



## County Council Meeting

### Chairman

Joseph F. Passiment, JR.

### Vice Chairman

D. Paul Sommerville

### Council Members

Logan Cunningham

Gerald Dawson

Brian E. Flewelling

York Glover, SR.

Chris Hervochon

Alice G. Howard

Mark Lawson

Lawrence P. McElynn

Stu Rodman

### Interim County Administrator

Eric Greenway

### Clerk to Council

Sarah W. Brock

### Administration Building

Robert Smalls Complex

100 Ribaut Road

### Contact

Post Office Drawer 1228

Beaufort, South Carolina 29901-1228

(843) 255-2180

[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

# County Council Meeting Agenda

## County Council of Beaufort County

Monday, March 08, 2021 at 6:00 PM

This meeting will be held both in person at County Council Chambers, 100 Ribaut Road, Beaufort, and also virtually through Webex.

**Please be aware that there is limited seating available for the in-person meeting and attendees must wear a face covering and practice social distancing per Beaufort County Emergency Ordinance 2021-01**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION - Council Member Stu Rodman
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. ADMINISTRATOR'S REPORT

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### PROCLAMATIONS AND PRESENTATIONS

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- [6.](#) DISABILITIES AWARENESS MONTH PROCLAMATION
- [7.](#) US 278 INDEPENDENT REVIEW PRESENTATION

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### CITIZEN COMMENTS

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8. CITIZENS MAY JOIN VIA WEBEX USING THE LINK AND MEETING INFORMATION BELOW:

[MEETING LINK](#)

Meeting number (access code): 129 236 9728

Password: BC123

(ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes ( a total of 15 minutes ) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)

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### COMMITTEE REPORTS

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9. Liaison and Committee Reports

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## CONSENT AGENDA

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10. Consent Agenda (page 3)
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## ACTION ITEMS

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- [11.](#) MEMORANDUM OF AGREEMENT BETWEEN BEAUFORT COUNTY AND THE TOWN OF HILTON HEAD ISLAND (TOHHI) FOR THE SUMMIT DRIVE/GATEWAY CIRCLE TRAFFIC IMPROVEMENT PROJECT (41,066.60)
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## BOARDS AND COMMISSIONS

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- [12.](#) APPOINTMENT OF ROGER JADOWN FROM DISTRICT 5 TO THE DESIGN REVIEW BOARD.
- o 1st TERM - REGISTERED ARCHITECT
  - o EXPIRATION DATE 02/25
  - o 6 / 11 VOTE NEEDED FOR APPROVAL
- [13.](#) APPROVAL OF JOHN MAFFEI TO THE RURAL AND CRITICAL LANDS PRESERVATION BOARD.
- o 1st TERM AS DISTRICT 10 REPRESENTATIVE (2nd TERM TOTAL)
  - o PREVIOUSLY VOLUNTEERED DISTRICT 7
  - o SERVED PARTIAL TERM FROM 05/2020 TO 02/2021
  - o EXPIRES ON 02/25
  - o 8/11 VOTE NEEDED
- [14.](#) APPOINTMENT OF BLAKE WHITE TO THE ALCOHOL AND DRUG ABUSE BOARD
- o 1st TERM - DISTRICT 10
  - o EXPIRES IN 2/25
  - o 6 / 11 VOTE NEEDED FOR APPROVAL
- [15.](#) RECOMMENDATION TO THE GOVERNOR'S OFFICE FOR THE APPOINTMENT OF PRISCILLA DRAKE FROM DISTRICT 4 TO THE DISABILITIES AND SPECIAL NEEDS BOARD
- o 1st TERM REPLACING GARDENIA SIMMONS-WHITE
  - o EXPIRES ON 2/25
  - o 6 / 11 VOTE NEEDED FOR APPROVAL
- 

## CITIZEN COMMENTS

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16. CITIZENS MAY JOIN VIA WEBEX USING THE LINK AND MEETING INFORMATION BELOW:

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17. ADJOURNMENT

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## CONSENT AGENDA

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### Items Originating from the Community Services Committee

- [1.](#) A RESOLUTION TO ESTABLISH BEAUFORT COUNTY'S COMMUNITY DEVELOPMENT PRIORITY LIST

### Items Originating from the Executive Committee

- [2.](#) APPROVAL OF A RESOLUTION FOR THE BEAUFORT COUNTY TRANSPORTATION ADVISORY GROUP KNOWN AS BTAG.

### Items Originating from the Finance Committee

- [3.](#) FIRST READING OF AN ORDINANCE APPROVING THE 2021 AWARDS OF LOCAL ACCOMMODATIONS AND HOSPITALITY

### Items Originating from the Natural Resources Committee

- [4.](#) RURAL AND CRITICAL LAND PRESERVATION PROGRAM CONSULTING SERVICES FOR BEAUFORT COUNTY
- [5.](#) FIRST READING OF AN ORDINANCE REGARDING A ZONING MAP AMENDMENT/REZONING REQUEST FOR 1.96 ACRES (R600 036 000 015E 0000) AT THE INTERSECTION MAY RIVER ROAD AND BENTON LANE FROM T3 EDGE TO T2 RURAL CENTER:
- [6.](#) THIRD READING OF AN ORDINANCE REGARDING THE AMENDMENT TO ARTICLE 7, SECTION 7.3.30.E (APPEALS )

### Items Originating from the Public Facilities Committee

- [7.](#) THIRD READING OF READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF UTILITY EASEMENT #901093 ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY
- [8.](#) THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF UTILITY EASEMENT #901094 ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY

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**END OF CONSENT AGENDA**

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# ~ Proclamation ~

**Whereas**, more than 500,000 South Carolina residents and families are impacted by severe lifelong disabilities, including autism, traumatic brain injury, spinal cord injury, and intellectual related disability without regard to color, culture, geography, age, or economic class; and

**Whereas**, people with lifelong disabilities are productive citizens, neighbors, and family members deserving of respect and opportunity for economic self-sufficiency, independence, and personal growth; and

**Whereas**, we recognize, with heartfelt gratitude and appreciation, the caregivers who selflessly provide physical and emotional support to Beaufort County's residents with disabilities and special needs; and

**Whereas**, the 2021 observance of Disabilities Awareness Month celebrates the successful partnership between people with disabilities and without, as well as the increasing involvement of people with disabilities in education, employment, and community activities.

**Now, therefore, be it resolved**, that Beaufort County Council proclaims  
**March 2020 Disabilities Awareness Month.**

Dated this 8th day of March 2021.



Joseph Passiment, Chairman  
Beaufort County Council



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
US 278 Independent Review Presentation
<b>MEETING NAME AND DATE:</b>
County Council – March 8, 2021
<b>PRESENTER INFORMATION:</b>
Jared Fralix, Assistant County Administrator – Engineering Phillip Hutcherson, HDR Project Manager (10 mins)
<b>ITEM BACKGROUND:</b>
In October 2021, County Council recommended award to HDR Engineering, Inc. to complete an independent review of the ongoing SCDOT study and alternatives for US 278.
<b>PROJECT / ITEM NARRATIVE:</b>
Presentation of the independent review.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
For discussion only
<b>OPTIONS FOR COUNCIL MOTION:</b>
For discussion only

# US 278 Independent Review Report Outline

## 1. Introduction

### a. Purpose

- Review and verify existing documentation, explore additional options, make recommendations for additional study and present our findings in a report to Beaufort County and Town of Hilton Head Councils.

## 2. Coordination Efforts

### a. Continuous coordination with SCDOT and Project Team, Town of Hilton Head, Beaufort County and the Oversight Committee

### b. Request for files and documents

- Draft EA with Technical Documents
- Traffic Growth Rates Memo
- KMZ of reasonable alternatives
- KMZ of Squire Pope alternatives
- Historical traffic counts
- Synchro files of reasonable alternatives, Jenkins Island alternatives and Squire Pope alternatives
- Reversible Lanes Memo

### c. Web Site [US 278 Corridor Improvements \(scdot278corridor.com\)](http://scdot278corridor.com)

- Many stakeholder presentations other public involvement materials

### d. Stoney Community Coordination by SCDOT

- Exhibits
- Community Mitigation Plan

## 3. Items of Review

### a. Growth Rate/Future Traffic

- A growth rate was reviewed from the August 2019 Traffic Growth Memo. Based on review, a 1.19% growth rate was deemed acceptable for this stretch of roadway.
- Six lanes, with three lanes in each direction in this stretch of US 278, was deemed necessary based on existing and future traffic.

### b. Crash Data/ Safety

- 800 crashes in a 5-year period. All data is included in the March 2020 Phase I Traffic Report.
- Angle crashes were substantial at key intersections indicating need to reduce conflict points.
- Rear end crashes occurred frequently throughout the entire corridor indicating congestion.

### c. Reversible Lanes

- A Reversible Lane Analysis Memo from July 2020 was reviewed. HDR concurs with the recommendation that reversible lanes are not recommended in areas where control of access cannot be obtained.

### d. Nineteen (19) Preliminary Alternatives and Matrix

- High level screening criteria included GIS mapping of environmental features, property, and neighborhoods.

- Alternatives included locations adjacent to the existing facility as well as locations that connect to different spots on the Island. These locations included Spanish Wells and the Cross-Island Parkway.
  - e. Reasonable Alternatives and Matrix
    - Six reasonable alternatives were screened from the 19 preliminary alternatives, with three additional alternatives added (4A, 5A, 6A) for total of Nine (9).
    - Alternatives 5, 5A, 6, 6A tended to have 50% more wetland impacts, twice as much R/W acquisition, and twice as many relocations as Alternatives 1-4A. In addition, these alternatives were in the \$300-\$350M range, while Alts 1-4A are estimated in the \$220-\$260M construction cost range.
  - f. Reasonable Funding
    - \$240 million is currently set aside for this project, however, based on the cost estimate of the nine Reasonable Alternatives, it does not appear that overall project cost was a limiting factor in SCDOT studying and evaluating the nine Reasonable Alternatives.
  - g. Squire Pope/Spanish Wells Intersections and Matrix
    - 14 different intersection treatments were evaluated by SCDOT with four options moving into further evaluation
    - SCDOT had limited information on alternatives that allowed for free flow movement of US 278 which includes grade separated interchanges at Spanish Wells and at Squire Pope. A matrix from the Fall 2020 Newsletter/Stakeholder meeting was provided that outlined these alternatives. HDR sketched some of these options and showed the high level of impacts that would be required with control of access interchanges. Further documentation would be helpful in showing why some were removed and some advanced.
    - HDR recommends the use of limiting signal phases to accommodate the most effect percentage of vehicles, while still providing alternatives to turning movement that are not being allowed with the new intersection alignment. A couple of other alternatives were shown for consideration.
    - Pedestrian and bicycle accommodations are still important features as well as continued coordination with the local Stoney Community.
  - h. Jenkins Island Intersections
    - SCDOT alternatives are derived from a frontage road concept, reducing conflict points, superstreet, and limited ability to meet signal warrant criteria.
    - Blue Heron Point Road accessibility as well as bike/pedestrian accommodations, especially crossing US 278 need to be further evaluated.
  - i. Emergency Evacuation Accommodation
  - j. Roadway Safety and Character
- 4. DRAFT Recommendations for SCDOT Design Team**
- a. Primarily two-phase signals along corridor east of the bridges
  - b. Limit conflict points at intersections, with alternative intersection/corridor treatments
  - c. Further explanation on why some intersection types were never evaluated at Squire Pope/ Spanish Wells intersections.
  - d. Additional concepts developed for SCDOT consideration
  - e. Potential wetland mitigation strategies
  - f. Opportunities for corridor enhancement to ensure the neighborhood character of the roadway near Stoney Community
  - g. Pedestrian and bicycle safety and connectivity

**5. Appendices**

- a. Meeting Minutes
- b. Additional Concepts





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
Memorandum of Agreement between Beaufort County and the Town of Hilton Head Island (ToHHI) for the Summit Drive/Gateway Circle traffic improvement project (41,066.60)
<b>MEETING NAME AND DATE:</b>
County Council – March 8, 2021
<b>PRESENTER INFORMATION:</b>
Jared Fralix, Assistant County Administrator David Wilhelm, Special Projects Director (5 mins)
<b>ITEM BACKGROUND:</b>
Beaufort County operates a solid waste and recycling convenience center on property owned by the ToHHI. Summit Drive is a two lane paved road that provides access not only to the convenience center but also to many businesses. The very high volume of vehicles using the convenience center causes traffic problems on Summit Drive.  The ToHHI completed a design to realign Summit Drive that will create a bypass around the convenience center. This new alignment will allow traffic to flow unimpeded around the center. The current Summit Drive pavement will remain, serving as an access road dedicated solely for users of the convenience center.  <i>Item was approved by Public Facilities Committee on February 16, 2021</i>
<b>PROJECT / ITEM NARRATIVE:</b>
Beaufort County staff and the ToHHI staff worked together to divide the work. The County will be responsible for tree removal, land clearing and grubbing, all earthwork including excavation, importing fill, and furnishing, placement and compaction of the graded aggregate roadway base. The ToHHI will be responsible for surveying, materials testing, traffic control, concrete work, pavement removal, placement of the new asphalt paving, pavement striping, signage, and landscaping.
<b>FISCAL IMPACT:</b>
Beaufort County Public Works staff will perform the work. The estimated time to complete the work is 3 – 5 working days. The County will purchase approximately 950 tons of stone at a cost of \$41,066.60 to be funded from the TAG Fees fund balance. The balance of the account is \$6,425,115.87.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval and execution of the Memorandum of Agreement between Beaufort County and the Town of Hilton Head Island (ToHHI) for the Summit Drive/Gateway Circle traffic improvement project.
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve/deny the Memorandum of Agreement between Beaufort County and the Town of Hilton Head Island (ToHHI) for the Summit Drive/Gateway Circle traffic improvement project.  <i>(Next step – execute MOA with Town of Hilton Head Island and proceed with Beaufort County obligations to the agreement)</i>



**STATE OF SOUTH CAROLINA** )  
 )  
 )  
**MEMORANDUM OF AGREEMENT**  
 )  
**COUNTY OF BEAUFORT** )

**THIS AGREEMENT** is made and entered into this \_\_\_ day of \_\_\_\_\_, 2020 by and between the Town of Hilton Head Island, South Carolina, (hereinafter referred to as the “Town”), and Beaufort County, South Carolina (hereinafter referred to as the “County”).

**WHEREAS**, the Town and County propose to jointly construct, reconstruct, alter, or improve segments of Summit Drive and Gateway Circle to improve traffic flow and facilitate the proposed decal checking operations at the Hilton Head Island Convenience Center, known as the Summit Drive Re-Alignment Project (“Project”); and

**WHEREAS**, the County adopted Resolution 2020-0## on October ##, 2020 to implement a new decal admittance system to allow Hilton Head Island property owners two visits to the Convenience Center per week and this new system is to become effective on at the Hilton Head Island Convenience Center on March 1, 2021; and

**WHEREAS**, the Town and County recognize the need for timely coordination of this Project to implement it in time for the proposed changes to the operations of the Hilton Head Island Convenience Center; and

**WHEREAS**, The Town requests the transfer of 0.461 acres of County land and 0.185 acres of Temporary Construction Easements to facilitate the permitting and construction of the Project; and

**WHEREAS**, the Town and County desire to formalize an Agreement wherein the County shall donate to the Town two County owned parcels (0.342 acre parcel R510 008 000 0160 0000 and 0.261 acres of parcel R510 008 000 0370 0000) upon which the Project will be constructed and the Town shall maintain thereafter; and

**WHEREAS**, in return for this transfer of land as required for the project permitting, construction and future maintenance, the Town will provide all necessary costs of the survey, design and certain portions of construction of the Project, while the remaining portions of construction services will be performed by the County; and

**WHEREAS**, the Town reserves the right to control the final design of the roadway alignment;

**NOW, THEREFORE,** the below listed agreement is established to better serve the needs of the Town and the County with respect to the construction of the Project and the operations of the Hilton Head Island Convenience Center.

## **SECTION 1 - DEFINITIONS**

- A. **AUTHORIZED REPRESENTATIVE** - An employee of entity who is authorized in writing by that government to request, offer, or provide assistance under the terms of this Agreement. The list of authorized representatives for the participating government executing this Agreement shall be attached as Exhibit A and shall be updated as needed by each participating government.
- B. **PROJECT** – Summit Drive Re-Alignment Project. The scope of work which the Town and County shall jointly agree upon, the Town shall design and permit, and the Town and County shall jointly construct as depicted on the construction plans and specifications attached as Exhibit B

## **SECTION 2 - PROCEDURES**

- A. **COMMUNICATIONS:** The Town’s primary point of contact shall be the Town Engineer and the County’s primary point of contact shall be the County’s Special Project Manager. Electronic mail may be used to document directives and actions.
- B. **LAND TRANSFER** – To accommodate the new Town roadway, the Town requests the County convey in a fee simple transfer to the Town, the two affected parcels R510 008 000 0370 0000 (0.261 acres of vacant, forested land, with a current County appraised value of \$49,700.00) and R510 008 000 0160 00000000 (0.341 acres of vacant, forested land, with a current County appraised value of \$56,900.00) as depicted in Exhibit C. The Town Attorney will provide the legal description and transfer documents to both County and Town Councils for consideration. Upon County Council approval of the land transfer and Town Council approval to accept it, the Town Attorney shall record the deed and transfer agreement with the Register of Deeds. There will also be temporary construction easements needed from the main airport parcel - R510 008 000 0085 0000. The Town will provide a Temporary Construction Easement agreement and exhibit for the County to execute.
- C. **PROJECT IMPLEMENTATION** – The Town shall be responsible for all survey, design, permitting, easement acquisition, contract procurement, and inspection of the Project, and a portion of the construction, and in doing so shall meet all applicable local, state and federal standards. The County shall be responsible for a portion of the construction as defined in section 2.D. below. The Project will consist of design practices and materials consistent with other recent Town roadway projects. The Town shall be responsible for funding any enhancements beyond minimum design and safety standards, including

landscaping, decorative features, widened pavement sections, etc. The Town shall budget for the Project and procure all necessary professional and construction services to fully implement.

D. CONSTRUCTION RESPONSIBILITIES – In accordance with the approved plans and specifications (Exhibit B), the Town shall be responsible for

1. Procuring surveying data,
2. construction staking,
3. materials testing,
4. traffic control,
5. concrete work,
6. pavement removal,
7. asphalt paving,
8. pavement markings,
9. signs,
10. ground stabilization, and
11. landscaping;

And the County shall be responsible for:

1. tree removal,
2. clearing and grubbing,
3. all earthwork including excavation, importing fill material, fine grading, and
4. placement and compaction of the graded aggregate roadway base.

E. INSPECTIONS – The Town shall inspect the work of the County and of its contractors to ensure that it complies with the plans, specifications and permit conditions. The Town will procure all necessary materials testing associated with the project. The Town will notify the County when the Project is completed, so that the County may inspect the work if they desire, to verify that the project has been satisfactorily completed.

F. COMPENSATION – The Town shall follow its Procurement Code for contracting professional and its portion of construction services necessary to complete the Project. Contracts or job orders for these services shall be negotiated by the Town in the best interest of the Town and County and the Town shall be solely responsible to compensate its contractors with appropriated funds and seek no reimbursements from the County. The County shall provide Project compensation in the form of in-kind services, its portion of the construction, and the transfer of land and temporary construction easements. The County shall be responsible for all non-Project costs associated with implementing the decal operations.

G. SCHEDULE – Both parties shall make substantive efforts to meet the March 1, 2020 Project milestone schedule as outlined in Exhibit D. The Town shall address project funding needs, procure survey and other design data, complete the design, obtain all

necessary permits and contract for construction services and the County shall provide Public Works forces and procure necessary construction materials to meet the schedule.

### **SECTION 3 - INSURANCE**

Each Party to this agreement shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what kinds of insurance, and in what amounts, it should carry. If a Party to this agreement is insured, its file shall contain a letter from its insurance carrier authorizing it to provide and receive assistance under this Agreement, and indicating that there will be no lapse in its insurance coverage, either on employees, vehicles, or liability. If a Party to this agreement is self-insured, its file shall contain a copy of a resolution authorizing its self-insurance program. A copy of the insurance carrier's letter or the resolution of self-insurance shall be attached to the executed copy of this Agreement. Each party shall be solely responsible for determining that its insurance is current and adequate prior to providing assistance under this Agreement.

### **SECTION 4 - LIABILITY**

To the extent permitted by law, and without waiving sovereign immunity, each Party to this Agreement shall be responsible for any and all claims, demands, suits, actions, damages, and causes of action related to or arising out of or in any way connected with its own actions, and the actions of its personnel, in providing mutual aid assistance rendered or performed pursuant to the terms and conditions of this Agreement.

### **SECTION 6 - TERM**

This Agreement shall be in effect for six (6) months upon approval by both Parties and upon proper execution thereof and is renewed automatically in successive one (1) year terms until the Project is completed or unless terminated by mutual agreement of both parties. A request for termination requests must be provided to the other Party not less than sixty (60) days in advance of the desired termination date. Notice of termination shall not relieve the withdrawing Party from obligations incurred hereunder prior to the effective date of the mutually agreed upon termination date.

### **SECTION 7 - SEVERABILITY: EFFECT ON OTHER AGREEMENTS**

Should any portion, section, or subsection of this Agreement be held to be invalid by a court of competent jurisdiction, that fact shall not affect or invalidate any other portion, section or subsection; and the remaining portions of this Agreement shall remain in full force and affect without regard to the section, portion, or subsection or power invalidated.

In the event that any parties to this Agreement have entered into other mutual aid agreements or inter-local agreements, those parties agree that said agreements are superseded by this Agreement only for emergency management assistance and activities performed in major

disasters, pursuant to this Agreement. In the event that parties to this Agreement have not entered into another mutual aid agreement, and the parties wish to engage in mutual aid, then the terms and conditions of this Agreement shall apply unless otherwise agreed between those parties.

- 1. This document expresses the entire agreement of the parties. Any amendment or modification to this Agreement must be in writing and executed by both parties.

**IN WITNESS WHEREOF**, the Town of Hilton Head Island, South Carolina and Beaufort County, South Carolina, by and through their duly authorized officers have set their hands and seals on this \_\_\_\_ day of \_\_\_\_ 2020.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_

**BEAUFORT COUNTY**

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

**Its: County Administrator**

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_

**TOWN OF HILTON HEAD ISLAND**

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

**Its: Town Manager**

**EXHIBIT A**

**AUTHORIZED REPRESENTATIVES**

An employee of entity who is authorized in writing by that government to request, offer, or provide assistance under the terms of this Agreement. The list of authorized representatives for the participating government executing this Agreement is provided below, with the primary points of contact, and shall be updated as needed by each party.

<b>The Town’s Primary Point of Contact is:</b>	<b>The County’s Primary Point of Contact is:</b>
<b>Jeff Buckalew, P.E.</b> Town Engineer Town of Hilton Head Island One Town Center Court Hilton Head Island, SC 29928 Desk Phone: (843)341-4772 Cell Phone: (843)384-5142 Email: jeffb@hiltonheadislandsc.gov	<b>David Wilhelm, PE,</b> Special Projects Manager Beaufort County 104 Industrial Village Road (BIV-3) Beaufort, SC 29906 Desk Phone: (843)255-2940 Cell Phone: (843) Email: dwilhelm@bcgov.net
<b>The Town’s Authorized Representatives are:</b>	<b>The County’s Authorized Representatives are:</b>
Jeff Buckalew, P.E.	David Wilhelm, PE
Scott Liggett, P.E. Director for Public Projects and Facilities/Chief Engineer Cell Phone: (843) 384-8765 scottl@hiltonheadislandsc.gov	Jared Fralix, PE Assistant County Administrator (843) 255-2730
Steve Riley, ICMA-CM Town Manager (843) 341-4701	Interim County Administrator (843) 255-2055



**EXHIBIT B**

**PLANS AND SPECIFICATIONS**

**(Initially Attach Concept Plans – Final Plans and Specifications to be attached once completed and permitted, via an amendment to the MOA)**

**EXHIBIT C**  
**RIGHT OF WAY ACQUISITION**  
**PLAT and LEGAL DESCRIPTION**

## EXHIBIT D

### PROJECT MILESTONE SCHEDULE

10-23-20	Town Staff to Procure Survey and Design data
10-26-20	Public Discussion of Project Need and Intent with Town Council (Community Services and Public Safety committee)
11-9-20	County Council Discuss/Agree to Transfer Land and Easements to the Town (1 <sup>st</sup> Reading) * <i>or have the PFC act on this item first at their 11/16/20 Meeting</i>
11-17-20	Town Council Appropriate Project Funding via Budget Amendment and Agree on Land Transfer (1 <sup>st</sup> Reading)
11-18-20	Town Staff to Obtain Public Project Review Approval from the Town Planning Commission
12-1-20	Town Council Appropriate Project Funding via Budget Amendment and Agree on Land Transfer (2 <sup>nd</sup> Reading)
12-14-20	County Council Discuss/Agree to Transfer Land and Easements to the Town (2 <sup>nd</sup> Reading)
11-25-20	Town Staff to Complete Project Design and Specifications
12-4-20	Town Staff to Obtain Town Development Plan Review Permit
12-7-20	County Staff Begin Construction
1-8-21	County Staff Complete their Portion of Construction
1-11-21	Town Contractor Begin Work on Town Portion of Construction
2-26-21	Town Contractor Complete Work on Town Portion of Construction
3-1-21	County Begin Decal Checkpoint Operations at Hilton Head Island Convenience Center

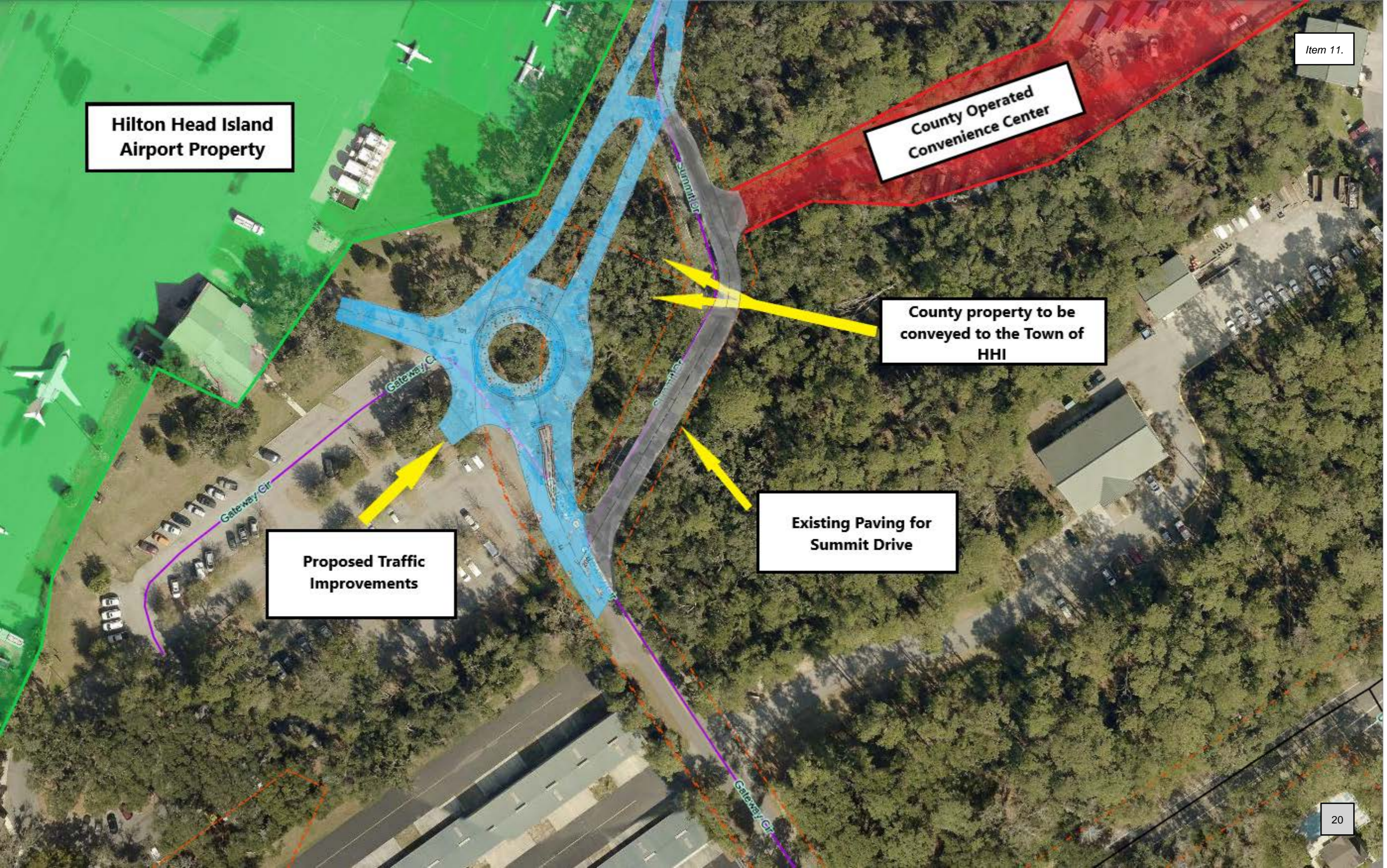
Hilton Head Island Airport Property

County Operated Convenience Center

County property to be conveyed to the Town of HHI

Existing Paving for Summit Drive

Proposed Traffic Improvements





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
APPROVAL OF APPOINTMENT
<b>MEETING NAME AND DATE:</b>
COUNTY COUNCIL MEETING <ul style="list-style-type: none"><li>MARCH 8, 2021</li></ul>
<b>PRESENTER INFORMATION:</b>
COUNCIL CHAIRMAN PASSIMENT
<b>ITEM BACKGROUND:</b>
DESIGN REVIEW BOARD - ROGER JADOWNS FROM DISTRICT 5  1st TERM REGISTERED ARCHITECT 4 - YEAR TERM OF VOLUNTEER SERVICE EXPIRES ON 2/25 6/11 VOTE NEEDED
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF APPOINTMENT FOR ROGER JADOWN TO DESIGN REVIEW BOARD
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) APPOINTMENT FOR ROGER JADOWN TO DESIGN REVIEW BOARD FOR FINAL APPROVAL



COUNTY COUNCIL OF BEAUFORT COUNTY  
County Boards, Agencies, Commissions, Authorities and Committees



County Council of Beaufort County selects citizens for service on Council appointed Boards, Agencies, Commissions, Authorities and Committees from a roster of individuals who have either volunteered or have been recommended for appointment. The Clerk to Council uses this form to keep an up-to-date roster of volunteers and to provide Council basic information about each volunteer.

**Top Three Priorities:** Please indicate by placing a "1", "2", or "3" alongside your choices.

**BOARDS AND COMMISSIONS**

- Accommodations Tax (2% State)
- Airports
- Alcohol and Drug Abuse
- Assessment Appeals
- Beaufort County Transportation
- Beaufort-Jasper Economic Opportunity
- Beaufort-Jasper Water & Sewer
- Beaufort Memorial Hospital
- Bluffton Township Fire
- Burton Fire
- Coastal Zone Management Appellate (inactive)
- Construction Adjustments and Appeals
- Daufuskie Island Fire
- Design Review
- Disabilities and Special Needs
- Economic Development Corporation
- Forestry (inactive)
- Historic Preservation Review
- Keep Beaufort County Beautiful
- Lady's Island / St. Helena Island Fire
- Library
- Lowcountry Council of Governments
- Lowcountry Regional Transportation Authority
- Parks and Recreation
- Planning \*
- Rural and Critical Lands Preservation
- Sheldon Fire
- Social Services (inactive)
- Solid Waste and Recycling
- Southern Beaufort County Corridor Beautification
- Stormwater Management Utility
- Zoning

DATE: 2/9/21 NAME: ROGER JADOWN

BEAUFORT COUNTY VOTER REGISTRATION NUMBER: [REDACTED]

OCCUPATION: RETIRED ARCHITECT

TELEPHONE: (Home) [REDACTED] (Office) MP EMAIL: [REDACTED]

HOME ADDRESS: [REDACTED] STATE: GA ZIP CODE: [REDACTED]

MAILING ADDRESS: SPMB STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COUNTY COUNCIL DISTRICT: 1  2  3  4  5  6  7  8  9  10  11

ETHNICITY: Caucasian  African American  Other

Are you presently serving on a Board, Agency, Commission, Authority or Committee? Yes  No

If "yes", what is the name of the board and when does term expire? NA

- Please return completed form and a brief resume' either Email or U.S. Mail:
  - Email: [boardsandcommissions@bcgov.net](mailto:boardsandcommissions@bcgov.net)
  - U.S. Mail: Clerk to Council, County Council of Beaufort County, P.O. Drawer 1228, Beaufort, SC 29901
- Applications without a brief resume' cannot be considered.
- Applications will be held **three (3) years** for consideration.
- All information contained on this application is subject to public disclosure.

**YOU MUST BE A BEAUFORT COUNTY REGISTERED VOTER TO APPLY**  
**YOU MUST ATTACH YOUR RESUME' WITH THIS APPLICATION TO BE CONSIDERED**  
An incomplete application will be returned

\* Anyone submitting an application to serve on the Planning Commission must fill out the questionnaire on page 2.

Applicant's Signature: Roger Jadown

Submit by Email

From: [REDACTED]  
 To: [Vaughn, Tithanie](#)  
 Subject: Fwd: DRB  
 Date: Friday, February 5, 2021 9:52:25 AM

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at [helpdesk@bcgov.net](mailto:helpdesk@bcgov.net) or to 843-255-7000.

Hopefully this will suffice.

Roger Jadowan

----- Original Message -----

Subject: DRB  
 Date: Thu, 28 Jan 2021 11:58:51 -0500  
 From: [REDACTED]  
 To: [tithanie.vaugh@bcgov.net](mailto:tithanie.vaugh@bcgov.net)

Cannot email app for some reason. This is the info I filled out. Applying for DRB on 1/28/2021 Name: Roger Jadowan. - Voter [REDACTED] occupation - retired architect -Phone [REDACTED] - email [REDACTED]

District 5 -Caucasian - not serving on any boards

Re: Questionnaire - Unfettered growth leads to chaos. Judicial planning is necessary to achieve healthy environment.

- Retired architect w/ over 30 years experience.
- Insures adherence to master plan.
- Land usage, traffic congestion
- Overbuilding and congestion
- Have not served on any Planning Commission but have

appeared before such boards, commissions and neighborhood groups.

Background. -Registered Illinois Architect . Corporate architect for US Home Illinois Div. Designed housing for subdivisions throughout Illinois. Development Manager for American Development Corp - involved w/ Section 8 housing, historic restoration and registration, low and high rise multi family apartment complexes.

Experience in Shopping Center Design - custom single family homes - office building and incubators projects - rental apartment complexes - medical facilities



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
APPROVAL OF APPOINTMENT
<b>MEETING NAME AND DATE:</b>
NATURAL RESOURCES COMMITTEE MEETING <ul style="list-style-type: none"><li>MARCH 1, 2021</li></ul>
<b>PRESENTER INFORMATION:</b>
COMMITTEE CHAIRMAN HOWARD
<b>ITEM BACKGROUND:</b>
RURAL AND CRITICAL LANDS PRESERVATION BOARD FOR JOHN MAFFEI. <ul style="list-style-type: none"><li>1st TERM IN DISTRICT 10<ul style="list-style-type: none"><li>SERVED A PARTIAL TERM IN DISTRICT 7</li></ul></li><li>4-YEAR TERM OF VOLUNTEER SERVICE</li></ul>
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF APPOINTMENT FOR JOHN MAFFEI TO RURAL AND CRITICAL LANDS PRESERVATION BOARD.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) APPOINTMENT FOR JOHN MAFFEI TO RURAL AND CRITICAL LANDS PRESERVATION BOARD TO MOVE FORWARD TO COUNTY COUNCIL FOR FINAL APPROVAL.



**Vaughn, Tithanie**

---

**From:** Lawrence Mc Elynn [REDACTED] >  
**Sent:** Thursday, February 11, 2021 10:58 AM  
**To:** Vaughn, Tithanie  
**Cc:** Howard, Alice G.; Brock, Sarah; Flake, Amanda  
**Subject:** Re: RCLPB District 7 Member Residency Change & District 10 Vacancy

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at [helpdesk@bcgov.net](mailto:helpdesk@bcgov.net) or to 843-255-7000.

In agreement

Regards  
Larry McElynn  
Council Member  
Beaufort County Council  
District 10  
Hilton Head Island  
South Carolina

On Feb 11, 2021, at 9:46 AM, Vaughn, Tithanie <tithanie.vaughn@bcgov.net> wrote:

Citizens are encouraged to call or e-mail before driving to a Beaufort County Office. Visit us online at [www.beaufortcountysc.gov](http://www.beaufortcountysc.gov).  
Effective July 17, all Beaufort County buildings are closed to the public until further notice to minimize opportunities to spread COVID-19 in our community.

Good Morning Everyone,

We do have a District 10 vacancy for Rural and Critical Lands. Mr. Maffei was coming up for reappointment this month so if Council Member McElynn is in agreeance I can submit him for consideration of appointment for district 10 and not district 4.

Thank you,

T. Vaughn  
Senior Administrative Assistant to Clerk to Council  
Beaufort County Government, SC  
843-255-2182 (Office)

[REDACTED]

---

**From:** John Maffei [REDACTED] >  
**Sent:** Tuesday, February 9, 2021 7:44 PM  
**To:** Michael Mathews [REDACTED] >; Flake, Amanda <[aflake@bcgov.net](mailto:aflake@bcgov.net)>  
**Subject:** RCLPB District 7 Member Residency Change & District 10 Vacancy

Chairman Mathews,

On March 3, 2021 my wife and I will become permanent residents at 30 Lavender Circle, Hilton Head SC in District 10 Beaufort County. The community we are moving into is maintenance free.

As of that date I cannot represent District 7 since I will not be a Bluffton SC resident.

I will be a District 10 resident on that date. If the District 10 RCLPB vacancy still exists I would be honored to fill it should you, the board members, and the County Board of Supervisors agree it would be beneficial.

