

**RESOLUTION 2021/20**

**A RESOLUTION ESTABLISHING RIGHT OF WAY ACQUISITION POLICIES ASSOCIATED WITH THE IMPLEMENTATION OF 2018 ONE CENT SALES TAX REFERENDUM PROJECTS APPROVED BY VOTERS NOVEMBER 6, 2018**

**WHEREAS**, , Beaufort County Council adopted an Ordinance on November 13, 2017 to impose a One Percent (1 %) Transportation Sales and Use Tax for not more than four (4) years, if approved by referendum, to authorize the issue of General Obligation Bonds not to exceed One Hundred Twenty Million Dollars (\$120,000,000) to fund Transportation-related projects; and

**WHEREAS**, a Referendum to approve the expenditure of One Hundred Twenty Million Dollars (\$120,000,000) by implementation of a One Percent (1%) Sales Tax was held on November 6, 2018; and

**WHEREAS**, County Council adopted Resolution 2019/44 attached as Exhibit “A” authorized the acquisition of all right of ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right of ways needed to complete projects listed on attached Exhibit “A” ; and

**WHEREAS**, County Council further authorized, as necessary, such acquisitions to include highways, roads, streets, bridges, mass transit systems, green belts and other transportation related project facilities, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges and other transportation related projects; and

**WHEREAS**, in an effort to expedite the acquisition process necessary for project completion, exceptions to the current property purchasing standards need to be addressed as the program is governed by an Intergovernmental Agreement with South Carolina Department of Transportation (SCDOT) and shall comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), as amended, and S.C. Code of Laws Titles 57 and 28, as amended; and

**WHEREAS**, in an effort to expedite projects to the construction stage, the County Administrator, currently authorized to approve payments not to exceed \$50,000, be authorized to approve right of way (ROW) transactions up to \$500,000 and delegate negotiating authority to the acquisition team as follows:

1. Assistant County Administrator - Engineering up to \$250,000
2. Director of Transportation Engineering up to \$100,000
3. Right of Way Manager up to \$50,000

**WHEREAS**, County Council shall approve all payments exceeding \$500,000 and shall approve eminent domain proceedings; and

**WHEREAS**, to expedite payment for the right of way acquisition process, the County waives the requirement to issue purchase orders over \$1,500 and will amend the Beaufort County Procurement Code; and

**NOW, THEREFORE, BE IT RESOLVED** Beaufort County Council hereby establishes the right of way acquisition policies and approval authorities for the 2018 One Cent Transportation Sales Tax Referendum program as set forth above.

**ADOPTED** this 28th day of June 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

  
Joseph Passiment, Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

# Exhibit "A"

## RESOLUTION 2019 / 44

WHEREAS, Beaufort County Council adopted an Ordinance on November 13, 2017 to impose a One Percent (1%) Transportation Sales and Use Tax for not more than four (4) years, if approved by referendum, to authorize the issue of General Obligation Bonds not to exceed One Hundred Twenty Million Dollars (\$120,000,000) to fund Transportation-related projects; and

WHEREAS, a Referendum to approve the expenditure of One Hundred Twenty Million Dollars (\$120,000,000) by implementation of a One Percent (1%) Sales Tax was held on November 6, 2018; and

WHEREAS, the voters of Beaufort County voted to approve implementing the one (1%) percent sales tax by a margin of nearly fifty-eight (58%) percent; and

WHEREAS, it is necessary to acquire right-of-ways from private landowners for the purpose of implementing the public projects hereinafter enumerated which were approved by the citizens of Beaufort County; and

WHEREAS, all acquisitions of such right-of-ways will conform to the standards approved by Beaufort County, South Carolina Department of Transportation and the Federal Highway Administration; and

WHEREAS, the construction of all projects is vital to the health and safety of the residents, citizens and tourists in Beaufort County, including, but not limited to, evacuation routes in the event of hurricanes; and

WHEREAS, Beaufort County will conduct 2 public meetings on each of the roadway and pathway projects in order to disseminate project information and obtain community feedback; and;

WHEREAS, Beaufort County staff will update the Public Facilities Committee on a quarterly basis regarding the status of ongoing capital projects; and;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that County Council authorizes the acquisition of all right-of-ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right-of-ways needed to complete the following projects:


1. Hilton Head Island – US 278 Corridor Traffic Improvements
2. Lady's Island Corridor Traffic Improvements
3. Sidewalks and Multi-Use Pathways – Safe Routes to School:
  - a. Burnt Church Road, Ulmer Road, and Shad Road
  - b. Laurel Bay Road Pathway Widening
  - c. Bluffton Parkway Phase I
  - d. Joe Frazier Road
  - e. Meridian Road
  - f. Alljoy Road
  - g. Salem Road, Old Salem Road, and Burnt Hill Road
  - h. Middle Road
  - i. Stuart Point
  - j. Broad Rover Boulevard and Riley Road
  - k. Broad River Drive
  - l. Lake Point Drive and Old Miller Road Pathway Connection

- m. Dr. Martin Luther King, Jr. Drive
- n. Ribuat Road to Parris Island Gateway
- o. Pine Grove Road and Burton Wells Road
- p. Spanish Moss Trail Extension
- q. Seabrook Road
- r. Depot Road
- s. Chowan Creek Bluff
- t. U.S. 17 Pathways Extension
- u. Bruce K. Smalls
- v. Paige Point
- w. Big Road
- x. Big Estate Road

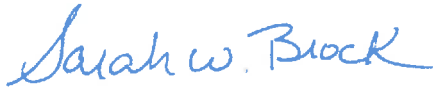
IT IS FURTHER RESOLVED, that County Council further authorizes, as necessary, such acquisitions to include highways, roads, streets, bridges, mass transit systems, green belts and other transportation related project facilities, including, but not limited to, drainage facilities relating to the highways, roads, streets, bridges and other transportation related projects.

Adopted this 18<sup>th</sup> day of November, 2019.

COUNTY COUNCIL OF BEAUFORT  
COUNTY

By:   
Stewart H. Rodman , Chairman

Attest:

  
Sarah W. Brock, Clerk to Council