an agricultural use, and gardens of less than 10,000 square feet shall not be considered clearcutting, and shall be a permitted use.</li> </ol>	P
<b>Residential</b>		
Single-family detached	Detached dwelling unit intended for only one family. Includes any one family dwelling unit, which complies with the Beaufort County Building Code.	P
Single-family cluster	Two or more single-family detached residential uses in a subdivision, or on an individual lot that include, as part of the subdivision or lot design, significant common open space that meets the standards in Table A.6.60.A.	P
Planned	A development that consists of two or more of the following housing types: village houses, townhouses, duplexes, mansion apartments and apartment houses. Such developments shall be planned as a unit and shall meet all the open space standards in Table 2 A.6.60.A.	C

Accessory dwelling unit	A second dwelling unit, clearly subordinate to the principal unit, either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete independent living facility. Maximum building size shall not exceed 50% of the principal unit's floor area.	P
Family compound	Form of traditional rural development which provides affordable housing for family members allowing additional family dwelling units on, and/or subdivisions of, a single lot owned by the same family for at least 50 years.	P
Group home	A building that would otherwise be categorized as a single-family home, except for the fact that the number of unrelated individuals living in the unit does not qualify under the definition of family. The operation of a group home shall be a family living environment, not an institutional environment, where staff manages the living, and controls activities. If the unit would otherwise qualify as other types of dwelling units defined in this ordinance, such as apartment or attached housing, then the use shall be treated as such. Not included are co-ops, nursing homes, other institutional residential and boarding house types of operations since these are institutional or commercial lodging uses.	P
Home occupation	A business, profession, occupation or trade located entirely within a residential dwelling, which does not change the essential character of the residential use.	C
Home business	A business operated out of a single-family residence and accessory structures that permits the employment of up to three unrelated individuals. This includes independent contractors operating from the facility. Farm workers are not included. Uses shall be limited to office and service types, carpentry, upholstery, woodworking, potteries, glasswork, personal services and other similar uses. This use permits the sale of agricultural products, traditional home products, such as crafts, cosmetics, and baked goods. Hobby product sales such as coins, stamps, model trains and collectibles are also permitted.	C
Cottage industry	Light industrial or intensive use(s) conducted on a lot with a residential dwelling unit. Up to six employees may be employed in addition to family members. Farm workers are not included. This use includes, but is not limited to, businesses related to agriculture, screened outdoor storage areas, trucking operations, small	P

	automotive repair shops, septic system service, well service, carpentry, upholstery, woodworking, limited antique sales (including finishing and repair), potteries, glassworks and other similar uses.	
<b>Retail and Restaurants</b>		
Bait shop	Establishments engaged in wholesale and/or retail of fishing supplies, bait, ice and other products and services required for fishing. This use is limited to 1,500 square feet.	C
Road side stands	Those activities which involve selling agricultural produce, home made goods or seafood from a truck, wagon, portable stall or tables, but not as part of, or sponsored by a commercial operation on site.	C
<b>Offices and Services</b>		
Adult day care	Establishments primarily engaged in providing nonresidential social assistance services to improve the quality of life for the elderly or persons with disability. These establishments provide for the welfare of these individuals in such areas as day care, non-medical home care, social activities, group support, and companionship.	C
Day care, family	A facility in a private home that is operated by one or more persons duly licensed or qualified to be licensed by the state for the purpose of providing child day care for one to not more than eight children at any one time, who are not relatives of the day care provider. (NAICS 62441)	P
<u>Lodging: Short-Term Housing Rental (STHR)</u>	<u>A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive dates. See specific use regulations in Article 4.1.360</u>	<u>S</u>
<b>Recreation, Education, Safety, Public Assembly</b>		
Public services	These uses include emergency service, buildings, or garages, (e.g., ambulance, fire, police, rescue, and public works) or other garages or areas where vehicles are stored and dispatched. (NAICS 62191, 92212, 92216, see "Office" uses, below) This use does not include service garages.	P
Institutional residential	1. Skilled Nursing Facility - Twenty-four hour care to ill persons in a controlled setting providing daily and medical care. Residents often have limited or no	C

	<p>mobility. Requires licensing.</p> <p>2. Assisted Living Facility - Residential care facility catering to the frail elderly who require assistance with daily activities. Requires licensing.</p> <p>3. Independent Living Facility - Facility catering to more mobile, healthy senior adults. Individual living units may contain kitchens, while common dining is available. Planned recreation, housekeeping, transportation, etc may also be provided. Does not require licensing.</p> <p>4. Sheltered Care Facility or Group Living Facility - Facilities where the residents live in an institutional environment and are generally under the care or control of staff. All sheltered care, group care, and group homes, except emergency shelters and residential substance abuse facilities where total occupancy is more than eight, shall be considered institutional residential use. These residents would be members of an institution, have institutional care, or would be treated by staff in an institutional setting rather than living independently. (NAICS 623, 62422, 62423)</p>	
Religious establishments (small)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with no schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having less than 15,000 square feet of floor area.	S
Religious establishments (large)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with or without schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having 15,000 or greater square feet of floor area (NAICS 813110).	S
Outdoor recreation	<p>1) Active recreational activities and supporting services including, but not limited to: jogging, cycling, tot lots, playing fields, playgrounds, outdoor swimming pools, and tennis courts (NAICS 7113); trapping and fishing clubs (NAICS 71391, 71393, 71394); marinas.</p> <p>2) Passive recreational uses including, but not limited to: arboretums, wildlife sanctuaries, forests, areas for hiking, nature areas, and other passive recreation-oriented parks.</p> <p>3) Picnic areas and garden plots.</p>	C



Schools, neighborhood (elementary and middle schools) and community high schools)	Institutions of learning or instruction primarily catering to minors, whether public or private, which are licensed by either the county or the State of South Carolina. The definition includes nursery schools, kindergarten, elementary schools, middle schools and senior high schools, or any special institution of learning under the jurisdiction of the State Department of Education catering to those age groups. This does not include charm schools, dancing schools, music schools or similar limited schools. (NAICS 6111)	S
<b>Infrastructure, Transportation, Communications</b>		
Local utility	Utility substations or transmission and local distribution facilities, including telephone, and all government-owned utilities. Not included are generation facilities, storage of combustibles, regional facilities, and landfills or mining operations. (NAICS 221122, 22121)	S
<b>Temporary Uses</b>		
Construction staging or plant	A concrete or asphalt batch plant, or metal forming and cutting facility assembled on the site or located no more than one mile from the site where the construction of a particular road, infrastructure or building is to take place. Such site shall be cleared within one year.	S
Contractor's office	Security guard buildings and structures, construction equipment sheds, contractor's trailers and similar uses incidental to a construction project. Limited sleeping and/or cooking facilities may also be permitted.	P
Model homes sales office	A dwelling unit or modular unit in a subdivision used as a sales office for that subdivision.	P
<p>"P" indicates a Use that is Permitted By Right.</p> <p>"C" indicates a Use that is Permitted with Conditions.</p> <p>"S" indicates a Use that is Permitted as a Special Use.</p>		

#### A.7.40 - Permitted Activities

The permitted uses are restricted to residential uses and consumer-oriented businesses catering primarily to the needs of the local population. For the purpose of this section, the allowable uses in the DMU zoning district and are controlled by the land use development standards of this section, the Beaufort County Comprehensive plan, the CDC, and the chart of permitted uses (Table A.7.40). The following are descriptions of permitted uses, permitted accessory uses and structures for DMU districts:

Table A.7.40: Dale Mixed Use District Land Use		
Land Use	Use Definition	Use Permission
<b>Agriculture</b>		
Agriculture	Crop (see below: Clearcutting, #4) and animal production, plant nurseries, tree farms. (NAICS 111, 112)	P
Agricultural support services	Farm supply services, equipment dealers, grain storage, veterinary uses for agricultural animals and seasonal packing sheds. (NAICS 1151, 1152, 49313, 4225, 54194)	P
<b>Residential</b>		
Single-family detached	Detached dwelling unit intended for only one family. Includes any one-family dwelling unit, which complies with the Beaufort County Building Code.	P
Single-family cluster	Two or more single-family detached residential uses in a subdivision, or on an individual lot that include, as part of the subdivision or lot design, significant common open space that meets the standards in Table A.7.60.A Below.	P
Family compound	Form of traditional rural development which provides affordable housing for family members allowing additional family dwelling units on, and/or subdivisions of, a single lot owned by the same family for at least 50 years.	P
Group home	A building that would otherwise be categorized as a single-family home, except for the fact that the number of unrelated individuals living in the unit does not qualify under the definition of family. The operation of a group home shall be a family living environment, not an institutional environment, where staff manages the living, and controls activities. If the unit would otherwise qualify as other types of dwelling units defined in this ordinance,	P

	such as apartment or attached housing, then the use shall be treated as such. Not included are co-ops, nursing homes, other institutional residential and boarding house types of operations since these are institutional or commercial lodging uses.	
Accessory dwelling unit	A second dwelling unit, clearly subordinate to the principal unit, either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility. Maximum building size shall not exceed 50% of the principal unit's floor area.	C
Home occupation	A business, profession, occupation or trade located entirely within a residential dwelling, which does not change the essential character of the residential use.	C
Home business	A business operated out of a single-family residence and accessory structures that permits the employment of up to three unrelated individuals. This includes independent contractors operating from the facility. Farm workers are not included. Uses shall be limited to office and service types, carpentry, upholstery, woodworking, potteries, glasswork, personal services and other similar uses. This use permits the sale of agricultural products, traditional home products, such as crafts, cosmetics, and baked goods. Hobby product sales such as coins, stamps, model trains and collectibles are also permitted.	C
Cottage industry	Light industrial or intensive use(s) conducted on a lot with a residential dwelling unit. Up to six employees may be employed in addition to family members. Farm workers are not included. This use includes, but is not limited to, businesses related to agriculture, screened outdoor storage areas, trucking operations, small automotive repair shops, septic system service, well service, carpentry, upholstery, woodworking, limited antique sales (including finishing and repair), potteries, glassworks and other similar uses.	C
<b>Retail and Restaurants</b>		
Commercial retail, neighborhood	These uses are retail uses that primarily serve their immediate neighborhoods, and include the following types: <ol style="list-style-type: none"> <li>1. Food and beverage stores.</li> <li>2. Boutiques, gift shops, antique shops and drug stores.</li> <li>3. Garden centers.</li> </ol>	P

	The maximum size of any neighborhood commercial retail use shall be 2,000 square feet, unless otherwise specified.	
Commercial retail, traditional shop	This use reflects existing small, traditional, community-oriented necessity stores found in rural areas that sell mainly grocery items and household supplies, but not gasoline. Since these are neighborhood-oriented, their maximum size is 2,000 square feet.	P
Banquet hall	Establishments primarily engaged in providing single event-based food services. Examples of events catered are graduations, parties, wedding receptions and business or retirement luncheons. These facilities may also be used by business incubators.	C
Book stores	Establishments primarily engaged in retailing books.	P
Delicatessens and restaurants	Establishment that serves food and beverages to persons seated within the building. Outside terrace or sidewalk seating is permitted subject to all other required codes. This use is limited to a seating capacity of 40 and does not include drive through service. Restaurants may have outdoor cafes on sidewalks or in courtyards.	P
Gas-convenience marts with no repair bays or facilities	There is no towing, vehicle body, engine repair, painting, or exterior overnight vehicle storage permitted with this use. Single-bay car washes associated with a gas convenience mart are permitted (NAICS 811191, 811192).	S
Liquor stores, package	Establishment that engages in retailing packaged alcoholic beverages, such as ale, beer, wine, and liquor.	C
Meat and fish market	Establishments primarily engaged in retailing fresh, frozen, or cured meats, poultry, fish or seafood products (NAICS 445220 and 445210).	P
Produce market	Establishments primarily engaged in retailing fresh fruits and vegetables (NAICS 44523).	P
Retail bakery	Establishments primarily in retailing bread and other bakery products not for immediate consumption made on the premises (NAICS 31181).	P
Retail plant nurseries	Establishments primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. These	P

	establishments may sell a limited amount of products they grow themselves. Outside storage is limited to plants. (NAICS 444220)	
Road side stands	Those activities which involve selling agricultural produce, home made goods or seafood from a truck, wagon, portable stall or tables, but not as part of, or sponsored by a commercial operation on site.	C
<b>Offices and Services</b>		
Services	A variety of commercial services limited to the following: 1. Educational services (NAICS 611, except 611512, 61162). 2. Social assistance (NAICS 624). 3. Veterinary services (NAICS 541940). 4. Postal service buildings, except regional distribution centers, couriers and messengers (NAICS 491, 492). 5. Miscellaneous repair services and shops (NAICS 44311, 8112, 8113, 8114). 6. Funeral homes (NAICS 81221).	P
Government offices	This use is comprised of establishments primarily engaged in law enforcement, traffic safety, and fire protection (NAICS 92215 and 92216) or other facilities that are primarily devoted to public office uses or services. (NAICS 921, 92211, 92213, 923)	P
Day care, family	A facility in a private home that is operated by one or more persons duly licensed or qualified to be licensed by the state for the purpose of providing child day care for one to not more than eight children at any one time, who are not relatives of the day care provider. (NAICS 62441)	P
Day care, commercial	All day care facilities not classified as "day care, family" and including more than eight children (NAICS 62441).	P
Adult day care	Establishments primarily engaged in providing nonresidential social assistance services to improve the quality of life for the elderly or persons with disability. These establishments provide for the welfare of these individuals in such areas as day care, non-medical home care, social activities, group support, and companionship.	C
Dry-cleaning and laundry services	Establishments primarily engaged in operating facilities with coin operated or similar self-service laundry and dry-	P

	cleaning equipment. Does not include except linen, uniform, carpets and upholstery dry cleaning services.(NAICS 812310 and 812320)	
Personal service establishments	Establishments such as barber and beauty shops that provide appearance care services to individuals (NAICS 8121).	P
Professional and technical services	Establishments that specialize in performing professional, scientific, and technical activities for others. These activities require a high degree of expertise and training. Activities performed include: legal advice and representation; accounting, bookkeeping and payroll services; architectural, engineering, and specialized design services and consulting services (NAICS 5411-5414). This use includes a contractor's office without exterior storage, and excludes veterinary services.	P
Real estate services	Establishments that are primarily engaged in renting or leasing real estate to others; managing real estate for others; selling, buying, or renting real estate for others; and providing other real estate services, such as appraisal services. This use permits the employment of up to four real estate agents.	P
Residential storage facility	A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of household goods.	S
Quick service oil, tune-up, brake and muffler shops	Shops where maintenance repairs are made in fully enclosed bays, and where such repairs are typically completed in less than two hours.	S
<u>Lodging: Short-Term Housing Rental (STHR)</u>	<u>A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive dates. See specific use regulations in Article 4.1.360</u>	<u>S</u>
<b>Recreation, Education, Safety, Public Assembly</b>		
Civic and social organizations	Establishments primarily engaged in promoting social welfare activities such as educational, scientific, cultural and health. (NAICS 8132-34)	P
Public services	These uses include emergency service, buildings, or	P

	garages, (e.g., ambulance, fire, police, rescue, and public works) or other garages or areas where vehicles are stored and dispatched. (NAICS 62191, 92212, 92216, see "Office" uses, below) This use does not include service garages.	
Religious establishments (Small)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with no schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having less than 15,000 square feet of floor area.	C
Religious establishments (Large)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with or without schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having fifteen thousand or greater square feet of floor area (NAICS 813110).	S
Recreational institutional	Nonprofit organizations chartered to provide community-based recreational services.	C
<b>Infrastructure, Transportation, Communications</b>		
Commercial communication towers	A tower, pole or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, freestanding or guyed, or atop a structure. This does not include television antennas or satellite dishes. Towers for radio or television station use are regulated as regional utilities. Speculation towers are prohibited.	S
<p>"P" indicates a Use that is Permitted By Right.</p> <p>"C" indicates a Use that is Permitted with Conditions.</p> <p>"S" indicates a Use that is Permitted as a Special Use.</p>		

**ORDINANCE 2024/\_\_\_\_\_**

**AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION A.6.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE COMMUNITY PRESERVATION DISTRICT (DCP) AND SECTION A.7.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE MIXED USE DISTRICT (DMU)**

**WHEREAS**, the Dale Community Preservation District (DCP) does not permit Short-Term Housing Rental (STHR) as an allowable use; and

**WHEREAS**, a landowner has requested to permit Short-Term Housing Rental (STHR) as an allowable special use; and

**WHEREAS**, the Short-Term Housing Rental (STHR) use was added as a special use to all transect and conventional zones except for T1 Natural Preserve, S1 Industrial, and the Community Preservation Districts in 2020; and

**WHEREAS**, the Beaufort County Planning Commission considered the request on October 7, 2024, voting 5-3 to recommend that County Council deny the request along with the denial of the recommendation that the changes also be applied to Dale Mixed Use District (DMU); and

**WHEREAS**, Dale Community Preservation District is consistent with transect zone districts that allow Short-Term Housing Rental (STHR) as a special use; and

**WHEREAS**, staff recommends that the amendment also be applied to the Dale Mixed Use District (DMU) to continue further consistency;

**WHEREAS**, County Council now wishes to amend the Community Development Code (CDC) to permit short-term rentals as an allowable special use to Dale Community Preservation District (DCP) and Dale Mixed Use District (DMU).

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

The Community Development Code is hereby amended to permit Short-Term Housing Rental (STHR) as an allowable special use to Dale Community Preservation District (DCP) and Dale Mixed Use District (DMU). Sections A.6.40 and A.7.40 of the Community Development Code are hereby amended to reflect the language depicted in Exhibit A.

**Adopted** this \_\_\_\_\_ day of 2024



COUNTY COUNCIL OF BEAUFORT COUNTY

---

Joseph Passiment, Chairman

---

Sarah Brock, Clerk to Council

**Exhibit A****A.6.40 - Permitted Activities**

The permitted uses are primarily residential. Limited nonresidential uses are allowed generally subject to the special or conditional use process. Uses not listed are prohibited. The following are descriptions of permitted uses, permitted accessory uses and structures for the Dale CP District:

<b>Table A.6.40: Dale Community Preservation District Land Use</b>		
<b>Land Use</b>	<b>Use Definition</b>	<b>Use Permission</b>
<b>Agriculture</b>		
Agriculture	Crop (see below: Clearcutting,) and animal production, plant nurseries, tree farms. (NAICS 111, 112)	P
Forestry	Perpetual management, harvesting and enhancement of forest resources for ultimate sale or use of wood products, requiring replanting, and subject to S.C. Forestry Commission BMPs. (NAICS 113)	C
<b>Clearcutting</b>	<ol style="list-style-type: none"> <li>1. Management, harvesting and use of forest or woodland (NAICS 113) for sale or use of wood products, without replanting or regeneration of the tree crop.</li> <li>2. Clearing, grubbing or other destruction and cutting of ground cover, grading or otherwise moving the topsoil, or burning of the vegetative cover of more than 10,000 square feet of land. Landscaping improvements to private residential properties shall not be considered clearcutting, and shall not require a development permit.</li> <li>3. Cutting of any tree over eight inches DBH, or any specimen tree.</li> <li>4. Cultivation of any land as an agricultural use, and gardens of less than 10,000 square feet shall not be considered clearcutting, and shall be a permitted use.</li> </ol>	P
<b>Residential</b>		
Single-family detached	Detached dwelling unit intended for only one family. Includes any one family dwelling unit, which complies with the Beaufort County Building Code.	P
Single-family cluster	Two or more single-family detached residential uses in a subdivision, or on an individual lot that include, as part of the subdivision or lot design, significant common open space that meets the standards in Table A.6.60.A.	P
Planned	A development that consists of two or more of the following housing types: village houses, townhouses, duplexes, mansion apartments and apartment houses. Such developments shall be planned as a unit and shall meet all the open space standards in Table 2 A.6.60.A.	C
Accessory dwelling unit	A second dwelling unit, clearly subordinate to the principal unit, either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete independent living facility. Maximum	P

	building size shall not exceed 50% of the principal unit's floor area.	
Family compound	Form of traditional rural development which provides affordable housing for family members allowing additional family dwelling units on, and/or subdivisions of, a single lot owned by the same family for at least 50 years.	P
Group home	A building that would otherwise be categorized as a single-family home, except for the fact that the number of unrelated individuals living in the unit does not qualify under the definition of family. The operation of a group home shall be a family living environment, not an institutional environment, where staff manages the living, and controls activities. If the unit would otherwise qualify as other types of dwelling units defined in this ordinance, such as apartment or attached housing, then the use shall be treated as such. Not included are co-ops, nursing homes, other institutional residential and boarding house types of operations since these are institutional or commercial lodging uses.	P
Home occupation	A business, profession, occupation or trade located entirely within a residential dwelling, which does not change the essential character of the residential use.	C
Home business	A business operated out of a single-family residence and accessory structures that permits the employment of up to three unrelated individuals. This includes independent contractors operating from the facility. Farm workers are not included. Uses shall be limited to office and service types, carpentry, upholstery, woodworking, potteries, glasswork, personal services and other similar uses. This use permits the sale of agricultural products, traditional home products, such as crafts, cosmetics, and baked goods. Hobby product sales such as coins, stamps, model trains and collectibles are also permitted.	C
Cottage industry	Light industrial or intensive use(s) conducted on a lot with a residential dwelling unit. Up to six employees may be employed in addition to family members. Farm workers are not included. This use includes, but is not limited to, businesses related to agriculture, screened outdoor storage areas, trucking operations, small automotive repair shops, septic system service, well service, carpentry, upholstery, woodworking, limited antique sales (including finishing and repair), potteries, glassworks and other similar uses.	P
<b>Retail and Restaurants</b>		
Bait shop	Establishments engaged in wholesale and/or retail of fishing supplies, bait, ice and other products and services required for fishing. This use is limited to 1,500 square feet.	C

Road side stands	Those activities which involve selling agricultural produce, home made goods or seafood from a truck, wagon, portable stall or tables, but not as part of, or sponsored by a commercial operation on site.	C
<b>Offices and Services</b>		
Adult day care	Establishments primarily engaged in providing nonresidential social assistance services to improve the quality of life for the elderly or persons with disability. These establishments provide for the welfare of these individuals in such areas as day care, non-medical home care, social activities, group support, and companionship.	C
Day care, family	A facility in a private home that is operated by one or more persons duly licensed or qualified to be licensed by the state for the purpose of providing child day care for one to not more than eight children at any one time, who are not relatives of the day care provider. (NAICS 62441)	P
<u>Lodging: Short-Term Housing Rental (STHR)</u>	<u>A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive dates. See specific use regulations in Article 4.1.360</u>	<u>S</u>
<b>Recreation, Education, Safety, Public Assembly</b>		
Public services	These uses include emergency service, buildings, or garages, (e.g., ambulance, fire, police, rescue, and public works) or other garages or areas where vehicles are stored and dispatched. (NAICS 62191, 92212, 92216, see "Office" uses, below) This use does not include service garages.	P
Institutional residential	<ol style="list-style-type: none"> <li>1. Skilled Nursing Facility - Twenty-four hour care to ill persons in a controlled setting providing daily and medical care. Residents often have limited or no mobility. Requires licensing.</li> <li>2. Assisted Living Facility - Residential care facility catering to the frail elderly who require assistance with daily activities. Requires licensing.</li> <li>3. Independent Living Facility - Facility catering to more mobile, healthy senior adults. Individual living units may contain kitchens, while common dining is available. Planned recreation, housekeeping, transportation, etc may also be provided. Does not require licensing.</li> <li>4. Sheltered Care Facility or Group Living Facility - Facilities where the residents live in an institutional environment and are generally under the care or control of staff. All sheltered care, group care, and group homes, except emergency shelters and residential substance abuse facilities where total occupancy is more than</li> </ol>	C

	eight, shall be considered institutional residential use. These residents would be members of an institution, have institutional care, or would be treated by staff in an institutional setting rather than living independently. (NAICS 623, 62422, 62423)	
Religious establishments (small)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with no schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having less than 15,000 square feet of floor area.	S
Religious establishments (large)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with or without schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having 15,000 or greater square feet of floor area (NAICS 813110).	S
Outdoor recreation	1) Active recreational activities and supporting services including, but not limited to: jogging, cycling, tot lots, playing fields, playgrounds, outdoor swimming pools, and tennis courts (NAICS 7113); trapping and fishing clubs (NAICS 71391, 71393, 71394); marinas. 2) Passive recreational uses including, but not limited to: arboretums, wildlife sanctuaries, forests, areas for hiking, nature areas, and other passive recreation-oriented parks. 3) Picnic areas and garden plots.	C
Schools, neighborhood (elementary and middle schools) and community high schools)	Institutions of learning or instruction primarily catering to minors, whether public or private, which are licensed by either the county or the State of South Carolina. The definition includes nursery schools, kindergarten, elementary schools, middle schools and senior high schools, or any special institution of learning under the jurisdiction of the State Department of Education catering to those age groups. This does not include charm schools, dancing schools, music schools or similar limited schools. (NAICS 6111)	S
<b>Infrastructure, Transportation, Communications</b>		
Local utility	Utility substations or transmission and local distribution facilities, including telephone, and all government-owned utilities. Not included are generation facilities, storage of combustibles, regional facilities, and landfills or mining operations. (NAICS 221122, 22121)	S
<b>Temporary Uses</b>		
Construction staging or plant	A concrete or asphalt batch plant, or metal forming and cutting facility assembled on the site or located no more	S

	than one mile from the site where the construction of a particular road, infrastructure or building is to take place. Such site shall be cleared within one year.	
Contractor's office	Security guard buildings and structures, construction equipment sheds, contractor's trailers and similar uses incidental to a construction project. Limited sleeping and/or cooking facilities may also be permitted.	P
Model homes sales office	A dwelling unit or modular unit in a subdivision used as a sales office for that subdivision.	P
<p>"P" indicates a Use that is Permitted By Right.</p> <p>"C" indicates a Use that is Permitted with Conditions.</p> <p>"S" indicates a Use that is Permitted as a Special Use.</p>		

The permitted uses are restricted to residential uses and consumer-oriented businesses catering primarily to the needs of the local population. For the purpose of this section, the allowable uses in the DMU zoning district and are controlled by the land use development standards of this section, the Beaufort County Comprehensive plan, the CDC, and the chart of permitted uses (Table A.7.40). The following are descriptions of permitted uses, permitted accessory uses and structures for DMU districts:

Table A.7.40: Dale Mixed Use District Land Use		
Land Use	Use Definition	Use Permission
<b>Agriculture</b>		
Agriculture	Crop (see below: Clearcutting, #4) and animal production, plant nurseries, tree farms. (NAICS 111, 112)	P
Agricultural support services	Farm supply services, equipment dealers, grain storage, veterinary uses for agricultural animals and seasonal packing sheds. (NAICS 1151, 1152, 49313, 4225, 54194)	P
<b>Residential</b>		
Single-family detached	Detached dwelling unit intended for only one family. Includes any one-family dwelling unit, which complies with the Beaufort County Building Code.	P
Single-family cluster	Two or more single-family detached residential uses in a subdivision, or on an individual lot that include, as part of the subdivision or lot design, significant common open space that meets the standards in Table A.7.60.A Below.	P
Family compound	Form of traditional rural development which provides affordable housing for family members allowing additional family dwelling units on, and/or subdivisions of, a single lot owned by the same family for at least 50 years.	P
Group home	A building that would otherwise be categorized as a single-family home, except for the fact that the number of unrelated individuals living in the unit does not qualify under the definition of family. The operation of a group home shall be a family living environment, not an institutional environment, where staff manages the living, and controls activities. If the unit would otherwise qualify as other types of dwelling units defined in this ordinance, such as apartment or attached housing, then the use shall be treated as such. Not included are co-ops, nursing homes, other institutional residential and boarding house types of operations since these are institutional or commercial lodging uses.	P
Accessory dwelling unit	A second dwelling unit, clearly subordinate to the principal unit, either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility.	C

	Maximum building size shall not exceed 50% of the principal unit's floor area.	
Home occupation	A business, profession, occupation or trade located entirely within a residential dwelling, which does not change the essential character of the residential use.	C
Home business	A business operated out of a single-family residence and accessory structures that permits the employment of up to three unrelated individuals. This includes independent contractors operating from the facility. Farm workers are not included. Uses shall be limited to office and service types, carpentry, upholstery, woodworking, potteries, glasswork, personal services and other similar uses. This use permits the sale of agricultural products, traditional home products, such as crafts, cosmetics, and baked goods. Hobby product sales such as coins, stamps, model trains and collectibles are also permitted.	C
Cottage industry	Light industrial or intensive use(s) conducted on a lot with a residential dwelling unit. Up to six employees may be employed in addition to family members. Farm workers are not included. This use includes, but is not limited to, businesses related to agriculture, screened outdoor storage areas, trucking operations, small automotive repair shops, septic system service, well service, carpentry, upholstery, woodworking, limited antique sales (including finishing and repair), potteries, glassworks and other similar uses.	C
<b>Retail and Restaurants</b>		
Commercial retail, neighborhood	These uses are retail uses that primarily serve their immediate neighborhoods, and include the following types: <ol style="list-style-type: none"> <li>1. Food and beverage stores.</li> <li>2. Boutiques, gift shops, antique shops and drug stores.</li> <li>3. Garden centers.</li> </ol> The maximum size of any neighborhood commercial retail use shall be 2,000 square feet, unless otherwise specified.	P
Commercial retail, traditional shop	This use reflects existing small, traditional, community-oriented necessity stores found in rural areas that sell mainly grocery items and household supplies, but not gasoline. Since these are neighborhood-oriented, their maximum size is 2,000 square feet.	P
Banquet hall	Establishments primarily engaged in providing single event-based food services. Examples of events catered are graduations, parties, wedding receptions and business or retirement luncheons. These facilities may also be used by business incubators.	C
Book stores	Establishments primarily engaged in retailing books.	P
Delicatessens and restaurants	Establishment that serves food and beverages to persons seated within the building. Outside terrace or sidewalk seating is permitted subject to all other required codes. This use is limited to	P



	a seating capacity of 40 and does not include drive through service. Restaurants may have outdoor cafes on sidewalks or in courtyards.	
Gas-convenience marts with no repair bays or facilities	There is no towing, vehicle body, engine repair, painting, or exterior overnight vehicle storage permitted with this use. Single-bay car washes associated with a gas convenience mart are permitted (NAICS 811191, 811192).	S
Liquor stores, package	Establishment that engages in retailing packaged alcoholic beverages, such as ale, beer, wine, and liquor.	C
Meat and fish market	Establishments primarily engaged in retailing fresh, frozen, or cured meats, poultry, fish or seafood products (NAICS 445220 and 445210).	P
Produce market	Establishments primarily engaged in retailing fresh fruits and vegetables (NAICS44523).	P
Retail bakery	Establishments primarily in retailing bread and other bakery products not for immediate consumption made on the premises (NAICS 31181).	P
Retail plant nurseries	Establishments primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. These establishments may sell a limited amount of products they grow themselves. Outside storage is limited to plants. (NAICS 444220)	P
Road side stands	Those activities which involve selling agricultural produce, home made goods or seafood from a truck, wagon, portable stall or tables, but not as part of, or sponsored by a commercial operation on site.	C
<b>Offices and Services</b>		
Services	A variety of commercial services limited to the following: 1. Educational services (NAICS 611, except 611512, 61162). 2. Social assistance (NAICS 624). 3. Veterinary services (NAICS 541940). 4. Postal service buildings, except regional distribution centers, couriers and messengers (NAICS 491, 492). 5. Miscellaneous repair services and shops (NAICS 44311, 8112, 8113, 8114). 6. Funeral homes (NAICS 81221).	P
Government offices	This use is comprised of establishments primarily engaged in law enforcement, traffic safety, and fire protection (NAICS 92215 and 92216) or other facilities that are primarily devoted to public office uses or services. (NAICS 921, 92211, 92213, 923)	P
Day care, family	A facility in a private home that is operated by one or more persons duly licensed or qualified to be licensed by the state for the purpose of providing child day care for one to not more than eight	P

	children at any one time, who are not relatives of the day care provider. (NAICS 62441)	
Day care, commercial	All day care facilities not classified as "day care, family" and including more than eight children (NAICS 62441).	P
Adult day care	Establishments primarily engaged in providing nonresidential social assistance services to improve the quality of life for the elderly or persons with disability. These establishments provide for the welfare of these individuals in such areas as day care, non-medical home care, social activities, group support, and companionship.	C
Dry-cleaning and laundry services	Establishments primarily engaged in operating facilities with coin operated or similar self-service laundry and dry-cleaning equipment. Does not include except linen, uniform, carpets and upholstery dry cleaning services.(NAICS 812310 and 812320)	P
Personal service establishments	Establishments such as barber and beauty shops that provide appearance care services to individuals (NAICS 8121).	P
Professional and technical services	Establishments that specialize in performing professional, scientific, and technical activities for others. These activities require a high degree of expertise and training. Activities performed include: legal advice and representation; accounting, bookkeeping and payroll services; architectural, engineering, and specialized design services and consulting services (NAICS 5411-5414). This use includes a contractor's office without exterior storage, and excludes veterinary services.	P
Real estate services	Establishments that are primarily engaged in renting or leasing real estate to others; managing real estate for others; selling, buying, or renting real estate for others; and providing other real estate services, such as appraisal services. This use permits the employment of up to four real estate agents.	P
Residential storage facility	A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of household goods.	S
Quick service oil, tune-up, brake and muffler shops	Shops where maintenance repairs are made in fully enclosed bays, and where such repairs are typically completed in less than two hours.	S
<b><u>Lodging: Short-Term Housing Rental (STHR)</u></b>	<b><u>A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive dates. See specific use regulations in Article 4.1.360</u></b>	<b><u>S</u></b>
<b>Recreation, Education, Safety, Public Assembly</b>		
Civic and social organizations	Establishments primarily engaged in promoting social welfare activities such as educational, scientific, cultural and health. (NAICS	P

	8132-34)	
Public services	These uses include emergency service, buildings, or garages, (e.g., ambulance, fire, police, rescue, and public works) or other garages or areas where vehicles are stored and dispatched. (NAICS 62191, 92212, 92216, see "Office" uses, below) This use does not include service garages.	P
Religious establishments (Small)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with no schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having less than 15,000 square feet of floor area.	C
Religious establishments (Large)	Establishments engaged in operating religious organizations, such as churches, religious temples and /or establishments primarily engaged in administering an organized religion or promoting religious activities with or without schools (except Sunday schools occupying no more than 50% of the floor area) as part of the complex and having fifteen thousand or greater square feet of floor area (NAICS 813110).	S
Recreational institutional	Nonprofit organizations chartered to provide community-based recreational services.	C
<b>Infrastructure, Transportation, Communications</b>		
Commercial communication towers	A tower, pole or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, freestanding or guyed, or atop a structure. This does not include television antennas or satellite dishes. Towers for radio or television station use are regulated as regional utilities. Speculation towers are prohibited.	S
<p>"P" indicates a Use that is Permitted By Right.</p> <p>"C" indicates a Use that is Permitted with Conditions.</p> <p>"S" indicates a Use that is Permitted as a Special Use.</p>		



# **Beaufort County Council Statement of Conflict of Interest Pursuant to South Carolina Code of Laws § 8-13-700**

I, Gerald Dawson, holding the position as a Beaufort County Council Member, do hereby declare my potential conflict of interest with regards to the below information:

1. Describe the matter pending before County Council with which you may have a conflict of interest: A. 202502 An Ordinance relating to the community

Development Code: Section A.6.40 (Permitted Activities) to allow lodging short-term housing rental in Dale Community Preservation District and Section A.7.40 (Permitted Activities) to allow lodging short-term housing rental in Dale Mixed Use District

2. Describe the interest that you have that may give rise to the conflict: The applicant is the same name as mine. Forth sake of confidentiality I refuse myself,

Based upon the above information, I hereby recuse myself from participating in any discussions of or taking official action relating to said matter.

Signed this 13<sup>th</sup> day of January, 2025.

Gerald Dawson

Signature



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 11.

<b>ITEM TITLE:</b>
<b>AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF RIGHT-OF-WAY OR TEMPORARY CONSTRUCTION EASEMENTS ON REAL PROPERTY ASSOCIATED WITH THE STUART POINT ROAD SIDEWALK PROJECT</b>
<b>MEETING NAME AND DATE:</b>
Public Facilities & Safety Committee Meeting; November 18, 2024
<b>PRESENTER INFORMATION:</b>
Jared Fralix, P.E., Assistant County Administrator, Infrastructure (5 Minutes)
<b>ITEM BACKGROUND:</b>
After the 2018 Transportation Sales Tax was approved by voters on November 6, 2018, County Council approved Resolution 2019/44 identifying the specific projects and authorizing the acquisition of all rights-of-way needed by the County in order to complete the construction of projects associated with the Tax Referendum. Additionally, Council approved Resolution 2021/20 establishing a right-of-way acquisition policy for the property associated with Tax Referendum projects.
<b>PROJECT / ITEM NARRATIVE:</b>
Project plans have been developed to provide for an 8-ft pathway along the north side of Stuart Point Road in the Seabrook area stretching for approximately 2 miles from US 21 to Delaney Circle. New right-of-way and temporary construction easements are needed on 38 parcels as identified in Exhibit A attached to the proposed Ordinance. Staff, working along side the project right-of-way agent, will negotiate directly with each landowner for the acquisition of necessary right-of-way and temporary construction easements in accordance with the thresholds identified in Resolution 2021/20.
<b>FISCAL IMPACT:</b>
<i>Acquisition of right-of-way shall be at fair market value established by a licensed appraisal; Funded by the 2018 One Percent Transportation Sales and Use Tax</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Approval to accept Right of Way interests or temporary construction easements for the parcels shown in Exhibit A, attached to the proposed Ordinance, that are associated with Stuart Point Road 8-ft Sidewalk
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Motion to approve/deny/amend an ordinance authorizing the County Administrator to execute any and all necessary documents for the acceptance of right-of-way or temporary construction easements on real property associated with the Stuart Point Road Sidewalk Project</i>
<b>Next Step – three readings and a public hearing from County Council</b>

**ORDINANCE 2024/\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF RIGHT-OF-WAY OR TEMPORARY CONSTRUCTION EASEMENTS ON REAL PROPERTY ASSOCIATED WITH THE STUART POINT ROAD SIDEWALK PROJECT**

**WHEREAS**, on November 6, 2018, the citizens of Beaufort County (“County”) approved the 2018 One Cent Sales Tax Referendum to impose a One (1%) Percent Transportation Sales and Use Tax for not more than four (4) years, and to authorize the issue of General Obligation Bonds not to exceed One Hundred Twenty Million (\$120,000,000) Dollars to fund transportation-related projects; hereinafter collectively referred to as the “Tax Referendum”; and

**WHEREAS**, Beaufort County Council (“Council”) approved Resolution 2019/44 identifying the specific projects and authorizing the acquisition of right-of-way needed by the County in order to complete the construction of projects associated with the Tax Referendum. Additionally, Council approved Resolution 2021/20 establishing a right-of-way acquisition policy for the property associated with Tax Referendum projects; and

**WHEREAS**, the County desires to acquire the certain right-of-way and temporary construction easements necessary to meet the County, South Carolina Department of Transportation, and the Federal Highway Administration standards for the construction of an eight (8) foot wide sidewalk on Stuart Point Road in the Seabrook area of Beaufort County. The acquisition area consists of the right-of-way or temporary construction easement areas shown in “Exhibit A” attached hereto and incorporated herein by reference. The project details provided herein and associated property described in Exhibit A are collectively hereinafter referred to as the “Stuart Point Road Sidewalk Project”; and

**WHEREAS**, in accordance with Resolution 2019/44, Resolution 2021/20 and in order to establish just compensation, the County shall obtain appraisals for each of the right-of-way acquisitions. Funds from the Tax Referendum shall fund the compensation to real property owners and any cost and fees associated with both the right-of-way acquisitions or temporary construction easements; and

**WHEREAS**, the Council believes that it is in the best interest of its citizens to formalize the County’s right-of-way interest or temporary construction easements in real property, and as described in Exhibit A, that are associated with the Stuart Point Road Sidewalk Project.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council hereby authorizes the County Administrator to execute any and all necessary documents for the acceptance of right-of-way or temporary construction easements on real property associated with the Stuart Point Road Sidewalk Project where said properties are further described in “Exhibit A”, attached hereto and incorporated herein by reference.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

Third and Final Reading:

Public Hearing:

Second Reading:

First Reading:

Stuart Point Rd 8-ft Sidewalk Project	
New Right of Way and/or Temporary Construction Easement	
Tract No.	PIN
1	R100 012 000 0092 0000
6	R100 012 000 0138 0000
8	R100 012 000 017F 0000
10	R100 012 000 017C 0000
12	R100 012 000 017D 0000
14	R100 012 000 017E 0000

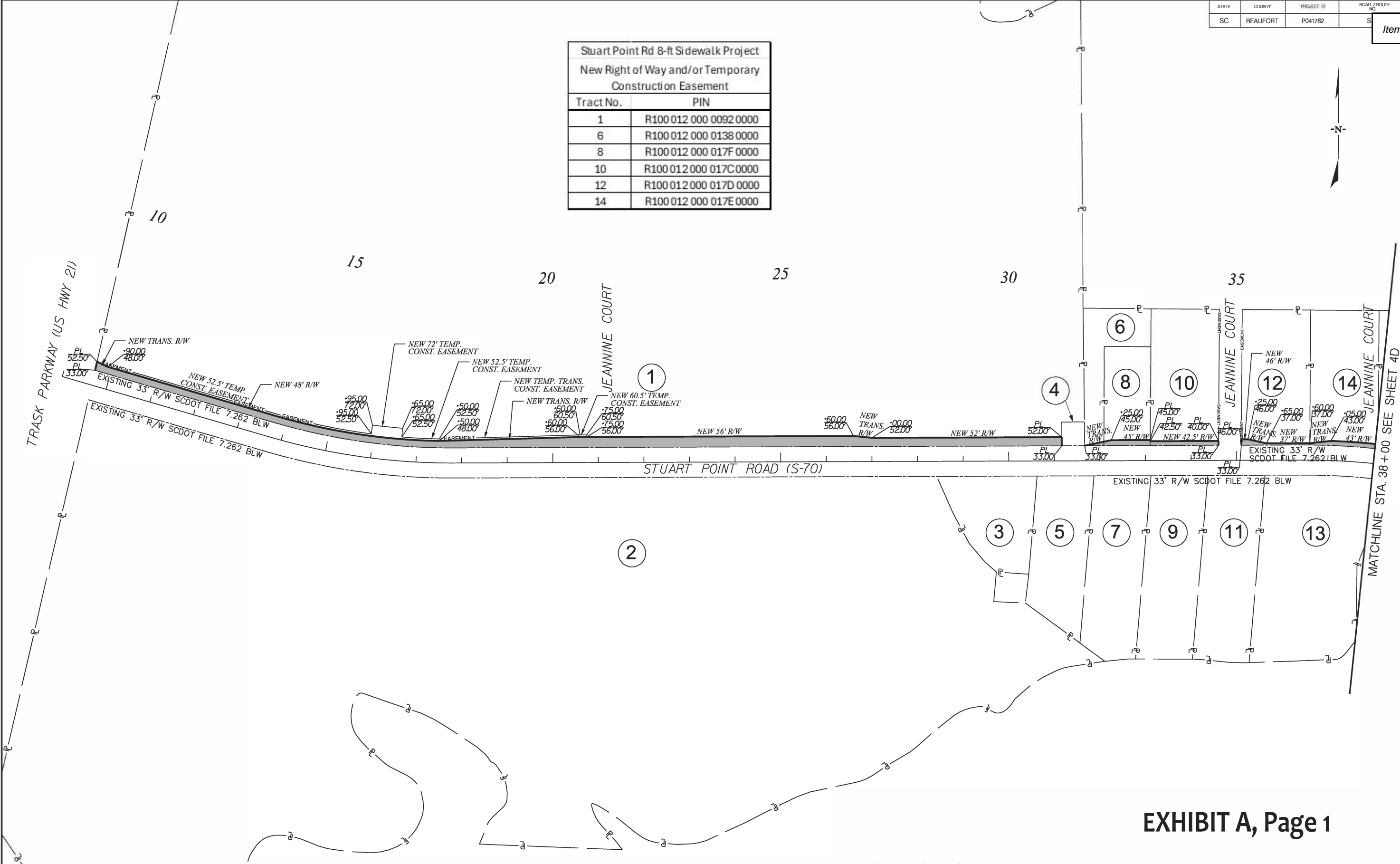


EXHIBIT A, Page 1

4			
3			
2			
1			
REV. NO.	BY	DATE	DESCRIPTION OF REVISION
DESIGNED BY:	BLW	DATE	XXXXXX
DRAWN BY:	BLW	DATE	XXXXXX
CHECKED BY:	JCH	DATE	XXXXXX



Stuart Point Rd 8-ft Sidewalk Project	
New Right of Way and/or Temporary Construction Easement	
Tract No.	PIN
16	R100 012 000 018B 0000
18	R100 012 000 0028 0000
20	R100 012 000 0027 0000
25	R100 012 000 0010 0000
31	R100 012 000 0081 0000
34	R100 012 000 0023 0000
36	R100 012 000 024A 0000
38	R100 012 000 0024 0000
42	R100 013 000 012A 0000
45	R100 016 000 0178 0000
47	R100 016 000 0205 0000

STATE	COUNTY	PROJECT ID	ROAD / ROUTE NO.	SHEET NO.
SC	BEAUFORT	P041782	S	Item 11.

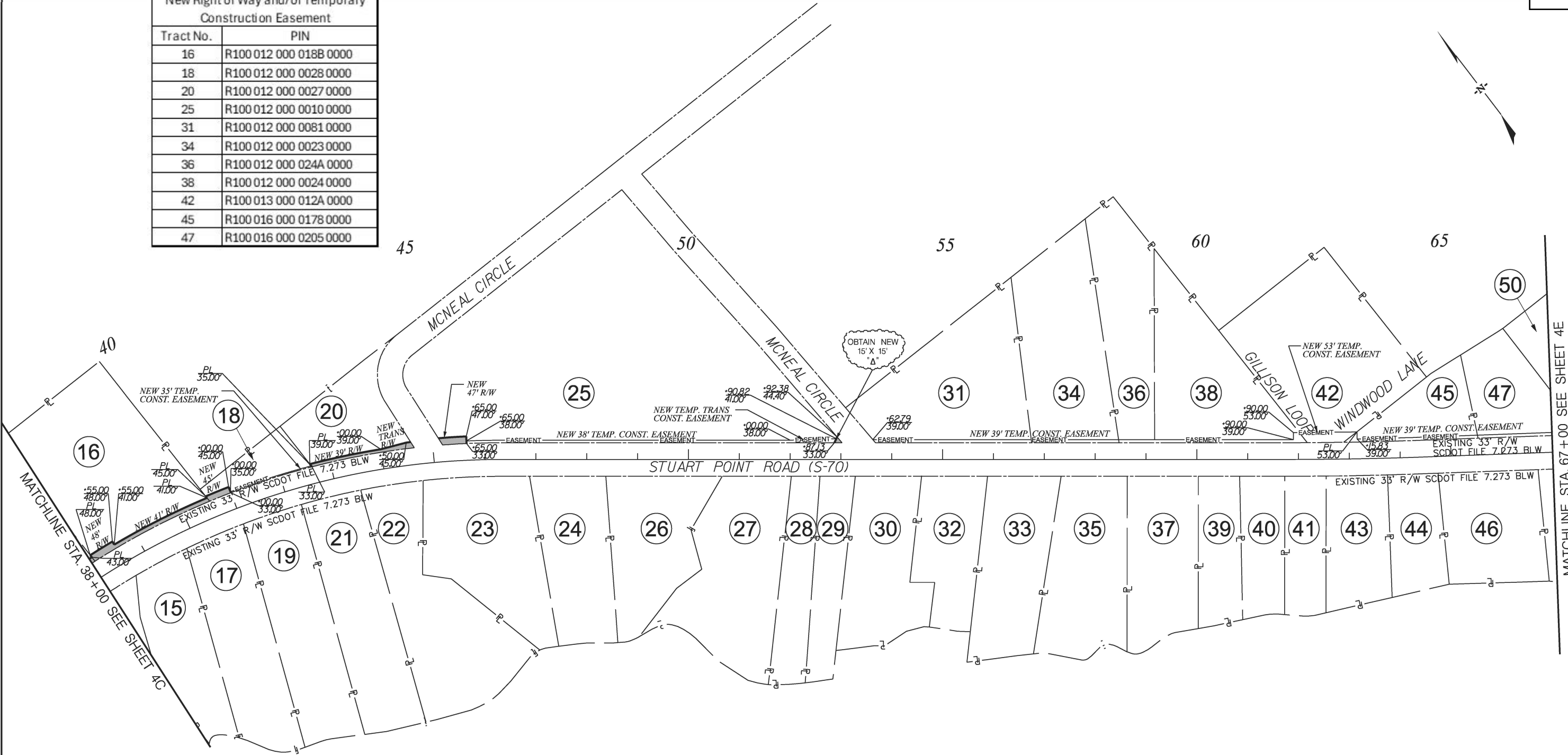


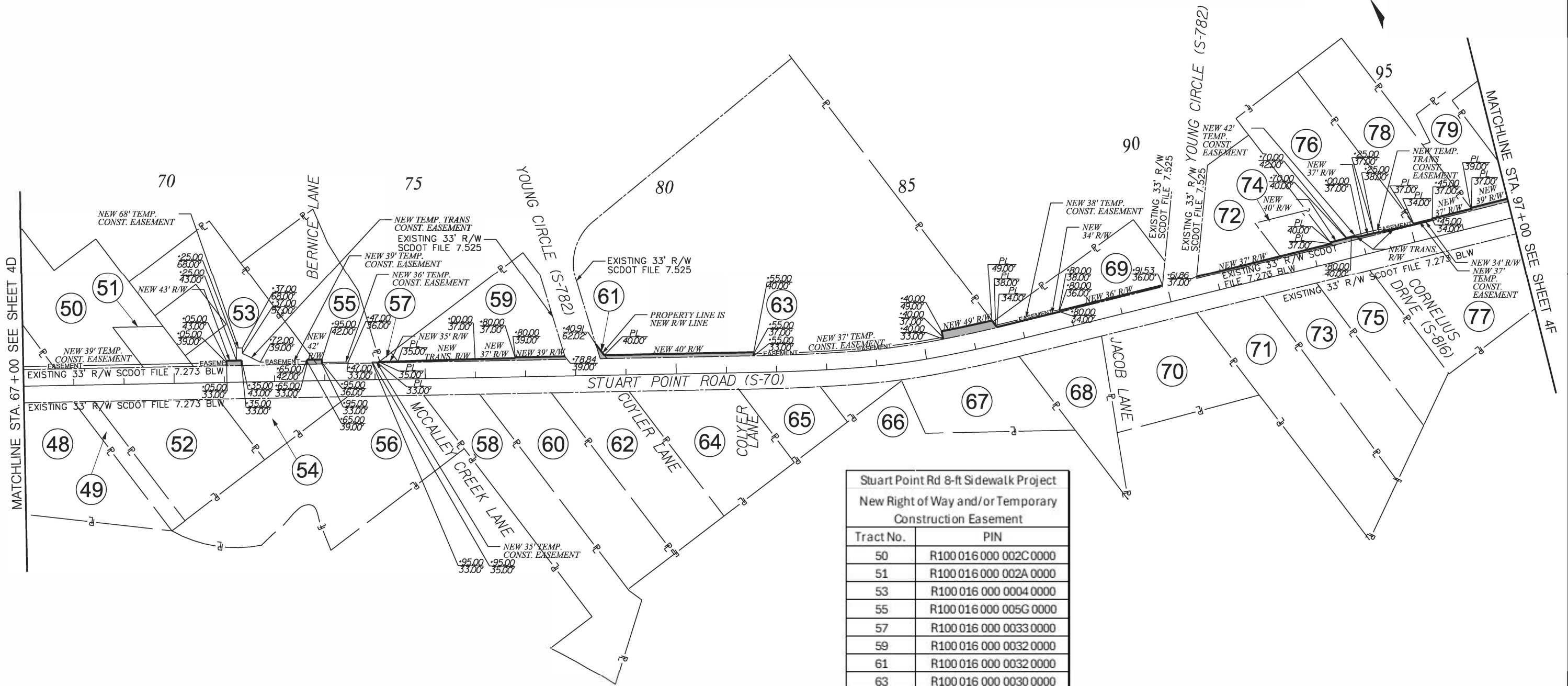
EXHIBIT A, Page 2



PRELIMINARY  
NOT FOR CONSTRUCTION

4			
3			
2			
1			
REV. NO.	BY	DATE	DESCRIPTION OF REVISION
DESIGNED BY:	BLW	DATE	XXXXXX
DRAWN BY:	BLW	DATE	XXXXXX
CHECKED BY:	JCH	DATE	XXXXXX

BEAUFORT COUNTY	
STUART POINT ROAD (S-70) SIDEWALK PROPERTY STRIP MAP	
SHEET 4D	SCALE: 1"=100'



Stuart Point Rd 8-ft Sidewalk Project	
New Right of Way and/or Temporary Construction Easement	
Tract No.	PIN
50	R100 016 000 002C 0000
51	R100 016 000 002A 0000
53	R100 016 000 0004 0000
55	R100 016 000 005G 0000
57	R100 016 000 0033 0000
59	R100 016 000 0032 0000
61	R100 016 000 0032 0000
63	R100 016 000 0030 0000
69	R100 016 000 0039 0000
72	R100 016 000 0027 0000
74	R100 016 000 027A 0000
76	R100 016 000 0026 0000
78	R100 016 000 026A 0000
79	R100 016 000 0195 0000

EXHIBIT A, Page 3

Stuart Point Rd 8-ft Sidewalk Project New Right of Way and/or Temporary Construction Easement	
Tract No.	PIN
81	R100 016 000 026C 0000
84	R100 016 000 022C 0000
87	R100 016 000 022B 0000
90	R100 016 000 022A 0000
92	R100 016 000 0184 0000
93	R100 016 000 0021 0000
97	R100 016 000 0020 0000

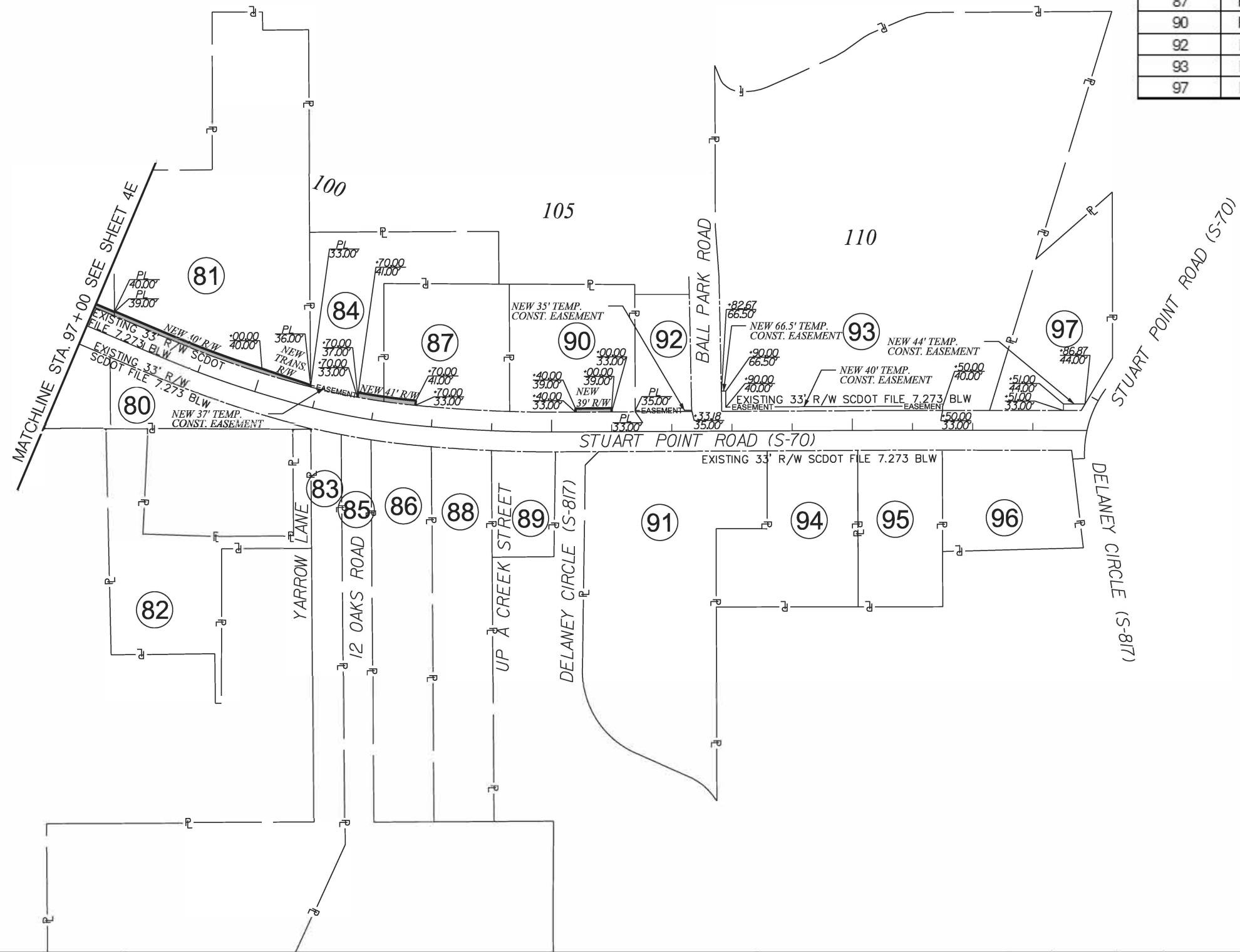
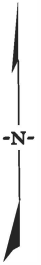


EXHIBIT A, Page 4

**INFRASTRUCTURE**  
CONSULTING & ENGINEERING

PRELIMINARY  
NOT FOR CONSTRUCTION

4				
3				
2				
1				
REV. NO.	BY	DATE	DESCRIPTION OF REVISION	
DESIGNED BY:	BLW	DATE	XXXXXX	
DRAWN BY:	BLW	DATE	XXXXXX	
CHECKED BY:	JCH	DATE	XXXXXX	

BEAUFORT COUNTY	
STUART POINT ROAD (S-70) SIDEWALK PROPERTY STRIP MAP	
SHEET 4F	SCALE: 1"=100'

## RESOLUTION 2021/20

### A RESOLUTION ESTABLISHING RIGHT OF WAY ACQUISITION POLICIES ASSOCIATED WITH THE IMPLEMENTATION OF 2018 ONE CENT SALES TAX REFERENDUM PROJECTS APPROVED BY VOTERS NOVEMBER 6, 2018

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

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

**WHEREAS**, County Council adopted Resolution 2019/44 attached as Exhibit “A” authorized the acquisition of all right of ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right of ways needed to complete projects listed on attached Exhibit “A” ; and

**WHEREAS**, County Council further authorized, as necessary, such acquisitions to include highways, roads, streets, bridges, mass transit systems, green belts and other transportation related project facilities, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges and other transportation related projects; and

**WHEREAS**, in an effort to expedite the acquisition process necessary for project completion, exceptions to the current property purchasing standards need to be addressed as the program is governed by an Intergovernmental Agreement with South Carolina Department of Transportation (SCDOT) and shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), as amended, and S.C. Code of Laws Titles 57 and 28, as amended; and

**WHEREAS**, in an effort to expedite projects to the construction stage, the County Administrator, currently authorized to approve payments not to exceed \$50,000, be authorized to approve right of way (ROW) transactions up to \$500,000 and delegate negotiating authority to the acquisition team as follows:

1. Assistant County Administrator - Engineering up to \$250,000
2. Director of Transportation Engineering up to \$100,000
3. Right of Way Manager up to \$50,000

**WHEREAS**, County Council shall approve all payments exceeding \$500,000 and shall approve eminent domain proceedings; and

**WHEREAS**, to expedite payment for the right of way acquisition process, the County waives the requirement to issue purchase orders over \$1,500 and will amend the Beaufort County Procurement Code; and

**NOW, THEREFORE, BE IT RESOLVED** Beaufort County Council hereby establishes the right of way acquisition policies and approval authorities for the 2018 One Cent Transportation Sales Tax Referendum program as set forth above.

**ADOPTED** this 28th day of June 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

  
Joseph Passiment, Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

## RESOLUTION 2019 / 44

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

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

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

WHEREAS, it is necessary to acquire right-of-ways from private landowners for the purpose of implementing the public projects hereinafter enumerated which were approved by the citizens of Beaufort County; and

WHEREAS, all acquisitions of such right-of-ways will conform to the standards approved by Beaufort County, South Carolina Department of Transportation and the Federal Highway Administration; and

WHEREAS, the construction of all projects is vital to the health and safety of the residents, citizens and tourists in Beaufort County, including, but not limited to, evacuation routes in the event of hurricanes; and

WHEREAS, Beaufort County will conduct 2 public meetings on each of the roadway and pathway projects in order to disseminate project information and obtain community feedback, and;

WHEREAS, Beaufort County staff will update the Public Facilities Committee on a quarterly basis regarding the status of ongoing capital projects, and;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that County Council authorizes the acquisition of all right-of-ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right-of-ways needed to complete the following projects:

1. Hilton Head Island – US 278 Corridor Traffic Improvements
2. Lady's Island Corridor Traffic Improvements
3. Sidewalks and Multi-Use Pathways – Safe Routes to School:
  - a. Burnt Church Road, Ulmer Road, and Shad Road
  - b. Laurel Bay Road Pathway Widening
  - c. Bluffton Parkway Phase I
  - d. Joe Frazier Road
  - e. Meridian Road
  - f. Alljoy Road
  - g. Salem Road, Old Salem Road, and Burnt Hill Road
  - h. Middle Road
  - i. Stuart Point
  - j. Broad Rover Boulevard and Riley Road
  - k. Broad River Drive
  - l. Lake Point Drive and Old Miller Road Pathway Connection

- m. Dr. Martin Luther King, Jr. Drive
- n. Ribuat Road to Parris Island Gateway
- o. Pine Grove Road and Burton Wells Road
- p. Spanish Moss Trail Extension
- q. Seabrook Road
- r. Depot Road
- s. Chowan Creek Bluff
- t. U.S. 17 Pathways Extension
- u. Bruce K. Smalls
- v. Paige Point
- w. Big Road
- x. Big Estate Road

IT IS FURTHER RESOLVED, that County Council further authorizes, as necessary, such acquisitions to include highways, roads, streets, bridges, mass transit systems, green belts and other transportation related project facilities, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges and other transportation related projects.

Adopted this 18<sup>th</sup> day of November, 2019.

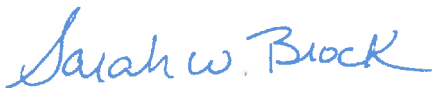
COUNTY COUNCIL OF BEAUFORT  
COUNTY

By:



Stewart H. Rodman , Chairman

Attest:



Sarah W. Brock, Clerk to Council

## RESOLUTION 2019 / 44

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

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

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

WHEREAS, it is necessary to acquire right-of-ways from private landowners for the purpose of implementing the public projects hereinafter enumerated which were approved by the citizens of Beaufort County; and

WHEREAS, all acquisitions of such right-of-ways will conform to the standards approved by Beaufort County, South Carolina Department of Transportation and the Federal Highway Administration; and

WHEREAS, the construction of all projects is vital to the health and safety of the residents, citizens and tourists in Beaufort County, including, but not limited to, evacuation routes in the event of hurricanes; and

WHEREAS, Beaufort County will conduct 2 public meetings on each of the roadway and pathway projects in order to disseminate project information and obtain community feedback, and;

WHEREAS, Beaufort County staff will update the Public Facilities Committee on a quarterly basis regarding the status of ongoing capital projects, and;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that County Council authorizes the acquisition of all right-of-ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right-of-ways needed to complete the following projects:

1. Hilton Head Island – US 278 Corridor Traffic Improvements
2. Lady's Island Corridor Traffic Improvements
3. Sidewalks and Multi-Use Pathways – Safe Routes to School:
  - a. Burnt Church Road, Ulmer Road, and Shad Road
  - b. Laurel Bay Road Pathway Widening
  - c. Bluffton Parkway Phase I
  - d. Joe Frazier Road
  - e. Meridian Road
  - f. Alljoy Road
  - g. Salem Road, Old Salem Road, and Burnt Hill Road
  - h. Middle Road
  - i. Stuart Point
  - j. Broad Rover Boulevard and Riley Road
  - k. Broad River Drive
  - l. Lake Point Drive and Old Miller Road Pathway Connection



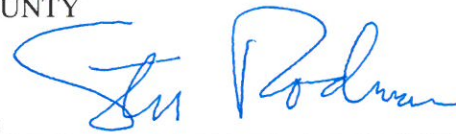
- m. Dr. Martin Luther King, Jr. Drive
- n. Ribuat Road to Parris Island Gateway
- o. Pine Grove Road and Burton Wells Road
- p. Spanish Moss Trail Extension
- q. Seabrook Road
- r. Depot Road
- s. Chowan Creek Bluff
- t. U.S. 17 Pathways Extension
- u. Bruce K. Smalls
- v. Paige Point
- w. Big Road
- x. Big Estate Road

IT IS FURTHER RESOLVED, that County Council further authorizes, as necessary, such acquisitions to include highways, roads, streets, bridges, mass transit systems, green belts and other transportation related project facilities, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges and other transportation related projects.

Adopted this 18<sup>th</sup> day of November, 2019.

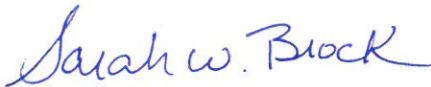
COUNTY COUNCIL OF BEAUFORT  
COUNTY

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



Stewart H. Rodman, Chairman

Attest:



Sarah W. Brock, Clerk to Council



# BEAUFORT COUNTY COUNCIL

## AGENDA ITEM SUMMARY

Item 12.

<b>ITEM TITLE:</b>
<b>AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH MITCHELVILLE PRESERVATION PROJECT, INC. FOR SUITE 134 AND SUITE 142 OF THE COUNTY OWNED OFFICE BUILDING LOCATED AT 539 WILLIAM HILTON PARKWAY ON HILTON HEAD ISLAND</b>
<b>MEETING NAME AND DATE:</b>
Public Facilities and Safety Committee; November 18, 2024
<b>PRESENTER INFORMATION:</b>
Hank Amundson – Special Assistant to the County Administrator; 5 Minutes
<b>ITEM BACKGROUND:</b>
<p>The Mitchelville Preservation Project, Inc., is a non-profit organization in Hilton Head Island that features, celebrates, promotes, and continues to research the rich history of the Historic Mitchelville in Beaufort County on Hilton Head Island. The non-profit is focused on preserving a historically significant site, known as the Historic Mitchelville Freedom Park, to reveal and American story of former slaves who created a culture of sacrifice, resistance and resilience.</p> <p>The Mitchelville Preservation Project, Inc. has occupied office space (Suite 134) at the County’s Hilton Head Government Center for several years without a lease in place. Recently, due to the growth and success of the non-profit featuring the rich history of Mitchelville, they have requested an additional room (Suite 142).</p>
<b>PROJECT / ITEM NARRATIVE:</b>
<p>The ordinance will bring the existing use of the County Office space into compliance and allow the continued operation of the Mitchelville Preservation Project, Inc.’s administrative offices moving forward.</p> <p>The proposed lease is to include the currently occupied Suite 134 as well as Suite 142 that will be used by the Finance Director.</p>
<b>FISCAL IMPACT:</b>
<p>The lease rate established in accordance with the Beaufort County Lease Policy, the applicable section of the Policy provides:</p> <p><i>The administrator may in its discretion reduce the lease rate to a nominal amount if determined the use of the Property is a benefit to the community that would not otherwise be available with an increased lease rate. The reduced lease rate described in this Section must be presented to County Council and receive a majority vote approval.</i></p>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Approve a lease with Mitchelville Preservation Project, Inc. at a nominal rate for use of Suite 134 and Suite 142 at the County’s Hilton Head Government Offices located at 539 William Hilton Parkway, Hilton Head Island
<b>OPTIONS FOR COUNCIL MOTION:</b>
<p>Motion to disapprove.</p> <p>Move forward to Council on December 8, 2024; public hearing is required.</p>

**ORDINANCE 2024/\_\_\_\_\_****AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH MITCHELVILLE PRESERVATION PROJECT, INC. FOR SUITE 134 AND SUITE 142 OF THE COUNTY OWNED OFFICE BUILDING LOCATED AT 539 WILLIAM HILTON PARKWAY ON HILTON HEAD ISLAND**

**WHEREAS**, Beaufort County (“County”) is the fee simple owner of the property located at 539 William Hilton Parkway, Hilton Head Island, South Carolina 29928 (“Property”); and

**WHEREAS**, Mitchelville Preservation Project, Inc. is a non-profit organization located on Hilton Head Island that features, celebrates, promotes, and continues to research the rich history of the Historic Mitchelville in Beaufort County on Hilton Head Island; and

**WHEREAS**, the County desires to lease a portion of the Property, Suite 134 and Suite 142, to Mitchelville Preservation Project, Inc. for the operation of its administrative and finance offices; and

**WHEREAS**, Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the County Administrator to enter into a lease with Mitchelville Preservation Project, Inc. to occupy Suite 134 and Suite 142 in the County’s office building located at 539 William Hilton Parkway on Hilton Head Island at a nominal rate to include all costs.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to enter into a lease agreement with Mitchelville Preservation Project, Inc. for Suite 134 and Suite 142 of the County owned office building located at 539 William Hilton Parkway on Hilton Head Island.

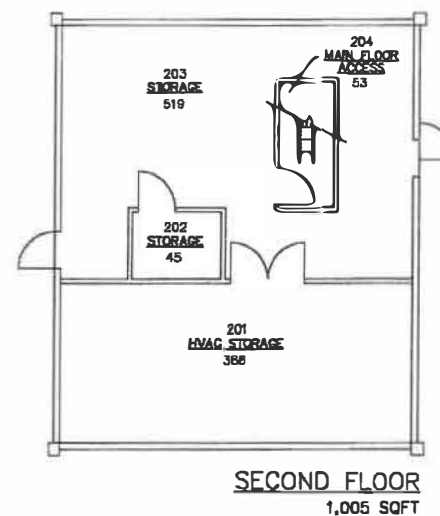
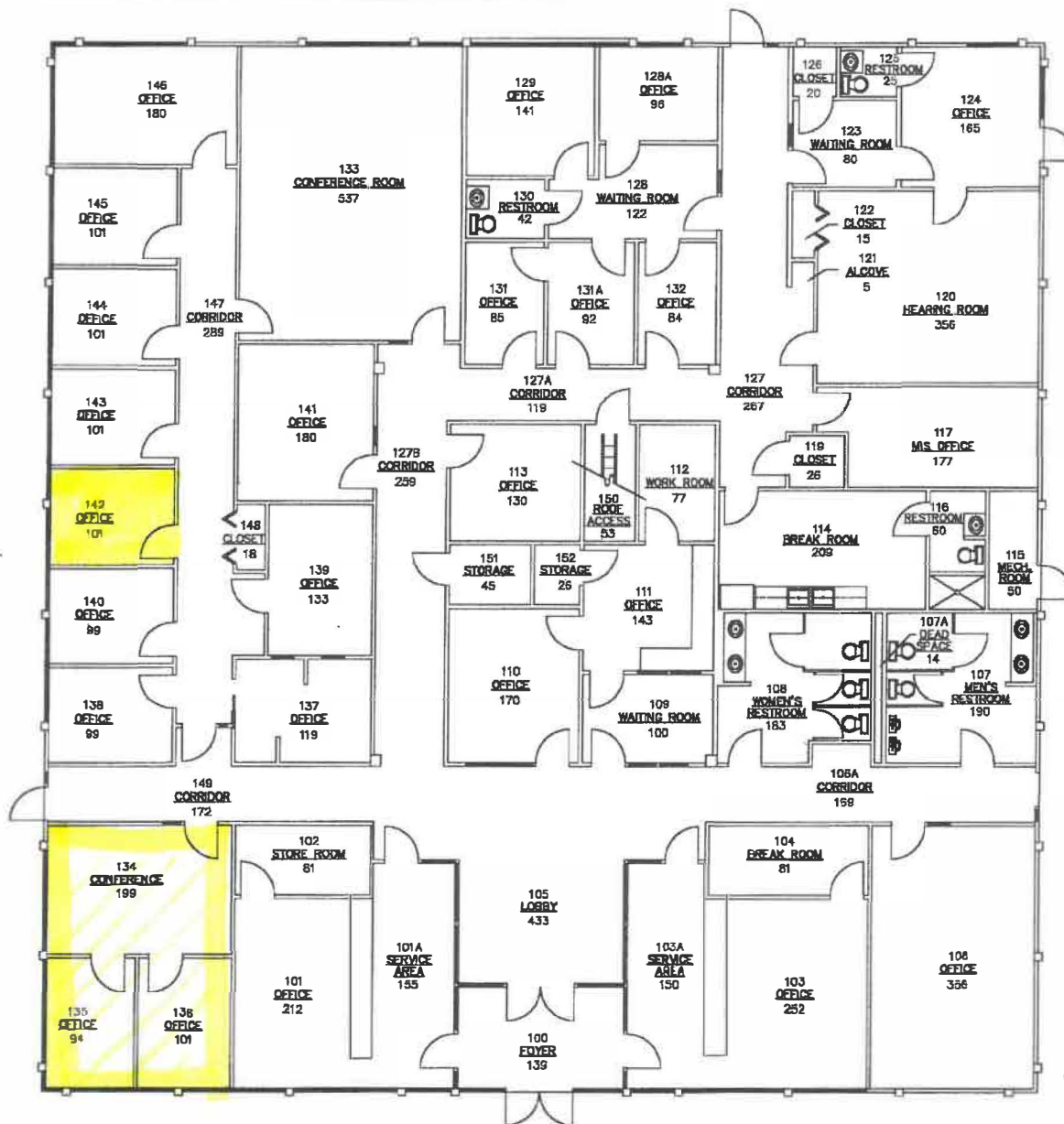
Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council



9,303 GENERAL  
SQUARE FOOTAGE

## HEERY

5540 CENTERVIEW DRIVE  
SUITE 401  
RALEIGH, NORTH CAROLINA 27606

PHONE: 919-854-9880  
FAX: 919-854-9397

## Fifth Dimension AutoCAD Services

533 WILSON ROAD  
SPRING HOPES, NC 27982  
Phone: (252) 478-4588  
fifthdimension@comcast.net



GOVERNMENT CENTER SOUTH  
539 WILLIAM HILTON PARKWAY  
HILTON HEAD ISLAND, SC 29926  
BEAUFORT COUNTY, SOUTH CAROLINA

## Government Center South

Building # 49  
GSF=9,303  
539 William Hilton Pkwy  
HH Is., SC 29926

Date: AUGUST 2, 2002  
Project # 01033-00  
Scale: NTS



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 13.

<b>ITEM TITLE:</b>
Recommend Approval of an Ordinance to Invest \$4,300,000 from the General Fund – Fund Balance in an Infrastructure Development Project at Beaufort Executive Airport (ARW) to fund Construction of Aircraft Hangars
<b>MEETING NAME AND DATE:</b>
Finance Committee November 25, 2024
<b>PRESENTER INFORMATION:</b>
Jon Rembold, Airports Director 10 minutes
<b>ITEM BACKGROUND:</b>
<p>Beaufort Executive Airport has a crisis-level shortage of hangar space. All hangars are occupied and there is a 68-person waiting list. The airport has a total of 34 T-hangars.</p> <p>On 8/19/24, Public Facilities Committee directed airport staff to work with the finance staff to develop funding options for the hangar development project. The funding shortfall is \$4,300,000.</p> <p>On 10/23/24, airport staff presented options to Finance Committee. Based on feedback from that meeting, the current suite of options is being presented for consideration.</p>
<b>PROJECT / ITEM NARRATIVE:</b>
<p>The hangar project includes the construction of 2 “box” and 20 “T” style hangars at ARW to provide Beaufort County citizens with aircraft hangar space. These refined funding options were developed for Finance Committee’s consideration. The funding package in the back up material describes the details of each option.</p> <p>Option 1: \$4,300,000 investment from the General Fund – Fund Balance to the Airport to fund the project.</p> <p><b>Option 2: (Recommended) \$2,150,000 loan from General Fund – Fund Balance to the Airport coupled with a \$2,150,000 investment from the General Fund – Fund Balance to complete the project.</b></p> <p>Option 3: \$4,300,000 structured loan from the General Fund - Fund Balance to the Airport to complete the project.</p>
<b>FISCAL IMPACT:</b>
<p>Each option improves ARW’s financial position. The backup package contains the details of each option. Option 2 provides a favorable combination of investment and project financing that provides significant benefit to the County by executing a project that will generate revenue immediately upon completion. This revenue (from hangar rent and increased fuel sales) will help fund important deferred airfield safety and facility maintenance projects. The increase in based aircraft also increases aircraft property tax revenues.</p>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff Recommends approval of the proposed Ordinance, which reflects selection of funding Option 2
<b>OPTIONS FOR COUNCIL MOTION:</b>
Approve the proposed Ordinance to Invest an estimated \$2,150,000 from the General Fund – Fund Balance in an Infrastructure Development Project at Beaufort Executive Airport (ARW) to fund Construction of Aircraft Hangars; or deny the proposed Ordinance to Invest an estimated \$2,150,000 from the General Fund – Fund

Balance in an Infrastructure Development Project at Beaufort Executive Airport (ARW) to fund Construction Aircraft Hangars.

Item 13.



November 2024

Beaufort County Council  
100 Ribaut Road  
Beaufort SC 29901

## Beaufort Executive Airport (ARW) Hangar Development Funding Options

### Request

Authorize the use of funds from General Fund balance to complete a hangar expansion project at Beaufort Executive Airport.

### Background

Beaufort County is the residence of record for 195 taxable private aircraft, many of which are stored and operated from Beaufort Executive Airport (ARW). Property taxes on these aircraft generate more than 1 million dollars in tax revenue which is deposited in Beaufort County's general fund. In the past 10 years, Beaufort County has not reinvested these tax dollars in the maintenance or capital improvement of Beaufort Executive Airport.

The airport operates as an Enterprise, or as a business of the county. The airport enterprise generates revenue from fuel sales, hangar rental, and tie downs, then reinvests that very small margin of revenue into the facility for maintenance and capital improvements or to pay debt service.

ARW is also home to Beaufort County Mosquito Control (public health), Beaufort County Sheriff Office (BCSO) Aviation (public safety), BCSO Substation (public safety), and a Civil Air Patrol aircraft. The airport does not impose lease/rental fees on any of these non-airport entities.

Beaufort Executive Airport has been at 100% hangar capacity for at least ten years, and there has been a waiting list for all those years. The airport designed a hangar development project to partially relieve the pressure of the 68-person waiting list. Currently, aircraft owners are forced to choose other airports outside of Beaufort County to house their aircraft which results in lost fuel revenue for ARW and a loss of personal property tax revenue for Beaufort County. It also adds tremendous inconvenience to tax-paying county residents when they are forced to drive to another county to access their aircraft.

## Project Scope

Following this narrative is a site plan showing the proposed hangars located immediately adjacent to the existing hangars.

- Hangar 500A consists of a 50'x 50' Box addition on the current 500 series T Hangar section
- Hangar 400 consists of 1 row of 12 nested T hangars (each T hangar is approximately 1,050 square feet)
- Hangar 300 consists of 1 row of 8 Standard T hangars
- Hangar 200 consists of a 120' x 60' Box hangar

## Funding options and available funds

The total estimated cost to complete both sitework and construction is \$7.1 million.<sup>1</sup> Current available funds for the hangar project include \$1.4 million in ARPA funds and \$1.4 million in South Carolina Aeronautics Commission (SCAC) funds. The additional funds needed for the project are \$4.3 million.

Cost Estimate	
Site work cost	\$ 2,325,000
Structure cost	<u>4,766,000</u>
<b>Total Estimated Cost</b>	<b>7,091,000</b>
Current available funds	
ARPA	\$ 1,400,000
SCAC	<u>1,388,000</u>
<b>Total current available funds</b>	<b><u>2,788,000</u></b>
<b>Additional funds needed</b>	<b><u>\$ 4,303,000</u></b>

<sup>1</sup> This estimate includes a 10 percent contingency for potential overages.



The following are two funding options:

### Option 1 - Approval of the request for \$4.3 million from General Fund Balance

This is the most favorable option for staff. Capital investment in Beaufort Executive Airport will encourage growth and allow the airport to reinvest a higher margin of revenue into future maintenance and capital projects as well as complete deferred runway safety projects. This investment will generate increased capacity resulting in an increase of high value taxable aircraft home-based in Beaufort County.

### Predicted Return on Investment for Option 1

NAME	TYPE	Nightly	Monthly	Annual	
Hangar 500A	50' x 50' Sm Box	\$ -	\$ 2,200.00	\$ 26,400.00	*\$2200 per month
Hangar 400	T-Hangar (12)	\$ -	\$ 7,200.00	\$ 86,400.00	*\$600 per month
Hangar 300	T-Hangar (8)	\$ -	\$ 4,800.00	\$ 57,600.00	*\$600 per month
Hangar 200	120' x 60' Lg box	\$ 3,000.00	\$ 1,000.00	\$ 48,000.00	*15 nightly rentals/ \$200 per night/2 A/C \$ 500 per month
Annual Revenue				\$ 218,400.00	
Annual Debt Service				\$ -	
Annual ROI				\$ 218,400.00	

As shown in the previous table, the associated annual hangar revenue is \$218,400 before associated maintenance expenses and there would be no ARW associated debt service. The net present value (NPV) of the project to ARW utilizing a 4.25% discount rate over a 30-year period is estimated at \$4.96 million (See Appendix 1)<sup>1</sup>.

Option 1 is the preferred option because it enables the Airport to reinvest hangar revenues to execute deferred airfield safety and facility maintenance projects. These projects are critical to the long-term viability of the airport but have had to be deferred due to lack of funds. This project is a unique opportunity for Beaufort County to create an immediate impact with its investment. Some of these deferred projects are listed below.

### Unfunded Capital Projects:

- ➔ Design and construction of additional section of parallel taxiway (airfield safety)
- ➔ Rehabilitation of existing aircraft parking aprons (airfield maintenance and FAA sponsor assurance)
- ➔ Design and construction of an additional aircraft parking apron (airfield safety)
- ➔ Fuel Farm maintenance and accessory upgrades (safety and maintenance)
- ➔ Aircraft Hangar Roof Repairs – repair leaks on existing hangar roofs (facility maintenance)
- ➔ Aircraft Hangar Door Repairs – repair/replace aging door motors and cables (safety and facility maintenance)
- ➔ Planning, design, and construction of additional hangars to meet market demand

<sup>1</sup> As of November 6, 2024, the US Discount Rate is at 5.00%. This is higher than the long-term average of 2.20%. For the purposes of this analysis, we have applied a U.S 30-year treasury yield for the discount rate given the life of the assets involved and the low risk associated with the project. The 30-year period is based on the estimated life of the hangars.

**Option 2 – This option includes a loan from the Beaufort County General Fund Balance for \$2.15 million. The remaining \$2.15 million would come from the General Fund to complete all sitework and building construction.**

Option 2 allows the airport to own the hangars and realize the revenues, minus the associated debt service. A loan offer from Beaufort County could provide an extremely competitive interest rate, can be paid in full early and would contain favorable terms. The following table shows the revenue associated with the new hangars, annual debt service and the resulting annual ROI before associated maintenance expenses.

### Predicted Return on Investment for Option 2

NAME	TYPE	Nightly	Monthly	Annual	
Hangar 500A	50' x 50' Sm Box	\$ -	\$ 2,200.00	\$ 26,400.00	*\$2200 per month
Hangar 400	T-Hangar (12)	\$ -	\$ 7,200.00	\$ 86,400.00	*\$600 per month
Hangar 300	T-Hangar (8)	\$ -	\$ 4,800.00	\$ 57,600.00	*\$600 per month
Hangar 200	120' x 60' Lg box	\$ 3,000.00	\$ 1,000.00	\$ 48,000.00	*15 nightly rentals/ \$200 per night/2 A/C \$ 500 per month
Annual Revenue				\$ 218,400.00	
Annual Debt Service				\$ 77,191.00	
Annual ROI				<u>\$ 141,209.00</u>	

The annual debt service is based on financing \$2.15 million at a 0.5 percent interest rate for a 30-year term (See Appendix 2 for the associated debt service schedule). The net present value (NPV) of the project to ARW utilizing a 4.25% discount rate over a 30-year period is estimated at \$3.63 million (See Appendix 3)<sup>1</sup>. For comparison purposes, the table below shows the annual debt service and associated ROI based on the given interest rate that would be applied.

Annual Debt Service Levels and ROI for Financing \$2.15 million		
Interest Rate	Annual Debt Service	ARW Annual ROI
0.50%	\$ 77,191	\$ 141,209
1.00%	82,983	\$ 135,417
1.50%	89,041	\$ 129,359
2.00%	95,362	\$ 123,038
2.50%	101,941	\$ 116,459
3.00%	108,774	\$ 109,626
3.50%	115,854	\$ 102,546
4.00%	123,173	\$ 95,227
4.25%	126,920	\$ 91,480

### Option 3– Structured loan from General Fund balance to ARW for \$4.3 million dollars

This option consists of a loan from the Beaufort County General Fund Balance. The loan would cover the full remaining cost (\$4.3 million) to complete all sitework and building construction.

### Predicted Return on Investment for Option 3

As with Option 2, Option 3 allows the airport to own the hangars and receive revenues minus the associated debt service but to a lesser degree. The following table shows the revenue associated with the new hangars less the associated debt service. The annual debt service is based on financing \$4.3 million at a 0.5 percent interest rate for a 30-year term (See Appendix 4 for the associated debt service schedule).

NAME	TYPE	Nightly	Monthly	Annual	
Hangar 500A	50' x 50' Sm Box	\$ -	\$ 2,200.00	\$ 26,400.00	*\$2200 per month
Hangar 400	T-Hangar (12)	\$ -	\$ 7,200.00	\$ 86,400.00	*\$600 per month
Hangar 300	T-Hangar (8)	\$ -	\$ 4,800.00	\$ 57,600.00	*\$600 per month
Hangar 200	120' x 60' Lg box	\$ 3,000.00	\$ 1,000.00	\$ 48,000.00	*15 nightly rentals/ \$200 per night/2 A/C \$ 500 per month
Annual Revenue				\$ 218,400.00	
Annual Debt Service				\$ 154,489.00	
Annual ROI				<u>\$ 63,911.00</u>	

As shown in the previous table, the associated annual hangar revenue is \$218,400 while the estimated annual debt service is \$154,489 resulting in annual revenue of \$63,911 before associated maintenance expenses. The net present value (NPV) of the project to ARW utilizing a 4.25% discount rate over a 30-year period is estimated at \$2.3 million (See Appendix 5).

Annual Debt Service Levels and ROI for Financing \$4.30 million		
Interest Rate	Annual Debt Service	ARW Annual ROI
0.5%	\$ 154,489	\$ 63,911
1.0%	168,082	50,318
1.5%	178,206	40,194
2.0%	190,857	27,543
2.5%	204,025	14,375
3.00%	217,699	701
3.50%	231,869	(13,469)
4.00%	246,518	(28,118)
4.25%	254,018	(35,618)

Again, for comparison purposes, the table above shows the annual debt service and associated ROI based on the given interest rate that would be applied.

## Items for consideration when determining the appropriate funding option

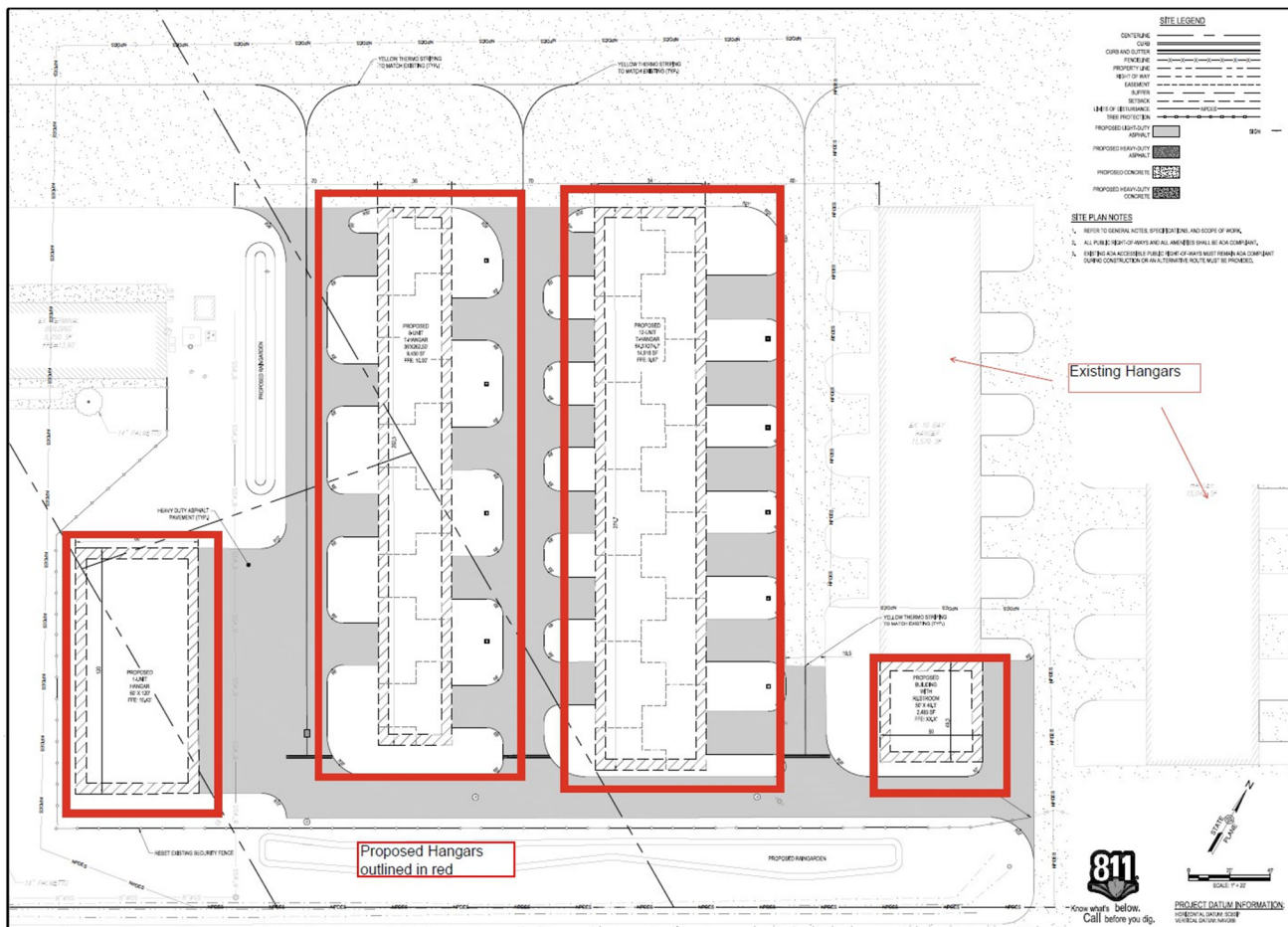
Each tax year aircraft owners who have their aircraft located at ARW for 6 months or more are required to pay personal property taxes to Beaufort County. The following table is a summary of the aircraft personal property taxes that have been paid to the County over the past 10 years.

