



County Council Meeting Beaufort County, SC

This meeting was held both in person at County Council Chambers, 100 Ribaut Road, Beaufort, and also virtually through Zoom.

Monday, May 10, 2021
6:00 PM

MINUTES

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:11PM.

PRESENT

Chairman Joseph F. Passiment
Vice Chairman D. Paul Sommerville
Council Member York Glover
Council Member Chris Hervochon
Council Member Stu Rodman
Council Member Alice Howard
Council Member Mark Lawson
Council Member Lawrence McElynn
Council Member Gerald Dawson
Council Member Brian Flewelling
Council Member Logan Cunningham

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Lawson led the Pledge of Allegiance and gave the invocation.

3. FOIA

Chairman Passiment stated public notice of this meeting had been published, posted, and distributed in compliance with the SC FOIA Act.

4. APPROVAL OF AGENDA

Motion to Amend: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Howard to remove item number 4 from the consent agenda. Motion approved without objection.

Main Motion: It was moved by Council Member Rodman, Seconded by Council Member Howard to approve the agenda as amended. Motion approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Howard to approve the minutes of March 8, 2021 and March 22, 2021. Motion approved without objection.

6. ADMINISTRATOR'S REPORT

To see County Administrator, Eric Greenway's report please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/120610>

7. PROCLAMATION PRESENTED TO BEAUFORT COUNTY EMS IN HONOR OF EMERGENCY MEDICAL SERVICES WEEK

Council Member Larry McElynn read and presented a proclamation to Beaufort County's EMS team in honor of Emergency Medical Services Week.

8. PROCLAMATION RECOGNIZING MAY AS ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH

Council Member Larry McElynn read and presented a proclamation to two of Beaufort County's Asian-American/ Pacific Islander Citizens in honor of Asian American and Pacific Islander Heritage Month.

9. PROCLAMATION HONORING FRIEDA MITCHELL FOR HER WORK IN CHILD CARE REFORM AND CIVIL RIGHTS

Council Member Gerald Dawson read and presented a proclamation honoring the life and achievements of Frieda Mitchell.

10. CITIZEN COMMENTS

Jim Backer of Okatie stated concerns regarding the sales and use tax.

11. LIAISON AND COMMITTEE REPORTS

Council Member Howard stated the Beaufort Memorial Hospital Board met on April 28th and reported they had a good month financially and stated they hired a full-time counselor for the ER for the Phentanol program.

12. CONSENT AGENDA

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Rodman to approve the consent agenda. Motion approved without objection.

13. THIRD READING OF AN ORDINANCE TO MAKE PERMANENT THE PREVIOUSLY ADOPTED EMERGENCY RESOLUTION ALLOWING FOR ELECTRONIC OR HYBRID MEETINGS, AND OTHER MATTERS RELATED THERETO

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Glover to approve the third reading of an ordinance to make permanent the previously adopted emergency resolution allowing for electronic meeting participation.

Motion to Amend: It was moved by Council Member Cunningham, Seconded by Council Member Hervochon to remove county council meetings from the proposed ordinance with the caveat that the chairman can allow a Council Member can attend virtually on an individual basis.

Discussion: to see full discussion regarding virtual attendance at County Council meetings click the link below.

<https://beaufortcountysc.new.swagit.com/videos/120610>

The Vote - Voting Yea: Council Member Hervochoon, Council Member Rodman, Council Member Flewelling, Council Member Cunningham. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson. Motion failed 4:7.

Motion to Amend: It was moved by Council Member Dawson, Seconded by Council Member Cunningham to amend the Virtual Meeting ordinance to allow Council members to attend County Council meetings virtually but not to exceed 3 on an annual basis (January to December).

Discussion: to see full discussion regarding virtual attendance at County Council meetings click the link below.

<https://beaufortcountysc.new.swagit.com/videos/120610>

The Vote - Voting Yea: Council Member Hervochoon, Council Member Dawson, Council Member Flewelling, Council Member Cunningham. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn. Motion failed 4:7.

Main Motion Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson. Voting Nay: Council Member Hervochoon, Council Member Rodman, Council Member Flewelling, Council Member Cunningham. Motion passed 7:4.

14. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AS AMENDED AUTHORIZING THE EXECUTION AND DELIVERY OF A SSRC BY AND BETWEEN BEAUFORT COUNTY, SOUTH CAROLINA, AND PROJECT GARDEN (MATERIALS RESEARCH GROUP), PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES AND OTHER MATTERS RELATED THERETO

Motion: It was moved by Council Member McElynn, Seconded by Council Member Flewelling to approve the third reading of an ordinance as amended authorizing the execution and delivery of an SSRC by and between Beaufort County and Project Garden.

Public Comment:

John O'Toole gave details about the companies referenced in the ordinances.

