

LIBPA March 2004 Newsletter

Island Notes:

Great Reception: A recent check with Barbara and Bob Hess, owners of the new fitness center for women "Curves", indicates that they are being received with enthusiasm by the community as evidenced by their reaching a membership of over 200 in the short time they have been open. A special thanks to Wendell Mulligan, Director of Public Works Department, South Carolina Department of Transportation, for taking the initiative to find funding for a contract to sweep the streets for both Sea Island Parkway and the newly widened portion of Sams Point Road.

A very unscientific poll of those who daily use Sams Point Road indicates nothing but positive comments regarding the newly widened road. Those coming from Brickyard Point Road, Bluff Farm and New Point appreciate the ease with which they can enter the traffic. The parents of students at Beaufort Academy indicate both entry and exit from the school is much easier and safer. The only negative comment received was in regard to those who speed through the Beaufort Academy school zone when the 30 mile per hour light is flashing.

Food for thought: If a high school is built in the vicinity of the Whale Branch without enough students to fill it and a third bridge is built connecting Lady's Island with the Marine Corps Air Station ---- will Lady's Island high school students be transported to the Whale Branch School to fill the extra space at the new school?

Good information to know: According to a recent article in the Beaufort Gazette by Cathy Carter Harley, South Carolina law was changed in August of 2003 to no longer require cars traveling on 4 lane roads to stop for school buses in the opposing lanes which are offloading children. However, the law still requires we stop if we are traveling in the same direction behind the bus. With the portion of Sams Point Road recently being made into a 4 lane road this is good information to know. As for all of the two lane roads the law still requires both directions to stop.

Farewell and thanks. The Beaufort County Community Preservation Planner Stan Williams has recently accepted a position in the planning department of Norfolk, Virginia. The new position offers increased responsibility and salary. For those reasons, we who have worked with him since 1997 to write and update the zoning regulations for Lady's Island are happy for him and offer our congratulations. The statement "we could not have done it without you" could never be more correct than in regard to this public servant. His quiet manner, willingness to listen to all sides and superb professional ability to translate layman words into zoning regulations contributed significantly to making our island a better place to live, work and raise our children. LIBPA presented Mr. Williams a plaque of appreciation in 2001; we now offer him our sincere thanks for a job well done on Lady's Island and best wishes for success in his new job.

What Lady's Island Land Should Be Preserved?:

In 1999 County Council established a Rural and Critical Lands Program designed to protect open space, critical land and rural lands. To assist in the implementation of this program a citizen's board was established and an organization (Nature Conservancy) was hired to act as a consultant. In the 2000 election 70% of the Beaufort County voters supported a referendum to establish a \$40 million bond fund to finance this program. Of the authorized \$40 million the Rural and Critical Lands Program has to date invested \$12.2 million for the preservation of more than 8,400 acres.

Recently, the Trust for Public Land, a national non-profit organization, has replaced the Nature Conservancy as consultant for the Rural and Critical Lands Program. As such, members of the Trust for Public Land held various meetings throughout Beaufort County to obtain the opinions of the residents of various communities regarding what land should be protected by this program. Mark Generales, Lady's Island representative to County Council, arranged for a special meeting to allow the citizens of Lady's Island an opportunity to express their opinion in this regard. A second meeting was held at which the LIBPA Board of Directors and the Community Preservation Committee were provided an opportunity to present an overview of past and projected future growth on the island. At this meeting the following two areas on Lady's Island were submitted for consideration as potential areas worthy of preservation.

The rural undeveloped area on the northern portion of the island adjacent to Brickyard Point Road for the following reasons: **(1)** To prevent future development from denying or severely limiting any possibility of a "third bridge" being routed through this area. **(2)** A portion of this property is located in the Marine Corps' designated Air Installation Compatible Use Zone (AICUZ) which discourages residential

development in such areas. **(3)** This property is adjacent to one of the three areas in the county that serves to recharge the Floridian Aquifer with ground water. **(4)** As the fastest growing area in northern Beaufort County any prevention of additional growth would be wise and prudent.

The property surrounding Crystal Lake for the following reasons: **(1)** The lake is designated in the Village land plan as a desirable location for a passive park. **(2)** The owner of the lake has indicated a willingness to consider giving it to the county for use as a passive park **(3)** The lake has been identified as having the potential to serve a key role in the establishment of a regional storm water management system for the Village area.

