



## **Community Services and Land Use Committee Beaufort County, SC**

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

**Monday, May 13, 2024  
3:00 PM**

### **MINUTES**

#### **COMMITTEE MEMBERS:**

**ALICE HOWARD, CHAIR  
GERALD DAWSON  
THOMAS REITZ**

**YORK GLOVER, VICE-CHAIRMAN  
PAULA BROWN  
JOSEPH PASSIMENT, EX-OFFICIO**

#### **1. CALL TO ORDER**

Committee Chairman Howard called the meeting to order at 3:00 pm

#### **PRESENT**

Committee Chair Alice Howard  
Committee Vice-Chair York Glover  
Council Chairman Joseph Passiment  
Council Vice-Chairman Lawrence McElynn  
Council Member Gerald Dawson  
Council Member Thomas Reitz  
Council Member Anna Maria Tabernik

#### **ABSENT**

Council Member Paula Brown  
Council Member David Bartholomew  
Council Member Logan Cunningham  
Council Member Mark Lawson

#### **2. PLEDGE OF ALLEGIANCE**

Committee Chairman Howard led the Pledge of Allegiance

#### **3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT**

Committee Chair Howard noted that the public notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

**4. APPROVAL OF AGENDA**

**Motion:** It was moved by Council Member Dawson, Seconded by Council Member Tabernik to approve the agenda.

**The Vote:** Approved without objection.

**5. APPROVAL OF MINUTES- April 8, 2024, and October 9, 2023**

**Motion:** It was moved by Vice Chairman McElynn, Seconded by Council Member Dawson to approve the minutes from April 8, 2024 and October 9, 2023.

**The Vote:** Approved without objection.

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

*Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments 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.*

Grant McClure: Coastal Conservation League- Plastic Bag Ordinance

**7. ASSISTANT COUNTY ADMINISTRATOR REPORT- Charles Atkinson**

Presentation given by Library Director Amanda Dickman on the Port Royal Library Opening.

Rob Merchant updated on the Lady's Island Plan

*To view the Assistant County Administrator Reports*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=387>

Ben Boswell, new Human Services Director, introduction

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=2175>

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**AGENDA ITEMS**

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**8. PRESENTATION OF FRIENDS OF FORT FREMONT 2023 ANNUAL REPORT - Barney Forsythe, President, Friends of Fort Fremont**

Friends of Fort Fremont 2023 Annual Report Presentation. Friends of Fort Fremont presented data and information about actions and activities from Fort Fremont Preserve and History Center during the 2023 calendar year.

*To view the full presentation from Friend of Fort Fremont*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=1453>

9. **RECOMMEND APPROVAL TO COUNCIL OF A RESOLUTION AUTHORIZING THE INTERIM ADMINISTRATOR TO EXECUTE A VOLUNTEER SERVICE AGREEMENT WITH THE FRIENDS OF FORT FREMONT TO ALLOW THEM TO PROVIDE VOLUNTEER SERVICES TO BE PERFORMED AT THE FORT FREMONT PRESERVE AND HISTORY CENTER FOR THE BENEFIT OF THE COUNTY - *Stefanie M. Nagid, Passive Parks Department Director***

Since 2019, The County and Friends of Fort Fremont have been operating under two older agreements for the use and services of the Fort Fremont Preserve and History Center. These two agreements are expiring in June. Staff and the Friends of Fort Fremont wish to enter into a long-term volunteer service agreement for the Friends' continued use and services to the County as volunteers, docents, and operators of the History Center.

**Motion:** It was moved by Committee Vice Chair Glover, Seconded by Vice- Chairman McElynn, to Recommend Approval to Council of a Resolution Authorizing the Interim Administrator to Execute a Volunteer Service Agreement with the Friends of Fort Freemont Preserve and History Center for the Benefit of the County.

**The Vote:** Approved without objection.

*To view the discussion:*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=2362>

10. **RECOMMEND APPROVAL TO COUNCIL OF A RESOLUTION TO SUPPORT THE RECOMMENDATION TO THE GOVERNOR OF SOUTH CAROLINA FOR THE NOMINATION OF THE BEAUFORT COUNTY "CAROLINA BRIGHT" ESTUARY SYSTEM INTO THE NATIONAL ESTUARY SYSTEM**

The Pritchards Island Research and Living Shores Coalition requests that the Council support their recommendation to the Governor of South Carolina that the "Carolina Bright" estuary system be added as a member of the National Estuary Program. The council's support is key in helping to unite the regions in this voluntary, collaborative effort to develop an ecosystem-based management program.

**Motion:** It was moved by Chairman Passiment, Seconded by Council Member Dawson to Recommend Approval to Council of a Resolution to Support the Recommendation to the Governor of South Carolina for the Nomination of the Beaufort County "Carolina Bright" Estuary System into the National Estuary System.

**The Vote:** Approved without objection.

*To view the discussion:*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=2510>

11. **RECOMMEND APPROVAL TO COUNCIL OF A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THE PROCUREMENT BY THE APPLICANT OF FEE SIMPLE REAL PROPERTY LOCATED ON HILTON HEAD ISLAND, KNOWN AS THE MITCHELVILLE TRACT (PIN# R510 005 000 0007 0000), NOT TO EXCEED THE FINAL VALUE AS DETERMINED BY A NEW APPRAISAL AFTER THE COMPLETION OF AN UPDATED PLAT, RESOLUTION OF ALL LEGAL ISSUES/CLAIMS, CONTINGENT UPON FULL LEGAL DESCRIPTION, AND SHALL REQUIRE THAT ANY FUNDS RECEIVED FROM GRANTS, PRIVATE, FEDERAL, OR STATE FUNDING BE USED SOLELY TO REIMBURSE THE EXPENDITURE OF THE GREEN SPACE PROGRAM (*FISCAL IMPACT: TBD – Final amount is unknown until staff completes and reviews necessary due diligence in accordance with the***

***Green Space Advisory Committee's recommendation and Green Space Program guidelines) - Mike McShane, Chairman of the Green Space Advisory Committee***

On December 11, 2023, the Community Services and Land Use Committee approved due diligence and negotiations for the Mitchelville Tract. After this approval, staff undertook the necessary actions with the Town of Hilton Head, and while county staff and the Town of Hilton Head conducted their work on the property with known/disclosed title issues, a consent order to quiet the title and partition land by sale was filed on March 25, 2024. The consent order placed a court mandated deadline for purchase agreements to be made by April 30, 2024., placing very specific restrictions/requirements on submissions. This prompted the Town of Hilton Head to submit a purchase agreement in accordance with the consent order. The consent order also states that the court shall hold a hearing no later than May 14, 2024, to hear all purchase and sale agreements submitted. The consent order action prompted the Green Space Advisory Committee to consider making a recommendation on the application prior to the completion of ongoing due diligence and negotiations. On April 26, 2024, the Green Space Advisory Committee met, reviewed the consent order and existing due diligence, and recommended conditional approval for the contribution of funds. The condition of their approval is for the contribution of funds not to exceed the final value as determined by a new appraisal after the completion of an updated plat. The Committee's recommendation also included requiring all opportunities from funds acquired through other grant/partnership opportunities only be used to reimburse funds contributed from the Green Space Program to leverage funds, as the Town of Hilton Head has not explicitly included a matching contribution component as a part of the application. It has not been determined at this time who will be responsible for applying for grant/collaboration funding opportunities and/or if ownership of the parcel will dictate which governmental entity qualifies to apply for and receive said funding. As a part of the program - required due diligence and discovery of matching/funding collaboration opportunities, which is a primary requirement of the program (leveraging of funds), consideration of elements associated with government entity ownership and land uses that would be allowed in perpetuity for the preservation procurement of the property is also required. Because this application was received from another governmental entity and the property is located within their municipal boundary, these items need to be known to allow for a complete application review and final staff evaluation. Doing so will establish property operation requirements, program-compliant land use restrictions, and stewardship/maintenance plans for the property. Authorizing staff to complete the due diligence and negotiations with the Town of Hilton Head will help facilitate a better understanding of the application and allow for a final staff evaluation. This will also assist in achieving the program requirement of transparency and that the Green Space Program operates in a fiscally responsible manner.

The Mitchelville tract is a 25+/- acre property located in Historic Mitchelville on Hilton Head Island. It is the heirs' property, and the ownership is split among many parties. The Town of Hilton Head Island applied to the Green Space Program, requesting 100% funding, offering no municipal match/partnership contribution. The Town of Hilton Head, through their application and discussions with staff and the Green Space Advisory Committee, has expressed an interest in combining the parcel with the adjacent Fish Haul Creek Park to expand public access as a passive park. A preservation outcome for this property would achieve several goals of the Green Space Program, including providing public access to natural spaces and the waterfront, preservation of an intact natural habitat for plants and animals, protection of water quality, preservation of an established maritime forest, environment and economic resilience, and protection of areas with known historic and cultural significance.

The Green Space Advisory Committee recommends approval with conditions. The recommendation is to proceed with the purchase of the Mitchelville tract to the Community Services and Land Use Committee, not to exceed new appraisal on the property after completion of an updated plat, contingent on full legal description, and that any funds received from grants, private, federal, or state would be reimbursed to the Green Space fund.

**Motion:** It was moved by Committee Vice-Chair Glover, seconded by Vice Chairman McElynn to go into Executive Session to discuss the item further.

