



## County Council Beaufort County, SC

Council Chambers, Administration Building Beaufort County Government Robert Smalls  
Complex 100 Ribaut Road, Beaufort

Monday, May 13, 2024  
5:00 PM

### AGENDA

#### COUNCIL MEMBERS:

JOSEPH F. PASSIMENT, CHAIRMAN  
DAVID P. BARTHOLOMEW  
LOGAN CUNNINGHAM  
YORK GLOVER  
MARK LAWSON  
ANNA MARIA TABERNIK

LAWRENCE MCELYNN, VICE CHAIR  
PAULA BROWN  
GERALD DAWSON  
ALICE HOWARD  
THOMAS REITZ

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION- Council Member Thomas Reitz
3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - *April 8, 2024 & April 22, 2024*
6. ADMINISTRATOR'S REPORT
7. PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL CORRECTIONAL OFFICERS WEEK - *Council Member Anna Maria Tabernik*
8. PRESENTATION OF A PROCLAMATION RECOGNIZING EMERGENCY MEDICAL SERVICES WEEK - *Council Member Gerald Dawson*

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#### CITIZEN COMMENTS

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9. **CITIZEN COMMENT PERIOD - 15 MINUTES TOTAL**

*Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to AGENDA ITEMS ONLY and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language. In accordance with Beaufort County's Rules and Procedures, giving of a speaker's time to another is not allowed.*

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## COMMITTEE REPORTS

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### 10. LIASION AND COMMITTEE REPORTS

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## PUBLIC HEARINGS AND ACTION ITEMS

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11. APPROVAL OF CONSENT AGENDA
12. MOTION TO REFER TO THE PUBLIC FACILITIES COMMITTEE A PROPOSED ORDINANCE FOR A 2024 TRANSPORTATION SALES AND USE TAX REFERENDUM
13. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN TO ADD THE BEAUFORT COUNTY LONG-TERM RESILIENCE STRATEGY AS AN APPENDIX - *Rob Merchant, Director of the Planning & Zoning Department*  
*Vote at First Reading on April 22, 2024 - 11:0*
14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO ACCEPT AND TO APPROPRIATE FUNDS FROM THE SOUTH CAROLINA OPIOID SETTLEMENT FUNDS. **(FISCAL IMPACT: The South Carolina Opioid Relief Fund (SCORF) award is \$582,606 for one year. No matching funds.)**  
*Vote at First Reading on April 22, 2024 - 11:0*
15. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE TO CONSIDER A ZONING MAP AMENDMENT FOR 86.16 ACRES (R100 028 000 0264 000) LOCATED AT 98 JENNINGS ROAD FROM T2 RURAL (T2R) TO C3 NEIGHBORHOOD MIX USE (C3NMU)  
*Vote at the Community Services and Land Use Committee Meeting on April 8, 2024, was to deny the rezoning amendment based on the recommendation from the Planning Commission and Staff. 6:0*
16. SECOND READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO PURCHASE AND TO FUND THE PURCHASE OF THE REAL PROPERTY KNOWN AS PROJECT BRAVO  
*Vote at First Reading by Title Only on April 22, 2024 - 11:0*
17. FIRST READING OF AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MULTIPLE PARCELS OF REAL PROPERTY FROM BEAUFORT COUNTY TO SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SC 802 SAMS POINT ROAD RIGHT TURN LANE **(FISCAL IMPACT: these properties have already been purchased through the 2018 Sales Tax Program per an IGA with SCDOT. There is no financial consideration for the transfer of ownership from Beaufort County to SCDOT)**
18. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF A PORTION OF REAL PROPERTY ABUTTING THE HILTON HEAD ISLAND AIRPORT LOCATED ON SUMMIT DRIVE WITH TMS NO. R510 005 000 271A 0000 **(FISCAL IMPACT: purchase price of \$22,390.56 plus seller and purchaser closing costs. Account balance \$54,455.64, Account # 5402-90-0000-571320; costs to be reimbursed by grant funds (23-025) awarded by the South Carolina Aeronautics Commission)**
19. APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A NON-TENANT COMMERCIAL OPERATING AGREEMENT BETWEEN BEAUFORT COUNTY AND M&L MOBILE DETAILING **(FISCAL IMPACT: Beaufort County Executive Airport will receive \$75.00 for each detailing transaction. Beaufort County will not incur any costs or expenses associated with this agreement)**
20. APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO PURSUE CONDEMNATION FOR PORTIONS OF PARCELS R120 003 000 0609 0000 & R120 003 000 0682 0000

