



County Council Meeting Beaufort County, SC

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

Monday, June 12, 2023
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/237136>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at or around 5:00 PM.

PRESENT

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

ABSENT

Council Member Thomas Reitz

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Vice Chairman McElynn led the Invocation.

3. FOIA

Chairman Passiment noted that 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

Motion: It was moved by Vice-Chairman McElynn, seconded by Council Member Dawson, to approve the agenda.

The Vote – The motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Vice-Chairman McElynn, seconded by Council Member Glover, to approve the minutes of April 24, 2023.

The Vote – The motion was approved without objection.

6. ADMINISTRATOR'S REPORT

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

<https://beaufortcountysc.new.swagit.com/videos/237136?ts=184>

County Administrator Greenway highlighted three employees: Operations Foreman John Millage with Solid Waste & Recycling; Assistant Court Administrator Rosemary Wegmann with the Beaufort Magistrate Court; and Revenue Collector Ashley Peeples with Business Services.

Senator Tom Davis gave an overview of the passing of the Affordable Housing Act and the \$30 million in appropriations to Beaufort County in this year's budget.

7. CITIZEN COMMENTS PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/237136?ts=1025>

1. Leanne Coulter
2. Beth McIntyre
3. Kade Yarborough
4. Deborah Smith
5. John Schartner

8. LIASION AND COMMITTEE REPORTS

No reports were provided.

9. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Vice-Chairman McElynn, seconded by Council Member Dawson, to approve the consent agenda.

The Vote – The motion was approved without objection.

10. TIME-SENSITIVE ITEM ORIGINATING FROM THE JUNE 12TH COMMUNITY SERVICES AND LAND USE COMMITTEE - FIRST READING OF AN ORDINANCE APPROPRIATING PROCEEDS AND INTEREST FROM THE 2017 GENERAL OBLIGATION BOND ANTICIPATION NOTE TO DESIGN, ENGINEER, CONSTRUCT, AND EQUIP A JOINT FIRE/EMS STATION IN SUN CITY AND TO DEFRAY COSTS ASSOCIATED WITH THE ESTABLISHMENT OF PERMANENT EMBARKATION LOCATIONS FOR THE DAUFUSKIE ISLAND FERRY AND OTHER MATTERS RELATED THERETO

Motion: It was moved by Council Member Tabernik, seconded by Council Member Howard, to approve the first reading of an ordinance appropriating proceeds and interest from the 2017 General Obligation Bond Anticipation Note to design, engineer, construct, and equip a joint Fire/Ems Station in Sun City and to defray costs associated with the establishment of permanent embarkation locations for the Daufuskie Island Ferry and other matters related thereto.

The Vote – The motion was approved without objection.

11. TIME-SENSITIVE ITEM ORIGINATING FROM THE JUNE 12TH COMMUNITY SERVICES AND LAND USE COMMITTEE- FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE SALE OF REAL PROPERTY WITH TMS NO. R600-009-

000-0003-0000, ALSO KNOWN AS CAMP ST. MARY'S, TO THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM

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

<https://beaufortcountysc.new.swagit.com/videos/237136?ts=2019>

Motion: It was moved by Vice-Chairman McElynn, seconded by Council Member Brown, to approve the first reading of an ordinance authorizing the County Administrator to execute the necessary documents for the sale of real property with TMS No. R600-009-000-0003-0000, also known as Camp St. Mary's, to the Beaufort County Rural and Critical Lands Program.

Discussion: Council Member Cunningham commented on Camp St. Mary's involvement in a possible land swap with the Rural and Critical Lands Program and how the proposal was tabled at the second reading. Mr. Cunningham added that he would vote against the motion because that proposal has not been decided on yet.

Chairman Passiment commented that the item was thoroughly discussed in the Community Services and Land Use Committee and that it is time to move forward with the property and create a passive park.

The Vote – The motion passed by 8:2.

12. FIRST READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE ("CDC") APPENDIX B:- THE DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE, TO AMEND DIVISION B.3, SECTION B.3.20 (CONSOLIDATED LAND USE TABLE AND LAND USE DEFINITIONS), AND TO ADD A NEW SECTION B.3.30 (OTHER STANDARDS) AND A NEW SUBSECTION B.3.30.A (SHORT-TERM RENTAL) TO ALLOW THE USAGE OF SHORT-TERM RENTALS AS A SPECIAL USE IN D2 RURAL, D2R-CP (RURAL-CONVENTIONALLY PLATTED), D2R-GH (RURAL-GULLAH HERITAGE), AND D3 GENERAL NEIGHBORHOOD, AND A PERMITTED USE IN D4 MIXED USE, D5 VILLAGE CENTER, AND D5 GENERAL COMMERCIAL

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

<https://beaufortcountysc.new.swagit.com/videos/237136?ts=2221>

Motion: It was moved by Council Member Lawson, seconded by Council Member Dawson, to approve the first reading of an ordinance for a text amendment to the Community Development Code ("CDC") Appendix B: the Daufuskie Island Community Development Code, to amend Division B.3, Section B.3.20 (Consolidated Land Use Table and Land Use Definitions), and to add a new section B.3.30 (Other Standards) and a new Subsection B.3.30.A (Short-Term Rental) to allow the usage of short-term rentals as a special use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial.

