



County Council Meeting Beaufort County, SC

This meeting will be held both in person at St. Helena Library, 6355 Jonathan Francis Senior Rd, St Helena Island, SC 29920, and also virtually through Zoom.

Monday, March 28, 2022
6:00 PM

MINUTES

To hear Council's full discussion of a specific topic, or the complete meeting, watch the video stream available on the County's website. <https://beaufortcountysc.new.swagit.com/videos/157552>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:14 PM

PRESENT

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

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Mr. Tyron Jackson 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 SC FOIA laws.

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member McElynn, Seconded by Council Member Glover to approve the agenda.

The Vote – The motion passed without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member McElynn, Seconded by Council Member Howard to approve the minutes from January 24, 2022.

The Vote – The motion passed without objection.

6. PRESENTATION OF A PROCLAMATION HONORING THE MONTFORD POINT MARINES

Council Member York Glover presented the proclamation.

7. ADMINISTRATOR'S REPORT

To see the Administrators full report please watch the video stream available on the County's website <https://beaufortcountysc.new.swagit.com/videos/157552>

8. CITIZEN COMMENTS

James P. Smalls
Arnold Brown
Rose Horsey
Bernie Wright
Rufus. Pickney
Julius Green
Carrie Major

9. LIASION AND COMMITTEE REPORTS

To see the full report please watch the video stream available on the County's website <https://beaufortcountysc.new.swagit.com/videos/157552>

10. MATTERS ARISING OUT OF THE CAUCUS EXECUTIVE SESSION

First Item out of Executive Session

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Glover to repeal current school impact fees in place and repay what has already been collected.

Motion to Amend: It was moved by Council Member Cunningham, Seconded by Council Member McElynn to amend the motion to repeal all impact fees by first reading by title only.

The Vote on Motion to Amend: Voting Yea: Chairman Passiment, Council Member Cunningham, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member McElynn. Voting Nay: Vice Chairman Sommerville, Council Member Lawson, Council Member Rodman. Voting Abstaining: Council Member Hervochon. The motion passed 7:3 with 1 Abstention.

Motion to Challenge the Chair: It was moved by Council Member Flewelling to challenge the chair. There was not a second so the motion failed.

Main Motion as Amended: It was moved by Council Member Flewelling, Seconded by Council Member Glover to repeal school impact fees, repay any school impact fees already collected and repeal all impact fees by first reading by title only.

The Vote on Main Motion: Voting Yea: Chairman Passiment, Council Member Cunningham, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member McElynn, Council Member Rodman. Voting Nay: Vice Chairman Sommerville, Council Member Lawson. Voting Abstaining: Council Member Hervochon. The motion passed 8:2 with 1 Abstention.

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

<https://beaufortcountysc.new.swagit.com/videos/157552>

Second Item out of Executive Session

Motion: It was moved by Council Member Glover, Seconded by Council Member Rodman. to continue to give the Black Chamber of Commerce the \$50,000 DMO monies going through our procurement process.

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

11. APPROVAL OF CONSENT AGENDA (minus item 6)

Motion: It was moved by Council Member Dawson, Seconded by Council Member Rodman to approve the consent agenda minus item number 6.

The Vote – The motion was approved without objection.

(item 6)THIRD READING OF AN ORDINANCE FOR APPROVAL OF A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS A.2.40 (PERMITTED ACTIVITIES), A.4.40 (PERMITTED ACTIVITIES), AND A.5.40 (PERMITTED ACTIVITIES) TO REVISE THE LADY’S ISLAND COMMUNITY PRESERVATION, LADY’S ISLAND NEIGHBORHOOD ACTIVITY CENTER, AND LADY’S ISLAND PROFESSIONAL OFFICE DISTRICTS TO INCLUDE SHORT-TERM RENTALS AS A SPECIAL USE.

Motion: It was moved by Council Member Glover, Seconded by Council Member Howard to approve the consent agenda minus item number 6.

