



**County Council of  
Beaufort County**  
**County Council Meeting**

**Chairman**

Joseph F. Passiment, JR.

**Vice Chairman**

D. Paul Sommerville

**Council Members**

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

**County Administrator**

Ashley M. Jacobs

**Clerk to Council**

Sarah W. Brock

**Administration Building**

Robert Smalls Complex  
100 Ribaut Road

**Contact**

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# County Council Agenda

## County Council of Beaufort County

Monday, June 22, 2020 at 6:00 PM

Meeting held virtually.

### CALL TO ORDER

Chairman Passiment called the meeting to order at 6:00PM.

### 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 Rodman led the Pledge and Invocation.

### FOIA

Sarah Brock, Clerk to Council, stated this meeting is being held in compliance with the South Carolina Freedom of Information Act.

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Hervocho to suspend normal rules so the Chairman can authorize the passage of motions properly made without objection. The Vote: Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Hervocho, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, and Council Member Flewelling.

### APPROVAL OF AGENDA

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Howard to approve the agenda without objection. Motion was approved without objection.

### APPROVAL OF MINUTES

**Motion:** It was moved by Council Member Dawson, Seconded by Council Member Flewelling to approve the minutes from May 26, 2020. Motion was approved without objection.

## **CITIZEN COMMENT**

Don Timms - We need a noise ordinance. The noise from Hwy 278 is horrible. The increase in traffic with improvements will only make it worse.

Barbara Lara - Please please please!!!! No development there. No matter what the developer promises. Don't endanger our beautiful bird habitat.

Larry Darveau - Please don't close the convenience centers. As a senior citizen it is certainly the most economical way for us to take our recycling and trash away. On a fixed income it would be hard to add the cost of curbside pickup. I also think it would promote people dumping trash on the side of a road when no one is around.

Morris C. Campbell - We commend you on your effort to remedy the "mistreatment" of some of the scores of Beaufort County retired employees who were denied the opportunity to continue participation in the County's Health Benefits Plan. However, as many of us have pointed out to you in recent weeks, there are still scores of retirees that were not given the opportunity to participate in the lawsuit or included in your settlement. We are again, respectfully, asking that Council take the action necessary to remedy what has become an obvious inequity in your treatment of the same "class" of County retirees.

## **LIAISON AND COMMITTEE REPORTS**

Council Member Howard gave an update on TCL programs and pass rates and stated this was the last meeting for General Brown as Chairman.

Chairman Passiment spoke regarding the meeting he, Council Member McElynn, and Council Member Hervochon had with the Town of Hilton Head. The meeting was held on Wednesday June 17<sup>th</sup> and in attendance were Mayor John Mcann, Council member Tom Lennox and Township Administrator Steve Riley representing Hilton Head Island. The meeting was held at Truffles, began at 11:30am, and concluded at 1:00 pm. Hilton Head brought documents showing the amount of money they pay for services more than what others pay in the county. Mayor Mcann agreed that the convenience center is something that can be agreed to by Hilton Head. Steve Riley has been working with Ashley Jacobs regarding Beaufort County running a trash collection program for a fee. Steve Riley pointed out that the roads may be a problem, since there are TAG fees involved and if we turn over all the roads to HHI the TAG fees would become a tax that is in violation of law. They will be looked at before we proceed on any plans to have HHI maintain the roads.

Council Member Flewelling stated he believes council needs to begin exploring other options as council is at the point where they will be spending money in the next FY that council does not have any receipts to be compensated for.

## **CONSENT AGENDA**

Council Member Hervochon asked that item number 3, Third Reading of an ordinance regarding a text amendment to the CDC: article 1, section 1.3.50 applicability and jurisdiction – exemptions to address county public service uses, be taken separately.

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Howard to approve Consent Agenda items 1, 2 and 4 without objection. Motion was approved without objection.

1. SECOND READING OF AN ORDINANCE APPROVING A NONEXCLUSIVE PARKING EASEMENT AGREEMENT WITH CSD MYRTLE PARK, LLC.
2. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A FOUR-YEAR CONTRACT EXTENSION WITH MORRISON FORESTRY FOR THE IMPLEMENTATION OF THE FOREST MANAGEMENT PLAN AND ACTIVITY SCHEDULE ON SELECTED PASSIVE PARK PROPERTIES.
4. THIRD READING OF AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT BY AND BETWEEN BEAUFORT COUNTY, SOUTH CAROLINA AND TRASK EAST SOLAR, LLC TO PROVIDE FOR FEE-IN-LIEU OF AD VALOREM TAXES INCENTIVES AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS.

