



County Council Meeting Beaufort County, SC

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

Monday, January 23, 2023
5:00 PM

MINUTES

Watch the video stream available on the County's Website to hear the whole discussion or presentation on a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/206147>

1. CALL TO ORDER

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

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn
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 Thomas Reitz
Council Member Anna Maria Tabernik

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Council Member Brown 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 Council Member Cunningham, 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 Council Member McElynn, seconded by Council Member Howard, to approve the minutes of December 12, 2022.

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 entire discussion.

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=450>

Chairman Passiment switched the order of items 6 and 7, so the Administrator's Report came after the Proclamation recognizing the Beaufort High School's State Championship.

County Administrator Greenway briefed Council on the applications for the Greenspace Advisory Committee and recognized two Beaufort County employees, Natasha Dortch, and Clarissa Bickham.

7. PROCLAMATION RECOGNIZING BEAUFORT HIGH SCHOOL'S STATE CHAMPIONSHIP

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=164>

Council Member Howard presented the proclamation recognizing Beaufort High School's football team for winning the South Carolina State Triple-A Championship.

A team representative thanked County Council for the recognition of the team for their accomplishment.

8. PRESENTATION OF A SHORT VIDEO FROM CHRISTOPHER MORRILL, GFOA EXECUTIVE DIRECTOR CONGRATULATING BEAUFORT COUNTY COUNCIL ON WINNING ITS FIRST DISTINGUISHED BUDGET AWARD

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=925>

Pinky Harriot presented the Government Finance Officers Association award won by Beaufort County for its digital budget presentation. A short video was played, and it featured Christopher Morill congratulating Beaufort County.

9. CITIZEN COMMENTS

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=1069>

Donald Hamburger

Skip Hoagland

10. LIASION AND COMMITTEE REPORTS

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=1522>

Council Member Tabernik highlighted her attendance at a Beaufort County School Board meeting and a Beaufort County Transportation Committee meeting. She also announced that the School Board's budget workshop would be held on January 27, 2023.

Council Member Lawson commented on Finance Administration and Economic Development Committee items.

Council Member Reitz commented on an Airports Board meeting and a tour they will offer newly elected officials on February 1, 2023

Council Member Howard commented on the public hearing for the items on clear-cutting and the Old Growth Forest Network and highlighted her attendance at the Beaufort Memorial Hospital Finance Committee meeting.

Council Member Glover discussed the Community Services and Land Use Committee's approval of the St. Helena Cultural Overlay District Committee and the need to submit a replacement name as one of the members no longer lives in St. Helena.

Vice Chairman McElynn discussed the increase of the Economic Development Corporation's municipality membership dues and EDC's request for an update on board nominations.

Chairman Passiment discussed the Rural and Critical Lands Board's decision not to pursue a proposed land swap discussed in the December 12, 2022, Council meeting.

11. APPROVAL OF CONSENT AGENDA

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

Discussion: Vice Chairman McElynn said the suggestion Mr. Hamburger made during the citizen comments portion of the meeting would be considered, as the consent agenda item will go back to the committee before the third reading.

The Vote - The motion was approved without objection.

County Administrator Greenway highlighted that the Mullet Street item is currently at second reading, and procedurally, it will not go back to committee before the third reading unless Council instructs staff to take that action. County Administrator Greenway also said he would not approve the suggested condition being placed on that item.

12. FIRST READING OF AN ORDINANCE TO AMEND THE SOUTHERN LOWCOUNTRY DESIGN MANUAL TO MEET THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT REQUIREMENTS

Motion: It was moved by Council Member Dawson, seconded by Council Member Howard, to approve the first reading of an ordinance to amend the Southern Lowcountry Design Manual to meet the Municipal Separate Storm Sewer System (MS4) permit requirements

The Vote - The motion was approved without objection.

13. FIRST READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.90.D (PENALTY FOR CLEAR CUTTING PRIOR TO DEVELOPMENT) TO INCREASE THE PENALTIES FOR CLEAR CUTTING PROPERTY AND PROVIDE GUIDANCE ON ACCEPTABLE FORESTRY PRACTICES

Motion: It was moved by Council Member Howard, seconded by Council Member Reitz, to approve the first reading of an ordinance for a text amendment to the Community Development Code (CDC): Section 5.11.90.D (Penalty for Clear Cutting Prior to Development) to increase the penalties for clear-cutting property to provide guidance on acceptable forestry practices.

Discussion: Council Member Bartholomew asked whether a subjective basis for the application was allowed by 5.11.90.D1. Robert Merchant, Planning and Zoning Department Director, discussed the distinction between actual silviculture and people just clear-cutting and that staff would look into Council Member Bartholomew's question before the second reading of the item.

Council Member Bartholomew asked about the appeal process. Director Merchant replied that there is an option to appeal through the Zoning Board of Appeals.

The Vote - The motion was approved without objection.

14. FIRST READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX C.2 (ROBERT SMALLS PARKWAY (SC 170)) TO UPDATE ACCESS MANAGEMENT STANDARDS

Motion: It was moved by Council Member Cunningham, seconded by Council Member Tabernik, to approve the first reading of an ordinance for a text amendment to the Community Development Code (CDC): Appendix c.2 (Robert Smalls Parkway (SC 170)) to update access management standards.

The Vote - The motion was approved without objection.

15. FIRST READING OF AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF LIMITED GENERAL OBLIGATION BONDS (BLUFFTON TOWNSHIP FIRE DISTRICT), SERIES 2023A OR SUCH OTHER APPROPRIATE SERIES DESIGNATION OF BEAUFORT COUNTY, SOUTH CAROLINA IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,250,000; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS LAWFULLY-AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND DISPOSITION OF THE PROCEEDS THEREOF AND OTHER MATTERS RELATING THERETO

Motion: It was moved by Council Member Lawson, seconded by Council Member Glover, to approve the first reading of an ordinance authorizing and providing for the issuance and sale of limited general obligation bonds (Bluffton Township Fire District), series 2023A or such other appropriate series designation of Beaufort County, South Carolina in the principal amount of not to exceed \$4,250,000; fixing the form and details of the bonds; authorizing the county administrator or his lawfully-authorized designee to determine certain matters relating to the bonds; providing for the payment of the bonds and disposition of the proceeds thereof and other matters relating thereto.

Discussion: Council Member Lawson stated that the money is being used to purchase equipment for the Bluffton Fire Department and that the purchase does not affect other parts of the County.

The Vote - The motion was approved without objection.

16. FIRST READING OF AN ORDINANCE TO APPROPRIATE FUNDS FROM THE STATE 2% ACCOMMODATIONS TAX FUND AND OTHER MATTERS RELATED THERETO (FISCAL IMPACT: *THE AWARD WILL BE FROM THE FUND BALANCE AND CURRENT YEAR REVENUES IN FUND 2000.*)

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=2318>

Motion: It was moved by Council Member Glover, seconded by Council Member Cunningham, to approve the first reading of an ordinance to appropriate funds from the State 2% Accommodations Tax Fund and other matters related thereto.

Discussion: Council Member Howard asked about restrictions placed in years prior and the reimbursement process, as one entity had several restrictions placed on it last year.

Chairman Passiment said \$32,000 was awarded to the entity last year, with the restriction that the amount would be paid if the entity submitted qualified invoices for what the money would be used.

CFO Hayes Williams said the receipts were not received for the \$32,000 state accommodation tax, so that amount was not reimbursed. However, the entity did provide receipts for the \$55,000 local accommodations tax.

Council Member Cunningham asked for confirmation if the money was paid or not. CFO Williams clarified that there is a state and local accommodations tax and that they did not pay the \$32,000.

Council Member Cunningham commented on the tight vote last year because there were outstanding issues to be resolved and the current need to determine if money should be awarded to the entity.

County Administrator Greenway highlighted his conversation with a representative and confirmed an ongoing review of the matters in question.

Council Member Cunningham asked if the restrictions from the previous year would still apply. County Administrator Greenway confirmed that they would.

Council Member Lawson said that information was received and reviewed by the Finance Committee, and he highlighted what the entity has funded.

Motion to Amend: It was moved by Council Member Lawson, seconded by Council Member Cunningham, to amend the motion to take the excess monies they have applied to those organizations and go back and reallocate to other organizations that did not receive money. Take excess money that has been awarded above and beyond what was asked for in the awards and ask the State Tax Board to reallocate those funds to other entities that weren't considered this time around.

County Attorney Keaveny said the motion to amend is pretty complicated and suggested postponement of the item's consideration, referral back to the Finance Committee, and for the A-Tax committee to come forward with a new recommendation. County Attorney Keaveny also confirmed that this item has no time constraint.

Chairman Passiment asked Council Member Lawson and Council Member Cunningham if they would rescind their motion and put forth a motion to postpone.

Motion to Postpone: It was moved by Council Member Lawson, seconded by Council Member Cunningham, to postpone this first reading and send it back to the Finance Committee for reconsideration by the State Board.

Discussion: Council Member Glover highlighted Mr. Farmer's statement that all 24 applicants that qualified for funding were receiving it.

Council Member Lawson commented that there were other applicants deemed not qualified.

Council Member Tabernik said there should be a more equitable distribution of funds.

Council Member Glover objected to the motion because he thought amendments could be added in the second reading.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Dawson, Council Member Howard, Council Member Lawson, Council Member Reitz, and Council Member Tabernik. Voting Nay: Council Member Glover. The motion passed 10:1.

17. PUBLIC HEARING AND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH BEAUFORT ELITE VOLLEYBALL CLUB FOR A PORTION OF THE REAL PROPERTY LOCATED AT 2727 DEPOT ROAD (FISCAL IMPACT: Elite Volleyball to pay \$525.00 monthly in rent to Beaufort County (\$6,300 yearly)

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=3121>

Motion: It was moved by Council Member Howard, seconded by Council Member Reitz, to approve the public hearing and a resolution authorizing the County Administrator to enter into a lease agreement with Beaufort Elite Volleyball Club for a portion of the real property located at 2727 Depot Road.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

Discussion: Council Member Dawson discussed the club's use of the facility and how other sports entities may also require the use of county facilities.

Assistant County Administrator Atkinson commented that ball fields and other facilities are rented out as they are available. However, sports have seasons where everyone plays at the same time, so there are issues with availability because of limited facility resources.

Council Member Lawson asked whom teams would go to set up similar deals to reserve facilities.

County Administrator Greenway said teams would deal with the Administrator because the facility rented out is not a Department of Parks and Recreation building. Mr. Greenway also stated his commitment to the flexible use of facilities whenever possible.

Council Member Cunningham asked Shannon Loper, Director of Beaufort County Parks and Recreation, about enrollment numbers and the need for more ball field facilities. Director Loper described the number of teams participating in recreational softball programs and the potential need to cap registration in areas south of the Broad River because of resource limitations.

County Administrator Greenway said that if there are specific situations where teams cannot find facilities, they can get in touch with Administration for help figuring out if a space can be rented.

Council Member Cunningham commented that growth is a good problem, but good services must be provided.

Director Loper said the Parks and Recreation Department rents fields when available, but it becomes difficult when the sports seasons run together. Director Loper also said that fields have to be provided to school teams because some of them need access to sports facilities.

Council Member Glover commented that while he supports the item, he does not want the County to only provide recreation opportunities to those that can rent facilities.

The Vote - The motion was approved without objection.

18. APPROVAL OF A RESOLUTION TO INCLUDE THE OKATIE REGIONAL PRESERVE IN THE OLD GROWTH FOREST NETWORK PRIVATE FOREST REGISTRY AND ENTER INTO A MEMORANDUM OF AGREEMENT FOR THE PROPERTY TO REMAIN PERPETUALLY UNLOGGED

Motion: It was moved by Council Member Glover, seconded by Council Member Reitz, to approve a resolution to include the Okatie Regional Preserve in the Old Growth Forest Network Private Forest Registry and enter into a memorandum of agreement for the property to remain perpetually unlogged.

The Vote - The motion was approved without objection.

19. CITIZEN COMMENTS

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

<https://beaufortcountysc.new.swagit.com/videos/206147?ts=3814>

Robert New

Skip Hoagland

Frank Cerulli

20. ADJOURNMENT

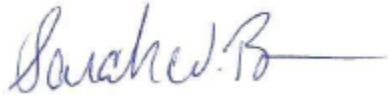
Adjourned: 6:13 PM

COUNTY COUNCIL OF BEAUFORT COUNTY



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

ATTEST:



Sarah W. Brock, Clerk to Council
Ratified: February 13, 2023