



County Council of Beaufort County

County Council Meeting

Chairman

Joseph F. Passiment, JR.

Vice Chairman

D. Paul Sommerville

Council Members

Michael Covert
Gerald Dawson
Brian E. Flewelling
York Glover, SR.
Chris Hervocho
Alice G. Howard
Mark Lawson
Lawrence P. McElynn
Stu Rodman

Interim County Administrator

Eric Greenway

Clerk to Council

Sarah W. Brock

Administration Building

Robert Smalls Complex
100 Ribaut Road

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County Council Meeting Minutes

County Council of Beaufort County

Monday, December 14, 2020 at 6:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05] CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING VIA EMAIL TO THE CLERK TO COUNCIL AT SBROCK@BCGOV.NET OR PO DRAWER 1228, BEAUFORT SC 29901.

CALL TO ORDER

Chairman Passiment called the meeting to order at 6:45PM

PRESENT

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

PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Lawson led the Pledge of Allegiance and Special Guest, Reverend Renty Kitty led the Invocation.

FOIA

Public notice of this meeting has been published, noticed and distributed in compliance with SCFOIA.

APPROVAL OF AGENDA

Motion to Amend: It was moved by Council Member Hervocho, seconded by Council Member McElynn to amend agenda to have matters arising out of executive session which is a transfer from the Caucus meeting and to change the wording on Item # 15 to "Adoption of an Emergency Ordinance." The motion was approved without objection.

Main Motion: It was moved by Council Member Covert, seconded by Council Member McElynn to approve of agenda as amended. The motion was approved without objection.

APPROVAL OF MINUTES

Motion: It was moved by Council Member Dawson, seconded by Council Member McElynn to approve the minutes of October 9, 2020 and October 12, 2020. The motion was approved without objection

RECOGNITION OF COUNCIL MEMBER MICHAEL COVERT FOR HIS YEARS OF SERVICE ON BEAUFORT COUNTY COUNCIL

Council Member Covert gave final words and comments.

PROCLAMATION PRESENTED TO FIREFIGHTER HEIDI CHAREST WITH LADY'S ISLAND- ST. HELENA FIRE DEPARTMENT.

Chief Kline presented Heidi Charest on her accomplishment of winning World Championships in Overall Female Individual, over 40 female individual, and Male/Female Tandem.

Vice Chairman Sommerville read the Proclamation.

ADMINISTRATOR'S REPORT

Eric Greenway stated the pre-payment for property taxes has been implemented and it is optional.

Mr. Greenway then proceeded to recognize the following individuals for their hard work and dedication to Beaufort County:

Willie Me Fripp, Administrative Technician II, Beaufort County Detention Center; Matt Pastore, Crew Chief, Beaufort County Emergency Services; Brandon Young, Lance Corporal, Beaufort County Detention Center; Anthony Montgomery, Supervisor, Beaufort County Animal Services; Karen Morris, Training Officer, Beaufort County Emergency Medical Services.

CITIZEN COMMENTS

Chairman Passiment read citizen comments from Jamie Singleton and Sherry Zabo that were emailed.

Juliana Smith from Coastal Conservation League commented on the adoption of the Southern Lowcountry Stormwater Ordinance and Design Manual.

LIAISON AND COMMITTEE REPORTS

Council Member McElynn reported from the Community Services Committee that all of the Human Services grant funding agreements have been completed and approved and Finance is completing the first round of payments. The second half will begin in March or April 2021. The Coastal Community Foundation has received the funds for the Distance Learning Grants and are finalizing their advertising campaign.

Council Member McElynn also stated that the month of December is National Drunk and Drug Prevention month.

Council Member Howard reported that Stormwater Committee met and Chairman Bruggerman has resigned. During the Beaufort County Rural and Critical Lands meeting, Katie Schaffer was introduced, she is with Beaufort Open Land and Trust and is now part of the Committee.

CONSENT AGENDA

Motion: It was moved by Council Member Flewelling, seconded by Council Member Covert to approve all items on the consent agenda. The motion was approved without objection.

TIME SENSITIVE ITEMS ARISING FROM THE FINANCE COMMITTEE MEETING HELD ON DECEMBER 14TH AT 1:00 pm

Emergency Medical Services (EMS) Contract Award Recommendation to purchase one new 2020 Ambulance from the HGAC Buy Cooperative Contract

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Covert to approve the Emergency Medical Services (EMS) Contract Award Recommendation to purchase one new 2020 Ambulance from the HGAC Buy Cooperative Contract. The motion was approved without objection.

First reading of an ordinance to issue a Tax Anticipation Note (TAN) due to a delay tax collections.

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Covert to approve the first reading an Ordinance to Issue a Tax Anticipation Note (TAN) due to a delay in tax collections. The motion was approved without objection.

ACTION ITEMS

Consideration of approval of Wednesday, December 23rd, 2020 as an additional Christmas Holiday for the Beaufort County Employees

Motion: It was moved by Council Member McElynn, Seconded by Council Member Howard to approve Wednesday, December 23rd, 2020 as an additional Christmas Holiday for the Beaufort County Employees. The motion was approved without objection.

Adoption of an Emergency Ordinance To Require Individuals To Wear Face Coverings In Certain Circumstances And Locations In The Unincorporated Limits Of The County Providing For Severability And An Effective Date

Motion: It was moved by Council Member McElynn, seconded by Council Member Dawson to approve the adoption of an Emergency ordinance to require individuals to wear face coverings in certain circumstances and locations in the unincorporated limits of the county providing for severability and an effective date. Vote Yea: Council Member McElynn, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Rodman, Council Member Sommerville, and Chairman Passiment. Vote Nay: Council Member Covert, Council Member Flewelling and Council Member Hervochon. The motion is approved. The vote 8:3

First Reading Of an Ordinance Repealing and Replacing Beaufort County Ordinance 2020/36 Regarding Noise

Motion: It was moved by Council Member Covert, Seconded by Council Member McElynn to approve the first reading of an Ordinance Repealing and Replacing Beaufort County Ordinance 2020/36 Regarding Noise. Voting Yea: Council Member Covert, Council Member McElynn, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Rodman, Council Member Sommerville, Council Member Passiment. Voting Nay: Council Member Flewelling, and Council Member Hervochon. The motion is approved. The vote 9:2.

First Reading of an Ordinance for a State Accommodations Tax Budget Amendment

Motion: It was moved by Council Member Flewelling, Seconded by Council Member McElynn to approve the First Reading of an Ordinance for a State Accommodations Tax Budget Amendment. The motion was approved without objection.

2119-1808 Work Authorization off Airport Mitigation and Summit Drive Mitigation-CA Amendment 1

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Covert to approve 2119-1808 Work Authorization off Airport Mitigation and Summit Drive Mitigation-CA Amendment 1. The motion was approved without objection.

Public Hearing and Second Reading of an Ordinance Adopting the Required Chapter 99 Stormwater Ordinance Changes to Implement the Southern Lowcountry Design Manual.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Howard, Seconded by Council Member Dawson to approve the Public Hearing and Second Reading of an Ordinance adopting the Required Chapter 99 Stormwater Ordinance Changes to Implement the Southern Lowcountry Design Manual. The motion is approved without objection.

Public Hearing and Second Reading of an Ordinance Regarding a Text Amendment to the Community Development Coded (CDC): Section 5.12.20 to Make Community Development Code Consistent with Pending Southern Lowcountry Stormwater Ordinance and Design Manual.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Howard, Seconded by Council Member Flewelling to approve the Public Hearing and Second Reading of an Ordinance Regarding a Text Amendment to the Community Development Code (CDC): Section 5.12.20 to Make Community Development Code Consistent with Pending Southern Lowcountry Stormwater Ordinance and Design Manual. The motion is approved without objection.

Public Hearing and Second Reading of an Ordinance Adopting the Southern Lowcountry Design Manual as the Stormwater Management Standard to Replace the Current Beaufort County Best Management Practices Manual.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Howard, Seconded by Council Member Flewelling to approve the Public Hearing and Second Reading of an ordinance adopting the Southern Lowcountry Design Manual as the Stormwater Management Standard to Replace the Current Beaufort County Best Management Practices Manual. The motion was approved without objection.

Public Hearing and Second Reading of an Ordinance Regarding a Text Amendment to Beaufort County Ordinance, Chapter 78: Floods, to Establish the Implementation Date of March 23, 2021.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Glover to approve the Public Hearing and Second Reading of an Ordinance Regarding a Text Amendment to Beaufort County Ordinance, Chapter 78: Floods, to Establish the Implementation Date of March 23, 2021. The motion was approved without objection.

Public Hearing and Second Reading of an Ordinance Regarding a Text Amendment for Accessory Dwelling Units and Guest Houses.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Hervochon, Seconded by Council Member Howard to approve the Public Hearing and Second Reading of an Ordinance Regarding a Text Amendment for Accessory Dwelling Units and Guest Houses. The motion was approved without objection.

Public Hearing and Third Reading of an ordinance to amend Beaufort county no. 2020/12 to reflect the appropriate dollar amount for purchasing real property known as the Port Royal Battlefield.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Flewelling, seconded by Council Member Glover to approve Public Hearing and Third Reading of an ordinance to amend Beaufort county no. 2020/12 to reflect the appropriate dollar amount for purchasing real property known as the Port Royal Battlefield. The motion was approved without objection.

Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of a special source revenue credit agreement by and among Beaufort County, South Carolina and project stone, providing for the issuance of special source revenue credits and other matters related thereto.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Hervochon, Seconded by Council Member Glover to approve Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of a special source revenue credit agreement by and among Beaufort County, South Carolina and project stone, providing for the issuance of special source revenue credits and other matters related thereto . The motion was approved without objection.

Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of an SSR agreement (*note change in agreement type*) by and between Beaufort County, South Carolina and project garden providing for a payment of a fee in lieu of taxes and other matters related thereto. &

Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of a fee agreement by and between Beaufort County, South Carolina and project burger providing for a payment of a fee in lieu of taxes and other matters related thereto.

BCEDC Recommends sending Project Garden and Project Burger back to second reading to amend the ordinance accordingly

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Hervochon, seconded by Council Member Covert for items #26 - Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of an SSR agreement (note change in agreement type) by and between Beaufort County, South Carolina and project garden providing for a payment of a fee in lieu of taxes and other matters related thereto. and #27 - Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of a fee agreement by and between Beaufort County, South Carolina and project burger providing for a payment of a fee in lieu of taxes and other matters related thereto; to be sent back to Council for second reading. The motion was approved without objection.

Public Hearing and Third Reading of an ordinance to authorize and approve a multi-county park agreement by and between Beaufort County and Jasper County (projects stone, garden, glass, and burger); to require the payment of a fee in lieu of ad valorem taxes by businesses and industries located in the park; to apply zoning and other laws in the park; to provide for law enforcement jurisdiction in the park; and to provide for the distribution of park revenues within Jasper County.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Dawson, seconded by Council Member Glover to approve Public Hearing and Third Reading of an ordinance to authorize and approve a multi-county park agreement by and between Beaufort County and Jasper County (projects stone, garden, glass, and burger); to require the payment of a fee in lieu of ad valorem taxes by businesses and industries located in the park; to apply zoning and other laws in the park; to provide for law enforcement jurisdiction in the park; and to provide for the distribution of park revenues within Jasper County. The motion was approved without objection.

Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of a fee agreement by and between Beaufort County, South Carolina and project glass providing for a payment of a fee in lieu of taxes and other matters related thereto.

Chairman Passiment opened the floor for public hearing.

There were no public hearing comments.

Chairman Passiment closed public hearing.

Motion: It was moved by Council Member Flewelling, seconded by Council Member Glover to approve Public Hearing and Third Reading of an ordinance authorizing the execution and delivery of a fee agreement by and between Beaufort County, South Carolina and project glass providing for a payment of a fee in lieu of taxes and other matters related thereto. The motion was approved without objection.

Extend Past 8 o'clock

Motion: It was moved by Council Member Hervochon, seconded by Council Member Howard to extend past 8 pm. The motion is approved without objection.

Matters out of Executive Session

Motion: It was moved by Council Member Flewelling, seconded by Council Member Glover for county council to make a settlement offer regarding White Hall as discussed in executive session. The motion was approved without objection.

Motion: It was moved by Council Member McElynn, seconded by Council Member Glover to approve Council representing Beaufort to engage in negotiations to approve settlement amount discussed in executive session regarding retiree litigation to seek a settlement on the retiree . The motion was approved without objection.

CITIZEN COMMENTS

CITIZENS COMMENTS

There were no citizen comments.

ADJOURNMENT

The meeting adjourned at 8:04 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

Joseph F. Passiment, Jr., Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

Ratified: March 22, 2021