



## County Council Meeting Beaufort County, SC

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

Monday, December 09, 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 Alice Howard
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 - *October 28, 2024 and November 12, 2024*
6. ADMINISTRATOR'S REPORT

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#### CITIZEN COMMENTS

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7. **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.*

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#### COMMITTEE REPORTS

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8. LIASION AND COMMITTEE REPORTS
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## PUBLIC HEARINGS AND ACTION ITEMS

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9. APPROVAL OF CONSENT AGENDA
10. DISCUSSION OF THE RESULTS OF THE THIRD-PARTY REVIEW OF THE MITCHELVILLE APPRAISALS AUTHORIZED BY THE COMMUNITY SERVICES AND LAND USE COMMITTEE ON SEPTEMBER 9, 2024, RELATED TO THE PURCHASE OF THE MITCHELVILLE PROPERTY BY THE TOWN OF HILTON HEAD ISLAND
11. 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 SOUTH CAROLINA CODE OF LAWS  
*Vote at First Reading on November 12, 2024 - 10:0*  
*Vote at Second Reading on November 18, 2024 - 10:0*
12. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING BUDGET ORDINANCE 2024/25, TO REFLECT THE APPROVAL OF USE OF GENERAL FUND -FUND BALANCE FOR \$3,300,000 FOR FLEET SERVICES VEHICLE AND EQUIPMENT PURCHASES. (**FISCAL IMPACT: \$3,300,000. Amending Budget Ordinance 2024/25, to reflect the approval of use of General Fund-Fund balance for \$3,300,000 for Fleet Services vehicle and equipment purchases**)  
*Vote at First Reading on November 12, 2024 - 10:0*
13. FIRST READING OF AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION A.6.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE COMMUNITY PRESERVATION DISTRICT (DCP) AND SECTION A.7.40 (PERMITTED ACTIVITIES) TO ALLOW LODGING: SHORT-TERM HOUSING RENTAL (STHR) IN DALE MIXED USE DISTRICT (DMU)  
*Item was approved without objection at Community Services and Land Use Committee on November 12, 2024. (Recusal: Councilman Dawson)*
14. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF RIGHT-OF-WAY OR TEMPORARY CONSTRUCTION EASEMENTS ON REAL PROPERTY ASSOCIATED WITH THE STUART POINT ROAD SIDEWALK PROJECT (**FISCAL IMPACT: Acquisition of right-of-way shall be at fair market value established by a licensed appraisal; Funded by the 2018 One Percent Transportation Sales and Use Tax**)
15. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH MITCHELVILLE PRESERVATION PROJECT, INC. FOR SUITE 134 AND SUITE 142 OF THE COUNTY-OWNED OFFICE BUILDING LOCATED AT 539 WILLIAM HILTON PARKWAY ON HILTON HEAD ISLAND (**FISCAL IMPACT: The lease rate established in accordance with the Beaufort County Lease Policy, the applicable section of the Policy provides: The administrator may in its discretion reduce the lease rate to a nominal amount if determined the use of the Property is a benefit to the community that would not otherwise be available with an increased lease rate. The reduced lease rate described in this Section must be presented to County Council and receive a majority vote approval**)
16. FIRST READING OF AN ORDINANCE TO INVEST \$4,300,000 FROM THE GENERAL FUND - FUND BALANCE IN AN INFRASTRUCTURE DEVELOPMENT PROJECT AT BEAUFORT EXECUTIVE AIRPORT (ARW) TO FUND CONSTRUCTION OF AIRCRAFT HANGERS. (**FISCAL IMPACT: Each option improves ARW's financial position. The backup package contains the details of each option. Option 2 provides a favorable combination of investment and project financing that provides significant benefit to the County by executing a project that will generate revenue immediately upon completion. This revenue (from hangar rent and increased fuel sales) will help fund important deferred airfield safety and facility maintenance projects. The increase in based aircraft also increases aircraft property tax revenues.**)

17. APPROVAL OF THE PURCHASE OF LICENSE PLATE READING CAMERAS FOR THE BEAUFORT COUNTY SHERIFF'S OFFICE WITH ARPA FUNDS IN THE AMOUNT OF \$262,291.34.
18. APPROVAL OF THE 2025 COUNCIL MEETING SCHEDULE
19. APPOINTMENT OF PATRICK MITCHELL TO THE STORMWATER MANAGEMENT UTILITY BOARD FOR A FOUR-YEAR TERM WITH AN EXPIRATION DATE OF NOVEMBER 2028.

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**CITIZEN COMMENTS**

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

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**EXECUTIVE SESSION**

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21. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO PENDING LITIGATION (BEAUFORT COUNTY v MASHBURN et al [BUCKWALTER REC CENTER])
  22. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE ON MATTERS RELATED TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (DAUFUSKIE ISLAND FERRY SERVICE).
  23. PURSUANT TO S.C. CODE SECTION 30-04-70(A)(2) TO RECEIVE LEGAL ADVICE REGARDING PENDING, THREATENED, OR POTENTIAL CLAIMS OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE COUNTY IN ADVERSARY SITUATIONS INVOLVING THE ASSERTION OF A CLAIM AGAINST THE COUNTY.
  24. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO PENDING LITIGATION (MARIA WALLS V. BEAUFORT COUNTY)
  25. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS (OKATIE RIVER PARK)
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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 Finance, Administration, and Economic Development Committee

1. APPROVAL OF A RESOLUTION AMENDING THE BEAUFORT COUNTY PERSONNEL HANDBOOK POLICY SECTION 4.2 HOLIDAYS & HOLIDAY PAY AS AMENDED TO ADD JUNETEENTH NATIONAL INDEPENDENCE DAY AS A COUNTY-OBSERVED HOLIDAY ***(FISCAL IMPACT: Any fiscal impact is negligible)***
2. APPROVAL OF A RESOLUTION ACCEPTING THE DONATION OF A LIVE OAK TREE AT WHITEHALL PARK FROM THE FRIENDS OF WHITEHALL PARK
3. APPROVAL OF A RESOLUTION TO EXTEND THE BROADBAND EVERYWHERE - CATEGORY 3 (BE-CAT3) GRANT PROGRAM END DATE AND ALLOW US TO EXPAND THE REMAINING \$170,000 OF ARPA FUNDS IN ORDER TO SERVE NEW CUSTOMERS REACH BY ONGOING AND UPCOMING BROADBAND EXPANSION PROGRAMS. ***(FISCAL IMPACT: \$170,000.00 from ARPA funds to be used for Broadband assistance.)***
4. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT OPERATIONAL GRANT AWARD FROM THE COASTAL COMMUNITY FOUNDATION'S BEAUFORT FUND GRANT PROGRAM
5. APPROVAL OF A RESOLUTION TO ESTABLISH THE BEAUFORT COUNTY LOCAL ACCOMMODATION TAX AND LOCAL HOSPITALITY TAX FY25 LIST OF COUNTY PROJECTS.
6. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT OPERATIONAL GRANT AWARD FROM THE COASTAL COMMUNITY FOUNDATION'S BEAUFORT FUND GRANT PROGRAM
7. APPROVAL FOR BEAUFORT COUNTY TO ENTER INTO A SPECIAL SOURCE REVENUE CREDIT AGREEMENT WITH PROJECT MICRO
8. APPROVAL TO PLACE LAND PURCHASED BY PROJECT MICRO INTO AN EXISTING MULTI-COUNTY INDUSTRIAL PARK PROJECT MICRO
9. APPROVAL TO AWARD A CONTRACT FOR BROADBAND EXPANSION TO SERVE UNDERSERVED AREAS OF BEAUFORT COUNTY TO CONNECT HOLDING, LLC (AKA BRIGHT SPEED) FOR RFP #111824 (BEAUFORT COUNTY BROADBAND PROJECT) IN THE AMOUNT OF \$367,069 TO BE FUNDED WITH ARPA FUNDS.
10. APPROVAL TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ACCEPT A FEDERAL SUBAWARD GRANT FROM THE SOUTH CAROLINA DEPARTMENT OF PUBLIC HEALTH FOR \$23,229.60.
11. BOARDS AND COMMISSIONS APPOINTMENTS & REAPPOINTMENTS