### Beaufort County Aircraft Personal Property Tax Summary

<b>Tax Year</b>	<b>County Aircraft Taxes Collected*</b>	<b>ARW Portion</b>
<b>2015</b>	\$ 138,408.19	55,363.28
<b>2016</b>	265,191.99	106,076.80
<b>2017</b>	344,106.32	137,642.53
<b>2018</b>	284,720.98	113,888.39
<b>2019</b>	546,382.67	218,553.07
<b>2020</b>	625,442.78	250,177.11
<b>2021</b>	738,985.48	295,594.19
<b>2022</b>	802,009.74	320,803.90
<b>2023</b>	1,133,567.86	453,427.14
<b>2024</b>	1,147,610.37	459,044.15
	\$ 6,026,426.38	2,410,570.55
* The total aircraft personal property taxes collected for both the Hilton Head Island and ARW airports.		

For the tax years 2015 through 2024 the total County aircraft tax collected has been \$6.03 million for both Hilton Head Island and ARW airport. The ARW portion collected is estimated at 40% of the total or \$2.4 million. With the projected increase in aircraft from this potential hangar project the increased home-based aircraft tax revenue for ARW is estimated to increase by \$94,975 or 20% in addition to tax rate related increases. Please note that no portion of the above aircraft personal property taxes collected have been reinvested in the airports.

The following is the site plan showing the proposed hangars located immediately adjacent to the existing hangars.



## APPENDIX 1 – Option 1 – PREFERRED OPTION County Development Grant

	ARW Revenue	Debt Service	Hangar Maint. Expense	Net Cash Flow	Net Present Value
1	\$ 218,400	\$ -	\$ -	\$ 218,400	\$ 213,902
2	218,400	-	-	218,400	205,182
3	229,320	-	-	229,320	206,658
4	229,320	-	-	229,320	198,233
5	240,786	-	-	240,786	199,659
6	240,786	-	2,500	238,286	189,531
7	252,825	-	2,538	250,288	190,961
8	252,825	-	2,576	250,250	183,148
9	265,467	-	2,614	262,852	184,529
10	265,467	-	2,653	262,813	176,980
11	278,740	-	2,693	276,047	178,313
12	278,740	-	2,734	276,006	171,019
13	292,677	-	2,775	289,902	172,306
14	292,677	-	2,816	289,861	165,258
15	307,311	-	2,858	304,452	166,501
16	307,311	-	2,901	304,409	159,690
17	322,676	-	2,945	319,731	160,890
18	322,676	-	2,989	319,687	154,310
19	338,810	-	3,034	335,776	155,469
20	338,810	-	3,079	335,731	149,110
21	355,751	-	3,126	352,625	150,229
22	355,751	-	3,172	352,578	144,085
23	373,538	-	3,220	370,318	145,166
24	373,538	-	3,268	370,270	139,229
25	392,215	-	3,317	388,898	140,272
26	392,215	-	3,367	388,848	134,536
27	411,826	-	3,418	408,408	135,543
28	411,826	-	3,469	408,357	130,001
29	432,417	-	3,521	428,896	130,974
30	432,417	-	3,574	428,843	125,619
Total Net Present Value of the Hangar Project = Option 1					\$ 4,957,306

\* Net Present Value (NPV) is the value of all future cash flows (positive and negative) over the entire life of an investment discounted to the present. NPV analysis is a form of intrinsic valuation and is used extensively across finance and accounting for determining the value of a business, investment security, capital project, new venture, cost reduction program, and anything that involves cash flow. To calculate NPV, the timing and amount of future cash flows is estimated, and a discount rate is chosen that is equivalent to the minimum acceptable rate of return.

## APPENDIX 2

### Option 2 - \$2.15 million dollars from the General Fund balance to ARW and a County loan for the remaining \$2.15 million dollars

**Annual Amortization Table**

Years	OpeningBalance	Annual Loan Repayment	Monthly Loan Repayment	Interest Charged	Capital Repaid	ClosingBalance	% Capital Outstanding
1	2,150,000.00	77,190.89	6,432.57	10,597.53	66,593.36	2,083,406.64	96.9%
2	2,083,406.64	77,190.89	6,432.57	10,263.80	66,927.10	2,016,479.54	93.8%
3	2,016,479.54	77,190.89	6,432.57	9,928.39	67,262.50	1,949,217.04	90.7%
4	1,949,217.04	77,190.89	6,432.57	9,591.31	67,599.58	1,881,617.46	87.5%
5	1,881,617.46	77,190.89	6,432.57	9,252.54	67,938.36	1,813,679.10	84.4%
6	1,813,679.10	77,190.89	6,432.57	8,912.06	68,278.83	1,745,400.27	81.2%
7	1,745,400.27	77,190.89	6,432.57	8,569.89	68,621.01	1,676,779.26	78.0%
8	1,676,779.26	77,190.89	6,432.57	8,225.99	68,964.90	1,607,814.37	74.8%
9	1,607,814.37	77,190.89	6,432.57	7,880.38	69,310.51	1,538,503.85	71.6%
10	1,538,503.85	77,190.89	6,432.57	7,533.03	69,657.86	1,468,845.99	68.3%
11	1,468,845.99	77,190.89	6,432.57	7,183.94	70,006.95	1,398,839.04	65.1%
12	1,398,839.04	77,190.89	6,432.57	6,833.10	70,357.79	1,328,481.25	61.8%
13	1,328,481.25	77,190.89	6,432.57	6,480.51	70,710.38	1,257,770.87	58.5%
14	1,257,770.87	77,190.89	6,432.57	6,126.14	71,064.75	1,186,706.12	55.2%
15	1,186,706.12	77,190.89	6,432.57	5,770.01	71,420.89	1,115,285.23	51.9%
16	1,115,285.23	77,190.89	6,432.57	5,412.08	71,778.81	1,043,506.42	48.5%
17	1,043,506.42	77,190.89	6,432.57	5,052.36	72,138.53	971,367.89	45.2%
18	971,367.89	77,190.89	6,432.57	4,690.84	72,500.05	898,867.84	41.8%
19	898,867.84	77,190.89	6,432.57	4,327.51	72,863.38	826,004.46	38.4%
20	826,004.46	77,190.89	6,432.57	3,962.36	73,228.53	752,775.92	35.0%
21	752,775.92	77,190.89	6,432.57	3,595.38	73,595.52	679,180.41	31.6%
22	679,180.41	77,190.89	6,432.57	3,226.55	73,964.34	605,216.07	28.1%
23	605,216.07	77,190.89	6,432.57	2,855.88	74,335.01	530,881.06	24.7%
24	530,881.06	77,190.89	6,432.57	2,483.36	74,707.54	456,173.52	21.2%
25	456,173.52	77,190.89	6,432.57	2,108.96	75,081.93	381,091.59	17.7%
26	381,091.59	77,190.89	6,432.57	1,732.69	75,458.20	305,633.38	14.2%
27	305,633.38	77,190.89	6,432.57	1,354.53	75,836.36	229,797.02	10.7%
28	229,797.02	77,190.89	6,432.57	974.48	76,216.41	153,580.61	7.1%
29	153,580.61	77,190.89	6,432.57	592.52	76,598.37	76,982.24	3.6%
30	76,982.24	77,190.89	6,432.57	208.65	76,982.24	-	0.0%

**APPENDIX 3 – Option 2 - \$2.15 million dollars from the General Fund balance to ARW and a County loan  
for the remaining \$2.15 million dollars**

Year	ARW Revenue	Debt Service	Hangar Maint. Expense	Net Cash Flow	Net Present Value
1	\$ 218,400	\$ 77,191	\$ -	\$ 141,209	\$ 138,301
2	218,400	77,191	-	141,209	132,663
3	229,320	77,191	-	152,129	137,095
4	229,320	77,191	-	152,129	131,506
5	240,786	77,191	-	163,595	135,653
6	240,786	77,191	2,500	161,095	128,134
7	252,825	77,191	2,538	173,097	132,067
8	252,825	77,191	2,576	173,059	126,655
9	265,467	77,191	2,614	185,661	130,339
10	265,467	77,191	2,653	185,622	124,999
11	278,740	77,191	2,693	198,856	128,452
12	278,740	77,191	2,734	198,815	123,190
13	292,677	77,191	2,775	212,711	126,427
14	292,677	77,191	2,816	212,670	121,249
15	307,311	77,191	2,858	227,261	124,286
16	307,311	77,191	2,901	227,218	119,197
17	322,676	77,191	2,945	242,541	122,048
18	322,676	77,191	2,989	242,496	117,051
19	338,810	77,191	3,034	258,585	119,728
20	338,810	77,191	3,079	258,540	114,827
21	355,751	77,191	3,126	275,434	117,343
22	355,751	77,191	3,172	275,387	112,540
23	373,538	77,191	3,220	293,127	114,907
24	373,538	77,191	3,268	293,079	110,204
25	392,215	77,191	3,317	311,707	112,430
26	392,215	77,191	3,367	311,657	107,829
27	411,826	77,191	3,418	331,217	109,925
28	411,826	77,191	3,469	331,166	105,428
29	432,417	77,191	3,521	351,705	107,402
30	432,417	77,191	3,574	351,652	103,008
Total Net Present Value of the Hangar Project = Option 2					\$ 3,634,882



**APPENDIX 4**  
**Option 3 - County loan for the remaining \$4.30 million dollars**

**Annual Amortization Table**

Year	Opening Balance	Annual Loan Repayment	Monthly Loan Repayment	Interest Charged	Capital Repaid	Closing Balance	% Capital Outstanding
1	4,303,000.00	154,489.49	12,874.12	21,209.84	133,279.65	4,169,720.35	96.9%
2	4,169,720.35	154,489.49	12,874.12	20,541.92	133,947.58	4,035,772.77	93.8%
3	4,035,772.77	154,489.49	12,874.12	19,870.64	134,618.85	3,901,153.92	90.7%
4	3,901,153.92	154,489.49	12,874.12	19,196.00	135,293.49	3,765,860.43	87.5%
5	3,765,860.43	154,489.49	12,874.12	18,517.98	135,971.51	3,629,888.91	84.4%
6	3,629,888.91	154,489.49	12,874.12	17,836.56	136,652.93	3,493,235.98	81.2%
7	3,493,235.98	154,489.49	12,874.12	17,151.73	137,337.76	3,355,898.22	78.0%
8	3,355,898.22	154,489.49	12,874.12	16,463.47	138,026.03	3,217,872.19	74.8%
9	3,217,872.19	154,489.49	12,874.12	15,771.75	138,717.74	3,079,154.45	71.6%
10	3,079,154.45	154,489.49	12,874.12	15,076.57	139,412.92	2,939,741.53	68.3%
11	2,939,741.53	154,489.49	12,874.12	14,377.91	140,111.59	2,799,629.95	65.1%
12	2,799,629.95	154,489.49	12,874.12	13,675.74	140,813.75	2,658,816.20	61.8%
13	2,658,816.20	154,489.49	12,874.12	12,970.06	141,519.44	2,517,296.76	58.5%
14	2,517,296.76	154,489.49	12,874.12	12,260.84	142,228.66	2,375,068.10	55.2%
15	2,375,068.10	154,489.49	12,874.12	11,548.06	142,941.43	2,232,126.67	51.9%
16	2,232,126.67	154,489.49	12,874.12	10,831.71	143,657.78	2,088,468.89	48.5%
17	2,088,468.89	154,489.49	12,874.12	10,111.78	144,377.72	1,944,091.18	45.2%
18	1,944,091.18	154,489.49	12,874.12	9,388.23	145,101.26	1,798,989.91	41.8%
19	1,798,989.91	154,489.49	12,874.12	8,661.06	145,828.43	1,653,161.48	38.4%
20	1,653,161.48	154,489.49	12,874.12	7,930.25	146,559.25	1,506,602.23	35.0%
21	1,506,602.23	154,489.49	12,874.12	7,195.77	147,293.73	1,359,308.51	31.6%
22	1,359,308.51	154,489.49	12,874.12	6,457.61	148,031.88	1,211,276.62	28.1%
23	1,211,276.62	154,489.49	12,874.12	5,715.75	148,773.74	1,062,502.88	24.7%
24	1,062,502.88	154,489.49	12,874.12	4,970.18	149,519.32	912,983.56	21.2%
25	912,983.56	154,489.49	12,874.12	4,220.86	150,268.63	762,714.93	17.7%
26	762,714.93	154,489.49	12,874.12	3,467.80	151,021.70	611,693.23	14.2%
27	611,693.23	154,489.49	12,874.12	2,710.95	151,778.54	459,914.69	10.7%
28	459,914.69	154,489.49	12,874.12	1,950.32	152,539.17	307,375.52	7.1%
29	307,375.52	154,489.49	12,874.12	1,185.87	153,303.62	154,071.90	3.6%
30	154,071.90	154,489.49	12,874.12	417.60	154,071.90	-	0.0%

# APPENDIX 5 - Option 3 - Structured loan from General Fund balance to ARW for \$4.3 million dollars

Year	ARW Revenue	Debt Service	Hangar Maint. Expense	Net Cash Flow	Net Present Value
1	\$ 218,400	\$ 154,489	\$ -	\$ 63,911	\$ 62,594
2	218,400	154,489	-	63,911	60,042
3	229,320	154,489	-	74,831	67,435
4	229,320	154,489	-	74,831	64,686
5	240,786	154,489	-	86,297	71,557
6	240,786	154,489	2,500	83,797	66,651
7	252,825	154,489	2,538	95,798	73,091
8	252,825	154,489	2,576	95,760	70,083
9	265,467	154,489	2,614	108,363	76,074
10	265,467	154,489	2,653	108,324	72,946
11	278,740	154,489	2,693	121,557	78,520
12	278,740	154,489	2,734	121,517	75,294
13	292,677	154,489	2,775	135,413	80,484
14	292,677	154,489	2,816	135,371	77,179
15	307,311	154,489	2,858	149,963	82,013
16	307,311	154,489	2,901	149,920	78,647
17	322,676	154,489	2,945	165,242	83,151
18	322,676	154,489	2,989	165,198	79,739
19	338,810	154,489	3,034	181,287	83,938
20	338,810	154,489	3,079	181,241	80,496
21	355,751	154,489	3,126	198,136	84,412
22	355,751	154,489	3,172	198,089	80,951
23	373,538	154,489	3,220	215,829	84,605
24	373,538	154,489	3,268	215,780	81,138
25	392,215	154,489	3,317	234,408	84,549
26	392,215	154,489	3,367	234,358	81,085
27	411,826	154,489	3,418	253,919	84,271
28	411,826	154,489	3,469	253,867	80,819
29	432,417	154,489	3,521	274,407	83,797
30	432,417	154,489	3,574	274,354	80,365
Total Net Present Value of the Hangar Project = Option 3					\$ 2,310,613

**ORDINANCE 2024/\_\_\_\_\_**

**AN ORDINANCE TO INVEST \$4,300,000 IN AN INFRASTRUCTURE DEVELOPMENT PROJECT AT BEAUFORT EXECUTIVE AIRPORT TO FUND CONSTRUCTION OF AIRCRAFT HANGARS IN THE FORM OF A GRANT OF \$2,150,000 AND A LOAN OF \$2,150,000 FROM THE GENERAL FUND**

**WHEREAS**, the Beaufort Executive Airport has an extensive waiting list for aircraft hangar space; and

**WHEREAS**, a shortfall of development funds has prevented construction of new hangars for nearly twenty years; and

**WHEREAS**, the project will provide much-needed relief to Beaufort County residents desiring to base their aircraft at Beaufort Executive Airport; and

**WHEREAS**, the project is projected to generate revenue immediately upon completion; and

**WHEREAS**, investing in this project allows the Airport to use resulting revenues for critical airfield safety and facility maintenance projects that have been deferred due to lack of funds; and

**WHEREAS**, County Council desires to fund the construction of the new hangars at the Beaufort Executive Airport by providing Four Million Three Hundred Thousand (\$4,300,000.00) dollars to the Beaufort Executive Airport in the form of a grant of Two Million One Hundred Fifty Thousand (\$2,150,000.00) and Two Million One Hundred Fifty Thousand (\$2,150,000.00) as a loan from the General Fund; and

**WHEREAS**, County Council desires to require the Beaufort Executive Airport to repay the Two Million One Hundred Fifty Thousand (\$2,150,000.00) loan at an interest rate of .5 % interest rate and repayable over 30 years to the Beaufort County General Fund.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to invest Four Million Three Hundred Thousand (\$4,300,000.00) dollars to the Beaufort Executive Airport in the form of a grant of Two Million One Hundred Fifty Thousand (\$2,150,000.00) dollars and Two Million One Hundred Fifty Thousand (\$2,150,000.00) dollars as a loan at a .5 percent interest rate repayable over 30 years from the General Fund to construct aircraft hangars at Beaufort Executive Airport (ARW).

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

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council



# BEAUFORT COUNTY COUNCIL

## AGENDA ITEM SUMMARY

Item 14.

<b>ITEM TITLE:</b>
FIRST READING OF AN ORDINANCE PLACING LAND PURCHASED BY PROJECT MICRO INTO AN EXISTING MULTI-COUNTY INDUSTRIAL PARK
<b>MEETING NAME AND DATE:</b>
Finance, Administration, and Economic Development Committee November 25, 2024
<b>PRESENTER INFORMATION:</b>
John O'Toole, Executive Director, Beaufort County Economic Development Corporation 10 Minutes
<b>ITEM BACKGROUND:</b>
Placing Project Micro into existing Multi County Industrial Park.
<b>PROJECT / ITEM NARRATIVE:</b>
<p>Placing projects in MCIP will allow the company to take advantage of an additional \$1,000 job tax credit per net new job. These credits can be used towards the company's corporate income tax over a five-year period as long as the jobs are maintained.</p> <p>Project Micro is locating their operations to Beaufort County into an existing facility at Garden's Corner. The company is expected to invest \$7.1 million and create 42 new jobs over the next five years.</p>
<b>FISCAL IMPACT:</b>
Allocation of revenue would be 99% to Beaufort County and 1% to Jasper County in the Beaufort County portion of the park and 99% to Jasper County and 1% to Beaufort County in the Jasper County portion of the park. This project would fall within the Beaufort County portion of the park.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
The BCEDC recommends moving forward with the MCIP for Project Micro.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<ol style="list-style-type: none"><li>1. Recommend MCIP agreement between Beaufort County and Jasper County to full County Council for approval.</li><li>2. Not approve.</li></ol>

**ORDINANCE 2025/\_\_\_\_\_**

**AN ORDINANCE TO AUTHORIZE AND APPROVE A MULTI-COUNTY PARK AGREEMENT BY AND BETWEEN BEAUFORT COUNTY AND JASPER COUNTY (PROJECT MICRO); TO REQUIRE THE PAYMENT OF A FEE IN LIEU OF AD VALOREM TAXES BY BUSINESSES AND INDUSTRIES LOCATED IN THE PARK; TO PROVIDE FOR THE DISTRIBUTION OF PARK REVENUES WITHIN BEAUFORT COUNTY; AND TO ADDRESS OTHER MATTERS RELATED THERETO.**

Be it ordained by the Council of Beaufort County, South Carolina:

**Section 1. Findings and Determinations; Purpose.**

- (a) The Council finds and determines that:
  - (1) the County is authorized by art. VIII, section 13(D) of the South Carolina Constitution and by Sections 4-1-170, -172 and -175 of the Code of Laws of South Carolina 1976, as amended, to jointly develop, in conjunction with contiguous counties, industrial and business parks ("multi-county parks");
  - (2) the use of multi-county parks is important in attracting and encouraging the investment and retention of capital and the retention and creation of jobs in the County.
- (b) It is the purpose of this ordinance to authorize and approve a multi-county park agreement with Jasper County (the "Park").