I believe I have to resign the District 7 position and apply for the District 10 position (if available), but please advise accordingly.

Respectfully,  
John Maffei  
RCLPB District 7

COUNTY COUNCIL OF BEAUFORT COUNTY  
ADMINISTRATION BUILDING  
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
100 RIBAUT ROAD  
POST OFFICE DRAWER 1228  
BEAUFORT, SOUTH CAROLINA 29901-1228  
TELEPHONE: (843) 255-2180  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

STEWART H. RODMAN  
CHAIRMAN

D. PAUL SOMMERVILLE  
VICE CHAIRMAN

COUNCIL MEMBERS

MICHEAL COVERT  
GERALD DAWSON  
BRIAN E. FLEWELLING  
YORK GLOVER, SR.  
CHRIS HERVOCHON  
ALICE G. HOWARD  
MARK LAWSON  
LAWRENCE P. MCELYNN  
JOSEPH PASSIMENT

ASHLEY JACOBS  
COUNTY ADMINISTRATOR

SARAH W. BROCK  
CLERK TO COUNCIL

May 2020

John Maffei  
(Council District 7)  
30 Yonges Island Drive  
Bluffton, SC 29910

Re: Appointment to the Rural and Critical Lands Preservation Board

Dear Mr. Maffei:

It is my very distinct pleasure to advise you that you have been appointed by the Beaufort County Council to serve as a member on the Rural and Critical Lands Preservation Board .

This will be a partial- term appointment, which expires February 2021, and we are very appreciative of your willingness to serve. Council evaluated a number of applicants, and we feel you will do an excellent job.

Please accept our best wishes as you embark upon your service to Rural and Critical Lands Preservation Board. I ask that you be cognizant of Council’s policy that all members of its Boards, Agencies and Commissions attend at least two-thirds of the regular meetings, and we are attempting to enforce this policy. We believe that an effective representative is one who participates consistently in the decision-making process. You will be notified of the next meeting of the Rural and Critical Lands Preservation Board and, I trust you will be able to attend.

Again, thank you for your willingness to serve Beaufort County and its citizens, and please call upon me if I can answer any questions concerning this appointment.

Sincerely,

Stewart H. Rodman, Chairman

cc: Michael Mathews, Chairman  
Alice Howard, Natural Resource Committee Chairman  
Eric Greenway, Planning and Zoning Director  
Amanda, Flake, Administrative Assistant



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 14.

<b>ITEM TITLE:</b>
APPROVAL OF APPOINTMENT
<b>MEETING NAME AND DATE:</b>
COUNTY COUNCIL MEETING MARCH 8, 2021
<b>PRESENTER INFORMATION:</b>
COUNCIL CHAIRMAN PASSIMENT
<b>ITEM BACKGROUND:</b>
ALCOHOL AND DRUG ABUSE BOARD  BLAKE WHITE APPOINTMENT 1st TERM - DISTRICT 10 EXPIRES ON 2/25 6/11 VOTE NEEDED
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF APPOINTMENT FOR BLAKE WHITE TO ALCOHOL AND DRUG ABUSE BOARD
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) APPOINTMENT OF BLAKE WHITE TO ALCOHOL AND DRUG ABUSE BOARD FOR FINAL APPROVAL.



COUNTY COUNCIL OF BEAUFORT COUNTY  
County Boards, Agencies, Commissions, Authorities and Committees



County Council of Beaufort County selects citizens for service on Council appointed Boards, Agencies, Commissions, Authorities and Committees from a roster of individuals who have either volunteered or have been recommended for appointment. The Clerk to Council uses this form to keep an up-to-date roster of volunteers and to provide Council basic information about each volunteer.

**Top Three Priorities:** Please indicate by placing a "1", "2", or "3" alongside your choices.

**BOARDS AND COMMISSIONS**

- Accommodations Tax (2% State)
- Airports
- Alcohol and Drug Abuse
- Assessment Appeals
- Beaufort County Transportation
- Beaufort-Jasper Economic Opportunity
- Beaufort-Jasper Water & Sewer
- Beaufort Memorial Hospital
- Bluffton Township Fire
- Burton Fire
- Coastal Zone Management Appellate (inactive)
- Construction Adjustments and Appeals
- Daufuskie Island Fire
- Design Review
- Disabilities and Special Needs
- Economic Development Corporation
- Forestry (inactive)
- Historic Preservation Review
- Keep Beaufort County Beautiful
- Lady's Island / St. Helena Island Fire
- Library
- Lowcountry Council of Governments
- Lowcountry Regional Transportation Authority
- Parks and Recreation
- Planning \*
- Rural and Critical Lands Preservation
- Sheldon Fire
- Social Services (inactive)
- Solid Waste and Recycling
- Southern Beaufort County Corridor Beautification
- Stormwater Management Utility
- Zoning

DATE: 2-9-21 NAME: Blake E. White

BEAUFORT COUNTY VOTER REGISTRATION NUMBER: [REDACTED]

OCCUPATION: Executive Director

TELEPHONE: (Home) [REDACTED] Office [REDACTED] EMAIL: [REDACTED]

HOME ADDRESS: [REDACTED] STATE: SC ZIP CODE: [REDACTED]

MAILING ADDRESS: Same STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COUNTY COUNCIL DISTRICT: 1  2  3  4  5  6  7  8  9  10  11

ETHNICITY: Caucasian  African American  Other

Are you presently serving on a Board, Agency, Commission, Authority or Committee? Yes  No

If "yes", what is the name of the board and when does term expire? \_\_\_\_\_

- Please return completed form and a brief resume' either Email or U.S. Mail:
  - o Email: [boardsandcommissions@bcgov.net](mailto:boardsandcommissions@bcgov.net)
  - o U.S. Mail: Clerk to Council, County Council of Beaufort County, P.O. Drawer 1228, Beaufort, SC 29901
- Applications without a brief resume' cannot be considered.
- Applications will be held **three (3) years** for consideration.
- All information contained on this application is subject to public disclosure.

**YOU MUST BE A BEAUFORT COUNTY REGISTERED VOTER TO APPLY**  
**YOU MUST ATTACH YOUR RESUME' WITH THIS APPLICATION TO BE CONSIDERED**  
**An incomplete application will be returned**

\* Anyone submitting an application to serve on the Planning Commission must fill out the questionnaire on page 2.

Applicant's Signature: Blake E. White

Submit by En 29

**BLAKE WHITE**

[REDACTED]

[REDACTED]

PROFESSIONAL EXPERIENCE:

Founding Artistic/Executive Director, Lean Ensemble Theater, 2015-present  
Hilton Head Island, SC

Founded “conversation driven” professional theatre company, now in midst of its second full season operating under a \$400,000 annual budget. Responsible for all facets of the company, including artistic message & play selection, artistic & administrative staffing, casting, company management, bookkeeping, grant writing, and vendor & contractor aggregation. Lean is now a member of Theatre Communications Group, SC Theatre Association, HHI Chamber of Commerce and Arts & Cultural Council of Hilton Head, producing 5 main stage productions a season, and have implemented education as well as new play development wings.

Associate Producer, South Carolina Repertory Company, 2007-2013  
Hilton Head Island, SC

Duties included office manager, box office manager, casting director, vendor & contractor aggregation, building maintenance, housekeeping, scenic construction, company manager, house management, and performance and directing.

RELEVANT EXPERIENCE & EDUCATION:

Member, Lean Ensemble Theater Board of Directors & Executive Committee since 2015.

Member, South Carolina Theatre Association Board of Directors since 2016. Chair of the Professional Division since 2018.

Member, Hilton Head Symphony Orchestra Board of Directors since 2017.

Member, Stage Directors & Choreographers Society, a theatrical union, since 2017.

Instituted youth-oriented Shakespeare in the Park program, culminating in 2 fully realized productions in Shelter Cove, Hilton Head, 2010 & 2011, in conjunction with the Main Street Youth Theatre of Hilton Head Island.

Freelance Actor/Director, 2001-2007, 2013-2014.

Professional productions in Hanover, IN, Madison, IN, Nashville, IN, Lexington, KY, Louisville, KY, Boston, MA, Raton, NM, Binghamton, NY, New York, NY, Georgetown, SC, Hilton Head, SC, Greenville, SC, Memphis, TN.

Journeyman, The Warehouse Theatre, 2000-2001, Greenville, SC

Apprentice, Actors Theatre of Louisville, 1999, Louisville, KY

B.A., Theatre Arts, Hanover College Class of 2000.

REFERENCES:

Chip Egan, Dean Emeritus, Clemson University, [REDACTED]

Myla Lerner, Producer, Mylar Productions, [REDACTED]

Nick Newell, Professor of Theatre, G.S.U., [REDACTED]



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
APPROVAL OF APPOINTMENT
<b>MEETING NAME AND DATE:</b>
COUNTY COUNCIL MEETING MARCH 8, 2021
<b>PRESENTER INFORMATION:</b>
COUNCIL CHAIRMAN PASSIMENT
<b>ITEM BACKGROUND:</b>
DISABILITY AND SPECIAL NEEDS BOARD  PRISCILLA DRAKE (DISTRICT 4) 1st TERM REPLACING GARDENIA SIMMONS-WHITE EXPIRES ON 2/25 6 / 11 VOTE NEEDED FOR APPROVAL
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF THE RECOMMENDATION TO THE GOVERNOR'S OFFICE FOR THE APPOINTMENT OF PRISCILLA DRAKE FROM TO THE DISABILITIES AND SPECIAL NEEDS BOARD.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) RECOMMENDATION TO THE GOVERNOR'S OFFICE FOR THE APPOINTMENT OF PRISCILLA DRAKE FROM TO THE DISABILITIES AND SPECIAL NEEDS BOARD.



COUNTY COUNCIL OF BEAUFORT COUNTY  
County Boards, Agencies, Commissions, Authorities and Committees



Item 15.

County Council of Beaufort County selects citizens for service on Council appointed Boards, Agencies, Commissions, Authorities and Committees from a roster of individuals who have either volunteered or have been recommended for appointment. The Clerk to Council uses this form to keep an up-to-date roster of volunteers and to provide Council basic information about each volunteer.

**Top Three Priorities:** Please indicate by placing a “1”, “2”, or “3” alongside your choices.

**BOARDS AND COMMISSIONS**

- \_\_\_ Accommodations Tax (2% State)
- \_\_\_ Airports
- \_\_\_ Alcohol and Drug Abuse
- \_\_\_ Assessment Appeals
- \_\_\_ Beaufort County Transportation
- \_\_\_ Beaufort-Jasper Economic Opportunity
- \_\_\_ Beaufort-Jasper Water & Sewer
- \_\_\_ Beaufort Memorial Hospital
- \_\_\_ Bluffton Township Fire
- \_\_\_ Burton Fire
- \_\_\_ Coastal Zone Management Appellate (inactive)
- \_\_\_ Construction Adjustments and Appeals
- \_\_\_ Daufuskie Island Fire
- \_\_\_ Design Review
- 1 \_\_\_ Disabilities and Special Needs
- \_\_\_ Economic Development Corporation
- \_\_\_ Forestry (inactive)
- \_\_\_ Historic Preservation Review
- \_\_\_ Keep Beaufort County Beautiful
- \_\_\_ Lady's Island / St. Helena Island Fire
- \_\_\_ Library
- \_\_\_ Lowcountry Council of Governments
- \_\_\_ Lowcountry Regional Transportation Authority
- \_\_\_ Parks and Recreation
- \_\_\_ Planning \*
- \_\_\_ Rural and Critical Lands Preservation
- \_\_\_ Sheldon Fire
- \_\_\_ Social Services (inactive)
- \_\_\_ Solid Waste and Recycling
- \_\_\_ Southern Beaufort County Corridor Beautification
- \_\_\_ Stormwater Management Utility
- \_\_\_ Zoning

DATE: January 27, 2021 NAME: Priscilla Drake

BEAUFORT COUNTY VOTER REGISTRATION [REDACTED]

OCCUPATION: Retired

TELEPHONE: [REDACTED] (Office) [REDACTED] EMAIL: [REDACTED]

HOME ADDRESS: [REDACTED] STATE: SC ZIP CODE: [REDACTED]

MAILING ADDRESS: [REDACTED] STATE: SC ZIP CODE: [REDACTED]

COUNTY COUNCIL DISTRICT: 1  2  3  4  5  6  7  8  9  10  11

ETHNICITY: Caucasian  African American  Other

Are you presently serving on a Board, Agency, Commission, Authority or Committee? Yes  No

If “yes”, what is the name of the board and when does term expire? \_\_\_\_\_

- Please return completed form **and a brief resume'** either Email or U.S. Mail:
  - o Email: [boardsandcommissions@bcgov.net](mailto:boardsandcommissions@bcgov.net)
  - o U.S. Mail: Clerk to Council, County Council of Beaufort County, P.O. Drawer 1228, Beaufort, SC 29901
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**YOU MUST BE A BEAUFORT COUNTY REGISTERED VOTER TO APPLY**  
**YOU MUST ATTACH YOUR RESUME' WITH THIS APPLICATION TO BE CONSIDERED**  
**An incomplete application will be returned**

\* Anyone submitting an application to serve on the Planning Commission must fill out the questionnaire on page 2.

Applicant's Signature: *Priscilla Drake*

Submit by Email



# PRISCILLA DRAKE

## OBJECTIVE

---

To serve as a Beaufort County Disabilities and Special Needs Board member

## EXPERIENCE

---

2010 – 2015      Whale Branch Early College High School      Seabrook, SC

*Principal*

- Develop, maintain, evaluate, implement and enhance curricular and extracurricular programs to reflect student achievement and growth in the cognitive, affective and psychomotor domains, provide leadership for the planning, development and implementation of the school's curriculum, manage the recruitment and hiring of staff, select and assign staff in-service programs, observe staff and faculty performance, and conduct evaluation conferences, work with grade level leaders and faculty to compile annual budget requests based on program needs, help develop a student discipline management system, perform safety inspections, review emergency procedures and provide regular drills for emergencies and disasters.

2007 - 2009      St. Helena Elementary School      St. Helena Island, SC

St. Helena Early Learning Center

*Principal*

- Develop, maintain, evaluate, implement and enhance curricular and extracurricular programs to reflect student achievement and growth in the cognitive, affective and psychomotor domains, provide leadership for the planning, development and implementation of the school's curriculum, manage the recruitment and hiring of staff, select and assign staff in-service programs, observe staff and faculty performance, and conduct evaluation conferences, work with grade level leaders and faculty to compile annual budget requests based on program needs, help develop a student discipline management system, perform safety inspections, review emergency procedures and provide regular drills for emergencies and disasters.

2000–2007      Lady's Island Middle School      Lady's Island, SC

*Principal*

- Developed, maintained, evaluated, implemented and enhanced curricular and extracurricular programs to reflect student achievement and growth in the cognitive, affective and psychomotor domains, provide leadership for the planning, development and implementation of the school's curriculum, manage the recruitment and hiring of staff, select and assign staff in-service programs, observe staff and faculty performance, and conduct evaluation conferences, work with team leaders and faculty to compile annual budget requests based on program needs, help develop a student discipline



management system, perform safety inspections, review emergency procedures and provide regular drills for emergencies and disasters.

1996–2000 Humanities School of Beaufort Beaufort, SC

*Administrator/Teacher*

- Coordinated assigned student activities and services, kept abreast of developments in school curriculum and instruction and provided leadership in determining the appropriateness of incorporating recent developments and trends into the school's educational program, encouraged and supported development of innovative instructional programs, helped teachers pilot such efforts when appropriate, ensured that all facilities were operated effectively and efficiently and saw that applicable health and safety standards were met, established schedules and procedures for the supervision of students, helped plan daily school activities by participating in the development of class schedules, teacher assignments, and extracurricular activity schedules, coordinated and repair technology, fulfilled all areas of administration.

1984 – 1998 Lady's Island Middle School Lady's Island, SC

*Keyboarding Teacher*

- Developed age-appropriate lesson plans and led classroom instruction in keyboarding and computer technology, incorporated innovative uses of technology into the classroom, built a strong bond with students, parents and colleagues to inspire a shared commitment to quality education and employed kinesthetic, visual and auditory learning styles to make lessons interesting and to reach all students in the way they learn best, served as department chairperson.

1982 – 1984 Battery Creek High School Beaufort, SC

*Business Education Teacher*

- Developed lesson plans and led classroom instruction in business related subjects, incorporated innovative uses of technology into the classroom, built a strong bond with students, parents and colleagues to inspire a shared commitment to quality education and employed kinesthetic, visual and auditory learning styles to make lessons interesting and to reach all students in the way they learn best.

1981-1982 Holly Hill Roberts High School Holly Hill, SC

*Business Education Teacher*

- Developed lesson plans and led classroom instruction in business related subjects, incorporated innovative uses of technology into the classroom, built a strong bond with students, parents and colleagues to inspire a shared

commitment to quality education and employed kinesthetic, visual and auditory learning styles to make lessons interesting and to reach all students in the way they learn best.

EDUCATION

---

August, 2000    Univeristy of South Carolina                      Columbia, SC  
■ Master's Education degree  
■ Education Administration

May, 1979        South Carolina State University                      Orangeburg, SC  
■ Bachelor's degree  
■ Business Education – Office Occupations

CERTIFICATION

---

- Commerce
- Elememtry Principal
- Office Occupations
- Secondary Principal
- Secondary Supervisor

REFEENCES

- Available Upon Request



**From:** [Weitz, Kristina](#)  
**To:** [Vaughn, Tithanie](#)  
**Subject:** RE: [REDACTED]  
**Date:** Wednesday, January 27, 2021 10:37:23 AM  
**Attachments:** [image001.png](#)

---

She also has a [REDACTED] mailing and her CC [REDACTED]

Respectfully,

Kristina Weitz  
Voter Registration and Elections Manager

Board of Voter Registration and Elections of Beaufort County  
15 John Galt Road – Post Office Box 1228  
Beaufort, SC 29906 – Beaufort, SC 29901  
Voice: (843) 255-6900 -- Fax: (843) 255-9429 -- Website:  
<https://www.beaufortcountysc.gov/vote/>

---

**From:** Vaughn, Tithanie <tithanie.vaughn@bcgov.net>  
**Sent:** Wednesday, January 27, 2021 09:48  
**To:** Weitz, Kristina <kweitz@bcgov.net>  
**Subject:** [REDACTED]

Good Morning,

Can you check

Priscilla Drake  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you,

T. Vaughn  
Senior Administrative Assistant to Clerk to Council  
Beaufort County Government, SC



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<i>A RESOLUTION TO ESTABLISH BEAUFORT COUNTY'S COMMUNITY DEVELOPMENT PRIORITY LIST</i>
<b>MEETING NAME AND DATE:</b>
County Council Meeting; 6:00PM 3/8/2021
<b>PRESENTER INFORMATION:</b>
<i>Chuck Atkinson, ACA Community Services 10 Minutes</i>
<b>ITEM BACKGROUND:</b>
<i>The Beaufort County Community Development Priority List is updated annually. Draft priority list was presented for discussion during the February 1, 2021 Community Services Committee meeting. Draft priority list was presented during the February 3, 2021 session of the County Council Retreat. Draft priority list was emailed to all members of council for review and comment on February 5, 2021.  Resolution was approved by the Community Services Committee without exception on 3/1/2021</i>
<b>PROJECT / ITEM NARRATIVE:</b>
The Beaufort County Community Development priority List is updated annually and is provided to the Lowcountry Council of Governments as a pre-requisite for Community Development Block Grant Program Applications. The SC CDBG Program is designed to provide assistance to units of local government in improving economic opportunities and meeting community revitalization needs, particularly for persons of low and moderate income (LMI). The Annual allocation from HUD for the program is administered by the S C Department of Commerce – Division of Grant Administration.
<b>FISCAL IMPACT:</b>
<i>None</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval of the Resolution.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>MOTION TO APPROVE/DENY THE RESOLUTION TO ESTABLISH BEAUFORT COUNTY'S COMMUNITY DEVELOPMENT PRIORITY LIST</i>



**RESOLUTION 2021/\_\_\_**

**A RESOLUTION ADOPTING PRIORITY COMMUNITY DEVELOPMENT NEEDS**

**WHEREAS**, every year the county is required to provide the Lowcountry Council of Governments with a “Community Development Priority” list, as a prerequisite to applying for federal Community Development Block Grant funds; and

**WHEREAS**, at the February 1, 2021 meeting of the Community Services Committee the County’s priority community development needs were discussed and an opportunity for public comment was provided; and,

**WHEREAS**, during the February 3, 2021 session of County Council’s Annual Retreat, the County’s priority community development needs were discussed and an opportunity for public comment was provided.

**NOW, THEREFORE, BE IT RESOLVED** that Beaufort County Council, in meeting duly assembled, does hereby affirm that the County’s priority community needs for 2021 are as follows:

1. Provide new and/or quantifiably public services and materials that will primarily benefit low and moderate-income (LMI) individuals and are needed to prepare for, respond to or prevent the spread of coronavirus. These activities include but are not limited to:
  - a. Personal protective equipment (PPE)
  - b. Lease of a facility, equipment and other property needed for a public service
  - c. COVID-19 testing supplies and contact tracking software
  - d. Food pantries
  - e. Food distribution and delivery for elderly or other primarily LMI residents
  - f. After school education assistance programs
  - g. Senior services
  - h. Alterations or retrofitting of publicly owned facilities to facilitate compliance with public health guidelines. (HVAC and air filtration improvements, expansion of interior public spaces to facilitate social distancing, and equipment or public improvements needed to expand or improve internet access)
  
2. Drainage improvements in low-and-moderate income neighborhoods as identified in our capital improvement plan.

3. Funding for public facilities, transportation, and services; other activities that strengthen existing quality of life (parking garage, event center, education and workforce development, public health and safety).
  
4. Housing programs – Water and sewer hookups to replace failing septic systems and wells in low-and-moderate income communities and/or neighborhoods; housing repair for low-and-moderate income homeowners and for rental units occupied by low-and-moderate income renters; programs to promote new affordable rental housing; programs and policies to promote homeownership for low-and-moderate income households; and incentives to promote affordable infill housing.
  
5. Streetscape improvements in all areas of the county that contain low-and-moderate income communities and/or neighborhoods.
  
6. Improvements to public recreation facilities that benefit low-and-moderate income citizens of the County.

Adopted this \_\_\_\_ day of March, 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

Joseph Passiment, Chairman

ATTEST: \_\_\_\_\_

Sarah W. Brock, Clerk to Council



**RESOLUTION 21/\_\_\_\_  
REESTABLISHING THE-MEMBERSHIP OF THE BEAUFORT COUNTY  
TRANSPORTATION ADVISORY GROUP**

WHEREAS, the Beaufort County Council deems it appropriate to reestablish the membership of the Beaufort County Transportation Advisory Group (“BTAG”);

NOW, THEREFORE, Be it resolved, that the BTAG, as a multi-governmental body, shall have the following membership:

Voting Members (11):

- One County Council member from Hilton Head Island; one County Council member from Southern Beaufort County; one County Council member from north of the Broad River. all three Councilmen will be selected by the Chairman of Beaufort County Council, who shall also designate the Chairman and Vice Chairman of this Committee.
- Beaufort County Sheriff
- Chairman, County Transportation Committee
- Mayor, Town of Hilton Head Island (or designated Town Council member)
- Mayor, City of Beaufort (or designated City Council member)
- Mayor, Town of Port Royal (or designated Town Council member)
- Mayor, Town of Bluffton (or designated Town Council member)
- Mayor, Town of Yemassee (or designated Town Council member)
- Mayor, Town of Hardeeville (or designated Town Council member)

*Ex-Officio* Members:

- Executive Director, Lowcountry Council of Governments
- General Manager, Lowcountry Regional Transportation Authority
- County Administrator, Jasper County
- County Administrator, Beaufort County
- Planning Director, Beaufort County
- County Engineer, Beaufort County
- Representative of Beaufort Jasper Water & Sewer Authority

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

Joseph Passiment  
Chairman

Attest:

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



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<i>Recommendations to Finance Committee for the 2021 Awards of Local Accommodations and Hospitality Tax.</i>
<b>MEETING NAME AND DATE:</b>
Finance Committee 02/25/2021
<b>PRESENTER INFORMATION:</b>
<i>Hayes Williams Finance Director</i>  <i>1 hour</i>
<b>ITEM BACKGROUND:</b>
<i>Beaufort County started the Local Accommodation Tax and Local Hospitality Tax application process in September of 2020, with the closing of applications on December 31, 2020. The applications were reviewed by the Local Accommodation Tax and Local Hospitality Tax Committee for compliance with the Local Statutes and their individual need and merit. The Committee will present the recommendations to the Finance Committee.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The Local Accommodation Tax Fund has approximately \$1,651,428 to award, and Local Hospitality Tax Fund has approximately \$1,981,105 to award for combined total of \$3,632,533 available to award for 2021.</i>
<b>FISCAL IMPACT:</b>
<i>Recommendations of \$3,530,656 to be provided out the Local Accommodations Tax Fund and the Local Hospitality Tax Fund.</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Approval of recommendations Local Accommodation Tax and Local Hospitality Tax.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Approve the motion for First Reading at the next County Council meeting.</i>  <i>Deny the motion.</i>

Beaufort County  
2021 Local Accommodations and Hospitality Tax

Event	Sponsor	Requested Source of Funding	Amount Requested	Group Award	Reason
Whitehall Boardwalk	City of Beaufort	Local Atax	\$ 350,000.00	\$ 350,000.00	Bridge to connect to Whitehall Park Resolution 2019/31 states "Applicants must submit final accounting reports for an award before receiving a subsequent award". Penn Center still has \$800,000 remaining in Phase I that they have not spent.
Phase II Penn Center Website Development	Penn Center	Local Atax	\$ 968,000.00	\$ -	Penn Center will need to apply next year.
Reconstruction Era Park - Porter's Chapel	Historic Port Royal Foundation & Museum Website	Local Atax	\$ 5,000.00	\$ 5,000.00	The only amount included in the budget
	Town of Port Royal	Local Atax	\$ 240,500.00	\$ 240,500.00	Reconstruction Era Park town put in an additional \$60,000
Southeast Business Summit	Beaufort County Black Chamber of Commerce	Local Atax	\$ 11,700.00	\$ -	Resolution 2019/31 states "Applicants must submit final accounting reports for an award before receiving a subsequent award".
Kentucky Derby	Beaufort County Black Chamber of Commerce	Local Atax	\$ 11,700.00	\$11,700 rolled over from prior year	Resolution 2019/31 states "Applicants must submit final accounting reports for an award before receiving a subsequent award".
Gullah Christmas Jazz & Art Festival	Beaufort County Black Chamber of Commerce	Local Atax	\$ 11,700.00	\$ -	Resolution 2019/31 states "Applicants must submit final accounting reports for an award before receiving a subsequent award".
Broad River Fishing Pier	Beaufort County Capital Projects	Local Atax	\$ 114,000.00	\$ 114,000.00	95,000 plus 20% contingency
Beaufort Oyster Festival	Beaufort Area Hospitality Association	Local Htax	\$ 10,000.00	\$ 2,460.00	Only for marketing and promotional , police fire & security
Beaufort Oyster Festival	Beaufort Area Hospitality Association	Local Atax	\$ 10,000.00	\$3,186 rollover from prior year	Only marketing in Local Accommodations tax is allocated to DMO's
Stokes Cottage (1313 Congress Street)	Community Foundation of the Lowcountry	Local Atax	\$ 149,850.00	\$ -	These are privately owned, the owners will not transfer property
Brick Baptist Church Study House	Community Foundation of the Lowcountry	Local Atax	\$ 267,255.00	\$ 267,255.00	Reconstruction Era Park
Grand Army Hall	Community Foundation of the Lowcountry	Local Atax	\$ 115,200.00	\$ 115,200.00	Reconstruction Era Park
Dixie Jr. Boys and Dixie Boys State	Beaufort County Parks & Recreation	Local Atax	\$ 28,500.00	\$ 28,500.00	Marketing and promotional needs for the tournament
Dixie Softball State Tournament	Beaufort County Parks & Recreation	Local Atax	\$ 28,500.00	\$ 28,500.00	Marketing and promotional needs for the tournament
Marketing	Hilton Head Island Airport	Local Htax	\$ 30,000.00	\$ 30,000.00	Marketing and promotional items
Annual Boat Landing Maintenance	Beaufort County Public Works	Local Htax	\$ 250,000.00	\$ 200,000.00	Boat landing improvements and study
Beaufort Executive Terminal Renovation	Beaufort Executive Airport	Local Htax	\$ 80,000.00	\$ 80,000.00	Needed improvements to bring new tourism
Spanish Moss Trail Battery Creek Bridge Repair	Beaufort County Capital Projects	Local Htax	\$ 359,500.00	\$ 359,500.00	
Coastal Discovery Museum	Building of a Museum on HHI	Local Htax	\$ 750,000.00	\$ 750,000.00	
Renovation of Boundary Street Tennis Courts	Beaufort County Parks & Recreation	Local Htax	\$ 384,741.00	\$ 384,741.00	
Mitchellville Freedom Park	Building of a Museum on HHI	Local Htax	\$ 575,000.00	\$ 575,000.00	Awarded from HTAX
			\$ 4,751,146.00	\$ 3,530,656.00	
			\$ 3,632,533.00	\$ 3,632,533.00	
			\$ (1,118,613.00)	\$ 101,877.00	

## Sec. 66-531. - Authority.

This article is enacted pursuant to the authority S.C. Code § 4-9-30 (1976, as amended) which provides that the county may adopt all ordinances which appear necessary and proper for the security, general welfare and convenience of the county and for the preservation of the general health, peace and order in the county and S.C. Code § 6-1-700 et seq. (1976, as amended) which expressly provides authorization for the imposition of a hospitality tax.

(Ord. No. 2005/9, § 1, 3-28-2005)

## Sec. 66-532. - Hospitality tax—Definitions.

- (a) *Local hospitality tax* is a tax imposed within the unincorporated areas of Beaufort County on the sales of prepared meals and beverages sold in establishments or sales of prepared meals and beverages sold in establishments licensed for on-premises consumption of alcoholic beverages, beer, or wine. In addition, the tax shall be imposed for all food and beverages prepared or modified by convenience stores or grocery stores within the unincorporated areas of Beaufort County.
- (b) *A hospitality tax equal to two percent* is hereby imposed on the gross proceeds derived from the sale of prepared meals and beverages sold in establishments located in unincorporated areas of Beaufort County.
- (c) *Beverages* shall include all beverages, including, but not limited to, alcoholic beverages, beer, wine, and any nonalcoholic beverage.
- (d) *Establishments* shall mean any individual, partnership, corporation or business entity, regardless of form which, as a part of its business offers prepared meals, whether for consumption on the premises or off.
- (e) *Establishments licensed for on-premises consumption of alcoholic beverages, beer or wine* shall mean any individual, partnership, corporation or business entity, regardless of form, which is licensed by the State of South Carolina alcoholic beverage commission to offer alcoholic beverages, beer or wine for sale or consumption on its premises.
- (f) *Gross sales price* shall mean the total charge for any prepared meal or beverage, exclusive of any other taxes, fees or gratuity.
- (g)

*Prepared meals* shall mean any prepared food item prepared or offered for sale by any establishments or establishments licensed for on-premises consumption of alcoholic beverages, beer or wine, whether consumed on the premises or off.

(Ord. No. 2005/9, § 2, 3-28-2005; Ord. No. 2009/35, 10-12-2009; Ord. No. 2012/1, 2-13-2012.)

Sec. 66-533. - Payment of hospitality tax.

- (a) Payment of the local hospitality tax shall be the liability of the consumer of prepared meals and beverages as described in section 66-532. The local hospitality tax shall be paid at the time of the purchase of the prepared meals and beverages and shall be collected by the establishments or establishments licensed for on-premises consumption of alcoholic beverages, beer or wine selling the prepared meals and beverages.
- (b) The county shall provide a hospitality tax return, which shall be utilized by the provider of the services to calculate the amount of hospitality taxes collected and due. Payment shall be made to Beaufort County and shall be made at the same time as the return is required to be filed as provided below.
- (c) The hospitality tax collected by the provider of the services as required herein shall be remitted to the County of Beaufort, South Carolina, as follows:
  - (1) Payment shall be collected and remitted monthly starting January 1, 2010 and each month thereafter.
  - (2) Payments are due on or before the twentieth day following the end of the filing period.
- (d) An interest-bearing restricted account, kept in a separate fund segregated from the county's general fund and to be known as "The County of Beaufort, South Carolina, Local Hospitality Tax Account" is hereby established. All revenue and interest generated by the local hospitality tax shall be deposited into this account. The County of Beaufort, South Carolina, Hospitality Tax Account, shall be controlled by the county administrator for the County of Beaufort, South Carolina. The principal and any accrued interest thereon shall be spent only as provided herein.
- (e)

Deposits into "The County of Beaufort, South Carolina, Hospitality Tax Account" may also include appropriations from the general fund by the county council and voluntary contributions of money and other liquid assets from any source. Once any such funds are so deposited, the funds become dedicated funds and may only be spent as provided herein.

(Ord. No. 2005/9, § 3, 3-28-2005; Ord. No. 2009/35, 10-12-2009)

Sec. 66-534. - Permitted uses of hospitality tax funds.

- (a) The county council is hereby authorized to utilize the funds collected from the imposition and collection of the hospitality tax and other funds deposited into "The County of Beaufort, South Carolina, Hospitality Tax Account." The revenue generated by the hospitality tax must be used exclusively for the following purposes:
- (1) Tourism-related buildings, including, but not limited to, civic centers, coliseums, and aquariums;
  - (2) Tourism-related cultural, recreational, historic facilities, or land acquisition;
  - (3) River/beach access and renourishment;
  - (4) Highways, roads, streets, bridges and boat ramps providing access to tourist destinations;
  - (5) Advertisements and promotions related to tourism development;
  - (6) Water and sewer infrastructure to serve tourism-related demand; and
  - (7) The operation and maintenance of those items provided in (a)(1) through (a)(6) above, including police, fire protection, emergency medical services, and emergency-preparedness operations directly attendant to those facilities.
  - (8) For all other proper purposes including those set forth herein.
- (b) Authorization to utilize any funds from the "County of Beaufort, South Carolina, Hospitality Tax Account," shall be by ordinance duly adopted by the county council for the County of Beaufort, South Carolina.

(Ord. No. 2005/9, § 4, 3-28-2005)

Sec. 66-535. - Inspections and audits.

- (a)

For the purpose of enforcing the provisions of this article, the license official or other authorized agent of the County of Beaufort, South Carolina, is empowered to enter upon the premises of any person or establishment subject to this article to make inspections, examine and audit books and records of such person or establishment.

- (b) It shall be unlawful for any person to fail or refuse to make available the necessary books and records during normal business hours upon 24 hours' written notice. In the event that the audit reveals that false information has been filed by the remitter, the costs of the audit shall be added to the correct amount determined to be due in addition to the penalties provided herein. The license official may make systematic inspections of all businesses within the unincorporated areas of the County of Beaufort, South Carolina, to ensure compliance with this chapter.

(Ord. No. 2005/9, § 5, 3-28-2005; Ord. No. 2009/35, 10-12-2009)

Sec. 66-536. - Violations and penalty.

- (a) It shall be a violation of this chapter to:
- (1) Fail to collect the hospitality tax in connection with the sale of prepared meals and beverages sold in establishments in the unincorporated areas of Beaufort County.
  - (2) Fail to remit to the County of Beaufort, South Carolina, any hospitality taxes collected pursuant to this article by the twentieth day of the following month, as set forth herein.
  - (3) Knowingly provide false information on a return submitted to the County of Beaufort, South Carolina, as set forth herein.
  - (4) Fail or refuse to provide books and records to an authorized agent of the County of Beaufort, South Carolina, for the purpose of an examination or audit upon 24 hours' written notice as provided herein.
- (b) In the event that hospitality taxes are not timely remitted to the County of Beaufort, South Carolina as provided herein, the person or establishment failing to remit shall also pay a penalty equal to one and one-half percent of the unpaid amount for each month or portion thereof that such taxes remain unpaid.
- (c)

A person or establishment failing or refusing to timely file a return and make appropriate payment and/or provide books and records as provided herein may be subject to a conviction for a violation hereof. The violator shall be guilty of a misdemeanor and subject to the penalties provided in section 1-6 of the Code of the County Council of Beaufort County, South Carolina.

- (d) Upon identification of a delinquent account, the director of business license or his/her designee has the authority to establish payment plans, revenue procedures, and reduce or waive penalties based on the revenue procedures as adopted with this amendment.

(Ord. No. 2005/9, § 6, 3-28-2005; Ord. No. 2009/35, 10-12-2009)

Sec. 66-537. - Management and use of hospitality tax.

- (a) Fund the approved annual operating expenditures of the program at an amount not to exceed eight percent of the funds collected;
- (b) Allocate the remaining balance through the county's annual budget process; except
- (c) County council may make emergency appropriations as provided in 2020 Ordinance number 2020/46 by approval of a resolution.

(Ord. No. 2005/9, § 7, 3-28-2005; Ord. No. 2020/46, § 3, 10-26-2020)

Sec. 66-538. - Applicability and effective date.

- (a) This article shall become effective on October 12, 2009.
- (b) The director of business license department is authorized to adopt guidelines, policies and procedures to implement this article.

( Ord. No. 2009/35, 10-12-2009 )

Sec. 66-539. - Severability.

If any part of the ordinance is held by a court of competent jurisdiction be unconstitutional, illegal, or invalid for any reason, it shall be construed to have been the legislative intent of the County Council of Beaufort County, South Carolina, to pass this Ordinance [Ord. No. 2009/35] without such unconstitutional, illegal or invalid provision, and the remainder of this Ordinance shall be deemed and held to be constitutional, lawful and valid as if such portion had not been included. If this article or any provision thereof is held by a court of competent jurisdiction to be



Item 3.

inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

( Ord. No. 2009/35, 10-12-2009. )

## Sec. 66-41. - Authority.

This article is enacted pursuant to the authority S.C. Code § 4-9-30 (1976, as amended) which provides that the county may adopt all ordinances which appear necessary and proper for the security, general welfare and convenience of the county and for the preservation of the general health, peace and order in the county and S.C. Code § 6-1-500 et seq. (1976, as amended) which expressly provides authorization for the imposition of a local accommodations tax.

(Ord. No. 2002-11, § 1, 3-11-2002; Ord. No. 2005/10, § 1, 3-28-2005)

## Sec. 66-42. - Local (3%) accommodations tax—definitions.

- (a) *Tourist* and *transient* means a person traveling to and staying in places outside his or her usual environment for one night or more for leisure, business, or any other purpose for consideration within the unincorporated areas of Beaufort County, South Carolina. A person meeting this definition may be staying in places of public accommodations such as hotels, motels, inns, condominium, bed and breakfasts, tourist courts, campgrounds or the residences of family or friends for consideration.
- (b) *Local accommodations tax* means a tax on the gross proceeds derived from the rental or charges for any rooms, campground spaces, lodgings, or sleeping accommodations furnished to transients by any hotel, inn, tourist court, tourist camp, motel, campground, residence or any place in which rooms, lodgings, or sleeping accommodations are furnished to transients for consideration. This tax does not apply where the facilities consist of less than six sleeping rooms, contained on the same premises, which is used as the individual's place of abode. The gross proceeds derived from the lease or rental of sleeping accommodations supplied to the same person for a period of 90 continuous days are not considered proceeds from transients. The tax imposed herein does not apply to additional guest charges as defined in S.C. Code § 12-36-920(B) (1976, as amended).
- (c) A local accommodations tax equal to three percent is hereby imposed on the gross proceeds derived from the rental of any room(s) (excluding meeting rooms) as provided above.

(Ord. No. 2002-11, § 2, 3-11-2002; Ord. No. 2005/10, § 2, 3-28-2005; Ord. No. 2009/15, 3-30-2009)

## Sec. 66-43. - Payment of local (3%) accommodations tax.

- (a)

Payment of the local accommodations tax established herein shall be the liability of the consumer of the services described herein. The local accommodations tax shall be paid at the time of delivery of the services to which the local accommodations tax applies, and shall be collected by the provider of the services.

- (b) The county shall provide a local accommodations tax return, which shall be utilized by the provider of the services to calculate the amount of local accommodation taxes collected and due. Payment shall be made to Beaufort County and shall be made at the same time the return is required to be filed as provided below.

Real estate agents, brokers, corporations, or listing services required to remit taxes under this article must notify the county if rental property, previously listed by them, is dropped from their listings. The notice shall be on a form provided by the county.

- (c) The local accommodations tax collected by the provider of the services as required herein shall be remitted to the County of Beaufort, South Carolina, as follows:
- (1) Payment shall be collected and remitted monthly starting January 1, 2010 and each month thereafter.
  - (2) Payments are due on or before the twentieth day following the end of the filing period.
- (d) An interest-bearing restricted account, kept in a separate fund segregated from the county's general fund and to be known as "The County of Beaufort, South Carolina, Local Accommodations Tax Account" is hereby established. All revenue and interest generated by the local accommodations tax shall be deposited into this account. "The County of Beaufort, South Carolina, Local Accommodations Tax Account," shall be controlled by the county administrator for the County of Beaufort, South Carolina. The principal and any accrued interest thereon shall be spent only as provided herein.
- (e) Deposits into "The County of Beaufort, South Carolina, Local Accommodations Tax Account" may also include appropriations from the general fund by the county council and voluntary contributions of money and other liquid assets from any source. Once any such funds are so deposited, the funds become dedicated funds and may only be spent as provided herein.

(Ord. No. 2002-11, § 3, 3-11-2002; Ord. No. 2005/10, § 3, 3-28-2005; Ord. No. 2009/15, 3-30-2009; Ord. No. 2009/36, 10-12-2009.)

Sec. 66-44. - Permitted uses of local (3%) accommodations tax funds.

- (a) The county council is hereby authorized to utilize the funds collected from the imposition and collection of the local accommodations tax and other funds deposited into "The County of Beaufort, South Carolina, Local Accommodations Tax Account." The revenue generated by the local accommodations tax must be used exclusively for the following purposes:
- (1) Tourism-related buildings, including, but not limited to, civic centers, coliseums, and aquariums;
  - (2) Cultural, recreational, or historic facilities;
  - (3) River/beach access and renourishment;
  - (4) Highways, roads, streets, bridges and boat ramps providing access to tourist destinations;
  - (5) Advertisements and promotions related to tourism development;
  - (6) Water and sewer infrastructure to serve tourism-related demand; and
  - (7) The operation and maintenance of those items provided in (a)(1) through (a)(6) above, including police, fire protection, emergency medical services, and emergency-preparedness operations directly attendant to those facilities.
  - (8) For all other proper purposes including those set forth herein.
- (b) Authorization to utilize any funds from the "County of Beaufort, South Carolina, Local Accommodations Tax Account," shall be by ordinance duly adopted by the county council for the County of Beaufort, South Carolina, except for expenditures following an emergency as provided in Ordinance 2020/46, which may be authorized by approval of a resolution.

(Ord. No. 2002-11, § 4, 3-11-2002; Ord. No. 2005/10, § 4, 3-28-2005; Ord. No. 2009/15, 3-30-2009; Ord. No. 2020/46, § 2, 10-26-2020.)

Sec. 66-45. - Inspections and audits.

- (a) For the purpose of enforcing the provisions of this article, the license official or other authorized agent of the County of Beaufort, South Carolina, is empowered to enter upon the premises of any person or establishment subject to this article to make inspections, examine and audit books and records of such person or establishment.
- (b) It shall be unlawful for any person to fail or refuse to make available the necessary books and records during normal business hours upon 24 hours' written notice. In the event that the audit reveals that false information has been filed by the remitter, the

costs of the audit shall be added to the correct amount determined to be due in addition to the penalties provided herein. The license official may make systematic inspections of all businesses within the unincorporated areas of the County of Beaufort, South Carolina, to ensure compliance with this chapter.

(Ord. No. 2002-11, § 5, 3-11-2002; Ord. No. 2005/10, § 5, 3-28-2005; Ord. No. 2009/36, 10-12-2009)

Sec. 66-46. - Violations and penalty.

(a) It shall be a violation of this chapter to:

- (1) Fail to collect the local accommodations tax in connection with the rental of accommodations to tourists or transients as set forth herein.
- (2) Fail to remit to the County of Beaufort, South Carolina, any local accommodations taxes collected pursuant to this article by the twentieth day of the following month, as set forth herein.
- (3) Knowingly provide false information on a return submitted to the County of Beaufort, South Carolina, as set forth herein.
- (4) Fail or refuse to provide books and records to an authorized agent of the County of Beaufort, South Carolina, for the purpose of an examination or audit upon 24 hours' written notice as provided herein.

(b) In the event that local accommodations taxes are not timely remitted to the County of Beaufort, South Carolina as provided herein, the person or establishment failing to remit shall also pay a penalty equal to one and one-half percent of the unpaid amount for each month or portion thereof that such taxes remain unpaid.

(c) A person or establishment failing or refusing to timely file a return and make appropriate payment and/or provide books and records as provided herein may be subject to a conviction for a violation hereof. The violator shall be guilty of a misdemeanor and subject to the penalties provided in section 1-6 of the Code of the County Council of Beaufort County, South Carolina.

(d) Upon identification of a delinquent account, the director of business license or his/her designee has the authority to establish payment plans, revenue procedures, and reduce or waive penalties based on the revenue procedures as adopted with this amendment.

(Ord. No. 2002-11, § 6, 3-11-2002; Ord. No. 2005/10, § 6, 3-28-2005; Ord. No. 2009/36, 10-12-

2009)

Sec. 66-47. - Management and use of local (3%) accommodations tax.

[The management and use of local accommodations tax is as follows:]

- (a) Fund the approved annual operating expenditures of the program at an amount not to exceed eight percent of the funds collected.
- (b) Allocate \$350,000.00 annually for advertising and promotion programs related to tourism development (subsection 66-44(a)(5)). These funds shall be allocated as follows:
  - (1) One hundred fifty thousand dollars shall be allocated to the Greater Beaufort-Port Royal Convention and Visitors Bureau for advertising, promotion and events to increase tourism within the county.
  - (2) One hundred fifty thousand dollars shall be allocated to the Hilton Head - Bluffton Chamber of Commerce for advertising, promotion and events to increase tourism within the county.
  - (3) Fifty thousand dollars shall be allocated to the Beaufort County Black Chamber of Commerce for advertising, promotion and events to increase tourism within the county.
  - (4) Funds shall be distributed to the designated organizations on a quarterly basis no later than 30 days after the end of the quarter.
  - (5) Advertising expenditures using these county funds cannot be spent within Beaufort County except for notifications of festivals or other events similar in nature.
- (c) Allocate the remaining balance of collections as follows:
  - (1) Twenty percent to establish a reserve fund for emergency or other unforeseen needs;
  - (2) Twenty percent for river/beach access and renourishment (subsection 66-44(a)(3));
  - (3) Sixty percent for tourism-related buildings, including, but not limited to, civic centers, coliseums and aquariums (subsection 66-44(a)(1)); cultural, recreational, or historic facilities; highways, roads, streets, bridges and boat ramps providing access to tourist destinations (subsection 66-44(a)(2)); water

and sewer infrastructure to serve tourism-related demand (subsection 66-44(a) (6); the operation and maintenance, including police, fire protection, emergency medical services and emergency preparedness operating directly attendant to those facilities as referenced above (subsection 66-44(a)(7)); and for all other proper purposes (subsection 66-44(a)(8)).

(d) In accordance with state law, the three chambers shall submit for approval a budget of planned expenditures. At the end of each fiscal year, an organization receiving funds shall render an accounting of the expenditure to the county.

(e) Any changes to this section of the code shall go into effect after July 1, 2009.

(Ord. No. 2002-11, § 7, 3-11-2002; Ord. No. 2005/10, § 7, 3-28-2005; Ord. No. 2009/15, 3-30-2009; Ord. No. 2018/22, 6-11-2018.)

#### Sec. 66-48. - Applicability and effective date.

(a) This division shall become effective on October 12, 2009.

(b) The business license department is authorized to adopt guidelines, policies and procedures to implement this division.

( Ord. No. 2009/36, 10-12-2009 )

#### Sec. 66-49. - Severability.

If any part of the ordinance is held by a court of competent jurisdiction be unconstitutional, illegal, or invalid for any reason, it shall be construed to have been the legislative intent of the County Council of Beaufort County, South Carolina, to pass this Ordinance [Ord. No. 2009/36] without such unconstitutional, illegal or invalid provision, and the remainder of this division shall be deemed and held to be constitutional, lawful and valid as if such portion had not been included. If this division or any provision thereof is held by a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

( Ord. No. 2009/36, 10-12-2009 )

#### Sec. 66-50. - Reserved.

ORDINANCE NO. 2021/ \_\_\_\_

AN ORDINANCE TO APPROPRIATE GRANT AWARDS TO LOCAL ENTITIES FROM THE COUNTY'S LOCAL (3%) ACCOMMODATIONS TAX AND LOCAL HOSPITALITY TAX COLLECTIONS FOR THE YEAR ENDING JUNE 30, 2021.

WHEREAS, Beaufort County Council ("County Council") is authorized to utilize Local Accommodations Tax ("Local A-Tax") Funds for limited tourism-based purposes described in Beaufort County Code Ordinance Sec. 66-44; and

WHEREAS, Beaufort County Ordinance Sec. 66-534 describes permitted uses of the hospitality tax fund

WHEREAS, Beaufort County Code Ordinance Sec. 66-44(b) states "authorization to utilize any funds from the 'County of Beaufort, South Carolina, Local Accommodations Tax Account' shall be by ordinance duly adopted by the County Council; and

WHEREAS, Section 66-534(b) states "authorization to utilize any funds from the "County of Beaufort, South Carolina Hospitality Tax Account," shall be by ordinance duly adopted by the county council; and

WHEREAS, Beaufort County started the Local Accommodation Tax and Local Hospitality Tax application process in September of 2020, with the closing of applications on December 31, 2020. The applications were reviewed by the Local Accommodation Tax and Local Hospitality Tax Committee for compliance with the Local Statutes and their individual need and merit; and

WHEREAS, County Council finds that it is in the best interest of its citizens, residents, visitors and tourists to provide the recommended funds to local entities and projects as set forth in the attached "Exhibit A" which is incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, that appropriations shall be made in the form of grant awards to local entities from Beaufort County's Local Accommodations Tax Funds and Hospitality Tax Funds as set forth in the attached Exhibit A.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

Joseph Passiment, Jr.

ATTEST:

Sarah Brock, Clerk to Council

Chronology:  
Third and Final Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
First Reading: \_\_\_\_\_





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
RURAL AND CRITICAL LAND PRESERVATION PROGRAM CONSULTING SERVICES FOR BEAUFORT COUNTY
<b>MEETING NAME AND DATE:</b>
County Council Meeting, Monday, March 8, 2021
<b>PRESENTER INFORMATION:</b>
Mr. Dave Thomas, Beaufort County Purchasing Director 5 Minutes
<b>ITEM BACKGROUND:</b>
Rural and Critical Land Preservation Board consultant contract expired June 30, 2020. An RFQ was put out to bid in May 2020 but was cancelled. A revised RFQ was put out to bid in January 2021. There was only one submittal.
<b>PROJECT / ITEM NARRATIVE:</b>
The Beaufort County Rural and Critical Land Preservation Program is a tax-payer bond funded land acquisition program administered by the Beaufort County Planning and Zoning Department. The purpose of the Program is to provide a means by which rural and critical lands may be protected and enhanced as economic and environmental resources of major importance. In accordance with the Rural and Critical Land Preservation Ordinance (26-26 to 26-49 (2019/48)), Land Preservation Bond Referendum, the Beaufort County Comprehensive Plan, and Beaufort County policies and priorities, the consultant shall provide staff support and assistance with the purchase of fee simple and/or development rights pursuant to the Program ordinance.
<b>FISCAL IMPACT:</b>
\$170,000.00 a year from the Beaufort County Rural and Critical Land Preservation Program Bond Referendum (Account # 4500). The contract term will be for 12 months beginning April 1, 2021 through March 31, 2022. There may be an opportunity to extend the contract for four (4) additional 12 month terms depending on annual staff review of consultant's performance and funding availability. Any potential extensions will be determined during the County's budget process.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval of the proposal as submitted. Natural Resources Committee approved on March 1, 2021.
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve the RFQ for The Rural and Critical Land Preservation Program Consultant submitted by Beaufort County Open Land Trust.  Motion to modify the RFQ for The Rural and Critical Land Preservation Program Consultant submitted by Beaufort County Open Land Trust  Motion to deny the RFQ for The Rural and Critical Land Preservation Program Consultant submitted by Beaufort County Open Land Trust and send back to Committee.

**ORDINANCE 2021 / \_\_**

**ZONING MAP AMENDMENT/REZONING REQUEST FOR 1.96 ACRES (R600 036 000 015E 0000) AT THE INTERSECTION MAY RIVER ROAD AND BENTON LANE FROM T3 EDGE TO T2 RURAL CENTER.**

**WHEREAS**, added text is highlighted in yellow and underlined.

Adopted this \_\_\_ day of \_\_\_\_\_ 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

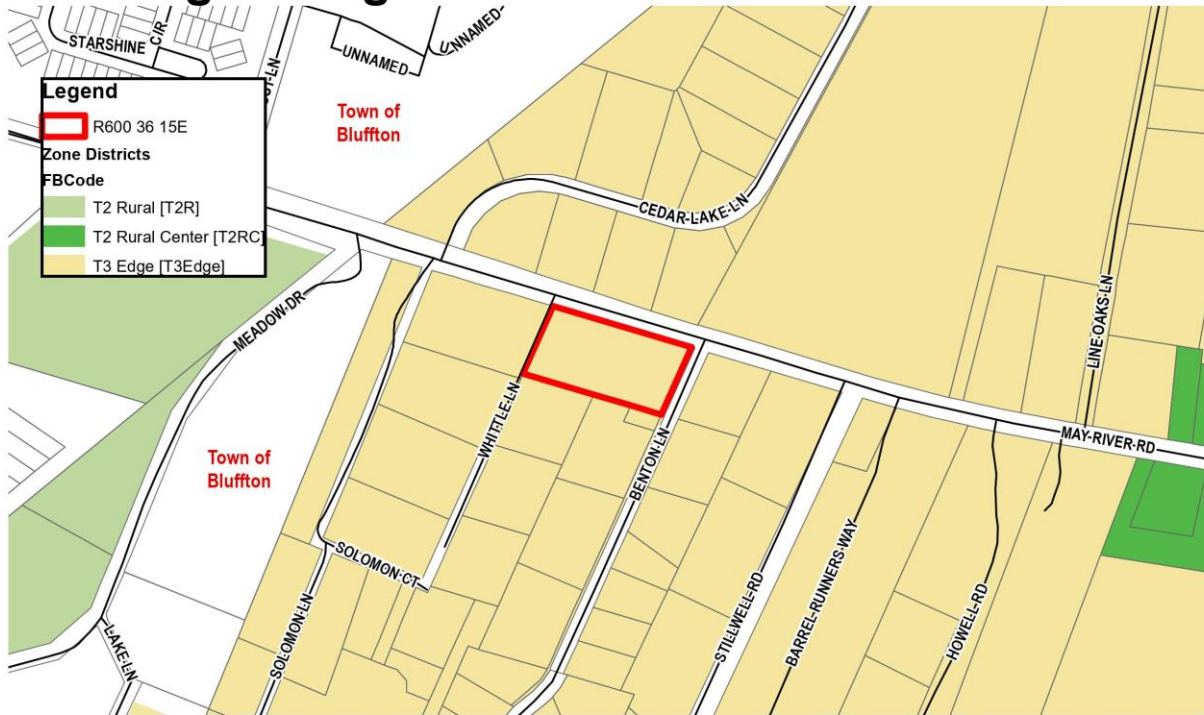
Joseph Passiment, Chairman

ATTEST:

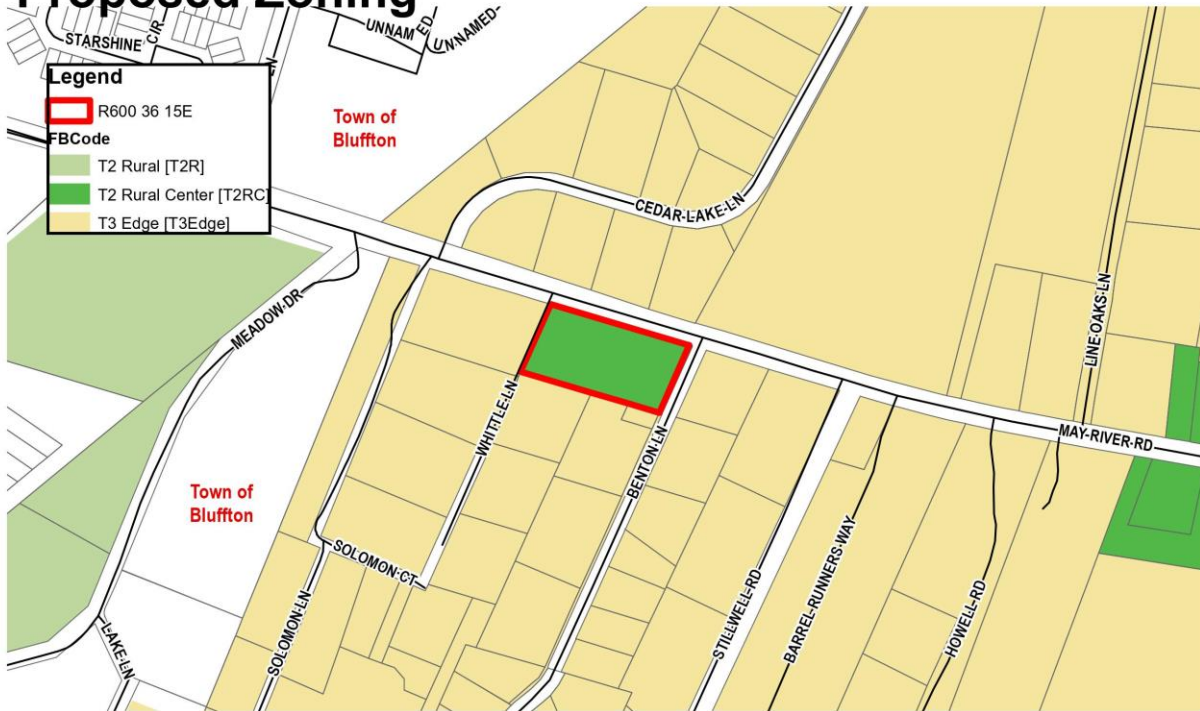
\_\_\_\_\_

Sarah W. Brock, JD, Clerk to Council

# Existing Zoning



# Proposed Zoning





# MEMORANDUM

**TO:** Alice Howard, Chairperson, Natural Resources Committee of County Council

**FROM:** Noah Krepps, Beaufort County Planning and Zoning Department

**DATE:** February 16, 2021

**SUBJECT:** Zoning Map Amendment/Rezoning Request for 1.96 acres (R600 036 000 015E 0000) at the Intersection of May River Rd and Benton Ln from T3 Edge to T2 Rural Center

## STAFF REPORT:

### A. BACKGROUND:

**Case No.** ZMA-2020-03

**Owner/Applicant:** Lydia Group LLC / Blaine McClure

**Property Location:** Located at the intersection of May River Rd and Benton Ln

**District/Map/Parcel:** R600 036 000 015E 0000

**Property Size:** 1.96 acres

**Current Future Land Use Designation:** Neighborhood Mixed-Use

**Current Zoning District:** T3 Edge

**Proposed Zoning District:** T2 Rural Center

**B. SUMMARY OF REQUEST:** The applicant seeks to change the zoning of a 1.96-acre lot at the western corner of Benton Ln and May River Rd from T3 Edge to T2 Rural Center (see attached map). The parcel was zoned Neighborhood Commercial District under the 1990 Development Standards Ordinance and was rezoned to Community Preservation in 1999, allowing the commercial development rights to carry over. In 2011, the County held a charrette for the Pritchardville community during the development of the Community Development Code. At that time, the community decided to limit commercial development to a smaller area around the intersection of Gibbet Rd and May River Rd. In 2014, the Community Development Code was adopted, and 122 May River Rd was zoned T3 Edge because it was outside of the small commercial district identified in the charrette.

The **T2 Rural Center (T2RC)** district allows a diverse mix of land uses including residential, retail, service, and limited light industrial. It is a lower intensity walkable area in the immediate vicinity of a rural crossroads or other important rural intersection.

**E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** This 1.96-acre lot is designated Neighborhood Mixed-Use on the Future Land Use Map. Future development in neighborhood mixed-use areas should be primarily residential with some supporting neighborhood retail establishments. A very small percentage of the designated area should consist of commercial development.

**F. ZONING MAP AMENDMENT REVIEW STANDARDS:** In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

**1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;**

The Land Use chapter of the Comprehensive Plan identifies the need to provide sufficient land for non-retail commercial uses that promote economic health and diversity. The Neighborhood Mixed-Use area in which the proposed rezoning lies already has a mix of service, retail, and light industrial uses between the parcel in question and the Gibbet Rd intersection.

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

The proposed rezoning constitutes a “spot zoning,” as it is not adjacent to any other T2 Rural Center parcels.

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

See 1 above.

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

N/A.

**5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;**

Existing uses on the surrounding land are primarily residential. The proposed zoning change would allow for a broader mix of intense commercial, service, and light industrial uses.

**6. Would not adversely affect nearby lands;**

As stated in 5, there is potential for adverse impacts on the existing residential developments in the adjacent area.

**7. Would result in a logical and orderly development pattern;**

See 5 and 6 above.

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

Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.

**9. Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):**

The site does not currently have access to public sewer or water. It does have paved vehicular access from Benton Ln. Future development that generates over 50 peak-hour trips will require a traffic impact analysis.

**G. STAFF RECOMMENDATION:** The proposed zoning change from T3 Edge to T2 Rural Center constitutes a “spot zoning” and cannot be supported by Planning staff. Staff also has concerns about potential impacts on the surrounding residential areas.

Staff acknowledges that the owner applied for development permits for a convenience store in both 2000 and 2002. The store was never built, but good faith was shown through the owner’s intent to develop at that time.

**H. PLANNING COMMISSION RECOMMENDATION:** At the February 2, 2021 meeting of the Beaufort County Planning Commission, the Commission voted (5 for and 3 against) to recommend denial of the proposed amendment to County Council.

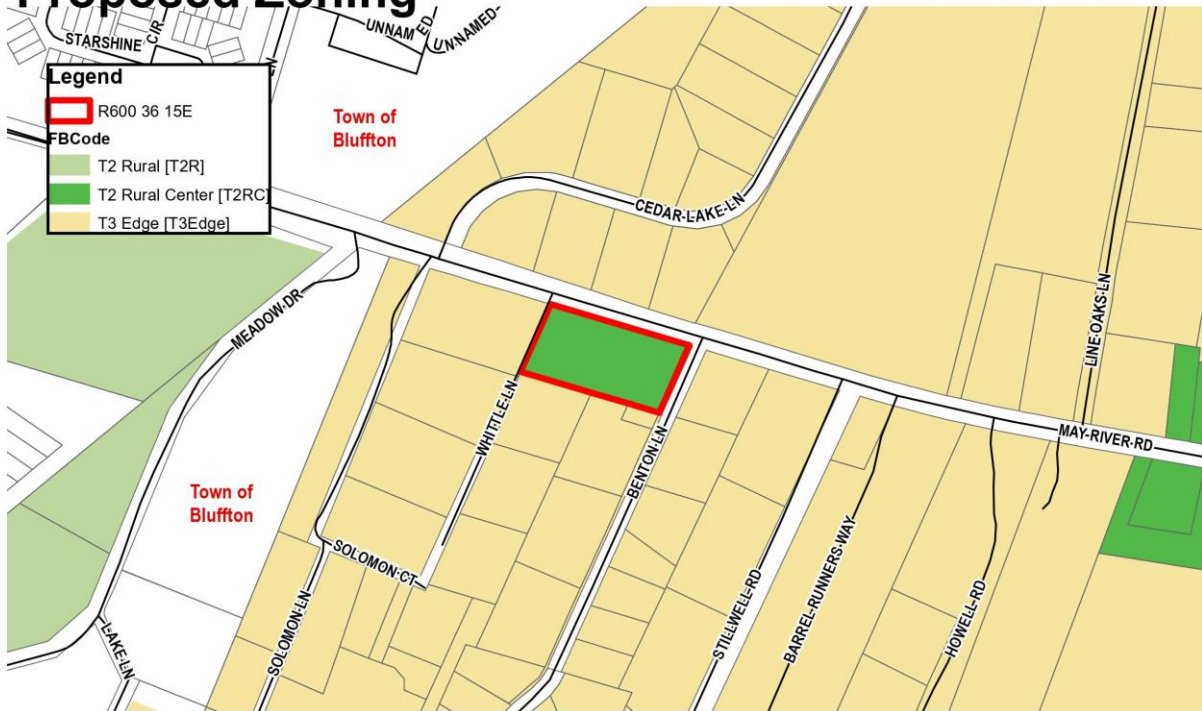
**I. ATTACHMENTS**

- Zoning Map (existing and proposed)
- Location Map

# Existing Zoning



# Proposed Zoning









# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<i>Zoning Map Amendment/Rezoning Request for 1.96 acres (R600 036 000 015E 0000) at the Intersection of May River Rd and Benton Ln from T3 Edge to T2 Rural Center</i>
<b>MEETING NAME AND DATE:</b>
<i>Natural Resources Committee Meeting, March 1, 2021</i>
<b>PRESENTER INFORMATION:</b>
<i>Noah Krepps, Long Range Planner, Beaufort County Planning and Zoning (10 minutes need for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>This rezoning application went before the Beaufort County Planning Commission at their February 1, 2021 meeting. At that time the Commission voted (5 for and 3 against) to recommend denial of the proposed amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The applicant seeks to change the zoning of a 1.96-acre lot at the western corner of Benton Ln and May River Rd from T3 Edge to T2 Rural Center (see attached map). The parcel was zoned Neighborhood Commercial District under the 1990 Development Standards Ordinance and was rezoned to Community Preservation in 1999, allowing the commercial development rights to carry over. In 2001 and 2003, the owner received a development permit to construct a convenience store on the site. The store was never built and the permit expired. In 2011, the County held a charrette for the Pritchardville community during the development of the Community Development Code. At that time, the community decided to limit commercial development to a smaller area around the intersection of Gibbet Rd and May River Rd. In 2014, the Community Development Code was adopted, and 122 May River Rd was zoned T3 Edge because it was outside of the small commercial district identified in the charrette.</i>
<b>FISCAL IMPACT:</b>
<i>Not applicable</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>The proposed zoning change from T3 Edge to T2 Rural Center constitutes a “spot zoning” and cannot be supported by Planning staff. Staff also has concerns about potential impacts on the surrounding residential areas. However, staff acknowledges that the owner historically applied for development permits for a convenience store in both 2001 and 2003. The store was never built, but good faith was shown through the owner’s intent to develop at that time.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>To approve or deny the zoning amendment for 122 May River Road from T3 Edge to T2 Rural Center.</i>



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<i>Amendment to Article 7, Section 7.3.30.E (Appeals)</i>
<b>MEETING NAME AND DATE:</b>
County Council, February 8, 2021
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Acting Director, Planning and Zoning 5 minutes needed for presentation.</i>
<b>ITEM BACKGROUND:</b>
<i>This is a minor amendment to Article 7, Section 7.3.30.E to make the language in the Community Development Code better match the language in the SC State Planning Enabling Act of 1994 regarding appeals. The current language in the Community Development Code stays all county actions during an appeal, whereas the state enabling legislation stays "all legal proceedings". Staff believes that the existing language in the CDC is too broad and should be revised to match the state legislation. This action is a follow up of an item that the Natural Resources Committee reviewed at its November 2, 2020 meeting where staff proposed to limit appeals of conceptual subdivisions and land developments. The purpose of this limit would be avoid appeals at a stage of a project where it is not fully designed. The Natural Resources Committee did not approve staff's proposal at that time and directed staff to consider a different approach. This revised amendment was presented to the Natural Resources Committee at their February 1 meeting and they voted unanimously to forward the amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
See above
<b>FISCAL IMPACT:</b>
<i>No Fiscal Impact</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Approve or deny proposed amendment.</i>

### 7.3.70 - Appeals

- A. **Purpose.** The purpose of this Section is to establish an appeal for an aggrieved party affected by a decision made by an administrative decision-maker to determine if the decision complies with the requirements of this Development Code.
- B. **Types of Appeal.** Appeals may be taken by an aggrieved party from the following decisions, to either the ZBOA, or the Planning Commission, as follows:
1. **ZBOA.** The ZBOA is authorized to serve as the appellate body for decisions on:
    - a. Zoning Permits, see Section 7.2.20 (Zoning Permit);
    - b. Modulation Permits, see Section 7.2.30 (Modulation Permit);
    - c. Sign Permits, see Section 7.2.40 (Sign Permit);
    - d. Tree Removal Permits, see Section 7.2.50 (Tree Removal Permit); and
    - e. Interpretations of all provisions of this Development Code, except for Zone District Map Boundaries, see Section 7.3.60 (Interpretations).
  2. **Planning Commission.** The Planning Commission is authorized to serve as the appellate body for decisions on:
    - a. Minor Land Development Plans, see Section 7.2.60 (Land Development Plan);
    - b. Major Land Development Plans (Concept Plan and Final Land Development Plan), see Section 7.2.60 (Land Development Plan);
    - c. Minor Subdivisions, see Section 7.2.70 (Subdivision Plat);
    - d. Major Subdivisions (Concept Plat and Final Plat), see Section 7.2.70 (Subdivision Plat);
    - e. Traditional Community Plans (TCP), see Section 7.2.90; and
    - f. Interpretations of zoning district boundaries, see Section 7.3.60 (Interpretations).
- C. **Appeal Procedure.**
1. **Pre-Application Conference is Optional.** See Section 7.4.20 (Pre-Application Conference).
  2. **Application Submittal and Acceptance.** See Section 7.4.30 (Application Submittal and Acceptance). An Appeal application shall specify the grounds for the appeal and shall be submitted to the Director within 30 days after receipt of notice of the decision being appealed.
  3. **Staff Review and Action.** See Section 7.4.40 (Staff Review and Action). On accepting an Appeal application, the Director shall transmit the appeal and the record of material considered by the decision-maker in making the decision (including but not limited to, for example, the application and support materials, staff report, other plans, documents, reports and studies considered in making the decision, and any minutes, transcripts, or record of the meetings held to consider and make the decision). These materials, plus the Comprehensive Plan and this Development Code shall constitute the record of the appeal.
  4. **Public Hearing Scheduling and Notice.** See Section 7.4.50 (Public Hearing Scheduling and Notice). The Director shall also provide notice of the public hearing to the applicant for the decision being appealed, if different from the appellant.
  5. **Public Hearing Procedures.** See Section 7.4.70 (Public Hearing Procedures). Appeals from a decision of administrative agents shall be heard by the ZBOA or the Planning Commission as appropriate, based solely on the materials (plans, documents, reports, studies, drawings, and testimony) available to the body or agent rendering the initial decision and advisory bodies prior to the decision. Appeals shall not consider new or altered plans, except that information submitted, but not discussed or considered in rendering a decision, shall be considered part of the original evidence. If hearings were held and testimony given, transcripts and other record

items of those proceedings shall be the exclusive basis of the appeal. The appeal shall also consider this Section's standards and state law.

6. **Decision-Making Body Review and Decision.** Applicable to a decision by the appropriate appellate body following a public hearing. See Section 7.4.90, (Decision-Making Body Review and Decision). The public hearing shall be on the record of the appeal, with presentations limited to arguments on the record of the appeal as it relates to the grounds for appeal specified in the Appeal application.
  - a. The appellate body shall base its decision solely on the record of the appeal, as supplemented by arguments presented at the public hearing, and the standards in Subsection 7.30.70.D. The final decision of the appellate body shall be one of the following:
    - (1) Affirmation of the decision or interpretation (in whole or in part);
    - (2) Modification of the decision or interpretation (in whole or in part); or
    - (3) Reversal of the decision or interpretation (in whole or in part).
  - b. Reserved.
7. **Appeal.** The decision of the appellate body may be appealed to the Circuit Court.

**D. Appeal Review Standards.**

1. An appellate body is limited to the following determinations in considering the appeal, which shall be based on clear and substantial evidence in the record:
  - a. The decision-maker made an error in determining whether a standard was met. The record must indicate that an error in judgment occurred or facts, plans, or regulations were misread in determining whether the particular standard was or was not met;
  - b. The decision-maker made the decision based on a standard not contained in this Development Code or other appropriate County ordinances, regulations, or state law, or that a standard more strict or broad than the standard established in this Development Code was applied. (This Development Code does not allow administrative decision-makers to consider or create standards not officially adopted); or
  - c. The decision-maker made an error in applying a standard or measuring a standard.
2. Where conflicting evidence exists, the appeal is limited to determining what evidence or testimony bears the greatest credibility in terms of documentation and qualifications of those making the determination.
3. The appellate body shall not hear any evidence or make any decision based on hardships or special conditions.

- E. Effect of Pending Appeal.** A pending appeal stays all County actions in furtherance of the decision being appealed unless the Director certifies to the appellate body reviewing the decision or interpretation (or the appellate body independently determines) that because of facts stated in the certification (or as part of the appellate body's determination), a stay would cause imminent peril to life or land. In that case, proceedings shall not be stayed other than by an order issued by the appellate body for good cause, or by a court of law. An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Director certifies to the appellate body, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In that case, proceedings may not be stayed other than by a restraining order which may be granted by the board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
An ordinance authorizing the execution and delivery of Utility Easement #901093 encumbering property owned by Beaufort County.
<b>MEETING NAME AND DATE:</b>
County Council Meeting February 8, 2021
<b>PRESENTER INFORMATION:</b>
Jared Fralix, P.E., Assistant County Administrator, Engineering (5 Minutes)
<b>ITEM BACKGROUND:</b>
Unanimous Approval by Public Facilities Committee on 1-19-21 Dominion Energy is adding a primary service feeder from Prince Street to Boundary Street and is requesting an easement from the County to move forward with the project.
<b>PROJECT / ITEM NARRATIVE:</b>
Beaufort County has been constructing the new Arthur Horne building and requires electric service upgrades from Dominion Energy. Dominion energy has agreed to waive the estimated \$50,000 (Transformer and primary feed) cost in exchange for Utility Easement # 901093 to place an additional underground primary service feeder from Prince Street to Boundary Street.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends granting Utility Easement #901093.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Motion to approve/deny granting Utility Easement #901093.</i>
<b><i>(Next Step- County Council 2<sup>nd</sup> Reading at 2/22/21 &amp; Final reading/hearing 3/8/21)</i></b>

**Ordinance No. 2021/\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF UTILITY  
EASEMENT # 901093 ENCUMBERING PROPERTY OWNED BY BEAUFORT  
COUNTY**

**WHEREAS**, Beaufort County owns real property (“County Parcels”) located south of Boundary Street (US 21), west of Ribaut Road (SC 281S), and north of Prince Street designated as TMS No. R120 003 000 193A 0000 recorded in Deed Book 528 at Page 2054 on 5/12/1989, TMS No. R120 003 000 0195 0000 recorded in Deed Book 538 at Page 1212, on 10/11/1989, TMS No. R120 003 000 0197 0000 recorded in Deed Book 534 at Page 2028, on 8/10/1989, TMS No. R120 003 000 198A 0000 recorded in Deed Book 536 at Page 1315 on 9/8/1989, and TMS No. R120 003 000 0202 0000 recorded in Deed Book 533 at Page 2738 on 8/2/1989; and

**WHEREAS**, Dominion Energy South Carolina, INC (Dominion) is requesting an easement across the aforementioned County Parcels to strengthen the reliability in the surrounding area by providing an additional primary service feeder from Prince Street to Boundary Street; and

**WHEREAS**, this service would be underground by way of directional bore (or open trench or hand digging where applicable) and would allow one source per transformer in lieu of multiple transformers per source on a radial feed with no additional poles needed; and

**WHEREAS**, Dominion will be able to remove existing distribution poles located on County property from the intersection of Boundary Street and Ribaut Road and carry on southward for three spans; and

**WHEREAS**, in exchange for Utility Easement # 901093, Dominion is willing to waive the estimated \$50,000 cost associated with primary electric service necessary for the construction of the New Arthur Horne Building located on County parcel R120 003 000 0097 0000; and

**WHEREAS**, Beaufort County Council has determined that it is in its best interest to authorize the execution and delivery of the requested Easement attached hereto and incorporated by reference and shown on the attached document entitled “Easement # 901093”; and

**WHEREAS**, S.C. Code Ann. § 4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by Beaufort County Council and a public hearing must be held.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL AS FOLLOWS:**

- (1) The County Administrator is hereby authorized to execute the Easement referenced herein and which is shown on the attached document entitled “Easement # 901093”; and

(2) The County Administrator is hereby authorized to take all actions as may be necessary to complete the conveyance of the Easement and ensure the infrastructure construction and installation occur as agreed upon by the County and Dominion.

DONE this \_\_\_\_ day of \_\_\_\_\_ 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

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

Third and Final Reading:

Public Hearing:

Second Reading:

First Reading:

**Easement # 901093**

INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between **Beaufort County** of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and the **DOMINION ENERGY SOUTH CAROLINA, INC.**, a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor, being the owner of land situate in the County of **Beaufort**, State of South Carolina, hereby grants and conveys to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: **5 lots** being the same lands conveyed to Grantor by deed of **James W. Pruitt, et al**, dated or recorded **5/12/1989**, and filed in the Register of Deeds office for **Beaufort** County in **Deed Book 528 at Page 2054**, dated or recorded **10/11/1989**, and filed in the Register of Deeds office for **Beaufort** County in **Deed Book 538 at Page 1212**, dated or recorded **8/10/1989**, and filed in the Register of Deeds office for **Beaufort** County in **Deed Book 534 at Page 2028**, dated or recorded **9/8/1989**, and filed in the Register of Deeds office for **Beaufort** County in **Deed Book 536 at Page 1315** and dated or recorded **8/2/1989**, and filed in the Register of Deeds office for **Beaufort** County in **Deed Book 533 at Page 2738**.

**These lots are located north of Prince Street and west of Ribaut Road. The easement will be as the Grantee's facilities are actually installed, being more fully shown on Dominion Energy South Carolina Drawing #83547, sheet 1 of 3 and is made a part hereof by reference only.**

**TMS: R120 003 000 193A 0000, R120 003 000 0195 0000, R120 003 000 0197 0000, R120 003 000 198A 0000 and R120 003 000 0202 0000.**

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land ("Easement Space") extending Fifteen (15) feet on each side of any pole lines and Five (5) feet on each side of any underground wires and within, over, under or through a section of land extending Twelve (12) feet from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the property of Grantor (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however, that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the applicable above specified Easement Space, and in case such structure is built, then Grantor, or such successors and assigns as may be in possession and control of the premises at the time, will promptly remove the same upon demand of Grantee herein. Grantor further agrees to maintain minimum ground coverage of thirty six (36) inches and maximum ground coverage of fifty four (54) inches over all underground primary electric lines. Together also with the right of entry upon said lands of Grantor for all of the purposes aforesaid.

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

**For: Beaufort County**

By: \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
1<sup>st</sup> Witness

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

\_\_\_\_\_  
2<sup>nd</sup> Witness

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



ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF **Beaufort** )

The foregoing instrument was acknowledged before me, the undersigned Notary, and I do hereby certify that the within named \_\_\_\_\_, as \_\_\_\_\_ of **Beaufort County**, personally appeared before me this day and that the above named acknowledged the due execution of the foregoing instrument.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Signature of Notary Public State of SC

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Print Name of Notary Public

**RIGHT OF WAY GRANT TO  
DOMINION ENERGY SOUTH CAROLINA, INC**

Line: **Beaufort Central 4th Feeder**

County: **Beaufort**

R/W File Number: **23864**

Grantor(s): **Beaufort County**

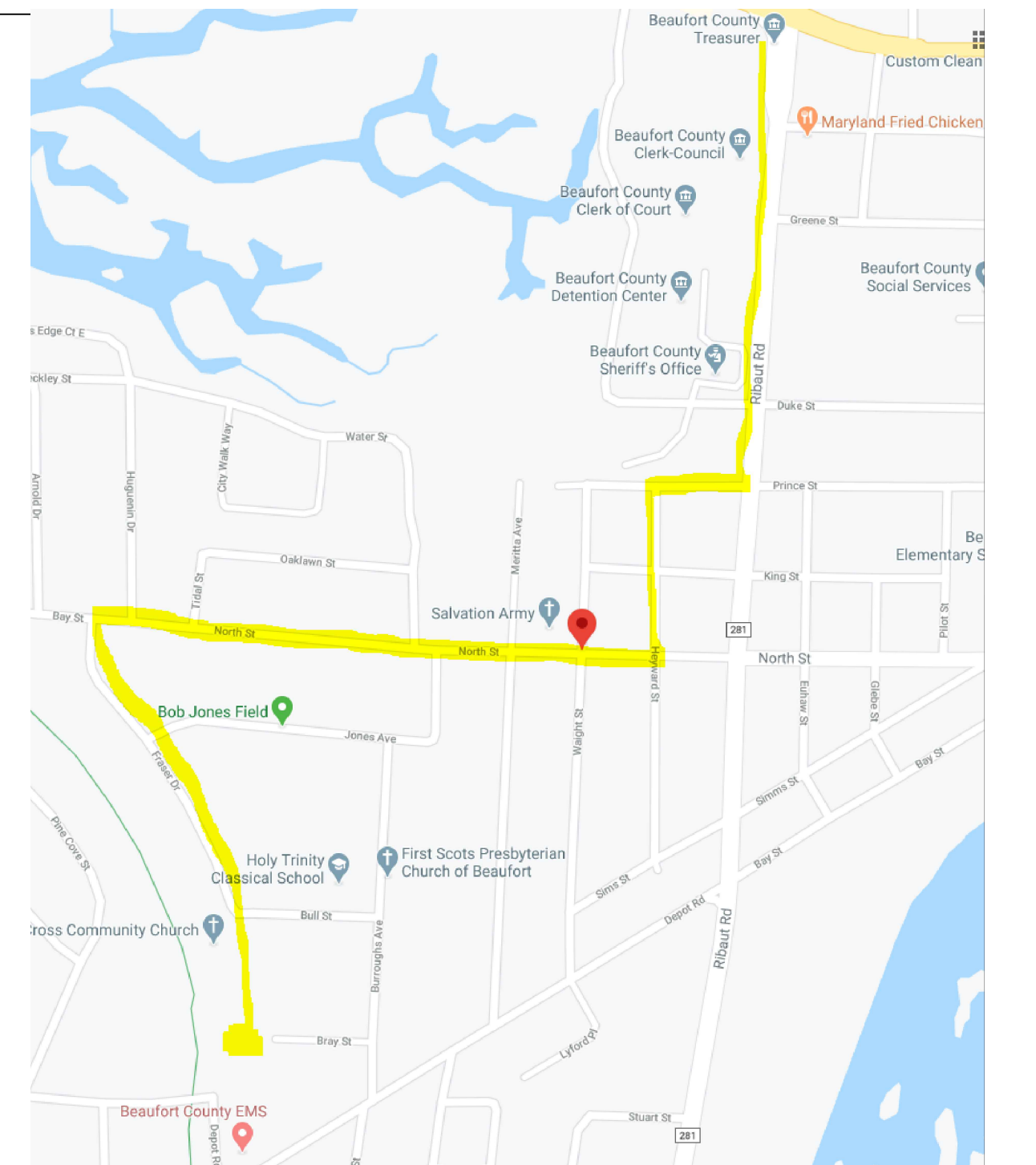
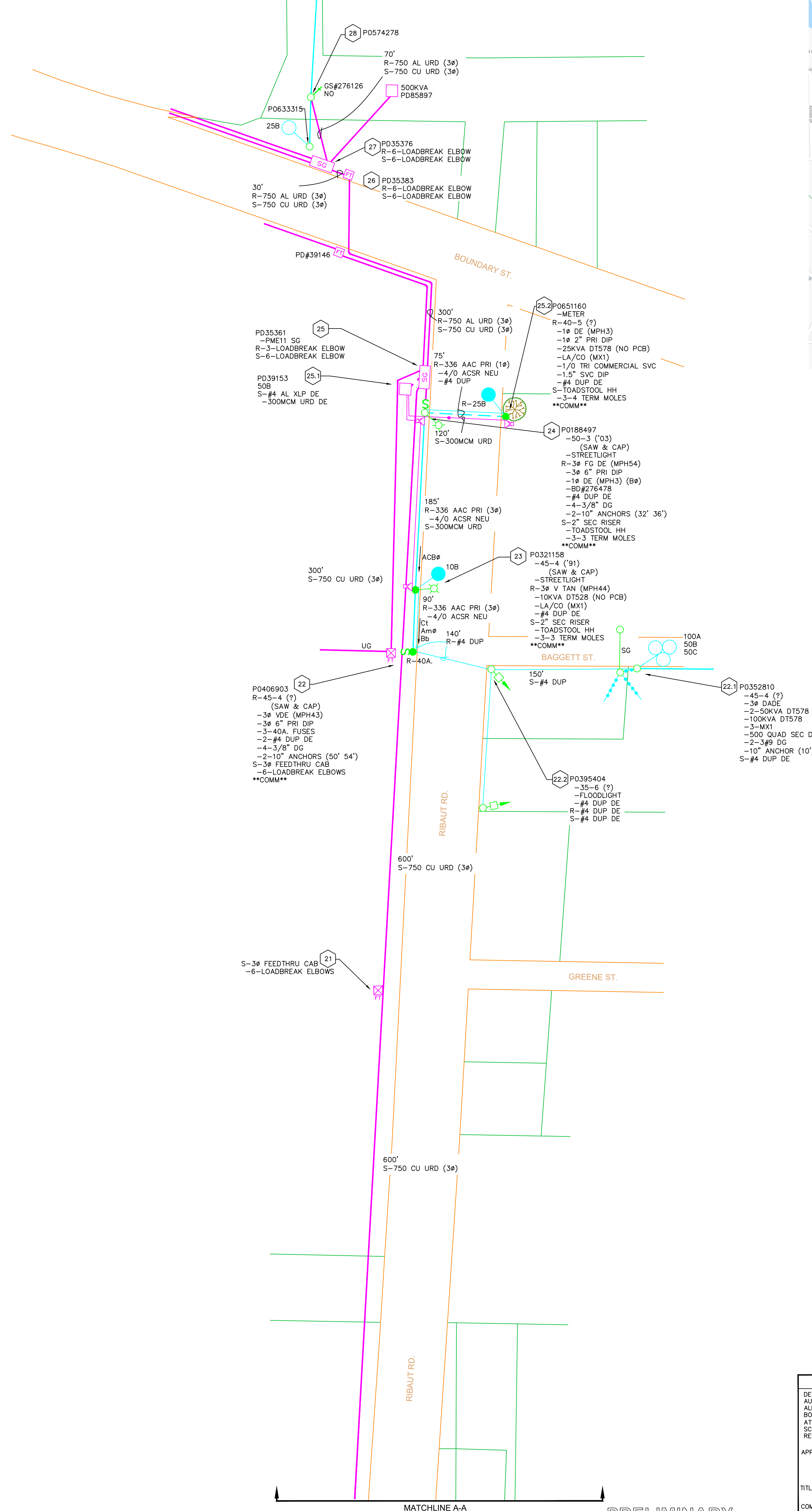
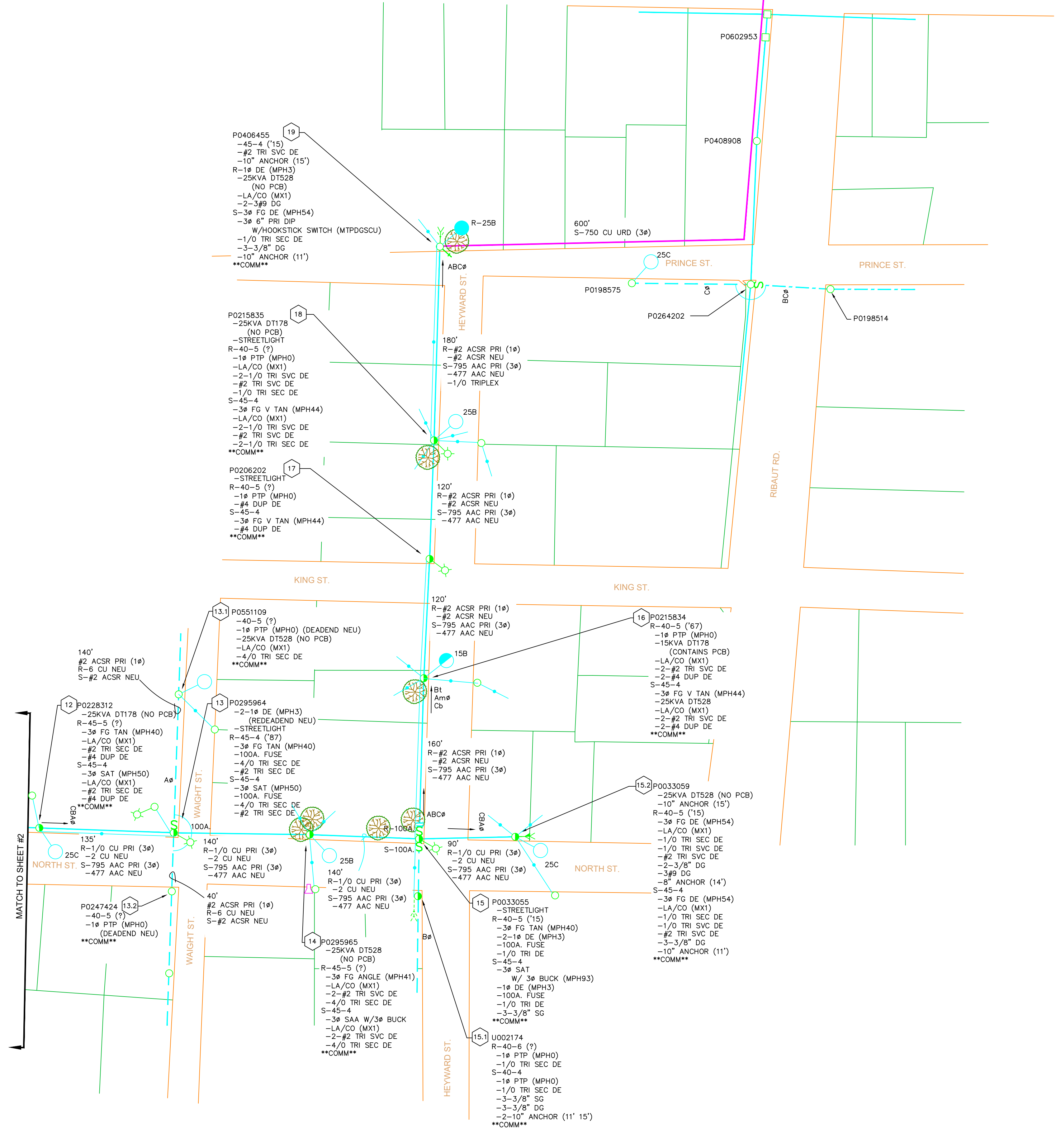
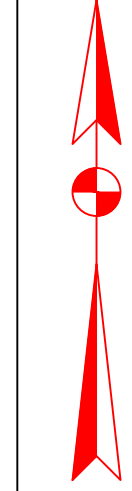
Return to: DESC, C/O Right of Way Dept., 81 May River Road, Bluffton, SC 29910

# RULING SPAN

POINTS	SPAN LENGTH	RULING SPAN
3-8	1020'	225'
8-9	110'	110'
10-15.2	640'	125'
15-19	580'	175'

LIGHT LOADING DISTRICT  
MAX 2000 LBS. TENSION

ALL 795 AAC PRIMARY CONDUCTOR TO  
BE SPECCED WITH 477 AAC NEUTRAL



SOUTH CAROLINA ELECTRIC & GAS COMPANY ELECTRIC DISTRIBUTION SYMBOLS	
<b>POLES</b>	<b>OVERHEAD SYMBOLS</b>
○ SCAGS DISTRIBUTION POLE	○ SINGLE PHASE TRANSFORMER
○ SCAGS TRANSFORMATION POLE	○ THREE PHASE TRANSFORMER
○ FIBER OPTIC POLE	○ ON SERVICE
○ ANCHOR & DOWN UTILITY	○ PRIMARY METER
<b>PRIMARY CONDUCTOR</b>	<b>UNDERGROUND SYMBOLS</b>
— SINGLE PHASE	○ SINGLE PHASE PAD MOUNTED TRANSFORMER
— THREE PHASE	○ UNDERGROUND
— CONDUIT	○ THREE PHASE PAD MOUNTED TRANSFORMER
<b>SECONDARY CONDUCTOR</b>	○ UNDERGROUND
— SIMPLEX	○ UNDERGROUND
— QUADPLEX	○ UNDERGROUND
<b>SECTIONALIZING DEVICES &amp; SWITCHES</b>	○ SWITCH GEAR
○ DISCONNECT	○ LOOP CABLE
○ OIL CIRCUIT BREAKER	○ LOCAL SWITCH
○ FUSE	○ SECONDARY FEEDER/ANCHOR
○ SCADA SWITCH	○ FOR PERMANENT
	○ FOR WEATHER
<b>LIGHTING</b>	
○ STREET LIGHT	○ HAT BOX LIGHT
○ FLOOR LIGHT	○ SIDE WALK LIGHT
○ ORNAMENTAL LIGHT	

EXAMPLES OF SYMBOL SCHEMES ARE AS FOLLOWS:  
 FACILITIES OPERATED BY OTHER UTILITIES TO BE INDICATED BY "O.U." INSIDE THE SYMBOL.  
 FACILITIES TO BE REMOVED BY A NEW INSTALLATION TO BE INDICATED BY A "DUP" INSIDE THE SYMBOL.  
 THIS INDICATES THE LOCATION OF A TRANSMISSION OR PRIMARY DISTRIBUTION LINE CROSSING FOLLOW "SAFETY" PRECAUTIONS.  
 MISCELLANEOUS UTILITIES:  
 ○ CABLE TV ○ SEWER FORCE MAIN  
 ○ FIBER OPTIC ○ STORM DRAIN  
 ○ GAS MAIN ○ TELEPHONE CABLE  
 ○ SEWER MAIN ○ WATER MAIN

THIS LEGEND IS FOR GENERAL INFORMATION ONLY. FOR MORE DETAILED INFORMATION, REFER TO THE CONSTRUCTION NOTES SHOWN ON THIS DRAWING OR REFER TO THE SCAGS DISTRIBUTION CONSTRUCTION STANDARDS MANUAL.

W/O # \_\_\_\_\_ W/R # \_\_\_\_\_  
 STARTED \_\_\_\_\_ BY \_\_\_\_\_  
 COMPLETED \_\_\_\_\_ BY \_\_\_\_\_  
 CLOSED OUT \_\_\_\_\_ BY \_\_\_\_\_  
 COORDINATOR: EVAN WHEELER  
 ELECTRIC ENG.-TECH: DAVID SHARPE  
 GAS ENG.-TECH: \_\_\_\_\_

**RIGHT OF WAY INFORMATION**  
 RW AGENT: M. JUNGLEDORFF  
 FILE NUMBER: \_\_\_\_\_  
 EASEMENT NO.: \_\_\_\_\_

STANDARD SCAGS DISTRIBUTION RIGHT OF WAY: OVERHEAD ELECTRIC IS 15' EACH SIDE OF THE POLE. UNDERGROUND ELECTRIC IS 5' EACH SIDE OF THE CABLE. PAD MOUNTED EQUIPMENT IS 12' AROUND THE PERIMETER OF THE EQUIPMENT.

**3 DAYS BEFORE DIGGING  
IN SOUTH CAROLINA  
CALL 811  
IT'S THE LAW**

**PALMETTO UTILITY PROTECTION SERVICE**  
 ALL SCAGS FACILITY LOCATIONS SHOWN ON THIS DRAWING ARE APPROXIMATE. FINAL LOCATIONS ARE DETERMINED AT THE TIME OF INSTALLATION BY A SCAGS REPRESENTATIVE.

DEVELOPER'S SIGNATURE BLOCK  
 DEVELOPER HEREBY APPROVES THIS LAYOUT FOR CONSTRUCTION AND CERTIFIES THAT HE/SHE HAS THE AUTHORITY TO DO SO. ANY CHANGE AFFECTING THIS LAYOUT MUST BE REPORTED IMMEDIATELY TO SCAGS. ALL COST ASSOCIATED WITH ANY REQUESTED CHANGE OR INSUFFICIENT FINAL GRADE INFORMATION WILL BE BORNE BY THE DEVELOPER. SCAGS POLICY, STATE AND LOCAL LAW, AS WELL AS REGULATORY RESTRICTIONS AT THE TIME OF CONSTRUCTION WILL PREVAIL. DEVELOPER CERTIFIES THAT HE/SHE HAS REVIEWED THE SCAGS DEVELOPING HANDBOOK AND ALL REQUIREMENTS LISTED IN THE HANDBOOK UNDER DEVELOPER RESPONSIBILITY MUST BE MET BEFORE CONSTRUCTION CAN BE SCHEDULED.

APPROVED BY: \_\_\_\_\_ (SIGNATURE)  
 \_\_\_\_\_ (PRINT NAME)  
 TITLE: \_\_\_\_\_  
 COMPANY: \_\_\_\_\_ DATE: \_\_\_\_\_

SOUTH CAROLINA ELECTRIC & GAS CO.	
TITLE: <u>BEAUFORT CENTRAL - 4TH FEEDER</u>	DATE: _____
DETAIL: <u>OVERHEAD AND UNDERGROUND DISTRIBUTION</u>	CKTG: <u>60322</u>
SUB: <u>BEAUFORT CENTRAL SUB (14)</u>	DIST: <u>60</u>
DRN: <u>08-03-2018</u>	SCALE: <u>1"= 60'</u>
FOR APP: <u>083547-01.DWG</u>	DATE PLOTTED: <u>03/25/20</u>
SHEET: <u>1 OF 3 SHEETS</u>	

NO.	DATE	BY	REVISION	FOR

PRELIMINARY

PLAN "SAFETY" INTO EVERY JOB

SCANACAD DRAWING-DO NOT REVISE MANUALLY

\\nas01\shares\apps\gls\SCAGS\Drawings\Electrical\Construction\083547-01.dwg, Scale=60, Plotted By: 04/14/20, 11:55am



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
An Ordinance authorizing the execution and delivery of Utility Easement #901094 encumbering property owned by Beaufort County.
<b>MEETING NAME AND DATE:</b>
County Council Meeting February 8, 2021
<b>PRESENTER INFORMATION:</b>
Jared Fralix, P.E., Assistant County Administrator, Engineering (5 Minutes)
<b>ITEM BACKGROUND:</b>
Unanimous Approval by Public Facilities Committee on 1-19-21 Beaufort County is in the process of building the new Arthur Horne Building and is trying to maximize space available for future parking. Dominion Energy has recommended placing a transformer east of the new building allowing for the elimination of a junction box and removal of the existing feeder.
<b>PROJECT / ITEM NARRATIVE:</b>
Dominion energy has agreed to waive the estimated \$50,000 (Transformer and primary feed) cost in exchange for Utility Easement # 901093 to place an additional underground primary service feeder from Prince Street to Boundary Street.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends granting Utility Easement #901094.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Motion to approve</i> granting Utility Easement #901094. <i>Motion to deny</i> granting Utility Easement #901094.
<b>(Next Step) County Council 3 readings 2/8/21, 2/22/21 &amp; Final reading/hearing 3/8/21</b>

**Ordinance No. 2021/\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF UTILITY  
EASEMENT # 901094 ENCUMBERING PROPERTY OWNED BY BEAUFORT  
COUNTY**

**WHEREAS**, Beaufort County owns real property (“County Parcel”) located south of Boundary Street (US 21), west of Ribaut Road (SC 281S), north of Duke Street (S-54), and east of marshland containing 4.45 acres more or less and being the same lands conveyed to the County by deed of Beaufort County School District #1 recorded 4/11/1985, and filed in the Register of Deeds office for Beaufort County in Deed Book 417 at page 361 being a portion of TMS No. **R120 003 000 0097 0000**; and

**WHEREAS**, Dominion Energy South Carolina, INC (Dominion) is requesting an easement on aforementioned property to facilitate primary electric service for the new Arthur Horne Building; and

**WHEREAS**, Beaufort County would like to maximize the space available for the future parking and eliminate any future restrictions to placing permanent structures in the parking lot; and

**WHEREAS**, the preferred design places the transformer east of the new building allowing for the elimination of a junction box and removal of the existing feeder, thus maximizing parking space and removing restrictions to future permanent structures; and

**WHEREAS**, the preferred design estimated cost to Beaufort County for Dominion upgrade would be \$50,000 for new electric service; and

**WHEREAS**, Dominion Energy will waive the cost of \$50,000 (transformer and primary feed) in exchange for the easement to place an additional underground primary service feeder from Prince Street to Boundary Street; and

**WHEREAS**, Beaufort County Council has determined that it is in its best interest to authorize the execution and delivery of the requested Easement attached hereto and incorporated by reference and shown on the attached document entitled “Easement # 901094”; and

**WHEREAS**, S.C. Code Ann. § 4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by Beaufort County Council and a public hearing must be held.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL  
AS FOLLOWS:**

- (1) The County Administrator is hereby authorized to execute the Easement referenced herein and which is shown on the attached document entitled “Easement # 901094”; and

(2) The County Administrator is hereby authorized to take all actions as may be necessary to complete the conveyance of the Easement and ensure the infrastructure construction and installation occur as agreed upon by the County and Dominion.

DONE this \_\_\_\_ day of \_\_\_\_\_ 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

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

Third and Final Reading:

Public Hearing:

Second Reading:

First Reading:

**Easement # 901094**

INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between **Beaufort County** of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and the **DOMINION ENERGY SOUTH CAROLINA, INC.**, a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor, being the owner of land situate in the County of **Beaufort**, State of South Carolina, hereby grants and conveys to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract or lot of land containing **4.45 acres**, more or less, and being the same lands conveyed to Grantor by deed of **Beaufort County School District #1**, dated or recorded **4/11/1985**, and filed in the Register of Deeds office for **Beaufort County** in **Deed Book 417 at Page 361**.

**This property is situated at the intersection of Boundary St. and Ribaut Road, being bounded on the north by Boundary St.; on the east by Ribaut Road; on the south by Duke Street and on the west by Marshland. The easement will be as the Grantee's facilities are actually installed, being more fully shown on Dominion Energy South Carolina Drawing #83944, sheet 1 of 1 and is made a part hereof by reference only.**

**TMS: R120 003 000 0097 0000**

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land ("Easement Space") extending Fifteen (15) feet on each side of any pole lines and Five (5) feet on each side of any underground wires and within, over, under or through a section of land extending Twelve (12) feet from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the property of Grantor (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however, that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the applicable above specified Easement Space, and in case such structure is built, then Grantor, or such successors and assigns as may be in possession and control of the premises at the time, will promptly remove the same upon demand of Grantee herein. Grantor further agrees to maintain minimum ground coverage of thirty six (36) inches and maximum ground coverage of fifty four (54) inches over all underground primary electric lines. Together also with the right of entry upon said lands of Grantor for all of the purposes aforesaid.

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

**Beaufort County**

By: \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
1<sup>st</sup> Witness

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

\_\_\_\_\_  
2<sup>nd</sup> Witness

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

ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF **Beaufort** )

The foregoing instrument was acknowledged before me, the undersigned Notary, and I do hereby certify that the within named \_\_\_\_\_, as \_\_\_\_\_ of **Beaufort County**, personally appeared before me this day and that the above named acknowledged the due execution of the foregoing instrument.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Signature of Notary Public State of SC

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Print Name of Notary Public

**RIGHT OF WAY GRANT TO  
DOMINION ENERGY SOUTH CAROLINA, INC**

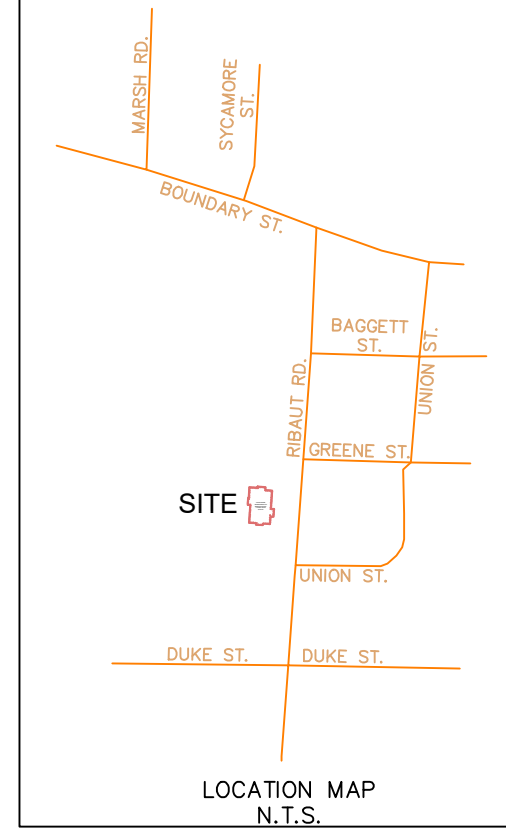
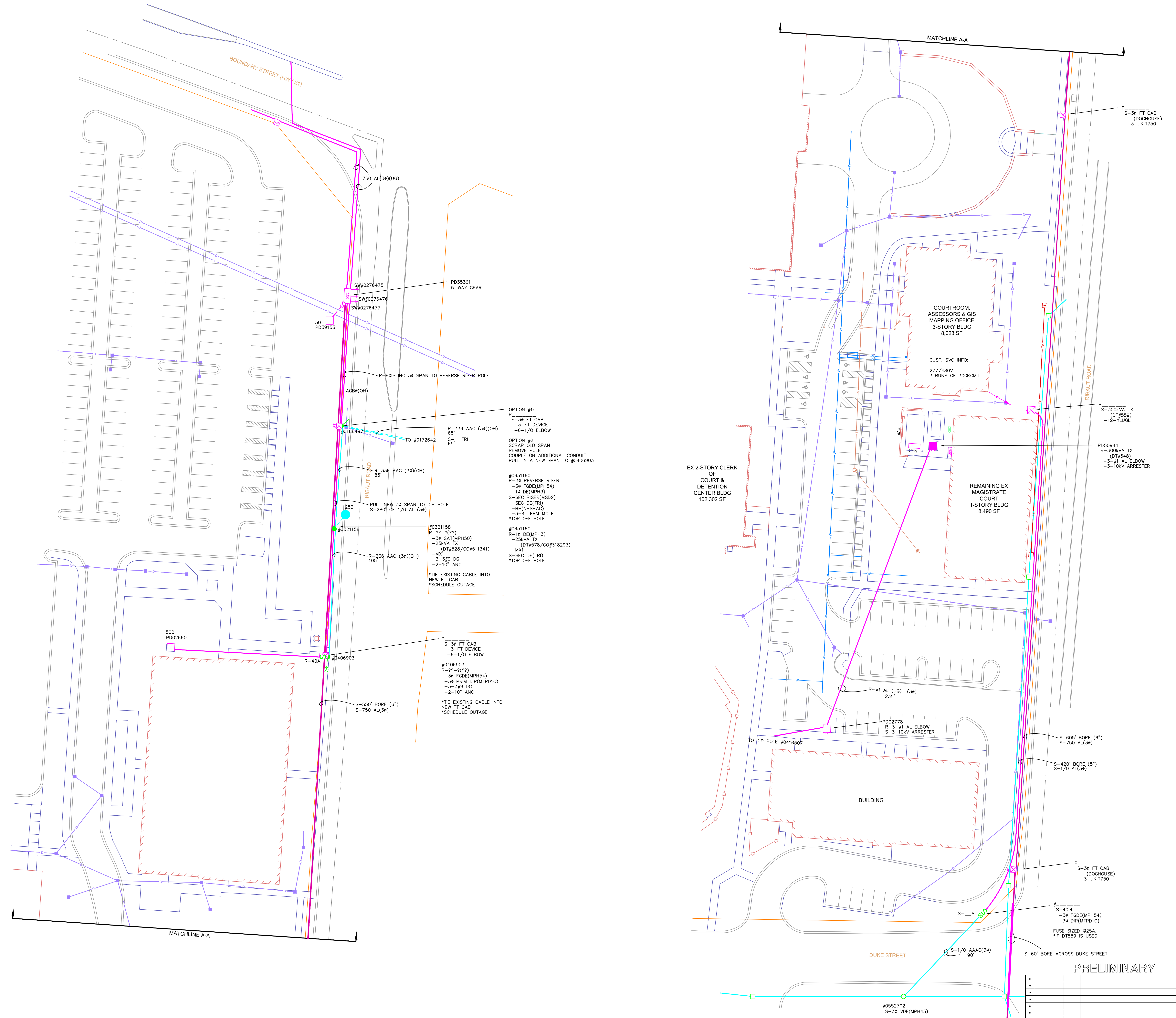
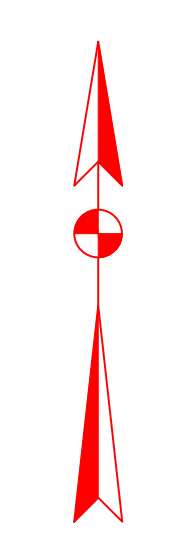
Line: **Beaufort County Government Complex New Bldng.**

County: **Beaufort**

R/W File Number: **24358**

Grantor(s): **Beaufort County**

Return to: DESC, C/O Right of Way Dept., 81 May River Road, Bluffton, SC 29910



DOMINION ENERGY SOUTH CAROLINA, INC. ELECTRIC DISTRIBUTION SYMBOLS	
<b>POLES</b>	<b>OVERHEAD SYMBOLS</b>
○ DISTRIBUTION POLE	○ SINGLE PHASE TRANSFORMER
□ TRANSMISSION POLE	○ TWO PHASE TRANSFORMER
△ FOREIGN UTILITY POLE	○ THREE PHASE TRANSFORMER
▲ ANCHOR & DOWN SPIT	○ ON SERVICE
<b>PRIMARY CONDUCTOR</b>	
— SINGLE PHASE	— PRIMARY METER
— TWO PHASE	—
— THREE PHASE	—
— CONDUIT	—
<b>SECONDARY CONDUCTOR</b>	
— SINGLE PHASE PAD MOUNTED TRANSFORMER	—
— THREE PHASE PAD MOUNTED TRANSFORMER	—
<b>UNDERGROUND SYMBOLS</b>	
— UNDERGROUND	—
— QUADRIPLEX	—
<b>SECTIONALIZING FUSES &amp; SWITCHES</b>	
○ SWITCH GEAR	—
○ LOOP CABINET	—
○ ON SERVICE	—
○ BLADE SWITCH	—
○ GASK SWITCH	—
○ SIDA SWITCH	—
○ SIDA SWITCH	—
<b>LIGHTING</b>	
○ STREET LIGHT	○ HAT BOX LIGHT
○ FLOOD LIGHT	○ SHED BOX LIGHT
<small>SYMBOLS OF OTHER UTILITIES SHOWN ARE AS FOLLOWS:            FACILITIES EXISTING REPRESENTED BY AN OPEN SYMBOL.            FACILITIES TO BE INSTALLED REPRESENTED BY A FILL UNDER THE SYMBOL.            FACILITIES TO BE REMOVED REPRESENTED BY A FILL WITH A DIAGONAL LINE.            FACILITIES TO BE REMOVED REPRESENTED BY A FILL WITH A DIAGONAL LINE AND A CROSSHATCH PATTERN.            THIS LEGEND IS FOR GENERAL DESCRIPTION ONLY. FOR MORE DETAILED INFORMATION, REFER TO THE CONSTRUCTION NOTES SHOWN ON THIS DRAWING OR REFER TO THE DOMINION ENERGY SOUTH CAROLINA, INC. DISTRIBUTION CONSTRUCTION STANDARDS MANUAL.</small>	

W.O.# _____	W.R.# _____
STARTED _____	BY: _____
COMPLETED _____	BY: _____
CLOSED OUT _____	BY: _____
COORDINATOR _____	
ELECTRIC ENG.-TECH. _____	
GAS ENG.-TECH. _____	

RIGHT OF WAY INFORMATION	
R/W AGENT _____	
FILE NUMBER _____	
EASEMENT NO. _____	
<small>STANDARD DOMINION ENERGY SOUTH CAROLINA, INC. DISTRIBUTION RIGHT OF WAY: OVERHEAD ELECTRIC IS 15' EACH SIDE OF THE POLE. UNDERGROUND ELECTRIC IS 5' EACH SIDE OF THE CABLE. PAD MOUNTED EQUIPMENT IS 12' AROUND THE PERIMETER OF THE EQUIPMENT.</small>	

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APPROVED BY: \_\_\_\_\_ (SIGNATURE)  
 \_\_\_\_\_ (PRINT NAME)  
 TITLE: \_\_\_\_\_  
 COMPANY: \_\_\_\_\_ DATE: \_\_\_\_\_

DOMINION ENERGY SOUTH CAROLINA, INC.	
TITLE: BEAUFORT COUNTY GOVERNMENT BUILDING (NEW BUILDING) - BEAUFORT, SC	
DETAIL: NEW SERVICE	OKTR 60322
SUB: BEAUFORT CENTRAL SUB. (14)	DIST# 60
DRN: 0802-01-000	SCALE: 1" = 30'
APP: 08020000	083944-01.DWG
SHEET 1	OF 1 SHEETS
DATE PLOTTED	10/08/20

I:\Users\james.vogel\gna\SCAN\CD\Utility\Electric\Construction\083944-01.dwg, Scale=30, Plotted By: TH45629, Plotted On: 08/10/2020 7:10am

PLAN "SAFETY" INTO EVERY JOB

ELECTRONIC DRAWING-DO NOT REVISE MANUALLY