In addition, it was pointed out that Lady's Island needs a park and a third elementary school. Hopefully, when the final decisions are made regarding which critical property on Lady's Island to save, it will take into consideration these requirements. If the new school and the new park could be located close to major residential areas we can limit the amount of increased traffic.

Editors Note: A special thanks to Mark Generales for taking the initiative to coordinate the Lady's Island public meetings with the Trust for Public Land representatives. We also appreciate the courtesy and consideration we received from Mr. Slade Gleaton, Director, Trust for Public Land Coastal Program.

February Development Review Team Items of Interest: by Bob Stoothoff

The Beaufort County Development Review Team (DRT) consist of 4 members of the county staff who review proposed residential and nonresidential projects and grant either approval or disapproval for these projects. During the month of February the following items of interest to the Lady's Island community were reviewed by the DRT.

- Park Place in the Trembley subdivision which is located on Francis Marion Circle across from Royal Pines. Final approval was given for the addition of 6 residential lots.
 - Coosaw Point. As part of the phase 1A revision, final approval was given to increase the originally planned 10 lots to 20 lots by reducing the size of the original lots. This area is behind the clubhouse area and construction is scheduled to start in the near future of Charleston style single family homes on zero lot lines.
 - Twin Oaks at Pleasant Point. Conditional conceptual approval was granted for a 6 building, 35 unit, town home style development adjacent to the 8th fairway on the Pleasant Point golf course
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Annexation And Incorporation:

South Carolina Code Section 5-1-30 specifies that before a proposed municipality may be issued a corporate certificate, the following 3 requirements (except in certain situations) must be met:

- 1) The area seeking incorporation has a population density of at least 300 persons per square mile (according to the latest U. S. Census).
- 2) No part of the area proposed for annexation is within 5 miles of the boundary of an active incorporated municipality.
- 3) An approved service feasibility study for the proposed municipality has been filed with and approved by the Secretary of State.

There are exceptions to meeting requirements (1) and (2). As some examples, the 5 mile requirement does not apply when the population of the area seeking incorporation exceeds 15,000, nor does it apply when the area seeking incorporation has petitioned the nearest municipality for annexation but has been refused by that municipality for 6 months. Thus the key to Lady's Island ability to incorporate into its own city is tied directly to density and population. The density of the island at the time of the 2000 census was 438 persons per square mile so density is not a problem. As of January 1, 2003 the estimated population of Lady's Island is 10,809. The rate of growth in 2003, based on building permits, was 6.4%. If that rate of growth continues until the 2010 census Lady's Island population would exceed 15,000. To incorporate or form a separate municipality requires that the residents approve such action by a special election. For the entire island to annex into an adjoining municipality requires that such action be approved by the residents in a special election. From now until 2010 Lady's Island will probably continue to see periodic annexation of property on the part of the City of Beaufort. The island will continue to operate under two governments depending on location. Naturally, this could all change if the annexation laws of South Carolina are changed. The annexation laws of South Carolina are deemed by some to be the most restrictive in the United States. Hopefully, over the next 7 years Beaufort County and the City of Beaufort will continue to work with LIBPA and the residents of Lady's Island to find real

solutions to the challenges posed by the intense pressure of growth. Then after the results of the 2010 census are published, the odds are good that the residents of Lady's Island will have a real choice as to the manner in which they are to be governed.

Note: The portions of this article regarding South Carolina law and annexation were taken directly from a 1995 document prepared by Mr. Dan O'Connor of the State of South Carolina Research Office.

Lady's Island/St. Helena Fire District Update: by Charlie Schreiner

Once about every ten years fire departments are rated by Insurance Services Office, Inc. (ISO). This organization is the leading supplier of statistical, underwriting and actuarial information for the property/casualty insurance industry. Most insurers use ISO ratings for underwriting and calculating premiums for residential, commercial and industrial properties. LISH underwent this inspection late last year and was recently informed and received a rating of class 4/9, effective 1 June, 2004. This is an improvement from 5/9 on a scale of one to ten, where the lower the number the better the rating. Simply put, our rating is a 4 for all areas in the fire district with the exception of parts of Cat and Harbor Island that are slightly beyond five miles of a fire station. As stated by ISO, the new rating "means your community's fire suppression services are improving in the face of the demands of a changing environment". Considering that less than 10% of fire departments nationwide have a rating of 4 or better, LISH is pleased to be able to provide fire protection on that level. Your insurance company will be notified of the new rating by ISO automatically within approximately 30 days. However, you might want to check with your insurance company before June. It might save you some money on your insurance premium.

Lady's Island Roads To Be Paved:

Over the last few years a good number of dirt roads on Lady's Island have been paved as part of the Beaufort County Engineering Division's long range paving program. The following roads remain in the 2004-2005 paving program:

Carolyn Drive
Deveaux Road
Friendship Lane
Rue DuBois
Sunset Bluff
Gumwood Road
Mayfair Court
Sangster Road

Editors Note: A special thanks to Ms. Maggie Hickman, Administrator for the Beaufort County Engineering Division who is always willing to listen to our questions, do the necessary research and provide LIBPA with information such as set forth in this article.

Stormwater Management on Lady's Island:

Recognizing that protection of our waters is one of the most significant and difficult challenges of coping with rapid growth, Beaufort County Council authorized the establishment of a Stormwater Management Utility on September 10, 2001. To fund the operation of this department an annual storm water utility fee of \$40.03 per each residential unit or house was established. Commercial property pays a similar fee based on its size. Prior to the establishment of the Stormwater Management Utility the Public Works Department attempted to cope with storm water drainage problems utilizing existing assets and tackling the worst problems as they arose with existing funds and equipment.

From 1995 through 2001 there were 18 storm water projects completed on Lady's Island or an average 3 per year. With the establishment and funding of the Stormwater Management Utility 6 projects were completed on Lady's Island in 2002 followed by 8 projects in 2003 and 16 scheduled for 2004. As these initial projects are being evaluated, planned and executed, an extensive county wide study has been conducted to provide an inventory of the existing drainage networks, identify existing drainage problems and areas where storm water run off is carrying pollutants into our waters. This three year study is scheduled for publication in the near future and will serve as the basis for identification and priority of future projects.

The Royal Pines community has been the location of 5 previous projects and is scheduled for additional work in 2004. At the present time the 2004 list of projects includes the following:

- Shorts Landing outfall
- Springfield Road
- South Royal Pines (Phase II)
- Quail Run and Fly Catcher Lane (Phase 2) (Presently in progress)
- Brown Property Ditch, Judge Island Drive
- Royal Pines (Phase III) (pipe installation and catch basins)
- Relative Drive
- Telfair Manor
- Sweetgrass Road, Judge Island
- Cat Island outfall
- Gumwood Drive
- Little Capers Road outfall
- Hewlett Road
- Shiney Leaf Court, Magnolia Court
- Grande Flora Lane, Magnolia Court

This list only identifies the location of the 2004 projects identified to date and includes a combination of both major and minor work.

Editors Note: A special thanks to Mr. Charles Gatch, Director of the Stormwater Management Utility for providing the information contained in this article.

A Fiscal Disaster: by: Mark Generales, Lady's Island County Council Representative

Over the past five years, the concept of giving this School District autonomy over its financial affairs has and continues to meet with significant public disapproval. Yet, irrespective of strong public sentiment, the School District persists in seeking a way to tax and spend freely. School Superintendent Gaither apparently believes he has found a way.

As we begin the budget year, we read in local papers about the Mr. Gaither's desire to utilize a new plan to exceed our state's statutory "8% cap" on borrowing money. This cap, or ceiling is based on the total value of all appraised properties in our county and represents the base amount against which both the County and the School District may respectively borrow – that is, up to 8%.

I have always viewed this in the same manner as one may view a credit card credit limit. If you want to borrow more, you need to raise the card's limit. If the School District wants to borrow more, it waits for the next round of property appraisals. As properties in the County increase in value, the District's "limit" is then automatically raised. If it can't wait, or wants to spend more than the "cap" will allow, state law requires the District come forward with a bond referendum that asks voters to allow it to exceed the limit. Hence, the \$120 million School Bond referendum of the recent past.

