



County Council Meeting Beaufort County, SC

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

Monday, September 11, 2023
5:00 PM

AGENDA

COUNCIL MEMBERS:

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

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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION - Chairman Joseph Passiment
3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF AGENDA
- [5.](#) APPROVAL OF MINUTES - July 10, 2023
6. ADMINISTRATOR'S REPORT
- [7.](#) PROCLAMATION RECOGNIZING CONSTITUTION WEEK - Council Member David Bartholomew
- [8.](#) PROCLAMATION RECOGNIZING NATIONAL ESTUARIES WEEK - Council Member David Bartholomew
- [9.](#) PROCLAMATION RECOGNIZING NATIONAL RECOVERY MONTH - Council Member Larry McElynn

CITIZEN COMMENTS

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

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

COMMITTEE REPORTS

11. LIASION AND COMMITTEE REPORTS

PUBLIC HEARINGS AND ACTION ITEMS

12. **TIME SENSITIVE ITEM FROM THE 9.11.2023 COMMUNITY SERVICE AND LAND USE COMMITTEE MEETING** - APPROVAL OF A CONTRACT RENEWAL/EXTENSION AND MODIFICATION WITH HAIG POINT CLUB AND COMMUNITY ASSOCIATION FERRY COMPANY ("HAIG POINT") **(FISCAL IMPACT: County Council appropriated \$375,000 to cover the Ferry Service contact for all of FY24 as part of the budget)**
13. APPROVAL OF CONSENT AGENDA
- [14.](#) PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE VII – GREEN SPACE PROGRAM, TO ESTABLISH SECTION 38-200 - GREEN SPACE ADVISORY COMMITTEE (GSAC) PROGRAM CRITERIA AND APPLICATION PROCESS
Vote at First Reading on August 14, 2023- 11:0
- [15.](#) PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF REAL PROPERTY WITH TMS NUMBER R112-032-000-0637-0000, R112-032-000-0008-0000, AND R112-032-000-0064-0000 ALSO KNOWN AS CHERRY HILL OAK **(FISCAL IMPACT: Up to \$1,550,000 plus closing costs - Rural and Critical Program; Account # 4500)**
- [16.](#) APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ACCEPT A MONETARY DONATION TO BE USED FOR THE MAINTENANCE OF THE PROPERTY KNOWN AS CHERRY HILL OAK
- [17.](#) FIRST READING OF AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO
- [18.](#) APPROVAL OF A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$23,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO
- [19.](#) APPROVAL OF A RESOLUTION TO APPROVE THE HILTON HEAD ISLAND AIRPORT COST RECOVERY MODEL AND REVISED AIRLINE RATES **(FISCAL IMPACT: \$500,000 positive revenue)**
- [20.](#) APPROVAL OF A RESOLUTION TO ACCEPT SC AERONAUTICS COMMISSION GRANT OFFER 23-029 FOR \$12,000,000 FOR HXD TERMINAL IMPROVEMENTS **(FISCAL IMPACT: no fiscal impact)**
- [21.](#) APPROVAL OF A RESOLUTION BY THE BEAUFORT COUNTY COUNCIL AUTHORIZING THE BEAUFORT EXECUTIVE AIRPORT FACILITY USE RATE CHANGES (ARW) FACILITY USE RATE CHANGES **(FISCAL IMPACT: Associated Airport Revenue \$71,434.00 FY23 and \$100,000.00 estimated FY24)**
- [22.](#) APPROVAL OF A RESOLUTION AND AN INTERIM LETTER OF AGREEMENT FOR SHUTTLE SERVICES BETWEEN BEAUFORT COUNTY AND THE BEST OF HILTON HEAD **(FISCAL IMPACT: Hilton Head Island Airport will receive a monthly fee of \$1.00 per passenger)**
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CITIZEN COMMENTS

23. CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL

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EXECUTIVE SESSION

- 24. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING LITIGATION (BEAUFORT COUNTY V JAMES BECKERT)
 - 25. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING LITIGATION (PINE ISLAND PROPERTY HOLDINGS LLC, ET AL. V BEAUFORT COUNTY)
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END OF EXECUTIVE SESSION

- 26. MATTERS ARISING OUT OF EXECUTIVE SESSION
- 27. ADJOURNMENT

CONSENT AGENDA

Items Originating from Finance, Administration, and Economic Development Committee

1. SECOND READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY'S BUDGET ORDINANCE FOR FISCAL YEAR 2024 (ORDINANCE 2023/22) TO APPROPRIATE \$350,000 TO COUNTY COUNCIL TO COVER COST OF REVIEWS, AUDITS, AND INVESTIGATIONS (**FISCAL IMPACT: this ordinance will appropriate \$350,000 from the General Fund - Fund Balance to Council's FY24 line item budget**)

Vote at First Reading on August 28, 2023- 10:0

(A public hearing will be held on September 25, 2023.)

2. AGENCIES, BOARDS, AND COMMISSIONS APPOINTMENTS & REAPPOINTMENTS - *(Design Review Board, Airports Board, and Planning Commission)*

Items Originating from the Public Facilities and Safety Committee

3. THIRD READING OF AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE REGARDING A ROAD USE FEE

Vote at First Reading on July 10, 2023- 11:0

Vote at Public Hearing and Second Reading on August 14, 2023- 11:0

4. APPROVAL OF CONTRACT AWARD FOR PHASE I OF THE HILTON HEAD ISLAND AIRPORT COMMERCIAL SERVICE TERMINAL IMPROVEMENTS TO EDISON FOARD, INC (**FISCAL IMPACT: The contract fee is \$30,898,447.83. Staff recommends a 10% contingency of \$3,089,844 bringing the project's total cost to \$33,988,291.83**)

5. APPROVAL OF A CONTRACT TO AWARD IFB #081023E, BLUFFTON PARKWAY PATHWAY PROJECT, TO FIRST CONSTRUCTION MANAGEMENT (**FISCAL IMPACT: \$227,010.44 funding source 2018 transportation sales tax**)

6. APPROVAL TO PURCHASE A MOWER MAX WITH FRONT LIFT AND BOOM ATTACHMENTS FOR THE PUBLIC WORKS DEPARTMENT - ROADS AND DRAINAGE DIVISION (**FISCAL IMPACT: A quote has been provided from ATMAX, sole source in the amount of \$276,786.29. The funding source for this item was approved in the FY2024 budget for Public Works account number 10401301-54000. Fund balance - \$688,500.00**)

7. APPROVAL TO PURCHASE A DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT - ROADS AND DRAINAGE DIVISION (**FISCAL IMPACT: A quote has been provided from Peterbilt. This is on Source Well Contract # 060920, in the amount of \$253,143.00 The funding source for this item was approved in the FY 24 budget for Public Works. Account number 10401301-54000. Fund balance - \$688,500.00**)

8. APPROVAL TO PURCHASE FOUR REPLACEMENT AMBULANCES FOR BEAUFORT COUNTY EMS DEPARTMENT (**FISCAL IMPACT: Total Cost: \$1,039,984.00 funding source Capital Improvement Fund**)

END OF CONSENT AGENDA

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

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



County Council Meeting Beaufort County, SC

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

Monday, July 10, 2023
5:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/264067>

1. CALL TO ORDER

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

PRESENT

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Council Member Howard led the Invocation.

3. FOIA

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

4. APPROVAL OF AGENDA

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

The Vote - The motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Howard, seconded by Council Member Brown, to approve the minutes of May 22, 2023.

The Vote - The motion was approved without objection.

6. ADMINISTRATOR'S REPORT

County Administrator Greenway highlighted two employees: Alphonso Brown with the Parks and Recreation Department and Veterans Affairs Director Caroline Fermin. Mr. Greenway commented on the \$12 million award on June 23 from the SC Aeronautics Commission for Hilton Head Island Airport's terminal improvement project. County staff intends to execute the agreement and bring a resolution to the Finance Committee if necessary because the Administrator can accept the grants if there is no matching requirement. Mr. Greenway also discussed the updated cost recovery fees at Hilton Head Island Airport. Mr. Greenway also explained the short-term rental permit process, including special use permits and permitted use permits.

7. PROCLAMATION RECOGNIZING GULLAH/GEECHIE NATION APPRECIATION WEEK

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=883>

Council Member Glover presented a Proclamation recognizing Gullah/Geechee National Appreciation Week to Queen Quet.

8. CITIZEN COMMENTS PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=1288>

1. Leanne Coulter
2. Beth McIntyre
3. Kade Yarborough
4. Deborah Smith
5. Skip Hoagland

9. LIASION AND COMMITTEE REPORTS

Council Member Tabernik commented on the agreement with the City of Beaufort for the Beaufort Library's token program and provided a report on the School Board's June 27 meeting, including May River High School's new principal and the appeals of additional books on the review list.

Council Member Brown commented on her attendance at the SCA Board meeting.

Council Member Howard briefed the Council on the Green Space Committee and the development of procedures for the Greenspace Program, the June 28 meeting of the Beaufort Memorial Hospital Board, the July 5 meeting on the Port Royal Library, and the July 10 meeting of the SoLoCo Growth Committee.

10. APPROVAL OF CONSENT AGENDA

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

The Vote - The motion was approved without objection.

11. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING ORDINANCE 2022/45 BY REMOVING THE PROPERTY LOCATED AT 68 HELMSMAN WAY WITH TMS NO. R552 010 000 0309 0000 AND OTHER MATTERS RELATED THERETO

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Council Member Cunningham, seconded by Council Member Lawson, to approve the public hearing and second reading of an ordinance amending Ordinance 2022/45 by removing the property located at 68 Helmsman Way with TMS No. R552 010 000 0309 0000 and other matters related thereto.

The Vote - The motion was approved without objection.

12. PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF TAX MAP SERIAL NUMBER R710 012 000 0001 0000 AND R710 012 000 0072 0000 ALSO KNOWN AS COTTON HALL

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Council Member Dawson, seconded by Council Member Glover, to approve the public hearing and a resolution authorizing the County Administrator to execute the necessary documents and provide funding for the fee simple purchase of Tax Map Serial Number R710 012 000 0001 0000 and R710 012 000 0072 0000 also known as Cotton Hall.

Discussion: Council Member Howard commented that this is an outstanding use of County funds and would be an asset to the region.

The Vote - The motion was approved without objection.

13. PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE DEMOLITION OF STRUCTURES AND FUNDING FOR DEMOLITION OF STRUCTURES ON BEAUFORT COUNTY OWNED PROPERTY LOCATED AT 2 MULLET STREET

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Council Member Lawson, seconded by Council Member Brown, to approve the public hearing and a resolution authorizing the demolition of structures and funding for demolition of structures on Beaufort County-owned property located at 2 Mullet Street.

Discussion: Council Member Lawson commented that the item addresses the dock because it is beyond repair and needs to be demolished for liability reasons.

The Vote - The motion was approved without objection.

14. THIRD READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE ("CDC") APPENDIX B:- THE DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE, TO AMEND DIVISION B.3, SECTION B.3.20 (CONSOLIDATED LAND USE TABLE AND LAND USE DEFINITIONS), AND TO ADD A NEW SECTION B.3.30 (OTHER STANDARDS) AND A NEW SUBSECTION B.3.30.A (SHORT-TERM RENTAL) TO ALLOW THE USAGE OF SHORT-TERM RENTALS AS A SPECIAL USE IN D2 RURAL, D2R-CP (RURAL-CONVENTIONALLY PLATTED), D2R-GH (RURAL-GULLAH HERITAGE), AND D3 GENERAL

NEIGHBORHOOD, AND A PERMITTED USE IN D4 MIXED USE, D5 VILLAGE CENTER, AND D5 GENERAL COMMERCIAL

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=2336>

Motion: It was moved by Council Member Lawson, seconded by Council Member Reitz, to approve the third reading of an ordinance for a text amendment to the Community Development Code ("CDC") Appendix B:- The Daufuskie Island Community Development Code, to amend Division B.3, Section B.3.20 (Consolidated Land Use Table and Land Use Definitions), and to add a new Section B.3.30 (Other Standards) and a new Subsection B.3.30.A (Short-Term Rental) to allow the usage of short-term rentals as a special use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a permitted use in D4 Mixed Use, D5 Village Center, and D5 General Commercial.

Discussion: Chairman Passiment noted that he, Vice-Chairman McElynn, and County Administration reviewed documentation for the special use process currently in unincorporated Beaufort County's current code and to be added to Daufuskie Island's code. Chairman Passiment added that the Zoning Board of Appeals (ZBOA) is a quasi-judicial group and that the ZBOA's reasoning is built on law and facts, not arbitrarily.

Vice-Chairman McElynn requested that the 60-day period for permits to be accepted by County staff would start tomorrow (July 11) and that the reasonable department was prepared to accept those permits. County Administrator Greenway confirmed that the 60-day period would start tomorrow (July 11).

Vice-Chairman McElynn also commented on strengthening the ordinance's language to reflect Daufuskie Island's needs better.

Council Member Cunningham raised concerns about the limits that could be placed on short-term rentals by the ZBOA since the County is investing money into the Daufuskie Island ferry service and embarkation points.

The Council and County Administrator Greenway discussed the ZBOA's decision-making process and the possible limitations on the number and time period for short-term rentals.

Chairman Passiment, County Administrator Greenway, and County Attorney Keaveny discussed changes to Section 5. Enforcement and Violations of the ordinance to ensure that new owners are not subject to penalties resulting from previous property owners' actions.

Motion to Amend: It was moved by Vice-Chairman McElynn, seconded by Council Member Lawson, to amend Section 5.c of the Ordinance to change the word "party" to "property," add a period after the phrase "previous owner," and to strike the remainder of the sentence.

The Vote – The motion to amend was approved without objection.

Motion to Amend: It was moved by Council Member Bartholomew, seconded by Council Member Cunningham, to remove the language of Section 8 and B.3.20, which says: "In cases where Special Use approval is required, the Zoning Board of Appeals (ZBOA) may 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."

Discussion: Council Member Bartholomew voiced his concerns about approving the ordinance when text issues still need further discussion and resolution.

Council Member Cunningham commented that the Council could add the language for limiting short-term rentals if needed.

County Administrator Greenway noted that the language for limiting short-term rentals is part of the procedure established in other parts of the County.

Council Member Howard and Vice-Chairman McElynn voiced their opposition to the proposed amendment.

Chairman Passiment and County Administrator Greenway discussed how short-term rentals are not legally allowed on Daufuskie Island under the current ordinance for unincorporated parts of Beaufort County.

The Council and Mr. Greenway discussed how removing language that creates a cap on short-term rentals would factor into the ZBOA's consideration for approving or denying short-term rental applications and concerns over the requirement for adequate car parking since golf carts are the primary mode of transportation. The Council and Mr. Greenway agreed that language might need to be amended to reflect the realities on Daufuskie Island better.

The Vote – Voting Yea: Chairman Passiment, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Tabernik, Council Member Reitz, and Council Member Lawson. Voting Nay: Vice-Chairman McElynn, Council Member Howard, Council Member Glover, and Council Member Dawson. The motion to amend passed by 7:4.

The Vote – The main motion, as amended, was approved without objection.

15. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE SALE OF REAL PROPERTY WITH TMS NO. R600-009-000-0003-0000, ALSO KNOWN AS CAMP ST. MARY'S, TO THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM

Motion: It was moved by Council Member Cunningham, seconded by Council Member Tabernik, to approve the third reading of an ordinance authorizing the County Administrator to execute the necessary documents for the sale of real property with TMS No. R600-009-000-0003-0000, also known as Camp St. Mary's, to the Beaufort County Rural and Critical Lands Program.

The Vote - The motion was approved without objection.

16. FIRST READING OF AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE REGARDING A ROAD USE FEE

Motion: It was moved by Council Member Glover, seconded by Council Member Howard, to approve the first reading of an ordinance to amend the Beaufort County Ordinance regarding a road use fee.

The Vote - The motion was approved without objection.

17. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS 34 ULMER ROAD (FISCAL IMPACT: \$3,150,000 PURCHASE PRICE PLUS CLOSING COSTS)

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=3939>

Motion: It was moved by Council Member Cunningham, seconded by Council Member Lawson, to approve the first reading of an ordinance authorizing the County Administrator to execute the necessary documents and provide funding for the purchase of real property identified as 34 Ulmer Road.

Discussion: County Attorney Ward gave an overview of the location of the property and nearby County-owned facilities.

Council Member Glover and County Attorney Ward discussed nearby property owned by the Rural and Critical Lands Program.

County Administrator Greenway commented that the purchase would allow a plan to expand the passive park and build additional athletic fields.

Council Member Lawson commented that the property location is ideal because of its proximity to Bluffton Recreation Center and the limited number of parcels available for purchase.

Council Member Glover and County Attorney Ward discussed parking and accessibility to the property and planning of passive and active parks.

The Vote - The motion was approved without objection.

- 18. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE MUTUAL AID AGREEMENTS REGARDING RELOCATION OF DETAINEES ON A TEMPORARY BASIS DURING AN EMERGENCY, WITH AIKEN COUNTY, ALLENDALE COUNTY, CHARLESTON COUNTY, COLLETON COUNTY, DORCHESTER COUNTY, FLORENCE COUNTY, GREENVILLE COUNTY, HAMPTON COUNTY, JASPER COUNTY, LEXINGTON COUNTY, ORANGEBURG COUNTY, AND RICHLAND COUNTY**

Motion: It was moved by Council Member Dawson, seconded by Council Member Glover, to approve a resolution authorizing the County Administrator to execute mutual aid agreements regarding relocation of detainees on a temporary basis during an emergency, with Aiken County, Allendale County, Charleston County, Colleton County, Dorchester County, Florence County, Greenville County, Hampton County, Jasper County, Lexington County, Orangeburg County, and Richland County.

The Vote - The motion was approved without objection.

- 19. APPROVAL OF A RESOLUTION TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES FOR A CONTRACT AWARD TO APAC ATLANTIC FOR IFB #062323 SC 170 NEAR-TERM IMPROVEMENTS FOR THE CONSTRUCTION OF CAPACITY AND SAFETY IMPROVEMENTS FROM OKATIE CENTER SOUTH TO SC 462 (FISCAL IMPACT: \$8,111,030.29)**

Motion: It was moved by Council Member Tabernik, seconded by Council Member Cunningham, to approve a resolution to approve the use of transportation impact fees for a contract award to APAC Atlantic for IFB #062323 SC 170 near-term improvements for the construction of capacity and safety improvements from Okatie Center South to SC 462.

Discussion: Council Member Tabernik commented on the importance of the improvements to SC 170.

The Vote - The motion was approved without objection.

- 20. APPROVAL OF A RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH SCDOT FOR PAVEMENT OVERLAY AND PAVEMENT MARKING IMPROVEMENTS ON US278 AND INTERCHANGE RAMPS TO BE INCLUDED IN THE SC170 NEAR-TERM IMPROVEMENTS PROJECT IN THE COUNTY**

Motion: It was moved by Council Member Cunningham, seconded by Council Member Glover, to approve a resolution to approve an intergovernmental agreement with SCDOT for pavement overlay and pavement marking improvements on US278 and interchange ramps to be included in the SC170 near-term improvements project in the County.

Discussion: Chairman Passiment noted that this is the first time SCDOT has undertaken a joint program with a County.

The Vote - The motion was approved without objection.

- 21. APPROVAL OF A RESOLUTION TO AMEND RESOLUTION 2023/35: A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$5,250,000 AGGREGATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATED THERETO DUE TO A SCRIVENER'S ERROR**

Motion: It was moved by Council Member Glover, seconded by Council Member Bartholomew, to approve a resolution to amend Resolution 2023/35: a resolution ordering a public hearing to be held on the issuance of not exceeding \$5,250,000 aggregated principal amount of general obligation bonds of The Fripp Island Public Service District, South Carolina; providing for the publication of the notice of such public hearing; and other matters related thereto due to a scrivener's error.

The Vote - The motion was approved without objection.

22. CITIZEN COMMENT PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=4554>

- 1. Skip Hoagland

23. EXECUTIVE SESSION

PURSUANT TO S.C. CODE SECTION 30-4-70(a)(1) DISCUSSION OF EMPLOYMENT OF A PERSON REGULATED BY COUNTY COUNCIL

Motion: It was moved by Council Member Tabernik, seconded by Council Member Brown, for Council to enter into an executive session.

The Vote – The motion was approved without objection.

24. ADJOURNMENT

Adjourned at or around 6:50 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified:

~ Proclamation ~

Whereas, September 17, 2023, marks the two hundred thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week, and

Now, therefore, the County Council of Beaufort, South Carolina, hereby proclaims the week of September 17 through 23 as

CONSTITUTION WEEK

And ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

In Witness Whereof, I hereunto set my hand and caused the Seal of the County of Beaufort to be affixed this 11th day of September 2023.

Dated this 11th Day of September 2023



Joseph F. Passiment, Chairman
Beaufort County Council

~ Proclamation ~

Whereas, the estuaries of Beaufort County provide a home to an array of animals including birds, mammals, shellfish and reptiles; and

Whereas, our salt marsh is a significant component of our estuaries and 50% of the salt marsh on the East Coast is in SC and 50% of that is in Beaufort County.; and

Whereas, our estuaries in Beaufort County provide employment, recreation, and a source of joy to our citizens; and

Whereas, our estuaries provide a critical ecosystem that protects human health and safety, including water filtration, flood control, and resilience in the face of hurricanes, storms and tidal action; and

Whereas, nature-based solutions such as “Living Shorelines” restore natural infrastructure in our community; protect our residents and military bases in a cost-effective manner; helping reestablish the natural functions of Port Royal Sound and barrier islands within the ecosystem; and

Now, therefore, **Be It Resolved**, that Beaufort County Council does hereby proclaim September 16th – 23rd 2023 as “National Estuaries Week” and applauds the work of local community organizations such as Pritchards Island Research Living Shores (PIRLS), Port Royal Sound Foundation and others that promote public awareness, understanding, protection and restoration of our estuaries to increase awareness among our residents about the importance of healthy estuaries and the need to protect them.



Dated this 11th Day of September 2023

Joseph F. Passiment, Jr.
Beaufort County Council

~ Proclamation ~

Whereas, behavioral health is an essential part of one's overall health, and recovery is a process through which people are able to improve their overall wellness, both physically and emotionally, live increasingly self-directed lives, and strive to fulfill their greatest potential; and

Whereas, substance use disorders, including opioid use disorder and co-occurring disorders, affect all communities nationwide; but with commitment and support, people with these disorders can seek help and treatment, recover, and achieve healthy lifestyles, and lead rewarding lives in recovery; and

Whereas, the focus of National Recovery Month is to combat stigma and resolve misconceptions associated with addiction and to celebrate their journey with the theme Join the Voices for Recovery: Celebrating Connections. Recovery Month spreads the message that prevention and treatment are effective, and people can and do recover every day; and

Whereas, the impact of substance use is apparent locally, with an estimated 20,000 people in Beaufort County affected by a substance use disorder. Through National Recovery Month, people become more aware and able to recognize the signs of substance use disorders, as people in need of treatment and recovery services are encouraged to seek help without institutional, societal, family, or self-stigma, which all can be barriers to recovery.

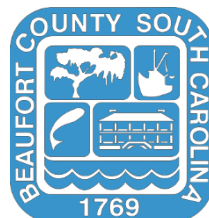
Whereas, the National Recovery Month observance seeks to improve the lives of those affected by substance use disorders by raising awareness of these disorders, and educating communities about the effective treatment, available recovery services, and the danger of stigma. For the above reasons, the Beaufort County Alcohol and Drug Abuse is asking our entire community to join partners and stakeholders across the Palmetto State in celebrating September as National Recovery Month and in observation of the 34th anniversary of Recovery Month.

Now, therefore, be it resolved, that Beaufort County Council does hereby proclaim September 2023 as

Recovery Month in Beaufort County

Dated this 11th day of September 2023.

Joseph F. Passiment, Chairman
Beaufort County Council



CITIZEN COMMENTS AGENDA ITEMS ONLY

COUNTY COUNCIL MEETING September 11, 2023, 5:00 PM

CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language.

In accordance with Beaufort County's Rules and Procedures, page 7(D4): 1) Each speaker is limited to three minutes 2) Only one speaker limit at microphone, and 3) Giving of a speaker's time is not allowed.

BY SIGNING UP FOR PUBLIC COMMENT, YOU ACKNOWLEDGE THE ABOVE RULES AND WILL COMPLY.

FULL NAME (PLEASE PRINT LEGIBLY)

Topic

~~STEP HORGENT/DI
LYNN G. REELEY~~

~~TAX FUND CCH
OFF NARS PAM/ST 6~~

Grant, McClure

Item 15

Hope Cunningham

Item 15

Michael Murphy

Item 15

CITIZEN COMMENTS

COUNTY COUNCIL MEETING

September 11, 2023, 5:00 PM

CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL

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FULL NAME (PLEASE PRINT LEGIBLY)	Topic
Tony Criscitello 3:30	County Development Agreement
Roy Brown 2:45	PINE ISLAND DEVELOPMENT
Teresa White 3:00	PI Development
Skip HOAGLAND	TAX
LYNN GREGORY	TRANS AMERICA
Lee Granade 2:45	Police, County Atty
John Schartner 2:11	Deafuskie Island Council
DUANE REINDL	MALINDA BEARE
Kevin Phillips	



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommend Approval of a Contract Renewal/Extension and modification with Haig Point Club and Community Association Ferry Company (“Haig Point”)
MEETING NAME AND DATE:
County Council Meeting September 11, 2023
PRESENTER INFORMATION:
Hank Amundson – Special Assistant to the County Administrator 5 Minutes
ITEM BACKGROUND:
<p>Beaufort County contracts with Haig Point Club and Community Association (HPCCA) Ferry Company (“Haig Point”) to provide ferry services between the mainland and Daufuskie Island. The current contract expired on July 31, 2022. The parties have been operating on a month-to-month basis since that time.</p> <p>Negotiations were discussed in executive session at the August 21st Finance, Administration, and Economic Development Committee meeting and again at the September 11th Community Services and Land Use Committee meeting.</p>
PROJECT / ITEM NARRATIVE:
Renewal or extension of the contract with Haig Point to include an increase in the contract price.
FISCAL IMPACT:
County Council appropriated \$375,000 to cover the Ferry Service contact for all of FY24 as part of the budget.
STAFF RECOMMENDATIONS TO COUNCIL:
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny contract renewal or extension with Haig Point to include modification (increase) of contract price.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE VII – GREEN SPACE PROGRAM, TO ESTABLISH SECTION 38-200 - GREEN SPACE ADVISORY COMMITTEE (GSAC) PROGRAM CRITERIA AND APPLICATION PROCESS
MEETING NAME AND DATE:
Community Services and Land Use Committee Meeting, August 14, 2023
PRESENTER INFORMATION:
Michael McShane, Chair of the Green Space Advisory Committee 15 minutes
ITEM BACKGROUND:
On November 8, 2022, Beaufort County voters approved a referendum which authorized the establishment of the Beaufort County Green Space Program. Prior to the referendum, County Council approved an ordinance on October 3, 2022 that provided general guidelines for the Green Space Program. The Ordinance also established the duties and responsibilities for the County Council appointed Green Space Advisory Committee. The ordinance being considered at this meeting (pursuant to Code of Ordinances Section 38-195) is the adopted Green Space Advisory Committee (GSAC) Program Criteria and Application Process.
PROJECT / ITEM NARRATIVE:
This ordinance establishes the following: <ul style="list-style-type: none">• Application Process and Deadlines• Program Transparency and Equitable Distribution of Funds• Procurement Types and Minimum Application Requirements• Required Application Types, Components, and Measurable Scoring System• Minimum Procurement Requirements by Application Type and/or Location
FISCAL IMPACT:
The expenditure of Green Space funds (\$100,000,000)
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval
OPTIONS FOR COUNCIL MOTION:
To recommend approval/disapproval of an amendment to the Beaufort County Code of Ordinances

ORDINANCE 2023/_____**AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES
CHAPTER 38, ARTICLE VII – GREEN SPACE PROGRAM, TO ESTABLISH
SECTION 38-200 - GREEN SPACE ADVISORY COMMITTEE (GSAC) PROGRAM
CRITERIA AND APPLICATION PROCESS**

WHEREAS, the Beaufort County Council recognizes the need to preserve land that has scenic, natural, recreational, rural, and open space character which is deemed essential to the County's quality of life; and

WHEREAS, the Beaufort County Council on October 3, 2022, adopted an ordinance providing the general guidelines for the Green Space Program and the Green Space Advisory Committee duties and responsibilities; and

WHEREAS, the Beaufort County voters approved a referendum on November 8, 2022, establishing the Beaufort County Green Space Program; and

WHEREAS, the Beaufort County Council on March 13, 2023, adopted an ordinance to further define the Beaufort County Green Space Program Advisory Committee membership, terms, term limits, minimum requirements, procedures, and geographical representation; and

WHEREAS, the Beaufort County Council appointed a Green Space Advisory Committee to develop Green Space Program Criteria and Application Process pursuant to Beaufort County Code of Ordinances, Chapter 38, Article VII, Section 38-195; and

WHEREAS, the Beaufort County Green Space Advisory Committee has duly assembled in accordance with South Carolina FOIA laws to develop the Green Space Program Criteria and Application Process, which was adopted by the Green Space Advisory Committee on July 11, 2023.

