



## County Council Meeting Beaufort County, SC

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

Monday, April 11, 2022  
6:00 PM

### MINUTES

#### 1. CALL TO ORDER

Chairman Passiment Called the meeting to order at 6:15 p.m.

#### PRESENT

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

#### ABSENT

Council Member Brian Flewelling

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

CHAIRMAN PASSIMENT led the pledge of allegiance and gave the invocation.

#### 3. FOIA

Chairman Passiment noted that the Public Notification of this meeting had 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 Rodman, Seconded by Council Member Cunningham to approve the agenda.

**The Vote** - The motion was approved without objection.

**5. APPROVAL OF MINUTES**

**Motion:** It was moved by Council Member Howard, seconded by Council Member Rodman to approve February 28, 2022, minutes.

**The Vote** - The motion was approved without objection.

**6. ADMINISTRATOR'S REPORT**

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

<https://youtu.be/PRwUSAe27YI>

**7. PRESENTATION OF A PROCLAMATION RECOGNIZING MAY 1ST - MAY 7<sup>th</sup> AS CORRECTIONAL OFFICER'S WEEK**

Council Member Larry McElynn present a proclamation recognizing May 1st - May 7th as Correctional Officer's Week

**8. PRESENTATION OF A PROCLAMATION RECOGNIZING APRIL 11<sup>th</sup> - APRIL 17<sup>th</sup> AS ANIMAL CONTROL WEEK**

Council Member Larry McElynn presented a proclamation recognizing April 11th - April 17th as Animal Control Week.

**9. CITIZEN COMMENTS**

Ladson Howell, retired attorney in Beaufort County, stated County Attorney Kurt Taylor and Deputy Attorney Brittany Ward are of the opinion that the County doesn't own 5 boat landings because they don't have a deed, but he feels they are wrong. Using the doctrine of prescriptive easement the County does own those boat landings and is responsible for upkeep of them.

Jesse White thanked county staff and a few council members for willingness to amend the 278 resolution to provide sufficient time to do additional due diligence.

**10. LIAISON AND COMMITTEE REPORTS**

To hear council's liaison and committee reports please watch the video stream available on the County's website by clicking the link below.

<https://youtu.be/PRwUSAe27YI>

**11. MATTERS ARISING OUT OF EXECUTIVE SESSION**

There were no items arising out of executive session.

**12. APPROVAL OF CONSENT AGENDA**

**Motion:** It was moved by Council Member McElynn, seconded by Council Member Cunningham to approve the consent agenda.

**The Vote** - The motion was approved without objection.

**13. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO APPROVE THE TEXT AMENDMENTS TO CHAPTER 14, ARTICLE II: ANIMAL CONTROL ORDINANCES**

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Howard to approve third reading of an ordinance regarding text amendments to chapter 14 article 2 animal control ordinances.

The Chairman opened the floor for public comment.

No one came forward.

The Chairman closed public comment.

**The Vote** - The motion was approved without objection.

**14. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE APPROVAL TO TERMINATE AN EASEMENT AND EXECUTE AN EASEMENT ENCUMBERING A PORTION OF PROPERTY OWNED BY BEAUFORT COUNTY AND KNOWN AS FORDS SHELL RING**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Glover to approve third reading of an ordinance authorizing the approval to terminate an easement and execute an easement encumbering a portion of property owned by Beaufort County known as ford's shell ring

The Chairman opened the floor for public comment.

No one came forward.

The Chairman closed public comment.

**The Vote** - The motion was approved without objection.

**15. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE REPEALING AN ORDINANCE CREATING THE SOUTHERN BEAUFORT COUNTY CORRIDOR BEAUTIFICATION BOARD**

**Motion:** It was moved by Council Member Howard, seconded by Council Member Dawson to approve third reading of an ordinance repealing an ordinance creating the southern Beaufort County Corridor Beautification Board.

The Chairman opened the floor for public comment.

No one came forward.

The Chairman closed public comment.

**The Vote** - The motion was approved without objection.

**16. PUBLIC HEARING AND SECOND 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 Lawson, seconded by Council Member Cunningham to approve second reading of an ordinance for a budget amendment year fiscal year 2022.

The Chairman opened the floor for public comment.

No one came forward.

The Chairman closed public comment.

**Discussion:** Eric Greenway, County Administrator, discussed amending the ordinance to include 1.2 million dollars for the TCL properties and increasing the COLA for Beaufort County Employees from 3% to 5%.

**Motion to Amend:** It was moved by Council Member Howard, seconded by Council Member Cunningham to amend the ordinance to include 1.2 million dollars for the purchase of the tcl properties and to increase the cola to five percent.

**The Vote** - The motion was approved without objection.

**Main Motion:** It was moved by Council Member Lawson, seconded by Council Member Cunningham to approve second reading of an ordinance for a budget amendment year fiscal year 2022 as amended.

**The Vote** - The motion was approved without objection.

**17. SECOND READING OF AN ORDINANCE TO REPEAL CHAPTER 82 OF THE CODE OF ORDINANCES OF BEAUFORT COUNTY, TO TERMINATE THE COLLECTION OF SCHOOL DEVELOPMENT IMPACT FEES, TO REFUND ALL SCHOOL IMPACT FEES PAID, TO TERMINATE THE COLLECTION OF PARKS AND RECREATION FACILITIES IMPACT FEES, ROAD FACILITIES IMPACT FEES—SOUTHERN BEAUFORT COUNTY SERVICE AREA, ROAD FACILITIES IMPACT FEES—NORTHERN BEAUFORT COUNTY SERVICE AREA, LIBRARY FACILITIES IMPACT FEES, FIRE FACILITIES IMPACT FEES AND OTHER MATTERS RELATED THERETO**

**Motion:** It was moved by Council Member Cunningham, seconded by Council Member Rodman to approve second reading of an ordinance to repeal chapter 82 of the code of ordinances of Beaufort County, to terminate the collection of school development impact fees, to refund all school impact fees paid, to terminate the collection of parks and recreation facilities impact fees, road facilities impact fees—southern Beaufort County service area, road facilities impact fees—northern Beaufort County service area, library facilities impact fees, fire facilities impact fees and other matters related thereto

**Motion to Amend:** It was moved by Council Member Cunningham, Seconded by Council Member McElynn to bifurcate the current ordinance so that going forward we have one ordinance which repeals the school impact fees ordinance and refunds all school impact fees paid and a second ordinance which repeals prospectively all other impact fees which provides that all the funds collected under those ordinances will be expended on the prospective CIP projects for which the fees were collected.

**The Vote** - The motion to amend was approved without objection.

**Main Motion:** It was moved by Council Member Cunningham, seconded by Council Member Lawson to approve second reading of an ordinance to repeal the school impact fees and refund all school impact fees paid.

**The Vote** - Voting Yea: Chairman Passiment, Council Member Cunningham, Council Member Dawson, Council Member Glover, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Rodman. Voting Nay: Vice Chairman Sommerville. The motion passes 9:1

**Main Motion:** It was moved by Council Member Cunningham, seconded by Council Member Dawson to approve second reading of an ordinance to repeal prospectively all other impact fees and provides that all the funds collected under those ordinances will now be expended on the prospective CIP projects for which the fees were collected.

**The Vote** - Voting Yea: Chairman Passiment, Council Member Cunningham, Council Member Dawson, Council Member Glover, Council Member McElynn, Council Member Rodman. Voting Nay: Vice Chairman Sommerville, Council Member Hervochon, Council Member Howard, Council Member Lawson. The motion passed 6:4.

**18. APPROVAL OF A RESOLUTION RECOGNIZING APRIL AS FAIR HOUSING MONTH**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Glover to approve a resolution recognizing April as fair housing month.

**The Vote** - The motion was approved without objection.

**19. APPROVAL OF A RESOLUTION TO REVISE THE BEAUFORT COUNTY EMERGENCY DISASTER POLICY & PROCEDURES A.9**

**Motion:** It was moved by Council Member Cunningham, Seconded by Council Member Lawson to approve a resolution to revise the Beaufort County emergency disaster policy and procedures 8.9.

**The Vote** - The motion was approved without objection.

20. **APPROVAL OF A RESOLUTION TO AMEND RESOLUTION 2021/22 WHICH SUPPORTS PUBLIC ACCESS AND PASSIVE RECREATION PROJECTS ON RURAL AND CRITICAL LAND PRESERVATION PROGRAM PASSIVE PARK PROPERTIES; AND CONTRACT AWARD FOR WHITEHALL PARK PHASE I CONSTRUCTION (IFB #030122)**

**Motion:** It was moved by Council Member Glover, Seconded by Vice-Chairman Sommerville to approve of a resolution to amend a resolution 2021-22

**The Vote** - The motion was approved without objection.

21. **APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE CITY OF BEAUFORT (\$4,491)**

22. **APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE TOWN OF PORT ROYAL (\$2,898)**

23. **APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE TOWN OF BLUFFTON (\$10,962)**

24. **APPROVAL OF A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE TOWN OF HILTON HEAD ISLAND (\$26,829)**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Cunningham to approve agenda items 21 through 24.

**The Vote** - The motion was approved without objection.

25. **RECOMMEND APPROVAL OF A REVISED 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 Glover, Seconded by Council Member McElynn to approve a revised resolution of Beaufort County responses to the Town of Hilton Head comments on the 278 corridor traffic improvement project.

**Motion to Amend** - It was moved by Council Member Rodman, seconded by Council Member Howard to amend the u.s 278 corridor traffic improvement project resolution which we previously adopted on march 28th of this year from a 30 day time period to 90 day.

The motion to amend was rescinded.

**Motion to amend:** It was moved by Council Member Cunningham, seconded by Council Member Glover to postpone this item to the April 26th meeting.

**The Vote** - The motion was approved without objection.

**Main Motion:** It was moved by Council Member Glover, Seconded by Council Member McElynn to approve postponing a revised resolution of Beaufort County responses to the Town of Hilton Head comments on the 278 corridor traffic improvement project to April 26th.

**The Vote** - The motion was approved without objection.

26. **CITIZEN COMMENTS**

Jessie White commented on 278 Hwy.

**27. ADJOURNMENT**

The meeting adjourned at 7:57. p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph F. Passiment, Jr., Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council  
Ratified: