

BLUFFTON TOWN COUNCIL MEETING MINUTES

May 11, 2021

Mayor Sulka called the meeting to order at 5 P.M. Council members present were Mayor Pro Tempore Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Interim Town Manager Scott Marshall, Chief of Police Stephenie Price, Director of Engineering Bryan McIlwee, Director of Finance and Administration Chris Forster Director of Growth Management Heather Colin, Town Clerk Kimberly Chapman, and Town Attorney Terry Finger were also present.

The pledge and invocation were given by Councilman Toomer.

Adoption of the Agenda

Frazier made a motion to adopt the agenda as presented. Toomer seconded. The motion carried unanimously.

Adoption of Minutes

Special Meeting Minutes of April 12, 2021

Frazier made a motion to approve the Special Meeting Minutes of April 12, 2021. Toomer seconded. The motion passed unanimously.

Special Meeting Minutes of April 13, 2021

Hamilton made a motion to approve the Special Meeting Minutes of April 13, 2021. Wood seconded. The motion passed unanimously.

Regular Meeting Minutes of April 13, 2021

Wood made a motion to approve the Regular Meeting Minutes of April 13, 2021. Frazier seconded. The motion passed unanimously.

Special Meeting Minutes of April 14, 2021

Toomer made a motion to approve the Special Meeting Minutes of April 14, 2021. Frazier seconded. The motion passed unanimously.

Presentations, Celebrations and Recognitions

Mayor Sulka acknowledged the Beaufort County School District Character Student of the Month – Milliee DeGraffenried. Milliee is a student at MC Riley Elementary and was acknowledged for the character trait of “Self-Control”.

Mayor Sulka acknowledged the Historic Preservation Month Proclamation and the Building Safety Month Proclamation. Sulka stated that the Town will hold the Historic Preservation Symposium on Thursday, May 27th at Town Hall.

Public Comment

Brian Quinn – Quinn spoke on behalf of the Hilton Head Home Builders Association and stated that on behalf of more than 450 building industry companies that live and

work throughout Beaufort, Hampton and Jasper counties we write to you to express our concerns regarding The Town of Bluffton entering into an Intergovernmental Agreement with Beaufort County for the purpose of collecting School Impact Fees on new residential development. Our focus in the Industry provides us great insight on market conditions and future homeowner trends economically.

The current new Homeowner is experiencing nearly \$50,000 worth of additional expenses per home due to the economic impact of the COVID-19 lumber crisis. Furthermore, with the real estate housing boom, they are paying nearly 22% more for their lots. This net effect has the new homeowner stretched beyond their means and creates a tremendous strain on household "local business spending" and focuses those dollars to higher mortgage payments and property taxes. In many instances, we are seeing the current homebuyer with limited means being completely removed from the opportunity to build a new home due to all these added costs. To implement new impact fees on already rising costs will stifle employment, discourage development, and create an unfavorably larger reach to implement lower housing cost availability.

It is our belief that there are still too many unanswered questions with how these monies will be collected, managed, and distributed. South of the Broad will carry the burden while development North of the Broad are given priority without having to contribute to the impact fees. Housing trust funds will not be able to keep up the demand for paying for low-income housing Impact fees that, by rule, still need to be paid. Those dollars should go to affordable housing solutions; however, the fund will become indebted to the implementation of the actions of this IGA and counteractively end up only funding impact fees subsidies. We also see that Commercial projects will be exempt from impact fees per the responses sent by Eric Greenway. It is unacceptable that residential dwelling units are responsible for carrying the burden of school impact fees while commercial apartments, condominiums, extended stay residences, commercial townhomes and Multi-use buildings do not have any responsibility to the impacts of schools to the community due to their development.

We find it highly irresponsible for the Council to vote on the IGA until they request further studies on economic impact to the community, define project scopes for how and where the money is being spent, reexamine the Impact fee payments on commercial properties and find better solutions to affordable housing being exempt from impact fees without placing the burden on housing funds to pay them.