NOW, THEREFORE, be it ordained by the County Council of Beaufort County in a meeting duly assembled that Chapter 38, Article VII, Section 38-200 of the Code of Ordinances is hereby established as set forth in Exhibit A hereto.

Exhibit A

Section 38-200 - Green Space Advisory Committee (GSAC) Program Criteria and Application Process.

Pursuant to Sections 38-192, 38-193, 38-194, 38-195, 38-196, 38-197, and 38-198 the GSAC shall apply the following program criteria and application process to all procurement types.

Section 38-201 - Application Process and Deadlines:

- A. The Green Space Advisory Committee (GSAC) will process applications on a quarterly cycle. Prior to an applicant applying, a pre-application/procurement intent meeting is required with staff no later than 15 days prior to the quarterly deadline. If an application is received by staff without having a pre-application/procurement intent meeting first, it shall be deemed incomplete.
- B. Once an application cycle has closed, staff will have 10 days to determine if the submitted application is complete. If the application is not complete, the applicant will have 10 days to provide the additional information to be considered for that application cycle. The GSAC will meet to consider complete applications no later than 45 days after each quarterly deadline. The quarterly application deadlines are as follows:
 - January 31
 - April 30
 - July 31
 - October 31
- C. The Green Space Advisory Committee reserves the right to amend the quarterly deadlines at the beginning of each year to best meet the requirements of the program, however, it shall remain a quarterly application cycle.
- D. Upon written support of both the Chair and Vice Chair of the Green Space Advisory Committee, or a majority of the Committee, an application can be submitted and reviewed outside of the quarterly cycle, however, this shall only be considered in instances where “time is of the extreme essence” and documented as such.

Section 38-202 - Program Transparency and Equitable Distribution of Funds:

- A. To ensure that funds are equally distributed within the county as required by the County Green Space Sales Tax Act and by Beaufort County's Green Space Ordinance, an objective set of criteria for the selection of recipients, as set forth herein below, are adopted and will be applied to applications in an open and transparent manner. (See Attorney General Opinion to Hon. Tom Davis, August 8, 2022; Memorandum Letter of Kenneth M. Moffit, Assistant Clerk of the South Carolina Senate and Assistant Director, Senate Research dated July 8, 2022; Memorandum Letter of Jason P. Luther, Chief Legal Offices for the South Carolina Department of Revenue dated July 11, 2022.) In addition to the requirements of each type of procurement set forth further below, consideration shall be given to several factors including, but not limited to, the following when evaluating preservation procurement applications:
- I. Geographical Dispersion of Previous Green Space Funds (Northern, Southern, Eastern, Western)
 - II. Environmental Benefits
 - III. Avoidance of adverse Regional, Economic, Environmental and Service Demand Impacts
 - IV. Proximity, Connectivity, Adjacency to and Impact of Previous Counties and Regional Conservation Investments
 - V. Proportional Leveraging of Funds
- B. Out of county fund expenditures may also be considered. These expenditures are defined as procurements in areas that are not inside the geographical boundaries of Beaufort County. When considering these applications, the program shall take into consideration the equitable impact of the proposed expenditures by identifying the geographical region(s) that the procurement best serves (i.e., the region(s) which experiences the greatest benefit).

Section 38-203 - Procurement Types and Minimum Application Requirements:

The Green Space Program will focus its efforts on the following preservation procurement types; conservation easements, fee simple government purchases for land protections, farmland preservations, natural/scenic/wildlife corridors, and existing planned development/development agreement buydowns. The Green Space Advisory Committee will evaluate the merits of each application and determine if additional fund matching is required and if "in-kind" contributions are appropriate.

- A. Applications for procurements within Beaufort County will be managed by staff for due diligence and acquisition. In these instances, county staff will act as the procuring manager. Beaufort County qualifies as an applicant. The minimum application requirements for procurements within Beaufort County are as follows:
- I. Applications for conservation easement procurements shall require a minimum 25% match.
 - II. Applications for fee simple county owned procurements shall require public access/use and may require a match.
 - III. Applications for fee simple “other government” owned procurements may require public access/use and may require a match.
 - IV. Applications for farmland preservation procurements may require a minimum 10% match.
 - V. Applications for natural/scenic/wildlife corridor procurements may require a match.
 - VI. Applications for existing planned development/development agreement buydown procurements (public access) shall require a minimum 100% match.
 - VII. Applications for existing planned development/development agreement buydown procurements (no public access) shall require a minimum 200% match.
 - VIII. Other application types not specifically listed in this section may be considered. For these application types, minimum matching and other requirements will be determined by the Green Space Advisory Committee based on the merits of the application.
- B. Regardless of application type, all applications for procurements outside of Beaufort County will be managed by the applicant for due diligence and acquisition. In these instances, county staff will process the application as a grant request. A detailed application process for funds to be used outside of the county shall be established along with the following minimum application requirements:

- I. All applications for procurements outside of Beaufort County shall require a minimum 300% match, or
- II. If applications for procurements are from a neighboring county that has adopted a Green Space Program or Greenbelt Program, there shall be a minimum 100% match for fee simple government procurements, if the neighboring county acts as the applicant.

Section 38-204 - Required Application Types, Components, and Measurable Scoring System:

- A. Each procurement type shall have its own application as deemed appropriate by staff. The GSAC shall approve each application type. Applications shall consist of a combination of factors to adequately score and rank using a systematic measurable approach. To accomplish this, all application types shall consist of the following components:
 - I. One half (1/2) of the score/rank will be based on a set of numerical values from defined benefits for each application type. The benefits and associated numerical values will be established by the GSAC.
 - II. One quarter (1/4) of the score/rank will be based on set of questions for each application type. The questions will be tailored to the specific application type and will be established by staff and the GSAC.
 - III. One quarter (1/4) of the score/rank will be based on consistency with relevant overarching master plans (e.g., Comprehensive Plans, Green Print Plans, etc.) which governmental jurisdictions have adopted.
- B. These components shall remain intact unless amended by County Council.

Section 38-205 - Minimum Procurement Requirements by Application Type and/or Location:

- A. For all applications located in other governmental jurisdictions (within or outside) Beaufort County, a governmental jurisdictional letter of support or opposition shall be required at the time of application. At minimum, other governmental jurisdictions shall consider their relevant overarching master plans that have been adopted.

- B. Applications for conservation easements and fee simple procurements by governmental entities shall consider, at minimum, the following as a part of the application review and consideration:
- I. Public access and/or public benefit.
 - II. Proximity and/or connectivity to existing preserved properties.
 - III. Proximity and/or connectivity to potential future preserved properties.
 - IV. Preservation and/or expansion of intact natural habitats.
 - V. Existing zoning, partner contributions, etc. to ensure best value.
 - VI. Degree of urgency for the project in terms of protection of resources and/or real estate market.
 - VII. Importance of the project in achieving multiple local, state and/or federal environmental goals.
 - VIII. Necessary restrictive covenants and/or easements to be recorded.
- C. Applications for farmland preservation procurements, including silviculture, are encouraged. To ensure these lands are adequately protected consistent with state laws and not used in a manner that violates the purposes of the Green Space Ordinance, the following should be considered as a part of the application review and consideration.
- I. Land use and Stormwater Best Management Practices (BMP's).
 - II. Sustainable farming and silviculture techniques that protect waterways, waterbodies, and watersheds.
 - III. Restrictive covenants and/or easements which are recordable, and which run with the land, shall be required.
- D. Applications for natural/scenic/wildlife corridor procurements shall consider, at minimum, the following as a part of the application review and consideration:
- I. Location along rivers, tidally influenced waterways/wetlands, public road rights-of-way, other roads with public benefits, and/or areas with wildlife habitat.
 - II. Minimum width and other requirements:
 - a. 250 feet wide for natural and/or scenic corridors along public road rights-of way and other roads with public benefits. These

- shall be measured from the existing or identified future road right-of way and already required buffers (if applicable).
- b. 300 feet wide for river and/or tidally influenced waterways/wetland corridors. These shall be measured from the established OCRM critical line and already required buffers which are present at the time of application (if applicable).
 - c. 300 feet wide for wildlife corridors and shall require connectivity to other preserved lands.
 - d. GSAC reserves the right to consider procurements in instances when only a small portion of the procurement fails to meet the minimum width requirements through no fault of the applicant, and circumstances are properly documented and justified.
- III. May require the removal of existing structures and/or encumbrances that are deemed contrary to the purpose of the procurement and documented prior to appraisal/closing.
 - IV. Shall require restrictions for allowed uses and/or improvements within the corridor.
 - V. Restrictive covenants and/or easements which are recordable, and which run with the land, shall be required.
- E. Applications for existing planned development/development agreement buydown procurements shall require, at minimum, the following as a part of the application review and consideration.
- I. Clearly establish that money will be saved from off-site infrastructure improvements (taxpayer responsible improvements). Developer required off-site improvements shall remain the responsibility of the developer in all instances. To satisfy this requirement, a Traffic Impact Analysis by a County approved firm shall be performed showing how the removal of trips generated will result in reducing required taxpayer off-site infrastructure improvements.
 - II. Documentation identifying environmental benefits, including but not limited to, reduction of stormwater runoff quantity, improving water quality, maintained tree canopy coverage, preservation of wildlife habitat, watershed protection, and marsh migration.

- III. Consideration for this type of procurement in government jurisdictions that do not have adopted land use policies to prevent other lands from getting upzoned/developed without regard to the buydown, will be closely scrutinized. To help facilitate meaningful procurements, counties and municipalities will have current Comprehensive Plans with agreed upon/established growth boundaries in place along with adopted zoning and land development regulations. If these fiscally responsible land use policies are not in place, this type of procurement will be subject to a very high level of required matching funds as determined by the Green Space Advisory Committee.
- IV. Provide documentation that the existing planned development/development agreement was approved prior to the adoption of the Green Space Ordinance (October 3, 2022). This will include development rights secured through annexations, rezonings, and/or other entitlements.
- V. As previously stated, applications located in other governmental jurisdictions (within or outside) Beaufort County, a governmental jurisdictional letter of support or opposition shall be required at the time of application.
- VI. Restrictive covenants and/or easements which are recordable, and which run with the land, shall be required and subject to periodic inspections by Beaufort County staff.

Sections 38-206 --- 38-299 - Reserved

Adopted this _____ day of _____ 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, JD, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF REAL PROPERTY WITH TMS NUMBER R112-032-000-0637-0000, R112-032-000-0008-0000, AND R112-032-000-0064-0000 ALSO KNOWN AS CHERRY HILL OAK
MEETING NAME AND DATE:
Public Facilities Committee Meeting, Monday, August 28, 2023
PRESENTER INFORMATION:
Ms. Amanda Flake, Natural Resources Planner (10 minutes)
ITEM BACKGROUND:
Rural and Critical Land Preservation Board recommended to pursue due diligence on 1/12/23, Land Use and Community Services Committee recommended due diligence on 3/11/23, RCLP recommended to purchase on 6/8/23.
PROJECT / ITEM NARRATIVE:
Cherry Hill Oak – Fee (TMS 112-032-000-0637, 0008, 0064) properties consist of approximately 12 acres zoned T4-N in the town of Port Royal with frontage along the marshes of Battery Creek. The property is home to a 2012 Heritage Oak, known as the Cherry Hill Oak, as well as gravesite for an enslaved woman known as Mary Pope. The proposed purchase includes opportunity to purchase real properties identified as TMS R112-032-000-0637-0000, and R112-032-000-0008-0000, R112-032-000-0064-0000 and also known as Cherry Hill Oak. The agreed upon purchase price is \$1,550,000.
FISCAL IMPACT:
Up to \$1,550,000 plus closing costs (Rural and Critical Program; Account # 4500)
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval
OPTIONS FOR COUNCIL MOTION:
Motion to approve purchase of Cherry Hill Oak Motion to modify purchased of Cherry Hill Oak Motion to reject purchase of Cherry Hill Oak

RESOLUTION 2023/_____

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF REAL PROPERTY WITH TMS NUMBERS R112-032-000-0637-0000, R112-032-000-0008-0000, AND R112-032-000-0064-0000 ALSO KNOWN AS CHERRY HILL OAK

WHEREAS, the real property known as Cherry Hill Oak with TMS Numbers R112-032-000-0637-0000, and R112-032-000-0008-0000, R112-032-000-0064-0000 consisting of approximately 12 acres, collectively hereinafter “Property”, is the home to the 2013 South Carolina Heritage Tree, known as the Cherry Hill Oak; and

WHEREAS, the fee simple owners of the Property desires to sell and Beaufort County (“County”) desires to purchase the Property in order to protect the Cherry Hill Oak and the Property; and

WHEREAS, the fee simple purchase of the Property has been demonstrated to meet the Critical Lands Criteria of the Rural and Critical Lands Program (“RCLP”); and

WHEREAS, the seller and County have negotiated a purchase price up to \$1,550,000 plus closing costs for the fee simple purchase of the Property; and

WHEREAS, on June 8, 2023, the proposed purchase of the Property was presented to the Rural and Critical Land Preservation Board (RCLPB) and the RCLPB unanimously recommended approval of the purchase of Property; and

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

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the Interim County Administrator to execute the necessary documents and provide funding up to \$1,550,000 plus closing costs for the fee simple purchase of real property with TMS Numbers R112-032-000-0637-0000, and R112-032-000-0008-0000, R112-032-000-0064-0000 also known as Cherry Hill Oak.

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



Project Analysis: Cherry Hill Oak - Fee

PROPOSAL FOR: Fee Purchase

PROPERTY ID:	TMS# TMS 112-032-000-0637, 0008, 0064
OWNER:	Merry Land Investments, LLC
ACREAGE:	11.92 acres
PARTNERS:	landowner, private, Town of Port Royal
TOTAL PRICE:	\$1,550,000
PRICE Negotiated/Acre:	\$138,1460/acre
RCLPP FUNDS:	\$1,550,000
APPRAISED VALUE:	1,788,000
ZONING:	T4 NC – Town of Port Royal
COUNCIL DISTRICT:	4 (Howard)
LOCATION:	Oakview Drive, Port Royal

Project Location and Attributes:

- Property is located off of Parris Island Gateway / Highway 21
- Property contains a South Carolina Heritage Tree, designated in 2013 by TreesSC
- Property is sloping water front, including an accessible sandy spit that extends to back waters, marshes of battery creek.

Purchase and Cost Structure:

- Fee simple purchase proposed, landowner agreed to price lower than appraised value, RCLP pays 87% of appraised value
- landowner will contribute \$50,000 to tree maintenance
- private funds raised for tree maintenance and park infrastructure
- Town of Port Royal to accept maintenance responsibility for property

RCLP Attributes:

- Proximate to protected properties: OLT donated easement nearby “Pinckney easement”
- Sloping waterfront and access to water in an area without any
- Heritage Tree is documented to have larger diameter than Angel Oak in Charleston
- No current park or passive recreation property in close proximity

Beaufort County
Rural & Critical
**LAND
PRESERVATION
PROGRAM**

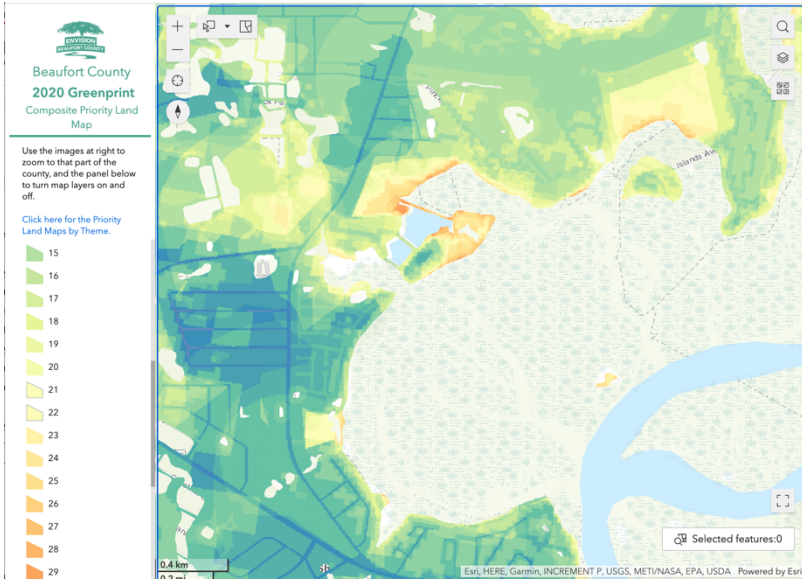


Figure 1: Greenprint Composite

Beaufort County Rural & Critical LAND

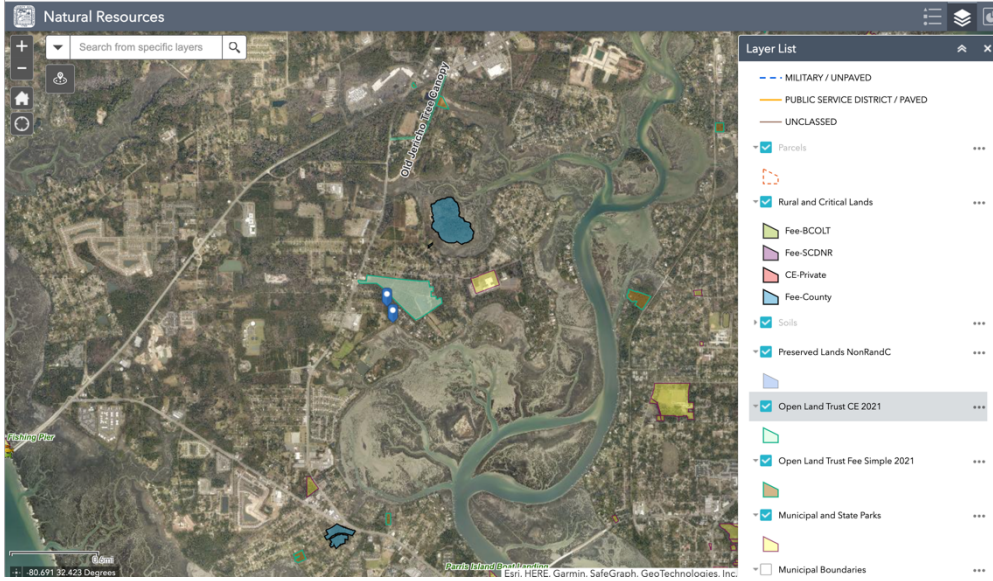


Figure 2: Location and other protected land

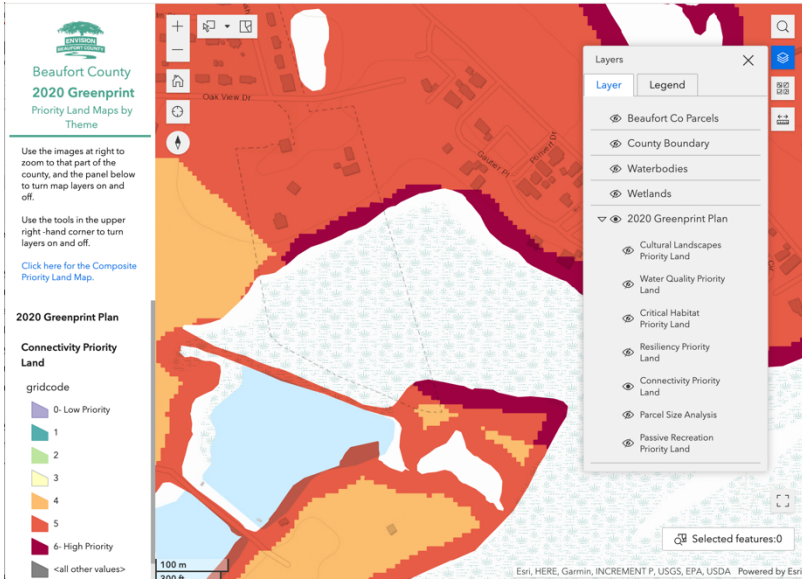


Figure 3: Greenprint Connectivity

Beaufort County Rural & Critical LAND ON AM



Figure 4: Greenprint Critical Habitat

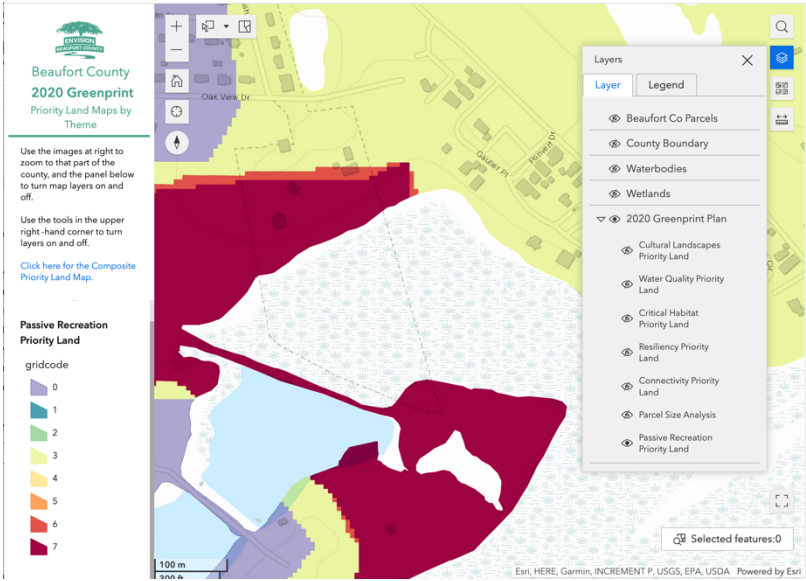


Figure 5: Greenprint Passive Recreation Priority

Beaufort County Rural & Critical LAND ON AM

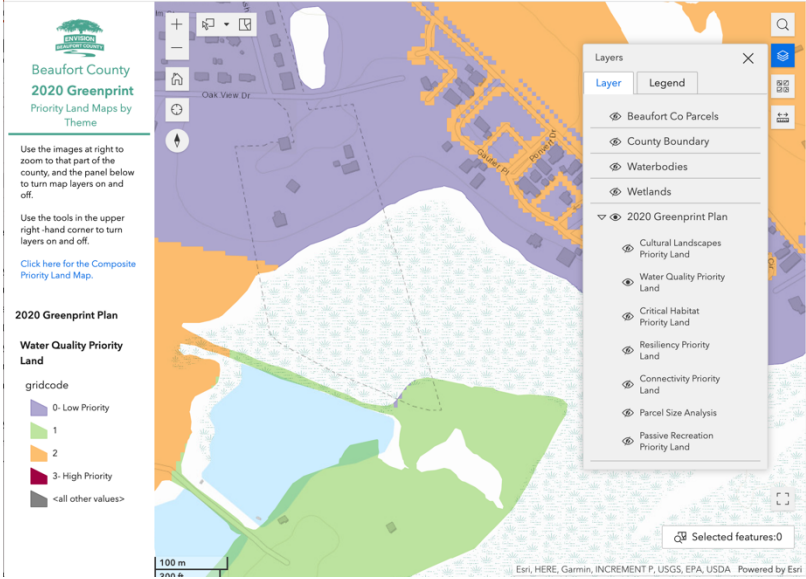


Figure 6: Greenprint Water Quality Priority

LINE TABLE			CURVE TABLE					
LABEL	BEARING	DISTANCE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA	
L1	S75°29'23"W	99.95	C1	375.15'	100.10'	99.61'	S83°33'38"W	15°17'18"
L2	S16°40'31"E	49.78	C2	325.26'	101.02'	100.61'	S84°48'56"W	17°47'40"
L3	S16°32'18"E	115.10						
L4	S16°27'26"E	78.50						
L5	S16°36'23"E	82.91						
L6	S73°50'11"W	22.82						
L7	S73°50'11"W	39.46						
L8	S73°50'11"W	61.07						
L9	S73°50'11"W	30.18						
L10	S73°50'11"W	51.09						
L11	S27°19'51"W	90.78						
L12	N17°29'28"W	48.12						
L13	S46°48'34"W	20.89						
L14	S24°18'08"W	15.88						
L15	S19°24'51"E	30.27						
L16	S16°31'54"E	119.39						
L17	S89°16'21"W	11.66						
L18	N33°06'55"W	25.44						
L19	N78°09'20"W	25.28						
L20	S68°44'42"E	34.86						
L21	N88°34'26"W	54.18						
L22	S81°14'45"W	82.57						
L23	S09°28'28"W	3.25						
L24	S01°59'18"E	28.14						
L25	S79°39'14"W	11.83						
L26	S41°41'09"W	45.24						
L27	S12°15'56"E	46.51						
L28	S75°54'01"W	46.72						
L29	S65°06'54"W	37.25						
L30	S73°50'11"W	42.95						
L31	S63°59'00"W	36.71						
L32	S51°07'06"W	42.00						
L33	S03°50'39"W	32.06						
L34	S73°50'11"W	16.10						
L35	S73°50'11"W	18.66						
L36	INTENTIONAL DELETE							
L37	INTENTIONAL DELETE							
L38	S76°09'48"W	16.48						
L39	S75°53'56"W	60.05						
L40	S75°53'56"W	60.05						
L41	S76°21'16"W	100.15						
L42	S13°39'33"E	68.51						
L43	S76°30'41"W	59.67						
L44	N13°58'49"W	67.87						
L45	S39°13'49"W	25.45						
L46	N17°29'18"W	512.44						
L47	S05°19'22"W	15.72						
L48	S15°26'37"W	6.70						
L49	S19°14'03"E	31.06						
L50	S14°44'22"E	18.66						
L51	S11°11'56"E	22.53						
L52	S13°02'57"E	18.40						
L53	S00°04'28"W	28.45						
L54	S04°07'09"W	18.54						
L55	S18°03'15"E	7.80						

LEGEND

- △ CALCULATED POINT - CORNER NOT SET
- CMF ■ CONC. MONUMENT FOUND
- CMFD ■ CONC. MONUMENT FOUND DISTURBED
- RBF ● IRON REBAR FOUND
- RBFD ● IRON REBAR FOUND DISTURBED
- RBS ○ 5/8" IRON REBAR SET WITH CAP
- △ WETLAND FLAG
- OCRM ○ OCEAN & COASTAL RESOURCE MANAGEMENT
- CA CRITICAL AREA
- (T) TOTAL
- FEMA FEMA FLOOD LINE
- WET WETLAND LINE
- TB TOP OF BANK
- OCRM OCRM LINE
- WETLANDS

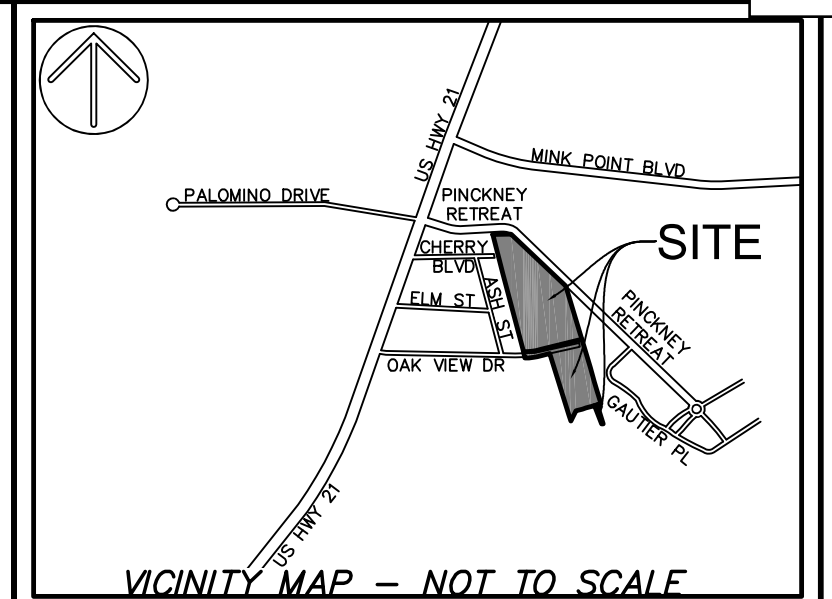
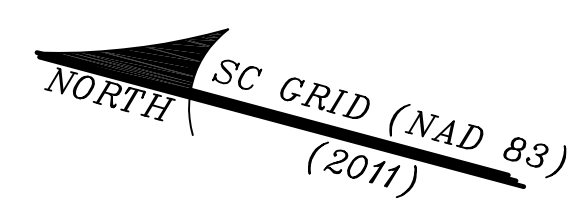
ACREAGE CHART

	PARCEL A	PARCEL B	PARCEL C	TOTAL
TOTAL UPLAND	356,458 SF 8.183 AC	134,142 SF 3.086 AC	N/A	489,093 S.F. 11,228 AC.
WETLAND	N/A	17,778 SF 0.408 AC	441 SF 0.010 AC	20,026 S.F. 0.460 AC.
CRITICAL AREA	N/A	6,674 SF 0.154 AC	2,399 SF 0.055 AC	9,073 S.F. 0.209 AC.
TOTAL	356,458 SF 8.183 AC	158,894 SF 3.648 AC	2,840 SF 0.065 AC	518,192 SF 11,896 AC

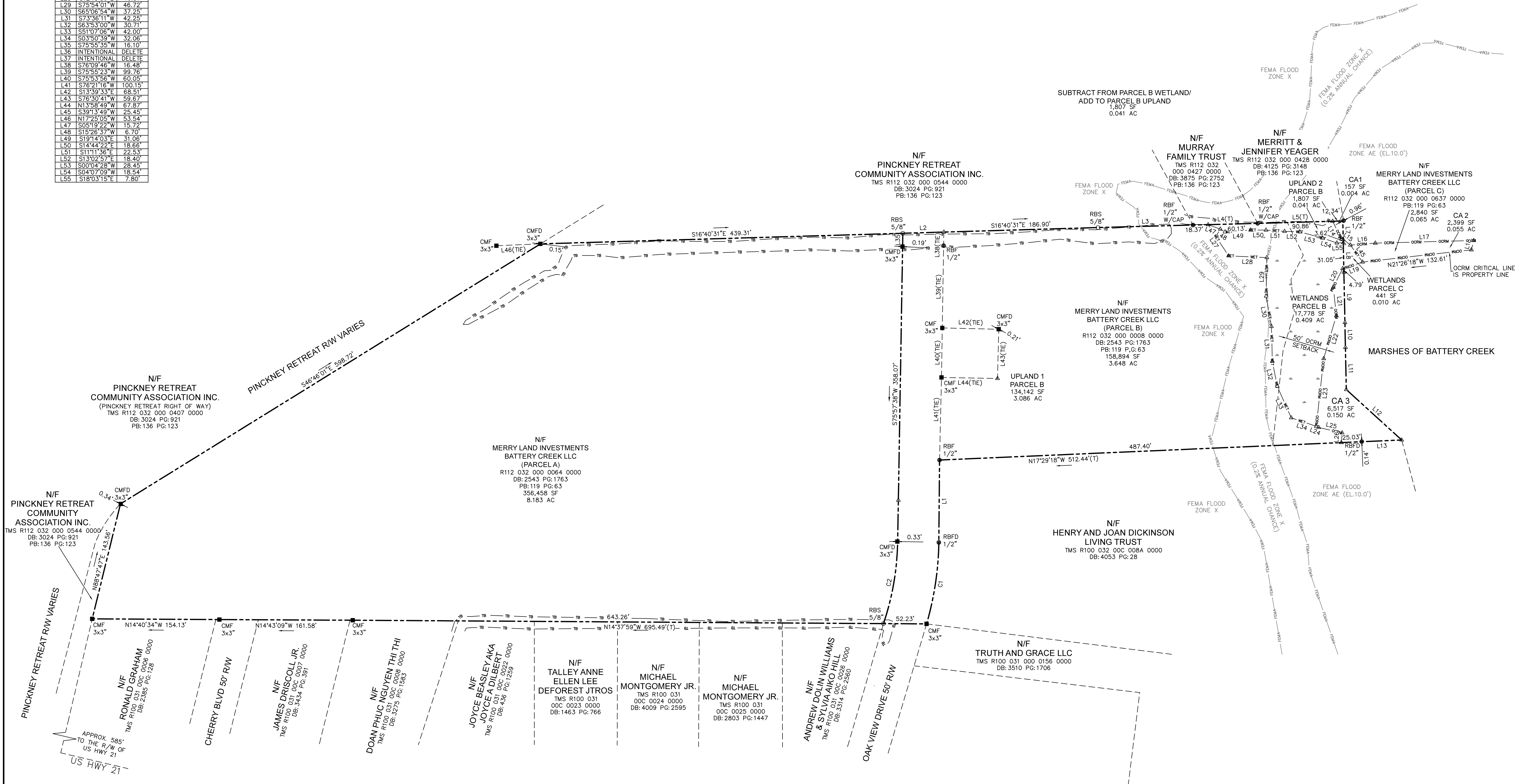
"THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT (SCDHEC OCRM) PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF SCDHEC OCRM, SCDHEC OCRM IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT."