The Vote – The motion was approved without objection - Council Member Flewelling recused himself.

12. THIRD READING OF AN ORDINANCE FOR APPROVAL OF A ZONING MAP AMENDMENT/REZONING REQUEST FOR NINETEEN (19) RURAL AND CRITICAL LANDS PRESERVATION PROGRAM PROPERTIES FROM VARIOUS ZONING DISTRICTS TO T1 NATURAL PRESERVE (T1NP)

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Howard to approve third reading of an ordinance for approval of a zoning map amendment/rezoning request for nineteen (19) rural and critical lands preservation program properties from various zoning districts to t1 natural preserve (t1np).

The Vote – The motion was approved without objection.

13. THIRD READING OF AN ORDINANCE FOR APPROVAL OF A TEXT AMENDMENT TO THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 82: IMPACT FEES, ARTICLE I, IN GENERAL; ARTICLE II, DEVELOPMENT IMPACT FEE PROCEDURES; ARTICLE, III, PARKS, AND RECREATION FACILITIES; ARTICLE V, LIBRARY FACILITIES; ARTICLE VI, FIRE FACILITIES; AND EFFECTIVE DATES.

14. THIRD READING OF AN ORDINANCE OF THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA ("COUNCIL") ESTABLISHING AND ADOPTING AN EMERGENCY MEDICAL SERVICES ("EMS") DEVELOPMENT IMPACT FEE ("IMPACT FEE") TO BE IMPOSED ON ALL NEW DEVELOPMENT IN THE COUNTY EXCEPT FOR NEW DEVELOPMENT IN THE TOWN OF HILTON HEAD ISLAND; TO ENSURE THAT EMS FACILITIES (EMS STATIONS AND EMERGENCY VEHICLES) WILL BE AVAILABLE AND ADEQUATE TO ACCOMMODATE THE NEED EXPECTED TO BE GENERATED FROM NEW DEVELOPMENT IN THE COUNTY (EXCEPT WITHIN HILTON HEAD ISLAND) BASED ON THE COUNTY’S LEVEL OF SERVICE STANDARDS FOR EMS FACILITIES AND CAPITAL IMPROVEMENTS PLAN (CIP), AND TO ASSIGN THE COSTS OF SUCH EMS FACILITIES ON A PROPORTIONATE SHARE BASIS TO NEW DEVELOPMENT

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Hervochon to postpone items 13 and 14 indefinitely.

The Vote – The motion was approved without objection.

- 15. FIRST READING OF AN ORDINANCE FOR A BUDGET AMENDMENT YEAR FISCAL YEAR 2022. FISCAL IMPACT- FUNDING WILL BE FROM THE OPERATING SURPLUS OF FISCAL YEAR 2022**

Motion: It was moved by Council Member McElynn, Seconded by Council Member Flewelling to approve first reading of an ordinance for a budget amendment year fiscal year 2022.

The Vote – The motion was approved without objection.
- 16. APPROVAL OF A RESOLUTION FOR THE BEAUFORT COUNTY ASSESSOR TO EXTEND THE TIME FOR FILING FOR AN "AGRICULTURAL USE" VALUATION FOR THE TAX YEAR 2021 (R600 037 000 020H 000)**

Motion: It was moved by Council Member Howard, Seconded by Council Member McElynn to approve a resolution for the beaufort county assessor to extend the time for filing for an "agricultural use" valuation for the tax year 2021 (r600 037 000 020h 000).

The Vote - The motion was approved without objection.
- 17. APPROVAL OF A RESOLUTION FOR THE HILTON HEAD ISLAND AIRPORT TERMINAL FINANCING PLAN.**

Motion: It was moved by Council Member McElynn, Seconded by Council Member Lawson to approve a resolution for the Hilton Head Island airport terminal financing plan.

The Vote - The motion was approved without objection.
- 18. APPROVAL OF A RESOLUTION AUTHORIZING PARKS & RECREATION DEPARTMENT TO APPLY FOR A \$300,000 GRANT FROM SOUTH CAROLINA PARKS, RECREATION & TOURISM**

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Howard to approve a resolution authorizing the parks and recreation department to apply for a \$300,000 tourism grant from SC Parks and Recreation & Tourism.

The Vote – The motion passed 10:1 with Council Member Glover voting no.
- 19. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES ENCUMBERING THE ROAD RIGHT OF WAY FOR WITSELL ROAD**

Motion: It was moved by Council Member McElynn, Seconded by Council Member Cunningham to approve a resolution authorizing the county administrator to execute any and all necessary documents for the acceptance of properties encumbering the road right of way for Witsell Road.

The Vote - The motion was approved without objection.
- 20. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES ENCUMBERING THE ROAD RIGHT OF WAY FOR COOSAW RIVER DRIVE**

Motion: It was moved by Council Member McElynn, Seconded by Council Member Cunningham to approve a resolution authorizing the county administrator to execute any and all necessary documents for the acceptance of properties encumbering the road right of way for Coosaw River Drive.

The Vote - The motion was approved without objection
- 21. APPROVAL OF A RESOLUTION OF BEAUFORT COUNTY RESPONSES TO TOWN OF HILTON HEAD COMMENTS ON THE US 278 CORRIDOR TRAFFIC IMPROVEMENT PROJECT**

Motion: It was moved by Council Member McElynn, Seconded by Council Member Cunningham to approve a resolution of Beaufort County's responses to Town of Hilton Head comments on the us 278 corridor traffic improvement project.

Motion to Amend - It was moved by Council Member Rodman, Seconded by Council Member Glover to postpone this item until the next Council meeting.

The Vote on Motion to Amend - Voting Yea: Council Member Rodman, Council Member Glover, Council Member Flewelling. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member Dawson, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion fails 3:8.

Motion to Extend Past 8 - (at 7:55PM)

The Vote - The motion to extend past 8 was approved without objection.

Main Motion: It was moved by Council Member McElynn, Seconded by Council Member Cunningham to approve a resolution of Beaufort County responses to Town of Hilton Head comments on the US 278 Corridor.

The Vote on Main Motion - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member Dawson, Council Member Flewelling, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn. Voting Nay: Council Member Glover, Council Member Rodman. The motion passes 9:2.

22. CITIZEN COMMENTS

County Council Members,

Please accept the following public comment regarding agenda item 21 on tonight’s council agenda. I apologize I am unable to attend and provide these comments in person due to a travel conflict.

Agenda item 21 is described as “approval of a resolution of Beaufort County responses to town of Hilton Head comments on the US 278 corridor traffic improvement project.” The relevant portion of the backup packet reads:

The Beaufort County Council hereby supports the responses provided by the Project team to Town of Hilton Head on the public comments previously submitted as prepared by MKSK so long as, within thirty (30) days of the date of this Resolution, the Town of Hilton Head provides the County Administrator with written commitment to the following:

We continue to believe that the US 278 project is headed in the right direction. However, there are important details that have not been finalized by SCDOT, including access to the nearby cemetery, roadway crossings, and community mitigation. We also believe that MKSK’s recommendations should be reflected in the final plan, even if who funds those aspects of the project has not been determined (SCDOT, the Town, Beaufort County or a private entity).

SCDOT has committed verbally to making some of those changes in its final drawings, but those changes have not been incorporated into the publicly available documents as of yet. In addition, the public comment period for the project just closed on Saturday, March 26th. SCDOT may make changes to the final project design based on feedback received from the community.

We hope that Beaufort County will allow the town of Hilton Head time to see those changes made by SCDOT prior to providing its final consent for the project. **As has been reiterated since inception of this project—it is too important not to get it right.**

Please do not hesitate to reach out if you have any questions.

Respectfully,

Jessie White

24. ADJOURNMENT

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified: