



County Council Meeting Beaufort County, SC

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

Monday, September 23, 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/315922>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:00PM

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 Brown 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 to Amend: It was moved by Council Member Howard, seconded by Council Member Bartholomew to move the executive session item to occur before the second citizens' comment session and to include a presentation of a proclamation.

The Vote - Motion was approved without objection.

Main Motion: It was moved by Council Member Dawson, Seconded by Council Member Tabernik to approve the agenda as amended.

The Vote - Motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Dawson to approve the minutes of the Special Called Council Meeting of July 23, 2024.

The Vote - Motion was approved without objection.

6. ADMINISTRATOR'S REPORT

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

<https://beaufortcountysc.new.swagit.com/videos/315922>

7. PRESENTATION OF A PROCLAMATION RECOGNIZING THOMAS J. KEAVENY II

Chairman Passiment presented a proclamation recognizing Thomas Keaveny.

8. PRESENTATION OF A PROCLAMATION RECOGNIZING HISPANIC HERITAGE MONTH

Vice-Chair McElynn presented a proclamation recognizing Hispanic Heritage Month.

9. UPDATE ON THE PROGRESS OF HISTORIC MITCHELVILLE

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

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10. CITIZEN COMMENT PERIOD

Citizen Comments were taken.

11. LIASION AND COMMITTEE REPORTS

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

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12. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Howard, Seconded by Council Member Brown to approve the following consent agenda items: third 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; third 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; third 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; approval of a change order to Davis & Floyd for rfp#092420te lady's island access roads design and engineering; approval of a transfer of funds between airport accounts and a contract award to Gulf Stream Construction for ifb#081424 Beaufort County Executive Airport sitework construction services; and approval of contract award to gulf stream construction for ifb#072224 Beaufort County Government Center (new Arthur Horne) parking lot project.

The Vote - Motion was approved without objection.

13. PUBLIC HEARING AND THIRD 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 Dawson to approve public hearing and third 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.

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.

14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ACCEPTING THE TRANSFER OF AUTHORITY FOR CONDUCTING MUNICIPAL ELECTIONS FROM THE TOWN OF PORT ROYAL TO THE BEAUFORT COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS

Motion made by Council Member Howard, Seconded by Council Member Bartholomew public hearing and second reading of an ordinance accepting the transfer of authority for conducting municipal elections from the Town of Port Royal to the Beaufort County Board of Voter Registration and Elections.

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.

15. FIRST READING OF AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 3.1.60 (CONSOLIDATED USE TABLE), 3.3.40 (COMMUNITY CENTER MIXED USE (C4) ZONE STANDARDS), AND 3.3.50 (REGIONAL CENTER MIXED USE (C5) ZONE STANDARDS) TO ALLOW DWELLING: SINGLE FAMILY DETACHED UNIT IN C4 NEIGHBORHOOD MIXED USE AND C5 REGIONAL CENTER MIXED USE

Motion: It was moved by Council Member Howard, Seconded by Council Member Glover to approve first reading of an ordinance amending the Community Development Code (CDC): section 3.1.60 (consolidated use table), 3.3.40 (community center mixed-use (c4) zone standards), and 3.3.50 (regional center mixed-use (c5) zone standards) to allow dwelling: single family detached unit in c4 neighborhood mixed-use and c5 regional center mixed use for the following reasons: it is consistent with the goals, objectives, and policies of the comprehensive plan; It is not in conflict with any provision of this development code or the code of ordinances; it is not required by change conditions; it does address a demonstrated community need; it is consistent with the purpose and intent of the zones in this development code or would improve compatibility among uses and assure efficient development within the county; it would result in a logical and orderly development pattern; and it would not result in any adverse impacts on the natural

environment, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The Vote - Motion was approved without objection.

16. FIRST READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO ARTICLE 1 (GENERAL PROVISIONS), DIVISION 1.3 (APPLICABILITY AND JURISDICTION), SECTION 1.3.50 (EXEMPTIONS) OF THE COMMUNITY DEVELOPMENT CODE (CDC) TO PROVIDE EXEMPTIONS TO ADDRESS COUNTY PUBLIC SERVICES USES

Motion: It was moved by Council Member Glover, Seconded by Council Member Tabernik to approve first reading of an ordinance for a text amendment to article 1 (general provisions), division 1.3 (applicability and jurisdiction), section 1.3.50 (exemptions) of the Community Development Code (CDC) to provide exemptions to address county public services uses for the following reasons: capital investment population trends, land committed to development, density use, or other conditions have changed that justify the amendment; it is consistent with the comprehensive plan goals and policies; it is necessary to respond to state and or federal legislation; it would result in a development that is compatible with surrounding land uses; it would not affect the capacity of the public facilities and services including roads, utilities, law enforcement, fire, ems, schools, parks and recreation, solid waste and drainage facilities; and would not result in a negative impact to the natural resources.

The Vote - Motion was approved without objection.

17. FIRST READING OF AN ORDINANCE FOR A COMPREHENSIVE PLAN AMENDMENT TO ADD THE BEAUFORT COUNTY HOUSING IMPACT ANALYSIS AS AN APPENDIX TO THE 2040 COMPREHENSIVE PLAN

Motion: It was moved by Council Member Howard, Seconded by Council Member Glover to approve first reading of an ordinance for a comprehensive plan amendment to add the Beaufort County Housing Impact Analysis as an appendix to the 2040 Comprehensive Plan.

The Vote - Motion was approved without objection.

18. FIRST READING OF AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES PART 1 GENERAL ORDINANCES, CHAPTER 46 HEALTH AND SANITATION, ARTICLE IV ALCOHOL AND DRUG ABUSE BOARD SECTIONS 121 PURPOSE AND 122 POWERS AND DUTIES; AND REPEALING SECTION 46-122 MEMBERSHIP

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Tabernik to approve first reading of an ordinance amending Beaufort County Code of Ordinances Part 1 General Ordinances, Chapter 46 Health and Sanitation, Article Iv Alcohol and Drug Abuse Board Sections 121 purpose and 122 powers and duties; and repealing section 46-122 membership.

The Vote - Motion was approved without objection.

19. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH LOWCOUNTRY REGIONAL TRANSPORTATION AUTHORITY FOR THE COUNTY OWNED REAL PROPERTY LOCATED AT 316 CASTLE ROCK ROAD

Motion: It was moved by Council Member Brown, Seconded by Council Member Cunningham to approve first reading of an ordinance authorizing the county administrator to enter into a lease agreement with Lowcountry Regional Transportation Authority for the county owned real property located at 316 Castle Rock Road.

The Vote - Motion was approved without objection.

20. EXECUTIVE SESSION

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

Pursuant To S.C. Code Sec. 30-4-70(A)(2): receipt of legal advice where the advice relates to pending claims or other matters covered by the attorney-client privilege (Beaufort County V. Broad Creek Development, LLC)

Pursuant To S.C. Code Section 30-4-70(A)(2) receipt of legal advice where the legal advice relates to settlement of legal claims (Walls V Beaufort County and James Beckert)

Pursuant To S.C. Code Section 30-4-70(A)(2) receipt of legal advice where the legal advice relates to pending litigation (Holland V Beaufort County)

Pursuant To S.C. Code Section 30-4-7(A)(2) to receive legal advice where the advice relates to pending litigation and potential claims (FAA matter)

21. MATTERS ARISING OUT OF EXECUTIVE SESSION

Motion: It was moved by Vice-Chairman McElynn, Seconded by Council Member Brown that council authorize the county administrator to execute a settlement agreement with the Federal Aviation Administration for a proposed civil penalty assessed by the FAA against the Hilton Head Island Airport, a violation of the code of federal regulations, which occurred in 2022 for the amount discussed in executive session.

The Vote - Motion was approved without objection.

22. CITIZEN COMMENT PERIOD

Citizen comments were taken.

23. ADJOURNMENT

The meeting adjourned at 6:47PM.

COUNTY COUNCIL OF BEAUFORT COUNTY



BY: _____

Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: October 28, 2024