Watson Parky 11/02/22
SIGNATURE DATE

The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

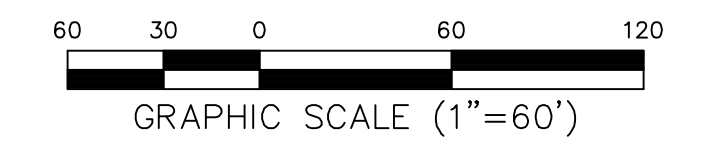


- NOTES**
- THESE PARCELS APPEAR TO LIE IN FLOOD ZONE X (0.2% ANNUAL CHANCE), AND AE (ELEVATION 10'), COMMUNITIES 450025 (BEAUFORT COUNTY) & 450028 (TOWN OF PORT ROYAL), MAP NUMBER 4503CD1636, HAVING AN EFFECTIVE DATE OF MARCH 21, 2022.
 - HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE GRID (NAD 83).
 - PRECISION OF PLAT CLOSURE: 1:1,116,378.
 - BUILDING SETBACK REQUIREMENTS MUST BE VERIFIED WITH THE PROPER AUTHORITIES PRIOR TO DESIGN AND CONSTRUCTION.

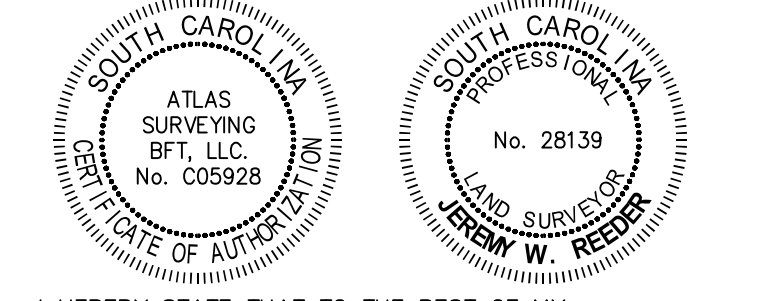


PREPARED FOR:
BEAUFORT COUNTY &
BEAUFORT COUNTY OPEN LAND TRUST
A BOUNDARY AND WETLAND PLAT OF
PARCELS A, B, & C;
#2978 OAK VIEW DRIVE
TAX PARCEL Nos. R112 032 000 0637 0000,
R112 032 000 0008 0000, & R112 032 000 0064 0000
THE TOWN OF PORT ROYAL
BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK: SJD
FIELD CHECK: JWB
DRAWN BY: JWB
DATE: 08-11-2023
SCALE: 1"=60'
PROJECT No.: BFT-22221
FILE: BFT-22221 WETSDWG



ATLAS SURVEYING, INC.
49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
WEBSITE: WWW.ATLASSURVEYING.COM



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 16.

ITEM TITLE:
A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ACCEPT A MONETARY DONATION TO BE USED FOR THE MAINTENANCE OF THE PROPERTY KNOWN AS CHERRY HILL OAK
MEETING NAME AND DATE:
County Council; September 11, 2023
PRESENTER INFORMATION:
Chuck Atkinson, Brittany Ward (5 Minutes)
ITEM BACKGROUND:
Finance Committee recommended approval of the acquisition of the property on August 28, 2023.
PROJECT / ITEM NARRATIVE:
The Rural and Critical Board approved the purchase of Cherry Hill Oak (“Property”) to be included as part of the Rural and Critical Land Preservation Program. The Property consists of approximately 11.92 acres located on Oakview Drive in the Town of Port Royal. The Seller of the Property wishes to donate \$50,000 at the time of closing to be used towards the tree and property maintenance of the Property.
FISCAL IMPACT:
The Seller is donating \$50,000 at the time of closing to be used for tree and land maintenance on Cherry Hill Oak property. <i>Account # 45020001-47600.</i>
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval to receive the monetary donation.
OPTIONS FOR COUNCIL MOTION:
Motion to approve or deny the Interim County Administrator to accept a donation for the property known as Cherry Hill Oak.

RESOLUTION 2023/ ____

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ACCEPT A MONETARY DONATION TO BE USED FOR THE MAINTENANCE OF THE PROPERTY KNOWN AS CHERRY HILL OAK

WHEREAS, Beaufort County (“County”) has approved the purchase 11.92 acres of what is known today as Cherry Hill Oak (R112 032 000 0637 0000, R112 032 000 0008 0000 and R112 032 000 0064 0000) located on Oakview Drive in the Town of Port Royal (“Property”) through the County’s Rural and Critical Lands Preservation Program; and

WHEREAS, a purpose of the Rural and Critical Land Preservation program is to preserve and protect valuable economic and natural resources; as well as to obtain ownership of land for the County’s Passive Parks Department for the benefit and enjoyment of the citizens and visitors of Beaufort County; and

WHEREAS, the Seller is donating \$50,000 at the time of closing to be used towards tree and property maintenance of the Property; and

WHEREAS, the County and Seller recognize the value of maintenance on the Property for the benefit of public access and passive recreation.

NOW, THEREFORE, BE IT RESOLVED by Beaufort County Council, duly assembled, does hereby authorize the Interim County Administrator to accept a monetary donation to be used for the maintenance of the property known as Cherry Hill Oak.

Adopted this _____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____

Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMENDATION OF APPROVAL OF: AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.
MEETING NAME AND DATE:
Finance, Administration, and Economic Development Committee 8/21/2023
PRESENTER INFORMATION:
Pope Flynn, LLC 15 minutes
ITEM BACKGROUND:
The Hilton Head No.1 Public Service District Commission has determined to seek authorization from the Beaufort County Council to issue general obligation bonds. The Commission requests that, following a public hearing on the matter, the County Council enact the ordinance authorizing the issuance of the bonds. This ordinance authorizing the bond issuance is required pursuant to S.C. Code Section 6-11-860.
PROJECT / ITEM NARRATIVE:
<p>The Hilton Head No.1 Public Service District (HHPSD) has determined to issue bonds to defray the costs of: (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system.</p> <p>By way of additional background, some portions of the Project are related to the District’s planned grant funding from South Carolina Rural Infrastructure Administration as part of the South Carolina Infrastructure Improvement Program (SCIIP). Bond funds will be used to make the District’s required grant match.</p>
FISCAL IMPACT:
Limited millage impact is expected in connection with the bonds. The District anticipates structuring new debt service taking into account existing debt service, which, after taking into account the amortization of existing obligations, is not expected to result in a significant millage increase. Additionally, the District may pay some or all of the excess debt service from the revenues of its combined water and sewer utility system. However, the District, acting through the duly elected members of the Hilton Head No.1 Public Service District Commission, reserves the right to levy additional debt service millage as necessary to fund any required debt payments associated with the bonds.

STAFF RECOMMENDATIONS TO COUNCIL:

Recommend approval

OPTIONS FOR COUNCIL MOTION:

Motion to approve/deny "RECOMMENDATION OF APPROVAL OF: AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO"

AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO

AUTHORIZING ORDINANCE

~~September 25~~October 9, 2023

BE IT ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, AS FOLLOWS:

ARTICLE I – FINDINGS

Section 1.01 Findings of Fact.

The County Council of Beaufort County (the “**County Council**”), the governing body of Beaufort County, South Carolina (the “**County**”), hereby finds and determines:

(a) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “**Constitution**”), provides that special purpose districts may incur general obligation bonded indebtedness upon such terms and conditions as the General Assembly may prescribe by general law, subject to the following limitations: (i) such debt must be incurred only for a purpose which is a public purpose and a corporate purpose, and (ii) unless excepted therefrom, such debt may be issued in an amount not exceeding 8% of the assessed value of all taxable property of such special purpose district (the “**Bonded Debt Limit**”).

(b) Pursuant to Title 6, Chapter 11, Article 5 of the Code of Laws of South Carolina 1976, as amended (the “**Enabling Act**”), the governing body of any county in the State of South Carolina (the “**State**”) may authorize the issuance of general obligation bonds by special purpose districts located within its bounds to defray the cost of any authorized purpose and for any amount not exceeding such special purpose district’s applicable Bonded Debt Limit..

(c) Hilton Head No. 1 Public Service District, South Carolina (the “**District**”) was created and established as a special purpose district, a body politic and corporate, pursuant to the provisions of Act No. 569 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended. The District is located wholly within the County and is authorized, *inter alia*, (i) to provide water and sewer services, (ii) to acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal, or mixed, or any interest therein, and (iii) to do all other acts and things necessary or convenient to carry out any function or power committed or granted to the District.

(d) Pursuant to Section 6-11-830 of the Enabling Act, the County Council, upon petition of the governing body of any special purpose district, may determine that it is in the interest of such special purpose district to raise moneys for the furtherance of any power or function of the special purpose district and order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

(e) The County is in receipt of a petition from the Hilton Head No. 1 Public Service District Commission (the “**Commission**”), the governing body of District, requesting authorization to issue not exceeding \$23,000,000 of general obligation bonds (the “**Bonds**”) in order to (1) defray the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to

the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District's reverse osmosis ("**RO**") plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District's water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the "**Project**"), and (2) pay the costs of issuance of the Bonds.

(f) The Bond proceeds will also provide the requisite matching funds to permit the District to receive approximately \$10,000,000 in grant funding (the "**SCIIP Grant**") from the South Carolina Rural Infrastructure Administration under the South Carolina Infrastructure Improvement Program. The proceeds of the SCIIP Grant will be used by the District to finance additional improvements to the District's wastewater system related to the Project.

(g) By action previously taken, the County Council ordered that a public hearing (the "**Public Hearing**") on the question of the issuance of the Bonds be held on ~~September 25~~[October 9](#), 2023, at 5:00 p.m., and the notice of the Public Hearing was duly published once a week for three successive weeks in *The Beaufort Gazette* and *Island Packet*, newspapers of general circulation in the County.

(h) The Public Hearing has been duly held at the time and date and in the manner set forth above and was conducted publicly. Both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of the Enabling Act to make a finding as to whether or not the Bonds should be issued.

(i) The County Council finds that it is in the interest of the District to authorize and provide for the issuance and sale of the Bonds of the District pursuant to the aforesaid provisions of the Constitution and laws of the State for the purposes of providing funds for the Project and providing for the costs of issuance of the Bonds.

ARTICLE II – AUTHORIZATIONS

Section 2.01 Authorizations.

(a) It is found and determined that each statement of fact set forth in the preamble of this ordinance (this "**Ordinance**") is in all respects true and correct.

(b) On the basis of the facts adduced at the Public Hearing, it is found and determined that the Commission is authorized to issue the Bonds.

(c) The County Council finds that the Commission should issue the Bonds in the amount of not exceeding \$23,000,000 as a single issue or from time to time as several separate issues, as the the Commission, in its sole discretion, shall determine. The issuance of the Bonds

is not conditioned upon the holding of a special election and no further action or authorization of the County shall be required as a condition for the issuance of the Bonds.

(d) Notice of the enactment of this Ordinance, as required by Section 6-11-870 of the Enabling Act and in substantially similar form to that attached hereto as Exhibit A, shall be published in both the *Beaufort Gazette* and *Island Packet* for three successive weeks. Such notice, upon the first publication thereof, shall also constitute proper notice of action as authorized by Section 11-27-40(8) of the Code of Law of South Carolina 1976, as amended.

Section 2.02 Ordinance to be Provided to District.

A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds in the aggregate principal amount of not exceeding \$23,000,000.

Section 2.03 Further Action.

The Chairman and other County officers are herewith authorized and empowered to take such further action as may be necessary to fully implement the action contemplated by this Ordinance.

[Remainder of Page Intentionally Blank]

DONE AT BEAUFORT COUNTY, SOUTH CAROLINA, this ~~25th~~9th day of ~~September~~
October 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

Joe Passiment, Chairman

Attest:

Sarah W. Brock, Clerk
County Council of Beaufort County

First Reading: ~~August 28~~September 11, 2023
Second Reading: September ~~11~~25, 2023
Public Hearing: ~~September 25~~October 9, 2023
Third Reading: ~~September 25~~October 9, 2023

EXHIBIT A

NOTICE OF ACTION

Notice is hereby given pursuant to the provisions of Sections 6-11-870 and 11-27-40(8) of the Code of Laws of South Carolina 1976, as amended (together, the “Authorizing Acts”), as follows:

Following a public hearing held ~~September 25~~October 9, 2023, the County Council of Beaufort County (the “County Council”), the governing body of Beaufort County, South Carolina, enacted that certain ordinance, entitled “AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO” on ~~September 25~~October 9, 2023 (the “Ordinance”).

Hilton Head No. 1 Public Service District, South Carolina (the “District”), a special purpose district established in Beaufort County, as a body politic and corporate pursuant to the provisions of Act No. 596 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended, has been authorized by the provisions of the Ordinance to issue not exceeding \$23,00,000 in aggregate principal amount of general obligation bonds of the District (the “Bonds”) as a single issue or from time to time as several separate issues, in order to (1) defray the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system, and (2) pay the costs of issuance of the Bonds.

For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District will be irrevocably pledged, and there will be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay the principal of and interest on the Bonds as they respectively mature, and to create such sinking fund therefor.

No election has been ordered in the District upon the question of the issuance of the Bonds.

Any persons affected by the action aforesaid of the County Council may object to the Ordinance and challenge the action of the County Council by following the procedures provided in the Authorizing Acts.

COUNTY COUNCIL OF BEAUFORT COUNTY

AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO

AUTHORIZING ORDINANCE

October 9, 2023

**BE IT ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY,
SOUTH CAROLINA, AS FOLLOWS:**

ARTICLE I – FINDINGS

Section 1.01 Findings of Fact.

The County Council of Beaufort County (the “*County Council*”), the governing body of Beaufort County, South Carolina (the “*County*”), hereby finds and determines:

(a) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “*Constitution*”), provides that special purpose districts may incur general obligation bonded indebtedness upon such terms and conditions as the General Assembly may prescribe by general law, subject to the following limitations: (i) such debt must be incurred only for a purpose which is a public purpose and a corporate purpose, and (ii) unless excepted therefrom, such debt may be issued in an amount not exceeding 8% of the assessed value of all taxable property of such special purpose district (the “*Bonded Debt Limit*”).

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(c) Hilton Head No. 1 Public Service District, South Carolina (the “*District*”) was created and established as a special purpose district, a body politic and corporate, pursuant to the provisions of Act No. 569 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended. The District is located wholly within the County and is authorized, *inter alia*, (i) to provide water and sewer services, (ii) to acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal, or mixed, or any interest therein, and (iii) to do all other acts and things necessary or convenient to carry out any function or power committed or granted to the District.

(d) Pursuant to Section 6-11-830 of the Enabling Act, the County Council, upon petition of the governing body of any special purpose district, may determine that it is in the interest of such special purpose district to raise moneys for the furtherance of any power or function of the special purpose district and order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

(e) The County is in receipt of a petition from the Hilton Head No. 1 Public Service District Commission (the “*Commission*”), the governing body of District, requesting authorization to issue not exceeding \$23,000,000 of general obligation bonds (the “*Bonds*”) in order to (1) defray the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements

and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“**RO**”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “**Project**”), and (2) pay the costs of issuance of the Bonds.

(f) The Bond proceeds will also provide the requisite matching funds to permit the District to receive approximately \$10,000,000 in grant funding (the “**SCIIP Grant**”) from the South Carolina Rural Infrastructure Administration under the South Carolina Infrastructure Improvement Program. The proceeds of the SCIIP Grant will be used by the District to finance additional improvements to the District’s wastewater system related to the Project.

(g) By action previously taken, the County Council ordered that a public hearing (the “**Public Hearing**”) on the question of the issuance of the Bonds be held on October 9, 2023, at 5:00 p.m., and the notice of the Public Hearing was duly published once a week for three successive weeks in *The Beaufort Gazette* and *Island Packet*, newspapers of general circulation in the County.

(h) The Public Hearing has been duly held at the time and date and in the manner set forth above and was conducted publicly. Both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of the Enabling Act to make a finding as to whether or not the Bonds should be issued.

(i) The County Council finds that it is in the interest of the District to authorize and provide for the issuance and sale of the Bonds of the District pursuant to the aforesaid provisions of the Constitution and laws of the State for the purposes of providing funds for the Project and providing for the costs of issuance of the Bonds.

ARTICLE II – AUTHORIZATIONS

Section 2.01 Authorizations.

(a) It is found and determined that each statement of fact set forth in the preamble of this ordinance (this “**Ordinance**”) is in all respects true and correct.

(b) On the basis of the facts adduced at the Public Hearing, it is found and determined that the Commission is authorized to issue the Bonds.

(c) The County Council finds that the Commission should issue the Bonds in the amount of not exceeding \$23,000,000 as a single issue or from time to time as several separate issues, as the the Commission, in its sole discretion, shall determine. The issuance of the Bonds is not conditioned upon the holding of a special election and no further action or authorization of the County shall be required as a condition for the issuance of the Bonds.

(d) Notice of the enactment of this Ordinance, as required by Section 6-11-870 of the Enabling Act and in substantially similar form to that attached hereto as Exhibit A, shall be published in both the *Beaufort Gazette* and *Island Packet* for three successive weeks. Such notice, upon the first publication thereof, shall also constitute proper notice of action as authorized by Section 11-27-40(8) of the Code of Law of South Carolina 1976, as amended.

Section 2.02 Ordinance to be Provided to District.

A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds in the aggregate principal amount of not exceeding \$23,000,000.

Section 2.03 Further Action.

The Chairman and other County officers are herewith authorized and empowered to take such further action as may be necessary to fully implement the action contemplated by this Ordinance.

[Remainder of Page Intentionally Blank]

DONE AT BEAUFORT COUNTY, SOUTH CAROLINA, this 9th day of October 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

Joe Passiment, Chairman

Attest:

Sarah W. Brock, Clerk
County Council of Beaufort County

First Reading: September 11, 2023
Second Reading: September 25, 2023
Public Hearing: October 9, 2023
Third Reading: October 9, 2023

EXHIBIT A

NOTICE OF ACTION

Notice is hereby given pursuant to the provisions of Sections 6-11-870 and 11-27-40(8) of the Code of Laws of South Carolina 1976, as amended (together, the “Authorizing Acts”), as follows:

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Hilton Head No. 1 Public Service District, South Carolina (the “District”), a special purpose district established in Beaufort County, as a body politic and corporate pursuant to the provisions of Act No. 596 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended, has been authorized by the provisions of the Ordinance to issue not exceeding \$23,00,000 in aggregate principal amount of general obligation bonds of the District (the “Bonds”) as a single issue or from time to time as several separate issues, in order to (1) defray the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system, and (2) pay the costs of issuance of the Bonds.

For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District will be irrevocably pledged, and there will be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay the principal of and interest on the Bonds as they respectively mature, and to create such sinking fund therefor.

No election has been ordered in the District upon the question of the issuance of the Bonds.

Any persons affected by the action aforesaid of the County Council may object to the Ordinance and challenge the action of the County Council by following the procedures provided in the Authorizing Acts.

COUNTY COUNCIL OF BEAUFORT COUNTY

BOND SITUATION SHEET

Jurisdiction: Hilton Head No.1 Public Service District, South Carolina (the “District”)

Amount of Bonds: Not exceeding \$23,000,000

Type of Bonds: General Obligation (GO)

Purpose: The District is seeking authorization from Beaufort County Council (“County Council”) to issue general obligation bonds (the “Bonds”) to defray all or a portion of the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “Project”), and the costs of the Bonds.

By way of additional background, some portions of the Project are related to the District’s planned grant funding from South Carolina Rural Infrastructure Administration as part of the South Carolina Infrastructure Improvement Program (SCIIP). Bond funds will be used to make the District’s required grant match.

Restrictions on Proceeds: All Bond proceeds are restricted to the purposes described above as set forth in the proposed authorizing ordinance.

Impact on Millage: Limited millage impact is expected in connection with the Bonds. The District anticipates structuring new debt service taking into account existing debt service, which, after taking into account the amortization of existing obligations, is not expected to result in a significant millage increase. Additionally, the District may pay some or all of the excess debt service from the revenues of its combined water and sewer utility system. However, the District reserves the

right to levy additional debt service millage as necessary to fund any required debt payments associated with the Bonds.

Procedural Posture: Upon receipt of the petition from the District, the South Carolina Code requires County Council to hold a public hearing on the question of the issuance of the Bonds. Following the hearing, the District requests that County Council enact an ordinance finding whether and to what extent the Bonds should be issued and authorizing the governing body of the District to issue the Bonds.

ACTIONS REQUESTED OF COUNTY COUNCIL

1. Adopt a resolution authorizing a public hearing and notice thereof;
2. Hold a public hearing on the proposed issuance of the Bonds; and
3. Enact an ordinance authorizing the District to issue Bonds in an amount not to exceed \$23,000,000.

RECOMMENDATIONS

1. Consideration by Finance Committee on August 21, 2023
2. Adopt a resolution on September 11, 2023, authorizing a public hearing on October 9, 2023 at 5:00 p.m.
3. County Council to give first reading to the authorizing ordinance on September 11, 2023, second reading on September 25, 2023, and public hearing/third reading on October 9, 2023.

BOND SITUATION SHEET

Jurisdiction: Hilton Head No.1 Public Service District, South Carolina (the “District”)

Amount of Bonds: Not exceeding \$23,000,000

Type of Bonds: General Obligation (GO)

Purpose: The District is seeking authorization from Beaufort County Council (“County Council”) to issue general obligation bonds (the “Bonds”) to defray all or a portion of the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “Project”), and the costs of the Bonds.

By way of additional background, some portions of the Project are related to the District’s planned grant funding from South Carolina Rural Infrastructure Administration as part of the South Carolina Infrastructure Improvement Program (SCIIP). Bond funds will be used to make the District’s required grant match.

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right to levy additional debt service millage as necessary to fund any required debt payments associated with the Bonds.

Procedural Posture: Upon receipt of the petition from the District, the South Carolina Code requires County Council to hold a public hearing on the question of the issuance of the Bonds. Following the hearing, the District requests that County Council enact an ordinance finding whether and to what extent the Bonds should be issued and authorizing the governing body of the District to issue the Bonds.

ACTIONS REQUESTED OF COUNTY COUNCIL

1. Adopt a resolution authorizing a public hearing and notice thereof;
2. Hold a public hearing on the proposed issuance of the Bonds; and
3. Enact an ordinance authorizing the District to issue Bonds in an amount not to exceed \$23,000,000.

RECOMMENDATIONS

1. Consideration by Finance Committee on August 21, 2023
2. Adopt a resolution on ~~August 28~~September 11, 2023, authorizing a public hearing on ~~September 25~~October 9, 2023 at 5:00 p.m.
3. County Council to give first reading to the authorizing ordinance on ~~August 28~~September 11, 2023, second reading on September ~~11~~25, 2023, and public hearing/third reading on ~~September 25~~October 9, 2023.



General Obligation Bonds

August 2023



Water Production



Water Treatment



Water Distribution



Sanitary Sewer Collection



Wastewater Treatment



Recycled Water Distribution



Hilton Head PSD is a South Carolina special purpose district. It is governed by a seven-member Board of Commissioners. The Commissioners are elected during the general election cycle from voting districts comprising the PSD service area.

S.C. Infrastructure Investment Program (SCIIP) Grant Projects

PSD received a \$10-million SCIIP Grant for two long-term water supply projects:

- Expansion of the PSD's Reverse Osmosis (RO) Drinking Water Treatment Plant capacity
- Construction of a second Aquifer Storage & Recovery (ASR) well

The projects were estimated at \$17 million total in summer '22.

Local match is required to complete the projects.

Need for the S.C. Infrastructure Investment Program (SCIIP) Projects

1

Meet PSD's peak demands for tap water

2

Replace freshwater supply lost to saltwater intrusion

3

Create resiliency of supply for hurricane recovery

4

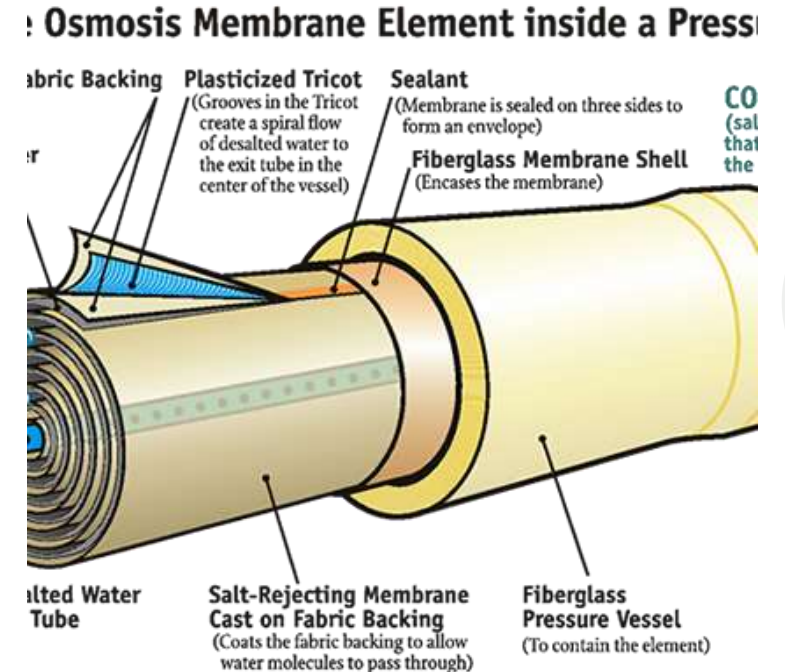
Protect water supply from PFAS contaminants

5

Lessen peak-season demand on wholesale provider

RO PLANT EXPANSION

- Membrane filtration of brackish groundwater (Middle Floridan Aquifer)
- Expand treatment capacity from 4 mgd to 6 mgd
- Add emergency power generator



RO Plant Expansion

Construct fourth Middle Floridan Aquifer brackish water production well necessary to add 2 mgd of RO Plant capacity.

