



**County Council of
Beaufort County
Executive Committee
Meeting**

Committee Members

JOSEPH PASSIMENT, CHAIRMAN

PAUL SOMMERVILLE, VICE CHAIRMAN

ALICE HOWARD

LAWRENCE MCELYNN

CHRIS HERVOCHON

County Administrator

ASHLEY M. JACOBS

Clerk to Council

SARAH W. BROCK

Administration Building

Beaufort County Government
Robert Smalls Complex
100 Ribaut Road

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Executive Committee Minutes

Monday, April 27, 2020 at 5:00 PM

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

CALL TO ORDER

Chairman Passiment called the meeting to order at 5:00 pm

FOIA

Chairman Passiment noted that Public notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

APPROVAL OF AGENDA

Motion: It was moved by Council Member Dawson, Seconded by Council Member Flewelling to approve the agenda. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Rodman, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion passed.

APPROVAL OF MINUTES

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Howard to approve the minutes from April 13, 2020. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Rodman, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion passed.

ACTION ITEMS

Consideration of an Ordinance establishing the Communications and Transparency Committee as a standing committee. – *Chairman Joseph Passiment.*

An Ordinance establishing the Communications and Transparency Committee as a standing committee with a directive to update Council's Rules and Procedures, work with the county PIO, and consider other ways of effectively communicating and providing transparency in government. The standing committee will service as support and oversight of the public information efforts of the County including regular interaction with the Public Information Officer, review of Council's Rules and Procedures, promoting public interaction, considerations of communications policies, and any other issues relevant to Communications both within the organization and with external communications. Recommendation: The establishment of

a Council Committee is Council's decision and staff will execute and support the will of Council.

Discussion:

Chairman Passiment: Beaufort County Council has the authority pursuant to South Carolina Code of Law Section 4-9 170 to establish by ordinance certain Committees. It is the purview of the Chair to establish such a Committee. I will deem persons to that Committee and charge them to update Rules and Procedures manual that will in fact dictate the role the Chair has in establishing Committees.

Council Member Flewelling: I recommend broadening the scope of your statement to include other matters you assign as Chairman.

Recommendation: Informational Purposes Only

DISCUSSION ITEMS

River Oaks Development and School Capital Construction Fee Update. – *Eric Greenway with Kurt Taylor assisting.*

Village Park Homes has elected to develop River Oaks under the existing 2008, as amended in 2014, Development Agreement. That Development Agreement included provisions for the payment of a School Capital Construction Fee in the amount of \$6,000.00 per dwelling unit so long as the county did not enter into another DA that reduced the amount for another project. The Malind Bluff Amended DA reduced the School Capital Construction Fee to \$1,500.00 so River Oaks has raised the question of which fee do they pay. The Legal Department agrees with the Planning and Zoning Director that the River Oaks DA would require the County to reduce the original \$6,000.00 fee to \$1,500.00 per dwelling until such time as the River Oaks DA expires in January 2022 and/or the School Impact Fee is adopted because that fee will likely be higher for each development.

Eric Greenway: Malind Bluff's development agreement amendment made it to third reading. School Capital fee was reduced to being \$1,500.00 per dwelling unit. Malind Bluff development sits adjacent to River Oaks. River Oaks was denied at second reading on their development agreement and they elected to follow the existing 2008 agreement. That agreement contains language that says that they are to pay the \$6,000.00 School Capital Construction Fee unless County Council enters into an agreement that will reduce that fee for another development. Both Malind Bluff and River Oaks would pay the \$1,500.00 until such time, in River Oaks case, the new School Impact Fee is adopted or until the 2008 development agreement expires in January 2022.

Discussion:

Council Member McElynn: When the fee is finally adjusted for Malind Bluff Development, will Rive Oaks be adjusted at that time similarly to the way the other is being adjusted?

Eric Greenway: That is our position, yes.

Council Member McElynn: So neither of the developments will be getting any special treatment as time passes?

Eric Greenway: That is correct.

Recommendation: Information Update Only.

EXECUTIVE SESSION

Motion: It was moved by Council Member McElynn, Seconded by Council Member Flewelling to go into Executive Session. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Rodman, Council Member Hervochoon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion passed.

30-4-70(a)(5). Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

CITIZEN COMMENTS

CITIZEN COMMENT

No Citizen Comments

ADJOURNMENT 5:39PM

Ratified: August 27, 2020