Communication from Mayor and Council

Wood and Toomer both stated that they were happy to be meeting in person and thanked staff for helping to make it happen.

Sulka stated that it is National Police Week and encouraged everyone to thank our police officers for everything that they do for us and the community.

Public Hearing and First Reading

Consideration of Approval of an Ordinance to Amend the Belfair Planned Unit Development Text to Amend Proposed Uses to add the Use “Indoor Electric Go-Kart Facility” to the List of Permitted Uses within the Neighborhood Commercial Portion of the Belfair Planned Unit Development and the Specifically Include “Outdoor” to Go-Kart Facility as Listed in Prohibited Uses in Article 4 Development Plan Section A – Land Use, Subsection 6 – Kevin Icard, Planning and Community Development Manager

Public Hearing Opened at 5:15 PM

There were no comments.

Public Hearing Ended at 5:16 PM

Kevin Icard gave an overview. A request by NLM Services, LLC on behalf of the owner, BRE Mariner Belfair Town Village, LLC, for approval of a Planned Unit Development (PUD) Text Amendment. The Applicant submits this Application requesting the approval of a text amendment to the Belfair PUD by adding to the current authorized uses in the Neighborhood Commercial (NC) portion of the Belfair PUD the use category ‘Indoor Electric Go-Kart Facility’ and update the list of prohibited uses to specifically state that ‘Outdoor Go-Kart Facility’, to continue to prohibit the use outdoors.

The Neighborhood Commercial (NC) portion of the Belfair PUD, known as the Belfair Town Village, is located on the northern side of Hwy. 278 across from the intersection of Simmons Rd. and consists of approximately 31.5 acres.

This application is for a text amendment within the Belfair PUD to allow the use category ‘Indoor Electric Go-Kart Facility’ and update the list of prohibited uses to specifically state that ‘Outdoor Go-Kart Facility’, to continue to prohibit the use outdoors within the Neighborhood Commercial (NC) portion of the PUD. Public notice for the Planning Commission Public Hearing of the text amendment was provided on March 10, 2021.

The Owner intends to lease Property within the Neighborhood Commercial area of the PUD to NLM Services, LLC, who will be the franchise owner of K-1 Speed Bluffton, an upscale entertainment center with an indoor electric go-kart facility, food service, corporate and private parties. The Applicant has stated that there is zero visibility and noise to adjacent tenants. See the vicinity map for location of the Neighborhood Commercial area.

An excerpt from the Belfair PUD is provided to detail where the proposed modifications will be made.

REVIEW CRITERIA & ANALYSIS: Town Council shall consider the criteria set forth in Section 3.5.3. of the Unified Development Ordinance in assessing an application for a Text Amendment. The applicable criteria are provided below followed by Staff Finding(s) based upon review of the application submittals to date.

- 1. Section 3.5.3.A.** - Consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, the consistency with the

overall intent of the Plan, recent development trends and the general character of the area;

Finding. This request is consistent with the Comprehensive Plan.

Finding. The Future Land Use Map (Map 8.3 in the Comprehensive Plan) describes this area as a high intensity commercial area which states the following; high intensity commercial is a regional commercial land use which allows intense commercial activity, services, light industrial, and some accessory high density residential. Uses include large scale shopping centers, home improvement centers, one stop shopping centers and businesses, accessory commercial that serve shoppers such as restaurants, hotels/motels, and gas stations to address the needs of Bluffton, neighboring areas, and for those who pass through Bluffton. The high intensity commercial designation provides for commercial development, employment opportunity and economic diversification.

2. Section 3.5.3.B. Consistency with demographic changes, prevailing economic trends, and/or newly recognized best planning practices.

Finding. This request does not significantly alter the area since the Belfair Towne Village is already developed with a variety of residential, civic, commercial, and other mixed uses. The application proposes to add the additional use of 'Indoor Electric Go-Kart Racing Facility,' which is an equivalent or less intense use than other uses available in the Belfair PUD.

It should be noted that the Applicant is proposing to modify the list of Prohibited uses as well. They have included the word 'Outdoor' in front of Go-Kart Facility in the prohibited section to differentiate between indoor and outdoor uses.

Section 6.4 of the This text amendment would extend the Neighborhood Commercial (NC) area uses to allow an indoor electric go-karting facility and would be consistent with the commercial uses in the area.

0. Section 3.5.3.C. Enhancement of the health, safety, and welfare of the Town of Bluffton;

Finding. This request will allow the additional use of Indoor Electric Go-Kart Racing Facility to support current and future residents of the Town by allowing an additional entertainment option for Town residents and visitors.

Finding: If the proposed text amendment is approved, the Applicant would be required to receive a building permit to make modifications to the interior of the building.

1. Section 3.5.3.D. Impact of the proposed amendment on the provision of public services; and

Finding. This request affects the Neighborhood Commercial (NC) portion of the Belfair PUD, which has direct access to U.S. Highway 278. The Neighborhood Commercial area has all necessary and readily available utilities and storm water facilities that are suitable for the proposed use. No additional density is requested; therefore, there is no adverse impact on the public facilities and services contemplated to serve the Belfair PUD.

2. Section 3.5.3.E. The application must comply with applicable requirements in the Applications Manual.

Finding. This request has satisfied all applicable requirements of the Applications Manual.

The Planning Commission made a recommendation to approve the Application as submitted by the Applicant at the March 24, 2021 meeting. Town Council approved the Application as submitted at First Reading on April 13, 2021. There have been no changes since First Reading.

Toomer made a motion to approve Second and Final Reading of the proposed Amendment to the Belfair Planned Unit Development Text to Amend Proposed Uses to Add the Use “Indoor Electric Go-Kart Facility” to the List of Permitted Uses and Add “Outdoor” to the Go-Kart Racing Facility under Prohibited Uses within the Neighborhood Commercial Portion of the Belfair Planned Unit Development Concept Plan, Article 4 Development Plan Subsection A.6 – Neighborhood Commercial. Frazier seconded. Roll call was taken and the motion carried unanimously.

Formal Agenda Items

Consideration of Adoption of the Wright Family Park Rental and Fee Schedule – Brian McIlwee, Director of Engineering

McIlwee stated that staff recommends that Town Council approve non-exclusive rental and special event usage of Wright Family Park for dates and times not to conflict with neighboring church functions and adoption of the proposed Fee Schedule below as part of the FY22 Budget, with respect to the previously approved Wright Family Park Rules.

Wright Family Park

Item/Description:	Basis	Fee
Reservation of Park		
Rental Fee	Per Day	\$300.00
Less than Full Day (6-hour Reservation: 1-hour Setup, 4-hour Event, 1-hour Cleanup)	4-Hour Event	\$150.00
Rental Fee – Non-Profit	Per Day	\$150.00
Less than Full Day (6-hour Reservation: 1-hour Setup, 4-hour Event, 1-hour Cleanup)	4-Hour Event	\$75.00
Security Deposit	Per Rental	\$100.00

Additional Notes:

- The Town Manager or designee may waive any or all of the fees if it is deemed in the best interests of the Town of Bluffton.
- All fees will be collected at the Customer Service Center at Town Hall.
- Security Deposit may be refunded provided the park, facilities, and equipment are clean and returned to the condition that existed prior to the rental.
- A full refund of the Rental Fee and Security Deposit will be granted with cancellation notice at least 48- hours prior to the scheduled rental start or if an event is rained out and the park not utilized.

The Town of Bluffton and the Beaufort County Rural and Critical Land Preservation Program approved the purchase of a 1.36-acre parcel at 111 Calhoun Street in June, 2017 with the intent to develop the site for a passive public park-open space on the May River.