**Section 2. Approval of Park Agreement; Authority of Officials.**

- (a) The Council Chair is authorized, empowered and directed, in the name of and on behalf of Beaufort County, to execute, acknowledge, and deliver a Multi-County Park Agreement between Beaufort County, South Carolina and Jasper County, South Carolina (Project Micro) (the "Park Agreement"). The Clerk to Council is authorized to attest the execution of the Park Agreement by the Council Chair. The form of the Park Agreement is attached to this ordinance as Exhibit A and all terms, provisions and conditions of the Park Agreement are incorporated into this ordinance as if the Park Agreement were set out in this ordinance in its entirety. By adoption of this ordinance, Council approves the Park Agreement and all of its terms, provisions and conditions. The Park Agreement is to be in substantially the form as attached to this ordinance and hereby approved, or with such changes therein as the Council Chair determines, upon advice of counsel, necessary and that do not materially change the matters contained in the form of the Park Agreement.
- (b) Prior to the execution of the Park Agreement as provided in subsection (a) of this Section 2, the Council Chair is authorized and directed to remove any property from the schedule of properties proposed to be included in the Park if at such time the property is located inside the boundaries of a municipality and the municipality has not consented to the creation of the Park as required by Section 4-1-170(C) of the Code of Laws of South Carolina 1976, as amended, unless the property was previously included in another multi-county park.
- (c) Notwithstanding the provisions of subsection (a) of this Section 2, the Council Chair is authorized to execute the Park Agreement only upon the public announcement,

including revelation of the company name, by the Company of its intentions to locate and develop the project on the property described in the Park Agreement.

### **Section 3.      Payment of Fee in Lieu of Tax.**

The businesses and industries located in the Park must pay a fee in lieu of *ad valorem* taxes as provided for in the Park Agreement. With respect to properties located in the Beaufort County portion of the Park, the fee paid in lieu of *ad valorem* taxes shall be paid to the Treasurer of Beaufort County and the portion of fee in lieu of *ad valorem* taxes allocated pursuant to the Park Agreement to Jasper County shall be thereafter paid by the Treasurer of Beaufort County to the Treasurer of Jasper County within forty-five (45) business days of receipt for distribution in accordance with the Park Agreement. With respect to properties located in the Jasper County portion of the Park, the fee paid in lieu of *ad valorem* taxes shall be paid to the Treasurer of Jasper County and the portion of the fee in lieu of *ad valorem* taxes allocated pursuant to the Park Agreement to Beaufort County shall thereafter be paid by the Treasurer of Jasper County to the Treasurer of Beaufort County within forty-five (45) business days of receipt for distribution in accordance with the Park Agreement. The provisions of Section 12-2-90, Code of Laws of South Carolina 1976, as amended, or any successor statutes or provisions, apply to the collection and enforcement of the fee in lieu of *ad valorem* taxes.

### **Section 4.      Applicable Ordinances and Regulations.**

Any applicable ordinances and regulations of Beaufort County concerning zoning, health and safety, and building code requirements shall apply to the Park properties in Beaufort County unless the properties are within the boundaries of a municipality in which case the municipality's applicable ordinances and regulations shall apply. Any applicable ordinances and regulations of Jasper County concerning zoning, health and safety, and building code requirements shall apply to the Park properties in Jasper County unless the properties are within the boundaries of a municipality in which case the municipality's applicable ordinances and regulations shall apply.

### **Section 5.      Law Enforcement Jurisdiction.**

Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties in Beaufort County is vested with the Sheriff's Department of Beaufort County. Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties in Jasper County is vested with the Sheriff's Department of Jasper County. If any of the Park properties located in either Beaufort County or Jasper County are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is vested with the law enforcement officials of the municipality.

### **Section 6.      Distribution of Revenue.**

(a) Revenues generated from industries or businesses located in the Beaufort County portion of the Park to be retained by Beaufort County shall be distributed within Beaufort County in accordance with this subsection:

(1) First, unless Beaufort County elects to pay or credit the same from only those

revenues which Beaufort County would otherwise be entitled to receive as provided under item (3) below, to pay annual debt service on any special source revenue bonds issued by Beaufort County pursuant to, or to be utilized as a credit in the manner provided in Section 4-1-175, Code of Laws of South Carolina 1976, as amended;

(2) Second, at the option of Beaufort County, to reimburse Beaufort County for any expenses incurred by it in the administration, development, operation, maintenance and promotion of the Park or the industries and businesses located therein or for other economic development purposes of Beaufort County; and

(3) Third, to those taxing entities in which the property is located, in the same manner and proportion that the millage levied for the taxing entities would be distributed if the property were taxable for that year.

(b) Notwithstanding any other provision of this section:

(1) all taxing entities which overlap the applicable properties within the Park shall receive at least some portion of the revenues generated from such properties; and

(2) all revenues receivable by a taxing entity in a fiscal year shall be allocated to operations and maintenance and to debt service as determined by the governing body of the taxing entity.

#### **Section 7.     Conflicting Provisions.**

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Beaufort County Code or other Beaufort County orders, resolutions and ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

#### **Section 8.     Severability.**

If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

#### **Section 9.     Effective Date.**

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.



Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Joseph Passiment, Chair

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

First Reading: \_\_\_\_\_, 2024  
Second Reading: \_\_\_\_\_, 2024  
Public Hearing: \_\_\_\_\_, 2024  
Third and Final Reading: \_\_\_\_\_, 2024

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

**Exhibit A to Ordinance No. 2024/ \_\_\_\_\_**

**Multi-County Park Agreement  
(Project Micro)  
between  
Beaufort County, South Carolina and Jasper County, South Carolina**

See attached.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

**MULTI-COUNTY PARK AGREEMENT  
(PROJECT MICRO)**

**between**

**BEAUFORT COUNTY, SOUTH CAROLINA**

**and**

**JASPER COUNTY, SOUTH CAROLINA**

**Dated as of \_\_\_\_\_, 2024**

## Multi-County Park Agreement Project Micro

This MULTI-COUNTY PARK AGREEMENT (Project Micro) is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2024, by and between BEAUFORT COUNTY, SOUTH CAROLINA (“Beaufort County”) and JASPER COUNTY, SOUTH CAROLINA (“Jasper County”) (collectively, Beaufort County and Jasper County are the “Parties”), each a body politic and corporate, a political subdivision of the State of South Carolina (“Park Agreement”).

In consideration of the mutual agreements, representations and benefits contained in this Park Agreement and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Beaufort County and Jasper County agree as follows:

1. Effective Date. This Park Agreement is effective at 12:00 a.m. (midnight), [\_\_\_\_], 2024 (the “Effective Date”).

2. Authorization. Article VIII, section 13(D) of the South Carolina Constitution and Sections 4-1-170, -172, and -175 of the Code of Laws of South Carolina 1976, as amended (the “MCP Law”), authorizes contiguous counties to jointly develop industrial and business parks within the geographical boundaries of one or more of the participating counties. Beaufort County authorized and approved this Park Agreement by passage of Ordinance No. \_\_\_\_\_ and Jasper County authorized and approved this Park Agreement by passage of Ordinance No. \_\_\_\_\_.

3. Purpose. The purpose of this Park Agreement is to (i) provide for the establishment of a multi-county park in accordance with the MCP Law and (ii) encourage the investment of capital and the creation of jobs in Beaufort County and Jasper County.

4. Agreement to Develop Park. The Parties agree to jointly develop an industrial and business park in accordance with the MCP Law and the terms and conditions of this Park Agreement (the “Park”).

5. The Park. (A) Location. The Park consists of certain property located in Beaufort County as further identified in Exhibit A (Beaufort County) to this Park Agreement, and property located in Jasper County, as further identified in Exhibit B (Jasper County), to this Park Agreement. The Park may consist of non-contiguous properties within each county. The Parties acknowledge that on the Effective Date, the Park does not contain any property located in Jasper County.

### (B) *Addition and Removal of Property.*

(1) County Action. Property may be added to or removed from the Park by ordinance of the county in which the subject property is located, provided that the host county shall provide notice to the non-host county as well as revised exhibits pursuant to subsection (2) below.

(2) Revised Exhibits. If property is added to or removed from the Park, this Park Agreement is deemed amended and a revised Exhibit A (Beaufort County) or Exhibit B (Jasper County), as applicable, shall be prepared by the county in which the added or removed property is located. The revised exhibit must contain a description or other identification of the properties included in the Park, after the addition or removal. A copy of the revised exhibit shall be provided to the Administrator, Clerk to Council, Assessor, Auditor and Treasurer of Beaufort County and Jasper County.

(3) Public Hearings and Notice. Prior to the adoption by either county of an ordinance authorizing the removal of property from the Park, the county council in the county in which the

property to be removed is located, shall hold a public hearing. The county that will conduct the public hearing must give notice of the public hearing by publication in a newspaper of general circulation in the county in which the public hearing will be held at least once and not less than fifteen (15) days prior to the public hearing. Notice of the public hearing shall also be served in the manner of service of process at least fifteen (15) days prior to the public hearing upon the owner of the real property and, if applicable and known, the lessee of any real property which would be removed from the Park.

6. Fee in Lieu of Taxes. Pursuant to article VIII, section 13(D), of the South Carolina Constitution, all property located in the Park is exempt from all *ad valorem* taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Park Agreement and the MCP Law an amount equivalent to the *ad valorem* property taxes or other in-lieu-of payments that would have been due and payable but for the location of the property within the Park (“Fee in Lieu of Taxes” or “FILOT”).

7. Allocation of Expenses. Beaufort County and Jasper County shall bear the expenses for the development, operation, maintenance and promotion of the Park and the cost of providing public services, in the following proportions:

If property is in the Beaufort County portion of the Park:

(1)	Beaufort County	100%
(2)	Jasper County	0%

If property is in the Jasper County portion of the Park:

(1)	Beaufort County	0%
(2)	Jasper County	100%

8. Allocation of Revenues. Beaufort County and Jasper County shall receive an allocation of revenue generated by the Park through payment of Fee in Lieu of Taxes (net of any special source revenue bond payments or special source revenue credits) in the following proportions:

If property is in the Beaufort County portion of the Park:

(1)	Beaufort County	99%
(2)	Jasper County	1%

If property is in the Jasper County portion of the Park:

(1)	Beaufort County	1%
(2)	Jasper County	99%

9. Revenue Allocation Within Each County.

(A) *Host County.* Revenues generated by the Park through the payment of Fee in Lieu of Taxes shall be distributed to Beaufort County and to Jasper County, as applicable, according to the proportions established by Paragraph 8 of this Park Agreement. With respect to revenues allocable to Beaufort County or Jasper County by way of FILOT generated within the respective county (the “Host County”), such revenue shall be distributed within the Host County in the manner provided by ordinance of the council of the Host County; provided, that (i) all taxing districts which overlap the applicable revenue-generating portion of the Park shall receive at least some portion of the revenues generated from such portion, and (ii) with respect to amounts received in any fiscal year by a taxing entity, the governing body

of the taxing entity shall allocate the revenues received between operations and debt service of the taxing entity. Each Host County is specifically authorized to use a portion of the revenue for economic development purposes as permitted by law and as established by ordinance of the council of the Host County.

(B) *Non-Host County*. Revenues allocable to Beaufort County by way of FILOT generated within Jasper County shall be distributed solely to Beaufort County. Revenues allocated to Jasper County by way of FILOT generated within Beaufort County shall be distributed solely to Jasper County.

10. Fees In Lieu of Taxes Pursuant to Title 4 and Title 12 Code of Laws of South Carolina. The Parties agree that the entry by Beaufort County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina 1976, as amended (“Negotiated Fee-in-Lieu of Tax Agreements”), with respect to property located within the Beaufort County portion of the Park and the terms of those agreements shall be at the sole discretion of Beaufort County. The Parties further agree that entry by Jasper County into any one or more Negotiated Fee-in-Lieu of Tax Agreements with respect to property located within the Jasper County portion of the Park and the terms of those agreements shall be at the sole discretion of Jasper County.

11. Assessed Valuation. For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59-20-20(3) of the Code of Laws of South Carolina 1976, as amended, allocation of the assessed value of property within the Park to Beaufort County and Jasper County and to each of the taxing entities within the participating counties shall be identical to the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to Paragraphs 8 and 9 of this Park Agreement.

12. Applicable Regulations. Any applicable ordinances and regulations of Jasper County concerning zoning, health and safety, and building code requirements shall apply to the Park properties in Jasper County unless the properties are within the boundaries of a municipality in which case the municipality’s applicable ordinances and regulations shall apply. Any applicable ordinances and regulations of Beaufort County concerning zoning, health and safety, and building code requirements shall apply to the Park properties in Beaufort County unless the properties are within the boundaries of a municipality in which case the municipality’s applicable ordinances and regulations shall apply.

13. Law Enforcement Jurisdiction. Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties in Jasper County is vested with the Sheriff’s Department of Jasper County. Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties in Beaufort County is vested with the Sheriff’s Department of Beaufort County. If any of the Park properties located in either Jasper County or Beaufort County are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is vested with the law enforcement officials of the municipality.

14. Severability. If any provision or any part of a provision of this Park Agreement is held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Park Agreement.

15. Amendments. The provisions of this Park Agreement may be modified or amended only in a writing signed by the Parties.

16. Headings and Catch Lines. The headings of the paragraphs and subparagraphs of this Park Agreement are inserted for convenience only and do not constitute a part of this Park Agreement.

17. Governing Law. This Park Agreement, and all documents executed in connection with it, shall be construed in accordance with and governed by the laws of the State of South Carolina.

18. Counterparts. This Park Agreement may be executed in any number of counterparts, and all of the counterparts taken together constitute one and the same instrument.

19. Binding Agreement. This Park Agreement is binding upon and shall inure to the benefit of the respective Parties.

20. Merger. This Park Agreement, and all documents executed in connection with it, express the entire understanding and all agreements of the Parties with each other, and neither Beaufort County nor Jasper County has made or shall be bound by any agreement or any representation to the other party which is not expressly set forth in this Park Agreement.

21. Waiver. Either party may waive compliance by the other party with any term or condition of this Park Agreement only in a writing signed by the waiving party. The failure or delay on the part of any party hereto in exercising any right, power, or remedy hereunder shall not operate as a waiver thereof, nor shall any single or partial exercise of any such right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy hereunder. No waiver of any provision hereof shall be effective unless the same shall be in writing and signed by the waiving party hereto.

22. Termination.

(A) *Duration and Renewal.* This Park Agreement commences on the Effective Date and shall continue with respect to each parcel included in the Park for at least the duration of any special source revenue credits applicable to such parcel.

(B) *Mutual Termination.* Notwithstanding the provisions of subparagraph (A) of this Paragraph 22, the Parties may mutually agree to terminate this Park Agreement at any time upon passage of an ordinance to that effect by each county and after conducting a public hearing and giving notice as set forth in subparagraph (B)(3) of Paragraph 5 of this Park Agreement.

SIGNATURES FOLLOW ON NEXT PAGE.

WITNESS our hands and seals as of the date first above written.

BEAUFORT COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Joseph Passiment, Chair, County Council

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

[Additional Signature Page Follows]



JASPER COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
L. Martin Sauls, IV, Chair, County Council

ATTEST:

\_\_\_\_\_  
Wanda Simmons, Clerk to Council

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

**EXHIBIT A (Beaufort County)**

**Beaufort County Property**

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

**PROJECT MICRO**  
**LEGAL DESCRIPTION**



**EXHIBIT B (Jasper County)**

**Jasper County Property**

**NONE AS OF [\_\_\_\_], 2024**

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 15.

<b>ITEM TITLE:</b>
FIRST READING OF AN ORDINANCE FOR BEAUFORT COUNTY TO ENTER INTO A SPECIAL SOURCE REVENUE CREDIT AGREEMENT WITH PROJECT MICRO
<b>MEETING NAME AND DATE:</b>
Finance, Administration, and Economic Development Committee – November 25, 2024
<b>PRESENTER INFORMATION:</b>
John O'Toole, Executive Director, Beaufort County Economic Development Corporation 10 Minutes
<b>ITEM BACKGROUND:</b>
Providing a Special Source Revenue Credit (SSRC) to Project Micro. This SSRC will act as a base FILOT equivalent – allowing the company to pay the equivalent of a 6% tax rate over a 20-year period.
<b>PROJECT / ITEM NARRATIVE:</b>
<p>Project Micro is locating their operations to Beaufort County into an existing facility at Garden's Corner. The company is expected to invest \$7.1 million and create 42 new jobs over the next five years.</p> <p>Due to the facility being existing versus new construction, they are not eligible for a FILOT agreement. In order to offer benefits on par with a base FILOT, the BCEDC would like to pursue a special source revenue credit that is the tax equivalent to a base FILOT – 6% tax rate over a 20-year period. This will be added to an existing MCIP with Jasper County.</p>
<b>FISCAL IMPACT:</b>
Company will be offered equivalent to base FILOT – 6% over 20-year period.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
The BCEDC recommends moving forward with the SSRC for Project Micro.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<ol style="list-style-type: none"><li>1. Recommend SSRC agreement to full County Council for approval.</li><li>2. Not approve.</li></ol>

**ORDINANCE 2025/\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SPECIAL SOURCE REVENUE CREDIT AGREEMENT BY AND AMONG BEAUFORT COUNTY, SOUTH CAROLINA AND PROJECT MICRO, PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE CREDITS AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Beaufort County (the “County”), a public body corporate and politic under the laws of the State of South Carolina, and Project Micro (the “Company”) desire to enter into a Special Source Revenue Credit Agreement (the “SSRC Agreement”), for a project qualifying under the provisions of Section 4-29-68 and Title 1, Chapter 4, Sections 170 through 175 of the Code of Laws of South Carolina 1976, as amended (the “Act”), concerning the establishment of its headquarters, as well as a warehousing and assembly facility supporting the aerospace, defense and space industry in the County through the acquisition of a building and related improvements thereon and/or therein; the construction of additional improvements; and/or the acquisition of personal property, including, but not limited to, all equipment, machinery, and/or furnishings, the cost of which is estimated to be \$7,109,000 over five years, and which is anticipated to create approximately 42 new, full-time jobs in the County (the “Project”); and

**WHEREAS**, the Project is expected to provide significant economic benefits to the County and surrounding areas; and

**WHEREAS**, in order to induce the Company to locate the Project in the County, the County has agreed to make available to the Company certain benefits intended by the Act; and

**WHEREAS**, the Company has caused to be prepared and presented to the Beaufort County Council, the governing body of the County (the “County Council”), the SSRC Agreement, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, it appears that the SSRC Agreement is an appropriate instrument to be executed and delivered or approved by the County for the purposes intended.

**NOW, THEREFORE, BE IT ORDAINED** by the County Council in meeting duly assembled as follows:

**Section 1.** The County Council has made and hereby makes the following findings:

(a) It is anticipated that the Project will benefit the general public welfare of the County by providing services, employment and other public benefits not otherwise adequately provided locally;

(b) The purposes to be accomplished by the Project are proper governmental and public purposes;

(c) It is anticipated that the cost of planning, designing, acquiring, constructing and completing the Project will require expenditures of not less than \$7,109,000;

(d) The benefits of the Project to the public are greater than the costs to the public;

(e) Neither the Project nor any documents or agreements entered into by the County in connection therewith will give rise to any pecuniary liability of the County or incorporated municipality or to any charge against its general credit or taxing power.

**Section 2.** In order to promote industry, develop trade and utilize the manpower, products, and natural resources of the State of South Carolina, the form, terms, and provisions of the SSRC Agreement which is attached hereto are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the SSRC Agreement was set out in this Ordinance in its entirety. The Chairman of County Council and the Clerk to County Council are hereby authorized, empowered and directed to execute, acknowledge and deliver the SSRC Agreement to the Company, together with such changes as are not materially adverse to the County.

**Section 3.** The Chair of County Council and the Clerk to County Council, for and on behalf of the County, are hereby each authorized and directed to do any and all things necessary to effect the execution and delivery of the SSRC Agreement and the performance of all obligations of the County under and pursuant to the SSRC Agreement.

**Section 4.** The consummation of all transactions contemplated by the SSRC Agreement is hereby approved.

**Section 5.** This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

**Section 6.** The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

**Section 7.** All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute and deliver a special source revenue credit agreement by and among Beaufort County, South Carolina and Project Micro, providing for the issuance of special source revenue credits and other matters related thereto.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council



**EXHIBIT A**  
**SSRC AGREEMENT**

SPECIAL SOURCE REVENUE CREDIT AGREEMENT

by and between

PROJECT MICRO

and

BEAUFORT COUNTY, SOUTH CAROLINA

[\_\_\_\_], 2024

## SPECIAL SOURCE REVENUE CREDIT AGREEMENT

This SPECIAL SOURCE REVENUE CREDIT AGREEMENT (“Credit Agreement”) is made and entered into as of [\_\_\_\_], 2024, by and among BEAUFORT COUNTY, SOUTH CAROLINA (“County”), a body politic and corporate and a political subdivision of the State of South Carolina (“State”), acting by and through the Beaufort County Council (“County Council”) as the governing body of the County and PROJECT MICRO, a [\_\_\_\_] limited liability company (“Company”).

### WITNESSETH:

WHEREAS, pursuant to Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (“MCIP Act”), the County is authorized to develop multi-county industrial parks with other qualifying counties and, in its discretion, include within the boundaries of such parks the property of qualifying industries. The County has created or will create with Jasper County, South Carolina a multi-county industrial park (“Park) pursuant to a multi-county industrial park agreement (“Park Agreement”) entered into pursuant to the terms of the MCIP Act; and

WHEREAS, in accordance with Article VIII, Section 13 of the South Carolina Constitution, real and personal property having a situs in a multi county industrial park, are exempt from all ad valorem taxation, however, the owners or lessees of such real and personal property are obligated to make, or cause to be made, annual payments in lieu of taxes to the County in the total amount equivalent to the ad valorem property taxes or other fee-in-lieu-of-taxes that would have been due and payable with respect to such real and personal property but for the location of such real and personal property within such park (each, a “Fee Payment”); and

WHEREAS, the County, acting by and through its County Council is authorized by Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, including Sections 4-1-170 and 4-1-175 thereof, and Title 4, Chapter 29 of the Code of Laws of South Carolina 1976, as amended, including Section 4-29-68 (collectively, the “SSRC Act”), and Article VIII, Section 13 of the South Carolina Constitution (i) to provide credits (“Special Source Revenue Credits” (“SSRC”)) for the purpose of defraying certain costs, including, without limitation, the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County or the Project (defined herein) and for improved and unimproved real estate and personal property, including machinery and equipment, used in the operation of a manufacturing facility or commercial enterprise, all to enhance the economic development of the County; and (ii) to expand, in conjunction with one or more other counties, a multi-county industrial park in order to facilitate the grant of SSRCs; and

WHEREAS, the Company is planning an investment consisting of the expenditure of approximately \$7,109,000 in taxable investment (“Investment”) in connection with the acquisition by construction, lease, and/or purchase of certain land, buildings, furnishings, fixtures, and/or equipment and the creation of approximately 42 new, full-time jobs for the purpose of establishing its headquarters, as well as a warehousing and assembly facility supporting the aerospace, defense and space industry in the County (collectively, the “Project”); and

WHEREAS, the Project will be located on real property located entirely in the County of Beaufort, with improvements thereon, which is described more fully in Exhibit A, attached hereto ("Project Site"); and

WHEREAS, the County Council has determined that the Credit Agreement is an appropriate instrument to induce the Company to invest in the Project and create jobs in the County.

NOW, THEREFORE, IN CONSIDERATION of the respective representations and agreements contained in this Credit Agreement, the parties agree to the following:

### **Section 1. Representations of the Company and County.**

Section 1.1 The Company makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) The Company is a limited liability company duly organized, validly existing, and in good standing, under the laws of the State of [\_\_\_\_], has power to enter into this Credit Agreement, and by proper corporate action has been duly authorized to execute and deliver this Credit Agreement.

(b) The Company is or intends to become the owner of the Project Site.

(c) This Credit Agreement has been duly executed and delivered by the Company and constitutes the legal, valid, and binding obligation of the Company, enforceable in accordance with its terms except as enforcement thereof may be limited by bankruptcy, insolvency, or similar laws affecting the enforcement of creditors' rights generally.

(d) Neither the execution and delivery of this Credit Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Credit Agreement, will result in a material breach of any of the terms, conditions, or provisions of any corporate restriction or any agreement or instrument to which the Company is now a party or by which it is bound, or will constitute a default under any of the foregoing, or result in the creation or imposition of any lien, charge, or encumbrance of any nature whatsoever upon any of the property or assets of the Company, other than as may be created or permitted by this Credit Agreement.

(e) The agreement of the County to enter into this Credit Agreement and provide the SSRCs has been instrumental in inducing the Company to make the Investment in the Project.

Section 1.2 The County makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) The County is a body politic and corporate and a political subdivision of the State which acts through the County Council as its governing body and by the provision of the Act is authorized and empowered to enter into the transactions contemplated by the Credit Agreement and to carry out its obligations hereunder. The County has duly authorized the execution and delivery of this Credit Agreement and any and all other agreements described herein or therein.

(b) Neither the execution and delivery of this Credit Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Credit Agreement, will result in a material breach of any of the terms, conditions, or provisions of any agreement or instrument to which the County is now a party or by which it is bound, or will constitute a default under any of the foregoing

## **Section 2. Fee Payments and SSRCs.**

(a) The County grants an annual 12% SSRC to the Company (and any assignee or Sponsor Affiliate compliant with the provisions of Section 12), for a period of twenty (20) years (“Credit Period”) against each annual Fee Payment due for Investments made in the Project that have been placed into service beginning in 2024 and by December 31, 2029 (“Investment Period”). Any SSRC provided under this Credit Agreement shall be used to reimburse the Company (and any assignee or Sponsor Affiliate, as applicable) for eligible expenditures, as permitted by the SSRC Act, which includes the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the Project and Project Site, for improved or unimproved real estate, or for machinery and equipment. In no event shall the aggregate amount of SSRCs received as of any point in time exceed the amount of the aggregate amount of expenses toward such eligible expenditures as of such time by the Company (and any assignee or Sponsor Affiliate). SSRCs shall first be deemed to apply to all Project expenses other than machinery and equipment, notwithstanding any statutory presumption to the contrary.

(b) The Company (and any assignee or Sponsor Affiliate, as applicable) will file separate schedules with its annual PT-300 filing (or successor form), which shall include only assets placed in service from 2024 to 2029, with the South Carolina Department of Revenue to include only assets placed in service in the Investment Period described above. This separate schedule should be clearly and unambiguously designated as “BEAUFORT COUNTY 2024 SSRC ASSETS,” and a copy of the schedules should be provided to the County Auditor each year. Failure to file a separate schedule and to provide a copy of such schedule to the County Auditor on or before August 1 of each year results in a waiver of any SSRCs due for the year of such failure.

(c) The County shall credit the annual SSRCs against the payments in lieu of tax due to the County from the Company (and any assignee or Sponsor Affiliate, as applicable).

## **Section 3. Minimum Investment**

(a) In the event the Company does not make and maintain an Investment of at least \$2.5 million in the Project (including the investment of any assignee or Sponsor Affiliate as described in Section 12 below) within and as of the end of the Investment Period, the SSRCs as described in Section 2(a) above shall terminate both prospectively and retroactively, and the Company shall repay to the County any shortfall in the Net Fee Payments made under this Credit Agreement and the payments that would have been due and payable had this Credit Agreement not been in effect.

(b) Any amounts determined to be owing pursuant to this Section 3 shall be subject to interest at the rates in effect for the late payment of ad valorem taxes and shall be due within 180

days after the last day of the Investment Period.

**Section 4. Project Shall Remain in the Park.** The County shall use its best efforts to ensure that the Project, once placed in the Park, will remain in the Park for a period not less than 20 years. If, for any reason, the Park Agreement is modified to exclude the Project, or is otherwise terminated, then the County will use its best efforts to ensure that the Project shall be immediately placed into another multi-county park arrangement to which the County is party and that would enable the Company to receive the SSRCs set forth in this Credit Agreement.

**Section 5. Notices.** Any notice, election, demand, request, or other communication to be provided under this Credit Agreement shall be effective when delivered to the party named below or three business days after deposited with the United States Postal Service, certified mail, return receipt requested, postage prepaid, addressed as follows (or addressed to such other address as any party may subsequently furnish, in writing to the other party), except where the terms hereof require receipt rather than sending of any notice, in which case such provision shall control:

AS TO THE COUNTY: Beaufort County, South Carolina  
Attn: County Administrator  
100 Ribaut Road  
Beaufort, SC 29902

WITH A COPY TO: Haynsworth Sinkler Boyd, P.A.  
Attn: Will Johnson  
P.O. Box 11889  
Columbia, SC 29211-1889  
[Wjohnson@hsblawfirm.com](mailto:Wjohnson@hsblawfirm.com)

AS TO THE COMPANY: Project Micro  
Attn: President  
[ ]  
[ ]

WITH A COPY TO: [ ]  
[ ]  
[ ]

**Section 6. Binding Effect.** This Credit Agreement is binding, in accordance with its terms, upon and inure to the benefit of the Company and its respective successors and assigns. In the event of the dissolution of the County or the consolidation of any part of the County with any other political subdivision or the transfer of any rights of the County to any other such political subdivision, all of the covenants, stipulations, promises, and agreements of this Credit Agreement shall bind and inure to the benefit of the successors of the County from time to time and any entity, officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County has been transferred.

**Section 7. Counterparts.** The parties may execute this Credit Agreement in any number of counterparts, in original or by PDF, facsimile, or electronic means, and all of the counterparts taken together shall be deemed to constitute one and the same instrument.

**Section 8. Governing Law.** This Credit Agreement and all documents executed in connection with this Agreement are construed in accordance with and governed by the laws of the State of South Carolina. To the extent of any conflict between the provisions of this Credit Agreement and the SSRC Act, the SSRC Act controls.

**Section 9. Amendments.** The parties may modify or amend this Credit Agreement only in a writing signed by the parties.

**Section 10. Further Assurance.** From time to time, the County shall execute and deliver to the Company any additional instruments as the Company reasonably requests to evidence or effectuate the purposes of this Credit Agreement, subject to any approvals required to be obtained from County Council.

**Section 11. Severability.** If any provision of this Credit Agreement is illegal, invalid, or unenforceable for any reason, the remaining provisions remain unimpaired and any illegal, invalid, or unenforceable provision are reformed to effectuate most closely the legal, valid, and enforceable intent and to afford the Company with the maximum benefits to be derived under this Credit Agreement and the SSRC Act, it being the intention of the County to offer the Company the strongest inducement possible to encourage the Company to proceed with the Project in the County.

**Section 12. Assignment.** This Credit Agreement may be assigned in whole or in part only with the prior written consent or subsequent written ratification of the County, except than an assignment to an "Affiliate" shall not require consent (but shall require written notice to the County). An "Affiliate" is an entity or person that controls, is controlled by, or is under common control with another entity or person. Control shall be defined as greater than 50% of the ownership interests or voting interests in an entity. Provided, any assignee must execute a Joinder Agreement in the form attached hereto as Exhibit B and provide copies of its annual property tax filing to the County Auditor in the time period described in Section 2(b) above in order to receive SSRCs hereunder.

Upon execution of a Joinder Agreement in the form attached hereto as Exhibit B, any Sponsor Affiliate duly executing such Joinder Agreement shall be entitled to all of the benefits of this Credit Agreement, and its investments shall be aggregated with the investments of the Company for purposes of Section 3 above, provided that the Sponsor Affiliate must provide copies of its annual property tax filing to the County Auditor in the time period described in Section 2(b) above in order to receive SSRCs hereunder.

**Section 13. Limited Obligation.** THIS CREDIT AGREEMENT AND THE SPECIAL SOURCE REVENUE CREDITS BECOMING DUE HEREUNDER ARE LIMITED OBLIGATIONS OF THE COUNTY PROVIDED BY THE COUNTY SOLELY FROM THE FEE PAYMENTS RECEIVED BY THE COUNTY FOR THE PROJECT PURSUANT TO THE PARK AGREEMENT, AND DO NOT AND SHALL NEVER CONSTITUTE A GENERAL OBLIGATION OR AN INDEBTEDNESS OF THE COUNTY OR ANY MUNICIPALITY WITHIN THE MEANING OF ANY CONSTITUTIONAL PROVISION (OTHER THAN THE PROVISIONS OF ARTICLE X, SECTION 14(10) OF THE SOUTH CAROLINA CONSTITUTION) OR STATUTORY LIMITATION AND DO NOT AND SHALL NEVER

CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR ANY MUNICIPALITY OR A CHARGE AGAINST THEIR GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY OR ANY MUNICIPALITY ARE NOT PLEDGED FOR THE SPECIAL SOURCE REVENUE CREDITS.

(Signature Page Follows)



IN WITNESS WHEREOF, the County, acting by and through the County Council, has caused this Credit Agreement to be executed in its name and on its behalf by the Chair of County Council and to be attested by the Clerk to County Council as of the day and year first above written.

BEAUFORT COUNTY, SOUTH CAROLINA

Signature: \_\_\_\_\_

Name: Joseph Passiment

Title: Chairman

ATTEST:

Signature: \_\_\_\_\_

Name: Sarah W. Brock

Title: Clerk to County Council

IN WITNESS WHEREOF, the Company has caused this Credit Agreement to be executed in its name and on its behalf by its authorized officer as of the day and year first above written.

PROJECT MICRO

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT A**  
**LEGAL DESCRIPTION**

All those certain pieces, parcels or tracts of land, situate, lying and being in Sheldon Township, Beaufort County, South Carolina, consisting of 12.2 acres, more or less, and being shown on a plat prepared by George A.Z. Johnson, Sr., Surveyor, dated February 12, 1988, and as Parcels R-700-020-00-008, R700-020-00-009 and R700-020-00-009A and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 35 at Page 241.

**EXHIBIT B**  
**JOINDER AGREEMENT**

Reference is hereby made to (i) that certain Special Source Revenue Credit Agreement dated \_\_\_\_\_, 2024 (“Credit Agreement”) between Beaufort County, South Carolina (“County”) and a company identified as Project Micro (“Company”).

1. **Joinder to Credit Agreement.** The undersigned hereby (a) joins as a party to, and agrees to be bound by and subject to all of the terms and conditions of, the Credit Agreement; (b) acknowledges and agrees that (i) in accordance with Section 12 of the Credit Agreement, the undersigned has been designated as a Sponsor Affiliate by the Company for purposes of the Project and such designation has been consented to by the County in accordance with the Credit Agreement; and (ii) the undersigned shall have all of the rights and obligations of a Sponsor Affiliate as set forth in the Credit Agreement. Provided, the Sponsor Affiliate must provide copies of its annual property tax filing to the County Auditor in the time period described in Section 2(b) of the Credit Agreement in order to receive SSRCs thereunder.
2. **Capitalized Terms.** All capitalized terms used but not defined in this Joinder Agreement shall have the meanings set forth in the Credit Agreement.
3. **Governing Law.** This Joinder Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina, without regard to principles of choice of law.
4. **Notice.** Notices under Section 5 of the Credit Agreement shall be sent to:

[ ]

IN WITNESS WHEREOF, the undersigned has executed this Joinder Agreement to be effective as of the date set forth below.

Date	Name of Entity
------	----------------

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

IN WITNESS WHEREOF, the Company consents to the addition of the above-named entity becoming a Sponsor Affiliate under the Credit Agreement as of the date set forth above.

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_