Town of HHI providing site at Old Welcome Center parcel.



Aquifer Storage & Recovery (ASR) Well #2

Add a second ASR well for the PSD's water supply system.

Town of HHI providing site at Ashmore Tract.



ASR stores treated drinking water in the brackish aquifer during the winter months of lower demand, and then withdraws and retreats the water for distribution in the summer months of higher demand.

Yields 2 mgd of supply in summer

Key for disaster recovery

ASR Well = 260 mg ↓

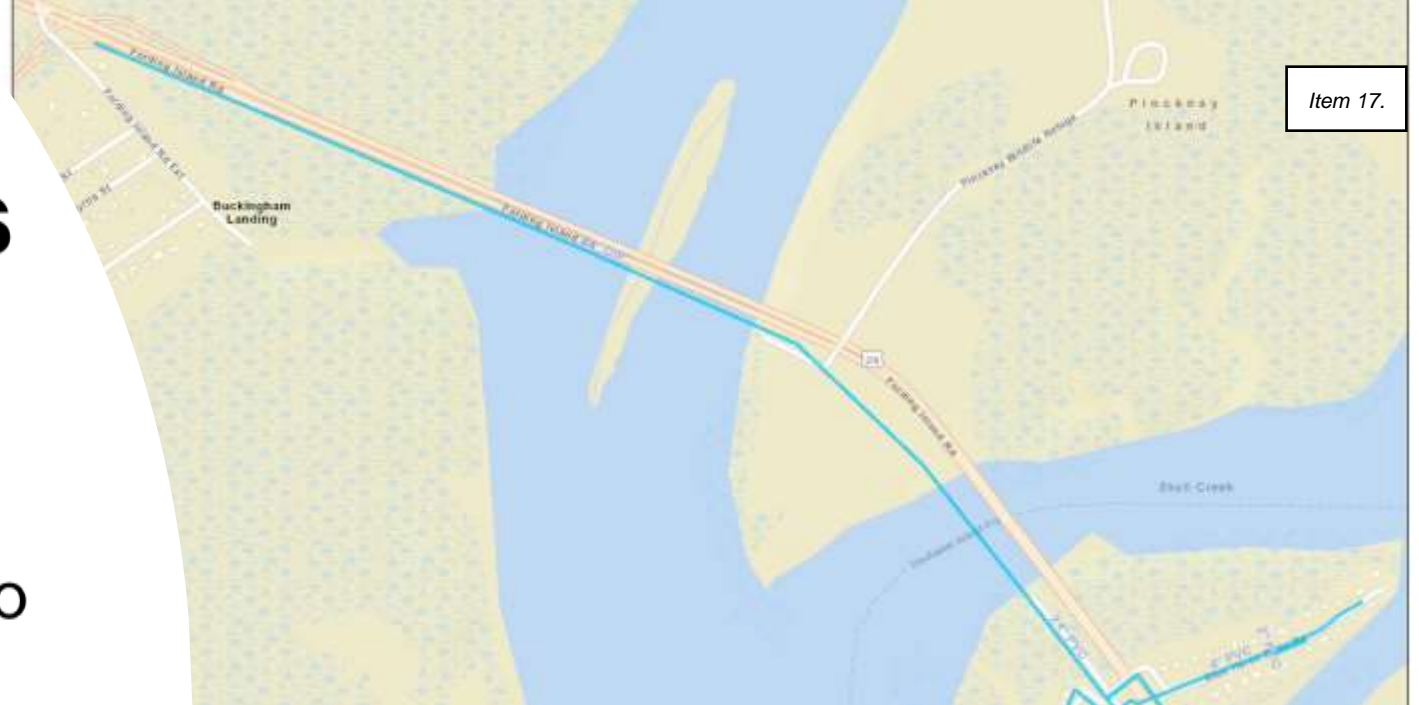


Ground Storage Tank = 2 mg



Additional Projects for GO Bonds

- Local funding for wholesale water pipeline relocation due to U.S. 278 Corridor project
- Purchase of additional wholesale water capacity
- Wastewater treatment plant and collection system upgrades



Project Funding

- Limited millage impact is expected in connection with the Bonds. The District anticipates structuring new debt service taking into account existing debt service.
 - Actual FY 2024 PSD total millage: 7.1 (3 mills - Operations; 4.1 mills - Debt)
 - Estimated FY 2025 PSD total millage (including borrowing): 8.1 mills (3 mills - Operations; 5.1 - Debt)
 - Actual FY 2024 PSD taxes on a primary home valued at \$100,000.00 = \$28.40
 - Estimated FY 2025 PSD taxes = \$32.40
-



Thank you

Questions?



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMENDATION OF APPROVAL OF: A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$23,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.
MEETING NAME AND DATE:
Finance, Administration, and Economic Development Committee 8/21/2023
PRESENTER INFORMATION:
Pope Flynn, LLC 15 minutes
ITEM BACKGROUND:
The Hilton Head No.1 Public Service District Commission has determined to seek authorization from the Beaufort County Council to issue general obligation bonds. The Commission requests that, following a public hearing on the matter, the County Council enact the ordinance authorizing the issuance of the bonds. This ordinance authorizing the bond issuance is required pursuant to S.C. Code Section 6-11-860.
PROJECT / ITEM NARRATIVE:
<p>The Hilton Head No.1 Public Service District (HHPSD) has determined to issue bonds to defray the costs of: (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system.</p> <p>By way of additional background, some portions of the Project are related to the District’s planned grant funding from South Carolina Rural Infrastructure Administration as part of the South Carolina Infrastructure Improvement Program (SCIIP). Bond funds will be used to make the District’s required grant match.</p>
FISCAL IMPACT:
Limited millage impact is expected in connection with the bonds. The District anticipates structuring new debt service taking into account existing debt service, which, after taking into account the amortization of existing obligations, is not expected to result in a significant millage increase. Additionally, the District may pay some or all of the excess debt service from the revenues of its combined water and sewer utility system. However, the District, acting through the duly elected members of the Hilton Head No.1 Public Service District Commission, reserves the right to levy additional debt service millage as necessary to fund any required debt payments associated with the bonds.
STAFF RECOMMENDATIONS TO COUNCIL:
Recommend Approval

OPTIONS FOR COUNCIL MOTION:

Motion to approve/deny "RECOMMENDATION OF: APPROVAL OF: A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$23,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO."

A RESOLUTION

ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$23,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED, by the County Council of Beaufort County (the “*County Council*”), which is the governing body of Beaufort County, South Carolina (the “*County*”), in meeting duly assembled:

Section 1 Findings of Fact.

Incident to the adoption of this resolution (this “*Resolution*”), the County Council has made the following findings of fact:

(a) The County Council is empowered by Title 6, Chapter 11, Article 5 of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), to authorize the governing body of any special purpose district created prior to March 7, 1973, and located in whole or in part within the County to issue general obligation bonds of such special purpose district in order to provide funds to be used in the furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973;

(b) The Hilton Head No. 1 Public Service District, South Carolina (hereinafter called the “*District*”), is a special purpose district located within the County and created prior to March 7, 1973, having been created by Act No. 596 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended, and is authorized, *inter alia*, to acquire and operate such facilities, equipment, and apparatus as shall be required for the provision of water and sewer services within the District and to do all things necessary or convenient to carry out such authority;

(c) The Hilton Head No. 1 Public Service District Commission (the “*Commission*”), the governing body of the District, has petitioned the County Council to hold a public hearing and thereafter authorize the issuance of not exceeding \$23,000,000 of general obligation bonds of the District (the “*Bonds*”) in order to (1) defray the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“*RO*”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other

general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “**Project**”), and (2) pay the costs of issuance of the Bonds.

(d) The Bond proceeds will also provide the requisite matching funds to permit the District to receive approximately \$10,000,000 in grant funding (the “**SCIIP Grant**”) from the South Carolina Rural Infrastructure Administration under the South Carolina Infrastructure Improvement Program. The proceeds of the SCIIP Grant will be used by the District to finance additional improvements to the District’s wastewater system related to the Project.

(e) The County Council is now minded to proceed in accordance with the provisions of the Enabling Act to call for and establish a date for a public hearing to be held on the issuance of the Bonds.

Section 2 Ordering of Public Hearing.

The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the Project, and in that connection hereby orders a public hearing to be held upon the question of the issuance of the Bonds (the “**Public Hearing**”).

Section 3 Time and Place of Hearing.

(a) The Public Hearing shall be held on the question of the issuance of the Bonds in the Beaufort County Council Chambers in the Administration Building of the Beaufort County Government, Robert Smalls Complex, 100 Ribaut Road, Beaufort, SC 29902, on October 9, 2023 at 5:00 p.m. (or as soon thereafter as the agenda permits), and the notice of the Public Hearing in the form attached hereto as Exhibit A shall be published once a week for three successive weeks in Beaufort Gazette and Island Packet, which are newspapers of general circulation in the County. The first such publication shall not be less than 16 days prior to the hearing date.

(b) The Clerk to County Council is hereby authorized to approve changes to the notice of the Public Hearing attached hereto as Exhibit A to conform the same to reflect changes in County Council practices or its meeting schedule.

Section 4 Hearing Shall be Public.

The Public Hearing shall be conducted publicly at the time and place above stated and both proponents and opponents of the proposed issuance of the Bonds shall be given a full opportunity to be heard in person or by counsel.

Section 5 Subsequent Finding and Determination.

Following the Public Hearing, the County Council shall determine whether and to what extent the Bonds should be issued.

Section 6 Further Action.

The Chairman of the County Council and the proper County officials are hereby authorized and empowered to take all necessary action to provide for the holding of the Public Hearing in accordance with the provisions of the Enabling Act.

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DONE AT BEAUFORT, SOUTH CAROLINA, this 11th day of September 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

Joe Passiment, Chairman

Attest:

Sarah W. Brock, Clerk
County Council of Beaufort County

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the County Council of Beaufort County (the “County Council”), which is the governing body of Beaufort County, South Carolina (the “County”), is considering whether the Hilton Head No. 1 Public Service District, South Carolina (the “District”) shall be authorized to issue not exceeding \$23,000,000 aggregate principal amount of general obligation bonds of the District in one or more series (the “Bonds”). On September 11, 2023, the County Council adopted a resolution authorizing the holding of a public hearing on such matter. As required by Section 6-11-840 of the Code of Laws of South Carolina 1976, as amended, you are advised of the following:

1. A public hearing will be held on the issuance of the Bonds in the Beaufort County Council Chambers in the Administration Building of the Beaufort County Government, Robert Smalls Complex, 100 Ribaut Road, Beaufort, SC 29902, on October 9, 2023 at 5:00 p.m., on the question of the issuance of the Bonds.

2. The District has informed the County of its desire to issue the Bonds in an aggregate principal amount not exceeding \$23,000,000 in order in order to (1) defray the costs (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “Project”) and (2) pay the costs of issuance of the Bonds.

3. The Bond proceeds will also provide the requisite matching funds to permit the District to receive approximately \$10,000,000 in grant funding (the “SCIIP Grant”) from the South Carolina Rural Infrastructure Administration under the South Carolina Infrastructure Improvement Program. The proceeds of the SCIIP Grant will be used by the District to finance additional improvements to the District’s wastewater system related to the Project.

3. The District estimates that the costs of the Project (which Project does not include the additional improvements being financed with proceeds of the SCIIP Grant), will not exceed \$23,000,000.

4. For the payment of the principal of and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be

levied annually on all taxable property in the District ad valorem taxes in an amount sufficient to pay principal and interest on the Bonds as the same fall due.

5. The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the Bonds should be issued and may thereupon authorize the governing body of the District to issue the Bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF BEAUFORT COUNTY

A RESOLUTION

ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$23,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED, by the County Council of Beaufort County (the “*County Council*”), which is the governing body of Beaufort County, South Carolina (the “*County*”), in meeting duly assembled:

Section 1 Findings of Fact.

Incident to the adoption of this resolution (this “*Resolution*”), the County Council has made the following findings of fact:

(a) The County Council is empowered by Title 6, Chapter 11, Article 5 of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), to authorize the governing body of any special purpose district created prior to March 7, 1973, and located in whole or in part within the County to issue general obligation bonds of such special purpose district in order to provide funds to be used in the furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973;

(b) The Hilton Head No. 1 Public Service District, South Carolina (hereinafter called the “*District*”), is a special purpose district located within the County and created prior to March 7, 1973, having been created by Act No. 596 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended, and is authorized, *inter alia*, to acquire and operate such facilities, equipment, and apparatus as shall be required for the provision of water and sewer services within the District and to do all things necessary or convenient to carry out such authority;

(c) The Hilton Head No. 1 Public Service District Commission (the “*Commission*”), the governing body of the District, has petitioned the County Council to hold a public hearing and thereafter authorize the issuance of not exceeding \$23,000,000 of general obligation bonds of the District (the “*Bonds*”) in order to (1) defray the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“*RO*”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other

general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “**Project**”), and (2) pay the costs of issuance of the Bonds.

(d) The Bond proceeds will also provide the requisite matching funds to permit the District to receive approximately \$10,000,000 in grant funding (the “**SCIIP Grant**”) from the South Carolina Rural Infrastructure Administration under the South Carolina Infrastructure Improvement Program. The proceeds of the SCIIP Grant will be used by the District to finance additional improvements to the District’s wastewater system related to the Project.

(e) The County Council is now minded to proceed in accordance with the provisions of the Enabling Act to call for and establish a date for a public hearing to be held on the issuance of the Bonds.

Section 2 Ordering of Public Hearing.

The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the Project, and in that connection hereby orders a public hearing to be held upon the question of the issuance of the Bonds (the “**Public Hearing**”).

Section 3 Time and Place of Hearing.

(a) The Public Hearing shall be held on the question of the issuance of the Bonds in the Beaufort County Council Chambers in the Administration Building of the Beaufort County Government, Robert Smalls Complex, 100 Ribaut Road, Beaufort, SC 29902, on ~~September 25~~ **October 9**, 2023 at 5:00 p.m. (or as soon thereafter as the agenda permits), and the notice of the Public Hearing in the form attached hereto as Exhibit A shall be published once a week for three successive weeks in Beaufort Gazette and Island Packet, which are newspapers of general circulation in the County. The first such publication shall not be less than 16 days prior to the hearing date.

(b) The Clerk to County Council is hereby authorized to approve changes to the notice of the Public Hearing attached hereto as Exhibit A to conform the same to reflect changes in County Council practices or its meeting schedule.

Section 4 Hearing Shall be Public.

The Public Hearing shall be conducted publicly at the time and place above stated and both proponents and opponents of the proposed issuance of the Bonds shall be given a full opportunity to be heard in person or by counsel.

Section 5 Subsequent Finding and Determination.

Following the Public Hearing, the County Council shall determine whether and to what extent the Bonds should be issued.

Section 6 Further Action.

The Chairman of the County Council and the proper County officials are hereby authorized and empowered to take all necessary action to provide for the holding of the Public Hearing in accordance with the provisions of the Enabling Act.

[Remainder of Page Intentionally Blank]

DONE AT BEAUFORT, SOUTH CAROLINA, this ~~28th~~11th day of ~~August~~September 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

Joe Passiment, Chairman

Attest:

Sarah W. Brock, Clerk
County Council of Beaufort County

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the County Council of Beaufort County (the “County Council”), which is the governing body of Beaufort County, South Carolina (the “County”), is considering whether the Hilton Head No. 1 Public Service District, South Carolina (the “District”) shall be authorized to issue not exceeding \$23,000,000 aggregate principal amount of general obligation bonds of the District in one or more series (the “Bonds”). On ~~August 28~~September 11, 2023, the County Council adopted a resolution authorizing the holding of a public hearing on such matter. As required by Section 6-11-840 of the Code of Laws of South Carolina 1976, as amended, you are advised of the following:

1. A public hearing will be held on the issuance of the Bonds in the Beaufort County Council Chambers in the Administration Building of the Beaufort County Government, Robert Smalls Complex, 100 Ribaut Road, Beaufort, SC 29902, on ~~September 25~~October 9, 2023 at 5:00 p.m., on the question of the issuance of the Bonds.

2. The District has informed the County of its desire to issue the Bonds in an aggregate principal amount not exceeding \$23,000,000 in order in order to (1) defray the costs (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “Project”) and (2) pay the costs of issuance of the Bonds.

3. The Bond proceeds will also provide the requisite matching funds to permit the District to receive approximately \$10,000,000 in grant funding (the “SCIIP Grant”) from the South Carolina Rural Infrastructure Administration under the South Carolina Infrastructure Improvement Program. The proceeds of the SCIIP Grant will be used by the District to finance additional improvements to the District’s wastewater system related to the Project.

3. The District estimates that the costs of the Project (which Project does not include the additional improvements being financed with proceeds of the SCIIP Grant), will not exceed \$23,000,000.

4. For the payment of the principal of and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be

levied annually on all taxable property in the District ad valorem taxes in an amount sufficient to pay principal and interest on the Bonds as the same fall due.

5. The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the Bonds should be issued and may thereupon authorize the governing body of the District to issue the Bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF BEAUFORT COUNTY

BOND SITUATION SHEET

Jurisdiction: Hilton Head No.1 Public Service District, South Carolina (the “District”)

Amount of Bonds: Not exceeding \$23,000,000

Type of Bonds: General Obligation (GO)

Purpose: The District is seeking authorization from Beaufort County Council (“County Council”) to issue general obligation bonds (the “Bonds”) to defray all or a portion of the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “Project”), and the costs of the Bonds.

By way of additional background, some portions of the Project are related to the District’s planned grant funding from South Carolina Rural Infrastructure Administration as part of the South Carolina Infrastructure Improvement Program (SCIIP). Bond funds will be used to make the District’s required grant match.

Restrictions on Proceeds: All Bond proceeds are restricted to the purposes described above as set forth in the proposed authorizing ordinance.

Impact on Millage: Limited millage impact is expected in connection with the Bonds. The District anticipates structuring new debt service taking into account existing debt service, which, after taking into account the amortization of existing obligations, is not expected to result in a significant millage increase. Additionally, the District may pay some or all of the excess debt service from the revenues of its combined water and sewer utility system. However, the District reserves the

right to levy additional debt service millage as necessary to fund any required debt payments associated with the Bonds.

Procedural Posture: Upon receipt of the petition from the District, the South Carolina Code requires County Council to hold a public hearing on the question of the issuance of the Bonds. Following the hearing, the District requests that County Council enact an ordinance finding whether and to what extent the Bonds should be issued and authorizing the governing body of the District to issue the Bonds.

ACTIONS REQUESTED OF COUNTY COUNCIL

1. Adopt a resolution authorizing a public hearing and notice thereof;
2. Hold a public hearing on the proposed issuance of the Bonds; and
3. Enact an ordinance authorizing the District to issue Bonds in an amount not to exceed \$23,000,000.

RECOMMENDATIONS

1. Consideration by Finance Committee on August 21, 2023
2. Adopt a resolution on September 11, 2023, authorizing a public hearing on October 9, 2023 at 5:00 p.m.
3. County Council to give first reading to the authorizing ordinance on September 11, 2023, second reading on September 25, 2023, and public hearing/third reading on October 9, 2023.

BOND SITUATION SHEET

Jurisdiction: Hilton Head No.1 Public Service District, South Carolina (the “District”)

Amount of Bonds: Not exceeding \$23,000,000

Type of Bonds: General Obligation (GO)

Purpose: The District is seeking authorization from Beaufort County Council (“County Council”) to issue general obligation bonds (the “Bonds”) to defray all or a portion of the costs of (i) improvements and/or repairs to the wastewater system, including (A) replacement of three screw pumps, (B) the purchase of on-site chemical generation equipment, (C) upgrades to the lift stations, including tank, pump and site upgrades, (D) construction of a sludge building and warehouse building, and (E) the construction of back-up to the band screen, and (ii) improvements and/or repairs to the waterworks system, including (A) the construction of an aquifer storage and recovery system and expansion of the District’s reverse osmosis (“RO”) plant, (B) purchase of on-site chemical generation equipment, (C) purchase of a generator for the RO plant; and (D) acquiring additional wholesale water capacity from Beaufort-Jasper Water and Sewer Authority, (iii) design and engineering costs related to the U.S. Highway 278 bridge relocation project, and (iv) other general improvements, repairs and expansion to the District’s water and sewer system (collectively, to the extent financed with proceeds of the Bonds, the “Project”), and the costs of the Bonds.

By way of additional background, some portions of the Project are related to the District’s planned grant funding from South Carolina Rural Infrastructure Administration as part of the South Carolina Infrastructure Improvement Program (SCIIP). Bond funds will be used to make the District’s required grant match.

Restrictions on Proceeds: All Bond proceeds are restricted to the purposes described above as set forth in the proposed authorizing ordinance.

Impact on Millage: Limited millage impact is expected in connection with the Bonds. The District anticipates structuring new debt service taking into account existing debt service, which, after taking into account the amortization of existing obligations, is not expected to result in a significant millage increase. Additionally, the District may pay some or all of the excess debt service from the revenues of its combined water and sewer utility system. However, the District reserves the

right to levy additional debt service millage as necessary to fund any required debt payments associated with the Bonds.

Procedural Posture: Upon receipt of the petition from the District, the South Carolina Code requires County Council to hold a public hearing on the question of the issuance of the Bonds. Following the hearing, the District requests that County Council enact an ordinance finding whether and to what extent the Bonds should be issued and authorizing the governing body of the District to issue the Bonds.

ACTIONS REQUESTED OF COUNTY COUNCIL

1. Adopt a resolution authorizing a public hearing and notice thereof;
2. Hold a public hearing on the proposed issuance of the Bonds; and
3. Enact an ordinance authorizing the District to issue Bonds in an amount not to exceed \$23,000,000.

RECOMMENDATIONS

1. Consideration by Finance Committee on August 21, 2023
2. Adopt a resolution on ~~August 28~~September 11, 2023, authorizing a public hearing on ~~September 25~~October 9, 2023 at 5:00 p.m.
3. County Council to give first reading to the authorizing ordinance on ~~August 28~~September 11, 2023, second reading on September ~~11~~25, 2023, and public hearing/third reading on ~~September 25~~October 9, 2023.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:			
Resolution to approve the Hilton Head Island Airport Cost Recovery Model and Revised Airline Rates			
MEETING NAME AND DATE:			
Public Facilities and Safety Committee; August 28, 2023			
PRESENTER INFORMATION:			
Jon Rembold, Airports Director 3 Minutes			
ITEM BACKGROUND:			
Beaufort County Airports Board approved the Cost Recovery Model and the revised airline rates at their regular meeting on July 20, 2023.			
PROJECT / ITEM NARRATIVE:			
<p>The purpose of the Cost Recovery Model is to fully recover the airport’s operating costs attributable to airline activity. A detailed cost analysis showed these costs were not being recovered through the existing rates charged to the airlines since FY19. The revised rates reflect a two-phase (two years) model that, when fully implemented, will fully recover the operating costs associated with airline activities. This model is a “living” tool that will be updated twice each year in an effort to remain as accurate as possible.</p>			
FISCAL IMPACT:			
<p>Implementation of the model results in revised airline rates. This is a revenue-generating item. Below is a comparative table showing the rate changes for this first year of the two-year recovery.</p>			
	FY19-23	FY24	Notes
Rent, Assigned Space	\$40.00	\$70.00	<i>Annual, per sq ft</i>
Rent, Common Space	\$4.03	\$5.22	<i>Monthly, per pass.</i>
Security Fees	\$2.13	\$2.32	<i>Monthly, per pass.</i>
ARFF Fees (Firefighting)	\$3.75	\$3.76	<i>Monthly, per pass.</i>
Landing Fees	\$1.31	\$3.45	<i>Monthly, per 1,000lbs</i>
Cost to Operate Airport	\$3,390,687.00	\$3,757,445.00	<i>FY24 estimated</i>
Cost Attributable to Airlines	~\$3,216,678	\$2,881,000.00	<i>FY24 estimated</i>
Airline Payments	\$1,509,663.00	\$2,029,000.00	<i>FY24 estimated</i>
STAFF RECOMMENDATIONS TO COUNCIL:			
Approve the resolution to approve the Hilton Head Island Airport Cost Recovery Model and Revised Airline Rates			
OPTIONS FOR COUNCIL MOTION:			
<p>Motion to approve/deny the Hilton Head Island Airport Cost Recovery Model and Revised Airline Rates</p> <p>Move forward to Council for approval on August 28, 2023</p>			

RESOLUTION 2023/_____

A RESOLUTION BY THE BEAUFORT COUNTY COUNCIL AUTHORIZING THE HILTON HEAD ISLAND AIRPORT COST RECOVERY MODEL AND REVISED AIRLINE RATES

WHEREAS, the Hilton Head Island Airport desires to fully recover the airport’s operating costs that are attributable to airline activity; and

WHEREAS, an extensive cost analysis showed these costs were not being recovered through the existing rates charged to the airlines; and

WHEREAS, the Cost Recovery Model is a two-phased (two years) implementation model; and

WHEREAS, the full implementation (second year) of the Cost Recovery Model will fully recover the operating costs associated with airline activities; and

WHEREAS, Council has determined that it is in the best interests of its citizens to implement the Cost Recovery Model and amend the existing airline rates.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the Hilton Head Island Airport to implement the provisions of Cost Recovery Model and revised airline rates.

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Resolution to accept SC Aeronautics Commission Grant Offer 23-029 for \$12,000,000 for HXD Terminal Improvements
MEETING NAME AND DATE:
Public Facilities and Safety Committee; August 28, 2023
PRESENTER INFORMATION:
Jon Rembold; Airports Director 3 minutes
ITEM BACKGROUND:
Council Resolution 2022/25 directed staff to proceed with the terminal project. June 2022: SC Senator Davis announced to County Council this item was approved as a line item in the South Carolina Budget for FY 2023. Beaufort County Airports Board approved the proposed resolution to accept the funding during its regular meeting held July 20, 2023.
PROJECT / ITEM NARRATIVE:
In May 2022, South Carolina House Representative Jeff Bradley informed Beaufort County via the Hilton Head Island Airport that, as a result of communications between the airport team, county administration, and our state delegation, a \$12,000,000 line item for HXD's terminal construction was to be part of the Governor's approved budget. As directed by the Governor's Office, this grant will be used for terminal construction and is administered through the SC Aeronautics Commission Office. This grant does <i>not</i> require a local match.
FISCAL IMPACT:
This is a \$12,000,000 line item in the state's budget for the initial phase of terminal construction. It does not require a match, so there is no fiscal impact. For information, the grant document details the funding associated with this project. The airport's portion of that funding will be required as progress payments over the 2-year construction process. The airport/county will pay invoices and file for reimbursement via these several grants. Reimbursement typically occurs within approximately two weeks of a request. The airport can fund these progress payments thanks to the revised airline rates/charges and past grants, which freed up funds.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of the resolution to accept the \$12,000,000 grant
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny Resolution to accept SC Aeronautics Commission Grant Offer 23-029 for \$12,000,000 for HXD Terminal Improvements Move forward to Council for Approval on September 11, 2023

RESOLUTION 2023/_____

A RESOLUTION TO ACCEPT SCAC GRANT 23-029 FOR HILTON HEAD ISLAND AIRPORT (HXD) TERMINAL CONSTRUCTION PROJECT

WHEREAS, this project involves the renovation and expansion of the commercial service terminal at the Hilton Head Island Airport; and

WHEREAS, improvements include the addition to accommodate multiple airlines; post-9/11 Transportation Security Administration-required security improvements including new restrooms in the passenger boarding area and passenger baggage screening; refurbishment and improvements; and

WHEREAS, the grant will be used to fund Phase I of the Hilton Head Island Airport (HXD) terminal construction project. SCAC Grant total: \$12 Million

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to accept SCAC Grant 23-029 for Hilton Head Island Airport (HXD) terminal construction project

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



HILTON HEAD ISLAND

AIRPORT

MEMORANDUM

TO: BEAUFORT COUNTY ATTORNEY
FROM: AIRPORTS DIRECTOR
SUBJECT: SC AERONAUTICS GRANT OFFER 23-029
DATE: JULY 3, 2023

In May 2022, South Carolina House Representative Jeff Bradley informed Beaufort County via the Hilton Head Island Airport that, as a result of communications between the airport team, county administration, and our state delegation, a \$12 Million line item for HXD's terminal construction was to be part of the Governor's approved budget.

As directed by the Governor's Office, this grant will be used for terminal construction and is administered through the SC Aeronautics Commission Office.

Attached is Council Resolution 2022/25 from March 2022 which directed staff to proceed with the terminal project.

Also attached is a Budget Earmark Disclosure form with a project description requested from the airport upon learning of the budget line item.

There is no local match required as this funding is a line item in the State budget. The local funds outlined in the SCAC cover letter speak to the mathematical match for *FAA funding*, not SCAC funding.

The County Administrator's signature is required on pages 2 and 7. Page 7 requires a seal and attestation.

The County Attorney's signature is required on page 7.

Please execute both copies of the offer and return them to the airport.

Please contact Jon Rembold with any questions.

RESOLUTION 2022/ 25

A RESOLUTION REGARDING ESTABLISHING A FUNDING PLAN FOR IMPROVEMENTS TO THE HILTON HEAD ISLAND AIRPORT

WHEREAS, the Hilton Head Island Airport (the “Airport”) is a significant economic engine for Beaufort County; and

WHEREAS, its passenger counts have seen dramatic improvement over the last several years; and

WHEREAS, the Airport needs substantial improvement to passenger service areas and other infrastructure; and

WHEREAS, Beaufort County Council wishes to establish a funding program to pay for the necessary improvements

NOW, THEREFORE, in meeting duly assembled, Beaufort County Council hereby resolves as follows:

1. Staff is directed to develop a spending and financing plan for the planned Airport construction.
2. Staff is authorized to release an RFP for proposals for the Airport construction.
3. Staff is authorized seek financing on the Hilton Head Island Airport Expansion at the appropriate time when grant funding becomes finalized.

Adopted this 28th day of March 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 
Joseph Passiment, Chairman

ATTEST:



Sarah W. Brock, Clerk to Council



County Council of Beaufort County
Hilton Head Island Airport
120 Beach City Road
Hilton Head Island, South Carolina 29926
Phone: (843) 255-2952 Fax: (843) 255-9424
www.hiltonheadairport.com



Item 20.

June 1, 2022

Office of the Governor
South Carolina Statehouse
1100 Gervais Street
Columbia, SC 29201

Subject: State Budget Earmark Disclosure Information

Earmark Sponsor: Representative Jeff Bradley, SC-123
Project Name: Hilton Head Island Airport Terminal Improvements
Earmark Amount: \$12 Million
Recipient: Hilton Head Island Airport, Beaufort County Government
Recipient Type: Local Government
EIN: 57-6000311
Point of Contact: Jon Rembold, C.M.
Title: Airport Director
Address: 120 Beach City Road, Hilton Head Island, SC
Phone Number: 843-255-2952 (Office) 843-441-5871 (Mobile)
Email: jrembold@bcgov.net
Website: www.hiltonhadairport.com

Project Description

The project to be partially funded via the requested earmark is a transformation of the Hilton Head Island Airport's commercial service passenger terminal campus. The existing building was completed in the mid-1990s and could not anticipate the effects of September 11, 2001, the increase in popularity of the island, or the change from turboprop commercial aircraft to regional jet commercial aircraft. The expanded and renovated facility will improve all areas of the building and incorporates environmentally-sensitive landscape techniques and Lowcountry vernacular in the design strategy. The result will be a modern building that reflects the character of the island while improving safety, accessibility, and security as it serves a growing market.

The project involves a new terminal loop road, additional parking and landscaping, renovation of the existing terminal building, and construction of approximately 42,000 square feet of new terminal space. Highlights of the project are new passenger boarding gate waiting areas, jet

State Budget Earmark Disclosure Information

bridges for boarding, a modern TSA passenger screening checkpoint, new restroom facilities, ADA improvements in all areas, new facilities for both outgoing baggage and baggage claim, new rental car counters and offices, and a full-length covered passenger drop-off in front of the building.

Public Purpose

The airport, as a part of the National Transportation System and the National Plan of Integrated Airport Systems, is a public facility providing air transportation options to local residents and visitors. It is critical to provide this transportation option to the area's residents and visitors so fewer passengers feel compelled to use a nearby airport located in a neighboring state resulting in growing inconvenience due to travel time and distance and lost revenue for our state.

Project Budget

Based on design estimates, the total program cost is \$52 million. The FAA has previously awarded \$10 million in design and construction grant funds and it is anticipated that the FAA will grant an additional \$10 million in the 4th quarter of the Federal fiscal year 2022. The remainder of the project cost would be a Beaufort County/Airport responsibility.

Demonstrated Community Support and Need

The airport's use has increased rapidly since the runway extension was completed in June 2018. Since then, two additional network air carriers have entered the market, and passenger numbers have increased much more quickly than anticipated. Airline service has exploded from 3 daily flights to CLT in 2018 to 25 departures to 16 cities in 2021. In 2017, 54,000 passengers used the terminal. That number increased to about 79,000 in 2018, 233,000 in 2019, 158,000 in 2020 (COVID-effects), and 388,000 in 2021. The community clearly supports its hometown airport and the need for more space and modern facilities and amenities is evidenced by the growth in passenger service. Annual state sales tax revenue grew from \$6.8 million to over \$17 million during this same period.

The new terminal's design was strongly influenced by a diverse stakeholder group that included community members as well as the tenant airlines, TSA, and design professionals. The goal of this design approach was to ensure the terminal meets the needs of these stakeholders while maintaining an unmistakable connection to the island.

Other State Funds Previously Appropriated for this Purpose

There have been no other state funds appropriated to Beaufort County for the design or construction of this terminal facility.



2553 Airport Boulevard
West Columbia, SC 29170
(803) 896-6262
www.scaeronautics.com

Henry D. McMaster
GOVERNOR

Gary W. Siegfried
INTERIM
EXECUTIVE DIRECTOR

Aeronautics Commission

Delphin A. Gantt, Jr.
CHAIRMAN

Anne Esposito
DISTRICT 1

Vacant
DISTRICT 2

Skeets Cooper
DISTRICT 3

Lara Kaufmann
DISTRICT 4

Charles "Doug" Barnes
DISTRICT 5

Marco Cavazzoni
DISTRICT 6

Christopher Bethea
DISTRICT 7

August 14, 2023

Mr. Jon Rembold
Airports Director
Hilton Head Island Airport
120 Beach City Road
Hilton Head Island, SC 29926

Re: South Carolina Aeronautics Commission
Project No. 23-029 Terminal Construction

Dear Mr. Rembold,

I am pleased to inform you that the South Carolina Aeronautics Commission (SCAC) has approved your project application and awarded up to \$12,000,000.00 to Beaufort County for the **Terminal Construction Project** at the Hilton Head Island Airport (HXD).

This grant was approved based on your representation of local funding availability and your ability to proceed promptly with the project.

Please execute the enclosed grant agreement and return one original to SCAC at your earliest convenience.

This project qualifies for state and local government funds. Project costs and funding are as follows:

FAA Funds	\$ 21,600,000.00
Local Funds	\$ 2,160,000.00
State Funds	\$ 12,000,000.00
Other Funds*	\$ 3,000,000.00
Total Project Cost	\$ 38,760,000.00

* SCAC Grant 23-019

We are pleased to provide this funding. If we can be of further assistance, please do not hesitate to call.

Sincerely,

Gary Siegfried, PE
Interim-Executive Director

Enclosures: Grant

GRANT AGREEMENT
Part 1 - OFFER

Date of Offer: August 14, 2023

Project No.: 23-029

TO: Beaufort County, South Carolina
(referred to as the "Sponsor")

FROM: The State of South Carolina (acting through the South Carolina Aeronautics Commission, herein referred to as "SCAC").

WHEREAS, The Sponsor has submitted to SCAC a Project Application dated November 30, 2022 a grant of State Funds for a project for development of the Hilton Head Island Airport (Airport) together with plans and specifications for such a project, as approved by SCAC, is hereby incorporated herein and made a part hereof:

and

WHEREAS, SCAC has approved a project for development of the Airport ("herein called the "Project") consisting of the following described improvements and/or tasks:

Terminal Construction

All as more particularly described in the Airport Layout Plan and/or plans, and specifications incorporated in the said Project Application:

NOW THEREFORE, pursuant to and for the purposes of carrying out the provisions of this grant and in consideration of (a) the Sponsor's adoption and ratification of the acceptance of this Offer and Agreement, as hereinafter provided, and (b) the benefits to accrue to the State of South Carolina and the public from the accomplishment of the project and the operation and maintenance of the Airport, as herein provided.

THE STATE OF SOUTH CAROLINA ACTING THROUGH SCAC, HEREBY OFFERS AND AGREES to pay, as South Carolina's share of the allowable cost incurred in accomplishing the project as per the following schedule:

<u>Funding Source</u>	<u>Amount</u>
State (this grant)	\$ <u>12,000,000.00+</u>
Sponsor	\$ <u>2,160,000.00*</u>
Federal	\$ <u>21,600,000.00</u>
Other	\$ <u>3,000,000.00**</u>

- + HXD share from South Carolina 2023 Special Legislative allocation (no local match)
- * Sponsor 10% match on Federal funding
- ** South Carolina special line-item funding (no local match)

for a total cost of \$38,760,000.00 subject to the following:

1. The maximum obligation of the State of South Carolina payable under this Offer and Agreement shall not exceed \$12,000,000.00 which all parties to this Agreement understand may be subject to the prior and continuing approval of the State Fiscal Accountability Authority and the General Assembly and its component review committees.

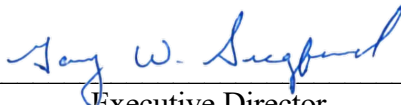
2. SCAC reserves the right to amend or withdraw this Offer at any time prior to its binding acceptance by the Sponsor.

3. This Offer shall expire and the State of South Carolina shall not be obligated to pay any of the allowable costs of the Project unless this Offer has been accepted by the Sponsor within 60 days from the above Date of Offer or such longer time as may be prescribed by SCAC in writing.

4. The funds allocated by this Agreement shall be held in escrow for a period of one (1) year after the Date of Offer. If progress on the described project has not begun at that time, the funds will revert to SCAC for reallocation to other worthwhile projects.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application shall be evidenced by execution of Part II of this Agreement by the Sponsor. The respective obligations under this Grant Agreement shall become effective upon the Sponsor's acceptance of the Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the project but in any event not to exceed twenty (20) years from the date of said acceptance.

STATE OF SOUTH CAROLINA
SOUTH CAROLINA AERONAUTICS COMMISSION

Signature By: 
Executive Director

August 14, 2023
Date

Sponsor's Signature

Date

PART II - SPONSOR ASSURANCES

In order to furnish SCAC with the Sponsor's assurances required by the applicable statutes, regulations, policies, and proposed grant agreement, the Sponsor hereby covenants, and agrees with SCAC as follows:

1. Covenants shall become effective upon acceptance by the Sponsor of State Aid for the Project or any portion thereof, through SCAC, and shall constitute a part of the Grant Agreement thus formed. These covenants shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty (20) years from the date of acceptance of State Aid for the Project. In the event that the Airport and the facilities covered by the Project are not maintained as such for public use for the full twenty (20) years, the Sponsor agrees upon demand to promptly reimburse SCAC the amount of the grant.

2. In the event that the grant is conditioned upon a repayment schedule of any or all of the awarded funds, notwithstanding the other obligations herein that may require repayment in the event of default or non-compliance with these grant assurances, the Sponsor agrees to be bound by such additional grant assurances as may be required by SCAC as incorporated hereto and set forth in a separate schedule to these assurances.

3. Sponsor shall:
 - a. begin accomplishment of the Project within a reasonable time after acceptance of this Offer, but no later than one (1) year from award of this Offer;
 - b. carryout and complete the project in accordance with the terms of this agreement, applicable policies and procedures required by SCAC, and applicable statutes, regulations and fiscal policies of the State of South Carolina, and any applicable local ordinances;
 - c. carryout and complete the project in accordance with the plans and specifications incorporated herein, including any revisions or modifications approved in writing by SCAC. Sponsor further agrees to copy SCAC as to all construction progress reports, payment applications, and completion documents and related correspondence;
 - d. submit all planning and construction documents to SCAC for review and approval; and
 - e. notify SCAC, in writing, in a timely manner, and with appropriate support documentation and/or electronic files, of any significant changes to the airport so that same may be incorporated into SCAC's records and/or databases, including the South Carolina Airport System Plan. Significant changes include, but are not limited to:
 - new, upgraded, deactivated, or repurposed airfield pavement and lighting;
 - land acquisition or releases, including easements;
 - major obstruction clearing;
 - new, upgraded, or downgraded instrument procedures; and
 - new, revised, or expanded airport-related zoning ordinances.

4. Sponsor agrees that it will safely and efficiently operate the Airport for the use and benefit of the public on fair and reasonable terms without discrimination.

5. Sponsor will suitably operate and maintain the Airport and all facilities thereon or connected therewith which are necessary for airport purposes, and will not permit any activity which could interfere with its use for aeronautical purposes other than temporary periods of snow, flood, or other climatic conditions which could interfere detrimentally with such operation and maintenance. Essential facilities, including airfield lighting systems, when installed, will be operated in such manner as to assure their availability to all users of the Airport.
6. Sponsor will not enter into any transactions which could operate to deprive it of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency eligible under the applicable statutes, ordinances, regulations and policies to assume such obligations. If an arrangement is made for management or operation of the Airport by any agency or person other than the Sponsor, the Sponsor will reserve sufficient powers and authority to insure that the Airport will be operated and maintained in accordance with the applicable statutes, ordinances, regulations, policies and covenants of this agreement.
7. Any misrepresentations or omission of a material fact by the Sponsor concerning the Project or the Sponsor's authority or ability to carry out the obligations assumed by the Sponsor in accepting this Offer shall terminate the obligation of the State of South Carolina and it is understood and agreed by the Sponsor in accepting this Offer that if a material fact has been misrepresented or omitted by the Sponsor, SCAC on behalf of the State of South Carolina, may demand and recover from Sponsor all grant payments made, plus interest at the legal rate prevailing at date of demand.
8. Sponsor shall maintain insurance in force at all times covering property damage on the project to cover any and all losses. The amount of the coverage, per claim, shall, at a minimum, be equal to the total cost of the project.
9. Sponsor shall maintain clear, safe, and economically viable approaches to the airport in compliance with appropriate criteria set forth in one or more of the following airspace standards:
 - FAR Part 77 Safe, Efficient Use, and Preservation of the Navigable Airspace, as amended;
 - Advisory Circular 150/5300-13A, Airport Design, or successor guidance; or other guidelines approved in writing or amended by SCAC.

Failure on the part of the Sponsor to take appropriate action to remove any and all obstructions in the approaches, in a manner that ensures safety and protects public investment in the airport, may result in withholding of any payment of the funds established by this agreement for the herein described project until such time as the necessary actions are taken.
10. Sponsor shall enact a zoning ordinance on all land surrounding the airport under its jurisdiction so as to conform, at a minimum, to the pertinent regulations and/or criteria of:
 - FAR Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace, as amended;
 - Advisory Circular 150/5300-13B, Airport Design, or successor guidance;
 - Advisory Circular 150/5190-4A, A Model Zoning Ordinance to Limit Height of Objects Around Airports, or successor guidance; and

- FAR Part 150, Airport Noise Compatibility Planning, as amended.

The criteria in the ordinances shall limit the following items:

- the height of objects around airports,
- communication, visibility, and bird strike hazards,
- incompatible land uses in the Runway Protection Zone (RPZ); and
- if applicable, incompatible land uses within the 65 DNL noise contour.

Airport-related zoning ordinances shall have at least one attached scaled map that clearly illustrates the relevant airspace and land use zones. Sponsors shall submit to SCAC the current zoning ordinance(s) and attached map(s) related to the airport, that have been approved by the local government(s) having jurisdiction on lands surrounding the airport, including pertinent signatures, seals, and dates of ordinances readings.

The Sponsor further agrees to develop procedures necessary to comply with Section 55-13-5 of the South Carolina Code of Laws, as amended regarding land use in the vicinity of the Sponsor's airports.

11. Sponsor will maintain a current Airport Layout Plan, having the current approval of SCAC, showing existing and future landing areas and associated taxiways, pertinent approach surface dimensions and slopes, Runway Protection Zones, and building areas. The Sponsor will conform to the current Airport Layout Plan in any future improvements or changes at the Airport. The Sponsor shall furnish SCAC a current Airport Layout Plan and property plats in all of the following formats:
 - paper of at least 24 inch by 36-inch size sheet(s);
 - Portable Document Format (PDF) electronic file(s).
 - GIS shapefile(s) or geodatabase in South Carolina State Plane coordinates; or CAD DWG file(s) in South Carolina State Plane coordinates (International feet).

Sponsor shall be responsible for furnishing to SCAC such documents, data, and/or electronic files as is necessary to keep the Airport Layout Plan, State Airport System Plan, and related SCAC records and databases up to date.

12. Sponsor will furnish a set of "As Built Plans" or "Record Drawings" for the current project to SCAC within ninety (90) days after completion of this project. The sponsor shall submit these documents, at a minimum, in both paper and PDF electronic file formats
13. Sponsor shall provide a qualified Resident Inspector who will be responsible for the approval of all materials and workmanship and will maintain a daily project diary, submit weekly progress reports to SCAC, and maintain and provide documentation and certification to SCAC that the work and materials comply with the plans and specifications. The requirement for a Resident Inspector does not apply to projects under the direct control and supervision of an independent registered professional engineer, architect, or construction manager hired by the Sponsor, in which event the Sponsor agrees to contractually obligate the independent professional engineer, architect, or construction manager to assume responsibilities, including, but not limited to, quality control as to materials and workmanship, and certification to SCAC that work and materials comply with plans and specifications.

14. Affidavit of Non-Collusion - South Carolina Code Section 39-3-10, et seq., 39-5-10, et seq., and Federal Law 15 U. S. Code, Section 1) are designed to ensure that any bids received by Sponsor under this grant shall be competitive and free of collusion. As a condition precedent to the award of any contract for this project there must be filed a sworn statement executed by or on behalf of any person, firm, association, or corporation submitting a bid on any such contract to be awarded; said sworn statement shall certify that such a person, firm, association, or corporation submitting a bid on any such contract to be awarded; has not, either directly or indirectly, entered into an agreement, participated in any collusion, or otherwise taken any action in restraint of free complete bidding in connection with such contract. This sworn statement shall be in the form of an affidavit executed and sworn to be the bidder before a person who is authorized by the laws of the state to administer oaths. The original of such sworn statement shall also include a provision to the effect that all legal formalities required for the proper execution of affidavits, it shall not be a defense to such charge of perjury that said formalities required for the proper execution of affidavits pursuant to state law have been complied with. Thereafter, in any prosecution against any person, firm, association, or corporation for perjury committed in the submission of said affidavits, it shall not be a defense to such charge of perjury that said formalities were not in fact complied with. The Sponsor, as part of this grant, agrees to require an affidavit of non-collusion of the prospective bidder in the form attached thereto as Exhibit A.
15. Sponsor covenants and agrees to disburse funds derived from SCAC solely in aid of the Project on the terms and conditions stated in this agreement. The Sponsor will obtain an audit to comply with the Single Audit Act of 1984, Public Law 98-502 and the implementing guidelines set forth in Office of Management and Budget Circular A-128 for any fiscal year in which any of the Project Funds are expended. The Sponsor will forward to SCAC a copy of the resulting audit reports along with a plan for corrective action for any findings or questioned costs related to the Project; within thirty (30) days after the audit report is issued.
16. Sponsor agrees that significant activities to accomplish the project shall commence within one (1) year from the date of grant shall be revoked and the funds re-allocated.
17. Sponsor agrees Project work and payment request shall be completed within four (4) years of the execution of the Grant Agreement.
18. Sponsor shall request final reimbursement within ninety (90) calendar days after final project acceptance.
19. Sponsor agrees and covenants that all work performed under this grant will be conducted and completed in compliance with all local, state, and federal laws and regulations that are applicable to any and all phases of the Project.
20. Sponsor agrees that these covenants and grant applications shall be binding on itself, successors and assignees, and further covenants that it has the legal authority to enter into this agreement.

PART III - ACCEPTANCE

_____ (Sponsor) does hereby ratify and adopt all statements, representations, warranties, covenants, sponsor assurances and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby unconditionally accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this _____ day of _____, 2023

(Name of Sponsor)

(Signature By)

(Title)

(Seal)

Attest _____

Title _____

CERTIFICATE OF SPONSOR’S ATTORNEY

I, _____, acting as attorney for _____ do hereby certify: That I have examined the foregoing Grant Agreement and the proceedings taken by said _____ relating thereto, and find the Acceptance by Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of South Carolina, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated this _____ day of _____, 2023

Signature By _____

Title _____

EXHIBIT A

AFFIDAVIT OF NON-COLLUSION

STATE OF SOUTH CAROLINA

COUNTY OF _____

Personally, appeared before me _____
being first duly sworn says that he is a member of the firm of _____
and further says that his firm, association, or corporation has not, either directly or indirectly, entered
into any agreement, participated in any collusion, or otherwise taken any action in restraint of free
competitive bidding in connection with the submission of a bid on the above-named project.

Further, _____ swears and affirms that all
legal formalities required for the proper execution of affidavits pursuant to the laws of
his state has been complied with and further agrees, on behalf of himself, his firm,
association, or corporation, that in any subsequent prosecution for perjury of him, his
firm, association, or corporation, it shall not be a defense to such charge of perjury that
said formalities were not in fact complied with.

Legal Signature

SWORN to me before this _____ day of _____, 2023

Signature By _____

Notary Public for _____



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:

Recommend Approval of Beaufort Executive Airport (ARW) facility use rate changes

MEETING NAME AND DATE:

Public Facilities and Safety Committee; August 28, 2023

PRESENTER INFORMATION:

Jon Rembold; Airports Director
3 minutes

ITEM BACKGROUND:

Beaufort Executive Airport’s Facility Use Fees have not been significantly increased in over 10 years. In June, 2023, the Airports Board’s ARW Committee recommended the fee increase described in this package. At its regular meeting on July 20, 2023, the Airports Board voted in favor of the fee structure proposed in this package. Pursuant to Section 6-65 of the Beaufort County Code of Ordinances, with approval of the aviation board, the Airports Director is authorized to establish these fees.

PROJECT / ITEM NARRATIVE:

Beaufort Executive Airport charges Facility Use Fees to customers as a method of self-funding airport operations and maintenance. These fees have been consistently lower than comparative airports and have not increased significantly in several years. Maintenance and replacement costs continue to increase as the facility ages, prompting this fee increase. The airport endeavors to operate as financially self-sufficiently as possible to comply with FAA Sponsor Assurances and County policy regarding enterprise funds.

FISCAL IMPACT:

Fee	FY23	FY24
Ramp Fee (Large aircraft only)	\$150.00	\$150.00
Tie-down (Lg,Daily,Transient)	\$20.00	\$50.00
Tie-down (Lg,Monthly,Tenant)	\$150.00	\$200.00
Tie-down (Sm,Daily,Transient)	\$10.00	\$20.00
Tie-down (Sm,Monthly,Tenant)	\$100.00	\$150.00

Associated Airport Revenue \$71,434.00 \$100,000.00(estimated)

STAFF RECOMMENDATIONS TO COUNCIL:

Staff recommends approval of the facility use rate changes at Beaufort Executive Airport (ARW)

OPTIONS FOR COUNCIL MOTION:

Motion to approve /deny the recommended approval of Beaufort Executive Airport (ARW) facility use rate changes

Move forward to Council for Approval on September 11, 2023

RESOLUTION 2023/_____

A RESOLUTION BY THE BEAUFORT COUNTY COUNCIL AUTHORIZING THE BEAUFORT EXECUTIVE AIRPORT FACILITY USE RATE CHANGES

WHEREAS, the Beaufort Executive Airport desires to become as financially self-sufficient as feasible; and

WHEREAS, an informal regional comparative rate analysis was conducted by Airports Board members, which showed existing rates at Beaufort Executive Airport are comparatively low; and

WHEREAS, the facility use rates at Beaufort Executive Airport have not been significantly increased in a decade; and

WHEREAS, the maintenance costs of the airport continue to increase as the age of the airport increases and said maintenance cannot be deferred; and

WHEREAS, Council has determined that the rate changes outlined in the table shown below are in the best interest of its citizens and will assist the airport in maintaining a safe and efficient facility.

Fee	FY23	FY24
Ramp Fee (Large aircraft only)	\$150.00	\$150.00
Tie-down (Lg,Daily,Transient)	\$20.00	\$50.00
Tie-down (Lg,Monthly,Tenant)	\$150.00	\$200.00
Tie-down (Sm,Daily,Transient)	\$10.00	\$20.00
Tie-down (Sm,Monthly,Tenant)	\$100.00	\$150.00

Associated Airport Revenue \$71,434.00 \$100,000.00 *Estimated*

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the Beaufort Executive Airport to implement the new facility use rates.

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation to approve an Interim Letter of Agreement for Shuttle Service between Beaufort County and The Best of Hilton Head
MEETING NAME AND DATE:
Public Facilities and Safety Committee; August 28, 2023
PRESENTER INFORMATION:
Jon Rembold; Airports Director 3 minutes
ITEM BACKGROUND:
The Airports Board reviewed and recommended approval of the agreement at its monthly meeting held August 17, 2023.
PROJECT / ITEM NARRATIVE:
The Best of Hilton Head will operate a shuttle service to/from Hilton Head Island Airport, to pick up and deliver passengers and their baggage between Hilton Head Island and vicinity. There is not a shuttle policy in place, so this interim letter of agreement will serve as the interim shuttle policy. It will be in place on a trial basis and can be modified as the Airport deems appropriate. Shuttle vehicles will be tracked via a geo-fence and will submit a detailed monthly report showing number of trips and passengers with their monthly payment to the Airport.
FISCAL IMPACT:
Hilton Head Island Airport will receive a monthly fee of \$1.00 per passenger with a minimum fee of \$5.00 each time a shuttle vehicle enters Airport property.
STAFF RECOMMENDATIONS TO COMMITTEE:
Staff recommends approval of the Interim Letter of Agreement between Beaufort County and The Best of Hilton Head.
OPTIONS FOR COMMITTEE MOTION:
Motion to approve/deny an Interim Letter of Agreement between Beaufort County and The Best of Hilton Head Move forward to Council for Approval on September 11, 2023

INTERIM LETTER OF AGREEMENT
FOR SHUTTLE SERVICE

Whereas, Beaufort County desires to obtain and make available adequate ground transportation services to and from Hilton Head Island Airport to accommodate passengers desiring ground transportation services. Therefore, and in consideration of the covenants and agreements herein specified, including the payment of fees, Beaufort County and **The Best of Hilton Head** agree as follows:

1. PRIMARY SERVICE

Operator shall have the non-exclusive right and privilege to operate a shuttle service to/from Hilton Head Island Airport, Hilton Head Island, South Carolina, as provided for in Operator’s Public Service Commission Permits and to pick up and deliver passengers and their baggage between Hilton Head Island and vicinity.

2. FACILITIES ASSIGNED TO THE OPERATOR

Customer loading/unloading area in designated Shuttle Parking area. (Subject to change by the Airports Director). No other location on Airport property shall be used for any business or commercial purpose, directly or indirectly, by shuttle operators.

Operator agrees that it will not, in the conduct of its business, unreasonably interfere with the general flow of traffic in and around the terminal, or any other facility, and that it will expeditiously and efficiently conduct its business of transporting passengers, baggage, and other personal property to and from said terminal.

3. FEES

Operators entering into this Agreement agree to pay a monthly fee of **\$1.00 per passenger with a minimum fee of \$5.00** each time entering Airport property. Twenty (20) days after the beginning of each calendar month during the term hereof, Shuttle Operator shall furnish to County an accounting of the previous month's GEO Fence Report along with payment for the appropriate sum of money as computed in accordance with this subsection.

First Vehicle:

- Vehicle VIN# _____
- Make/Model _____
- Vehicle Capacity _____
- License Plate _____

Payment address:

Hilton Head Island Airport
 Attn: Administration
 120 Beach City Road
 Hilton Head Island, SC 29926

The County reserves the right to limit the number of Shuttle vehicles that logistically can be handled within the airport terminal campus and still provide the traveling public with adequate service.

4. PUBLIC SERVICE

In entering into this Agreement, the County has foremost in mind providing the public and the air traveler with high quality ground transportation facilities and service.

Accordingly, the Operator agrees to conduct its business at all times in a professional manner. All facilities, services, and standards of operation shall be at least equal to the highest quality of service rendered by shuttle companies of like nature at other modern terminal facilities. The general public shall be given the highest consideration at all times in matters affecting the operation of this shuttle service.

5. SHUTTLE EQUIPMENT

A) Operator agrees to provide vehicles with the capacity for a maximum of fifteen (15) passengers and baggage.

All shuttles shall have an operable air conditioner and heater of adequate capacity for each vehicle. Interior appointments shall be attractive, neat, clean and in good repair.

All shuttles shall be marked uniformly on the outside with the company name/logo.

B) An Operator entering into this Agreement with the County agrees that it shall not place into service any vehicle which is more than six (6) model years old.

C) Operator agrees to maintain all vehicles in accordance with South Carolina Highway Safety Department Inspection Standards.

D) Operator also agrees to maintain all interiors and exteriors in excellent condition. Dents, scratches and rust shall be promptly repaired and/or repainted.

E) Operator shall furnish the County, with this Agreement, a detailed listing of the motor vehicles it proposes to operate in the shuttle service. The listing shall include the year of manufacture, vehicle identification number, capacity, and general description of

each vehicle. Operator shall promptly notify the Airport Director in writing of any additions or deletions of motor vehicles to or from service. At no time shall the Operator operate any vehicle on the Airport that is not on said listing of vehicles. Prior approval from the Airport Director is required before the Operator operates any vehicle which is not on said listing of vehicles on the Airport. All vehicles shall be insured as required in paragraph 11 of this Agreement.

- F) The County reserves the right to deny the use of any vehicle supplied by the Operator for public use on the Airport. Notice of such denial shall be submitted to the Operator by the Airport Director or designee in writing with the reasons therefore, and Operator shall immediately withdraw such unsatisfactory vehicles from service on the Airport.

6. PERSONNEL

All drivers shall be employees or agents of the Operator and shall be fully competent, experienced, and properly licensed as required by the State of South Carolina, Beaufort County, and the Town of Hilton Head Island. All drivers must obey all traffic laws and regulations while operating the shuttle.

All drivers will at all times be under the direction of the Operator, who will be solely responsible for their conduct and performance. Drivers shall conduct themselves with courtesy and dignity and with the public interest of primary importance.

The Operator shall be held fully responsible for the conduct of all persons in his employ and shall maintain a close check over all employees to insure the maintenance of a high standard of service to the public. No employee shall behave in or about the Airport's premises in a loud, boisterous, offensive, or otherwise improper manner.

Operator's employees shall be neat, clean, properly attired, and present a professional appearance.

The Operator shall be required to remove from service any employee whose conduct the County or Airport Director feels is detrimental to the best interest of the Airport.

7. PERMITS AND LICENSES

Operator agrees to conduct its business in accordance with all Federal, State, County, and Town of Hilton Head Island laws and shall obtain and maintain all required licenses and permits. Any change to operating license, permits etc. will require a new permit.

8. HOLD HARMLESS AND INSURANCE

It is expressly understood and agreed that Operator is and shall be responsible to all parties for all acts or omissions of their drivers, and Beaufort County and its officers and employees shall in no way be responsible for their acts or omissions. Operator agrees to fully indemnify and hold harmless Beaufort County and its officers and employees from and against all claims and actions and all expenses incidental to the investigation and

defense thereof based upon or arising out of damages or injuries to person or property caused by the fault or negligence of Operator, its agents, or employees, arising out of the conduct of Operator or its agents or employees, or arising out of the use or occupancy of Airport buildings or property by Operator, its agents or employees or assume, without expenses to Beaufort County, its officers or employees, the defense of any such claims or actions. Beaufort County shall give to Operator prompt and reasonable notice of any such claims or actions or suits by certified mail.

The Operator shall carry public liability and property damage insurance in the minimum amounts and sums as follows:

Public Liability: \$100,000 each person \$300,000 each occurrence

Property Damage: \$50,000 each occurrence

- A) In all insurance policies carried by the Operator under the terms of this Agreement, Beaufort County, its officers, agents, and employees will be named as additional insured with a provision that the County must receive thirty (30) days notice in writing prior to the cancellation of such insurance. Cancellation of an insurance policy required pursuant to this Agreement is cause for termination until the required insurance is reinstated by an acceptable policy.
- B) The Operator shall furnish to the County all required Certificates of Insurance before beginning operations under this Agreement. Such Certificates shall also be accompanied by a statement from each insurance company stating that said company is authorized and properly licensed to do business in the State of South Carolina and the Town of Hilton Head Island.

9. RULES AND REGULATIONS

Operator agrees that he and his agents and employees will comply with the rules and regulations of Beaufort County and all directives, memoranda, and policies as promulgated from time to time by the County or Airports Director (See Shuttle Rules attached).

10. REPAIRS AND MODIFICATIONS

Operator shall repair promptly and at no cost to the County any damages to property on Hilton Head Island Airport which have been attributed to or caused by the Operator, his employees, agents, or representatives.

11. TERM

The term of this agreement shall commence on the date signed by the County Administrator and shall end on June 30, 2024.

12. COUNTY'S RIGHT TO CANCELLATION

The county will have the right to terminate this Agreement in its entirety immediately upon the happening of any of the following events:

- A) The filing by or against the Operator of any petition of bankruptcy, whether voluntary or involuntary.
- B) The making by the Operator of an agreement for the benefit of creditors shall constitute a breach of the concession agreement, and thereupon the Agreement shall become null and void, and no benefits thereunder shall pass to any assignee to or transfer thereof.
- C) The abandonment or discontinuance of the operations and services by the Operator.
- D) The failure of the Operator to keep required insurance in force.
- E) The non-payment of any fees and rents due the County continuing for seven (7) days from the date written notice has been sent to the operator by the County/Airport Director.
- F) The presentation to the County of any checks by the Operator that are returned for insufficient funds.
- G) Two or more complaints are received concerning cleanliness of equipment, behavior of Operator or his employees, or inadequate performance and these complaints have been substantiated by proper authority.
- H) The failure to procure insurance in the amount required or cancellation of insurance required under section 11.
- I) The failure of the Operator to perform, keep or observe any other of the terms, covenants, and conditions of the Agreement, except those specifically listed above, required on the part of the Operator to be performed, kept, or observed after the expiration of ten (10) days from the date written notice has been given to the Operator by the County/Airport Director to correct such default or breach.

13. OPERATOR'S RIGHT TO CANCELLATION

The Operator shall have the right, upon thirty (30) days written notice to the County, to terminate the Agreement at any time after the occurrence of one or more of the following events:

- A) The assumption by the United States Government and the authorized agencies thereof or any other governmental agency of the operation, control or use of the Airport facilities or any substantial part or parts thereof in such a manner as to substantially restrict for a period of thirty (30) days or more the conduct of the Operator's business thereto.

- B) A breach by the County of any of the terms and covenants or conditions within this agreement and the failure of the County to remedy such breach for fifteen (15) days after receipt of written notice from the Operator of the existence of such breach.

14. DEFAULT OF WAIVER

No default or waiver by the County of any of the terms, conditions, covenants, agreements hereof to be performed, kept, or observed by the Operator shall be construed or act as a waiver of any subsequent default of any of the terms, covenants, conditions, and agreements, herein contained to be performed, kept, or observed by the Operator, and County shall not be stopped from later enforcing any of the terms and conditions of this Agreement.

15. COMPLAINTS BY THE PUBLIC

Complaints by the public or other Airport service personnel concerning Operator's services may be grounds for termination or suspension of this Agreement as provided in Paragraph 12(g). The County shall not be responsible for resolving such complaints as may be received concerning Operator's fares, services, conduct, reservations, policies, etc. Such complaints will be forwarded to the Operator, who will be responsible for their resolution.

16. GRANT AGREEMENTS

The Airport is subject to the County's assurance made to guarantee the public use of the Airport pursuant to grant agreements between the County and the United States of America. The County represents that none of the provisions of this Agreement violate any of the provisions of any of those agreements.

17. RIGHT TO DEVELOP AIRPORT

The County reserves the right to further develop or improve the Airport and all landing areas, taxiways, and terminal areas as it may see fit; provided, however, that such development or improvement does not adversely affect Operator's rights and duties under this Agreement.

18. SUBORDINATION OF AGREEMENT

This Agreement shall be subordinate to the provisions of any existing or future agreement between the County and the United States of America or its boards, agencies, counties, or instrumentalities relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds on the development of the Airport.

19. NON-DISCRIMINATION

The Operator, for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that:

- A) No person on the grounds of race, color, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of said facilities.
- B) That in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.
- C) That the Operator shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Sub-title A, Office of the Secretary, Part 21, Non-discrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Acts of 1964, and as said Regulations may be amended.
- D) That in the event of a Breach of any of the above nondiscrimination covenants, the County shall have the right to terminate this Agreement and to re-enter and repossess said land and the facilities thereon and hold the same as if said Agreement had never been made or issued.

This provision shall not be effective until the procedures of Title 49 CFR Part 21 are followed and completed, including exercise or expiration of appeal rights.

20. GENERAL PROVISIONS

- A) South Carolina Law: This Agreement has been made and shall be construed in accordance with the laws of the State of South Carolina.
- B) Headings: The headings contained herein, are for convenience of reference and are not intended to define or limit the scope of any provisions of this Agreement.

21. NOTICE

Any Notice required or permitted under this Agreement shall be deemed duly given when mailed by certified mail or registered mail addressed to the County or Operator, respectively, at the addresses hereinafter shown or at the addresses hereafter specified in writing, postage prepaid, and deposited in any United States Post Office.

The address of the County/Airport is:

County Council of Beaufort County
 Hilton Head Island Airport
 120 Beach City Road
 Hilton Head Island, SC 29926

The address(es) of the Operator is/are:

Mail: _____

Physical: _____

Phone: _____

E Mail _____

WITNESS

COUNTY ADMINISTRATOR
BEAUFORT COUNTY

DATE _____

WITNESS

OWNER , _____

DATE _____

**BEAUFORT COUNTY COUNCIL
HILTON HEAD ISLAND AIRPORT
SHUTTLE RULES**

The following rules shall apply to the operation of shuttles and conduct of drivers at the Hilton Head Island Airport.

Rule 1

Permitted Locations:

No other location on Airport property shall be used except the Shuttle Parking area, for any business or commercial purpose, directly or indirectly, by shuttle operators.

Rule 2

Attending Vehicle:

Vehicles shall not be left standing unattended in any location on airport property with the engine running.

Rule 3

Permitted Time:

Operator vehicles are limited to (1) hour parking in the designated Shuttle Parking area for each visit.

RESOLUTION 2023/_____

A RESOLUTION BY THE BEAUFORT COUNTY COUNCIL AUTHORIZING THE INTERIM POLICY ON AIRPORT SHUTTLE SERVICE; CASE OF *BEST OF HILTON HEAD*

WHEREAS, the Hilton Head Island Airport does not have a current shuttle service policy; and

WHEREAS, “The Best of Hilton Head” operates a shuttle service and requested to operate at the Hilton Head Island Airport; and

WHEREAS, the FAA sponsor assurances require that airports make every effort to become financially self-sufficient; and

WHEREAS, the interim shuttle policy provides a revenue-generating opportunity in favor of the Hilton Head Island Airport via a \$1.00 per passenger (\$5.00 minimum per vehicle per trip) charge; and

WHEREAS, Council has determined that the proposed shuttle service is in the best interest of its citizens as a means of transporting residents and citizens who use the Hilton Head Island Airport.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the Hilton Head Island Airport to implement the subject interim policy on shuttle service

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
AN ORDINANCE TO AMEND BEAUFORT COUNTY’S BUDGET ORDINANCE FOR FISCAL YEAR 2024 (ORDINANCE 2023/22) TO APPROPRIATE \$350,000 TO COUNTY COUNCIL TO COVER COST OF REVIEWS, AUDITS, AND INVESTIGATIONS
MEETING NAME AND DATE:
County Council, September 11, 2023
PRESENTER INFORMATION:
Thomas J. Keaveny, II 10 Minutes
ITEM BACKGROUND:
On July 24, 2023, County Council authorized the Finance, Administration, and Economic Development Committee (“Committee”) to contract with one or more professionals or professional firms to conduct certain reviews, audits, investigations and additional investigations as Council and the Committee and Council may deem appropriate. Council needs to authorize a supplemental appropriation to its budget for fiscal year 2024 to cover the anticipated expenses associated with this effort.
PROJECT / ITEM NARRATIVE:
See above
FISCAL IMPACT:
If adopted, this ordinance will appropriate \$350,000 from the General Fund to Council’s FY24 line item budget.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval.
OPTIONS FOR COUNCIL MOTION:
Motion to approve the appropriation as requested, to increase it, to decrease it, or to deny it.

ORDINANCE 2023/ _____

AN ORDINANCE TO AMEND BEAUFORT COUNTY’S BUDGET ORDINANCE FOR FISCAL YEAR 2024 (ORDINANCE 2023/22) TO APPROPRIATE \$350,000 TO COUNTY COUNCIL TO COVER COST OF REVIEWS, AUDITS, AND INVESTIGATIONS

WHEREAS, on June 12, 2023, Beaufort County Council adopted Ordinance No. 2023/22 which sets forth and establishes the County’s FY 2023-24 budget and associated expenditures; and

WHEREAS, On July 24, 2023, County Council authorized the Finance, Administration, and Economic Development Committee (“Committee”) to contract with one or more professionals or professional firms to conduct certain reviews, audits, investigations and additional investigations as Council and the Committee and Council may deem appropriate; and

WHEREAS, on August 28, 2023, the Committee recommended that Council retain the law firm of Haynsworth Sinkler Boyd to conduct and oversee this work. On that same day, Council County voted unanimously to accept, approve, and ratify the Committee’s recommendation; and

WHEREAS, Council needs to authorize a supplemental appropriation to its budget for fiscal year 2024 to cover the anticipated expenses associated with this effort.

NOW, THEREFORE, BE IT ORDAINED that Beaufort County’s Budget Ordinance for Fiscal Year 2024 (Ordinance 2023/22), is hereby amended to provide \$350,000 in supplemental appropriations from the General Fund to Council’s account to cover the costs of reviews, audits, and investigations as directed by Council and the Committee.

Adopted this _____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman,

ATTEST:

Sarah W. Brock,
Clerk to Council

1. Design Review Board

- RECOMMEND APPROVAL OF THE APPOINTMENT OF KRIS FELDMANN TO THE DESIGN REVIEW BOARD FOR A PARTIAL TERM WITH THE EXPIRATION DATE OF FEBRUARY 2024
- RECOMMEND APPROVAL OF THE APPOINTMENT OF ERIC WALSNOVICH TO THE DESIGN REVIEW BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF AUGUST 2027

2. Airports Board

- RECOMMEND APPROVAL OF THE APPOINTMENT OF JAMES STARNES TO THE AIRPORTS BOARD FOR A TWO-YEAR TERM WITH THE EXPIRATION DATE OF AUGUST 2025
- RECOMMEND APPROVAL OF THE APPOINTMENT OF RICH SELLS TO THE AIRPORTS BOARD FOR A TWO-YEAR TERM WITH THE EXPIRATION DATE OF AUGUST 2025
- RECOMMEND APPROVAL OF THE REAPPOINTMENT OF BRIAN TURRISI TO THE AIRPORTS BOARD FOR A TWO-YEAR TERM WITH THE EXPIRATION DATE OF AUGUST 2025 (Approved by the Finance, Administration, & Economic Development Committee on May 15, 2023, and deferred at County Council Meeting on May 22, 2023)

3. Planning Commission

- RECOMMEND APPROVAL OF THE APPOINTMENT OF EUGENE MEYERS TO THE PLANNING COMMISSION FOR A PARTIAL TERM WITH THE EXPIRATION DATE OF FEBRUARY 2025



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation of an Ordinance to Amend the Beaufort County Ordinance Establishing a Road Use Fee
MEETING NAME AND DATE:
Public Facilities and Safety Committee – June 26, 2023
PRESENTER INFORMATION:
Jared Fralix, Assistant County Administrator – Infrastructure Eric Claussen, Director of Engineering (Alternative)
ITEM BACKGROUND:
In 1993, Beaufort County Council adopted Ordinance 93/20 establishing the road use fee on all vehicles which are domiciled and garaged in Beaufort County and thereby use the roadways and bridges owned and maintained by the County and State. This Ordinance has been amended with Ordinances 2012/13, 2015/8, and 2020/28. Amendment 2020/28 made clarification that the road use fee will be evaluated on annually and established in the annual County Operation Budget Ordinance.
PROJECT / ITEM NARRATIVE:
After an evaluation of Beaufort County’s road network, the current road use fee of \$10.00 that generates approximately \$1.6 million annually is determined to be insufficient to fund the maintenance and improvements needed. It is recommended to increase to \$20.00 generating approximately \$3 million annually. Neither the current road use fee, nor the proposed increase will generate revenue that would meet or exceed the cost of maintaining and improving the County’s road system as it is detreating faster than the County can fund.
FISCAL IMPACT:
An increase in the road use fee to \$20.00 will generate approximately \$3 million annually and will be collected and deposited into the special road maintenance account (2342) and specifically used to maintain and improve the county’s road system, along with the state’s as needed, and to pay for debt service on any outstanding General Obligation Bond issued exclusively for County road improvements.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends the approval of the Ordinance to Amend the Beaufort County Ordinance Establishing a Road Use Fee.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny the Recommendation of an Ordinance to Amend the Beaufort County Ordinance Establishing a Road Use Fee. Move forward to County Council to approve/deny the Recommendation of an Ordinance to Amend the Beaufort County Ordinance Establishing a Road Use Fee.

ORDINANCE 2023/ _____

AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE

WHEREAS, in 1993 Beaufort County Council (the “Council”) adopted Beaufort County Ordinance 93/20 establishing the road use fee on all vehicles which are domiciled and garaged in Beaufort County (the “County”) and thereby use the roadways and bridges owned and maintained by the County and the State; and

WHEREAS, the Council has amended Ordinance 93/20 with Ordinances 2012/13, 2015/8, and 2020/28; and

WHEREAS, the Council has the authority under South Carolina law to charge and collect the road use fee and to impose new service or user fees; and

WHEREAS, the Council has determined that it is in the best interests of its citizens to amend its existing road use fee.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council to amend the road use fee and does hereby amend the Beaufort County Road Use Fee Ordinance (Ordinances 93/20, 2012/13, 2015/8, and 2020/28) as follows:

Section 1. Findings and Authority. County Council makes the following findings of fact and authority in connection with the enactment of this ordinance (this “*Ordinance*”):

(a) The County is a political subdivision of the State of South Carolina and possesses certain powers granted by the Constitution and general laws of the State.

(b) Pursuant to the provisions of Title 4, Chapter 9, Article 13 (the “*Home Rule Act*”) of the South Carolina Code of Laws, as amended (the “*S.C. Code*”), and specifically, Section 4-9-30(5)(a) of the Home Rule Act, County Council is authorized to assess and levy property taxes and uniform service charges and to make appropriations for certain functions of the County specifically including general public works, roads and drainage.

(c) Pursuant to Section 57-17-10 of the S.C. Code, the governing body of the County shall have control and supervision of all county designated roads.

(d) Pursuant to Title 6, Chapter 1, Article 3 of the S.C. Code, specifically Sections 6-1-300 and 330 of the S.C. Code, County Council is authorized to charge and collect service or user fees, including uniform service charges. Section 6-1-300(6) of the S.C. Code, defines a “service or user fee” as a “charge required to be paid in return for a particular government service or program” and further requires that the revenue generated from the service or user fee must: (i) be used to benefit the payers, even if the general public also benefits; (ii) only be used for the specific improvement contemplated; (iii) not exceed the cost of the improvement; and (iv) be uniformly imposed on all payers.”

(e) Pursuant to Section 6-1-330 of the S.C. Code, County Council is authorized to charge and collect service or user fees, including uniform service charges, subject to the following requirements: (i) the service or user fee must be imposed by adoption of an ordinance approved by a positive majority of County Council; (ii) County Council must provide public notice of the service or user fee being considered and hold a public hearing on the proposed service or user fee prior to final adoption; (iii) revenue derived from the service or user fee to finance the provision of public services must be used to pay costs related to the provision of the service or program for which the service or user fee is paid; and (iv) a local governing body that imposes a user or service fee pursuant to S.C. Code § 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county's website.

(f) Pursuant to Section 6-1-330(A) of the S.C. Code, a fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of Title 6, Chapter 1, Article 3 of the S.C. Code.

(g) In 1993, County Council imposed a road use fee of Ten and NO/100 (\$10.00) Dollars annually on every motor vehicle required to be registered and licensed in the County pursuant to Ordinance 93/20, enacted June 28, 1993, and thereafter amended the ordinance by adopting Ordinances 2012/13, 2015/8, and 2020/28 (the "**Initial Fee Ordinance**").

(h) Council never repealed the Initial Fee Ordinance and has collected the fee continuously from January 1, 1994, to the present date.

(i) Pursuant to the Initial Fee Ordinance, the road maintenance fee is uniformly imposed on all owners of vehicles required to be registered in the County by the South Carolina Department of Motor Vehicles.

(j) Pursuant to the Initial Fee Ordinance, the proceeds from the collection of the road use fee are deposited into a special road maintenance account and specifically used to maintain and improve the County's road system and to pay for debt service on any outstanding General Obligation Bond issued by the County for road improvements.

(k) Pursuant to the Initial Fee Ordinance, any interest earned on road use fee funds shall accrue to the road maintenance account. Funds which are not used in any fiscal year shall be carried forward and used for the construction, maintenance, and improvement of County roads and related drainage, as well as to pay debt service on any General Obligation Bond issued exclusively for County road improvements.

(l) For the past 30 years, the County has used the road use fee as a dedicated revenue source to maintain and improve the County road system. The revenue generated from the road use fee is used only for the maintenance and improvement of the County road system.

(m) The County road system consists of approximately seven hundred (700) lane miles of paved and unsurfaced roads designated as major arterial roads, collector roads, residential collector roads and local roads. The County's road system provides vital access for local residents to employment, commerce, housing, social services, health services, education services, and reliable emergency evacuation routes. The County's road system is maintained by the Beaufort County Public Works Department.

(n) The condition of every *paved* County road is evaluated every three (3) years by an independent firm and assigned a pavement condition rating. Higher scores reflect roads that require either preventative maintenance or no maintenance at all. Low-range scores reflect roads that require the costliest repairs or full reconstruction.

(o) According to the latest report, which was prepared in February 2022 by F&ME Consultants, none on Beaufort County's roads are in excellent condition. According to the report, twelve point five percent (12.5%) of the roads are in very good condition, sixty-three point five percent (63.5%) are in good condition, twenty-three point four percent (23.4%) are in fair condition and three point six percent (3.6%) are in poor condition. The remaining one point two percent (1.2%) are in poor or very poor condition. Of particular importance is the fact that fully twenty-eight percent (28%) of the County's paved roads are deemed to be in fair to poor condition. If these roads are left unrepaired, they will decline rapidly and become candidates for costly reconstruction. (This report, and all subsequent reports regarding the condition of County Pavement, are incorporated into this ordinance by reference.)

(p) The condition of every *unsurfaced* County road is also evaluated approximately every three (3) years by an independent firm. Each road is assigned an overall rating. Higher scores reflect roads with a higher priority for improvement. Lower scores reflect with lower priority.

(q) According to the November 2022 Beaufort County 2026 – 2030 Dirt Road Paving Plan Report, which was prepared by Consor Engineers, the County's *unsurfaced* road system consists of two hundred nine (209) roads totaling approximately seventy-seven (77) miles. Due to the limited funding that is currently available, the County can afford to improve only about one to two (1 – 2) miles of *unsurfaced* roads each year. (This report, and all subsequent reports regarding Dirt Road Paving, are incorporated into this ordinance by reference.)

(r) Beaufort County's plan is to improve all County unsurfaced roads while maintaining the paved roadway system with at least ninety-five percent (95%) of paved roads in good or very good condition. Currently, seventy-six percent (76%) of paved roads are good to very good. Approximately seventy-seven (77) miles of unsurfaced dirt roads are left to be improved.

(s) The current road use fee of Ten and No/100 (\$10.00) Dollars per vehicle generates approximately \$1.6 million annually. Increasing the road use fee to Twenty and No/100 (\$20.00) Dollars per vehicle would generate approximately \$3 million annually. Neither the current road use fee, nor the proposed increase, will generate revenue that would meet or exceed the cost of maintaining and improving the County's road system.

(t) Despite the County's efforts to maintain and improve the County's road network, significant unfunded road maintenance remains, and it is growing every year. The pavement condition of County's roads is deteriorating faster than the County can repave them based on available resources.

(u) The life cycle of the County's road system is greatly affected by the County's ability to perform timely maintenance and upgrades to ensure that road surfaces last as long as possible.

(v) Cost-effective preventive maintenance reduces costly future repairs. The cost of fixing roads after they have deteriorated is many times greater than the cost of preventive maintenance.

(w) All individuals who pay the fee (those who own vehicles registered in the County) have enjoyed and will continue to enjoy the benefits provided by the purchase, condemnation, construction, ownership, maintenance, and repairs of County and State-owned roads and bridges. The County specifically finds that those paying the fee receive the following benefits from the expenditures of the fee:

- a. *Enhanced Emergency Response Time.* Those paying the fee receive the benefit of enhanced emergency response time. Quality road systems have a direct impact on emergency response times. The revenue from the fee is used to build, design, and maintain a road network that enhances public safety and emergency response times. *See FY 2012 Performance and Accountability Report, Montgomery County Fire Rescue Services.*
- b. *Evacuation Routes.* Those paying the fee receive the benefit of a network of roadways that allow them to safely and timely evacuate the County to avoid impending hurricanes, storms, floods, or other Acts of God. The County borders the Atlantic Ocean. The County is prone to hurricanes, storms, and flooding, all of which threaten the health and safety of those paying the fee. When hurricanes, storms, and floods threaten the County, it is vital that the County residents have a safe, functioning network of roads to allow for the mass exodus of County residents. The revenue from the fee is used to build, design, and maintain a road network to allow for safe and expeditious evacuation of County residents. The findings in this subparagraph are axiomatic and obvious to all. coastal communities in South Carolina and other States bordering the ocean have endured and suffered through violent storms and flooding throughout human history. These storms and flooding have caused numerous injuries and loss of life to those residents of coastal communities. *See National Weather Service Website, www.weather.gov/chs/TChistory (From 1851 through 2018, forty-one (41) Tropical Cyclones have made landfall in the NWS Charleston, SC County Warning Area (CWA), which runs from Charleston County, SC to McIntosh, GA).*
- c. *Increased Property Values.* Those paying the fee receive the benefit of increased property values. The revenue from the fee is used to build, design, and maintain a road network. This road network increases the property values of those who pay the fee. There are numerous scholarly public and private reports evidencing a manifest nexus between the good quality of roads and increased property values, as well as the poor condition of roads and lower property values. The County craves reference to those selected reports cited below:
 - i. An eighteen year (1982-1999) parcel-level real estate assessment study using a land value model, an improvement or structure value model, and a total property value model, yielding empirical results that suggest

that improvement type, freeway proximity, parcel location at key network points (e.g., corner parcels), and timing of construction and completion play key roles in property valuation. *See Property Values and Highway Expansions: An Investigation of Timing, Size, Location, and Use Effects* by Brian ten Siethoff, Cambridge Systematics, Inc., and Kara M. Kockelman, C.B. Luce Assistant Professor of Civil Engineering Department of Civil Engineering, The University of Texas at Austin, *Transportation Research Record No. 1812: 191-200*, Presented at the 81st Annual Meeting of the Transportation Research Board, January 2002.

- ii. Highway capitalization studies analyzing the effects of highway construction on residential sale prices. *See* Transportation Research Board (TRB), *Special Report Number 245 1995. Expanding Metropolitan Highways*. Washington, DC: National Academy Press.
- iii. Extensive literature by Huang (1994) finding that virtually every major land use study concluded that transportation improvements positively affect the value of nearby land. *See* Huang, W. 1994. "The Effects of Transportation Infrastructure on Nearby Property Values: A Review of the Literature." Institute of Urban and Regional Development: Berkeley, CA.
- iv. A 1997 study of median housing prices and monthly rents in the San Francisco Bay Area showing a strong positive association between accessibility and land prices, after controlling for a wide variety of other variables, including parcel size and square footage of development. *See* Kockelman, K.M. 1997. "Effects of Location Elements on Home Purchase Prices and Rents in San Francisco Bay Area." *Transportation Research Record No. 1606*, 40-50.
- v. A 2001 report concluding that homeowners and renters value improvements to the transportation network whether their perception of the travel benefits is direct or indirect. *See* Mikelbank, Brian. 2001. "Spatial Analysis of the Relationship between Housing Values and Investments in Transportation Infrastructure." Paper presented at the 40th Annual Meeting of the Western Regional Science Association, Palm Springs, CA (February).
- vi. Classical economic theory study showing that when a highway is built, large parcels of land that previously had poor accessibility—or none at all—are suddenly underpriced. Often, the market immediately responds: the area is quickly developed, and the real estate market establishes a new equilibrium based on the new transportation technology. The land-value impacts that are experienced can be significant. *See* Giuliano, G. 1989. "New Directions for Understanding Transportation and Land Use."

- vii. Major improvements to infrastructure should also have a strong, positive effect on nearby real estate values. *See* Landis, J., Guhathakurta, S., Huang, W., and Zhang, M. 1995. “Rail Transit Investments, Real Estate Values, and Land Use Change: A Comparative Analysis of Five California Rail Transit Systems.” The University of California Transportation Center, University of California at Berkeley: Berkeley, CA; *see also* Tomasik, J. 1987. “Socioeconomic and Land Values of Urban Freeways in Arizona.” Phoenix, AZ: Arizona Department of Transportation.
 - viii. A 1961 study concluding that lack of access may decrease land values. *See* Mohring, Herbert. 1961. “Land Values and the Measurement of Highway Benefits.” *Journal of Political Economy* 49 (June), 236-249.
 - ix. Construction associated impacts and property values. *See* Nelson, J.P. 1982. “Highway noise and property values: A survey of recent evidence,” *Journal of Transport Economics and Policy*, 16(2), 117-38.
 - x. Property-value models predict that depressed freeway designs contribute more to residential property values than at-grade freeways. *See* Lewis, C.A., Buffington, J.L., and Vadali, S.R. 1997. “Land Value and Land Use Effects of Elevated, Depressed, and At-Grade Level Freeways in Texas.” Texas Transportation Institute Research Report Number 1327-2. Texas A&M University: College Station, TX.
 - xi. “Improvements to transportation networks, especially those in growing areas, tend to have impacts on local land markets. In principle, an improvement to a link in the network will confer economic benefits to adjacent and nearby properties by increasing the utility that the network provides [U]rban economic theory suggests that many of these benefits are capitalized into local property values, yielding a localized spillover effect. *See* “The Economic Impact of Upgrading Roads, 2009-2016,” Minnesota Department of Transportation.
- d. *Reduced Automobile Operating Costs.* Those paying the fee receive the benefit of reduced automobile operating costs. The revenue from the fee is used to construct and maintain roads and bridges in the County. This construction and maintenance work helps improve the quality of roads in the County. Those paying the fee normally use the roads and bridges in the County; therefore, those paying the fee receive the benefit of reduced automobile operating costs.
 - e. *Reduced Automobile Insurance Premiums.* Those paying the fee receive the benefit of reduced automobile insurance premiums. The revenue from the fee is used to construct and maintain roads and bridges in the County. Because of the quality of the roads and bridges in the County, those paying the fee receive the benefit of reduced automobile insurance premiums. *See* Cotto, Tony, *Cost Drivers: How Riskier Roads, Rising Repairs, and Reckless Driving Are Increasing Insurance Costs (NAMIC 2021)* (“[T]he rate you pay for your auto insurances depends in part on where you live.”).

f. *Safety and Convenience Benefits.* Those paying the fee receive the safety and convenience benefits associated with having a well-built, well designed, and well-maintained network of roads. The roads in the County are used by those who pay the fee. The roads built, designed, and maintained with the revenue from the fee provide those paying the fee with access to the entire State and federal road network. Further, the roads built, designed, and maintained with the revenue from the fee provide safe, reliable, and efficient access to the entire road network in the County, State, and parts beyond.

(x) County Council finds that increasing the road use fee to Twenty and No/100 (\$20.00) Dollars is desirable and necessary for the County to maintain and to improve the County road system, additional revenues are needed to adequately maintain the County road system, the County road system has experienced degradation due to insufficient maintenance funding, additional degradation is expected without additional maintenance funding, and road maintenance fees are a stable form of revenue that is generated by users of the County road system.

Section 2. Road Use Fee Amendment. Section 2 of the Initial Fee Ordinance (Ordinance 93/20) is hereby amended to increase the road use fee to Twenty and No/100 (\$20.00) Dollars. Section 4 of the Initial Fee Ordinance which provides that the funds shall be deposited in the General Fund is amended to provide that the funds collected shall be deposited into the road maintenance account, that any interest collected on these funds in this account shall be deposited into this account, and that all funds in the account shall be used solely and exclusively for the purposes set forth herein above.

Section 3. Compliance with Title 6, Chapter 1, Article 3 of the S.C. Code.

(a) *Initial Fee Grandfathered.* County Council finds that the Initial Fee Ordinance imposing an annual road use fee was adopted prior to December 31, 1996, and in accordance with the grandfathering language of Section 6-1-330 of the S.C. Code, remains in force and effect until repealed by County Council.

(b) *Increase to the road maintenance fee satisfies S.C. Code § 6-1-330(6).* Beaufort County Council finds that the Ten and No/100 (\$10.00) Dollar increase to the road use fee bringing the total fee to Twenty and no/100 (\$20.00) Dollars is (i) uniformly imposed on all owners of motor vehicles required to be registered in the County by the South Carolina Department of Motor Vehicles; (ii) revenues generated from the fee are exclusively used for the maintenance and improvement of the County road system; (iii) payers of the fee benefit from maintenance and improvement of the County road system, even if the general public also benefits; and (iv) revenues generated from the fee do not exceed the cost of maintaining and improving the County road system.

(c) *Adopted by positive majority of County Council.* This Ordinance must be adopted by a positive majority of County Council, which is defined in Section 6-1-330(5) of the S.C. Code as “a vote for adoption by the majority of the members of Council, whether present or not.”

(d) *Public Hearing.* County Council must provide public notice of the fee increase being considered and hold a public hearing on the proposed fee increase prior to final adoption of the Ordinance in compliance with S.C. Code § 6-1-330.

(e) *Road use fee revenues published on County website.* The annual revenues collected from the road use fee and any increase must be published on the County’s website in compliance with S.C. Code § 6-1-330.

Section 4. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date. This Ordinance shall take effect upon the date of its adoption.

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT
COUNTY

ATTEST:

Joseph Passiment , Chairman

Sarah Brock
Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:										
Recommendation of Contract Award for Phase I of the Hilton Head Island Airport Commercial Service Terminal Improvements to Edison Foard, Inc (\$33,988,291.83, incl contingency)										
MEETING NAME AND DATE:										
Public Facilities and Safety Committee; August 28, 2023										
PRESENTER INFORMATION:										
Jon Rembold; Airports Director (5 minutes)										
ITEM BACKGROUND:										
<p>Council Resolution 2022/25 directed staff to proceed with the terminal project.</p> <p>The project was initially bid in June 2022. The bids were above the project budget so, Council’s approval, the team re-packaged the bid as an initial phase package, and it was then offered for bids. Bids were received June 7, 2023. Three bids were received with the lowest bid being within the project budget. The lowest qualified bid was provided by Edison Foard, Inc of Charlotte, NC in the amount of \$27,196,809.29 for the base bid. Bid alternates that will be executed result in a total bid price of \$30,898,447.83. The 10% contingency results in a total of \$33,988,291.83</p> <p>Airports Board reviewed and approved the recommendation at its regular meeting on July 20, 2023.</p>										
PROJECT / ITEM NARRATIVE:										
The initial phase includes the entrance road improvements, new TSA screening checkpoint, and new boarding gate areas.										
FISCAL IMPACT:										
<p>The contract fee is \$30,898,447.83. Staff recommends a 10% contingency of \$3,089,844 bringing the project’s total cost to \$33,988,291.83. The funding for this project is identified in the table below:</p> <p>Total available for the initial phase:</p> <table border="1"> <tr> <td>FAA Grants</td> <td>\$21,626,638</td> </tr> <tr> <td>SC Aeronautics Grants</td> <td>\$3,000,000</td> </tr> <tr> <td>SC Budget Line Item</td> <td>\$12,000,000</td> </tr> <tr> <td>Airport</td> <td>\$2,162,664*</td> </tr> <tr> <td>Total</td> <td>\$38,789,302</td> </tr> </table> <p><i>*Airport share is 10% of the FAA discretionary funding. This amount is budgeted in the “Sponsor Share” line item. This expense will be realized incrementally over a 3-5 year period.</i></p>	FAA Grants	\$21,626,638	SC Aeronautics Grants	\$3,000,000	SC Budget Line Item	\$12,000,000	Airport	\$2,162,664*	Total	\$38,789,302
FAA Grants	\$21,626,638									
SC Aeronautics Grants	\$3,000,000									
SC Budget Line Item	\$12,000,000									
Airport	\$2,162,664*									
Total	\$38,789,302									
STAFF RECOMMENDATIONS TO COUNCIL:										
Staff recommends approval to award the contract for Phase I of the Hilton Head Island Airport Commercial Service Terminal Improvements to Edison Foard, Inc.										

OPTIONS FOR COUNCIL MOTION:

Motion to approve/deny the recommendation to award the contract for Phase I of the Hilton Head Island Airport Commercial Service Terminal Improvements to Edison Foard, Inc.

(Next Step: Move forward to County Council for on September 11, 2023)





WELCOME TO HILTON HEAD ISLAND AIRPORT

BID TABULATION
TERMINAL IMPROVEMENTS-PHASE 1-IFB# 041923
HILTON HEAD ISLAND AIRPORT
TBE PROJECT NO. 2119-1905
JUNE 7, 2023

BASE BID					Edison Foard, Inc. Charlotte, NC LICENSE NO.: BD5 G11049		Cooper Tacica General Contracting Co. Raleigh, NC LICENSE NO.: BD5 122012		Monteith Construction Corp. Wilmington, NC LICENSE NO.: CLG.99696	
ITEM NO.	SPEC NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL
1	C-105	MOBILIZATION	1	LS	\$355,962.60	\$355,962.60	\$2,500,000.00	\$2,500,000.00	\$1,187,200.00	\$1,187,200.00
2	C-100	CONTRACTOR QUALITY CONTROL PROGRAM	1	LS	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00	\$66,373.00	\$66,373.00
3	C-102	CONSTRUCTION ENTRANCE	1	LS	\$15,229.20	\$15,229.20	\$14,504.00	\$14,504.00	\$25,904.00	\$25,904.00
4	C-102	SILT FENCE	1,320	LF	\$9.60	\$12,672.00	\$9.14	\$12,064.80	\$9.00	\$11,880.00
5	C-102	TREE PROTECTION FENCING	4,660	LF	\$9.82	\$45,761.20	\$9.35	\$43,571.00	\$8.00	\$37,280.00
6	C-102	CONCRETE WASHOUT	1	EA	\$1,428.00	\$1,428.00	\$1,360.00	\$1,360.00	\$9,423.00	\$9,423.00
7	C-102	SEEDING	1	LS	\$8,452.50	\$8,452.50	\$8,050.00	\$8,050.00	\$46,283.00	\$46,283.00
8	C-102	ROCK CHECK DAMS	2	EA	\$1,729.35	\$3,458.70	\$1,647.00	\$3,294.00	\$2,224.00	\$4,448.00
9	C-102	INLET PROTECTION	17	EA	\$348.60	\$5,926.20	\$332.90	\$5,659.30	\$1,224.00	\$20,808.00
10	C-102	TEMPORARY FENCE AROUND BIORETENTION SWALE	2,075	LF	\$36.75	\$76,256.25	\$52.00	\$107,900.00	\$31.00	\$64,325.00
11	C-102	SEDIMENT TUBES	4	EA	\$280.35	\$1,121.40	\$267.00	\$1,068.00	\$1,483.00	\$5,932.00
12	311000	1.5" THICK ASPHALT MILLING	340	SY	\$87.84	\$29,865.60	\$95.84	\$32,585.60	\$145.00	\$49,300.00
13	311000	ASPHALT REMOVAL	5,800	SY	\$11.04	\$64,032.00	\$10.51	\$60,958.00	\$16.00	\$92,800.00
14	REP	ASPHALT PAVEMENT REMOVAL-AIRSIDE, ANY THICKNESS	80	SY	\$57.23	\$4,578.40	\$54.50	\$4,360.00	\$56.00	\$4,480.00
15	311000	CONCRETE REMOVAL-LANDSIDE AND AIRSIDE	910	SY	\$53.04	\$48,286.40	\$50.51	\$45,964.10	\$33.00	\$30,030.00
16	REP	CONCRETE PAVEMENT REMOVAL-AIRSIDE, ANY THICKNESS	315	SY	\$33.85	\$10,662.75	\$32.24	\$10,155.60	\$68.00	\$21,420.00
17	RPS	REMOVE PIPE BOLLARD	1	EA	\$507.15	\$507.15	\$483.00	\$483.00	\$739.00	\$739.00
18	D-701	12-INCH DIAMETER SCHEDULE 80 PVC STORM DRAIN-AIRSIDE	465	LF	\$150.65	\$70,052.25	\$143.48	\$66,718.20	\$279.00	\$129,735.00
19	D-701	STORM DRAIN CLEANOUT IN PAVEMENT AND GRASS AREAS	3	EA	\$2,286.90	\$6,860.70	\$2,178.00	\$6,534.00	\$3,297.00	\$9,891.00
20	D-701	6-INCH DIAMETER SCHEDULE 80 PVC STORM DRAIN-AIRSIDE	150	LF	\$61.62	\$9,243.00	\$58.69	\$8,803.50	\$198.00	\$29,700.00
21	D-701	4-INCH DIAMETER SCHEDULE 80 PVC STORM DRAIN-AIRSIDE	40	LF	\$61.64	\$2,465.60	\$58.70	\$2,348.00	\$115.00	\$4,570.00
22	D-751	STORM DRAINAGE MANHOLE	1	EA	\$7,324.80	\$7,324.80	\$6,976.00	\$6,976.00	\$10,543.00	\$10,543.00
23	F-162	TEMPORARY SIDA FENCE	1,955	LF	\$47.25	\$92,373.75	\$52.00	\$101,660.00	\$28.00	\$54,740.00
24	F-162	TEMPORARY CONSTRUCTION FENCE	615	LF	\$42.00	\$25,830.00	\$34.00	\$20,910.00	\$29.00	\$17,835.00
25	F-162	TEMPORARY 24-FOOT WIDE MANUAL DOUBLE SWING GATE	2	EA	\$2,100.00	\$4,200.00	\$2,400.00	\$4,800.00	\$19,583.00	\$39,166.00
26	F-162	REMOVE CHAIN LINK FENCE, ANY HEIGHT	510	LF	\$4.20	\$2,142.00	\$10.00	\$5,100.00	\$11.00	\$5,610.00
27	F-162	REMOVE CHAIN LINK SLIDING GATE AND ALL RELATED APPURTENANCES, ANY SIZE	1	EA	\$1,575.00	\$1,575.00	\$2,800.00	\$2,800.00	\$3,874.00	\$3,874.00
28	F-162	NEW 8-FT CHAIN LINK FENCE WITH 3 STRANDS BARBED WIRE-BLACK COATED	325	LF	\$47.25	\$15,356.25	\$62.00	\$20,150.00	\$121.00	\$39,325.00
29	P-620	PAVEMENT MARKING REMOVAL-AIRSIDE--ANY COLOR ON ANY PAVEMENT	4,510	SF	\$7.00	\$31,570.00	\$6.67	\$30,081.70	\$7.00	\$31,570.00
30	P-620	PAVEMENT MARKING-REFLECTORIZED WHITE	625	SF	\$6.58	\$4,112.50	\$6.27	\$3,918.75	\$9.00	\$5,625.00
31	P-620	PAVEMENT MARKING-NON-REFLECTORIZED WHITE	1,360	SF	\$5.70	\$7,752.00	\$5.43	\$7,364.80	\$5.00	\$6,800.00
32	P-620	PAVEMENT MARKING-REFLECTORIZED YELLOW	1,180	SF	\$5.92	\$6,985.60	\$5.64	\$6,655.20	\$9.00	\$10,620.00
33	P-620	PAVEMENT MARKING-NON-REFLECTORIZED YELLOW	40	SF	\$9.03	\$361.20	\$8.60	\$344.00	\$6.00	\$240.00
34	P-620	PAVEMENT MARKING-REFLECTORIZED RED	1,200	SF	\$5.80	\$6,960.00	\$5.52	\$6,624.00	\$9.00	\$10,800.00
35	P-620	PAVEMENT MARKING-NON-REFLECTORIZED RED	65	SF	\$7.46	\$484.90	\$7.10	\$461.50	\$7.00	\$455.00
36	P-620	PAVEMENT MARKING-BLACK	4,080	SF	\$4.71	\$19,219.20	\$4.49	\$18,319.20	\$6.00	\$24,480.00
37	311000	WATERLINE DEMOLITION & REMOVAL	580	LF	\$17.66	\$10,240.80	\$16.82	\$9,755.60	\$69.00	\$40,020.00
38	311000	MISC. DEMOLITION	1	EA	\$23,679.60	\$23,679.60	\$22,552.00	\$22,552.00	\$71,731.00	\$71,731.00
39	311000	TREE REMOVAL	132	EA	\$1,755.60	\$231,739.20	\$1,672.64	\$220,788.48	\$2,648.00	\$349,536.00
40	31233	CONDUIT REMOVAL	1	LS	\$5,250.00	\$5,250.00	\$20,000.00	\$20,000.00	\$10,263.00	\$10,263.00
41	P-152	EMBANKMENT IN PLACE-IMPORT FILL-AIRSIDE	1,550	CY	\$43.10	\$66,805.00	\$41.05	\$63,827.50	\$127.00	\$196,850.00
42	P-152	UNSUITABLE EXCAVATION-AIRSIDE	500	CY	\$34.80	\$17,400.00	\$33.14	\$16,570.00	\$80.00	\$40,000.00
43	312000	STRIPPING TOPSOIL	1,430	CY	\$41.13	\$58,815.90	\$39.17	\$56,013.10	\$29.00	\$41,470.00
44	312000	CUT TO FILL-LANDSIDE	900	CY	\$14.97	\$13,473.00	\$14.26	\$12,834.00	\$105.00	\$94,500.00
45	312000	IMPORT FILL MATERIAL	5,100	CY	\$43.10	\$219,810.00	\$41.05	\$209,355.00	\$127.00	\$647,700.00
46	312000	MUCK & FILL	1,100	CY	\$60.26	\$66,286.00	\$57.39	\$63,129.00	\$211.00	\$232,100.00
47	312000	FINE GRADING	15,600	SY	\$11.63	\$181,428.00	\$11.08	\$172,848.00	\$3.00	\$46,800.00
48	334000	STORM DRAIN GRATE INLET	4	EA	\$5,967.15	\$23,868.60	\$5,683.00	\$22,732.00	\$10,430.00	\$41,720.00
49	334000	STORM DRAIN BUBBLER BOX	12	EA	\$7,621.64	\$91,459.68	\$7,258.70	\$87,104.40	\$12,161.00	\$145,932.00
50	334000	YARD INLET WITH DOMED GRATE	9	EA	\$4,588.50	\$41,296.50	\$4,370.00	\$39,330.00	\$11,740.00	\$105,660.00
51	334000	RIP RAP OVER FILTER FABRIC	160	SY	\$169.25	\$27,080.00	\$161.19	\$25,790.40	\$121.00	\$19,360.00
52	334000	15" RCP	198	LF	\$76.91	\$15,228.18	\$73.25	\$14,503.50	\$125.00	\$24,750.00
53	334000	18" RCP	355	LF	\$92.05	\$32,677.75	\$87.67	\$31,122.85	\$198.00	\$70,290.00
54	334000	CONCRETE FLUMES	5	EA	\$3,472.02	\$17,360.10	\$3,818.00	\$19,090.00	\$4,863.00	\$24,315.00
55	334000	12" PERFORATED UNDERDRAIN WITH STONE TRENCH	401	LF	\$137.24	\$55,033.24	\$130.70	\$52,410.70	\$192.00	\$76,992.00
56	334000	CORE EXISTING OUTLET BOX FOR UNDERDRAIN CONNECTION	1	EA	\$4,060.35	\$4,060.35	\$3,867.00	\$3,867.00	\$2,737.00	\$2,737.00
57	334000	ROOF DRAINAGE COLLECTION SYSTEM	1	LS	\$266,332.50	\$266,332.50	\$253,650.00	\$253,650.00	\$292,173.00	\$292,173.00
58	334000	BIORETENTION/BIOSWALE SOIL MEDIA CONSTRUCTION	415	CY	\$302.90	\$125,703.50	\$288.48	\$119,719.20	\$261.00	\$108,315.00
59	321216	2" ASPHALT SURFACE COURSE-LANDSIDE	4,200	SY	\$54.20	\$227,840.00	\$59.57	\$250,194.00	\$90.00	\$378,000.00
60	321123	8" AGGREGATE BASE COURSE-LANDSIDE	4,200	SY	\$50.65	\$212,730.00	\$50.02	\$210,084.00	\$78.00	\$327,600.00
61	321123	TACK COAT-LANDSIDE	300	GAL	\$33.64	\$10,092.00	\$29.58	\$8,874.00	\$57.00	\$17,100.00
62	321313	CONCRETE CURB-LANDSIDE	1,630	LF	\$43.69	\$70,825.70	\$41.61	\$68,363.30	\$57.00	\$93,210.00
63	321313	CONCRETE PAVERS-LANDSIDE	510	LF	\$211.81	\$108,023.10	\$201.72	\$102,877.20	\$888.00	\$452,880.00
64	P-501	6-INCH THICK PORTLAND CEMENT CONCRETE PAVEMENT (REINFORCED)	1,285	SY	\$227.82	\$292,748.70	\$255.02	\$327,700.70	\$402.00	\$516,570.00
65	P-501	8-INCH THICK PORTLAND CEMENT CONCRETE PAVEMENT (REINFORCED)	535	SY	\$237.72	\$127,180.20	\$265.44	\$142,010.40	\$416.00	\$222,560.00
66	P-501	8-INCH THICK PORTLAND CEMENT CONCRETE PAVEMENT (REINFORCED)	110	SY	\$281.53	\$30,968.30	\$313.19	\$34,450.90	\$493.00	\$54,230.00
67	P-501	8-INCH THICK PORTLAND CEMENT CONCRETE PAVEMENT (REINFORCED)	25	SY	\$327.82	\$8,195.50	\$362.50	\$9,062.50	\$574.00	\$14,350.00
68	P-403	BITUMINOUS BASE COURSE	835	TON	\$561.93	\$469,211.55	\$613.02	\$511,871.70	\$923.00	\$770,705.00
69	P-603	BITUMINOUS TACK	300	GAL	\$14.95	\$4,485.00	\$15.12	\$4,536.00	\$25.00	\$7,500.00
70	321313	4" CONCRETE SIDEWALK-LANDSIDE	841	SY	\$92.18	\$77,523.38	\$103.08	\$86,690.28	\$162.00	\$136,242.00
71	321313	4" CONCRETE SIDEWALK-AIRSIDE	125	SY	\$92.18	\$11,522.50	\$102.64	\$12,830.00	\$162.00	\$20,250.00
72	321313	4" CONCRETE PAD FOR BIKE RACKS	20	SY	\$173.60	\$3,472.00	\$195.50	\$3,910.00	\$305.00	\$6,100.00
73	321313	4" OYSTER SHELL CONCRETE WALKWAY	510	SY	\$114.29	\$58,287.90	\$127.99	\$65,274.90	\$201.00	\$102,510.00
74	321313	INTERNALLY PIGMENTED CONCRETE CROSSWALKS	475	SY	\$364.56	\$173,166.00	\$251.97	\$119,685.75	\$351.00	\$167,725.00
75	321313	CONCRETE WHEELSTOP	55	EA	\$144.90	\$7,969.50	\$138.00	\$7,590.00	\$437.00	\$24,035.00
76	321313	HANDICAP RAMPS WITH DETECTABLE WARNINGS	1	LS	\$28,933.54	\$28,933.54	\$32,430.00	\$32,430.00	\$50,641.00	\$50,641.00
77	321313	6" CONCRETE DUMPSTER PAD	85	SY	\$231.47	\$19,674.95	\$262.50	\$22,312.50	\$405.00	\$34,425.00
78	321313	WOOD DUMPSTER ENCLOSURE	1	EA	\$144.90	\$144.90	\$20,000.00	\$20,000.00	\$12,828.00	\$12,828.00
79	321313	STRIPING, SIGNAGE, & MARKING	1	LS	\$22,641.15	\$22,641.15	\$21,563.00	\$21,563.00	\$59,865.00	\$59,865.00
80	331100	TIE-IN TO EXISTING WATERLINE	1	LS	\$17,947.65	\$17,947.65	\$17,093.00	\$17,093.00	\$138,860.00	\$138,860.00
81	331100	10" PVC WATER LINE	640	LF	\$88.81	\$56,838.40	\$84.58	\$54,131.20	\$252.00	\$161,280.00
82	331100	6" PVC WATER LINE	6	LF	\$39.90	\$239.40	\$38.00	\$228.00	\$273.00	\$1,638.00
83	331100	6" PVC FIRE LINE	255	LF	\$43.18	\$11,010.90	\$41.12	\$10,485.60	\$150.00	\$38,250.00
84	331100	FREE-STANDING FDC	1	EA	\$16,842.00	\$16,842.00	\$16,040.00	\$16,040.00	\$7,730.00	\$7,730.00
85	331100	2" WATER LATERAL	70	LF	\$21.95	\$1,536.50	\$20.90	\$1,463.00	\$122.00	\$8,540.00
86	331100	2.5" WATER LATERAL	22	LF	\$28.56	\$628.32	\$27.20	\$598.40	\$133.00	\$2,926.00
87	331100	FIRE HYDRANTS	1	EA	\$9,028.92	\$9,028.92	\$8,599.00	\$8,599.00	\$21,972.00	\$21,972.00
88	331100	VALVES, FITTINGS, & RPZS	1	LS	\$85,335.60	\$85,335.60	\$81,272.00	\$81,272.00	\$360,818.00	\$360,818.00
89	331100	WATER TESTING	1	LS	\$15,252.30	\$15,252.30	\$14,526.00	\$14,526.00	\$57,137.00	\$57,137.00
90	333100	CONNECT TO EXISTING SEWER MANHOLE	1	EA	\$10,285.80	\$10,285.80	\$9,796.00	\$9,796.00	\$7,352.00	\$7,352.00
91	333100	STANDARD MANHOLE	3	EA	\$6,197.10	\$18,591.30	\$5,902.00	\$17,706.00	\$10,833.00	\$32,499.00
92	333100	8" SEWER LINE	386	LF	\$79.61	\$30,729.46	\$75.82	\$29,266.52	\$182.00	\$70,252.00
93	333100	6" SEWER LATERAL WITH CLEANOUTS	100	LF	\$80.23	\$8,023.00	\$76.41	\$7,641.00	\$618.00	\$61,800.00
94	333100	SEWER TESTING	1	LS	\$5,909.40	\$5,909.40	\$5,628.00	\$5,628.00	\$55,215.00	\$55,215.00
95	L-110	2-INCH DIAMETER SCHEDULE 80 PVC CONDUIT	2,700	LF	\$46.87	\$126,549.00	\$44.64	\$120,528.00	\$49.00	\$132,300.00
96	L-110	2-INCH DIAMETER SCHEDULE 8								

BID TABULATION
 TERMINAL IMPROVEMENTS-PHASE 1-IFB# 041923
 HILTON HEAD ISLAND AIRPORT
 TBE PROJECT NO. 2119-1905
 JUNE 7, 2023

BASE BID					Edison Foard, Inc. Charlotte, NC LICENSE NO.: BD5 G11049		Cooper Tacia General Contracting Co. Raleigh, NC LICENSE NO.: BD5 122012		Monteith Construction Corp. Wilmington, NC LICENSE NO.: CLG.99696	
ITEM NO.	SPEC NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL
97	SPEC.	HANDHOLE	3	EA	\$1,899.45	\$5,698.35	\$1,809.00	\$5,427.00	\$6,239.00	\$18,717.00
98	CONTRACT DOCUMENTS	TERMINAL RENOVATION AND EXPANSION AS DEPICTED IN THE CONTRACT DOCUMENTS TO INCLUDE ALL CONTRACT ITEMS NOT INDICATED ELSEWHERE ON THE BID FORM	1	LS	\$21,642,000.00	\$21,642,000.00	\$20,339,012.00	\$20,339,012.00	\$26,386,000.00	\$26,386,000.00
99	12100	GATE 1 COUNTER INSERTS (ALLOWANCE NO. 1)	1	ALLOW	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00
100	12100	GATE 2 COUNTER INSERTS (ALLOWANCE NO. 2)	1	ALLOW	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00
101	12100	TEMPORARY SIGNAGE (ALLOWANCE NO. 3)	1	ALLOW	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
102	12100	PLAN REVIEW, BUILDING PERMIT, UTILITY TAP AND MISC. FEES (ALLOWANCE NO. 4)	1	ALLOW	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00
103	12100	SOIL TESTING FOR PERCOLATION RATES AND COMPOSITION ADJUSTMENT (ALLOWANCE NO. 5)	1	ALLOW	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
104	12100	COST TO MOVE TSA AND LEO OFFICES (ALLOWANCE NO. 6)	1	ALLOW	\$200,000.00	\$200,000.00	\$200,000.00	\$200,000.00	\$200,000.00	\$200,000.00
105	SPEC	FINE GRADING-LANDSCAPING	1	LS	\$3,150.00	\$3,150.00	\$670.47	\$670.47	\$742.00	\$742.00
106	SPEC	SOIL AMENDMENTS-LANDSCAPING	1	LS	\$682.50	\$682.50	\$15,085.71	\$15,085.71	\$15,991.00	\$15,991.00
107	SPEC	HERBICIDE	1	LS	\$367.50	\$367.50	\$470.51	\$470.51	\$530.00	\$530.00
108	SPEC	LANDSCAPING WITH REQUIRED IRRIGATION SYSTEM COMPLETE PER PLAN	1	LS	\$69,823.37	\$69,823.37	\$108,196.38	\$108,196.38	\$114,689.00	\$114,689.00
109	SPEC	SOD, ZOYSIA JAPONICA 'ZEON', KOREAN GRASS	8,000	SF	\$1.21	\$9,680.00	\$1.95	\$15,600.00	\$3.00	\$24,000.00
110	SPEC	PHASE 1 - YEAR 1 MAINTENANCE	1	LS	\$2,100.00	\$2,100.00	\$19,620.00	\$19,620.00	\$20,798.00	\$20,798.00
111	SPEC	PHASE 1 - YEAR 2 MAINTENANCE	1	LS	\$2,100.00	\$2,100.00	\$20,304.00	\$20,304.00	\$21,523.00	\$21,523.00
112	SPEC	PHASE 1 - YEAR 3 MAINTENANCE	1	LS	\$2,100.00	\$2,100.00	\$21,024.00	\$21,024.00	\$22,286.00	\$22,286.00
113	SPEC	PHASE 2 - YEAR 1 MAINTENANCE	1	LS	\$0.00	\$0.00	\$3,840.00	\$3,840.00	\$4,071.00	\$4,071.00
114	SPEC	PHASE 2 - YEAR 2 MAINTENANCE	1	LS	\$0.00	\$0.00	\$3,984.00	\$3,984.00	\$4,224.00	\$4,224.00
115	SPEC	PHASE 2 - YEAR 3 MAINTENANCE	1	LS	\$0.00	\$0.00	\$5,400.00	\$5,400.00	\$5,724.00	\$5,724.00
116	SPEC	PHASE 6 - YEAR 1 MAINTENANCE	1	LS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
117	SPEC	PHASE 6 - YEAR 2 MAINTENANCE	1	LS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
118	SPEC	PHASE 6 - YEAR 3 MAINTENANCE	1	LS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
119	371APD	REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER COVER	1	EA	\$2,940.00	\$2,940.00	\$3,534.00	\$3,534.00	\$3,747.00	\$3,747.00
120	SPEC	5-LUMINAIRE LED APRON FLOODLIGHT POLE WITH 50-FT MOUNTING HEIGHT, COMPLETE	2	EA	\$40,000.00	\$80,000.00	\$42,000.00	\$84,000.00	\$36,860.00	\$73,720.00
121	SPEC	REINFORCED CONCRETE TRANSFORMER PAD	1	EA	\$10,678.50	\$10,678.50	\$10,000.00	\$10,000.00	\$4,293.00	\$4,293.00
122	SPEC	REINFORCED CONCRETE GENERATOR PAD	1	EA	\$3,150.00	\$3,150.00	\$17,500.00	\$17,500.00	\$16,505.00	\$16,505.00

TOTAL BASE BID AMOUNT \$27,196,809.29 * \$28,232,314.40 \$36,530,153.00

DBE SUBCONTRACTOR AMOUNT \$1,515,000.00
 DBE PERCENTAGE OF BASE BID AMOUNT 5.6% 5.4% 0.0%

* DENOTES MATH ERROR

I HEREBY CERTIFY THIS TABULATION OF BIDS TO BE CORRECT.

TALBER, BRIGHT & ELLINGTON, INC.

6/8/2023
DATE

BID TABULATION
 TERMINAL IMPROVEMENTS-PHASE 1-IFB# 041923
 HILTON HEAD ISLAND AIRPORT
 TBE PROJECT NO. 2119-1905
 JUNE 7, 2023

ADD ALTERNATE BID					Edison Foard, Inc. Charlotte, NC LICENSE NO.: BD5 G11049		Cooper Tacia General Contracting Co. Raleigh, NC LICENSE NO.: BD5 122012		Monteith Construction Corp. Wilmington, NC LICENSE NO.: CLG.98696	
ITEM NO.	SPEC NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL
1	347713	BID ALTERNATE NO. 1A - GATE 1 AIRCRAFT GATE EQUIPMENT TO INCLUDE 2A \$35,000 SPARE PARTS ALLOWANCE	1	LS	\$1,402,000.00	\$1,402,000.00	\$1,432,000.00	\$1,432,000.00	\$1,399,836.00	\$1,399,836.00
2	347713	BID ALTERNATE NO. 1B - GATE 2 AIRCRAFT GATE EQUIPMENT TO INCLUDE 2A \$35,000 SPARE PARTS ALLOWANCE	1	LS	\$1,414,000.00	\$1,414,000.00	\$1,409,000.00	\$1,409,000.00	\$1,378,000.00	\$1,378,000.00
3	347713	BID ALTERNATE NO. 1C - GATE 3 AIRCRAFT GATE EQUIPMENT TO INCLUDE 2A \$35,000 SPARE PARTS ALLOWANCE	1	LS	\$1,502,000.00	\$1,502,000.00	\$1,528,000.00	\$1,528,000.00	\$1,505,200.00	\$1,505,200.00
4	CONTRACT DOCUMENTS	BID ALTERNATE NO. 2 - FURNITURE ALLOWANCE	1	ALLOW	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00
5	CONTRACT DOCUMENTS	BID ALTERNATE NO. 3 - ALTERNATE CANOPY ENTRANCE	1	LS	\$1,121,000.00	\$1,121,000.00	\$864,000.00	\$864,000.00	\$1,645,000.00	\$1,645,000.00
6	12300	BID ALTERNATE NO. 4 - FOUNDATION DRAINAGE	1	LS	\$231,000.00	\$231,000.00	\$248,000.00	\$248,000.00	\$86,920.00	\$86,920.00
7	EB-44	BID ALTERNATE NO. 5 - SEAL/REJUVENATE EXISTING ASPHALT PARKING PAVEMENT TO REMAIN AFTER DEMOLITION-LANDSIDE	8,200	SY	\$3.76	\$30,832.00	\$4.58	\$37,556.00	\$22.00	\$180,400.00
8	321313	BID ALTERNATE NO. 6 - NON-REFLECTORIZED WHITE PAVEMENT MARKING OF EXISTING PARKING SPACES TO REMAIN IN EXISTING ASPHALT PARKING PAVEMENT AFTER SEALING/REJUVENATING-LANDSIDE	950	SF	\$4.83	\$4,588.50	\$6.00	\$5,700.00	\$32.00	\$30,400.00
9	321313	BID ALTERNATE NO. 7 - HOLDROOM UPFIT	1	LS	\$469,000.00	\$469,000.00	\$390,000.00	\$390,000.00	\$800,000.00	\$800,000.00
10	321313	BID ALTERNATE NO. 8 - SECOND MANNED CHECKPOINT LANE	1	LS	\$106,000.00	\$106,000.00	\$127,000.00	\$127,000.00	\$120,840.00	\$120,840.00
11	321313	BID ALTERNATE NO. 9 - GATE COUNTER INSERTS TO INCLUDE \$7,000 ALLOWANCE	1	LS	\$7,000.00	\$7,000.00	\$16,500.00	\$16,500.00	\$7,000.00	\$7,000.00
12	SPEC	BID ALTERNATE NO. 10 - 1-LUMINAIRE LED APRON FLOODLIGHT POLE WITH 45-FT MOUNTING HEIGHT, COMPLETE	1	EA	\$76,000.00	\$76,000.00	\$105,000.00	\$105,000.00	\$27,560.00	\$27,560.00
13	SPEC	BID ALTERNATE NO. 11 - 2-LUMINAIRE LED APRON FLOODLIGHT POLE WITH 45-FT MOUNTING HEIGHT, COMPLETE	1	EA	\$76,000.00	\$76,000.00	\$115,000.00	\$115,000.00	\$27,560.00	\$27,560.00
14	SPEC	BID ALTERNATE NO. 12 - 3-LUMINAIRE LED APRON FLOODLIGHT POLE WITH 35-FT MOUNTING HEIGHT, COMPLETE	1	EA	\$76,000.00	\$76,000.00	\$95,000.00	\$95,000.00	\$13,780.00	\$13,780.00
15	SPEC	BID ALTERNATE NO. 13 - 2-LUMINAIRE LED APRON FLOODLIGHT POLE WITH 35-FT MOUNTING HEIGHT, COMPLETE	1	EA	\$76,000.00	\$76,000.00	\$91,625.00	\$91,625.00	\$13,780.00	\$13,780.00

DEDUCT ALTERNATE BID

ITEM NO.	SPEC NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL	UNIT PRICE	EXT. TOTAL
1	321313	BID ALTERNATE NO. 14 - DELETE HOLDROOM SHELL	1	LS	(\$376,000.00)	(\$376,000.00)	(\$700,000.00)	(\$700,000.00)	(\$675,000.00)	(\$675,000.00)

* DENOTES MATH ERROR



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation of Award to First Construction Management for IFB #081023E Bluffton Parkway Pathway Project (\$227,010.44)
MEETING NAME AND DATE:
Public Facilities Committee – August 28, 2023
PRESENTER INFORMATION:
Eric Claussen – Director of Engineering (5 mins)
ITEM BACKGROUND:
On July 10, 2023, Beaufort County published IFB #081023E Bluffton Parkway Pathway Project requesting competitive bids for the material procurement and construction of a pathway along Bluffton Parkway near SC 46. On August 10, 2023, The County received four (4) bids to perform the specified scope. First Construction Management was the apparent lowest responsive bid.
PROJECT / ITEM NARRATIVE:
As part of the 2018 one cent transportation sales tax, a program of pathways was identified for construction to provide better and safer access to pedestrians at key areas on Beaufort County. This pathway along Bluffton Parkway was one of the projects identified and will connect two existing pathways near SC 46. The project was originally bid June 9, 2022 with no contract ever being executed. The project was put out to rebid July 10, 2023 with an alternative allowing a concrete pathway. The project will consists of all materials and construction to complete approximately 650' of 8' wide concrete pathway extending from the SC 46 to the existing pathway at Soperton Dr.
FISCAL IMPACT:
The contract fee is for materials and construction in the amount of \$189,175.37. Staff recommends a 20% contingency of \$37,835.07, bringing the project's total cost to \$227,010.44. The funding for this project will be 2018 One Cent Sales Tax – Sidewalks and Pathways account number 47050011-54510 with a balance of \$21,274,070.40.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval to award First Construction Management for IFB #081023E Bluffton Parkway Pathway Project
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny recommendation to award First Construction Management for IFB #081023E Bluffton Parkway Pathway Project <i>Next Step: Move forward to County Council to award First Construction Management for IFB #081023E Bluffton Parkway Pathway Project</i>

PRELIMINARY BID TABULATION

PURCHASING DEPARTMENT

Item 5.



Project Name:	Bluffton Parkway Pathway Project
Project Number:	IFB 081023E
Project Budget:	
Bid Opening Date:	10-Aug-23
Time:	3:00:00 PM
Location:	Beaufort County
Bid Administrator:	Dave Thomas
Bid Recorder:	Victoria Moyer

The following bids were received for the above referenced project:

BIDDER	BID FORM	ALL ADDENDA	Bid Bond	SCH OF VALUES	SMBE Docs	Sub Listing	Grand Total Price
First Construction Mainagement	X	X	X	X	Self Performing	NA	\$ 189,175.37
Atlantic Asphalt	X		X	X	Self Performing	NA	\$ 275,869.82
AOS Specialty Contractors	X		X	X	X	X	\$ 361,606.26
JS Construction	X	X	X	X	X	X	\$ 254,413.82

Beaufort County posts PRELIMINARY bid tabulation information within 2 business days of the advertised bid opening. Information on the PRELIMINARY bid tabulation is posted as it was read during the bid opening. Beaufort County makes no guarantees as to the accuracy of any information on the PRELIMINARY tabulation. The bid results indicated here do not necessarily represent the final compliance review by Beaufort County and are subject to change. After the review, the final award will be made by Beaufort County Council and a certified bid tab will be posted online.

David L. Thomas
 Bid Administrator Signature

Victoria Moyer
 Bid Recorder



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 6.

ITEM TITLE:
Recommendation to purchase a Mower Max with front lift and boom attachments for the Public Works Department - Roads and Drainage Division (\$276,786.29)
MEETING NAME AND DATE:
Public Facilities Committee Meeting – August 28 th , 2023
PRESENTER INFORMATION:
Jared Fralix, P.E., Assistant County Administrator, Infrastructure Neil J. Desai, P.E., Public Works Director (5 Minutes)
ITEM BACKGROUND:
The purchase of a new Mower Max is to replace a 2004 John Deere 7220 Farm Tractor with boom arm that has 4,334 hours.
PROJECT / ITEM NARRATIVE:
Purchase of Mower Max with mulching head, boom, and front lift attachment. The Mower Max is a piece of equipment that is used in numerous different facets and is essential to a more efficient and productive operation for the Roads and Drainage Division for the maintenance of County rights of way and roadside systems.
FISCAL IMPACT:
A quote has been provided from ATMAX, sole source in the amount of \$276,786.29. The funding source for this item was approved in the FY2024 budget meeting for Public Works account number 10401301-54000. Fund balance - \$688,500.00
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends the purchase of a Mower Max with front lift and boom attachments for the Public Work Department
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny the recommendation to purchase a Mower Max with front lift and boom attachments for the Public Works Department. <i>(Next Step: Move forward to County Council for on September 11, 2023)</i>

MOWERMAXTM

Boom Mower

Item 6.



MADE IN FLORIDA

ENGINEERED FOR PERFORMANCE

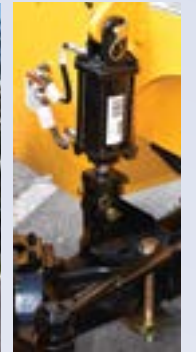
Item 6.

The revolutionary, **3rd Generation MowerMax Boom Mower** is designed and purpose built from the ground up to have the best **Stability, Visibility, Maneuverability and Versatility** of any boom mower on the market. The MowerMax is a heavy-duty boom mower that is also very safe, easy to operate and maintain.



OPTIMUM STABILITY

The MowerMax is designed to have a low center of gravity. The counterweights are mounted directly opposite the boom for maximum benefit and it's easy to add additional counterweights. These features combined with the rear axle stabilizer system, make the MowerMax an extraordinarily stable machine.



INCOMPARABLE VISIBILITY

The MowerMax cab forward design greatly enhances the operator's visibility making for a much more productive and safer cutting experience. Plus the right side of the cab has an unobstructed view.



EXTREMELY SIMPLE & COMFORTABLE

The MowerMax is extremely simple to operate and very comfortable for the operator! The MowerMax is easy to get into and out of with non slip coated steps integrated into the main counter-weight. The cab has a plush, Grammer air-ride suspension seat with tilt and lumbar, a tilt & telescoping steering wheel with steering knob, 6.2in color AM/FM/CD stereo with Bluetooth & optional Backup Camera, and a 7in Control Display.



OUTSTANDING MANEUVERABILITY

The MowerMax has hydrostatic, 2 speed transmission which is operated by two foot pedals and comes with permanent 4 wheel drive with 45% limited slip front axle and 100% operator controlled rear differential lock. The MowerMax Boom also has 4 wheel steering with 3 different steering modes: **1) 4 Wheel Steer 2) Front Wheel Steer or 3) Crab Steer.** These three steering modes allows the MowerMax to be extremely maneuverable and productive. Lastly all of MowerMax booms come with 180 degree rotation with a helical actuator for maximum operating flexibility.



Item 6.



SERIOUS VERSATILITY

The MowerMax Boom is extremely versatile with 4 different boom head attachments as well as the optional front lift arms with universal quick attach mounts that allows you to use over 30 common skid steer attachments.



EXCEPTIONALLY SAFE

Item 6.

ATMAX Equipment knows that boom mowing often happens on busy roads under rough conditions, so safety of the operator and the machine are of utmost importance! **1/2in Lexan Glass** on boom side. **ROPS & FOPS** - Most tractors and other purpose built boom mowers only have ROPS even though all trim trees with them! **Bright Yellow Powder Coated Paint** with 2 front LED daytime running lights, 2 reflective SMV diamonds, 2 - SAE Class 1 strobes, 1 - 35in LED directional control bar, 12 amber/white mini LED flashers, and over 30ft of reflective decals and DOT tape.



MOWERMAX BOOM MOWER SPECIFICATION

Item 6.

Power Unit Specs

Engine	Cummins F 3.8QSF 154 HP Stage V Turbo Diesel
Cooling System (Engine & Hydraulic)	Horizontally-mounted Radiator/CAC/Oil Cooler with High Flow Fan & Reversing Cleanout System
Transmission	Two Speed Closed Loop Hydrostatic with Double Foot Pedal Controls, Optional 4 Speed Transmission with 220% more torque
Drive Train & Steering	Permanent 4-Wheel Drive with 4-Wheel Steering and 3 Steering Modes
Differential Lock	45% Limited Slip on Front Axle and 100% Operator-controlled Rear Locking Rear Axle
Parking Brake	Standard SAHR Electric over Hydraulic
Service Brake	Standard Foot Pedal Controlled
Tires	460/70-R24 Radial with Multiuse Tread or 550/45-22.5 22 Ply Flotation with Lug Tread
Ground Speed	0-8 MPH Work Mode 0-25 MPH Travel Mode

Boom Arm Specifications

Boom Controls	Multifunction, Electric Over Hydraulic Joystick
Boom Lengths	Approximately 22ft, 24ft, 26ft & Telescoping 27ft to 30ft
Boom Rotation	180 Degrees with Helical Actuator with Cross Port Relief
High Flow Hydraulics to Boom Attachments	Closed Loop Hydrostatic Pump with 30GPM @ 5000psi
Available Boom Attachments:	
Rotary Decks	50in & 60in with Hydraulic Door & Optional 90 Degree Swivel
Mulching Head	50in Fixed Tooth Mulching mfg for MowerMax by Fecon with optional 180 Degree Swivel
Saw Heads	48in Single Blade Direct Drive, 69in Triple Blade Belt Drive & 90in Quad Blade Belt Drive
Flail Heads	50in Brush Flail & 60in Grass Flail with optional 180 Degree Swivel
Ditch Maintainer	22in Cutting Width with Hydraulically Controlled Debris Shute
Log/Debris Grapple	55in Wide (open) Grapple with 360 Degree Rotation

Front Lift Arm Specs (Optional)

Attachment Types	Most Universal Skid Steer Mount Attachments
Lift Capacity	2500lbs
High Flow Hydraulics to Attachments	Closed Loop Hydrostatic Pump with 30GPM @ 5000psi

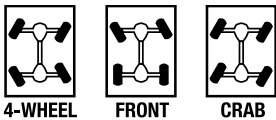
General Specs

Width with Boom in Stow	100in
Length with Boom in Stow (no boom attachments)	236in
Height	112in
Weight (with 24ft boom & no attachments)	19,500lbs approximately
Diesel Fuel Tank Capacity	48 Gallon Aluminum Tank with Locking Fuel Cap
DEF Tank Capacity	5 Gallons

Cab & Safety Features

Grammer Air Ride Suspension Seat with Back Rest, Lumbar, Tilt with Operator Presence Switch & Seatbelt with Switch
 Tilt Steering Column with Telescoping Steering Wheel with Knob
 Easy to View, Adjustable 7in Color Display with All Gauges and Warning Signals
 6.2in Color AM/FM/CD Stereo with Bluetooth and Optional Backup Camera
 Front Hedlights with LED Daytime Running Lights and Rear LED Brake Turn and Backup Lights
 12 Amber/White LED Mini Flashers on all 4 Sides
 1 - Cab Mounted, Amber LED Bar and 1 - LED Directional Control Bar on Rear on Cab
 Backup Alarm
 2 Reflective SMV Diamonds and over 28ft of Reflective DOT tape
 Certified ROPS - ISO 3471 & FOPS - ISO 3449

STEERING MODES



6902 East 7th Avenue • Tampa, FL 33619

Sales: 813-634-1111

WWW.MOWERMAX.COM



Call to schedule a demonstration:

DAVID: 813-781-0100
(FL, TX, LA, VA, WV, MO)

NEAL: 423-595-4897
(AL, AR, GA, TN, SC, NC)

PATRICK: 614-306-6888
(OH, IN, KY, IL, MI, PA)

MOWERMAX[®]

Boom Mower

Item 6.

Boom Arm Attachments



50in & 60in Rotary Deck
with optional 90 Degree Swivel



50in Fecon Mulching Head
with optional 180 Degree Rotate



50in Hammer Flail
with optional 180 Degree Rotate



62in Standard Flail
with optional 180 Degree Rotate



50in HD Flail with
optional 180 Degree Rotate

Boom Arm Attachments



Triple or Quad Saw
with optional 90 Degree Rotate



48in Single Saw
with optional 90 Degree Rotate



55in Grapple with 360 Rotator
(available on summer 2021 units)



22in Ditch Maintainer
with Adjustable Hydraulic Chute

ATMAX
EQUIPMENT CO.

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Sales: 813-634-1111

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MOWERMAX[®]

Boom Mower

Item 6.

Front Lift Arm Attachments



Angled Broom



96in Rotary Mower



Cold Planer (pot hole repair)



Buffalo Blower
(for dirt, leaves and light snow)



Chipper



Guardrail Mower

Front Lift Arm Attachments



Stump Grinder



Brush Grapple
(moving debris off roads)



Pavement Saw



Trencher



Dozer Blade



Pallet Forks



Snow Blower



**120in Snow Plow
with Hydraulic Angling**



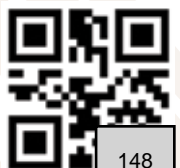
Snow Pusher

ATMAX
EQUIPMENT CO.

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Sales: 813-634-1111

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6902 E. 7th Ave.
Tampa, FL 33619

8136341111 x 4

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Item 6.
Quote

Date	Quote #
8/2/2023	4150

Name / Address
Beaufort Co, SC 120 Shanklin Rd Beaufort SC 29906

Rep
NC

Item	Description	Qty	Cost	Total
MMB Gen 3 New	Mower Max Boom - Gen 3	1	191,282.50	191,282.50T
24ft Boom Arm	24ft Boom Arm without Head Attachment	1	14,386.45	14,386.45T
Rotary Deck MMB	60in Rotary Deck with hydraulic controlled deck door, Quick Disconnect and 90 Degree System	1	16,363.75	16,363.75T
Front Lift	Front Lift Arms with Universal Attachment Mount and Hydraulic QDS	1	10,416.25	10,416.25T
Rev Fan	Reversing Radiator Fan	1	1,088.75	1,088.75T
MM Boom Std - Gen 3	STANDARD EQUIPMENT INCLUDED: 154 HP Turbo Diesel, Stage V Cummins 4-Speed Hydrostatic Transmission 6 Section Valve Bank with Electro-Hydraulic Joystick Controls 3450lbs Counterweight with Integrated Steps Cab certified for both ROPS - ISO 3471 and FOPS - ISO3449 Red Dot AC/Heat Cab with AM/FM/DVD 6.2in Touchscreen with Blue Tooth and iPod Control Heavy duty Radial Multi-Purpose Tires 180 Deg Boom Rotation Full time 4WD and 4 Wheel Steering with Rear Axle Stabilizer Front headlights with LED daytime running lights, turn lights and rear brake lights with turn lights 1-Class 1 LED Strobes, 12 LED Mini Flasher/Strobes and 1 - 36in LED Directional Control Bar 12v Air-ride, Grammer cloth seat with lumbar, tilt, arm rest & two safety switches Training - Operator and Safety Back-up alarm and camera		0.00	0.00T
SHIPPING & HANDL...	SHIPPING & HANDLING - Included	1	0.00	0.00
SC Contract	SC State Contract No. 4400032503		0.00	0.00T
	Quote is good through 10/1/23			
	Sales Tax		7.00%	16,347.64

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Total	\$249,885.34
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6902 E. 7th Ave.
Tampa, FL 33619

8136341111 x 4

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Item 6.
Quote

Date	Quote #
8/2/2023	4151

Name / Address
Beaufort Co, SC 120 Shanklin Rd Beaufort SC 29906

Rep
NC

Item	Description	Qty	Cost	Total
Stump Grinder	Stump Grinder for front lift arms		10,249.50	10,249.50T
Ditch Maintainer	Ditch Maintainer with Quick Disconnect System	1	15,128.75	15,128.75T
SC Contract	SC State Contract No. 4400032503		0.00	0.00T
	Quote is good through 10/1/23			
	Sales Tax		6.00%	1,522.70

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Total	\$26,900.95
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BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation to purchase a Dump Truck for the Public Works Department - Roads and Drainage Division (\$253,143.00)
MEETING NAME AND DATE:
Public Facilities Committee Meeting – August 28 th , 2023
PRESENTER INFORMATION:
Jared Fralix, P.E., Assistant County Administrator, Infrastructure Neil J. Desai, P.E., Public Works Director (3 Minutes)
ITEM BACKGROUND:
The purchase of a new dump truck is to replace a 2004 Dump Truck with 252,480 miles. Standard replacement schedule is for 10 years/120,000 miles.
PROJECT / ITEM NARRATIVE:
Purchase of the Dump Truck for the Public Works Department – Roads and Drainage Division.
FISCAL IMPACT:
A quote has been provided from Peterbilt. This is on Source Well Contract # 060920, in the amount of \$253,143.00 The funding source for this item was approved in the FY 24 budget for Public Works. Account number 10401301-54000. Fund balance - \$688,500.00
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends to the purchase of the dump truck for Public Works as planned in the current fiscal year budget.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny the recommendation to purchase of the Dump Truck for Public Works. <i>(Next Step: Move forward to County Council for on September 11, 2023)</i>



KEEPING CUSTOMERS FOR LIFE



Item 7.

07-26-23

LENNY A. CARPENTER
TLG PETERBILT FLORENCE

CUSTOMER COMPANY NAME Beaufort County c/o Beaufort County Council
CUSTOMER ADDRESS 120 Shanklin RD
CUSTOMER CITY, STATE, ZIP Beaufort SC 29906

Regarding: 2024 Peterbilt 567 DUMP

To Whom It Concerns:
REGARDING: SOURCEWELL QUOTATION FOR NEW 2024 PETERBILT 567 TRI
AXLE DUMP CONTRACT # 060920

The Larson Group Peterbilt is pleased to bid on a new 567 DUMP truck for you.

2024 Peterbilt (567) specifications
Price does not include SC STATE TAX
Price includes pre-delivery inspection.
Price is FOB our dealership location in, FLORENCE SC

TRUCK PRICE =	\$214,732.00
ADD ON'S INCLUDE LOGAN BODY, WITH HIGHLIFT GATE,	\$35,160.00
25 TON PINTLE HOOK	\$3,251.59
FOB TLG PETERBILT FLORENCE SC =	\$253,143.00

Please call or email me if you have any questions regarding this quotation.

We look forward to doing business with you and your agency.

Sincerely

LENNY CARPENTER
TRUCK SELLS
PETERBILT OF FLORENCE
1-800-456-8177
CELL # 843-339-8167
lcarpenter@tlgtrucks.com



THE LARSON GROUP **TLGTRUCKS.COM**
Phone: 417.865.5355 3026 N Mulroy Road
Fax: 417.869.7738 Strafford, MO 65755



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation to Approve the Purchase of Four Replacement Ambulances for Beaufort County EMS Department (\$1,039,984.00)
MEETING NAME AND DATE:
Public Facilities and Safety Committee on August 28, 2023
PRESENTER INFORMATION:
Jared Fralix, ACA Infrastructure (10 minutes)
ITEM BACKGROUND:
In FY 2022, two ambulance remounts were approved in the budget and ordered from HGAC Buy Cooperative. In FY 2023, two new ambulances were approved in the budget and ordered with the same vendor. As of the start of FY 2024, none of the four ordered ambulances had been built nor delivered to the County.
PROJECT / ITEM NARRATIVE:
Recently, the EMS department was notified by HGAC Buy Cooperative that four new ambulances were made available due to a canceled order from another entity. The EMS department has confirmed that the four new ambulances available meet the specifications of those previously ordered and would be a suitable replacement. The vendor has confirmed that if we accept the four new ambulances, we can cancel our two previous orders at no charge.
FISCAL IMPACT:
Since we have closed out the FY 22 books, if we cancel that order the allocated funds will return to the General Fund. The funds for the FY 23 order have been rolled forward to FY 24 budget. In the FY 24 Capital Fund, \$1,203,000 was budgeted for EMS ambulance purchases. Between the FY 23 rollover funds and the FY 24 Capital Funds, there is sufficient funding to purchase the four ready-to-go ambulances. FY 23 Account# 10001230-54000 via PO 20220701 (Balance of \$310,878) FY 24 Account# 10401230-54000, EMS Vehicle Purchase (Balance of \$1,203,000) Total Cost: \$259,996.00 each x 4 ambulances = \$1,039,984
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends canceling the previous orders of four ambulances from HGAC Buy Cooperative for the purchase of four ready-to-go ambulances from the same vendor for a total purchase cost of \$1,039,984.00.
OPTIONS FOR COUNCIL MOTION:
Approve the purchase of four ready-to-go ambulances from HGAC Buy Cooperative for a purchase cost of \$1,039,984. Deny the purchase of four ready-to-go ambulances from HGAC Buy Cooperative, keep the existing ambulance orders with the same vendor, and wait for the delivery of those previously ordered vehicles. <i>(Next Step: Pending approval to purchase, this item would move forward to County Council for approval on September 11, 2023)</i>