Discussion: County Administrator Greenway gave an overview of the three types of uses in the Community Development Code, including permitted uses, conditional uses, and special uses. Mr. Greenway highlighted that special use applications must go before the Zoning Board of Appeals and have a public hearing. Mr. Greenway also pointed out the zoning on Daufuskie Island, including where short-term rentals (STRs) are permitted and where STRs would need approval from the Zoning Board of Appeals.

Vice-Chairman McElynn and Mr. Greenway discussed the difference between conditional and special use for short-term rental permits.

Council Member Lawson confirmed that there is no conditional use for STRs in Beaufort County but that conditional use is allowed for other things. Council Member Lawson and Mr. Greenway also discussed the grandfathering of existing STRs as long as they meet certain conditions for a short-term rental permit (STRP).

Council Member Bartholomew and Mr. Greenway discussed the establishment of a rental limit for STRs in certain jurisdictions.

Chairman Passiment commented on concerns about STRs in Daufuskie Island's Historic District and the need to develop a single rule on STRs like other municipalities.

Vice-Chairman McElynn commented on the procedure for revoking conditional and special use permits and how conditional use would involve citations by a code enforcement officer and going to the Magistrate Court. Vice-Chairman McElynn voiced his preference for not involving the courts, resolving matters in-house, and developing a uniform STRP.

Council Member Lawson advocated for the addition of language that would allow people with existing properties that meet the conditions to apply for the same STRP as those grandfathered within 60 days of the ordinance's entry into force and without needing to come before the Zoning Board of Appeals for a public hearing.

Motion to Amend: It was moved by Council Member Lawson, seconded by Council Member Cunningham, to add language to the ordinance to allow homeowners on Daufuskie Island who wish to obtain a short-term rental permit to have 60 days to apply and, if the property meets the requirements, to acquire a permit without having to go through the Zoning Board of Appeals process; applications after 60 days would have to apply for a special use permit.

The Council and County Administrator Greenway further discussed the process to obtain a short-term rental permit and revoke the permits.

The Vote – The motion to amend was approved without objection.

Council Member Bartholomew voiced his objection to the motion as amended.

The Vote – The main motion passed by 9:1.

13. PUBLIC HEARING AND A SECOND READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF, AND GRANT EASEMENTS ON, A PORTION OF REAL PROPERTY LOCATED ON HIGHWAY 170 WITH TMS NO. R600 008 000 0005 0000; TO GRANT AN EASEMENT ON A PORTION OF REAL PROPERTY KNOWN AS THE COOLER TRACT; AND OTHER MATTERS RELATED THERETO

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Vice-Chairman McElynn, seconded by Council Member Brown, to approve the public hearing and second reading of an ordinance authorizing the County Administrator to execute the necessary documents and provide funding for the purchase of, and grant easements on, a portion of real property located on Highway 170 with TMS No. R600 008 000 0005 0000; to grant an easement on a portion of real property known as the Cooler Tract; and other matters related thereto.

The Vote – The motion was approved without objection.

14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): DIVISION 4.2.20 (GENERAL STANDARDS AND LIMITATIONS) TO CLARIFY CONNECTIVITY STANDARDS FOR PRIMARY STRUCTURES REGARDING BUILDING CONNECTIONS; DIVISION 4.2.30 (ACCESSORY/SECONDARY DWELLING UNIT) TO MODIFY ALLOWABLE DENSITY TO PROVIDE OPPORTUNITY FOR AN ADDITIONAL ACCESSORY DWELLING UNIT AND TO PROVIDE FLEXIBILITY FOR AREA OF UNITS; DIVISION 4.1.360 (SHORT-TERM RENTALS) TO MODIFY

GENERAL STANDARDS TO ALLOW ONLY A PRINCIPAL DWELLING UNIT OR AN ACCESSORY DWELLING UNIT AS A SHORT-TERM RENTAL ON A SINGLE PARCEL

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Council Member Howard, seconded by Council Member Tabernik, to approve the public hearing and second reading of an ordinance for a text amendment to the Community Development Code (CDC): Division 4.2.20 (General Standards and Limitations) to clarify connectivity standards for primary structures regarding building connections; Division 4.2.30 (Accessory/Secondary Dwelling Unit) to modify allowable density to provide opportunity for an additional accessory dwelling unit and to provide flexibility for area of units; Division 4.1.360 (Short-Term Rentals) to modify general standards to allow only a principal dwelling unit or an accessory dwelling unit as a short-term rental on a single parcel.

The Vote – The motion was approved without objection.

15. PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE PURCHASE OF A PORTION OF THE 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 Brown, to approve the public hearing and approval of a resolution authorizing the County Administrator to execute the necessary documents for the purchase of a portion of the real property abutting the Hilton Head Island Airport located on Summit Drive with TMS No. R510 005 000 271A 0000.

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

The Vote – The motion was approved without objection.

16. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAX FOR SCHOOL PURPOSES FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND TO MAKE APPROPRIATIONS FOR SAID PURPOSES

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Council Member Tabernik, seconded by Council Member Howard, to approve the public hearing and second reading of an ordinance to provide for the levy of tax for school purposes for Beaufort County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and to make appropriations for said purposes.

The Vote – The motion was approved without objection.

17. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY GOVERNMENT AND SPECIAL PURPOSE DISTRICTS FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024; TO LEVY TAXES FOR THE PAYMENT THEREOF; TO ADOPT LAW ENFORCEMENT UNIFORM SERVICE CHARGES/ USER FEE; TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY; TO PROVIDE FOR

THE EXPENDITURE OF SAID LAW ENFORCEMENT UNIFORM CHARGES/ USER FEE; AND OTHER MATTERS RELATED THERETO

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

<https://beaufortcountysc.new.swagit.com/videos/237136?ts=4847>

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Motion: It was moved by Council Member Cunningham, seconded by Council Member Brown, to approve the public hearing and third reading of an ordinance to make appropriations for county government and special purpose districts for Beaufort County for the fiscal year beginning July 1, 2023, and ending June 30, 2024; to levy taxes for the payment thereof; to adopt law enforcement uniform service charges/ user fee; to provide for the expenditure of said taxes and other revenues coming into the county; to provide for the expenditure of said law enforcement uniform charges/ user fee; and other matters related thereto.

Discussion: Council Member Cunningham requested an update on whether any changes were made to the appropriations.

Deputy County Administrator Richland discussed the points of concern with instituting a 3% COLA and merit-based pay increase and the decision to have instead a flat \$3,000 increase for full-time employees and a \$1,500 increase for part-time earners. Ms. Richland highlighted that the goal of the flat increase is to facilitate an equitable wage increase and ensure the least-earning wage is increased to a more competitive and livable wage. Ms. Richland added that the payment increase is within the millage previously presented and that the only caveat is that employees cannot cash out accrued leave time this year.

Council Member Bartholomew and Ms. Richland discussed the application of this payment increase to the Treasurer's Office.

Council Member Glover and Ms. Richland discussed how many employees in the lowest pay bracket fall within the Public Works Department and the impact of the increase.

The Vote – The motion was approved without objection.

- 18. APPROVAL OF A RESOLUTION AND APPROVAL TO ENTER INTO AN IGA WITH THE TOWN OF HILTON HEAD FOR AN EXPENDITURE OF TRANSPORTATION IMPACT FEES ON THE ADAPTIVE TRAFFIC SIGNAL MANAGEMENT (ATSM) SYSTEM (FISCAL IMPACT: \$3,100,000 TO COME FROM ACCOUNT 23020011-51160 WITH A BALANCE OF \$3,298,434)**

Motion: It was moved by Council Member Tabernik, seconded by Council Member Lawson, to approve a resolution and approval to enter into an IGA with the Town of Hilton Head for an expenditure of transportation impact fees on the Adaptive Traffic Signal Management (ATSM) System (fiscal impact: \$3,100,000 to come from account 23020011-51160 with a balance of \$3,298,434).

The Vote – The motion was approved without objection.

- 19. APPROVAL OF A RESOLUTION TO USE IMPACT FEES TO RETAIN HDR ENGINEERING, INC TO STUDY, RECOMMEND, AND DESIGN ENHANCEMENTS TO BLUFFTON PARKWAY PEDESTRIAN ACCOMMODATIONS AND AESTHETICS AKA BLUFFTON PARKWAY ENHANCEMENT PROJECT (FISCAL IMPACT: \$259,954.84)**

Motion: It was moved by Council Member Cunningham, seconded by Council Member Tabernik, to approve a resolution to use impact fees to retain HDR Engineering, Inc to study, recommend, and design

enhancements to Bluffton Parkway pedestrian accommodations and aesthetics aka Bluffton Parkway Enhancement Project (fiscal impact: \$259,954.84).

The Vote – The motion was approved without objection.

20. APPROVAL OF A RESOLUTION ESTABLISHING A TAX ADVISORY COMMITTEE TO PLAN FOR A FUTURE SALES TAX PROGRAM

Motion: It was moved by Council Member Howard, seconded by Council Member Dawson, to approve a resolution establishing a Tax Advisory Committee to plan for a future Sales Tax Program.

The Vote – The motion was approved without objection.

21. CITIZEN COMMENT PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/237136?ts=5467>

1. Jake Rao
2. Elvio Tropeano
3. Sara Reynolds Green
4. Henry Brandt

22. ADJOURNMENT

Adjourned: at or around 7:47 PM

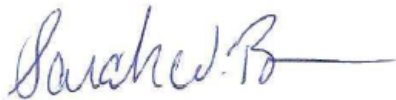
COUNTY COUNCIL OF BEAUFORT COUNTY



BY: _____

Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: August 14, 2023