- Project glass is Glassworks South Carolina and this company represents just over \$15 million investment and 55 jobs.
- Project garden is Material Research Group which represents just over \$3 million million investment and 26 jobs;
- Project burger is a Saltmarsh Brewery which represents just under \$4.5 million investment and 43 jobs.
- Project a stone is Stoneworks which represents a \$3.2 million investment and 21 new jobs.

Motion approved without objection.

15. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AS AMENDED AUTHORIZING THE EXECUTION AND DELIVERY OF A SSRC BY AND BETWEEN BEAUFORT COUNTY, SOUTH CAROLINA AND PROJECT BURGER (SALT MARSH BREWING COMPANY) PROVIDING FOR A PAYMENT IN LIEU OF TAXES AND OTHER MATTERS RELATED THERETO

Motion: It was moved by Council Member Howard, Seconded by Council Member Rodman to approve the third reading of an ordinance as amended authorizing the execution and delivery of an SSRC by and between Beaufort County and Project Burger.

Public Comment:

There was no public comment.

Motion approved without objection.

16. **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO LEVY AND IMPOSE A ONE PERCENT LOCAL OPTION SALES AND USE TAX WITHIN BEAUFORT COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-10 ET SEQ., OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSE OF THE TAX; TO IMPOSE CONDITIONS AND RESTRICTIONS UPON THE USE OF THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM FOR THE IMPOSITION OF THE TAX; TO PROVIDE FOR THE CONDUCT OF SUCH REFERENDUM; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, AND OTHER MATTERS RELATING THERETO.**

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Lawson to approve the third reading of an ordinance to levy and impose a one percent local option sales and use tax.

Discussion: To see full discussion regarding LOST please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/120610>

Public Comment:

June Silberman spoke against LOST.

The Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Flewelling. Voting Nay: Council Member Hervochoch, Council Member Rodman, Council Member Dawson, Council Member Cunningham. Motion passed 7:4.

17. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NUMBER 2020/19 WHICH ESTABLISHED THE SOLID WASTE AND RECYCLING ENTERPRISE FUND.**

Motion: It was moved by Council Member Rodman, Seconded by Council Member Howard to approve the second reading of an ordinance amending ordinance 2020/19 establishing a solid waste and recycling enterprise fund.

Public Comment:

There was no public comment.

The motion was approved without objection.

18. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF UTILITY EASEMENTS #901550 & 901551 ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY.**

Motion: It was moved by Council Member Rodman, Seconded by Council Member Cunningham to approve the second reading of an ordinance authorizing the execution and delivery of Utility easements encumbering property owned by Beaufort County.

Public Comment:

There was no public comment.

Motion was approved without objection.

19. SECOND READING OF AN ORDINANCE APPROVING THE INTERGOVERNMENTAL AGREEMENTS BETWEEN BEAUFORT COUNTY, PORT ROYAL, AND THE CITY OF BEAUFORT REGARDING PROJECT BURGER (SALT MARSH BREWING COMPANY), GARDEN (MATERIALS RESEARCH GROUP), GLASS (GLASS WRX SC), AND STONE (STONEWORKS INCORPORATED).

Motion: It was moved by Council Member Howard, Seconded by Council Member Flewelling to approve the second reading of an ordinance approving intergovernmental agreements between Beaufort County, the Town of Port Royal, and the City of Beaufort. Motion approved without objection.

20. PUBLIC HEARING FOR RESOLUTION 2021/11: AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT BETWEEN BEAUFORT COUNTY, THE TOWN OF HILTON HEAD ISLAND AND THE HISTORIC MITCHELVILLE FREEDOM PARK FOR THE PROPERTY KNOWN AS THE BEACH CITY ROAD PARCELS

Motion: It was moved by Council Member Rodman, Seconded by Council Member Howard to approve a resolution authorizing the interim county administrator to execute a lease agreement between Beaufort County, The Town of Hilton Head and the historic Mitchellville freedom park for the property known as Beach City Road.

Public Comment:

There was no public comment.

Motion approved without objection.

21. MATTERS ARISING OUT OF EXECUTIVE SESSION

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Cunningham to proceed with litigation as outlined in the executive session.

Motion to Amend: It was moved by Council Member Flewelling, Seconded by Council Member Rodman to postpone this matter till the next meeting.

Discussion: to see the full discussion please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/120610>

The Vote - Voting Yea: Council Member Glover, Council Member Hervochoon, Council Member Rodman, Council Member Flewelling. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Cunningham. The motion to amend failed 4:7.

Main Motion Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Hervochoon, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Cunningham. Voting Nay: Council Member Flewelling. Motion passed 10:1.

22. CITIZEN COMMENT

There were no citizen comments.

23. ADJOURNMENT

Meeting adjourned at 7:49PM.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph F. Passiment, Jr., Chairman

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified: