

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

MEMORANDUM OF AGREEMENT
TOWN OF BLUFFTON

THIS AGREEMENT is made and entered into this 1 day of August, 2022 by and between the Town of Bluffton, South Carolina, (hereinafter referred to as the "City"), and Beaufort County, South Carolina (hereinafter referred to as the "County").

WHEREAS, the Town and County recognize that it may be mutually beneficial to share in the cost of development and implementation of a Stormwater Public Education and Involvement Program; and

WHEREAS, the Stormwater Management and Utility Agreement between Beaufort County, South Carolina, and the Town of Bluffton, South Carolina, dated August 14, 2012, establishes that the Town and County may enter into agreements to share the costs and responsibilities related to Stormwater pollution prevention activities, including public education and outreach; and

WHEREAS, the Town or County may contract for the private services and materials related to stormwater pollution prevention activities and request the other party to assist in the payment for the contracted services and materials at an agreed upon rate; and

WHEREAS, the County shall enter into an agreement, attached as Exhibit A, with Clemson University's Carolina Clear Program (Carolina Clear) to procure services at a cost not to exceed Ninety Thousand dollars (\$90,000.00) annually for water quality public education and outreach activities beginning in fiscal year 2023 through fiscal year 2027; and

WHEREAS, the County has requested that the Town share in payment for Carolina Clear services and the Town agrees to share in the cost for the services in an amount based upon the proportion of Stormwater Utility Accounts that lie within the Town Limits; and

WHEREAS, this agreement shall be in effect from the date of execution by both parties and may be renewed automatically annually for a period of up to three (3) years, with an option to renew annually for an additional two (years) thereby extending the possible termination date until June 30, 2027.

NOW, THEREFORE, the Town agrees to compensate the County in an amount based on the percentage of Stormwater utility fee accounts within Town limits each year the Carolina Clear contract is in effect to pay for its proportional share of funding the water quality public outreach and education activities of Carolina Clear throughout Beaufort County. Funds will be received by the County via the Stormwater Management Fee per account collected by the County on behalf of the Town and will not be billed separately.

IN WITNESS WHEREOF, the Town of Bluffton, South Carolina and Beaufort County, South Carolina, by and through their duly authorized officers have set their hands and seals on this 1 day of August, 2022.

WITNESSES:

Cheryl Harris
Brunna S. Owens

WITNESSES:

Shammya
Melinda M. Penny

BEAUFORT COUNTY

By:

Eric L. Greenway

Its:

County Administrator

TOWN OF BLUFFTON

By:

AA

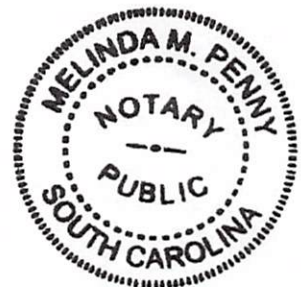
Its:

Town Manager

Melinda M. Penny
Melinda M. Penny

Sworn to and subscribed
before me this

1 day of August 2022



RESOLUTION
A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN
THE TOWN OF BLUFFTON AND THE BEAUFORT COUNTY STORMWATER
UTILITY TO COST-SHARE FOR STORMWATER PUBLIC EDUCATION SERVICES
WITH CAROLINA CLEAR

WHEREAS, the Town of Bluffton (the "*Town*") and Beaufort County (the "*County*") were both designated as Municipal Separate Storm Sewer Systems ("*MS4*") on December 1, 2015 by the South Carolina Department of Health and Control ("*SCDHEC*"); and

WHEREAS, as MS4's the Town and County have an obligation to meet SCDHEC requirements for a Stormwater Public Education and Involvement Program; and

WHEREAS, the Town and County recognize that it may be mutually beneficial to share in the cost of development and implementation of a Stormwater Public Education and Involvement Program; and

WHEREAS, the Town and the County established an Intergovernmental Agreement ("*IGA*") for Stormwater Management and Utility Agreement on September 12, 2001; and

WHEREAS, the IGA was amended August 24, 2011 and again on July 1, 2016 in anticipation of MS4-designation of the Town and County; and

WHEREAS, Article 9.00 of the July 1, 2016 IGA permits cost sharing of projects of mutual benefit to the Town and County via Memos of Agreement, Memos of Understanding, Contracts and/or Joint Resolutions; and

WHEREAS, the Town and the County have previously entered into a certain "MEMORANDUM OF AGREEMENT" dated November 16th, 2016 (the "*Original MOA*") for Stormwater Public Education and Involvement Program; and

WHEREAS, the Town and County have negotiated an "new memorandum of agreement" (the "*Agreement*"), the provisions of which amend and restate the Original MOA in its entirety, in the form attached hereto as Exhibit A;

WHEREAS, the Parties have determined that it is reasonable, necessary, and in the public interest and welfare for the Parties establish a new MOA to continue to cooperate and coordinate the joint administration of the applicable stormwater Public Education and Involvement Program; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, AS FOLLOWS:

1. The Town Council hereby authorizes the Town Manager to execute a Memorandum of Agreement (MOA) with the Beaufort County Stormwater Utility to cost-share for stormwater public education by Clemson Extension's Carolina Clear program.


THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION.

SIGNED, SEALED AND DELIVERED AS OF THIS 10th DAY OF May, 2022.



Lisa Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:



Kimberly Gammon, Town Clerk
Town of Bluffton, South Carolina