At the January 16, 2018 Quarterly CIP Workshop, Town Council reviewed and provided favorable feedback on the Conceptual Master Plan for Wright Family Park. Based on public input obtained following that workshop, Staff amended the Conceptual Master Plan to include:

- Added restroom building/catering kitchen building adjacent to the Squire Pope Cottage;
- Additional parking spaces along the east side of Calhoun Street adjacent to the park;
- Reconfigured Calhoun Street floating dock to represent the current location;
- Removed street-level Entry Pavilion at the terminus of Calhoun Street.

On July 9, 2018 Town Council approved the Wright Family Park Master Plan which included restrooms/warming kitchen, parking, a bulkhead along the May River shoreline, walkways, seating areas, crabbing dock, a large open lawn area, site furniture, and lighting and landscaping. In addition, the property contains a circa 1850 historic structure known as “Squire Pope Cottage” (proposed to be restored as a separate CIP project).

Following the final site design of the park, contracts were brought before Town Council for approval of the site work, kitchenette/restroom building, landscaping, bulkhead, and lighting.

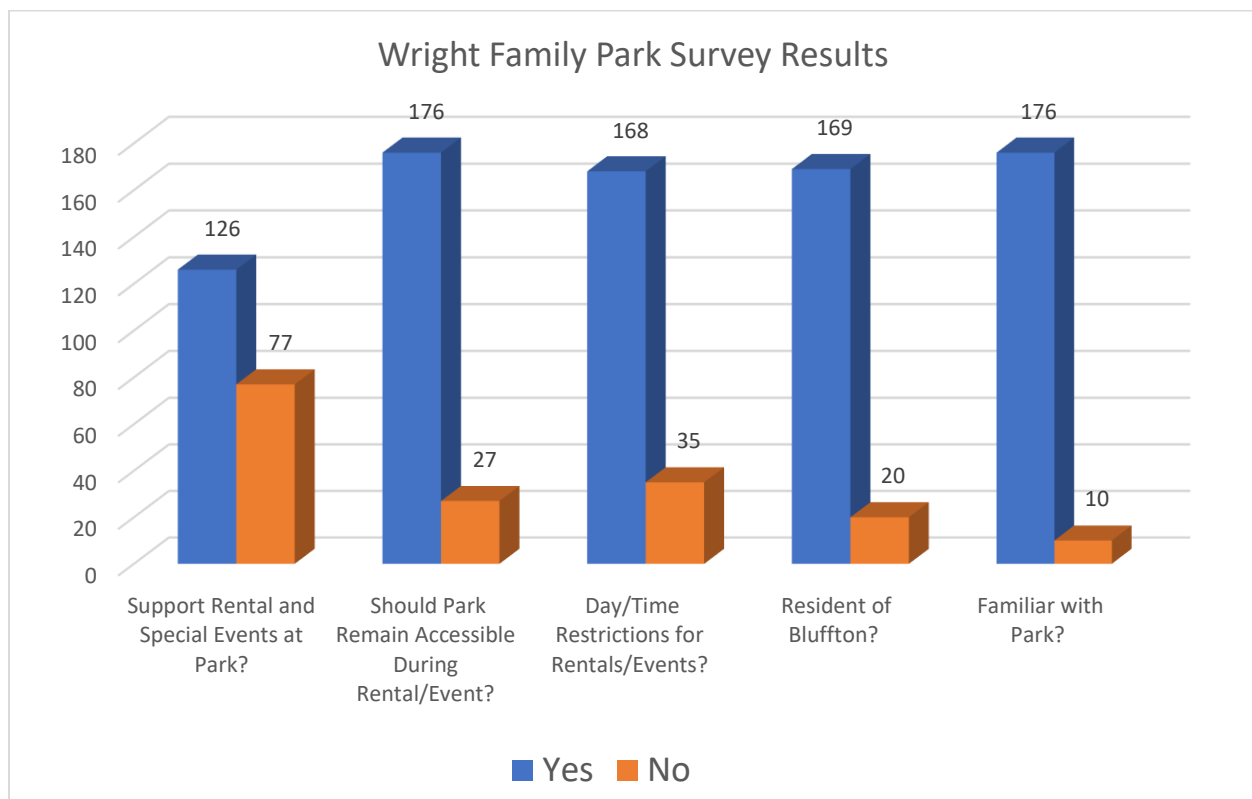
In August 2019, Town Council adopted an Ordinance (*Ord. 2019-11*) amending Chapter 13 of the Town Code clarifying and augmenting codified rules for public parks, docks and boat ramps which included rules for the Wright Family Park, specifically:

- a) *Hours*. Open for public use and special events from sunrise to sunset.
- b) *Fireworks*. The discharge of fireworks is strictly prohibited.
- c) *Alcohol*. The possession of an open container and/or the consumption of alcohol is strictly prohibited.
- d) *Amplified music*. The amplification of music is prohibited.
- e) *Smoking*. Smoking, as defined in [Section 18-159](#) is prohibited. All provisions of [Chapter 18](#), Article VII shall apply, to include penalties as set forth in [Section 18-165](#) which shall prevail over [Section 13-49](#).

Following the opening of Wright Family Park in December 2020, Staff presented a proposed rental fee schedule to Town Council at the January 19, 2021 Quarter CIP Workshop for inclusion

in the FY21 budget amendment. As the Master Fee Schedule is approved by Town Council with the yearly budget, the current FY21 Master Fee Schedule does not include Wright Family Park. Town Council requested Staff conduct a public opinion survey to determine an appropriate use of the park.

A public survey regarding the rental and special event use of Wright Family Park was conducted on the Town's website from February 24 to March 26, 2021. The survey was posted on the Town website and shared on the Town's social media platforms: Facebook, Nextdoor and LinkedIn. An in-person survey was conducted at the park on March 17, 2021 to poll users of the park. The results of the public input survey are summarized in the following chart:



As constructed, the Wright Family Park consists of the following amenities:

1. RESTROOM/WARMING KITCHEN

- Restrooms: ADA accessible - Men and Women
- Warming Kitchen for Catered Events: Refrigerator, Microwave, Warming Unit, Stainless Steel Countertops
- Storage Room (+/- 10' X 12')
- Loading Zone for Catering Delivery/Equipment

2. MULTI-PURPOSE LAWN:

- +/-95' x 65' Open Lawn
- 7' Wide Perimeter Sidewalks

- Benches Overlooking Park and River
 - Electrical Pedestals and two In-ground 30 Amp Services for Events
3. BOARDWALK AND SEATING AREAS
- Waterfront Boardwalk along River's Edge
 - Access to Small Beach at Low Tide
4. PARKING AND LOADING:
- 26 On-Street Parking Spaces provided along Calhoun Street
5. MISCELLANEOUS:
- Interpretive Signage
 - Lighting
 - Jogging Board Swing
 - Plaza and Access to Calhoun Street Dock
 - Archway at Entry
6. SQUIRE POPE CARRIAGE HOUSE:
- To be renovated (currently not open for use)

Hamilton made a motion to adopt the Wright Family Park Rental and Fee Schedule with a review in six months of all fees and uses of the park. Wood seconded. The motion passed unanimously.

Consideration of Proposed Lighting Agreement with Dominion Energy Relating to the LED Conversion Program – Brian McIlwee, Director of Engineering

McIlwee stated that Town Council authorize the Town Manager to execute an agreement with Dominion Energy to convert 96 existing High Intensity Discharge (HID) lamp-type fixtures to Light Emitting Diode (LED) type fixtures, which qualifies for a Demand Side Management (DSM) incentive. The agreement term is 10 years with a 5-year monthly incentive to reduce the LED monthly cost.

GENERAL FUND (Operating Cost)

10-Year Agreement (\$1424.27/month x 12 months/yr. x 10yrs.)	\$170,912.40
<u>5-Year DSM Incentive (\$335.73/month x 12 months/yr. x 5 yrs.)</u>	<u>(\$20,143.80)</u>
Total Agreement	\$150,768.60

As part of Dominion Energy's ongoing Demand Side Management (DSM) Program, the Dominion Energy Municipal Lighting conversion program was created to give municipalities the opportunity to convert and replace older HID lighting to LED. With LED lighting costs becoming more economical and many municipalities requesting LED lighting, the timing was right for Dominion to offer incentive packages for converting to LED.

Dominion approached the Town regarding this program and the conversion of 1 Mercury Vapor and 95 High Pressure Sodium light fixtures to LED. This applies to overhead lights on wooden poles and underground fed roadway lights but not the decorative lights found on May River Road, Bruin Road, and Calhoun Street.

The advantages of LED lighting include:

- Monthly rates at or below current costs;
- Better quality and uniformity of lighting (less shadows);
- Color impact closer to daylight;
- Reduced maintenance costs;
- Minimal energy consumption;
- Extended life;
- Increased reliability;
- No upfront charges;
- Communicating NODE/Photocell to allow remote monitoring of fixtures and the ability to create automatic notification of fixture issues;
- Future remote on/off and diming capabilities

Dominion anticipates that at the end of the 5-year incentive, LED non-incentive rates will be lower than HID rates as those costs continue to increase while LED remains steady or begins to decrease. The following table outlines the current monthly costs Town pays for HID lighting, the monthly cost of the proposed LED lighting, the incentive rates and the monthly savings for the Town:

Quantity	LED Light Fixture	Current LED Cost/Month	HID Light Fixture	Current HID Cost/Month	Incentive per Month (Per Fixture)	Incentive per Month (Total)	Net Customer Cost/Month	Savings per Month
1	ATB0 Grey 72w	\$ 12.34	175W MV OPEN	\$ 8.99	\$ 3.10	\$ 3.10	\$ 9.24	\$ (0.25)
62	ATB0 Grey 72w	\$ 765.08	150W HPS OPEN	\$ 624.34	\$ 3.10	\$ 192.20	\$ 572.88	\$ 51.46
2	ATB0 Grey 72w	\$ 24.68	150W HPS COBRA	\$ 20.52	\$ 3.10	\$ 6.20	\$ 18.48	\$ 2.04
31	ATB2 Grey 216w	\$ 622.17	400W HPS COBRA	\$ 553.66	\$ 4.33	\$ 134.23	\$ 487.94	\$ 65.72
96		\$ 1,424.27		\$ 1,207.51		\$ 335.73	\$ 1,088.54	\$ 118.97

Dominion will provide and install wiring and appurtenances for 65 LED ATB0 Grey 72W fixtures and 31 LED ATB2 Grey 216W fixtures. This lighting installation will be located at various locations within the Town.

The Agreement shall continue for the full initial term of ten (10) years beginning the first month after installation date and continues thereafter from year to year until terminated by written notice of intention to terminate made by either Party to the other at least thirty (30) days prior to the end of the initial term or any extension thereof.

Areas that are already scheduled for conversion this summer include City of Beaufort, Town of Port Royal and Hardeeville. Others in line are Hampton, Allendale, Estill, Yemassee and Ridgeland.

Frazier made a motion to Authorize the Town Manager to Enter into an Agreement for the Proposed Lighting Agreement with Dominion Energy Relating to the LED Conversion Program. The Agreement includes a Commitment from the Town of Bluffton for \$150,768.60 for the Ten-Year Lighting Agreement. Hamilton seconded. The motion was passed unanimously.

Consideration of an Ordinance Approving the Town of Bluffton Fiscal Year 2022 Proposed Consolidated Budget – Chris Forster, Director of Finance and Administration

Forster stated that the consolidated budget concentrates on the Town of Bluffton Strategic Plan priority Focus Areas that include May River & Surrounding Rivers and Watersheds, Town Organization, Economic Growth, Fiscal Sustainability, Community Quality of Life, Housing, and Infrastructure.

The consolidated budget consists of four funds, the General Fund, the Stormwater Fund, the Capital Improvements Program (CIP) Fund, and the Debt Service Fund.

The proposed consolidated budget is a decrease of 8.5% from the FY21 budget which reflects the substantial growth in our area since the onset of the COVID-19 pandemic. The budget keeps the tax millage rate the same at 38.5, which reflects General Fund mills of 36.8 and Debt Service Fund mills of 1.7 mills. There are no proposed increases to any of the existing taxes and fees.

The General Fund accounts for and reports the financial resources for the Town's primary operating fund. Principal sources of revenue are property taxes and licenses and permit fees. The General Fund budget is 55.9% of the consolidated budget at \$22,445,764.

The Stormwater Fund accounts for and reports the financial resources of all stormwater-related expenditures including Watershed Management staffing and operations, routine watershed maintenance and capital projects. The primary source of revenue is stormwater utility fees. The Stormwater Fund budget is 5.6% of the consolidated budget at \$2,259,570 and includes a transfer to the Debt Service Fund to pay the principal and interest on General Obligations bonds issued for stormwater and sewer projects.

Capital Improvement Program (CIP) Fund accounts for and reports financial resources that are restricted, committed or assigned to expenditures for capital outlays including the land acquisition and/or construction of capital facilities and other capital assets. Capital projects are primarily non-recurring in nature. All capital categories require a unit cost threshold of greater than \$5,000, except roads, buildings, and computer software (recorded in the general fund) whose threshold is \$50,000. The CIP budget is 28.9% of the consolidated budget at \$11,595,468 and supports diversified projects throughout our Bluffton neighborhoods.

Debt Service Fund accounts for the accumulation of resources for the payment of interest and principal on general long-term debt obligations. The primary source of revenue is property tax and bond proceeds. The Debt Service Fund budget is \$3,831,268 or 9.6% of the consolidated budget and supports the debt service for the 2014 Tax Increment Revenue Bond, 2020 General Obligation Bond for the Law Enforcement Center at Buckwalter Place, 2020A General Obligation Bond for

Stormwater Capital Projects, a transfer to the Capital Improvement Program Fund for allowable projects, and future debt payments and allowable expenditures.

Forster stated that there will be two workshops – the first one will be held on May 18th and the second will be held on May 25th. Public Hearing and Final Reading of the FY22 Consolidated Budget will take place at the June 8th Council meeting.

Toomer made a motion to approve on First Reading an Ordinance Approving the Town of Bluffton Fiscal Year 2022 Proposed Consolidated Budget. Frazier seconded. The motion passed unanimously.

Consent Agenda Items

1. Monthly Department Reports: Police, Finance and Administration, Municipal Court, Engineering, Don Ryan Center for Innovation, and Growth Management
2. Town Manager Report
3. Consideration of a Resolution to approve Renewal of the Memorandum of Understanding with Cornerstone Church to Provide Public Parking in the Bluffton Historic District – Lisa Cunningham, Interim Assistant Town Manager
4. Consideration of a Resolution to Adopt the Amended Town of Bluffton Town Council Operating and Procedures Manual – Lisa Cunningham, Interim Assistant Town Manager
5. Consideration of a Resolution to Approve the Adoption of the 2020 Local Natural Hazard Mitigation Plan – Lisa Cunningham, Interim Assistant Town Manager
6. Consideration of an Electronic Communications and Document Retention Policy for the Town of Bluffton – Tommy Sunday, Director of Information Technology
7. Consideration of an Extension for the Memorandum of Understanding between the Town of Bluffton and Beaufort Jasper Water and Sewer Authority Regarding Collaboration on Projects and Capacity Fee Credits – Chris Forster, Director of Finance and Administration
8. Consideration of an Intergovernmental Agreement between Beaufort County and the Town of Bluffton for the Purpose of Imposition and Collection, at the Time of Issuance of a Building Permit, of School Development Impact Fees on all New Residential Development within the Town – Heather Colin, Director of Growth Management
9. Consideration of a Resolution Authorizing the Purchase of a Drainage Easement Over a Portion of Lot 6 Stock Farm Development Subdivision, TMS No. R610-039-000-1530-0000, from Isabella Marie, LLC, for Public Purposes; and Authorizing the Execution and Recordation of the Same – E. Richardson LaBruce – Finger, Melnick, Brooks & LaBruce
10. COVID-19 Pandemic Update – Lee Levesque, Emergency Manager

Wood made a motion to approve the consent agenda as presented with the exception of item # 8, Consideration of an Intergovernmental Agreement between Beaufort County and the Town of Bluffton for the Purpose of Imposition and Collection, at the Time of Issuance of a Building Permit, of School Development Impact Fees on all New Residential Development within the Town Hamilton seconded. Toomer seconded. The motion carried unanimously.

Consideration of an Intergovernmental Agreement between Beaufort County and the Town of Bluffton for the Purpose of Imposition and Collection, at the Time of Issuance of a Building Permit, of School Development Impact Fees on all New Residential Development within the Town – Heather Colin, Director of Growth Management

Colin gave an overview and stated that Intergovernmental agreements are necessary to ensure fee revenue matches capital costs from future growth. The purpose of the proposed agreement, (Attachment 1) is to provide for the following between the Town of Bluffton and Beaufort County:

- (1) The imposition and collection, at the time of issuance of a building permit, of school development impact fees on all new residential development within the Town.
- (2) The transfer of the school development impact fees from the Town to the County, and then the transfer of the fees from the County to the School Board; and
- (3) If fees are not spent by the School Board within the time limits established by state law and the impact fee procedures in Section 82-21 et seq. of the Beaufort County Code, the return of fees collected by the Town so they can be refunded to the appropriate fee payers.

Tischler Bise has provided a school impact fee analysis (Attachment 2), which includes the components of the school impact fee which are all incremental and include:

- School Construction
- School Land
- School Buses

On August 10, 2020 Beaufort County Council approved first reading by title only of the proposed School Impact Fee Ordinance which provides for the applicable fees of \$9,535 per single family dwelling unit and \$4,508 per multi-family dwelling unit for Southern Beaufort County. Prior to second reading, the intergovernmental agreements between municipalities and the County must be approved. Once approved, Beaufort County will proceed to second and third reading which will include the final fees and effective date.

Wood made a motion to authorize the Town Attorney to move forward with negotiating an Intergovernmental Agreement with Beaufort County concerning the implementation of a procedure for the collection and distribution of school impact fees. The finalization of the Intergovernmental Agreement would only be effective upon final reading of the County Ordinance and the approval of the Intergovernmental Agreement by Bluffton Town Council and Beaufort County Council Frazier seconded. The motion carried unanimously.

In discussion, Councilman Dan Wood was appointed as liaison to Town Attorney Finger.

Executive Session

1. Legal Advice Regarding Personnel Matters (Pursuant to SC Freedom of Information Act 30+-4-70 [a][1])

Toomer made a motion to move into Executive Session at 6:45 PM to discuss the aforementioned item. Frazier seconded. The motion was unanimous.

Town Council exited Executive Session at 7:41 PM. No motions were made, and no votes were taken during Executive Session.

Wood made a motion to accept the resignation of Interim Town Manager, Scott Marshall. Frazier seconded. The motion was unanimous.

Hamilton made a motion to adjourn 7:42 p.m. Frazier seconded. The motion carried unanimously.

Lisa Sulka, Mayor

Kimberly Chapman, Clerk