



County Council Meeting Beaufort County, SC

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

Monday, April 08, 2024
5:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting <https://beaufortcountysc.new.swagit.com/videos/302040>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:01 pm.

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn
Council Member David P. Bartholomew
Council Member Paula Brown
Council Member Logan Cunningham
Council Member Gerald Dawson
Council Member York Glover
Council Member Mark Lawson
Council Member Anna Maria Tabernik
Council Member Thomas Reitz

ABSENT

Council Member Alice Howard

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment let the Pledge of Allegiance and Council Member York Glover gave the Invocation.

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

Chairman Passiment stated public notice of this meeting had been published, posted, and distributed in compliance with SC FOIA.

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Glover, Seconded by Council Member Cunningham to approve the agenda.

The Vote: Motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Glover to approve the minutes from March 11, 2024.

The Vote: Motion was approved without objection.

6. ADMINISTRATOR'S REPORT

Please watch the video stream available on the County's website to view the full interim County Administrators Report.

<https://beaufortcountysc.new.swagit.com/videos/302040>

7. PRESENTATION OF A PROCLAMATION RECOGNIZING LIBRARY WEEK

Council Member Anna Maria Tabernik presented a proclamation recognizing Library Week.

8. PRESENTATION OF A PROCLAMATION RECOGNIZING APRIL 2024 AS SEXUAL ASSAULT AWARENESS MONTH

Council Member Paula Brown presented a proclamation recognizing Sexual Assault Awareness Month.

9. PRESENTATION OF A PROCLAMATION RECOGNIZING ALCOHOL AWARENESS AND UNDERAGE DRINKING PREVENTION MONTH IN BEAUFORT COUNTY

Vice-Chair Lawrence McElynn presented a proclamation recognizing Alcohol Awareness and Underage Drinking Prevention Month.

10. PRESENTATION OF A PROCLAMATION RECOGNIZING THE HILTON HEAD ISLAND PUBLIC SERVICE DISTRICT

Vice-Chair Lawrence McElynn presented a proclamation recognizing The Hilton Head Island Public Service District.

11. CITIZEN COMMENT PERIOD

Citizen comments were taken.

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12. LIASION AND COMMITTEE REPORTS

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13. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Brown to approve the following consent agenda items: third reading of an ordinance to amend Beaufort County's budget ordinance for fiscal year 2024 (ordinance no. 2023/22) to appropriate and transfer \$250,000 from fund balance of the general fund to the special revenue fund (fund 2546) to cover unbudgeted costs for the Daufuskie Island Ferry operations, to appropriate and transfer \$3,600,000 from fund balance of the general fund for the purchase of real property located at 333 and 335 Buckwalter Parkway pursuant to ordinance 2023/14, and to include three special revenue funds' budgets (funds 2230, 2252, and 2255) in an aggregate amount of \$402,918 which were converted to the general fund during the chart of accounts conversion process; Third reading of an ordinance amending chapter 66 taxation, article v hospitality tax of the Beaufort County Code of Ordinances; recommend approval for a request to purchase 48 recycling

roll-off containers (\$408,530); and approval of a request to purchase qty-13 waste compactor units for Beaufort County Convenience Centers.

The Vote - Motion was approved without objection.

14. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE A-TAX FUNDS AS RECOMMENDED BY THE STATE A-TAX COMMITTEE IN COMPLIANCE WITH THE REQUIREMENTS OF THE SOUTH CAROLINA CODE OF LAWS

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Cunningham to approve public hearing and third reading of an ordinance appropriating funds from the State A-Tax funds as recommended by the State A-Tax committee in compliance with the requirements of the South Carolina Code of Laws.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Dawson, Council Member Glover, Council Member Lawson, Council Member Tabernik
Voting Nay: Council Member Brown, Council Member Reitz. Motion passed 8/2

15. THIRD READING OF AN ORDINANCE AMENDING CHAPTER 66 TAXATION, ARTICLE II ACCOMMODATIONS TAX BOARD, DIVISION 1. GENERALLY AND DIVISION 2. ACCOMMODATIONS (3%) TAX

Motion: It was moved by Council Member Glover, Seconded by Council Member Tabernik to approve third reading of an ordinance amending chapter 66 taxation, article ii Accommodations Tax Board, Division 1. Generally and division 2. Accommodations (3%) Tax.

Motion to amend: It was moved by Vice-Chairman McElynn, Seconded by Council Member Dawson to amend the ordinance to include the division should become effective July 1 2024.

The Vote - Motion was approved without objection.

Main Motion: It was moved by Council Member Glover, Seconded by Council Member Tabernik to approve third reading of an ordinance amending chapter 66 taxation, article ii Accommodations Tax Board, Division 1. Generally and division 2. Accommodations (3%) Tax as amended.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Dawson, Council Member Lawson, Council Member Tabernik. Voting Nay: Council Member Glover, Council Member Reitz. The motion passed 8/2.

16. FIRST 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

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Brown to approved first 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.

The Vote: Motion was approved without objection.

17. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Bartholomew first reading of an ordinance amending ordinance 2023/32 an ordinance to amend the Beaufort County ordinance establishing a road use fee.

The Vote: Motion was approved without objection.

18. FIRST 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

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Tabernik first 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.

The Vote: Motion was approved without objection.

19. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES PURSUANT TO A DEVELOPMENT AGREEMENT BETWEEN BEAUFORT COUNTY AND CHEROKEE BEAUFORT, LLC

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Cunningham first reading of an ordinance authorizing the Interim County Administrator to execute any and all necessary documents for the acceptance of properties pursuant to a development agreement between Beaufort County and Cherokee Beaufort, llc.

The Vote: Motion was approved without objection.

20. APPROVAL OF A RESOLUTION AND AN INTERGOVERNMENTAL AGREEMENT BETWEEN BEAUFORT COUNTY AND HILTON HEAD ISLAND FOR WILLIAM HILTON PARKWAY SAFETY AND PEDESTRIAN IMPROVEMENTS

Motion: It was moved by Council Member Reitz, Seconded by Council Member Tabernik to approve a resolution and an intergovernmental agreement between Beaufort County and Hilton Head Island for William Hilton Parkway safety and pedestrian improvements

The Vote: Motion was approved without objection.

21. CITIZEN COMMENT PERIOD

Citizen comment was taken.

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22. EXECUTIVE SESSION

Motion: made by Council Member Glover, Seconded by Vice-Chairman McElynn to go into executive session to discuss the items below.

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 (freedom of information act)

Pursuant to S.C. Code section 30-4-70(a)(2): discussion of matters covered by the attorney-client privilege (inquiries and investigations pursuant to s.c. code section 4-9-660)

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)

Pursuant to S.C. Code section 30-4-70(a)(2) to engage in discussions and negotiations incident to proposed contractual arrangements (Daufuskie Ferry Emergency Services)

Pursuant to S.C. Code sec. 30-4-70(a)(2): receipt of legal advice where the advice relates to pending claims that are covered by the attorney-client privilege (Pine Island Holdings, Ilc v Beaufort County)

The Vote: Motion was approved without objection.

23. MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of executive session.

24. ADJOURNMENT

Chairman adjourned the meeting at 8:02pm.

COUNTY COUNCIL OF BEAUFORT COUNTY



BY: _____
Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council
Ratified: May 13, 2024