Of course, the problem with this analogy is that when you and I consider raising the limits on our credit cards, we know we are the ones who will have to live with the higher payments that result. Yet, and all too often, those in government want to increase spending and because it isn't their money, forget the burden it places on those who have to pay higher taxes as a result. That is why the bond referendum process exists.

For many years now, in addition to the money voted upon by the public, our School District has also borrowed the maximum amount allowed by law under the 8% cap. The district has added this money to its construction plans. Last year County Council delayed the County-wide property assessment and the School District wasn't able to increase its borrowing. In essence, its "credit limit" wasn't raised. Not able to get their hands on their ever increasing "credit limit", the District cried foul and sought a means to by-pass the State limits on borrowing.

And now Superintendent Gaither believes he has found a way. Called the "Greenville Plan" after the School District that found a way around the "cap", it appears that the Beaufort County School District will attempt to circumvent the very important public vote and hence by-pass the public's limit on their borrowing and hence, spending.

Now anyone that has served in government can honestly admit that there are times we wished we could just move forward, raise money for specific purposes and not have to deal with limits and public referendum. But these limits prevent irresponsible behavior by forcing a public vote before government can exceed statutory limits. This reinforced scrutiny makes officials prove the value of the increased taxation they wish to force on local property owners.

The Beaufort County School District already spends over \$10,700 per child each year between new schools and their operating budget. Put another way, this expenditure represents over 65% of most property tax bills in our County. Whether or not this extraordinary expenditure is reaping rewards is

a subject for another time. But the point is this - if the District can't live with this amount now, how much is enough? Giving the current Board and this Superintendent a free pass to raise more money without a vote of the public goes directly against the public's wishes, eliminates accountability, and encourages free spending. I can't imagine a more perfect recipe for fiscal disaster.

Lady's Island Real Estate: by Jerry Marlow, Broker In Charge, Coldwell Bankers Keyserling Real Estate

The most active areas in regard to residential real estate sales on Lady's Island during 2003 are as follows:

Area	#Units	Volume	Avg Price
Telfair/Rosewalk	60	\$9,280,270	\$154,671
Royal Pines	55	\$10,537,000	\$ 191,581
Sunset Bluff	14	\$6,358,950	\$ 454,211
Magnolia Court	12	\$1,652,600	\$ 137,717
Cat Island	12	\$5,460,400	\$ 455,033
Marsh Harbor/The Landings	11	\$1,503,000	\$ 136,636

There were 287 residential sales on Lady's Island during 2003 and the average price was \$219,186. As can be seen over 57% of all residential sales on Lady's Island were in the 6 areas indicated above. These figures are derived from the sales that were reported to the Beaufort County Multiple Listing Service.

Hargray Comes to Lady's Island: by Donna Martin, Director of Advertising & Public Relations

Beaufort has become a major market for Hargray with the continued build out of Hargray's newest product offerings including telephone, cable and High-Speed Internet. All these services are now available from one company and on one bill, for one low price. In the very near future Lady's Island residents and businesses will be able to also have one communications provider for all their needs, at significantly reduced rates.

Hargray continues to build our 'plant' as rapidly as possible since the demand for our new services is tremendous. During the first phase of building our infrastructure capability on Lady's Island we will be able to serve all of the Village Center along Highway 21/Sea Island Parkway, the professional office district on Lady's Island Drive, Sams Point Road from the intersection with Highway 21 to Brickyard Point Road and then down Brickyard Point Road to the Telfair Community. Naturally, the next phase will expand the area and increase the number of residents and businesses eligible for our services in the Lady's Island community. We will be able to start delivering services to Lady's Island in mid- March of 2004. We currently serve all of downtown Beaufort, bordered by Ribault Road, Boundary Street, the Carteret area and businesses on Highway 21 from South Carolina Highway 280 to downtown. Both Laurel Bay and Mossy Oaks residential areas are also now built.

Number portability will be available for new Hargray customers on Lady's Island. In other words if you wish to keep your current phone number it moves with you.

Hargray has also introduced the new digital tier with our cable service. With our digital tier you may rent current movies in the comfort of your own home and just have them billed to your Hargray account. No more late fees, no more pick-ups and returns!

Hargray customers are realizing great savings with all of our services. We have many plans to choose from so every customer has many options. Our most popular rate plan includes Telephone and phone features including Voice Mail, Caller ID, and Call Waiting, Cable (72 channels) and High-Speed Internet , all for the low price of \$103.99 per month.

Before service is actually available on Lady's Island Hargray is making a substantial offer to both businesses and residential customers. Businesses, who commit now for Hargray services, are receiving a \$200 coupon to be used toward installation charges and residential customers are being offered free installation for their new Hargray services.

Hargray has developed an outstanding Long Distance program for Lady's Island and the Beaufort area. If you switch to Hargray Long Distance you will receive two months free of unlimited calling in the

domestic United States and after that you will only pay \$19.99 a month.

We look forward to being good neighbors to the residents and businesses on Lady's Island. If you have additional questions regarding the services that will soon be available on your island please call 379-5239 (special Lady's Island hotline) or 379-9000 or visit our Beaufort office at 130 Robert Smalls Parkway (across from Golden Corral).

Editors Note: A special thanks to Ms. Donna Martin, Director of Advertising and Public Relations and Mr. Frankie Denmark, Construction Supervisor for Hargray for providing this article.

Things That Don't Make Sense:

Recently the over 300 businesses and individuals who rent mail boxes at the Lady's Island Post Office in the Island Square shopping center received notices that the boxes would not be available after March 22, 2004. Reportedly plans exist to close the present post office and move it to the Paper Company in the Food Lion shopping center under new management but without offering mail boxes.

Lady's Island has the fastest growing population in northern Beaufort County. It attracts an average of 40 new businesses each year bringing an average annual increase of gross revenue of \$3 million to the island. To recognize these facts the Postal Service closes a successful branch which is extremely popular, moves it to a new location less than one-half mile away and reduces the service in regard to mail boxes. Then for those that have been deprived of their mail boxes an offer of alternative mail boxes is made in post office sites (Charles Street, Burton, Port Royal and St. Helena) which are at a further distance from the commercial area and much less convenient. An alternate offer is for mail delivery to your physical location in an appropriate mail box installed at your expense.

LIBPA member Suzanne Tempest, owner and manager of Mail and Parcel Express (522-0444), located in the commercial complex next to Grayco, offers mail boxes for those that desire to continue to have the convenience of mail boxes on the island. She points out that unlike the post office, which is open 24 hours a day; she is only open during working hours. However, her service does accept parcel deliveries where as the post office mail boxes do not. As to cost, Suzanne indicated that she will make every effort to be reasonably competitive.

Since Lady's Island has a population nearing that of the City of Beaufort and is larger than the city of Port Royal, both of which have post offices, would it not be logical for our community to have its own post office? Honestly, it might be difficult to make that argument as long as the Postal Service can and will offer the quality of service to Lady's Island which it has for the last few years. However, if the community is to be the recipient of nickel and dime cost cutting measures perhaps we should start lobbying our elected representatives at the national level for our own post office. Frustrating isn't it?

Editors Note: A special thanks to LIBPA member Bob Gross of the Beaufort Group for taking the initiative in regard to opposing the removal of the Postal Service mail boxes from Lady's Island. The LIBPA Board of Directors has voted to officially oppose the removal of the mail boxes and promote adequate and equal postal service for our area.

2004 Invoices Mailed

We recently mailed 97 invoices as reminders to those members who have yet to send in their 2004 dues. With the necessity that we change our address due to post office mail boxes no longer being available on Lady's Island after March 22, please send your dues in prior to that date.

Until that date mail your \$35 dues to:

LIBPA
PO Box 70045
Lady's Island, SC 29907

Our New Address: LIBPA
182-B Sea Island Pkwy
PMB 102
Lady's Island, S. C. 29907

Starting the first of April we will call those members who have not paid with a personal reminder of the fact that we do appreciate their membership and hope they will continue to support LIBPA. If you need to change your address, offer a comment to the Board of Directors or enroll in the new method of getting your newsletter via e-mail please let Judy (522-0066) know.

As to getting your newsletter via e-mail, it is simply an option available for the benefit of our members. If you elect to receive your monthly newsletter via e-mail and change your mind at a later date we will be glad to change it back to the printed version through the mail. Just let us know.
