



County Council Meeting Beaufort County, SC

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

Monday, July 10, 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/264067>

1. CALL TO ORDER

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

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn (arrived late)
Council Member David P. Bartholomew
Council Member Paula Brown
Council Member Logan Cunningham
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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Council Member Howard led the Invocation.

3. 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.

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Dawson, seconded by Council Member Tabernik, to approve the agenda.

The Vote - The motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Howard, seconded by Council Member Brown, to approve the minutes of May 22, 2023.

The Vote - The motion was approved without objection.

6. ADMINISTRATOR'S REPORT

County Administrator Greenway highlighted two employees: Alphonso Brown with the Parks and Recreation Department and Veterans Affairs Director Caroline Fermin. Mr. Greenway commented on the \$12 million award on June 23 from the SC Aeronautics Commission for Hilton Head Island Airport's terminal improvement project. County staff intends to execute the agreement and bring a resolution to the Finance Committee if necessary because the Administrator can accept the grants if there is no matching requirement. Mr. Greenway also discussed the updated cost recovery fees at Hilton Head Island Airport. Mr. Greenway also explained the short-term rental permit process, including special use permits and permitted use permits.

7. PROCLAMATION RECOGNIZING GULLAH/GEECHIE NATION APPRECIATION WEEK

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=883>

Council Member Glover presented a Proclamation recognizing Gullah/Geechee National Appreciation Week to Queen Quet.

8. CITIZEN COMMENTS PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=1288>

1. Leanne Coulter
2. Beth McIntyre
3. Kade Yarborough
4. Deborah Smith
5. Skip Hoagland

9. LIASION AND COMMITTEE REPORTS

Council Member Tabernik commented on the agreement with the City of Beaufort for the Beaufort Library's token program and provided a report on the School Board's June 27 meeting, including May River High School's new principal and the appeals of additional books on the review list.

Council Member Brown commented on her attendance at the SCA Board meeting.

Council Member Howard briefed the Council on the Green Space Committee and the development of procedures for the Greenspace Program, the June 28 meeting of the Beaufort Memorial Hospital Board, the July 5 meeting on the Port Royal Library, and the July 10 meeting of the SoLoCo Growth Committee.

10. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Cunningham, seconded by Council Member Brown, to approve the consent agenda.

The Vote - The motion was approved without objection.

11. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING ORDINANCE 2022/45 BY REMOVING THE PROPERTY LOCATED AT 68 HELMSMAN WAY WITH TMS NO. R552 010 000 0309 0000 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 Council Member Cunningham, seconded by Council Member Lawson, to approve the public hearing and second reading of an ordinance amending Ordinance 2022/45 by removing the property located at 68 Helmsman Way with TMS No. R552 010 000 0309 0000 and other matters related thereto.

The Vote - The motion was approved without objection.

12. PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF TAX MAP SERIAL NUMBER R710 012 000 0001 0000 AND R710 012 000 0072 0000 ALSO KNOWN AS COTTON HALL

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 Dawson, seconded by Council Member Glover, to approve the public hearing and a resolution authorizing the County Administrator to execute the necessary documents and provide funding for the fee simple purchase of Tax Map Serial Number R710 012 000 0001 0000 and R710 012 000 0072 0000 also known as Cotton Hall.

Discussion: Council Member Howard commented that this is an outstanding use of County funds and would be an asset to the region.

The Vote - The motion was approved without objection.

13. PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE DEMOLITION OF STRUCTURES AND FUNDING FOR DEMOLITION OF STRUCTURES ON BEAUFORT COUNTY OWNED PROPERTY LOCATED AT 2 MULLET STREET

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 Lawson, seconded by Council Member Brown, to approve the public hearing and a resolution authorizing the demolition of structures and funding for demolition of structures on Beaufort County-owned property located at 2 Mullet Street.

Discussion: Council Member Lawson commented that the item addresses the dock because it is beyond repair and needs to be demolished for liability reasons.

The Vote - The motion was approved without objection.

14. THIRD 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/264067?ts=2336>

Motion: It was moved by Council Member Lawson, seconded by Council Member Reitz, to approve the third 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: Chairman Passiment noted that he, Vice-Chairman McElynn, and County Administration reviewed documentation for the special use process currently in unincorporated Beaufort County's current code and to be added to Daufuskie Island's code. Chairman Passiment added that the Zoning Board of Appeals (ZBOA) is a quasi-judicial group and that the ZBOA's reasoning is built on law and facts, not arbitrarily.

Vice-Chairman McElynn requested that the 60-day period for permits to be accepted by County staff would start tomorrow (July 11) and that the reasonable department was prepared to accept those permits. County Administrator Greenway confirmed that the 60-day period would start tomorrow (July 11).

Vice-Chairman McElynn also commented on strengthening the ordinance's language to reflect Daufuskie Island's needs better.

Council Member Cunningham raised concerns about the limits that could be placed on short-term rentals by the ZBOA since the County is investing money into the Daufuskie Island ferry service and embarkation points.

The Council and County Administrator Greenway discussed the ZBOA's decision-making process and the possible limitations on the number and time period for short-term rentals.

Chairman Passiment, County Administrator Greenway, and County Attorney Keaveny discussed changes to Section 5. Enforcement and Violations of the ordinance to ensure that new owners are not subject to penalties resulting from previous property owners' actions.

Motion to Amend: It was moved by Vice-Chairman McElynn, seconded by Council Member Lawson, to amend Section 5.c of the Ordinance to change the word "party" to "property," add a period after the phrase "previous owner," and to strike the remainder of the sentence.

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

Motion to Amend: It was moved by Council Member Bartholomew, seconded by Council Member Cunningham, to remove the language of Section 8 and B.3.20, which says: "In cases where Special Use approval is required, the Zoning Board of Appeals (ZBOA) may establish an appropriate rental limit as a condition of approval after conducting the public hearing and finding that conditions exist making such a limitation necessary."

Discussion: Council Member Bartholomew voiced his concerns about approving the ordinance when text issues still need further discussion and resolution.

Council Member Cunningham commented that the Council could add the language for limiting short-term rentals if needed.

County Administrator Greenway noted that the language for limiting short-term rentals is part of the procedure established in other parts of the County.

Council Member Howard and Vice-Chairman McElynn voiced their opposition to the proposed amendment.

Chairman Passiment and County Administrator Greenway discussed how short-term rentals are not legally allowed on Daufuskie Island under the current ordinance for unincorporated parts of Beaufort County.

The Council and Mr. Greenway discussed how removing language that creates a cap on short-term rentals would factor into the ZBOA's consideration for approving or denying short-term rental applications and concerns over the requirement for adequate car parking since golf carts are the primary mode of transportation. The Council and Mr. Greenway agreed that language might need to be amended to reflect the realities on Daufuskie Island better.

The Vote – Voting Yea: Chairman Passiment, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Tabernik, Council Member Reitz, and Council Member Lawson. Voting Nay: Vice-Chairman McElynn, Council Member Howard, Council Member Glover, and Council Member Dawson. The motion to amend passed by 7:4.

The Vote – The main motion, as amended, was approved without objection.

15. THIRD 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

Motion: It was moved by Council Member Cunningham, seconded by Council Member Tabernik, to approve the third 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.

The Vote - The motion was approved without objection.

16. FIRST READING OF AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE REGARDING A ROAD USE FEE

Motion: It was moved by Council Member Glover, seconded by Council Member Howard, to approve the first reading of an ordinance to amend the Beaufort County Ordinance regarding a road use fee.

The Vote - The motion was approved without objection.

17. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS 34 ULMER ROAD (FISCAL IMPACT: \$3,150,000 PURCHASE PRICE PLUS CLOSING COSTS)

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=3939>

Motion: It was moved by Council Member Cunningham, seconded by Council Member Lawson, to approve the first reading of an ordinance authorizing the County Administrator to execute the necessary documents and provide funding for the purchase of real property identified as 34 Ulmer Road.

Discussion: County Attorney Ward gave an overview of the location of the property and nearby County-owned facilities.

Council Member Glover and County Attorney Ward discussed nearby property owned by the Rural and Critical Lands Program.

County Administrator Greenway commented that the purchase would allow a plan to expand the passive park and build additional athletic fields.

Council Member Lawson commented that the property location is ideal because of its proximity to Bluffton Recreation Center and the limited number of parcels available for purchase.

Council Member Glover and County Attorney Ward discussed parking and accessibility to the property and planning of passive and active parks.

The Vote - The motion was approved without objection.

18. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE MUTUAL AID AGREEMENTS REGARDING RELOCATION OF DETAINEES ON A TEMPORARY BASIS DURING AN EMERGENCY, WITH AIKEN COUNTY, ALLENDALE COUNTY, CHARLESTON COUNTY, COLLETON COUNTY, DORCHESTER COUNTY, FLORENCE COUNTY, GREENVILLE COUNTY, HAMPTON COUNTY, JASPER COUNTY, LEXINGTON COUNTY, ORANGEBURG COUNTY, AND RICHLAND COUNTY

Motion: It was moved by Council Member Dawson, seconded by Council Member Glover, to approve a resolution authorizing the County Administrator to execute mutual aid agreements regarding relocation of detainees on a temporary basis during an emergency, with Aiken County, Allendale County, Charleston County, Colleton County, Dorchester County, Florence County, Greenville County, Hampton County, Jasper County, Lexington County, Orangeburg County, and Richland County.

The Vote - The motion was approved without objection.

19. APPROVAL OF A RESOLUTION TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES FOR A CONTRACT AWARD TO APAC ATLANTIC FOR IFB #062323 SC 170 NEAR-TERM IMPROVEMENTS FOR THE CONSTRUCTION OF CAPACITY AND SAFETY IMPROVEMENTS FROM OKATIE CENTER SOUTH TO SC 462 (FISCAL IMPACT: \$8,111,030.29)

Motion: It was moved by Council Member Tabernik, seconded by Council Member Cunningham, to approve a resolution to approve the use of transportation impact fees for a contract award to APAC Atlantic for IFB #062323 SC 170 near-term improvements for the construction of capacity and safety improvements from Okatie Center South to SC 462.

Discussion: Council Member Tabernik commented on the importance of the improvements to SC 170.

The Vote - The motion was approved without objection.

20. APPROVAL OF A RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH SCDOT FOR PAVEMENT OVERLAY AND PAVEMENT MARKING IMPROVEMENTS ON US278 AND INTERCHANGE RAMPS TO BE INCLUDED IN THE SC170 NEAR-TERM IMPROVEMENTS PROJECT IN THE COUNTY

Motion: It was moved by Council Member Cunningham, seconded by Council Member Glover, to approve a resolution to approve an intergovernmental agreement with SCDOT for pavement overlay and pavement marking improvements on US278 and interchange ramps to be included in the SC170 near-term improvements project in the County.

Discussion: Chairman Passiment noted that this is the first time SCDOT has undertaken a joint program with a County.

The Vote - The motion was approved without objection.

21. APPROVAL OF A RESOLUTION TO AMEND RESOLUTION 2023/35: A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$5,250,000 AGGREGATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATED THERETO DUE TO A SCRIVENER'S ERROR

Motion: It was moved by Council Member Glover, seconded by Council Member Bartholomew, to approve a resolution to amend Resolution 2023/35: a resolution ordering a public hearing to be held on the issuance of not exceeding \$5,250,000 aggregated principal amount of general obligation bonds of The Fripp Island Public Service District, South Carolina; providing for the publication of the notice of such public hearing; and other matters related thereto due to a scrivener's error.

The Vote - The motion was approved without objection.

22. CITIZEN COMMENT PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/264067?ts=4554>

1. Skip Hoagland

23. EXECUTIVE SESSION

PURSUANT TO S.C. CODE SECTION 30-4-70(a)(1) DISCUSSION OF EMPLOYMENT OF A PERSON REGULATED BY COUNTY COUNCIL

Motion: It was moved by Council Member Tabernik, seconded by Council Member Brown, for Council to enter into an executive session.


The Vote – The motion was approved without objection.

24. ADJOURNMENT

Adjourned at or around 6:50 PM

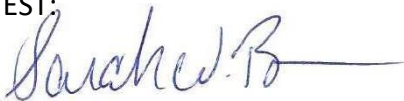
COUNTY COUNCIL OF BEAUFORT COUNTY

BY:



Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: September 11, 2023