**The Vote:** Approved without objection.

Executive Session 3:46 pm - 4:06 pm

**Motion:** It was moved by Committee Vice-Chair Glover, Seconded by Council Member Tabernik to Recommend Approval to Council of a Resolution Authorizing the Interim County Administrator to Execute the Documents Necessary and to Provide Funds to Contribute to the Procurement by the Applicant of Fee Simple Real Property Located on Hilton Head Island, Known as the Mitchelville Tract (PIN # R510 005 000 007 0000), Not to Exceed the Final Value as Determined by a New Appraisal After the Completion of an Updated Plat, Resolution of All Legal Issues/Claims, Contingent Upon Full Legal Description, and Shall Require That Any Funds Received From Grants, Private, Federal, or State Funding Be Used Solely to Reimburse the Expenditure of the Green Space Program.

**The Vote:** Approved without objection.

*To view the discussion:*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=2657>

**12. RECOMMEND APPROVAL TO COUNCIL OF A RESOLUTION TO ESTABLISH BEAUFORT COUNTY'S COMMUNITY DEVELOPMENT PRIORITY LIST - Audra Antonacci – Ogden, Assistant County Administrator**

The Beaufort County Development Priority List is updated annually and is provided to the Lowcountry Council of Governments as a pre-requisite for Community Development Block Grant Program Applications. The SC CDBG Program is designed to aid units of local government in improving economic opportunities and meeting community revitalization needs, particularly for persons of low or moderate income (LMI). The annual allocation from HUD for the program is administered by the SC Department of Commerce- Division of Grant Administration.

Program List: 1) Provide new quantifiable public services and materials that will primarily benefit low and moderate-income (LMI) individuals and are needed to prepare for, respond to, or prevent the spread of coronavirus. The activities include but are not limited to after-school programs and Alterations of retrofitting of public-owned facilities compliance with public health guidelines (HVAC and air filtration improvements, expansion of interior public spaces to facilitate social distancing, and equipment or public improvements needed to expand or improve internet access. 2) Drainage improvements in low-and-moderate income neighborhoods as identified in our capital improvement plan. 3) Funding for public facilities, transportation, recreation centers, and services; other activities that strengthen the existing quality of life (parking garage, event center, education, workforce development, public health, and safety "pathways"). 4) Housing programs- water and sewer hookups to replace failing septic systems and wells in low-and-moderate-income communities and/or neighborhoods; housing repair for low-and- moderate-income homeowners and for rental units occupied by low-and-moderate income renters; programs to promote new affordable rental housing; programs and policies to promote homeownership for low-and-moderate-income households; and incentives to promote affordable infill housing. 5) Streetscape improvements in all areas of the county that contain low-and-moderate income communities and/or neighborhoods. 6) Improvements to public recreation facilities that benefit low-and-moderate income citizens of the County 7) Extend access and affordable options to digitally underserved areas through coordination with Internet Service Providers (ISPs) and the State Office of Resiliency. 8) Disaster Recovery- provide recovery activities to low-and-moderate income areas by Presidentially declared disasters.

**Motion:** It was moved by Council Member Dawson, Seconded by Council Member Tabernik, to Recommend Approval to Council of a Resolution to Establish Beaufort County's Community Development Priority List.

**Motion to Amend:** It was moved by Council Member Tabernik, Seconded by Council Member Dawson to amend priority listed as number 1 to remove the language "needed to prepare for, respond to, or prevent the spread of coronavirus."

**The Vote:** Approved without objection.

**The Vote Main Motion:** Approved without objection.

*To view the discussion:*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=2881>

**13. RECOMMEND APPROVAL TO COUNCIL OF AN ORDINANCE AMENDING CHAPTER 38 ENVIRONMENT, ARTICLE VI SINGLE-USE PLASTIC BAGS SECTION 38-161, PURPOSE; SECTION 38-162 DEFINITIONS; SECTION 38-163 REGULATIONS; AND SECTION 38-164 EXEMPTIONS OF THE BEAUFORT COUNTY CODE OF ORDINANCES - Brian Hulbert, Deputy County Attorney**

The Keep Beaufort County Beautiful Board requests that the Beaufort County Council pass an ordinance to eliminate the use of plastic carryout bags, straws, and polystyrene/plastic foam to protect marine and local wildlife, maximize the operating life of landfills, and lessen the economic and environmental costs of managing waste. If the Council would like to take this action, it is best accomplished by amending our Current Single-Use Plastic Bag Ordinance.

**Motion:** It was moved by Chairman Passiment, Seconded by Committee Vice-Chair Glover, to Recommend Approval to Council of an Ordinance Amending Chapter 38 Environment, Article VI Single Use Plastic Bag Section 38-161, purpose; Section 38-162 Definitions; Section 38-163 Regulations; and Section 38-164 Exemptions of the Beaufort County Code of Ordinances.

**The Vote:** Without objection.

*To view the discussion:*

<https://beaufortcountysc.new.swagit.com/videos/304938?ts=3138>

**14. ADJOURNMENT**

Adjourned at 4:51pm

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

Ratified: June 10, 2024