



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

Chairman

PAUL SOMMERVILLE

Committee Members

ALICE HOWARD
LAWRENCE P. MCELYNN
STU RODMAN
MARK LAWSON

Interim County Administrator

ERIC GREENWAY

Clerk to Council

SARAH W. BROCK

Staff Support

ROBERT BECHTOLD

Administration Building

Beaufort County Government
Robert Smalls Complex
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Executive Committee Minutes

Monday, March 1, 2021 at 1:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05]

ALL OF OUR MEETINGS ARE AVAILABLE FOR VIEWING ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV AND CAN ALSO BE VIEWED ON HARGRAY CHANNELS 9 AND 113, COMCAST CHANNEL 2, AND SPECTRUM CHANNEL 1304

CALL TO ORDER

Committee Chairman Sommerville called the meeting to order at 1:00 PM.

PRESENT

Committee Chairman Sommerville
Council Member Flewelling
Council member Howard
Council Member Passiment
Council Member Cunningham
Council Member Lawson
Council Member Rodman
Council Member Hervochon
Council Member Glover
Council Member McElynn
Council Member Dawson

PLEDGE OF ALLEGIANCE

Committee Chairman Sommerville led the Pledge of Allegiance

FOIA

Committee Chairman Sommerville noted that the Public Notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

APPROVAL OF AGENDA

It was moved by Council Member Rodman, seconded by Council Member Howard to **“approve the agenda”**. 11:0 Motion carried

APPROVAL OF MINUTES: February 8, 2021

It was moved by Council Member Glover, seconded by Council Member Howard to **“approve the minutes from February 8, 2021”**. 11:0 Motion carried

DISCUSSION ITEMS

A Resolution To Set Forth A Uniform Policy For Processing, Responding To And Tracking Requests For Public Records In Compliance With The Freedom Of Information Act SC Code Of Laws 30-4-10 Et Seq. Brittany Ward, Deputy County Attorney

[Link to Power Point Presentation](#)

This resolution is to set forth a uniform policy for processing, responding to, and tracking requests for public records. This policy is intended to balance Beaufort County's ("County") commitment to transparency and openness, while ensuring the protection of the County's confidentiality concerns and security interest.

Discussion:

- Remove language that states resumes, benefits packages, and resignation letters and add that items will be redacted by law pertaining to Family Privacy Protection Act, HIPPA and specific laws will be given when FOIA is returned.
- Concerns by the requester that resumes were redacted, which is why it was included.
- Concerned that there isn't a stated reason why things are redacted, to include the law.
- Redacting software has an option to place a comment on why items was redacted.
- Not allowed to take pictures of architectural plans and surveys when viewed.
- Video footage and audio recordings can only be released to law enforcement or via subpoena.
- Some request require an affidavit that information is not being used for commercial solicitation, especially when requesting a massive amount of data.
- Affidavit is required when obtaining architectural plans stating that they are the owner of the documents.
- It is necessary to protect that information by law and legal to obtain an affidavit with certain FOIA that the requester is not breaking the law.
- Commercial purpose phrasing needs to be rephrased due to the intent giving reads that the information requested is being used for solicitation.
- Suggestions of having the first few FOIA request for the public to be free until they reach a certain dollar amount and then charging.

It was moved by Council Member Passiment, seconded by Council Member Howard to approve the "**Resolution to Set Forth a Uniform Policy for Processing, Responding To and Tracking Requests for Public Records in Compliance with the Freedom of Information Act SC Code of Laws 30-4-10 et seq.**"

Motion withdrawn for legal to review proposed changes by Council. Will discuss at next Executive Committee Meeting.

Boards and Commissions

Discussion:

- Spread sheet distributed to Council
- Council Liaison to have relationship with staff liaison for the board
- Develop a reporting system
- Northern Regional Implementation Committee added

Rules and Procedures

Discussion:

- Meeting in person, zoom or hybrid

Referendums

Discussion:

1. Forms of Government
2. Local Option Sales Tax
 - Putting on 2021 or 2022 referendum, when will it go into effect?
 - Elected Officials term will expire in 2022.
 - Recommended to put on the year before the Auditor and Treasurers term expires.
 - Needs legal opinion for further discussion.
 - List of items for paid by referendum

CITIZEN COMMENTS

No citizen comments.

ADJOURNMENT

The meeting adjourned at 2:09 p.m.

Ratified by Committee: April 5, 2021