



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 Hervochon
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

Post Office Drawer 1228
Beaufort, South Carolina 29901-1228
(843) 255-2180
www.beaufortcountysc.gov

County Council Minutes

County Council of Beaufort County

Tuesday, May 26, 2020 at 6:00 PM

CALL TO ORDER

Chairman Passiment called the meeting to order at 6:00PM and proceeded to do a roll call vote of the names below.

PRESENT

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

Council Member Alice Howard led the Pledge of Allegiance and gave the Invocation.

Chairman Passiment stated public notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

Council Member Flewelling stated he believes council can allow for approval of an item without objection but doing this requires a motion and a second then 2/3rd vote to approve the motion to suspend the normal rules.

Motion: Motion made by Council Member Flewelling, Seconded by Council Member Rodman to amend the rules regarding Roll Call votes for every item on the agenda and allow for the Chairman to use his discretion for items to be approved without objection. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Hervochon, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Flewelling.

APPROVAL OF MINUTES

Motion: Motion made by Council Member Flewelling, Seconded by Council Member Howard approve the minutes from April 11, 2020 and April 27, 2020.

The Chairman then stated without objection this matter is approved. There were no objections therefore the minutes stated above were approved.

APPROVAL OF THE AGENDA

The Chairman stated item number 17 does not need a chronology sequence at the bottom since it is a resolution and stated it would be approved and the Clerk would remove the chronology upon executing the document.

Motion: Motion made by Council Member Flewelling, Seconded by Council Member Howard to approve the agenda as listed noting the change as discussed by the Chairman.

The Chairman asked if there were any objections to this matter. There were no objections therefore the agenda as amended was approved.

CITIZEN COMMENTS

Catherine Patterson, Beaufort County Resident, inquired as to when Beaufort tennis courts would be open and questioned what type of plan was going to be put in place to ensure players could participate safely.

Ellena sent an email in stating it be mandatory for all doctor's to require patients to wear masks/face coverings in their waiting rooms.

Quinn Peitz, Beaufort County Resident, wrote I know you can only comment on agenda items, however do you anticipate School Board taxes going up AGAIN this year? We pay the 6% property tax rate and our taxes have significantly been raised since 2016 from mill levy increases, new school board accounting procedures and reassessments. When will it stop? We do not rent our property.

William Smith, Beaufort County School Board Member, wrote in on Facebook asking why did Council change the charge and not want to meet with the whole school board?

Douglas H. (Bud) Boyne, Jr., Beaufort County Retiree, emailed stating today, you will receive a petition from a number of former county employees/retirees. As a county retiree, with 43 years of service, I fully support the intended goal of this petition. It would behoove Council to consider and in an equitable manner address the concerns stated therein.

COMMITTEE REPORTS

Council Member Rodman gave an update regarding the meeting between the three council members and three school board members.

1. Schedule going forward for approval of budget
2. Discussion on Impact fees and looking for the School Board to make a recommendation on which option they would prefer.
3. Fiscal Autonomy
4. Digital connectivity and how it impacts our students

Council Member McElynn mentioned there will be a Community Services Meeting next Monday, June 1st with a large part of the meeting being a discussion on contract renewals.

Council Member Glover asked if Beaufort Jasper Comprehensive Health was on the Agenda for Community Services and Administrator Jacobs stated they would be as they sent in a request.

Council Member Howard stated she was not going to hold a Natural Resources Committee on June 1st as there were no items to come forward.

PUBLIC HEARINGS AND ACTION ITEMS

8. FIRST READING BY TITLE ONLY OF AN ORDINANCE ADOPTING BEAUFORT COUNTY’S FY 2021 OPERATING BUDGET

Council Member Hervochoch discussed some changes that needed to be made to the 2021 Operating Budget proposing items to remove. See chart below.

	A	B	C	D
	Item	Department	Amount	Comments
2	Administrator Recommended Budget, Revenue and Expense		130,297,236.65	Revenue is slightly more, \$130,300,431
4	Less:			
5	Security Cameras/Key Fobs (Drew Property, Forensics Lab, Headquarters, BIV Evidence)	Sherriff	200,000.00	Per April 10, 2019 Finance Meeting
6	3 New Traffic Management Cameras	Sherriff	195,000.00	Per April 10, 2019 Finance Meeting
7	5 Flashing Beacons	Sherriff	160,000.00	Per April 10, 2019 Finance Meeting
8	2 Highway Advisory Radios	Sherriff	114,000.00	Per April 10, 2019 Finance Meeting
9	Resurface Shooting Range Asphalt	Sherriff	30,000.00	Per April 10, 2019 Finance Meeting
10	Spillman (CAD Software) Allocation	Sherriff	243,093.00	Per April 10, 2019 Finance Meeting
11	Repairs to Equipment	Sherriff	7,600.00	
12	Administrative Division Renovations	Sherriff	137,000.00	
13	Special Operations Division Data Equipment	Sherriff	30,000.00	
14	Enforcement Division Vehicle Purchase	Sherriff	24,000.00	
15	Traffic Management Division Vehicle Purchase	Sherriff	44,000.00	
16	Reduction to Auditor's Budget, Self-Identified Savings	Auditor	5,000.00	
17	Reduction to Treasurer's Budget, Bank Fees Previously Included \$50K Personnel Expense	Treasurer	50,000.00	
18	Reduction in HHI Park Maintenance For Parks Owned by HHI	Parks & Rec	141,415.00	
19	HHI Roads Annual Maintenance	Transportation	55,000.00	
20	2021 HHI Resurfacing	Transportation	92,000.00	
21	6 Months HHI Convenience Center - Transfer to HHI or Close	Solid Waste	375,000.00	
23	Total Reductions		1,903,108.00	
25	Add:			
26	County Employee Paid Parental Leave	Administration	450,000.00	Full year is \$900K, only half year needed, per Ashley.
27	Fully Fund Public Defender	Public Defender	700,091.00	
28	County Council Compensation Net Increase	County Council	60,000.00	
30	Total Additions		1,210,091.00	
32	Total Budget		129,604,219.65	
34	Projected Budget Surplus/(Shortfall)		696,211.35	Current projected surplus is \$3,194.35

Motion: Motion made by Council Member Flewelling, Seconded by Council Member Hervochoch to include the changes discussed by Council Member Hervochoch regarding the 2021 FY Budget totaling \$129,640,219.65, a difference of \$700,000. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Hervochoch, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Flewelling.

9. FIRST READING OF AN ORDINANCE ADOPTING BEAUFORT COUNTY SCHOOL DISTRICTS FY 2021 OPERATING BUDGET

Tonya Crosby, Chief Financial Officer for the Beaufort County School District, spoke in detail regarding the school districts 2021 Budget request and emphasized what the district planned on spending due to COVID-19 .

Motion: Motion made by Council Member Flewelling, Seconded by Council Member Rodman to approve the school board budget as presented today. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Hervochoch, Council Member Rodman, Council Member Howard,

Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Flewelling.

10. FIRST 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

Motion: MOTION MADE BY COUNCIL MEMBER HOWARD, SECONDED BY COUNCIL MEMBER GLOVER TO APPROVE FIRST 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.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

11. FIRST 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: MOTION MADE BY COUNCIL MEMBER HOWARD, SECONDED BY VICE CHAIRMAN SOMMERVILLE TO APPROVE FIRST 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. VOTING YEA: CHAIRMAN PASSIMENT, VICE CHAIRMAN SOMMERVILLE, COUNCIL MEMBER COVERT, COUNCIL MEMBER GLOVER, COUNCIL MEMBER RODMAN, COUNCIL MEMBER HOWARD, COUNCIL MEMBER LAWSON, COUNCIL MEMBER MCELYNN, COUNCIL MEMBER DAWSON, COUNCIL MEMBER FLEWELLING. VOTING NAY: COUNCIL MEMBER HERVOCHON. MOTION PASSES 10:1.

12. FIRST 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

Motion: MOTION MADE BY COUNCIL MEMBER DAWSON, SECONDED BY COUNCIL MEMBER FLEWELLING TO APPROVE FIRST 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.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

13. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2019/32, FY 2019-2020 BEAUFORT COUNTY BUDGET, TO APPROPRIATE \$695,000.00 FROM THE GENERAL FUND TO PROVIDE FUNDS TO SETTLE LITIGATION CAPTIONED 2019-CP-07-01642.

Motion: MOTION MADE BY COUNCIL MEMBER COVERT, SECONDED BY COUNCIL MEMBER GLOVER PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2019/32, FY 2019-2020 BEAUFORT COUNTY BUDGET, TO APPROPRIATE \$695,000.00 FROM THE GENERAL FUND TO PROVIDE FUNDS TO SETTLE LITIGATION CAPTIONED 2019-CP-07-01642.

The Chairman opened the floor for Public Hearing. There were no comments therefore the Chairman closed Public Hearing.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO ESTABLISH AN ENTERPRISE FUND FOR SOLID WASTE AND RECYCLING FOR THE PURPOSE OF PLANNING, DESIGNING, CONSTRUCTING, FUNDING AND MAINTAINING SOLID WASTE AND RECYCLING PROGRAMS, PROJECTS, FACILITIES AND OTHER MATTERS RELATED TO SOLID WASTE MANAGEMENT.

Discussion: Mr. Inglese stated the record needed to reflect a text change putting the effective date of this ordinance would be later time after a study had been completed.

Motion: MOTION MADE BY COUNCIL MEMBER FLEWELLING, SECONDED BY COUNCIL MEMBER RODMAN PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO ESTABLISH AN ENTERPRISE FUND FOR SOLID WASTE AND RECYCLING FOR THE PURPOSE OF PLANNING, DESIGNING, CONSTRUCTING, FUNDING AND MAINTAINING SOLID WASTE AND RECYCLING PROGRAMS, PROJECTS, FACILITIES AND OTHER MATTERS RELATED TO SOLID WASTE MANAGEMENT.

The Chairman opened the floor for Public Hearing. There were no comments therefore the Chairman closed Public Hearing.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

15. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO LEASE AGREEMENTS WITH THE CURRENT TENANTS OCCUPYING PROPERTY ACQUIRED DUE TO THE EXPANSION PROJECT AT THE HILTON HEAD ISLAND AIRPORT

Motion: MOTION MADE BY COUNCIL MEMBER RODMAN, SECONDED BY COUNCIL MEMBER FLEWELLING PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO LEASE AGREEMENTS WITH THE CURRENT TENANTS OCCUPYING PROPERTY ACQUIRED DUE TO THE EXPANSION PROJECT AT THE HILTON HEAD ISLAND AIRPORT.

The Chairman opened the floor for Public Hearing. There were no comments therefore the Chairman closed Public Hearing.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

16. PUBLIC HEARING AND THIRD READING OF A STORMWATER ORDINANCE THAT WOULD INCLUDE THE EXEMPTION OF PRIVATE ROADWAYS THAT ARE NOT SHOWN AS A SEPARATE PARCEL OF LAND BUT ARE USED BY MORE THAN ONE PROPERTY OWNER TO ACCESS THEIR PROPERTY AND UPDATE THE ORDINANCE TO PROVIDE CLARIFICATION AND REFLECT ORGANIZATIONAL CHANGES

Motion: MOTION MADE BY COUNCIL MEMBER FLEWELLING, SECONDED BY COUNCIL MEMBER GLOVER PUBLIC HEARING AND THIRD READING OF A STORMWATER ORDINANCE THAT WOULD INCLUDE THE EXEMPTION OF PRIVATE ROADWAYS THAT ARE NOT SHOWN AS A SEPARATE PARCEL OF LAND BUT ARE USED BY MORE THAN ONE PROPERTY OWNER TO ACCESS THEIR PROPERTY AND UPDATE THE ORDINANCE TO PROVIDE CLARIFICATION AND REFLECT ORGANIZATIONAL CHANGES.

The Chairman opened the floor for Public Hearing. There were no comments therefore the Chairman closed Public Hearing.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

17. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN MOU WITH MAY RIVER APARTMENTS (AFFORDABLE HOUSING IMPACT FEE WAIVER)

Motion: MOTION MADE BY COUNCIL MEMBER HOWARD, SECONDED BY COUNCIL MEMBER DAWSON APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN MOU WITH MAY RIVER APARTMENTS (AFFORDABLE HOUSING IMPACT FEE WAIVER).

The Chairman opened the floor for Public Hearing. There were no comments therefore the Chairman closed Public Hearing.

The Chairman asked if there were any objections to this matter.

Discussion: Council Member Flewelling stated he did not have an objection but a question and asked since this money wasn't going to be used for quite a long time is a part of the money already approved, allocated now then the fund balance reinstated? How does that work? Administrator Jacobs stated she did not know the answer and would get back to him.

There were no objections therefore the item was approved.

MOTION TO EXTEND PAST 8:00PM

Motion: MOTION MADE BY COUNCIL MEMBER HOERVOCHIN, SECONDED BY COUNCIL MEMBER HOWARD TO EXTEND THE MEETING PAST THE 8 O'CLOCK HOUR.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

18. APPROVAL OF A RESOLUTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF BEAUFORT RELATING TO THE MOSSY OAKS DRAINAGE PROJECT.

Motion: MOTION MADE BY COUNCIL MEMBER HOWARD, SECONDED BY COUNCIL MEMBER FLEWELLING APPROVAL OF A RESOLUTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF BEAUFORT RELATING TO THE MOSSY OAKS DRAINAGE PROJECT.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

19 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) POTENTIAL PRIORITY PROJECT NEED AREAS CONSISTING OF PUBLIC INFRASTRUCTURE AND IMPROVEMENTS PROJECTS, E.G., WATER AND SEWER IMPROVEMENTS AND DRAINAGE SYSTEMS; NEIGHBORHOOD IMPROVEMENTS PROJECTS, E.G., SIDEWALKS AND STORM DRAINS; AND COMMUNITY FACILITIES, E.G., CURBS, GUTTERS, STREETLIGHTS, NEIGHBORHOOD FACILITIES.

Motion: MOTION MADE BY COUNCIL MEMBER FLEWELLING, SECONDED BY COUNCIL MEMBER DAWSON 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) POTENTIAL PRIORITY PROJECT NEED AREAS CONSISTING OF PUBLIC INFRASTRUCTURE AND IMPROVEMENTS PROJECTS, E.G., WATER AND SEWER IMPROVEMENTS AND DRAINAGE SYSTEMS; NEIGHBORHOOD IMPROVEMENTS PROJECTS, E.G., SIDEWALKS AND STORM DRAINS; AND COMMUNITY FACILITIES, E.G., CURBS, GUTTERS, STREETLIGHTS, NEIGHBORHOOD FACILITIES.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

20. APPROVAL OF AN ACCESS AND PARKING AGREEMENT FOR MYRTLE BUSINESS PARK

Motion: MOTION MADE BY COUNCIL MEMBER COVERT, SECONDED BY COUNCIL MEMBER FLEWELLING APPROVAL OF AN ACCESS AND PARKING AGREEMENT FOR MYRTLE BUSINESS PARK.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

21. RECOMMENDATION OF AWARD TO MAJ ENTERPRISES, INC. FOR IFB #041420E FT. FREMONT PRESERVE ROADWAY IMPROVEMENTS in the amount of \$178,390 which Includes a 10% contingency

Motion: MOTION MADE BY COUNCIL MEMBER GLOVER, SECONDED BY COUNCIL MEMBER FLEWELLING RECOMMENDATION OF AWARD TO MAJ ENTERPRISES, INC. FOR IFB #041420E FT. FREMONT PRESERVE ROADWAY IMPROVEMENTS IN THE AMOUNT OF \$178,390 WHICH INCLUDES A 10% CONTINGENCY

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

22. RECOMMENDATION TO GIVE THE COUNTY ADMINISTRATOR AUTHORITY TO NEGOTIATE A CONTRACT AWARD FOR RFQ 071019 FACILITIES MASTER PLAN CONSULTING SERVICES

Discussion: Council Member Flewelling questioned why the County couldn't hire someone to do this in house and save funds. Administrator Jacobs her recommendation is to move forward as planned.

Motion: MOTION MADE BY COUNCIL MEMBER FLEWELLING, SECONDED BY COUNCIL MEMBER GLOVER RECOMMENDATION TO GIVE THE COUNTY ADMINISTRATOR AUTHORITY TO NEGOTIATE A CONTRACT AWARD FOR RFQ 071019 FACILITIES MASTER PLAN CONSULTING SERVICES.

The Chairman asked if there were any objections to this matter. There were no objections therefore the item was approved.

CITIZEN COMMENT

Anne Grogan, Island West Resident, wrote in regards to the proposed in Island West. She believes the county needs to slow down developers.

Council Member Glover requested the Chairman schedule an executive session to discuss the retirees that have emailed in since the settlement to discuss how to respond.

ADJOURNMENT

Ratified on: June 22, 2020