



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

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/305000>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:01PM

PRESENT

Chairman Joseph F. Passiment

Vice-Chairman Lawrence McElynn

Council Member David P. Bartholomew - *(Joined the meeting at 5:30PM)*

Council Member Gerald Dawson

Council Member York Glover

Council Member Alice Howard

Council Member Mark Lawson

Council Member Anna Maria Tabernik

Council Member Thomas Reitz

ABSENT

Council Member Paula Brown

Council Member Logan Cunningham

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge and 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 that public notice of this meeting had been published, posted and distributed in compliance with the SC Freedom of Information Act.

4. APPROVAL OF AGENDA

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

The Vote - Motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Dawson, Seconded by Council Member Tabernik to approve the minutes from April 8th and April 22nd.

The Vote - Motion was approved without objection.

6. ADMINISTRATOR'S REPORT

To see the full Interim County Administrator report please click on the link below.

<https://beaufortcountysc.new.swagit.com/videos/305000>

7. PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL CORRECTIONAL OFFICERS WEEK

Council Member Tabernik presented a proclamation to the staff at the Beaufort County Detention Center in recognition of National Correctional Officers Week.

8. PRESENTATION OF A PROCLAMATION RECOGNIZING EMERGENCY MEDICAL SERVICES WEEK

Council Member Dawson presented a proclamation to the staff at Beaufort County EMS recognizing Emergency Medical Services Week.

9. CITIZEN COMMENT PERIOD

Citizen Comments were taken.

To listen to the full citizen comment period please click on the link below.

<https://beaufortcountysc.new.swagit.com/videos/305000>

10. LIASION AND COMMITTEE REPORTS

Please watch the video stream available on the County's website to view the full discussion.

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11. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Howard, Seconded by Council Member Glover to approve the following consent agenda items: 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; Third reading of an ordinance amending ordinance 2023/32 an ordinance to amend the Beaufort County ordinance establishing a road use fee; 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; 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; and Recommend approval for a request to purchase a tek84 body scanner for the detention center \$207,000.

The Vote - Motion was approved without objection.

12. MOTION TO REFER TO THE PUBLIC FACILITIES COMMITTEE A PROPOSED ORDINANCE FOR A 2024 TRANSPORTATION SALES AND USE TAX REFERENDUM

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Glover to refer the proposed ordinance for a 2024 Transportation Sales and Use Tax Referencum back to the Public Facilities and Safety Committee for futher discussion.

The Vote - Motion was approved without objection.

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

Motion: Motion made by Council Member Howard, Seconded by Council Member Glover to approve 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.

The Chairman opened the floor for public hearing.

No one came forward.

The Chairman closed public hearing.

The Vote - Motion was approved without objection.

14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO ACCEPT AND TO APPROPRIATE FUNDS FROM THE SOUTH CAROLINA OPIOID SETTLEMENT FUNDS.

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Glover to approve public hearing and second reading of an ordinance to accept and appropriate funds from the South Carolina Opioid Settlement Funds.

The Chairman opened the floor for public hearing.

No one came forward.

The Chairman closed public hearing.

The Vote - Motion was approved without objection.

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)

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Howard to approve 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).

The Chairman opened the floor for public hearing.

Josh Tiller came forward on behalf of the applicant and made a presentation.

Please watch the video stream available on the County's website to view the full discussion.

The Chairman closed public hearing.

Motion to Deny: It was moved by Council Member Dawson, Seconded by Council Member Glover to deny the rezoning request for the following reasons: one it is not consistent with the goals and policies of the comprehensive code and the purposes of the development code; two it is in conflict with the provisions of the development code and code of ordinances; it does not address the demonstrated community need as the community is adversely opposed to it; it is not required by a change of conditions in the area; it is not compatible with existing and proposed uses of lands surrounding this land; it would result in adverse impact on the natural environment, water, air, noise, stormwater, wildlife, vegetation, wetlands and the nature of the environment; and lastly it would not result in a development that is

adequately served by public facilities such as streets, potable water, sewer, storm management, solid waste collections and disposals, schools, parks, police, fire and emergency medical services.

The Vote - Voting Yea: Vice-Chairman McElynn, Council Member Bartholomew, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Reitz. Voting Nay: Chairman Passiment, and Council Member Tabernik. **The motion passed 7:2**

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

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Howard to approve 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.

The Vote - Motion was approved without objection.

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.

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Bartholomew to approve 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.

The Vote - Motion was approved without objection.

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.

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Tabernik to approve 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.

The Vote - Motion was approved without objection.

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

Motion: It was moved by Council Member Bartholomew, Seconded by Council Member Reitz to approve a resolution authorizing the Interim County Administrator to enter into a non-tenant commercial operating agreement between Beaufort County and M&L Mobile Detailing.

The Vote - Motion was approved without objection.

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.

Motion: It was moved by Council Member Howard, Seconded by Vice-Chairman McElynn. to approve a resolution authorizing the Interim County Administrator to pursue condemnation for portions of parcels

associated with ROW acquisition for a pathway located on Depot Road as part of the 2018 once cent referendum.

The Vote - Motion was approved without objection.

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.

Motion: It was moved by Council Member Howard, Seconded by Council Member Bartholomew to approve a resolution to accept the USDA Composting and Food Waste Reduction Program Grand in the amount of \$273,600 for a County Pilot Composting Program.

The Vote - Motion was approved without objection.

22. CITIZEN COMMENT PERIOD

Citizen Comments were taken.

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23. EXECUTIVE SESSION

Motion: It was moved by Council Member Dawson, Seconded by Council Member Bartholome to go into executive session to discuss the items below.

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.

Pursuant To S. C. Code Section 30-4-70(a)(2) to engage in discussions incident to contractual arrangements (state infrastructure bank agreement)

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)

The Vote – Motion was approved without objection.

24. MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of executive session.

25. ADJOURNMENT

The meeting adjourned around 7:50PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 

Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: July 15, 2024