

## BLUFFTON TOWN COUNCIL MEETING MINUTES

June 8, 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 Chris Forster, Chief of Police Stephenie Price, Director of Engineering Bryan McIlwee, 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 Fred Hamilton.

### Adoption of the Agenda

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

### Adoption of the Minutes

#### **Special Meeting Minutes of April 26, 2021**

Wood made a motion to approve the Special Meeting Minutes of April 26, 2021. Frazier seconded. The motion passed unanimously.

#### **Regular Meeting Minutes of May 11, 2021**

Frazier made a motion to approve the Regular Meeting Minutes of May 11, 2021. Toomer seconded. The motion passed unanimously.

#### **Budget Workshop Meeting Minutes of May 18, 2021**

Frazier made a motion to approve the Budget Workshop Meeting Minutes of May 18, 2021. Toomer seconded. The motion passed unanimously.

#### **Budget Workshop Meeting Minutes of May 25, 2021**

Toomer made a motion to approve the Budget Workshop Meeting Minutes of May 25, 2021. Frazier seconded. The motion passed unanimously.

### Presentations, Celebrations and Recognitions

Chief Price introduced the following new Police Department employees and welcomed them to the Town:

Zachary Swindell  
Frank Ginn, Jr.  
Adam Barberio  
Matthew Eisenmenger  
Cherquila Hicks  
Daniel Rickett  
Thomas Lang  
Peter Carnicelli  
Jonathan Ciarrone  
Sunny Rogers

Mayor Sulka acknowledged the Beaufort County School District Character Student of the Month, Camilla Garcia from Red Cedar Elementary School. Camilla was recognized for the character trait of “Forgiveness”.

Mayor Sulka read and acknowledged the Juneteenth Proclamation and made mention of all the activities going on in the community to celebrate. She invited all to attend.

The Presentation of the Hilton Head Island Bluffton Chamber of Commerce FY22 DMO Marketing Plan was given by Ariana Pernice of the Hilton Head Island Bluffton Chamber of Commerce. Pernice reviewed performance metrics, website visits and referrals, social media analytics, events and public relations.

Pernice gave an overview of two new initiatives – the 2021 Official Bluffton Vacation Planner and [visitbluffton.org](http://visitbluffton.org), reviewed the 2021-2022 Town of Bluffton DMO Marketing Plan, and touched on the path forward from the COVID-19 Pandemic. Pernice’s presentation is available to the public on the Town of Bluffton website.

#### Public Comment

**Mark Nix**, 625 Taylor Street, Columbia – Spoke on behalf of the Hilton Head Area Homebuilders Association; stated that Beaufort County has enjoyed good growth that can be accredited to job opportunities, high quality of life, east commutes and many other local factors. The growth brings pluses but at the same time, challenges to any city, but most cities agree that the growth is necessary and good for its community. Recently in Durham, NC, Mayor Steve Schewel was asked how Durham has continued to be recognized as one of the fastest growing and “Best Places to Live” in the US. He responded that they, “remember its strategic plan with its emphasis on “shared economic prosperity”. The phrase, touted by Mayor Schewel, calls for breaking down barriers so the economic boom benefits all residents, including the city’s most vulnerable. The impact fees being discussed this evening run counter to a proven model being instituted in Durham and other cities and counties. Housing attainability should be viewed as a priority for any community. Policies like the ones being discussed will place Beaufort on the road that many communities on the west coast know all too well – a lack of attainable housing for most citizens. This impacts those who rent in the community disproportionately as well.

**Richard Schwartz**, 4454 Bluffton Park Crescent, Bluffton – Spoke on behalf of Village Park Homes; stated that he would like to request that the Town of Bluffton not adopt the proposed Beaufort County School Impact Fee Ordinance for only south of the Broad.

**Brian Quinn**, 386 Spanish Wells Road, Hilton Head Island - There are many roadblocks to building attainable homes and dwellings. And by attainable, I mean that no matter what your job is, a home is something that you can afford. Whether you are a teacher, a nurse, fireman, sanitation engineer, EMT, military or working in another job serving the public, you should be able to live near where you work, in a safe area, in a home that you are proud to go home to. Unfortunately, this is getting harder and harder to do.

Local government and local policy has a huge impact on home prices. Industry Market Analyst, John Hunt with Market ‘n Sight says, “Regulatory burdens in the form of environmental, labor and zoning rules have increased the cost to develop over 60 percent. This greatly increases the overall price of a

new home and affects affordability.” Government regulations have impacted many citizens and potential homeowners and renters. This increase prices many entry level buyers and others working to server our community out of the market.

As an industry we want to work together with our community to overcome obstacles to attainable housing. The Hilton Head Area HBA wants to be an advocate and partner with our local government. Individuals, government, and communities need to be educated on the issues that have created the challenges we face as an industry. The changes our community has experienced during the recent COVID pandemic should highlight the need to revisit and review how these news fees will adversely affect the citizens of our county.

Every Beaufort citizen deserves a safe and affordable place to live. Housing provides opportunities for families and our greater community. The positive impact of attainable housing on all aspects of people’s lives, from educational opportunities to the well-being of children is proven in countless studies. Providing housing opportunities for our citizens is becoming an obstacle. It is a complex problem as it is both a housing supply problem, as well as an affordability problem due to the fact that incomes of moderate- and middle-income households have essentially been stagnant for the last 20 years and regulatory and construction costs continue to climb throughout our state.

We respectfully request that Council not vote on the IGA until it can fully review the potential economic impacts to the community, define the project scopes and directives. We also suggest that a review on what types of projects could be exempt from the fees (affordable, senior housing and remodeling projects on existing stock). We look forward to working with you to help direct the future of housing in our great County.

**Jerry O’Rourke**, 84 9<sup>th</sup> Avenue, Bluffton – Spoke regarding retail business in the Town. Requested Town Council email addresses.

#### Communications from Mayor and Council

Toomer thanked everyone for the prayers for his granddaughter when she will ill over the past few weeks.

Sulka mentioned the Congaree and all that they do for the community.

#### Workshop Agenda Items

#### Discussion Relating to the Adaptive Reuse of Reclaimed Palmetto Trees Removed from Calhoun Street - Bryan McIlwee, Director of Engineering

As part of Dominion Energy’s (Dominion) routine five-year cycle to ensure safety and reliability, Dominion began a comprehensive and proactive vegetation management program in November 2020. Per Dominion, trees that have grown too close to overhead lines are both a fire hazard and an issue of employee and public safety. Trees and tree limbs continue to represent the No. 1 reason for power outages, and the routine safeguarding overhead facilities remains critical to helping ensure a safe, resilient, and reliable electric system across our communities.

As part of this vegetation management program, Dominion removed 29 palmetto trees on Calhoun Street in April 2021. As stated above, the palm trees were touching electrical wires and posed a threat to safety and uninterrupted power.

Though Staff has not been able to find specific proof, oral history suggests the trees were planted as a memorial to fallen World War I servicemen in the 1930's as part of a WPA project implemented by President Franklin Roosevelt.

23 sections of palm tree trunks were salvaged following the Calhoun Street tree removal. The pieces average 6' to 8' in length and 12" diameter and are stored at the Town's property at 115 Bluffton Road.

Mcllwee stated that upon Town Council input, Staff will research options to reuse the palm trunks.

The Calhoun Street Streetscape project, which will include the burial of overhead power lines, will include landscaping features and new palm trees which will pay homage to the symbolism of the trees that are being removed. This project will be designed in fiscal year 2022 with construction to follow in 2023 or 2024.

Mcllwee provided Council with photos of ideas for the trees. Ideas included planters, small poles with recessed lighting, and barrier fences along paths.

Council feedback was to possibly add whatever was agreed upon to the Wright Family Park, to place the workshop presentation on the town website and ask for feedback from citizens and to create a story board so that people know why the trees were originally planted and the importance of the project. Mayor Sulka asked that council members provide a few names of people who know the story and any local artists that may be interested in the project.

#### Public Hearing & Final Reading

#### Consideration of an Ordinance Approving the Town of Bluffton Fiscal Year 2022 Proposed Consolidated Budget – Public Hearing and Final Reading - Chris Forster, Interim Town Manager

**Public Hearing Opened at 6:04 p.m.**

**There were no comments**

**Public Hearing Closed at 6:05 p.m.**

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 have been two workshops – the first one was held on May 18<sup>th</sup> and the second was held on May 25<sup>th</sup> and First Reading was approved on May 9<sup>th</sup>.

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

#### Formal Agenda Items

#### Accommodations Tax Advisory Committee Funding Recommendations for Quarter Ending March 31, 2021 – Natalie Majorkiewicz, Treasury Manager

Majorkiewicz stated that in accordance with the grant process, the Accommodations Tax Advisory Committee (ATAC) held a meeting on May 18, 2021 to review the budget and marketing plan (MP) in accordance with the DMO contract and quarterly grant applications.

The committee has made the following grant award recommendations for Town Council's consideration:

Total State and Local Accommodations Tax funds currently available for distribution are \$1,488,053 as outlined in the following chart:

<b>State ATAX</b>		<b>Local ATAX</b>	
Remaining from Previous Qtr.	\$ 169,432	Remaining from Previous Qtr.	\$ 1,106,744
3 <sup>rd</sup> Quarter Revenue	131,863	3 <sup>rd</sup> Quarter Revenue	282,946
First \$25k to General Fund*	N/A	51% to Town of Bluffton CIP	(131,315)
5% to General Fund	(6,593)	Disaster Recovery Designation	(2,829)
30% to DMO	(39,559)	8% to DMO	(22,636)
<b>Total State ATAX Funds Remaining for Distribution</b>	<b>\$ 255,143</b>	<b>Total Local ATAX Funds Remaining for Distribution</b>	<b>\$ 1,232,910</b>

\* First \$25k taken in 1<sup>st</sup> Quarter of Fiscal Year and Not Applicable to the remaining quarters.

When comparing the State and Local Accommodations Tax collections for the quarter ending March 2021 to the same quarter of last year, revenues are up \$221,372 or 114%. This is largely due to the payment deadline extension to June 14, 2020 for tax periods due the 20<sup>th</sup> of March and April 2020.

Designated Marketing Organization Budget and Marketing Plan for FY2022.

- As part of contract 2019-33 that began on July 1, 2019, the Hilton Head Island-Bluffton Chamber of Commerce proposed a fiscal year 2022 budget of \$230,000 for the Town of Bluffton.
- S.C. Code of Laws Sec. 6-4-10-(3) requires the Town's DMO to manage and direct 30% of the balance of State accommodations tax funds.
- Per Town of Bluffton Code of Ordinances, Sec. 24-26(b), *"the Town may set aside an amount not to exceed eight percent (8%) of Local Accommodations Tax revenue for the Designated Marketing Organization."*
- FY2022 will be the third year of the up to three-year term of the contract.

Below is a comparison between the FY2021 original and revised with the FY2022 proposed budget:

<b>Bluffton Marketing Strategies and Programs</b>	<b>FY2021 Original</b>	<b>FY2021 Amended</b>	<b>FY2022 Proposed</b>	<b>% Increase/ (Decrease)</b>
SEO/Social Media (Organic):	\$ 15,000	\$ 15,000	\$ 18,900	26%
Digital Promotions:	20,150	31,600	45,000	42%
Media Management & Reporting:	-	-	5,265	N/A
Website & Campaign Maintenance:	7,500	26,000	14,310	(45%)
Bluffton Insiders (enews):	-	-	4,860	N/A
Bluffton Vacation Planner:	-	32,000	22,500	(30%)
Regional Vacation Planner:	-	12,000	12,165	1%
Group Tour:	-	-	900	N/A
Collateral and Fulfillment:	4,300	-	-	N/A
Photography/Videography:	-	-	12,000	0%
Cooperative Partnership:	-	2,000	-	(100%)
Budgeted Research Programs:	2,250	10,000	4,500	(55%)
Contingency:	-	10,000	4,500	(55%)
Destination Marketing Operations & Management:	32,800	81,400	85,100	5%

<b>Total:</b>	<b>\$ 82,000</b>	<b>\$ 220,000</b>	<b>\$ 230,000</b>	<b>5%</b>
---------------	------------------	-------------------	-------------------	-----------

The committee voted to recommend the Hilton Head Island-Bluffton Chamber of Commerce's Town of Bluffton DMO budget and marketing plan for FY2022.

Bluffton MLK Observation Committee requested \$27,500 to support advertising and promotion of tourism, facilities for civic and cultural events, municipality services, and tourist transportation for Bluffton Juneteenth Celebration, with ATAC recommending \$27,500.

- This event is scheduled to be held June 19 & 20, 2021 at the Burnt Church Distillery.
- The project is aiming to bring overnight guests to the event with the additional day added.
- Eligible "tourism-related expenditures" include:
  - "Facilities for cultural events" is budgeted at \$5,000 for stage and tent rentals.
  - "Municipality services" is budgeted at \$7,500 with sanitation based upon % of tourist attendance.
  - "Tourist transportation" is budgeted at \$3,500 and is based upon % of tourist attendance.

The committee voted to recommend a total award of \$27,500 presented in the chart below:

<b>Bluffton Juneteenth Celebration</b>	<b>Total Budget</b>	<b>Recommended ATAX Grant (50% of project budget)</b>
Advertising and Promotion of Tourism:	\$ 20,500	\$ 16,200
Facilities for Civic & Cultural Events:	5,000	5,000
Municipality Services:	7,500	4,900
Tourist Transportation:	3,500	1,400
Project Expenses:	19,000	N/A
<b>Total</b>	<b>\$ 55,500</b>	<b>\$ 27,500</b>

Historic Bluffton Foundation (HBF) requested \$169,000 to support the Welcome Center at the Heyward House.

- The Heyward House serves as the Town of Bluffton's official Welcome (Visitors) Center.
- The request of \$169,000 is approximately 82% of the Welcome Center's budget and 65% of the entire HBF budget.
- This year's request is \$21,000 or 11% less than last year's annual request of \$190,000.
- Total visitors projected for FY2021 is expected to reach 10,000 with visitor numbers slowly rebounding due to the COVID-19. In FY2020, the Heyward House served 10,632 visitors with approximately 82% of those being from out of town.

Below is a comparison of the Welcome Center's FY2021 and FY2022 budgets:

<b>Bluffton Welcome Center</b>	<b>FY2021 Total Budget</b>	<b>FY2021 ATAX Award</b>	<b>FY2022 Total Budget</b>	<b>FY2022 Recommended ATAX Award 82%</b>	<b>% Increase/ (Decrease) in ATAX Awards</b>
Salaries and Benefits:	\$ 123,000	\$ 109,010	\$ 130,000	\$ 107,000	(2%)



Mortgage, Insurance & Utility Costs:	30,340	30,340	26,000	21,500	(29%)
Events/Programs:	2,400	2,400*	3,000	3,000*	25%
Advert. & Marketing:	4,500	4,500*	4,000	4,000*	(11%)
Equipment Upgrades:	3,690	3,690	4,000	3,500	(5%)
Contract Services:	27,060	27,060	24,300	20,000	(26%)
Other:	0	0	5,950	0	N/A
Capital Improvements:	13,000	13,000	10,000	13,000	(23%)
<b>Total</b>	<b>\$ 203,990</b>	<b>\$ 190,000</b>	<b>\$ 207,250</b>	<b>\$ 169,000</b>	<b>(11%)</b>

\* Notes items funded at 100% while others are funded based on percentage of "Advertising and promotion of tourism" is budgeted at \$20,500.

- Eligible "tourism-related expenditures" include:
  - "Advertising and promotion of tourism" is budgeted at \$4,000 with details provided in the Marketing Plan found on page 13 if the application.
  - "Arts & Cultural Events" is budgeted at \$3,000 for tours and events but is dependent upon COVID-19 impact and duration.
  - "Operating Visitor Information Center" remaining amount requested is \$162,000 and qualifies per SC Revenue Ruling #98-22, *"expenditures that will qualify under this category are any monies spent to operate and maintain centers whose primary purpose is to provide information, brochures, and other services to tourist."*
    - Operating Expenses of \$152,000 include personnel, mortgage and utilities, equipment upgrades and contract services for the Heyward House.
    - Capital Improvements of up to \$10,000 include:
      - Shutters and dormers: \$9,000
      - Exterior rotten soffits repairs: \$7,000
      - Tree and limb removal and mitigation: \$4,000
      - Windows and surround repair and replacement: \$3,000

The committee voted to recommend a total award of \$169,000 presented in the chart below:

<b>Welcome Center at the Heyward House</b>	<b>Total Welcome Center Budget</b>	<b>Recommended ATAX Grant (approx. 82% of project budget)</b>
Advertising and Promotion of Tourism:	\$ 4,000	\$4,000
Arts & Cultural Events:	3,000	3,000
Operating Visitor Information Center:	200,250	162,000
<b>Total</b>	<b>\$ 207,250</b>	<b>\$169,000</b>

Society of Bluffton Artists (SoBA) requested \$18,200 in support of advertising and promotion of tourism for Promoting the Arts in the Lowcountry and Beyond with ATAC recommending \$18,200.



- There is an amended budget and request from the original included in the application that brought the budget from \$40,500 to \$36,400 and the request from \$20,000 to \$18,200.
- The gallery/education center is located at 6 Church Street in Old Town Bluffton and is currently going through a rebranding process to update its logo.
- Traditionally, SoBA has attracted and sold to over 60% of visitors and sales being tourists.
- Eligible “tourism-related expenditures” include:
  - “Advertising and promotion of tourism” is budgeted at \$36,400 for regional marketing, contract with Bragg Media for new website, social media, newsletters, etc., and promotional items to include print material for art classes and event.

The committee voted to recommend a total award of \$18,200 presented in the chart below:

Promoting the Arts in the Lowcountry and Beyond	Total Budget	Recommended ATAX Grant (50% of project budget)
Advertising and Promotion of Tourism:	\$ 36,400	\$ 18,200
<b>Total</b>	<b>\$ 36,400</b>	<b>\$ 18,200</b>

*Please let the record show that Lisa Sulka recused herself from the vote relating to the Historic Bluffton Foundation request and Bridgette Frazier recused herself from the vote relating to the MLK Observance Committee request. Recusal forms are on file in the Clerk’s office.*

**Wood made a motion to adopt the Resolution for the FY22 Budget and Marketing Plan presented by the Hilton Head Island- Bluffton Chamber of Commerce in accordance with contract 2019-33 as the Town of Bluffton’s Designated Marketing Organization. Frazier seconded. The motion carried unanimously.**

**Toomer made a motion to grant the MLK Observance Committee \$27,500 in support of the Bluffton Juneteenth event as presented in the staff report breakdown for advertising and promotion of tourism, facilities for civic and cultural events expenses, municipality services, and tourist transportation. Wood seconded. The motion carried unanimously.**

**Toomer made a motion to adopt a Resolution renewing Memorandum of Agreement 2017-69 for an additional fiscal year term beginning on July 1, 2021 through Amendment 3 between the Town of Bluffton and the Historic Bluffton Foundation for Welcome Center services. Frazier seconded. The motion carried unanimously.**

**Toomer made a motion to grant the Society of Bluffton Artists \$18,200 in support of the Promoting the Arts in the Lowcountry and Beyond project as presented in the staff report breakdown for advertising and promotion tourism expenses. Frazier seconded. The motion carried unanimously.**

Consideration of a Resolution Memorializing the Watershed Management Building located at 1261 May River Road in Honor of the Legacy of Community Contributions and Public Service Rendered by Jennie Kitty -Lisa Cunningham, Interim Assistant Town Manager

Cunningham stated that the request before Town Council was the consideration of a Resolution Memorializing the Watershed Management Building located at 1261 May River Road in Honor of the Legacy of Community Contributions and Public Service Rendered by Jennie Kitty as "Jennie Kitty Municipal Building."

Mrs. Jennie Kitty has made a long-lasting contribution of public service to the Bluffton Community. Her motto was "If I can help somebody as I travel along the way then my living shall not be in vain."

Mrs. Kitty, a native of the Lowcountry and a graduate of the Penn School on St. Helena Island, was the first African American Licensed Practical Nurse in the Bluffton community and acted as midwife for thirty-nine children born in the Bluffton community when travel to the nearest hospital was not readily available.

Mrs. Kitty worked at the Bluffton Health Clinic which is located on 1261 May River Rd as a medical professional, Mrs. Kitty worked tirelessly with Dr. Donald Gatch despite facing active resistance from forces throughout the area and the state at large. Mrs. Jennie Kitty's efforts to expose the problems caused by intestinal parasites and her work on curing infected individuals helped countless individuals and families in Bluffton and beyond.

In addition to her work in the medical field, in 1964, Mrs. Kitty petitioned President Lyndon B. Johnson for funding to establish the Bluffton Day Care Center, now known as the Bluffton Community Center, a nonprofit that has served Bluffton's residents, young and old, for over six decades.

Pending Town Council approval of the Resolution, staff will work with the Kitty Family to establish a date for the dedication ceremony honoring the late Jennie Kitty.

**Hamilton made a motion to approve the Resolution Memorializing the Watershed Management Building located at 1261 May River Road in Honor of the Legacy of Community Contributions and Public Service Rendered by Jennie Kitty. Frazier seconded. The motion carried unanimously.**

Consideration of a Resolution Affirming the Use of Revenues Generated when the Local Option Sales Tax Approved by Voters of Beaufort County - Chris Forster, Interim Town Manager

Forster stated that South Carolina Act 391 of 1990 established the Local Option Sales Tax (LOST) as an optional provision for property tax relief with the added benefit of providing an additional source of revenue to counties and municipalities. The additional revenue generated by LOST shall be used as credits against property tax in accordance with State Law, Section 4-10-40 and revenue generated under the county/municipal revenue fund will be used in accordance with State Law, Section 4-10-50.

**Wood made a motion to approve the Resolution Affirming the Use of Revenues Generated when the Local Option Sales Tax Approved by Voters of Beaufort County. Frazier seconded. The motion carried unanimously.**

Consideration of Proposed Contractual Agreement Related to the Construction of Buck Island/Simmons ville Phase 6A Sidewalks - Bryan McIlwee, Director of Engineering

McIlwee stated that the contract will include the construction of a portion of the sixth phase of sidewalk within the Buck Island – Simmons ville Neighborhood. The project consists of approximately 2,000 linear feet of public sidewalk along Simmons ville Road, from the existing sidewalk near Grayco north to Sugaree Drive. Installation also includes grading, utility relocations and stormwater infrastructure.

Staff received four (4) bids for the sidewalk construction from AOS Specialty Contractors, Inc., APAC-Atlantic, Inc., JS Construction Services, Inc., and Sandhill ALS Construction, Inc., on the advertised due date of May 26, 2021. See attached Bid Tabulation outlining the final bid results.

The final phase of BIS sidewalks, Phase 6B (heading north along Simmonsville Road to connect Phase 6A to the existing sidewalks at New Mustang Drive), is under design. Phase 6B construction is scheduled to begin in FY 2022.

This project originated out of the BIS Neighborhood Plan adopted by Town Council in 2009. It is supportive of the following guiding principles of the Town:

-Infrastructure Guiding Principle #2. Identify programs, technologies or resources to compliment current operational practices that ensure the sustainability of existing infrastructure and facilities.

-Community Quality of Life Guiding Principle #3. Enhance public safety improvements and innovative programs that ensure a safe community.

-Community Quality of Life Guiding Principle #4. Support initiatives and evaluate community policies, programs, gathering places, and events that promote healthy and quality lifestyles for our diverse citizenry.

Consistent be with these Guiding Principles, staff is requesting Town Council to authorize the execution of the proposed construction contract with AOS Specialty Contractors, Inc. to install sidewalks and stormwater piping within the Buck Island/Simmonsville Neighborhood.

**Hamilton made a motion to approve the proposed contractual agreement related to the construction of Buck Island/Simmonsville Phase 6A sidewalks. Frazier seconded. The motion carried 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 Monthly Report
3. Consideration of an Intergovernmental Agreement Renewal between the Town of Bluffton and the Public Defender's Office - Chris Forster, Director of Finance
4. Consideration of Contractual Agreements Related to As-Needed, On-Call Surveying Services - Bryan McIlwee, Director of Engineering
5. Consideration of Master Service Agreements for As Needed, On-call Stormwater Consulting Services - Bryan McIlwee, Director of Engineering
6. Consideration of Memorandums of Agreement Renewals Between the Town of Bluffton and Intergovernmental Entities and Non-Profits Including, the Historic Bluffton Foundation for Welcome Center Services, University of SC Beaufort for the Bluffton Ambassador Program and

the Beaufort County School District for School Resource Officers and Crossing Guards – Chris Forster Director of Finance and Administration

7. Reconsideration 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
8. COVID-19 Pandemic Update – Lee Levesque, Emergency Manager

**Toomer made a motion to approve the Consent Agenda as presented with the exception of item #1 relating to the Monthly Report from the Police Department and item # 7 in regard to the Reconsideration 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. Wood seconded. The motion carried unanimously.**

Frazier asked Chief Proce for demographics of our police department and the demographics of applicants from the most recent job fair. Chief Price stated that she will begin including the information as a regular inclusion to the monthly report to Council and will also present at the July meeting as well.

Reconsideration 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 stated that prior to 2016 the South Carolina Code of Laws prohibited the imposition of school impact fees. With the South Carolina State Legislature's adoption of the amendment to the South Carolina Development Impact Fee Act on June 3, 2016, local governments are now permitted to implement school impact fees. As a result, Beaufort County partnered with the Beaufort County School District to prepare the required study to analyze the aspects and feasibility of a school impact fee for Beaufort County. The resulting School Impact Fee Analysis prepared by TischlerBise.

On August 10, 2020 Beaufort County Council approved first reading by title only followed by second reading on May 24, 2021 for the proposed School Impact Fee Ordinance. The proposed Ordinance 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. The fees collected would fund the capital improvement projects identified in the Analysis such as new construction, purchase of real property, and purchase of school buses to accommodate projected future growth.

On May 11, 2021, Bluffton Town Council approved a motion authorizing the Town Attorney to move forward with negotiating an Intergovernmental Agreement (IGA) with Beaufort County for the implementation, collection, and administration of school impact fees within the Town of Bluffton. The finalization of the IGA would only be effective upon final reading of the County Ordinance and, in the event, there are any substantial changes between now and adoption, a final review and approval of the IGA by Bluffton Town Council and Beaufort County Council. The IGA is necessary to ensure fee revenue matches capital costs from future growth. The purpose of the initial and revised proposed agreement is to provide for the following between the Town of Bluffton and Beaufort County:

- 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;
- 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
- 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. The Town Attorney revised the draft IGA presented at the May 11, 2021 meeting to incorporate certain modifications which include, but are not limited to:
  - No fees will be levied on any affordable housing units developed by the Town or on Town property via a public/private partnership or joint venture; and
  - The impact fee discount for Area Medium Income (AMI) from 80% to 90% will be 50% and the discount for AMI between 91% and 100% will be 40%.

Finger stated that the newly presented Intergovernmental Agreement between Beaufort County and the Town of Bluffton reflects that any affordable housing developed by the Town or on Town property would not be included in the Impact Fee proposal from Beaufort County.

Further, the proposal from the County did not have levels in regard to AMI, which Finger has added in as well on the red-lined copy presented. At this time, the County has not yet approved the resolution.