ASSOCIATED WITH RIGHT OF WAY ACQUISITION FOR A PATHWAY LOCATED ON DEPOT ROAD AS PART OF THE 2018 ONE CENT REFERENDUM (**FISCAL IMPACT: R120 003 000 0609 0000 is \$32,795.00; R120 003 000 0682 0000 is \$23,860.00. Funded by 2018 One Cent Referendum account# 4705-80-0000-PTHWY**)

21. APPROVAL OF A RESOLUTION TO ACCEPT THE USDA COMPOSTING AND FOOD WASTE REDUCTION PROGRAM GRANT IN THE AMOUNT OF \$273,600 FOR A COUNTY PILOT COMPOST PROGRAM (**FISCAL IMPACT: The grant is a 75/25 match. 75% from USDA and 25% from local match. The county's match is \$68,400 will be from solid waste funds 2555-10-0000-43780. It is anticipated that \$50,000 of the local match will be expended in FY25 and remaining in FY26. Funds for the first \$50,000 in expenses have been budgeted for FY25**)

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**CITIZEN COMMENTS**

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**EXECUTIVE SESSION**

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23. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(1): TO ENGAGE IN DISCUSSIONS INCIDENT TO EMPLOYMENT, APPOINTMENT, OR COMPENSATION OF A PERSON REGULATED BY A PUBLIC BODY.
24. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO ENGAGE IN DISCUSSIONS INCIDENT TO CONTRACTUAL ARRANGEMENTS (STATE INFRASTRUCTURE BANK AGREEMENT)
25. PURSUANT TO S. C. CODE §30-4-70(a)(2): RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (PENDING LITIGATION - WALLS v. BEAUFORT COUNTY)

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**END OF EXECUTIVE SESSION**

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26. MATTERS ARISING OUT OF EXECUTIVE SESSION
27. ADJOURNMENT

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## CONSENT AGENDA

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### Items Originating from the Public Facilities Committee

1. THIRD READING OF AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES  
  
*Vote at First Reading on April 8, 2024 - 10:0*  
  
*Vote at Public Hearing and Second Reading on April 22, 2024 - 11:0*
2. THIRD READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE  
  
*Vote at First Reading on April 8, 2024 - 10:0*  
  
*Vote at Public Hearing and Second Reading on April 22, 2024 - 11:0*
3. THIRD READING OF AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES  
  
*Vote at First Reading on April 8, 2024 - 10:0*  
  
*Vote at Public Hearing and Second Reading on April 22, 2024 - 11:0*
4. RECOMMEND APPROVAL TO AWARD A CONTRACT TO J.H. HIERS CONSTRUCTION FOR RFP #032124 DIRT ROAD PAVING CONTRACT #55 IN THE AMOUNT OF \$2,966,517.00 (**FISCAL IMPACT: The contract fee is for design, materials, and construction of the base scope roads in the amount of \$2,541,846.00. The design alternative, Fredericka Ln, is included for the amount of \$37,734.00. Staff recommends a 15% contingency of \$386,397.00, bringing the projects total cost to \$2,966,517.00. The funding for this project will be TAG Road Improvements account #2342-30-0000-54500 with a current balance of \$3,601,556.76**)
5. RECOMMEND APPROVAL FOR A REQUEST TO PURCHASE A TEK84 BODY SCANNER FOR THE DETENTION CENTER \$207,000 (**FISCAL IMPACT: total funds requested are the bid amount \$207,000 plus a contingency of \$20,700 for a total cost of \$227,700. Funding is coming from the Detention Center fund, 1040-80-1250-54300. Current account balance is \$750,500.00**)

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## END OF CONSENT AGENDA

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TO WATCH COMMITTEE OR COUNTY COUNCIL MEETINGS OR FOR A COMPLETE LIST OF AGENDAS AND BACKUP PACKAGES, PLEASE VISIT:

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>