### Items Originating from the Community Services and Land Use Committee

12. APPROVAL OF A RESOLUTION TO APPROVE RECOMMENDATIONS TO AWARD FY25 COMMUNITY SERVICES GRANT PROGRAM FUNDS IN THE AMOUNT OF \$398,000 TO COMMUNITY SERVICES ORGANIZATIONS ***(FISCAL IMPACT: Awarding \$398,000 of funds which Council appropriated in FY25 to community services organizations. Together for Beaufort County/Public Welfare Subsidies 1000-50-1598-55000)***
13. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH THE TOWN OF PORT ROYAL FOR MAINTENANCE OF COUNTY-OWNED PROPERTY KNOWN AS CHERRY HILL PARK (R112 032 000 0637 0000, R112 032 000 0008 0000 and R112 032 000 0064 0000)

### Items Originating from the Public Facilities and Safety Committee

14. THIRD READING OF AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACCEPTANCE OF A DRAINAGE EASEMENT LOCATED AT 1 FLAMINGO COVE ON PARCEL R200 005 00A 0040 0000

*The Vote at First Reading on October 28, 2024 - 7:0:1*

*The Vote at Public Hearing and Second Hearing on November 12, 2024- 9:0:1*

15. THIRD READING OF AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DRAINAGE EASEMENT LOCATED AT 10 QUAIL RIDGE CIRCLE SOUTH ON PARCEL R100 030 000 0268 0000

*Vote at First Reading on October 28, 2024: 7:0:1*

*Vote at Public Hearing and Second Reading on November 12, 2024: 9:0:1*

16. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT RIGHT OF WAY ON FISH HAUL ROAD

*Vote at First Reading on October 28, 2024 - 7:0:1*

*Vote at Public Hearing and Second Reading on November 12, 2024 - 9:0:1*

17. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF RIGHT OF WAY PROPERTIES ON PARCEL R200 011 000 0007 0000 ASSOCIATED WITH SHEPPARD ROAD, CAUSEY WAY AND DOCK BUILDERS DRIVE ON LADY'S ISLAND

*Vote at First Reading on October 28, 2024: 6:0:2*

*Vote at Public Hearing and Second Reading on November 12, 2024: 9:0:1*

18. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO PURCHASE AND TO FUND THE PURCHASE OF THE REAL PROPERTY LOCATED AT 247 ROBERT SMALLS PARKWAY **(FISCAL IMPACT: \$2,720,000 to be funded by ARPA funds)**

*Vote at First Reading on October 28, 2024- 8:0*

*Vote at Public Hearing and Second Reading on November 12, 2024 - 10:0*

19. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO ACCEPT CONVEYANCE OF A PORTION OF PROPERTY OWNED BY THE TOWN OF BLUFFTON LOCATED AT 140 BUCK ISLAND ROAD WITH TMS NO. R610-031-000-00003-0000

*Vote at First Reading on October 28, 2024- 8:0*

*Vote at Public Hearing and Second Reading on November 12, 2024- 10:0*

20. APPROVAL OF A RESOLUTION TO ACCEPT SC AERONAUTICS COMMISSION GRANT 24-062 IN THE AMOUNT OF \$1,387,747.00 for ARW HANGAR CONSTRUCTION PROJECT (SITE DEVELOPMENT). **(FISCAL IMPACT: Total Project Cost (\$1,982,495.00). Project Funding Sources include: (70%) SCAC Grant 24-062 \$1,387,747.00 AND (30%) Sponsor Share \$594,748.00 (designated ARPA funds). GL Code 5102-90-0000-57130 | Current Encumbered Balance for the Project: \$1,982,495.00)**

21. APPROVAL OF A RESOLUTION FOR THE SECOND ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TOWN OF HILTON HEAD FOR THE ST. JAMES BAPTIST CHURCH RELOCATION PROJECT. **(FISCAL IMPACT: This second addendum is to make provisions for reimbursement to the Church for continued project management services provided by YCP for the remainder of the project. As part of the original MOU, both the Town and County deposited \$150,000 each, totaling \$300,000, into an account to share in the costs to prepare all of the preliminary documentation and studies necessary to secure FAA grant funding for the relocation of the Church and School. To date, there are still sufficient funds in the account for the expected expenses, and no additional funding is accounted for in this Addendum.)**

22. APPROVAL OF CHANGE ORDER 1 FOR HXD TERMINAL IMPROVEMENTS PHASE 1 IN THE AMOUNT OF \$3,367,113 TO THE EXISTING CONTRACT WITH A CURRENT VALUE OF \$30,898,447.83 **(FISCAL IMPACT: \$168,355.65. A remaining 5% (\$168,355.65) will come from Airport Enterprise Funds)**
23. APPROVAL FOR THE TALBERT, BRIGHT AND ELLINGTON (TBE) WORK AUTHORIZATION 2119-2301 FOR HXD AIRPORT LAYOUT PLAN UPDATE **(FISCAL IMPACT: work authorization shall not exceed \$1,103,678.00. Project Funding Sources include; 75% FAA BIL AIG \$825,757, 25% Sponsor Share \$277,921.00 GL Code 5402-90-000-57130, current encumbered balance for the ALP update report: \$1,103,978.00)**
24. APPROVAL OF A CONTRACT AWARD TO KIMLEY-HORN AND ASSOCIATES INC. FOR THE CONDUCT OF THE US 278 CORRIDOR STUDY. **(FISCAL IMPACT: Total Cost of Contract is \$500,000.00. The project is funded 100% (\$500,000.00) with federal guideshare funds through LATS. The funds will be encumbered from Southern Beaufort County Impact Fees account 2300-30-0000-54500-SOUTH with a balance of \$3,500,000)**
25. APPROVAL OF A CONTRACT AWARD TO KIMLEY HORN AND ASSOCIATES, INC. FOR THE INTELLIGENT TRANSPORTATION SYSTEM (ITS) REGIONAL MASTER PLAN FOR VARIOUS CORRIDORS IN BEAUFORT AND JASPER COUNTY **(FISCAL IMPACT: Total Cost of Contract is \$275,000.00. The project is funded 80%(\$220,000.00) with federal guide share funds through LATS and 20% (\$55,000) with local funds from Beaufort County. The county funds will be encumbered from Capital Funds account 4000-80-1243-54500 with a balance of \$2,955,012.93.)**
26. APPROVAL OF A CONTRACT AWARD TO STANTEC FOR THE SC 170 REGIONAL CORRIDOR STUDY. **(FISCAL IMPACT: Total Cost of Contract is \$400,000.00. The project is funded 100% (\$400,000.00) with federal guideshare funds through LATS. The funds will be encumbered from Southern Beaufort County Impact Fees account 2300-30-0000-54500-SOUTH with a balance of \$3,500,000.)**
27. APPROVAL TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH DOMINION ENERGY FOR THE RELOCATION OF UTILITY FACILITIES IN CONFLICT WITH THE LADY'S ISLAND MIDDLE SCHOOL REALIGNMENT PROJECT. **(FISCAL IMPACT: The cost to Dominion Energy to design and relocate their facilities is \$264,617. This will be funded from the 2018 Transportation Sales Tax account 4705-80-000-54500-PTHWY with a current balance of \$14,246,967.17)**
28. APPROVAL OF A TASK ORDER FOR JH HIERS FOR THE BAY PINES DRAINAGE IMPROVEMENT PROJECT **(FISCAL IMPACT: the maintenance shelf establishment and ditch clearing total proposed cost is \$200,700, project will be funded from account #5025-90-9020-51170 available balance \$630,516.19)**

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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>