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**CITY OF BEAUFORT**  
1911 BOUNDARY STREET  
BEAUFORT MUNICIPAL COMPLEX  
BEAUFORT, SOUTH CAROLINA 29902  
(843) 525-7070  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**May 28, 2024**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

**REGULAR MEETING - Council Chambers, 2nd Floor - 7:00 PM**

**Please note, this meeting will be broadcasted via zoom and live streamed on Facebook. You can view the meeting at the City's page; City Beaufort SC**

**I. CALL TO ORDER**

- A. Philip Cromer, Mayor

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

- A. Mayor Pro Tem, Michael McFee

**III. PRESENTATIONS**

- A. Recognizing Communication Manager, Kathleen Williams, and Lindsey Edwards with the Police Department, on winning Silver Wing Awards at the South Carolina Chapter of the Public Relations Society of America at their annual Mercury Awards

**IV. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS**

- A. Character Education Proclamation - Kevin Doctor, Beaufort High School

**V. PUBLIC COMMENT**

**VI. MINUTES**

- A. Special Worksession - May 8, 2024
- B. Worksession and Regular Meeting - May 14, 2024
- C. Special Worksession - May 17, 2024

**VII. OLD BUSINESS**

- A. Ordinance to Amend Fiscal Year 2024 Budget for Revenues and Expenditures of TIF II Fund and Capital Projects Fund- second reading

**VIII. NEW BUSINESS**

- A. The Davis-Waddell Wedding request a waiver of alcohol in the park, drinking in public, and a waiver of the noise ordinance for a wedding on October 26, 2024 at Whitehall Park

- B. Request from CAPA and the Exchange Club of Beaufort to host the 30th Annual Ghost Tours, October 11-13, 18-20, and 25-27, and request for two (2) complimentary parking spaces from October 10-28
- C. Authorization for City Manager to enter into a contract for SC Highway 170 Sidewalk Extension
- D. A resolution certifying the property located at 1409 King Street, Beaufort, South Carolina, Beaufort County Parcel I.D. No. R120 004 000 1009 0000, +/- .8684 acres as Abandoned Building Sites Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended
- E. Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc. - first reading

**IX. REPORTS**

- City Manager's Report
- Mayor Report
- Reports by Council Members

**X. ADJOURN**



## PROCLAMATION

**WHEREAS**, the character education movement reinforces the social, emotional, and ethical development of students; and

**WHEREAS**, schools, school districts and states are working to instill important core ethical and performance values including caring, honesty, diligence, fairness, fortitude, responsibility, and respect for self and others; and

**WHEREAS**, character education provides long-term solutions to moral, ethical, and academic issues that are of growing concern in our society and our schools; and

**WHEREAS**, character education teaches students how to be their best selves and how to do their best work; and

**WHEREAS**, the Eleven Principles of Effective Character Education include: Promoting core ethical and performance values; Teaching students to understand, care about and act upon these core ethical and performance values; Encompassing all aspects of the school culture; Fostering a caring school community; Providing opportunities for moral action; Supporting academic achievement; Developing intrinsic motivation; Including whole-staff involvement; Requiring positive leadership of staff and students; Involving parents and community members; and assess results and strives to improve; and

**WHEREAS**, the Beaufort County School District's Character Education program was formed to support parents' efforts in developing good character in their children; and

**WHEREAS**, the purpose of the Character Education program is to integrate good character traits into the total school environment, as well as into the community; and

**WHEREAS**, each school's counselor identified a list of character words and definitions deemed important regardless of a person's political leanings, race, gender, or religious convictions; and

**WHEREAS**, the words are friendship, kindness, acceptance, courage, tolerance, respect, gratitude, compassion, citizenship, perseverance, honesty, integrity, self-control, forgiveness responsibility and cooperation; and

**WHEREAS**, Kevin Doctor was selected as the winner by Beaufort High School as the student of the month.

**NOW, THEREFORE**, the City Council of the City of Beaufort, South Carolina, hereby proclaims April 2024 as

### **KEVIN DOCTOR, BEAUFORT HIGH SCHOOL STUDENT OF THE MONTH**

The City of Beaufort thereby pronounces *Forgiveness* as the word for the month of April and applauds Kevin Doctor, the Beaufort County School District, and Beaufort High School for their work and specifically honors Kevin Doctor as Beaufort High School student of the month.

**IN WITNESS THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 28th day of May 2024.

---

Philip E. Cromer, Mayor

Attest:

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Traci Guldner, City Clerk



# City Council Special Worksession Meeting Minutes – Council Chambers – 2nd Floor

May 8, 2024

## **I. CALL TO ORDER**

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**6:00 PM**

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Mitch Mitchell, Josh Scallate.

Absent - Michael McFee.

## **II. PRESENTATION**

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### **A. Presentation from Davis and Floyd regarding the King Street Project.**

**JJ Sauve, Assistant City Manager**, stated that this is an update on where we are to date. This project is based on the study that was completed in 2022 on the entire Downtown/The Point area stormwater system. There have been many discussions to determine what is needed to correct certain issues. Community engagement has also been ongoing.

**Mike Horton, Engineer with Davis and Floyd**, then went over his presentation. He presented maps of the area that showed priority maintenance locations and listed the goals of the project. He listed the top 5 priority project areas. King Street was at the top. He spoke about stormwater collection and conveyance, pump station and outfall, power and control facilities, overall design development, and downstream impacts.

Council gave their feedback and asked questions of Mr. Horton.

The following addressed Council:

Heather Winch, 309 Federal Street.

Rob Cahill, 608 Waters Street.

Dave Russell, 411 Craven Street.

Tommy Brooks, 411 Port Republic Street.

Dustin Spurlock, 710 Mystic Drive.

Nancy Russell, 411 Craven Street.

Howell Beach, 311 Federal Street.

A copy of the presentation is attached to these minutes.

## **III. ADJOURN**

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**8:02 PM**

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DRAFT



# City Council Worksession

## Meeting Minutes – Planning Conference Room – 1<sup>st</sup> Floor

May 14, 2024

### I. CALL TO ORDER

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5:00 PM

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Mitch Mitchell, Josh Scallate.

Absent: Michael McFee.

### II. EMPLOYEE NEW HIRE RECOGNITION

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A. Court and Legal.

**Sarra Farrow, Court Administrator**, introduced Keanta Dunham.

B. Fire Department.

**Tim Ogden, Fire Chief**, introduced Sawyer Henderson, Keion Josphe, Jeffrey Phillips, Alec Rowe, and Joseph Teague.

C. Public Works.

**Nate Farrow, Public Works Director**, introduced Monterreal Alston, Montley Fripp, De'Marquis Gadson, and Brenden Glover.

### III. DISCUSSION ITEMS

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A. Interviews of applicants for Boards, Commissions and Committees.

Council held a question-and-answer session for various boards.

Historic District Review Board - Michelle Prentice, Mike Sutton.

Parks and Tree Advisory Committee - Joe Macdermant, Isaiah Martinez.

Tourism Development Advisory Committee - Jennifer Mader.

B. New Development Projects update.

**Curt Freese, Community and Economic Development Director** covered the two areas that are experiencing growth. The Boundary Street and Highway 170 Corridors. Commercial was not included. He went over all the projects and their current stage of development. He presented a Vicinity Map and Site Plan for each.

**Mayor Cromer** is concerned about such a rapid rate of growth in a very short period of time.

**Councilman Scallate** would like to see a requirement that adds community green space in the code for zones T4-N, T5-UC and RMX.

He also inquired if it would be beneficial for the city to have one engineering firm handle all of the Traffic Impact Studies, instead of allowing the developers to handle this themselves.

The following addressed Council:

Patrick Canning, 212 Burroughs Avenue.  
Graham Trask, 1211 Bay Street.

A copy of the presentation is attached to these minutes.

#### **IV. PRESENTATION**

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##### **A. Pritchards Island Research Living Shores (PIRLS) Coalition Signage.**

**Warren Parker** stated that this organization was founded last year. The organization wants to bring more educational components to Henry C. Chambers Waterfront Park. The signs and their locations received a favorable review from the Historic District Review Board on April 10, 2024. Public Works will be assisting with the installation.

#### **V. ADJOURN**

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**6:43 PM**

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City Council Regular Meeting  
Meeting Minutes – City Hall Council Chambers, 2<sup>nd</sup> Floor

May 14, 2024

**I. CALL TO ORDER**

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**7:00 PM**

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Mitch Mitchell, Josh Scallate.

Absent - Michael McFee.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

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Councilman Josh Scallate.

**III. PRESENTATIONS**

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A. Special recognition for Fire Department Lieutenant Matt Domanowski.

City Manager, Scott Marshall, recognized Lieutenant Matt Damanowski on receiving a Senate Resolution for rendering aid to a gunshot victim while off duty.

**IV. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS**

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A. Character Education Proclamation - K'lani Smalls, Lady's Island Middle School.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All were in favor, motion carried.

B. Proclamation proclaiming May 14 - 18, 2024, as National Safe Boating Week.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Scallate.

All were in favor, motion carried.

C. Proclamation proclaiming May as National Preservation Month.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All were in favor, motion carried.

**V. PUBLIC COMMENT**

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Rob Cahill, 608 Waters Street, spoke about the online survey for the drainage study. He would like to see Bay Street turn into a Promenade.

## **VI. PUBLIC HEARING AND FIRST READING**

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- A. An ordinance to provide for the levy of taxes for the City of Beaufort for Fiscal Year beginning July 1, 2024, and ending June 30, 2025; to provide for execution of and to put into effect the consolidated budget; and to provide budgetary control of the City's fiscal affairs.

The following addressed Council:

Dan Blackmon, 1010 Duke Street.  
Paul Trask, 610 Bladen Street.  
Graham Trask, 1211 Bay Street.

**Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.**

Scott Marshall, City Manager, stated that the overall budget for consideration is 55.7 million dollars. It represents an overall decrease of approximately 2 million dollars. The General Fund and Capital Projects Fund make up the majority of the budget. The overall millage rate remains flat at 73.9 mills. The value of the mill has increased from \$122,069.00 to a projected \$126,453.00. He also went over the funding for the City's strategic partners. He talked about the proposed adjustments to the fee schedule. These have remained the same since 2017.

Alan Eisenman, Finance Director, went over the revenues from the different funds that total \$44,929,666.00. He discussed the General Fund - Fund Balance History, and other funds. He then went over the Consolidated Revenue and Expenditure Budget summaries.

**Mayor Cromer made a motion to amend the ordinance to ask staff to go back and see if they can't reduce the millage by two mills, and then review during a worksession.**

**The motion had no second. Motion died.**

**All were in favor, original motion carried.**

The following addressed Council:

Dianne Farrelly, 2415 Oak Haven Street.  
Graham Trask, 1211 Bay Street.  
Rob Cahill, 608 Waters Street.  
Dan Blackmon, 1010 Duke Street.  
Paul Trask, 610 Bladen Street.

## **VII. MINUTES**

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- A. Worksession - April 16, 2024.

**Motion to approve was made by Councilman Lipsitz and seconded by Councilman Scallate.**

**Minutes approved as presented.**

- B. Worksession and Regular Meeting - April 23, 2024.

**Motion to approve was made by Councilman Mitchell and seconded by Councilman Lipsitz.**

**Minutes approved as presented.**

- C. Special Worksession - April 30, 2024.

Motion to approve was made by Councilman Mitchell and seconded by Councilman Lipsitz.

Minutes approved as presented.

## VIII. OLD BUSINESS

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- A. An ordinance to amend the City Code of Ordinances, to add a new Section 9-1018; providing that a person who violates another with the intent to intimidate another person or persons in whole or in part because of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, gender identity, physical or mental disability, or national origin of the other person or persons is guilty of the separate offense of Hate Intimidation - second reading.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

First reading was held on April 23, 2024. No changes made since first reading.

All were in favor, motion carried.

## IX. NEW BUSINESS

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- A. Beaufort High School Interact Club and the Rotary Club of the Lowcountry request co-sponsorship and permission to host a year end picnic on Saturday, May 18, 2024, from 9:00 am to 1:00 pm at Whitehall Park.

Councilman Lipsitz recused himself from the discussion and vote.

Motion to approve was made by Councilman Mitchell and seconded by Councilman Scallate.

All were in favor, motion carried.

- B. Ordinance to amend Fiscal Year 24 Budget for Revenues and Expenditures of TIF II Fund and Capital Projects Fund - first reading.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

Alan Eisenman, Finance Director, reported that the city budgeted \$190,244.00 for the SC-Highway 170 Sidewalk Extension Project. The bids received were above the approved projected budget. Staff recommends an amendment for an additional \$150,000.00 from the TIF II fund to fully fund the project.

All were in favor, motion carried.

- C. Hospitality Tax Fund recommendations.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Scallate.

Alan Eisenman, Finance Director, stated these funds are to be used for advertising to increase tourism and revitalization of the downtown economy. The allocation this year is \$28,600.00. 7 proposals were submitted totaling \$89,649.00. He then reviewed the committee's recommendations.

**Councilman Mitchell made a motion to amend the awarded amounts to the following:**

Downtown Beaufort Merchants Association from \$14,331.00 to \$11,351.00.

Beaufort Area Hospitality Association from \$10,500.00 to \$8,500.00.

Freedman Arts District from \$1,000.00 to \$2,000.00.

Original Gullah Festival of SC, Inc. from \$1,000.00 to \$2,000.00.  
Beaufort History Museum from \$1,000.00 to \$2,000.00.  
Penn Center from zero to \$2,000.00.

**Councilman Lipsitz seconded the motion.**

The amount for The Friends of Spanish Moss Trail stayed at \$749.00.

**All were in favor of the amended motion, motion carried.**

**All were in favor of the main motion, motion carried.**

## **X. REPORTS**

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### **City Manager's Report**

Thanked all that had a hand in making the Taste of Beaufort such a wonderful event.

Reported that the city garnered 2 statewide awards from the South Carolina Chapter of the Public Relations Society of America (SCPRSA) in its annual Mercury Awards contest. Beaufort Police Department was honored with a Silver Wing Award of Excellence in the Social Media Facebook Engagement category for its entry, "Connecting the Police Department and the Community." Well-earned recognition for social media manager Lindsey Edwards. In the category of External Website, a Silver Wing Award of Merit went to the City of Beaufort for its website redesign, led by our Communications Manager, Kathleen Williams. Congratulations and huge appreciation for both of these ladies that the city is fortunate to have among its talent pool.

Congratulated Beaufort County Schools Superintendent Frank Rodriguez on being named Superintendent of the Year.

There will be a Celebration of Life event for Cherish Eubank, an Advanced Medic with Beaufort County EMS. Saturday, May 25, 2024, at 2:00 pm at the Baptist Church of Beaufort. Expect a heavy presence of emergency vehicles from multiple jurisdictions along Charles Street, beginning around 1:00 pm.

Memorial Day, Monday, May 27, 2024. City offices will be closed. The Memorial Day Parade will begin at 10:00 am.

The Fire Department is offering CPR instruction to rising 6th grade through 12th grade students on Saturday, June 1, 2024. You can find information on the Fire Department's social media page.

The permanent Harriet Tubman monument will be unveiled at the Historic Tabernacle Baptist Church on Saturday, June 1, 2024, at 1:00 pm. Join in a weekend long celebration with events from May 31 - June 2, 2024, at 901 Craven Street.

Public Works will be sponsoring their Touch a Truck event on Father's Day weekend, June 15, 2024, at Pigeon Point Park. The event will be from 10:00 am - 1:00 pm.

### **Mayor's Report**

Thanked all that attended the meeting in person and online this evening.

Reported that the Police Chief interviews will be held on Friday, May 17, 2024. There will be a Citizen's Panel from 9:00 am - 11:00 am. The Special Worksession of Council will take place from 3:00 pm - 5:00 pm. All will be located in the Police Department Training Room. Then there will be a Finalist Meet and Greet in the City Hall Foyer from 6:30 pm - 8:00 pm.

Will be attending the American Flood Coalition Local Elected Leaders Summit in Washington, DC.

**Councilman Mitchell**

Thanked Dan Blackmon for his comments regarding the need to find ways to help those less fortunate with the housing situation.

**Councilman Scallate**

Met with several members of the community regarding the King Street Drainage Project to discuss their concerns.

Thanked the City Manager, Scott Marshall, and JJ Sauve, Assistant City Manager, for working on a transparency tool to track development.

**Councilman Lipsitz**

Attended the Lowcountry Council of Governments (LCOG) meeting.

Attended the 1862 Gala with Councilman Mitchell.

Attended Steve Brown's Celebration of Life Event.

Attended the Technical College of the Lowcountry (TCL) graduation.

Congratulated Kathleen Williams, and Lindsey Edwards, on their Silver Wing Awards.

Thanked the City Manager, Scott Marshall, and JJ Sauve, Assistant City Manager, for all that they do.

All of Council congratulated Lieutenant Domanowski on his special recognition.

Members of Council attended the Taste of Beaufort event.

**XI. ADJOURN**

**8:52 PM**

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Motion to adjourn was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All were in favor, motion carried.

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# City Council Special Worksession Meeting Minutes – Police Department Training Room

May 17, 2024

## **I. CALL TO ORDER**

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**3:00 PM**

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

## **II. DISCUSSION ITEMS**

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### **A. Council interviews of applicants for Police Chief.**

Council held a question-and-answer session with Kenneth Klamar and Stephenie Price.

## **III. ADJOURN**

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**4:58 PM**

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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/15/2024  
**FROM:** Alan Eisenman, Finance Director  
**AGENDA ITEM TITLE:** Ordinance to Amend Fiscal Year 2024 Budget for Revenues and Expenditures of TIF II Fund and Capital Projects Fund- second reading  
**MEETING DATE:** 5/28/2024  
**DEPARTMENT:** Finance

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**BACKGROUND INFORMATION:**

The City budgeted \$190,244 for SC-170 Sidewalk Extension Project in Fiscal Year 2024 approved capital project fund. The City issued Request for Proposals 2024-108 SC-170 Sidewalk Extension Project on March 7, 2024 and received proposals on April 19, 2024.

The bids received were above the approved SC-170 Sidewalk Extension project budget. City staff recommends a budget amendment for an additional \$150,000 from TIF II Fund to fully fund the capital project.

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**PLACED ON AGENDA FOR:** *Action*

**REMARKS:**

Staff recommends Council's consideration to approval of budget ordinance, along with request of authorization for City Manager to enter into a contract for SC-170 Sidewalk Extension Project.

First Reading was held on May 14, 2024.

**ATTACHMENTS:**

Description	Type	Upload Date
Ordinance	Backup Material	5/15/2024

## **ORDINANCE**

### **AN ORDINANCE TO AMEND CITY OF BEAUFORT ORDINANCE 6-23 REGARDING THE FISCAL YEAR 2023-2024 CITY OF BEAUFORT BUDGET TO PROVIDE FOR THE REVENUES AND EXPENDITURES OF TIF II FUND AND CAPITAL PROJECTS FUND.**

**WHEREAS**, Section 5-7-260 of the South Carolina Code of Laws requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

**WHEREAS**, on June 13, 2023, City of Beaufort adopted Ordinance No. 6-23 which set the City's Fiscal Year 2023-2024 budget and associated expenditures; and

**WHEREAS**, the City budgeted \$190,244 for SC-170 Sidewalk Extension Project in Fiscal Year 2023-2024 approved capital projects fund; and

**WHEREAS**, the City issued Request for Proposals 2024-108 SC-170 Sidewalk Extension Project on March 7, 2024 and received proposals on April 19, 2024; and

**WHEREAS**, the bids received were above the approved SC-170 Sidewalk Extension project budget; and

**WHEREAS**, the City will allocate an additional \$150,000 from TIF II funds for SC-170 Sidewalk Extension Project; and

**WHEREAS**, it is necessary and proper to appropriate funds for the above-referenced items; and

**WHEREAS**, in compliance with South Carolina law and in the interest of maintaining good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect this additional appropriation of funds;

**NOW, THEREFORE, BE IT ORDAINED** by City of Beaufort Council that the FY 2023-2024 City of Beaufort Ordinance 6-23 is hereby amended by the addition of the following, such that the General Fund FY24 Budget and the Consolidated FY24 Revised Budget are as shown on Exhibits A and B, hereto:

SECTION 1. AMENDMENT

**TIF II Fund**

**Expenditures**

Transfers Out- SC 170 Sidewalk Extension

150,000

**Total Expenditures**

\$ 150,000

**Capital Projects Fund**

**Revenues**

Transfers In- SC 170 Sidewalk Extension

150,000

**Total Revenues**

\$ 150,000

**Expenditures**

Capital- SC 170 Sidewalk Extension

150,000

**Total Expenditures**

\$ 150,000

SECTION 2. EFFECTIVE DATE

This Ordinance shall be effective upon its enactment by the City Council for the City of Beaufort.

\_\_\_\_\_  
PHILIP E. CROMER, MAYOR

ATTEST:

\_\_\_\_\_  
TRACI GULDNER, CITY CLERK

1<sup>ST</sup> Reading May 14, 2024

2<sup>nd</sup> Reading & Adoption \_\_\_\_\_

Exhibits:

- A. General Fund FY24 Budget
- B. Consolidated FY24 Revised Budget

**EXHIBIT A**

**General Fund FY24 Budget**

	<b>Adopted FY24 Budget</b>	<b>Budget Amendment #1</b>	<b>Budget Amendment #2</b>	<b>Budget Amendment #3</b>	<b>Revised FY24 Budget</b>
<b>Revenues</b>					
Property Taxes	\$ 9,266,244	\$ -	\$ -	\$ -	\$ 9,266,244
Licenses & Permits	6,120,000	-	-	-	6,120,000
Intergovernmental Revenue	3,504,694	87,370	2,000,000	-	5,592,064
Franchise Fees	2,082,880	-	-	-	2,082,880
Charges for Services	1,922,734	-	-	-	1,922,734
Fines & Forfeitures	71,000	-	-	-	71,000
Miscellaneous	10,000	389,126	-	-	399,126
Interest	230,000	-	-	-	230,000
Release of Committed/Assigned Fund Balance	-	-	-	100,000	100,000
<b>Total General Fund Revenues</b>	<b>\$ 23,207,552</b>	<b>\$ 476,496</b>	<b>\$ 2,000,000</b>	<b>\$ 100,000</b>	<b>\$ 25,784,048</b>
<b>Appropriations</b>					
Non-Departmental	\$ 817,024	\$ -	\$ 2,000,000	\$ -	\$ 2,817,024
City Council	258,494	-	-	-	258,494
City Manager	901,785	-	-	-	901,785
Finance	970,819	-	-	-	970,819
Human Resources	436,714	-	-	-	436,714
Information Technology	873,426	-	-	-	873,426
Municipal Court	542,487	-	-	-	542,487
Community & Economic Development	1,411,171	-	-	-	1,411,171
Police Operations	5,394,584	87,370	-	-	5,481,954
School Resource Officer	542,311	-	-	-	542,311
School Crossing Guard	19,865	-	-	-	19,865
Victims Rights	98,135	-	-	-	98,135
Beaufort Fire	6,069,619	389,126	-	-	6,458,745
Public Works	485,367	-	-	-	485,367
Streets & Traffic	1,108,770	-	-	-	1,108,770
Facilities Maintenance	759,832	-	-	-	759,832
Solid Waste	1,125,115	-	-	-	1,125,115
Debt Service	1,843,232	-	-	-	1,843,232
Transfers Out	-	-	-	100,000	100,000
<b>Total General Fund Appropriations</b>	<b>\$ 23,658,750</b>	<b>\$ 476,496</b>	<b>\$ 2,000,000</b>	<b>\$ 100,000</b>	<b>\$ 26,235,246</b>

**EXHIBIT B**

	<b>General Fund</b>	<b>ARPA Fund</b>	<b>Parks &amp; Tourism Fund</b>	<b>Stormwater Fund</b>	<b>State Accommodations Fund</b>	<b>Fire Impact Fund</b>	<b>TIF II Fund</b>	<b>Capital Project Fund</b>	<b>Total</b>
Revenues	\$ 25,684,048	\$ 100,000	\$ 4,393,852	\$ 1,332,779	\$ 800,000	\$ 405,000	\$ 100,000	\$ 8,794,785	\$ 41,610,464
Transfers In	63,750	-	-	-	-	-	-	18,396,976	18,460,726
Issuance of Revenue Bonds	-	-	6,945,000	-	-	-	-	-	6,945,000
Total Other Financing Sources	63,750	-	6,945,000	-	-	-	-	18,396,976	25,405,726
Release of Committed Fund	1,565,476	-	-	-	-	-	-	-	1,565,476
Release of Fund Balance	-	4,707,485	590,585	1,655,915	60,000	-	3,875,054	1,245,866	12,134,905
Salaries	\$ 9,847,643	\$ -	\$ 1,851,930	\$ 413,857	\$ 17,226	\$ -	\$ -	\$ -	\$ 12,130,656
Benefits	3,766,377	-	716,025	174,512	6,675	-	-	-	4,663,589
Operating	10,046,213	215,091	1,396,199	232,610	712,349	-	-	-	12,602,462
Capital	552,570	500,000	120,600	-	-	-	100,000	28,437,627	29,710,797
Debt	1,922,443	-	309,098	511,800	-	129,239	-	-	2,872,580
Total Expenditures	\$ 26,135,246	\$ 715,091	\$ 4,393,852	\$ 1,332,779	\$ 736,250	\$ 129,239	\$ 100,000	\$ 28,437,627	\$ 61,980,084
Transfers Out	1,178,028	4,092,394	7,535,585	1,655,915	123,750	-	3,875,054	-	18,460,726
Total Other Financing Uses	1,178,028	4,092,394	7,535,585	1,655,915	123,750	-	3,875,054	-	18,460,726
Contribution to Fund Balance	-	-	-	-	-	275,761	-	-	275,761
Net (Deficit) Surplus	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/21/2024  
**FROM:** Ashley Brandon  
**AGENDA ITEM TITLE:** The Davis-Waddell Wedding request a waiver of alcohol in the park, drinking in public, and a waiver of the noise ordinance for a wedding on October 26, 2024 at Whitehall Park  
**MEETING DATE:** 5/28/2024  
**DEPARTMENT:** Downtown Operations

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*BACKGROUND INFORMATION:*

The Davis-Waddell Wedding request a waiver of alcohol in the park, drinking in public, and a waiver of the noise ordinance for a wedding on October 26, 2024, at Whitehall Park.

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*PLACED ON AGENDA FOR: Action*

**REMARKS:**

Staff recommends approval

**ATTACHMENTS:**

Description	Type	Upload Date
Waddell wedding	Cover Memo	5/21/2024

# Council Alcohol



CITY OF BEAUFORT  
Whitehall Park Application  
Downtown Operations & Community Services Department 500  
Carteret St Ste. B2 Beaufort, SC 29902

Phone: 843-525-7084

Name of Event: <u>Davis-Waddell Wedding</u>	Date(s) of Event: <u>10/26/24</u> Setup start/end time: <u>1000</u> Actual event start/end time: <u>1500</u> Take down start/end time: <u>2200</u>
Organization/Individual Name: <u>Hannah Waddell</u>	Address: <u>403 Saluda Springs Rd</u> <u>Lexington, SC 29072</u> Telephone: <u>919-810-7189</u> Email: <u>waddell.hannah@gmail.com</u>

- Completed application must be received and approved by the Events Coordinator.
- All reservations require the applicable refundable security deposit be remitted upon approval of application in order to secure the requested date(s).
- **Deposits are refundable provided the venue is returned in the same condition it was received.**

Please mail completed application to:

City of Beaufort, Attn: Linda Roper, 500 Carteret St. Suite B2 Beaufort, SC 29902,

or scan and email: [events@cityofbeaufort.org](mailto:events@cityofbeaufort.org)

All events must abide and are governed by the City's Special Events Policy. To discuss specifics of the policy, contact the Events Coordinator at 843-525-7084 or visit our website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org)

Is event open to the public? No

Will admission be charged, or donation required? No

Will alcoholic beverages be sold? No Served? Yes

Will food be sold? No Served? Yes

Will there be any retail sales? No

Number of people expected to attend: 50-75

Whitehall Application 05182023

Areas of the Whitehall Park can be reserved/rented for 4, 6, or 12 hour blocks of time. Please factor time for set up and take down of the event into your chosen block of time. Blocks of time **cannot** be reserved or rented in pro rated increments. **NO exceptions will be made to this policy.**

Security Deposit is due upon approval of application

Fee payment due no less than 30 days prior to event.

Fill out by circling venue area(s) and pricing in blocks of time required for your event. Please indicate need for electrical hookup.

WHITEHALL PARK RENTAL RATES FOR PRIVATE EVENTS			
Park Area	<u>4 HR Block</u>	<u>6 HR Block</u>	<u>12 HR Block</u>
Pavilion	\$ 350.00	\$ 600.00	
Event Lawn	\$ 500.00	\$ 800.00	
Pavilion & Event Lawn			\$2,500.00
Electric Fee	\$ 75.00	\$100.00	
Refundable Security Deposit	\$ 500.00	\$ 800.00	\$2,250.00

See this link <http://www.cityofbeaufort.org/group-events-business-license.aspx> to obtain a group business license application for vendors.

**Did you know?**

**BEAUFORT PRIDE OF PLACE** is a community involvement initiative that helps improve and develop quality of life throughout the city. Individuals, organizations, and visitors can get involved by donating money, equipment or time to assist the City with neighborhood improvement projects, youth programs, upgrading infrastructure and beautifying parks.

If you or your organization are interested in learning more about the program, volunteering or making a monetary or in-kind donation, please contact the City Manager's office @ 843-525-7070 or visit, <http://Cityofbeaufort.org/270/Beaufort-Pride-of-Place> THANK YOU!

**Liability Insurance**

•The City of Beaufort requires that any organization/group sponsoring any event at a City owned facility/property or right of way provide the City of Beaufort with evidence of insurance as outlined below.

General Liability as follows:

- \$500,000.00 minimum requirement per occurrence for General Liability and Auto Liability (depending on the size or type of event, this amount may increase)
- Must provide proof one week before event

**Alcohol**

•To serve alcohol or liquor at your event, you must obtain City Council approval

•If alcohol is served at your event, specific approval must be obtained by the City Manager and liquor liability insurance coverage is required with a minimum of \$1,000,000 per occurrence in coverage. The City of Beaufort must be listed as insured on the policy. If you have questions about the required liquor liability insurance coverage and listing the City as an additional insured, please contact the City Manager's office at (843)-525-7070.

City of Beaufort does not provide nor obtain insurance coverage for any special events. It is the responsibility of the event organizer to obtain and pay for proper insurance coverage.

*[Handwritten Signature]*  
 \_\_\_\_\_  
 Lessee/Applicant Signature

4/24/24  
 \_\_\_\_\_  
 Date

-----This section for City use-----

\_\_\_\_\_  
 Events Coordinator – City of Beaufort

\_\_\_\_\_  
 Date Application Received

Deposit Paid: \_\_\_\_\_ Fees Paid: \_\_\_\_\_ Deposit to be Refunded: \_\_\_\_\_





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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/21/2024  
**FROM:** Ashley Brandon  
**AGENDA ITEM TITLE:** Request from CAPA and the Exchange Club of Beaufort to host the 30th Annual Ghost Tours, October 11-13, 18-20, and 25-27, and request for two (2) complimentary parking spaces from October 10-28  
**MEETING DATE:** 5/28/2024  
**DEPARTMENT:** Downtown Operations

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*BACKGROUND INFORMATION:*

Request from CAPA and the Exchange Club of Beaufort to host the 30th Annual Ghost Tours, October 11-13, 18-20, and 25-27, and request for two (2) complimentary parking spaces from October 10-28.

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*PLACED ON AGENDA FOR: Action*

**REMARKS:**

Staff recommends approval

**ATTACHMENTS:**

Description	Type	Upload Date
Capa Letter	Cover Memo	5/22/2024



May 20, 2024

Mrs. Linda Roper  
Director of Downtown Operations & Community Services  
City of Beaufort  
500 Carteret Street, Suite B 2  
Beaufort, SC 29902

Dear Mrs. Roper:

The Exchange Club of Beaufort is sponsoring the 30<sup>th</sup> Annual Ghost Tours to benefit the Child Abuse Prevention Association. The tours are scheduled for October 11<sup>th</sup> -13<sup>th</sup>, 18<sup>th</sup>-20<sup>th</sup>, and 25<sup>th</sup>-27<sup>th</sup>.

Southern Rose Buggy Tours will submit a special event application and will supply carriages for the event. We are again offering tours as we have for the past 29 years, utilizing volunteer storytellers. We request to load the carriages in the Beaufort Marina parking lot and to use Cannon Park to start our walking tours. The Exchange Club and friends will provide at least two security volunteers per walking tour. We ask that the sprinklers on the tour route be off on tour days between 5:30 PM and 10:00 PM to prevent our volunteers and participants from getting wet. The areas of most concern are Cannon Park and the Craven Street area between New Street and Carteret.

We respectfully request two complimentary parking spaces in the downtown Marina for our costume truck. We need these spaces from October 10<sup>th</sup>- October 28<sup>th</sup>.

We sincerely appreciate the cooperative relationship we have had with the City. This fun event brings in lots of visitors to the Beaufort area while raising funds for CAPA. We hope you will approve this year's Ghost Tours of Beaufort and we appreciate your continuous support.

Sincerely,

Jessie Chapman, CFRE  
Director of Development (CAPA)  
Exchange Club Member



The Child Abuse Prevention Association (CAPA), a United Way agency  
accredited by the Council on Accreditation, serving children and families  
of Beaufort and surrounding counties for over 30 years.



CREDIBILITY • INTEGRITY • ACHIEVEMENT



**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

**TO:** CITY COUNCIL **DATE:** 5/20/2024  
**FROM:** Alan Eisenman, Finance Director  
**AGENDA ITEM TITLE:** Authorization for City Manager to enter into a contract for SC Highway 170 Sidewalk Extension  
**MEETING DATE:** 5/28/2024  
**DEPARTMENT:** Finance

*BACKGROUND INFORMATION:*

On March 7, 2024, the City solicited a request for proposals, RFP 2024-108 SC Hwy 170 Sidewalk Extension. The city received two bids by the submittal deadline of April 19th, at 10:00 AM.

KTC Enterprises, Inc.	Moncks Corner, SC	\$287,865.80
Gulfstream Construction Company, Inc.	Charleston, SC	\$376,221.53

On April 25th, the selection committee, and representatives from Infrastructure, Consulting & Engineering (ICE) met to review the proposals. The line-item costs from KTC Enterprises were determined to be reasonable. The reference responses received from the public and private sectors stated that KTC Enterprises, Inc. is very experienced, delivers high quality work and completes projects on time. The responders also stated that KTC’s electrical subcontractor, Reds Electrical Designs, a Disadvantaged Business Enterprise, is very knowledgeable, professional, and great to work with.

The selection committee is unanimous in recommending KTC Enterprise, Inc. as the lowest most responsive bidder for this project. Upon your approval, a Notice of Intent to Award and a contract will be sent to KTC Enterprises, Inc.

*PLACED ON AGENDA FOR: Action*

**REMARKS:**

Staff recommends authorization for City Manager to enter into a contract for Highway SC 170 Sidewalk Extension with KTC Enterprises, Inc. as presented for consideration.

**ATTACHMENTS:**

Description	Type	Upload Date
Recommendation Memo	Cover Memo	5/20/2024
Bid Proposal	Cover Memo	5/20/2024
Contract	Cover Memo	5/20/2024

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**CITY OF BEAUFORT - INTERNAL MEMORANDUM**

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**TO:** SCOTT MARSHALL  
**FROM:** JAY PHILLIPS  
**SUBJECT:** RECOMMENDATION MEMO FOR RFP 2024-108 HWY SC 170 SIDEWALK EXTENSION  
**DATE:** 04/30/2024  
**CC:** JJ SAUVE, ALAN EISENMAN, NATHAN FARROW, CARRIE GORSUCH

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On March 7, 2024, the City solicited a request for proposals, RFP 2024-108 SC Hwy 170 Sidewalk Extension. The public notice was posted on the City's website via Vendor Registry, the State of South Carolina (SCBO) procurement website and was advertised in the Island News. A non-mandatory pre-bid meeting was held on March 19<sup>th</sup>. Questions were received by the March 26<sup>th</sup> deadline and answers were posted on Vendor Registry on April 5<sup>th</sup>. The city received two bids by the submittal deadline of April 19<sup>th</sup>, at 10:00 AM. The bids were opened during a public meeting at 10:01 AM on that day.

KTC Enterprises, Inc.	Moncks Corner, SC	\$287,865.80
Gulfstream Construction Company, Inc.	Charleston, SC	\$376,221.53

On April 25<sup>th</sup>, the selection committee, and representatives from Infrastructure, Consulting & Engineering (ICE) met to review the proposals. The line-item costs from KTC Enterprises were determined to be reasonable. The reference responses received from the public and private sectors stated that KTC Enterprises, Inc. is very experienced, delivers high quality work and completes projects on time. The responders also stated that KTC's electrical subcontractor, Reds Electrical Designs, a Disadvantaged Business Enterprise, is very knowledgeable, professional, and great to work with.

The selection committee is unanimous in recommending KTC Enterprise, Inc. as the lowest most responsive bidder for this project. Upon your approval, a Notice of Intent to Award and a contract will be sent to KTC Enterprises, Inc.



# KTC ENTERPRISES, INC

CONCRETE, TRUCKING & CURBING

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April 19, 2024

City of Beaufort Procurement Department  
ATTN: Jay Phillips  
1911 Boundary Street  
Beaufort, SC 29902

Subject: Transmittal Letter – Request for Proposal #2024-108  
SC – 170 Sidewalk Extension

Dear Jay Phillips,

KTC Enterprises, INC is pleased to submit our proposal in response to RFP #2024-108 issued by the City of Beaufort for SC-170 Sidewalk Extension. This transmittal letter accompanies our proposal and outlines the necessary information as per the requirements outlined in the RFP.

**I. Name of the Firm Responding**

Name of Firm: KTC Enterprises, INC  
Mailing Address: 119 Memory Lane Moncks Corner, SC 29461  
Email Address: hugh@ktcconcrete.com  
Cell Number: 843-834-3170  
Contact Person: Hugh R Murchison, Jr.

**II. Authorized Representatives:**

As President of KTC, I, Hugh R Murchison, Jr am authorized to make representations and bind this firm to a contract as well as bind our offer for ninety (90) calendar days following the RFP due date.

**III. Executive Summary:**

Our understanding of the project is summarized as follows: Sidewalk extension on Robert Smalls Parkway with minimal storm drainage work, site lighting and landscaping. It is our responsibility to coordinate with the city and utility companies for all utility relocation, if necessary.

**IV. Agreement to Specifications and Terms:**

We affirm that we have thoroughly reviewed and agree to comply with all specifications outlined within the RFP documents, as well as the City of Beaufort's General Terms and Conditions as posted on the City website. We commit to adhering to these terms as a component of the contract documents.

Our firm is enthusiastic about the opportunity to collaborate with the City of Beaufort on this project. We believe our proposal aligns well with the project requirements and objectives outlined in the RFP.

Sincerely,  
KTC Enterprises, INC

Hugh R. Murchison, Jr  
President



## **KTC ENTERPRISES, INC**

CONCRETE, TRUCKING & CURBING

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### **Subject: References and Recent Projects**

#### **Banks Construction Company INC:**

Projects: Charleston Resurfacing – Completed January 2023

Clement's Ferry – 3 Year contract to be completed in 2024

Contact: Wes Bull

Office: 843-844-8621

Email: [wesbull@banksconstruction.com](mailto:wesbull@banksconstruction.com)

Scope of Work: Sidewalk, Curb, Asphalt, Storm Structures, Throats, Ramps

#### **Berkeley County School District:**

Projects: Concrete IDC – Ongoing

Cane Back Track Resurfacing – Completed March 2024

Contact: Stephen Barnes

Office: 843-819-5715

Email: [barness@bcstdschools.net](mailto:barness@bcstdschools.net)

Scope of Work: Sidewalk, Curb, Storm Drainage, Asphalt, Trench Drainage

#### **City of North Charleston:**

Projects: Ashley Villas Phase 3 Drainage – Completed September 2021

CDBG – Completed September 2023

Sidewalk Package #1 – Completed January 2024

Sidewalk Package #2A – To be completed April 2024

Contact: Warren "Barry" Givens

Office: 843-745-1026

Email: [wgivens@northcharleston.org](mailto:wgivens@northcharleston.org)

Scope of Work: Sidewalks, Curb, Ramps and Driveways, Storm Drainage

#### **Charleston County:**

Projects: Azalea Drive Sidewalks – Completed September 2022

Cottingham Sidewalks – Completed August 2023

Contact: Christopher Yaw

Office: 843-202-7848

Email: [cyaw@charlestoncounty.org](mailto:cyaw@charlestoncounty.org)

Scope of Work: Sidewalks, Curb, Ramps, Driveways and Storm Drainage



## **KTC ENTERPRISES, INC**

CONCRETE, TRUCKING & CURBING

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### **IPW Construction Group, LLC:**

Projects: Arc Billow Drainage – Completed March 2024  
Forrest Hills Drainage – Completed June 2022  
Herbert Jessen Boat Landing – Completed August 2023  
James Island Highland Drainage – Completed February 2022  
Mt Pleasant On Call Sidewalk 5 Year IDC – Completed December 2022  
Quarterman Lake – Completed June 2022  
Quail Run James Island – In progress to be completed in 2024  
Laurel Bay Shared Use Path – In progress to be completed in 2024

Contact: Bryan Rembert

Office: 843-3080524

Email: [brembert@ipwco.com](mailto:brembert@ipwco.com)

Scope of Work: Sidewalks, Curb, Ramps, Driveways, Storm Drainage and Structures, Asphalt

### **Landmark Construction Company, INC:**

Projects: Avalon Apartments – Completed in September 2020  
Camp Hall 4B – Completed December 2023  
Carnes Crossroads Apartments – Completed in November 2020  
Charleston Civic HUB – Completed May 2023  
MUSC Kingstree – Completed December 2022  
Nexton Downtown Infrastructure - In progress to be completed in 2024  
Omni Turn Lane – Completed February 2023  
Preserve @ Ridgeville Apartments – Completed February 2023  
Port 95 @ Winding Woods – In progress to be completed in 2024

Contact: Konrad Householder

Office: 843-552-6186

Email: [khouseholder@landmark-sc.com](mailto:khouseholder@landmark-sc.com)

Contact: Kendall Barringer

Email: [kbarringer@landmark-sc.com](mailto:kbarringer@landmark-sc.com)

Contact: Jon Roberson

Email: [jroberson@landmark-sc.com](mailto:jroberson@landmark-sc.com)

Scope of Work: Sidewalks, Curb, Ramps, Storm Drainage and Structures, Roof Drains, Asphalt

**SUBMITTAL PROPOSAL FORM /  
SCHEDULE OF VALUES**

**IFB TITLE:** SC-170 SIDEWALK EXTENSION  
**RFP NUMBER:** 2024-108

SC 170 Sidewalk Extension Bid Form					
PAY ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1031000	MOBILIZATION	1.00	LS	16500	\$ 16,500.00
1032010	BONDS AND INSURANCE	1.00	LS	10153	\$ 10,153.00
1050800	CONSTRUCTION STAKES, LINES & GRADES	1.00	EA	6000	\$ 6,000.00
1071000	TRAFFIC CONTROL	1.00	LS	19800	\$ 19,800.00
1090200	ASBUILT CONSTRUCTION PLANS	1.00	LS	2500	\$ 2,500.00
2012000	CLEARING & GRUBBING WITHIN ROADWAY	1.00	LS	19000	\$ 19,000.00
2021010	REMOVAL & DISPOSAL OF EXISTING DROP INLET	1.00	EA	2270	\$ 2,270.00
2024100	REMOVAL & DISPOSAL OF EXISTING CURB	265.00	LF	10	\$ 2,650.00
2027000	REMOVAL & DISPOSAL OF EXISTING CONCRETE	360.00	SY	20	\$ 7,200.00
2031000	UNCLASSIFIED EXCAVATION	20.00	CY	70	\$ 1,400.00
2033000	BORROW EXCAVATION	90.00	CY	70	\$ 6,300.00
2034000	MUCK EXCAVATION	100.00	CY	60	\$ 6,000.00
6020005	PERMANENT CONSTRUCTION SIGNS (GROUND MOUNTED) SCHEME D	100.00	SF	20	\$ 2,000.00
6271015	8" WHITE SOLID LINES THERMOPLASTIC - 125 MIL.	236.00	LF	14	\$ 3,304.00
6651091	SINGLE DECORATIVE LIGHT POLE WITH SINGLE LIGHT	4.00	EA	15887.29	\$ 63,549.16
675027Y	FURNISH & INSTALL 4.0" SCHD 80 PVC CONDUIT(DIRECTION BORED)	120.00	LF	59.63	\$ 7,155.60
6760020	2" SCHEDULE 80 PVC CONDUIT	560.00	LF	21.38	\$ 11,972.80
6770319	#8Cu,1,600V,RHH,RHW,USE	1760.00	LF	6.62	\$ 11,651.20
6800530	17X30X28D.ELEC.UNGRD.ENCLOS/HD	2.00	EA	2731.77	\$ 5,463.54
6888110	INSTALL STREET LIGHT LUMINAIRE	4.00	EA	2475	\$ 9,900.00
7198320	JUNCTION BOX - CONVERT DROP INLET 24" X 36"	2.00	EA	6800	\$ 13,600.00
<del>7198392</del>	<del>JUNCTION BOX - CONVERT CB T-16</del>	<del>1.00</del>	<del>EA</del>		<del>\$</del>
7204100	CONCRETE SIDEWALK(4" UNIFORM)	374.00	SY	82	\$ 30,668.00
7204900	DETECTABLE WARNING MATERIAL	50.00	SF	85	\$ 4,250.00
7209000	PEDESTRIAN RAMP CONSTRUCTION	100.00	SY	150	\$ 15,000.00
8100100	PERMANENT COVER	0.08	ACRE	5000	\$ 400.00
8100200	TEMPORARY COVER	0.08	ACRE	5000	\$ 400.00
8104005	FERTILIZER (NITROGEN)	8.00	LB	10	\$ 80.00
8104010	FERTILIZER (PHOSPHORIC ACID)	8.00	LB	10	\$ 80.00
8104015	FERTILIZER (POTASH)	8.00	LB	10	\$ 80.00
8105005	AGRICULTURAL GRANULAR LIME	160.00	LB	5	\$ 800.00
8110001	LANDSCAPING	1.00	LS	3500	\$ 3,500.00
8151203	HYDRAULIC EROSION CONTROL PRODUCT (HECP) - TYPE 3	0.05	ACRE	20000	\$ 1,000.00
8153000	SILT FENCE	510.00	LF	6	\$ 3,060.00
8153090	REPLACE/REPAIR SILT FENCE	51.00	LF	1	\$ 51.00
8154050	REMOVAL OF SILT RETAINED BY SILT FENCE	127.50	LF	1	\$ 127.50
				<b>PROJECT TOTAL</b>	<b>\$ 287,865.80</b>

\*\*\*Request for Proposal (RFP) signature page must be signed and submitted with the above Schedule of Values Bid Form to verify the total bid amount as indicated herein, is inclusive of all costs, including all labor, supervision, materials, supplies, equipment, taxes, insurance, permits and any other costs incidental or otherwise.\*\*\*

4/5/2024 Revisions in red font regarding Q&A questions #7, 8, 11.

\*Grey shaded cells indicate locked cells

## CONSTRUCTION AGREEMENT

THIS AGREEMENT (hereinafter the “Agreement”) is made this \_\_\_\_\_ day of \_\_\_\_\_ 2024, by and between the City of Beaufort, a political subdivision of the State of South Carolina (hereinafter referred to as the “City”) and **KTC Enterprises, Inc.** (hereinafter referred to as “Contractor” or “successful vendor”).

1. The Project. The Contractor agrees to furnish and pay for all supervision, contract administration, services, labor, materials, equipment, tools, and other costs necessary to perform all requirements as stated herein for the scope of work described herein (hereinafter the “Project”). The Contractor shall perform the Project in a workmanlike manner and in strict accordance with this Agreement. The Contractor shall be solely responsible for all construction means, methods, techniques, sequences, procedures, and safety precautions or programs, and for supervising, coordinating and performing all of the work associated with the Project. This Agreement contains the general terms and conditions which will govern all specifications and scope to be performed by Contractor with respect to the Project.

The Project is also known as “**SC HIGHWAY 170 SIDEWALK EXTENSION**” and the terms, conditions, specifications and provisions of the Project are as shown in **RFP 2024-108 SC HWY 170 SIDEWALK EXTENSION** (hereinafter referred to as the “RFP” and included herewith as Exhibit A), the Contractor’s response to the RFP (hereinafter referred to as the “Response” and included herewith as Exhibit B), and the City of Beaufort General Terms and Conditions (included herewith as Exhibit C), all of which are made a part hereof and incorporated herein by reference.

In the event that there is any conflict or inconsistency between the terms and conditions of this Agreement, the RFP, and/or the Response, the terms of this Agreement shall control and govern the rights and obligations of the Parties.

2. Payment. The City shall pay the Contractor for the Contractor’s performance of its obligations under this Agreement the sum of Two Hundred Eighty-Seven Thousand, Eight Hundred Sixty-five dollars and Eighty cent (\$287,865.80) pursuant to and in conformity with the following payment procedures. Any terms or phrases used in this section but not defined in this Agreement shall have the same meaning as those terms or phrases as they are defined in the RFP.

### 2.1 Schedule of Values.

- A. Definition: A statement furnished by Contractor allocating portions of the Contract Sum to various portions of the Project and used as the basis for reviewing Contractor's Applications for Payment.
- B. Coordination: Coordinate preparation of the Schedule of Values with preparation of Contractor's construction schedule.

1. Correlate line items in the Schedule of Values with other required administrative forms and schedules, including the following:
    - a. Application for Payment forms with Continuation Sheets.
    - b. Submittals schedule.
    - c. Contractor's construction schedule.
    - d. List of subcontractors.
    - e. Schedule of allowances.
    - f. Schedule of alternates.
    - g. List of products.
    - h. List of principal suppliers and fabricators.
  2. Submit the Schedule of Values to the City at earliest possible date but no later than 7 days before the date scheduled for submittal of initial Applications for Payment.
  3. Subschedules: Where the Project is separated into phases that require separately phased payments, provide subschedules showing values correlated with each phase of payment.
- C. Format and Content: Use the Project Manual table of contents as a guide to establish line items for the Schedule of Values. Provide at least one line item for each Specification Section.
1. Identification: Include the following Project identification on the Schedule of Values:
    - a. Project name and location.
    - b. Name of Contractor.
    - c. Contractor's project number.
    - d. Contractor's name and address.
    - e. Date of submittal.
  2. Submit draft of AIA Document G703 Continuation Sheets.
  3. Arrange the Schedule of Values in tabular form with separate columns to indicate the following for each item listed:
    - a. Related Specification Section or Division.
    - b. Description of the Project.
    - c. Name of subcontractor.
    - d. Name of manufacturer or fabricator.
    - e. Name of supplier.
    - f. Change Orders (numbers) that affect value.
    - g. Dollar value: Percentage of the Contract Sum to nearest one-hundredth percent, adjusted to total 100 percent.

4. Provide a breakdown of the Contract Sum in enough detail to facilitate continued evaluation of Applications for Payment and progress reports. Coordinate with the Project Manual table of contents. Provide several line items for principal subcontract amounts, where appropriate. Include separate line items under required principal subcontracts for operation and maintenance manuals, punch list activities, Project Record Documents, and demonstration and training in the amount of 5 percent of the Contract Sum.
5. Round amounts to nearest whole dollar; total shall equal the Contract Sum.
6. Provide a separate line item in the Schedule of Values for each part of the Project where Applications for Payment may include materials or equipment purchased or fabricated and stored, but not yet installed. Differentiate between items stored on-site and items stored off-site. If specified, include evidence of insurance or bonded warehousing.
7. Provide separate line items in the Schedule of Values for initial cost of materials, for each subsequent stage of completion, and for total installed value of that part of the Project.
8. Allowances: Provide a separate line item in the Schedule of Values for each allowance. Show line-item value of unit-cost allowances, as a product of the unit cost, multiplied by measured quantity. Use information indicated in the Contract Documents to determine quantities.
9. Each item in the Schedule of Values and Applications for Payment shall be complete. Include total cost and proportionate share of general overhead and profit for each item. Temporary facilities and other major cost items that are not direct cost of actual work-in-place may be shown either as separate line items in the Schedule of Values or distributed as general overhead expense, at Contractor's option.
10. Schedule Updating: Update and resubmit the Schedule of Values before the next Applications for Payment when Change Orders or Construction Change Directives result in a change in the Contract Sum.

## 2.2 Applications for Payment.

- A. Each Application for Payment shall be consistent with previous applications and payments as certified by Contractor and paid for by City.

- B. Payment Application Times: Submit progress payments to Contractor by the 25th day of the month. The period covered by each Application for Payment is one month, ending on the last day of the month.
- C. Payment Application Forms: Use AIA Document G702 and AIA Document G703 Continuation Sheets as the form for Applications for Payment.
- D. Application Preparation: Complete every entry on form. Notarize and execute by a person authorized to sign legal documents on behalf of Contractor. City will return incomplete applications without action.
  - 1. Entries shall match data on the Schedule of Values and Contractor's construction schedule. Use updated schedules if revisions were made. Submit schedule with Application for Payment, regardless of whether revised or not.
  - 2. Include amounts of Change Orders and Construction Change Directives issued before last day of construction period covered by application. For Change Orders resulting in an increase in the Contractor's costs associated with the Project, Contractor's overhead & profit shall be 15% of the value of materials and labor of work performed by Contractor; and 7.5% of the value of materials and labor of work performed by a Subcontractor. For Change Orders which do not result in an increase in the Contractor's costs associated with the Project, no additional amount shall be paid to the Contractor.
  - 3. Submit copies of invoices for each item of material/equipment listed in the Application For Payment. If material/equipment is stored off-site, submit certificate of insurance to substantiate that the materials/equipment are stored in a bonded warehouse.
- E. Transmittal: Submit 3 signed and notarized original copies of each Application for Payment to City by a method ensuring receipt within 24 hours. Each copy shall include waivers of lien and similar attachments.
- F. Waivers of Mechanic's Lien: With each Application for Payment, submit waivers of mechanic's lien from every entity who is lawfully entitled to file a mechanic's lien arising out of the Contract and related to the Project covered by the payment.
  - 1. Submit partial waivers on each item for amount requested in previous application, after deduction for retainage, on each item. Retainage shall equal 10% of the payment application until the project is complete.
  - 2. When an application shows completion of an item, submit final or full waivers.

3. City reserves the right to designate which entities involved in the Project must submit waivers.
  4. Waiver Forms: Submit waivers of lien on forms, executed in a manner acceptable to the City. Submit final Applications for Payment with or preceded by final waivers from every entity involved with performance of the Project covered by the application who is lawfully entitled to a lien.
- G. Initial Application for Payment: Administrative actions and submittals that must precede or coincide with submittal of first Application for Payment include the following:
1. List of subcontractors.
  2. Schedule of Values.
  3. Contractor's construction schedule (preliminary if not final).
  4. Products list.
  5. Schedule of unit prices.
  6. Submittals schedule (preliminary if not final).
  7. List of Contractor's staff assignments.
  8. List of Contractor's Subcontractors.
  9. Copies of building permits.
  10. Copies of authorizations and licenses from authorities having jurisdiction for performance of the Project.
  11. Initial progress report.
  12. Report of preconstruction conference.
  13. Certificates of insurance and insurance policies.
  14. Performance and payment bonds.
  15. Data needed to acquire City's insurance.
  16. Initial settlement survey and damage report if required.
- H. Application for Payment at Substantial Completion: After issuance of the Certificate of Substantial Completion, submit an Application for Payment showing 100 percent completion for portion of the Project claimed as substantially complete.
1. Include documentation supporting claim that the Project is substantially complete and a statement showing an accounting of changes to the Contract Sum.
  2. This application shall reflect Certificates of Partial Substantial Completion issued previously for City occupancy of designated portions of the Project.
- I. Final Payment Application: Submit final Application for Payment with releases and supporting documentation not previously submitted and accepted, including, but not limited, to the following:

1. Evidence of completion of Project closeout requirements.
  2. Insurance certificates for products and completed operations, where required and proof that taxes, fees, and similar obligations were paid.
  3. Updated final statement, accounting for final changes to the Contract Sum.
  4. AIA Document G706, "Contractor's Affidavit of Payment of Debts and Claims."
  5. AIA Document G706A, "Contractor's Affidavit of Release of Liens."
  6. AIA Document G707, "Consent of Surety to Final Payment."
  7. Evidence that claims have been settled.
  8. Final meter readings for utilities and similar data as of date of Substantial Completion or when City took possession of and assumed responsibility for corresponding elements of the Project.
  9. Transmittal of required project construction records to City.
  10. Final, liquidated damages settlement statement.
3. Time. Time is of the essence of this Agreement and the Contractor shall commence work on the Project with adequate force and equipment within ten (10) calendar days from the issuance of all building permits and shall complete the Project within one hundred twenty (120) calendar days from the date work begins. Based on the historical conditions over the past five years as established by NOAA & National Weather Service the Contractor will be entitled to an extension if the severe days extend beyond the following days per month: Jan (4), Feb (4), Mar (5), Apr (4), June (5), July (7), Aug (6), Sept (6), Oct, (3) Nov (4), and Dec (4).
4. Termination. In addition to the provisions for termination as set forth under the heading TERMINATION FOR CONVENIENCE OR FOR CAUSE of Exhibit C, the Agreement may be terminated by either party prior to the commencement of the Contractor's provision of services to the City.
5. Notice. The Contractor and the City shall notify each other of service of any notice of violation of any law, regulation, permit, or license relating to the services; initiation of any proceedings to revoke any permits or licenses which relate to such services; revocation of any permits, licenses or other governmental authorizations relating to such services; or commencement of any litigation that could affect such services. Such notice shall be delivered by U. S. mail with proper postage affixed thereto and addressed to the parties' respective representatives as follows:

To the City:                    J.J. Sauve, Assistant City Manager  
     City of Beaufort  
     1911 Boundary Street  
     Beaufort, South Carolina 29902

To the Contractor: Hugh R. Murchison, Jr.  
KTC Enterprises, Inc.  
119 Memory Lane  
Moncks Corner, SC 29461

Neither party's representative shall be changed without ten (10) days' written notice to the other party.

6. Execution of Agreement. This Agreement shall be executed in at least three (3) original copies, of which one is to be delivered to the City Director of Finance, one to the Contractor for use in the administration of the Agreement, and one to the City.
7. Amendment. This Agreement may be amended from time to time as agreed upon by the parties in writing. The parties agree to negotiate in good faith to accommodate any necessary amendments.
8. Total Agreement. This Agreement, along with the documents that have been included herewith and made a part of this Agreement by reference, constitute the entire contract between the parties hereto. No representations, warranties or promises pertaining to this Agreement have been made or shall be binding upon any of the parties, except as expressly stated herein.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement on the day and year first written above.

**WITNESSES:**

**CITY OF BEAUFORT**

\_\_\_\_\_  
*Signature*

By: \_\_\_\_\_  
Scott Marshall, City Manager

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

**WITNESSES:**

**KTC Enterprises, Inc.**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Its: \_\_\_\_\_



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## CITY OF BEAUFORT

### DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/21/2024  
**FROM:** Curt Freese, Community Development Director  
**AGENDA ITEM TITLE:** A resolution certifying the property located at 1409 King Street, Beaufort, South Carolina, Beaufort County Parcel I.D. No. R120 004 000 1009 0000, +/- .8684 acres as Abandoned Building Sites Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended  
**MEETING DATE:** 5/28/2024  
**DEPARTMENT:** Community and Economic Development

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**BACKGROUND INFORMATION:**

The owner of the old Jail project at 1409 King Street approached City Staff about obtaining certification of the property under “abandoned building site pursuant to the South Carolina Abandoned Buildings Revitalization Act (hereinafter “Act”). The South Carolina Abandoned Buildings Revitalization Act of 2013 (the “Act”) was enacted in Title 12., Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina. The Old Jail project was approved by the HRB, has received final design certification by Staff and has a renovation and upfit building permit approved and ready for issuance.

The application was sent to the City Attorney who has provided an in-depth memo of the resolution, the Act, and the request. In regards to this request, for a property to qualify, the property must be primarily composed of a building or structure which:

- (1) has been at least sixty-six percent (66%) vacant for the past five years,
- (2) has not produced income for the past five years, and
- (3) was not most recently used as a single-family residence.<sup>1</sup>

In addition, the abandoned building and the site on which it is located may be subdivided into separate units or parcels. Each of these separate units or parcels may be considered a separate abandoned building site for purposes of the tax credit.

Approval of the resolution will aid the applicant in the planned and approved rehabilitation of the property.

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**PLACED ON AGENDA FOR:** *Action*

**REMARKS:**

The applicant does need to make some minor changes to their application, as per the comments from the City

Attorney's memo. Said changes are minor, and should not impact the resolution should it be approved.

**ATTACHMENTS:**

Description	Type	Upload Date
Project Memo	Backup Material	5/21/2024
Application	Backup Material	5/21/2024
Deed	Backup Material	5/21/2024
Resolution	Backup Material	5/21/2024

**MEMORANDUM**  
**CONFIDENTIAL – ATTORNEY-CLIENT PRIVILEGED**

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TO: City Council  
FROM: Ben Copping, City Attorney  
DATE: May 9, 2024  
RE: SC Abandoned Buildings Revitalization Act Application

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King Street Jailhouse Partners, LLC has submitted an application seeking certification of real property located at 1409 King Street (the old jail) as an “abandoned building site pursuant to the South Carolina Abandoned Buildings Revitalization Act (hereinafter “Act”). The purpose of this memorandum is to provide Council with the information necessary to properly consider the application and take action as it deems appropriate.

The Act was passed to create an incentive for the rehabilitation, renovation, and redevelopment of abandoned buildings by providing developers state income tax credits or property tax credits. To be eligible for these credits, the property must be primarily composed of a building or structure which:

- (1) has been at least sixty-six percent (66%) vacant for the past five years,
- (2) has not produced income for the past five years, and
- (3) was not most recently used as a single-family residence.<sup>1</sup>

The abandoned building and the site on which it is located may be subdivided into separate units or parcels.<sup>2</sup> Each of these separate units or parcels may be considered a separate abandoned building site for purposes of the tax credit.<sup>3</sup>

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<sup>1</sup> S.C. Code Ann. §12-67-120(1)

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*, SC Revenue Ruling #15-7

It appears that each of the five proposed units for which the applicant is applying for certification should qualify for the income tax credit. However, amendment to and supplementation of the application is necessary. First, the applicant states that, during the last five years, the property was used as a “jailhouse,” which it was not. Second, the applicant states that the property is on the National Register of Historic Places, which it does not appear to be. This should either be corrected or documentation of the property’s being on the National Register should be provided. Finally, the applicant needs to provide (1) the site plan, (2) an affidavit from a prior owner or neighbor that the property is abandoned and was not formerly used as a single-family residence, and (3) an affidavit of intent that the property will be used for income-producing purposes.

If that amendment and supplementation is made, and the additional documentation provided supports what we already know to be true about this property, I would advise council to certify the abandoned building sites under the Act by passing the resolution included herewith.

I will be happy to answer any questions or provide further detail as requested by City Council or staff.

## South Carolina Abandoned Buildings Revitalization Act Application

Property Address: <u>1409 King Street</u>	TMS Number: <u>R120004000</u> <u>10090000</u>
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Applying for:	<input type="checkbox"/> Real Property Tax	<input checked="" type="checkbox"/> Income and Other Tax Credits
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<b>Applicant Information:</b>		
Name: <u>Robert Lewis for King Street Jailhouse Partners LLC</u>	Daytime Phone: <u>803 978-2339</u>	
Mailing Address: <u>P.O. Box 11903</u>	Email: <u>Rlewis@RogersLewis.com</u>	
City: <u>COLA</u>	State: <u>SC</u>	Zip: <u>29211</u>

<b>Owner Information (if different from Applicant):</b>		
Property Owner: <u>King Street Jailhouse Partners LLC</u>	Daytime Phone: <u>Same as above</u>	
Mailing Address: <u>SAME</u>	Email: <u>SAME</u>	
City:	State:	Zip:

<b>Rehabilitation Information:</b>		
Date Property was acquired: <u>Sept 2021</u>		
Property acreage: <u>.8684</u>	Estimated Rehabilitation Cost: <u>\$3,238,825.00</u> <u>(5 units)</u>	
Number of building(s) on property that will be renovated: <u>1</u>		
What has the property been used for during the last 5 years? <u>Jailhouse</u>		
Current combined sq. footage of building(s): <u>Existing is 8790 S.F.</u>		
Planned % increase in combined sq. footage of building(s): <u>8090 - 7086 new S.F. added</u>		
Will the property be used to produce income?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Will there be new construction on the property?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

# South Carolina Abandoned Buildings Revitalization Act

## Application

<b>Rehabilitation Information (continued):</b>		
Will the property be used for a charter school, private or parochial school, or other similar educational institution?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Will the property be used for a single-family residence?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the property on the National Register of Historic Places?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the property restricted by any covenant that is contrary to, or conflicts with, or prohibits the proposed land use encompassed in this application?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>Checklist of documents to include with this form for Real Property Tax Credit OR</b>	
<b>Income &amp; Other Tax Credits:</b>	
<input checked="" type="checkbox"/> Title to property.	<i>To be provided</i>
<input checked="" type="checkbox"/> Site plan, map or plat of property indicating which building(s) will be renovated.	
<input checked="" type="checkbox"/> Affidavit from neighbor or past property owner that at least 66% of space in building(s) has been continuously closed or nonoperational for income producing purposes for at least 5 years.	<i>to be provided if needed</i>
<input checked="" type="checkbox"/> Affidavit from neighbor or past property owner that the preceding use of the building(s) or structure(s) was not a single-family residence.	<i>To be provided</i>
<input checked="" type="checkbox"/> Affidavit of intent that property will be used for income-producing purposes.	<i>To be provided</i>

<b>Disclosure and Signature</b>		
<p>I (we) hereby make application for a tax credit under the South Carolina Abandoned Buildings Revitalization Act. I (we) have read and examined this application and know the same to be true and correct. I (we) understand that this application is subject to cancellation if any misrepresentations have been made or any changes are made which violate the South Carolina Buildings Revitalization Act requirements. I (we) understand that completing this application does not guarantee approval by Charleston City Council.</p>		
Printed Name: <u>Robert Lewis</u>	Signature: <u><i>Robert Lewis</i></u>	Date: <u>3/9/2024</u>

<b>For City Use Only Below this Point:</b>		
<b>City Staff Recommendation:</b>	Approve <input type="checkbox"/>	Deny <input type="checkbox"/>
<b>City Council:</b>	Approve <input type="checkbox"/>	Deny <input type="checkbox"/>

September 29, 2021

Wheeler & Wheeler, LLC  
1711 Gervais St.  
Columbia, SC 29201

Re: Wheeler & Wheeler, LLC  
Our File # P-25992-19CG  
Property: 1409 King Street, Beaufort, SC 29902

Dear Sir/Madam:

Enclosed please find the final documents for the above referenced transaction(s), to wit:

- a. Original deed recorded in Record Book at Page in the office of the Register of Deeds for Beaufort County, South Carolina.
- b. Original Chicago Title Insurance Company owner's policy 724514040-225170695.

As an additional reminder, if this purchase is to be your primary residence and you are a permanent resident; don't forget to stop by the Beaufort County Assessor's Office to apply for the special assessment rate which, if eligible, will reduce your property tax liability.

Thank you for allowing us to close this transaction. We truly appreciate your business. Please don't hesitate to contact us if we can be of any further assistance.

Most Sincerely,



Gail G. Clark  
Real Estate Paralegal

Enc.

*(Please do not write above this line Reserved for Register of Deeds Office)*

Prepared By: C. Scott Graber  
Grabber Law Firm  
605 Carteret Street  
Beaufort, South Carolina 29902

STATE OF SOUTH CAROLINA  
COUNTY OF BEAUFORT

)  
)  
)

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that 705 CARTERET, LLC, in the State aforesaid, for and in consideration of the sum of FIVE HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS, to it in hand paid at and before the sealing of these presents by WHEELER & WHEELER, LLC, in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, bargain, sell, and release unto the said WHEELER & WHEELER, LLC, their Successors and Assigns forever, the following described property, to wit:

See Exhibit "A" which is attached hereto and made a part hereof.

Grantee's Address: 1711 Gervais Street, Columbia, SC 29201

TOGETHER WITH all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said WHEELER & WHEELER, LLC, their Successors and Assigns, forever.

AND the Grantor, does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the said premises unto the said WHEELER & WHEELER, LLC, their Successors and Assigns forever, and against us and our heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.



**RESOLUTION NO: 2024/06**

*Certifying the property located at 1409 King Street, Beaufort, South Carolina, Beaufort County Parcel I.D. No. R12000400010090000 +/- .8684 acres as Abandoned Building Sites Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended*

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013 (the “Act”) was enacted in Title 12., Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) “Abandoned Building” means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent (66%) of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five (5) years immediately preceding the date on which a taxpayer files a “Notice of Intent to Rehabilitate”. *For purposes of this item, a building or structure that otherwise qualifies as an “abandoned building” may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned ... (emphasis added).*

(2) “Building Site” means the abandoned building together with the parcel of land upon which it is located, and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building’s income producing use.

...

(6) “Rehabilitation Expense” means the expense or capital expenditures incurred in the rehabilitation, demolition, renovation, or redevelopment of the building site, including without limitations, the renovation or redevelopment of existing buildings, environmental remediation, *site improvements, and the construction of new buildings and other improvements on the building site ... (emphasis added).*

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible for a credit against certain income taxes; and

WHEREAS, King Street Jailhouse Partners, LLC or its assigns (the “Owner” or “Owners” or the “Taxpayer” or the “Taxpayers”) owns real property located at 1409 King Street, Beaufort, S.C., Beaufort County, Parcel I.D. # 12000400010090000, +/- .8684 acres (the “Property”); and,

WHEREAS, The Property consists of one (1) existing building of 3790 square feet of finished space which building consists of three (3) individual units or separate suites within this single building; and

WHEREAS, the Property is located within the City of Beaufort in Beaufort County, South Carolina; and

WHEREAS, the Taxpayer plans to renovate the existing building on the site for income producing residential use and develop this site for six (6) additional newly constructed income-producing residential structures (the “Building Site”); and

WHEREAS, the Taxpayer has filed five (5) Notices of Intent to Rehabilitate with the South Carolina Department of Revenue to rehabilitate the Abandoned Buildings or Abandoned Building Units located on the identified parcel and will incur Rehabilitation Expenses as defined in S.C. Code Section 12-67-120(6); and

WHEREAS, the Taxpayer has applied to the City of Beaufort for a certification of the abandoned building site by way of binding resolution pursuant to Section 12-67-160(A) of the Act, which certifies that the site consists of five (5) abandoned building sites or units as defined by Section 12-67-120.

NOW, THEREFORE, BE IT RESOLVED BY THE BEAUFORT CITY COUNCIL, this \_\_\_\_\_ day of \_\_\_\_\_, 2024 as follows:

Section 1. The Taxpayer has submitted to the City’s Planning and Development Services Department an application for a binding resolution to certify the Property as an Abandoned Building Site pursuant to Section 12-67-160 of the Act (the “A to Certify”).

Section 2. The Property contains multiple Abandoned Building Sites as defined by Section 12-67-120(1) of the Act; and,

Section 3. The geographic area of the Building Site is consistent with Section 12-67-120(2) of the Act.

BE IT FURTHER RESOLVED that the words used in singular number include the plural, and words used in the plural include the singular.

---

Philip E. Cromer, Mayor

Attest:

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Traci Guldner, City Clerk

Reviewed by: Benjamin T. Coppage, City Attorney, May 9, 2024



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/21/2024  
**FROM:** JJ Sauve  
**AGENDA ITEM TITLE:** Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc. - first reading  
**MEETING DATE:** 5/28/2024  
**DEPARTMENT:** City Managers Office

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*BACKGROUND INFORMATION:*

Earlier this year Council approved the Southside Park Project Phase I, which is currently underway. After staff, engineers, and utility providers met to begin construction it was determined that a utility easement would be necessary for Dominion Energy to provide electrical infrastructure within the park. Staff, the City's contracted engineers at Davis & Floyd, and the City Attorney have reviewed the proposed easement and recommend that it be executed. This ordinance is on for first reading.

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***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

**ATTACHMENTS:**

Description	Type	Upload Date
Southside Park Dominion Easement Ordinance	Ordinance	5/21/2024
Southside Park Dominion Easement Exhibit 1	Exhibit	5/21/2024

## ORDINANCE

Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc.

WHEREAS, the City of Beaufort (hereinafter the “City”) owns real property known as Southside Park (hereinafter the “Property”) located in the City of Beaufort;

WHEREAS, the City and Dominion Energy of South Carolina, Inc. (hereinafter “Dominion”) are informed and believe that the granting of an easement to Dominion for the placement of utility infrastructure on the Southside Park is necessary for the completion of the Southside Park project;

WHEREAS, Council gave first reading approval of this grant of easement on \_\_\_\_\_, 2024; and,

WHEREAS, Council now believes it is in the best interest of the City, and its citizens, to approve this grant of easement, and the authority of the City Manager to execute such documents as may be necessary and appropriate to finalize this grant;

NOW THEREFORE, be it Ordained by the Beaufort City Council, in council duly assembled, and by the authority of the same, that the City Manager shall be authorized and empowered to execute and finalize the Easement attached as Exhibit 1, and such other documents as may be necessary and appropriate, for the City to grant an easement to Dominion for the placement of utility infrastructure for the Property.

This Ordinance shall be effective immediately upon adoption.

---

Philip E. Cromer, Mayor

Attest:

---

Traci Guldner, City Clerk

First Reading: \_\_\_\_\_

Second Reading and adoption: \_\_\_\_\_

Approved in Form: Benjamin T. Coppage

# Easement # 905596

INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by and between **The City of Beaufort** of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and **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 does hereby grant and convey unto the Grantee, its successors and assigns, an easement for the installation and maintenance of the electric facilities more fully shown on DESC Drawing #77616, and any revisions made thereto, and for any natural gas facilities requested by the Grantor, including the right, privilege and authority, from time to time, to enter upon, construct, extend, inspect, operate, replace, relocate, repair and perpetually maintain 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, together with the right of ingress, egress, and access across and upon the lands of Grantor as described herein (hereinafter the "Property"), as may be necessary or convenient for the purposes connected therewith.

Together also with the right to lay, construct, maintain, operate, repair, alter, replace and remove pipe lines, together with valves, tieovers, and appurtenant facilities for the transportation of gas, oil petroleum products or any other liquids, gases or substances which can be transported through a pipe line.

Together also with the right, from time to time, to install guy wires upon the Property, to overhang the Property with conductors, cross arms and service wires 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 the Property, extending fifteen feet (15') on each side of any pole lines and five feet (5') on each side of any underground wires or pipe lines, and within, over, under, or through a section of land extending twelve feet (12') 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 (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee. Grantor further agrees to maintain minimum ground coverage of thirty-six inches (36") and maximum ground coverage of fifty-four inches (54") inches over all underground primary electric lines. Grantor further agrees to maintain minimum ground coverage of twenty-four inches (24") and maximum ground coverage of forty-two inches (42") over all underground pipe (gas) lines.

Description of the Property: All that certain piece, parcel, or tract of land situate, lying and being in the City of Beaufort, County of Beaufort, State of South Carolina, known as Southside Park, consisting of 34.15 acres, more or less, and designated as Parcel C on the certain plat entitled "Boundary Survey Showing Lot Line Revision of Parcel B and C, Waste Water Treatment Plant Southside Boulevard" prepared by David E. Gasque, R.L.S., dated January 15, 2014 and revised August 14, 2014, a copy of which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 142 at Page 181. This being the same property conveyed to the Grantor by Limited Warranty Deed of Beaufort-Jasper Water and Sewer Authority dated January 5, 2016, which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3455 at Page 2704.

TMS No.: R120 008 000 0015 0000

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be. All rights and privileges, obligations and liabilities created by this instrument shall inure to the benefit of and be binding upon the heirs, designees, administrators, executors, successors and assigns of the parties hereto.

[SIGNATURES TO FOLLOW]

**Easement # 905596**

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

WITNESS:

**The City of Beaufort**

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

**Scott M. Marshall, as City Manager**

\_\_\_\_\_  
1st Witness

\_\_\_\_\_  
2nd Witness

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 **Scott M. Marshall** as **City Manager** of **The City of Beaufort** 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 \_\_\_\_\_, **2024**

\_\_\_\_\_  
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: **SOUTHSIDE PARK IMPROVEMENTS**

County: **Beaufort**

R/W File Number: **27299**

Grantor(s): **The City of Beaufort**

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