**Toomer made a motion to approve the newly presented redlined version from Attorney Terry Finger of the 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 of Bluffton. Wood seconded. The motion carried unanimously.**

#### Executive Session

1. Personnel Matters Regarding Town Council Appointments of Boards, Committees, and Commissions (Pursuant to Freedom of Information Act 30-4-70 [a][1])
2. Contractual Matters Related to Financial Audit Services (Pursuant to SC Freedom of Information Act 30-4-70 [a][2])

**Hamilton made a motion to move into Executive Session for the aforementioned items at 6:52 p.m. Toomer seconded. The motion carried unanimously.**

**Town Council exited Executive Session at 7:25 p.m. No motions were made and no votes were taken during Executive Session.**

**Hamilton made a motion to make the following appointments:**

No.	Name	Position	New Appointment/ Reappointment	Term Ending
<b>Accommodations Tax Advisory Committee</b>				
1	Sam Britt	Vice Chair – At - Large	Reappointment	6/30/2024
2	Joseph Kropiewnicki	Lodging	Reappointment	6/30/2024
<b>Affordable Housing Committee</b>				
1	Fred Hamilton	Chair – Town Council Member	Reappointment	6/30/2024
2	Dan Wood	Town Council Member	Reappointment	6/30/2024
3	Gwen Chambers	Community Organization Representative	Reappointment	6/30/2024
4	Grace Staples	Realtor	New Appointment	6/30/2024
<b>Beautification Committee</b>				
1	Hugh Williamson	Town Resident, Freeholder or Business Owner	Reappointment	6/30/2024
2	John Bowen	Town Resident, Freeholder or Business Owner	New Appointment	6/30/2024
3	Dot Jegar	Town Resident, Freeholder or Business Owner	New Appointment	6/30/2023
<b>Board of Zoning Appeals</b>				
1	Daniel Grove	Town Resident, Freeholder or Business Owner	Reappointment	6/30/2024
<b>Construction Board of Adjustments and Appeals</b>				
1	Ryan Yocco	Chair – Electrical Engineer	Reappointment	6/30/2024
2	Tom Bullard	Fire Protection System Contractor	Reappointment	6/30/2024
3	Adam Love	Mechanical Contractor	Reappointment	6/30/2024
4	Bill Hughes	Plumbing Contractor	Reappointment	6/30/2024
<b>Historic Preservation Commission</b>				
1	Elaine G. Adams	Old Town Resident, Freeholder or Business Owner – Technical Seat	Reappointment	6/30/2024
2	Kerri Schmelter	Old Town Resident, Freeholder or Business Owner	Reappointment	6/30/2024
3	VACANT	Old Town Resident, Freeholder or Business Owner	New Appointment	6/30/2024
<b>Law Enforcement Citizens Committee</b>				
1	Jennifer Morrow	Lives within Growth Framework Map	Reappointment	6/30/2024
2	William O’Toole	Lives within Growth Framework Map	Reappointment	6/30/2024
3	VACANT	Lives within Growth Framework Map	New Appointment	6/30/2024
<b>May River Watershed Action Plan Advisory Committee (WAPAC)</b>				
1	Carmen Manning	At-Large	New Appointment	n/a
2	Jessie White	At-Large	New Appointment	n/a
<b>Municipal Election Commission</b>				
1	VACANT	Bluffton Elector	New Appointment	6/30/2024

No.	Name	Position	New Appointment/ Reappointment	Term Ending
<b>Planning Commission</b>				
1	Rich Delcore	Professional -Town Resident, Freeholder or Business Owner	New Appointment	6/30/2024
2	Jason Stewart	Professional - Town Resident, Freeholder or Business Owner	New Appointment	6/30/2024
<b>Wall of Honor Committee</b>				
1	Jacob Martin	At-Large	Reappointment	6/30/2024
2	Corinne Reeves	At-Large	Reappointment	6/30/2024

Toomer seconded. The motion carried unanimously.

Hamilton made a motion to appoint Mauldin and Jenkins to conduct the Town of Bluffton Financial Audit Services. Wood seconded. The motion carried unanimously.

Hamilton made a motion to adjourn at 7:28 p.m. Toomer seconded. The motion carried unanimously.

---

Lisa Sulka, Mayor

---

Kimberly Chapman, Clerk