



County Council Meeting Beaufort County, SC

Council Chambers, Administration Building Beaufort County Government Robert Smalls
Complex 100 Ribaut Road, Beaufort

Monday, August 26, 2024
5:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting <https://beaufortcountysc.new.swagit.com/videos/313392>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 4:59pm.

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn
Council Member David P. Bartholomew
Council Member Paula Brown
Council Member Logan Cunningham
Council Member Gerald Dawson
Council Member York Glover
Council Member Alice Howard
Council Member Mark Lawson
Council Member Anna Maria Tabernik
Council Member Thomas Reitz

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance and Council Member Glover gave the invocation.

3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT

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

4. APPROVAL OF AGENDA

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Cunningham to approve the agenda.

The Vote - Motion was approved without objection.

5. APPROVAL OF MINUTES.

Motion: It was moved by Council Member Howard, Seconded by Council Member Tabernik to approve the County Council Meeting Minutes of May 28, 2024; June 10, 2024; June 24, 2024. and the Special Called County Council Meetings of June 4, 2024; and June 27, 2024.

The Vote - Motion was approved without objection.

6. CHAIRMAN'S UPDATE

To see the full update please click on the link below.

<https://beaufortcountysc.new.swagit.com/videos/313392>

7. ADMINISTRATOR'S REPORT

Please watch the video stream on the county's website to view the full report.

<https://beaufortcountysc.new.swagit.com/videos/313392>

8. PRESENTATION OF A PROCLAMATION FOR THE LANDS END WOODLAND RIVER FESTIVAL DAY

Council Member Glover presented a proclamation recognizing Lands End Woodland River Festival Day.

9. PRESENTATION OF FRAMEWORK AND TIMELINE FOR IMPLEMENTING COUNCIL'S ACTION ITEMS RELATING TO PROCUREMENT AND PURCHASING ISSUES (SPECIAL CALLED MEETING OF COUNTY COUNCIL, JULY 23, 2024)

Administrator Moore discussed the framework and timeline for implementing the Council's Action Items related to procurement and purchasing Issues.

Please watch the video stream on the county's website to view the full report.

<https://beaufortcountysc.new.swagit.com/videos/313392>

10. PRESENTATION OF MONTHLY LIST OF COMPETITIVE AND NON-COMPETITIVE CONTRACT AWARDS AND MATERS RELATED THERETO (SPECIAL CALLED METING OF COUNTY COUNCIL, JULY 23, 2024)

Acting CFO, John Robinson reviewed a list of monthly competitive and non-competitive contract awards that Beaufort County entered into in July of 2024.

Senator Tom Davis gave an update.

Please watch the video stream on the county's website to view the full report.

<https://beaufortcountysc.new.swagit.com/videos/313392>

11. CITIZEN COMMENT PERIOD

Citizen comments were taken.

12. LIASION AND COMMITTEE REPORTS

Please watch the video stream on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/313392>

13. TIME SENSITIVE ITEM FROM THE 8.26.2024 FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT COMMITTEE MEETING - FIRST READING OF AN ORDINANCE TO REPEAL AND REPLACE BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 2, ARTICLE VII, DIVISION 4 (BEAUFORT COUNTY PURCHASING ORDINANCE); TO ESTABLISH NEW POLICIES OF CENTRALIZED PURCHASING AND COMPETITIVE BIDDING FOR COUNTY AGENCIES (A NEW PURCHASING ORDINANCE); DELEGATING PURCHASING AUTHORITY TO THE COUNTY PURCHASING DIRECTOR; ESTABLISHING PROCEDURES FOR

THE PURCHASING OF GOODS AND SERVICES AS REQUIRED BY COUNTY AGENCIES; AND OTHER MATTERS RELATED THERETO

Motion It was moved by Vice-Chairman McElynn, Seconded by Council Member Lawson to approve first reading of an ordinance to repeal and replace Beaufort County Code Of Ordinances Chapter 2, Article Vii, Division 4 (Beaufort County Purchasing Ordinance); to establish new policies of centralized purchasing and competitive bidding for county agencies (a new purchasing ordinance); delegating purchasing authority to the County Purchasing Director; establishing procedures for the purchasing of goods and services as required by county agencies; and other matters related thereto.

The Vote - Motion was approved without objection.

- 14. TIME SENSITIVE ITEM FROM THE 8.26.2024 FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT COMMITTEE MEETING - FIRST READING OF AN ORDINANCE AUTHORIZING BEAUFORT COUNTY MEMORIAL HOSPITAL TO PLEDGE REVENUES IN CONNECTION WITH THE ISSUANCE BY THE SOUTH CAROLINA JOBS ECONOMIC DEVELOPMENT AUTHORITY OF ITS HEALTHCARE REVENUE BONDS (SOUTH OF BROAD HEALTHCARE PROJECT) SERIES 2024 IN THE AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$120,000,000; AUTHORIZING PROPER OFFICERS TO DO ALL THINGS NECESSARY OR ADVISABLE; AND OTHER MATTERS INCIDENTAL THERETO**

Motion: It was moved by Council Member Bartholomew, Seconded by Council Member Howard to approve first reading of an ordinance authorizing Beaufort County Memorial Hospital to pledge revenues in connection with the issuance by the south carolina jobs economic development authority of its healthcare revenue bonds (south of broad healthcare project) series 2024 in the aggregate principal amount not exceeding \$120,000,000; authorizing proper officers to do all things necessary or advisable; and other matters incidental thereto.

The Vote - Motion was approved without objection.

- 15. TIME SENSITIVE ITEM FROM THE 8.26.2024 FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT COMMITTEE MEETING - APPROVAL RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE ECONOMIC DEVELOPMENT GRANT APPLICATION REGARDING PROJECT MICRO AND TO SUBMIT IT TO THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT**

Motion: It was moved by Council Member Reitz, Seconded by Council Member Dawson to approve a resolution authorizing the county administrator to execute the Economic Development grant application regarding Project Micro and to submit it to the South Carolina Coordinating Council for Economic Development.

The Vote - Motion approved without objection.

- 16. DISCUSSION OF PROVIDING THE HAYNSWORTH SINKLER BOYD REPORT AND ALL SUPPORTING DOCUMENTS PREPARED BY HAYNSWORTH SINKLER BOYD TO STATE AND COUNTY LAW ENFORCEMENT**

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Bartholomew to to provide the Haynsworth Sinkler Boyd report and all supporting documents prepared by Haynsworth Sinkler Boyd to state and county law enforcement.

The Vote - Motion was approved without objection.

- 17. APPROVAL OF CONSENT AGENDA**

Motion to amend: It was moved by Council Member Bartholomew, Seconded by Council Member Glover to remove item 1. on the consent agenda; approval of a resolution partnering with the United Way of the Lowcountry community-wide strategic plan, to now be the new item 17a due to the need for a recusal.

The Vote - Motion was approved without objection.

Main Motion: It was moved by Council Member Cunningham, Seconded by Council Member Howard to approve the consent agenda as amended to include the following consent agenda items: Recommend approval to council to authorize the county administrator to enter a local public agency (LPA) agreement with the South Carolina Department of Transportation (SCDOT) for three projects: US 278 corridor study, SC 170 corridor study, and intelligent transportation system (its) master plan; recommend approval to council to award a contract to Wood & Partners for ifb #030524 Camp St. Mary's Park A&E service; recommend approval of contract award to Wilma's tank & pump company for ifb #061124, Camp St. Mary's building demolition; recommend approval to council of a resolution to adopt the 2023 Beaufort County Traffic Calming Policy; approval of a resolution authorizing the county administrator to accept a waste oil grant from the South Carolina Department of Environmental Services (DES) for \$68,403.60; approval of a resolution authorizing the county administrator to accept a solid waste management grant from the South Carolina Department of Environmental Services (DES) for \$115,750.00; approval of a resolution authorizing the county administrator to enter into a letter of agreement for taxi/limousine service between Beaufort County and Apple Transportation; approval of a resolution authorizing the county administrator to enter into a letter of agreement for taxi/limousine service between Beaufort County and Ferguson Transportation; approval of a resolution authorizing the county administrator to enter into a letter of agreement for taxi/limousine service between Beaufort County and Native Islander's Transportation, LLC; approval of a resolution authorizing the county administrator to enter into a letter of agreement for taxi/limousine service between Beaufort County and S & J Expressway Taxi, Inc.; approval of a resolution to accept FAA Bill AIG grant funding for the Beaufort Executive Airport (ARW) runway 07/25 rehabilitation (construction) project - contingent upon final FAA offer; approval of a resolution to accept FAA bipartisan infrastructure law (BIL) airport infrastructure grant (AIG) for the Hilton Head Island airport (HDX) airport layout plan (alp) - contingent upon final FAA offer; approval of a resolution to accept FAA AIP grant funding for the Beaufort Executive Airport (ARW) runway 07/25 rehabilitation (construction) project - contingent upon final FAA offer; approval of a resolution authorizing the county administrator to enter into a non-tenant commercial operating agreement between Beaufort County and Stevens Aerospace and Defense System; approval of a resolution to accept FAA airport improvement project grant (AIP) for St. James Baptist Church relocation environmental documentation phase i - contingent upon final FAA offer; approval of a resolution authorizing the county administrator to enter into a non-tenant commercial operating agreement between Beaufort County and Constant Aviation; approval of a resolution authorizing the county administrator to enter into a non-tenant commercial operating agreement between Beaufort County and EGA Aero Specialty Services LLC; and approval of a resolution authorizing the county administrator to enter into a memorandum of understanding with the City of Beaufort for maintenance of county-owned property known as Boundary Street Vista - logan (r100 026 00a 0260 0000 and r100 026 00a 0261 0000).

The Vote - Motion was approved without objection.

17a. APPROVAL OF A RESOLUTION PARTNERING WITH THE UNITED WAY OF THE LOWCOUNTRY COMMUNITY WIDE STRATEGIC PLAN

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Glover to approve a resolution partnering with the United Way of the Lowcountry community-wide strategic plan.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Brown, Council Member Cunningham, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Tabernik, and Council Member Reitz.
Voting Abstaining: Council Member Bartholomew. The motion passed 10:0 with 1 abstention.

18. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY'S TRAFFIC IMPACT ANALYSIS (TIA) POLICY

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Brown to approve a public hearing and third reading of an ordinance to amend Beaufort County's traffic impact analysis (tia) policy.

Chairman Passiment opened the floor for a public hearing.

No one came forward

Chairman Passiment closed the public hearing.

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Motion to Amend: It was moved by Council Member Tabernik, Seconded by Council Member Bartholomew to postpone third reading to the next council meeting to allow staff to make some necessary changes.

The Vote - Motion was approved without objection.

19. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF FUNDS FOR FISCAL YEAR 2024-2025 GENERATED BY THE LOCAL A-TAX COMMITTEE

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Glover to approve public hearing and third reading of an ordinance providing for the appropriation of funds for the fiscal year 2024-2025 generated by the local a-tax committee.

Chairman Passiment opened the floor for a public hearing.

No one came forward

Chairman Passiment closed the public hearing.

The Vote - Motion was approved without objection.

20. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE PROVIDING FOR THE APPROPRIATION OF FUNDS FOR FISCAL YEAR 2024-2025 GENERATED BY THE LOCAL HOSPITALITY TAX

Motion: It as moved by Council Member Tabernik, Seconded by Council Member Glover to approve a public hearing and third reading of an ordinance providing for the appropriation of funds for the fiscal year 2024-2025 generated by the local hospitality tax.

Chairman Passiment opened the floor for public hearing.

No one came forward

Chairman Passiment closed the public hearing.

The Vote - Motion was moved without objection.

21. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE TO REZONE 4.73 ACRES (R200 019 000 0076 0000) LOCATED AT 26 EUSTIS LANDING ROAD FROM T2 RURAL (T2R) AND T2 RURAL CENTER (T2RC) TO T2 RURAL CENTER (T2RC)

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Lawson to approve a public hearing and first reading of an ordinance to rezone 4.73 acres (r200 019 000 0076 0000) located at 26 Eustis Landing Road from T2 Rural (T2R) and T2 Rural Center (t2rc) to t2 rural center (t2rc).

Chairman Passiment opened the floor for a public hearing.

No one came forward

Chairman Passiment closed the public hearing.

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Motion to Amend: It was moved by Council Member Glover, Seconded by Council Member Howard to deny the first reading of an ordinance to rezone 4.73 acres (r200 019 000 0076 0000) located at 26 Eustis Landing Road from T2 Rural (T2R) and T2 Rural Center (T2RC) to T2 Rural Center (T2RC) because it is not consistent with the goals and policies of the comprehensive code and purpose of the development code, does not address or demonstrate a community need, it is not compatible with the existing and proposed use of land surrounding this land, it would adversely affect nearby land and would not result in logical and orderly development patterns.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Tabernik, and Council Member Reitz. The motion passed 11:0.

22. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS, TO PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS COOLER TRACT B

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Tabernik to approve first reading of an ordinance authorizing the County Administrator to execute the necessary documents, to provide funding for the purchase of real property identified as Cooler Tract B.

The Vote - Motion was approved without objection.

23. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO CONVEY REAL PROPERTY LOCATED AT 333 & 335 BUCKWALTER PARKWAY FOR DEVELOPMENT OF WORKFORCE AND AFFORDABLE HOUSING AND MEDICAL FACILITIES; AND OTHER MATTERS RELATED THERETO

Motion It was moved by Council Member Cunningham, Seconded by Council Member Glover first reading of an ordinance authorizing the County Administrator to execute the necessary documents to convey real property located at 333 & 335 Buckwalter Parkway for Development of Workforce And Affordable Housing and medical facilities; and other matters related thereto.

The Vote - Motion was approved without objection.

24. CITIZEN COMMENT PERIOD

Citizen comments were taken.

25. EXECUTIVE SESSION

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Glover to go into executive session to discuss the items below:

Under S. C. Code Section 30-4-70(a)(2) to receive legal advice where the advice relates to pending litigation and potential claims (opioid litigation, faa matter)

Under S. C. Code Section 30-4-70(a)(2) to receive legal advice where the advice relates to pending litigation (Pine Island Property Holdings, LLC v Beaufort County)

Under S. C. Code Section 30-4-70(a)(2) to receive legal advice where the advice relates to pending litigation (walls v Jim Beckert and Beaufort County)

Under S. C. Code Section 30-4-70(a)(2) to receive legal advice where the advice relates to pending litigation (Broad Creek Marina litigation)

Under S. C. Code Section 30-4-70(a)(2): to receive legal advice where the legal advice relates to matters covered by the attorney-client privilege (DIFS contract)

Under S. C. Code Section 30-4-70(a)(2): to receive legal advice where the legal advice relates to matters covered by the attorney-client privilege (retaining legal counsel)

Under S. C. Code Section 30-4-70(a)(1) discussion of employment of persons regulated by a public body.

The Vote - Motion was approved without objection.

26. MATTERS ARISING OUT OF EXECUTIVE SESSION

Motion: It was moved by Council Member Howard, Seconded by Council Member Brown to approve Beaufort County to participate in a recently negotiated Kroger Settlement in the opioid litigation and ratify Mr. Moore's signature on the subdivision and release form which was previously submitted by Mr. Moore to meet the September 12th participation deadline.

The Vote - Motion passed without objection.

The Chairman stated items 30 and 31 were not discussed in executive session and would be discussed at the next council meeting.

27. ADJOURNMENT

The meeting adjourned at 7:53PM

COUNTY COUNCIL OF BEAUFORT COUNTY



BY: _____

Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: October 28, 2024