### **THIRD READING OF AN ORDINANCE REGARDING A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 1, SECTION 1.3.50 APPLICABILITY AND JURISDICTION – EXEMPTIONS TO ADDRESS COUNTY PUBLIC SERVICE USES**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member McElynn to approve Third Reading of an ordinance regarding a text amendment to the CDC: article 1, section 1.3.50 applicability and jurisdiction – exemptions to address county public service uses.

**Discussion:** Council Member Flewelling stated with the additions of another public comment section and a reading in front of the planning commission he feels council has satisfied their obligation.

Council Member Hervochon inquired as to how this would impact a preservation district?

County Attorney, Kurt Taylor stated this ordinance contains so many steps as well as a lot of public involvement and it requires three readings of council so if it does not meet with council's satisfaction then council can vote it down.

Council Member Hervochon stated his question is would this amendment overrule a local preservation district.

Mr. Taylor answered stating this amendment by itself does not overrule anything.

Council Member Hervochon stated he is uncomfortable with the answers he has received for a couple months now with regards to the CC Haig boat landing and he is very uneasy with zero being the answer for what are the unintended consequences of this ordinance.

Mr. Taylor stated again that this ordinance is well written and tightly enough worded that it will accomplish the reasons intended without their being the potential for a great deal of mischief.

**Second Motion:** it was moved by Council Member Rodman, Seconded by Council Member Hervochon to send this item back to the Public Facilities Committee before council considers third reading.

Council Member Flewelling stated this was an item for Natural Resources Committee not Public Facilities.

**Motion to Amend Second Motion:** it was moved by Council Member Rodman, Seconded by Council Member Hervochon to send this item back to the Natural Resources Committee before council considers third reading. The Votes: Voting Yea: Council Member Covert, Council Member Hervochon, Council Member Rodman, Council Member Flewelling. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Dawson. Motion fails 4:7

**Main Motion:** It was moved by Council Member Howard, Seconded by Council Member McElynn to approve Third Reading of an ordinance regarding a text amendment to the CDC: article 1, section 1.3.50 applicability and jurisdiction – exemptions to address county public service uses. The Vote: Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, and Council Member Flewelling. Voting Nay: Council Member Covert, Council Member Hervochon, Council Member Rodman. Motion passes 8:3.

### **PUBLIC HEARINGS AND ACTION ITEMS**

#### **FIRST READING OF AN ORDINANCE AMENDING CHAPTER 2 ARTICLE II SECTION 2-28 REGARDING COUNCIL SALARY AND COMPENSATION**

**Motion:** It was moved by Council Member McElynn, Seconded by Vice Chairman Sommerville to approve first reading of an ordinance amending chapter 2 article ii section 2-28 regarding council salary and compensation.

**Discussion:** Vice-Chair Sommerville stated council needs to create a salary system that has a remote chance of attracting qualified people that would otherwise not consider running for public office.

Council Member Hervochon stated he agreed with Vice-Chair Sommerville's point and also believes this creates good transparency and public benefit to adopt this ordinance.

Council Member Lawson stated he agreed with the above stated points.

Chairman Passiment then stated his proposed changes to the Ordinance created by legal.

**Motion to Amend** – It was moved by Council Member McElynn, Seconded by Council Member Glover to approve the proposed changes laid out by Chairman Passiment - Amendment passed without objection.

Council Member Glover stated he would vote against the proposed amount in the main motion.

**Main Motion:** It was moved by Council Member McElynn, Seconded by Vice Chairman Sommerville to approve first reading of an ordinance amending chapter 2 article ii section 2-28 regarding council salary and compensation to include the amendments approved above. The Vote: Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Hervochon, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Dawson. Voting Nay: Council Member Covert, Council Member Glover, and Council Member Flewelling. Motion passed 8:3

#### **FIRST READING OF AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Lawson to approve first reading of an ordinance to amend the Beaufort County ordinance establishing a road use fee.

**Discussion:** Brittany Ward, Deputy County Attorney, stated this amendment to Ordinance 2015/8 is to adjust the road use fee with a value as established in Beaufort County. Ordinance Section 2-437 (b) Assessments currently states, “The auditor is directed to add a uniform charge per vehicle of \$16.50 per annum to all motorized licenses vehicles subject to the tax in the county beginning with tax notices which become due and each month thereafter.”

**The motion passed without objection.**

#### **INDUCEMENT RESOLUTION REGARDING PROJECT BLUEBERRY**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Glover to approve an inducement resolution regarding Project Blueberry without objection. Motion approved without objection.

#### **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE ADOPTING BEAUFORT COUNTY’S FY 2021 OPERATING BUDGET**

**Motion:** It was moved by Council Member Hervochon, Seconded by Council Member Dawson to approve public hearing and second reading of an ordinance adopting Beaufort County’s FY 2021 operating budget.

Chairman Passiment opened the floor to public hearing.

There were no comments.

Chairman Passiment closed Public Hearing.

The Vote: Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Hervochon, Council Member Covert, Council Member Howard, Council Member Lawson, Council Member Dawson, Council Member McElynn, and Council Member Flewelling. Voting Nay: Council Member Rodman. The motion passed 10:1.

#### **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE ADOPTING BEAUFORT COUNTY SCHOOL DISTRICTS FY 2021 OPERATING BUDGET**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Dawson to approve public hearing and third reading of an ordinance adopting Beaufort County’s FY 2021 operating budget.

Chairman Passiment opened the floor to public hearing.

There were no comments.

Chairman Passiment closed Public Hearing.

**Motion passed without objection.**

**RECOMMENDATION FOR FY 2021 CONTRACT RENEWALS FOR ITEMS 4-9 AS APPROVED BY COMMUNITY SERVICES COMMITTEE ON JUNE 1, 2020**

**Motion:** It was moved by Vice Chairman Sommerville, Seconded by Council Member Howard to approve recommendation for FY 2021 contract renewals for items 4-9 as approved by community services committee on June 1, 2020 without objection. Motion was approved without objection.

**CONTRACT RENEWAL REQUEST FOR FY2021 WITH HILTON HEAD HUMANE ASSOCIATION FOR VETERINARY SERVICES FOR BEAUFORT COUNTY'S ANIMAL SERVICES**

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Howard to approve contract renewal request for FY2021 with HHI Humane Association for veterinary services for Beaufort County's Animal Services without objection. Motion was approved without objection.

**RECOMMENDATION FOR FY 2021 CONTRACT RENEWALS RESULTING FROM THE JUNE 15, 2020 PUBLIC FACILITIES MEETING**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Glover to approve recommendation for FY 2021 contract renewals resulting from the June 15, 2020 Public Facilities meeting. Motion was approved without objection.

**RECOMMENDATION FOR FY 2021 CONTRACT RENEWALS FOR MUNIS AND PRINTING AND MAILING SERVICES FOR THE TREASURER'S OFFICE AS APPROVED BY THE FINANCE COMMITTEE ON JUNE 15, 2020**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member McElynn to approve recommendation for FY 2021 contract renewals for Munis and printing and mailing services for the Treasurer's Office as approved by the finance committee on June 15, 2020. Motion was approved without objection.

**REQUEST TO RENEW A CONTRACT WITH OWL, INC. FOR TRANSPORTATION SERVICES FOR THE BEAUFORT COUNTY DISABILITIES AND SPECIAL NEEDS DEPARTMENT**

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Flewelling to approve a request to renew a contract with Owl, Inc. for transportation services for the Beaufort County Disabilities and Special Needs Department. Motion approved without objection.

**BOARDS AND COMMISSIONS**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Glover to approve William Graner to the Solid Waste and Recycling Board. Motion approved without objection.

Chairman Passiment stated Beaufort County Code (3b) states that there would be 144 meetings for the fiscal year for council committee meetings and other council-related business meetings. County Code (c) then establishes \$40 as the maximum payment for stipends. It further goes on to list specially called (unscheduled) meetings of county council, specially called (unscheduled) work sessions of county council and any other business meetings limited to 24 meetings. Therefore as Chairman, I have decided per the code that the number of meetings council can receive a stipend for is 168.

Council Member Rodman stated this would technically apply to all meetings dating back to 2011 when this ordinance was created.

Mr. Taylor stated the Chairman's interpretation is correct.

#### **CITIZEN COMMENT**

Facebook Comment – Mr. Dunnell wanted to know if the contract renewal was just for vet services or for support staff as well?

Mr. Taylor stated it encompasses support staff, supplies for Beaufort County's Animal Services, discounted pharmaceutical supplies, spay and neuter free vouchers, free feral cat program, crematory services and general medical care.

#### **ADJOURNMENT**

The meeting adjourned at 7:40PM

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**CONSENT AGENDA**

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