



County Council Meeting Beaufort County, SC

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

Monday, March 11, 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/299532>

1. CALL TO ORDER

Vice-Chair Lawrence 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

Vice-Chair McElynn led the Pledge of Allegiance and Council Member Dawson 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

Vice-Chair McElynn stated public notice of this meeting had been published, posted, and distributed in compliance with SC FOIA.

4. APPROVAL OF AGENDA

Motion to Amend: It was moved by Council Member Tabernik, Seconded by Council Member Cunningham to amend the agenda to move the second citizens comment right below item number 8 due to individuals needing to leave prior to the end of the meeting.

The Vote - Motion to amend was approved without objection.

Motion to amend: It was moved by Council Member Brown, Seconded by Council Member Cunningham to amend the agenda to add the recently voted on LATS resolution for council action.

The Vote - Motion to amend was approved without objection.

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

The Vote - Motion to amend was approved without objection.

5. ADMINISTRATOR'S REPORT

Interim County Administrator Robinson recognized the following employees:

Elena Milbrandt, Accounts Payable Specialist, Beaufort County Airports

Cynthia (Cindy) Collieran, Office Manager, Building Codes Department

Eric Brown, New Parks and Recreation Director

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

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6. PROCLAMATION RECOGNIZING DISABILITIES AWARENESS MONTH

Vice-Chair Lawrence McElynn presented a proclamation recognizing Disabilities Awareness Month.

7. PROCLAMATION HONORING FRED E. LEYDA

Council Member Alice Howard presented a proclamation to Fred E. Leyda for all of his years of service to Beaufort County as the Director of the Human Services Department.

8. CITIZEN COMMENT PERIOD

Citizen comment was taken.

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9. LIASION AND COMMITTEE REPORTS

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10. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Glover, Seconded by Council Member Howard to approve the following consent agenda items: approval of Cisco Enterprise support agreement renewal; Boards and Commissions Appointments and Reappointments; and approval to enter into an intergovernmental agreement between Beaufort County and the South Carolina Department of Transportation for Beaufort County Transportation program projects.

The Vote - Motion was approved without objection.

11. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) FOR PROPERTY LOCATED UNDER THE CROSS-ISLAND PARKWAY ADJACENT TO THE BROAD CREEK BOAT LANDING PARCEL 552 010 000 0650 0000

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Brown to approve public hearing and third reading of an ordinance authorizing the interim county administrator to enter into a lease agreement with the South Carolina Department of Transportation (SCDOT) for property located under the Cross-Island Parkway adjacent to the broad creek boat landing parcel 552 010 000 0650 0000.

Vice-Chairman McElynn opened the floor for public comment.

No one came forward.

Vice-Chairman McElynn closed the public comment.

The Vote - Motion was approved without objection.

12. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO CONVEY A PORTION OF PROPERTY OWNED BY BEAUFORT COUNTY WITH TMS NO. R510 005 000 0329 0000, LOCATED ON BEACH CITY ROAD, HILTON HEAD ISLAND.

Motion made by Council Member Glover, Seconded by Council Member Cunningham.

Vice-Chairman McElynn opened the floor for public comment.

No one came forward.

Vice-Chairman McElynn closed the public comment.

The Vote - Motion was approved without objection.

13. FIRST READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY BUDGET ORDINANCE 2023/22 FOR THE FISCAL YEAR 2023-2024 TO APPROPRIATE AND TRANSFER \$250,000 FROM FUND BALANCE OF THE GENERAL FUND TO THE SPECIAL REVENUE FUND (2546) TO COVER UNBUDGETED COSTS FOR THE DAUFUSKIE ISLAND FERRY OPERATIONS; TO INCLUDE THREE (3) SPECIAL REVENUE FUNDS' BUDGETS (FUNDS 2230, 2252, AND 2255) IN AN AGGREGATE AMOUNT OF \$402,918 WHICH WERE CONVERTED TO THE GENERAL FUND DURING THE CHART OF ACCOUNTS CONVERSION PROCESS; TOTAL AMENDMENT OF BUDGET ORDINANCE 2023/22 IS \$652,918

Motion to amend: It was moved by Council Member Tabernik, Seconded by Council Member Cunningham to amend the proposed budget ordinance to include the transfer of 3.6 million dollars from general fund balance for the purchase of 333 and 335 Buckwalter Parkway in accordance with BC Ordinance 2023/14.

The Vote - Motion was approved without objection.

Motion to Amend Amended Motion: It was moved by Council Member Cunningham, Seconded by Council Member Tabernik to remove the \$250,000 slated to go towards the Daufuskie Island Ferry Contract from this budget ordinance amendment.

The Vote - Voting Yea: Council Member Cunningham. Voting Nay: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Tabernik, Council Member Reitz. The motion to amend failed 1:10

Main Motion: It was moved by Council Member Dawson, Seconded by Council Member Howard to approve first reading of an ordinance to amend Beaufort County budget ordinance 2023/22 for the fiscal year 2023-2024 to appropriate and transfer \$250,000 from fund balance of the general fund to the special revenue fund (2546) to cover unbudgeted costs for the Daufuskie Island Ferry Operations; to include three (3) special revenue funds' budgets (funds 2230, 2252, and 2255) in an aggregate amount of \$402,918 which were converted to the general fund during the chart of accounts conversion process; total amendment of budget ordinance 2023/22 is \$652,918 to include the transfer of 3.6 million dollars from

general fund balance for the purchase of 333 and 335 Buckwalter Parkway in accordance with BC Ordinance 2023/14.

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

14. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 66 TAXATION, ARTICLE V HOSPITALITY TAX OF THE BEAUFORT COUNTY CODE OF ORDINANCES

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Brown to approve first reading of an ordinance amending chapter 66 Taxation, Article V Hospitality Tax of the Beaufort County Code of Ordinances.

15. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 66 TAXATION, ARTICLE II ACCOMMODATIONS TAX BOARD, DIVISION 1. GENERALLY AND DIVISION 2. ACCOMMODATIONS (3%) TAX

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Howard to approve first reading of an ordinance amending chapter 66 Taxation, Article II Accommodations Tax Board, Division 1. Generally and Division 2. Accommodations (3%) Tax.

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. Voting Nay: Council Member Reitz. The motion passed 10:1.

16. APPROVAL OF A RESOLUTION TO ACCEPT THE TRANSPORTATION ALTERNATIVE SET ASIDE PROGRAM FUND GRANT FROM THE US DEPARTMENT OF TRANSPORTATION'S FEDERAL HIGHWAY ADMINISTRATION (FHWA) IN THE AMOUNT OF \$1,177,868,.71 FOR THE ALLJOY ROAD SIDEWALK PROJECT

Motion: It was moved by Council Member Lawson, Seconded by Council Member Cunningham to approve a resolution to accept the transportation alternative set aside program fund grant from the US Department of Transportation's Federal Highway Administration (FHWA) in the amount of \$1,177,868,.71 for the Alljoy Road Sidewalk Project.

The Vote - Motion was approved without objection.

17. REQUEST FOR PRIVATE ROAD ACCEPTANCE OF SCHEPER LANE INTO THE COUNTY ROAD INVENTORY

Motion: It was moved by Council Member Howard, Seconded by Council Member Bartholomew to accept Scheper Lane into the County Road Inventory.

The Vote - Motion was approved without objection.

18. APPROVAL OF A \$100 SUPPLEMENT TO POLL WORKERS FOR THE REMAINING 2023-2024 FISCAL YEAR

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Bartholomew to approve a \$100 supplement to poll workers for the remaining 2023-2024 Fiscal year.

Recusals: Council Members Howard, Glover, and Dawson recused themselves from discussing this item and left the room at this time.

The Vote - Voting Yea: Chairman Passiment, Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Cunningham, Council Member Lawson, Council Member Tabernik, and Council Member Reitz. Recusals: Council Member Dawson, Council Member Glover, and Council Member Howard. The motion passed 8:0.

19. **Motion:** It was moved by Council Member Cunningham, Seconded by Council Member Bartholomew to review council's decision to either rescind the earlier vote or to amend the earlier vote to tweak the approved LATS Resolution

The Vote - Motion was approved without objection.

20. **EXECUTIVE SESSION**

Motion: It was moved by Council Member Tabernik, Seconded by Council Member Bartholomew 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 legal advice relates to matters covered by the attorney-client privilege (Haynesworth, Sinkler, Boyd Investigations)

Pursuant to S.C. Code §30-4-70(a)(2): receipt of legal advice where the legal advice relates to matters covered by the attorney-client privilege (application of road use fee)

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 Hatcher Holdings, LLC)

Pursuant to S.C. Code section 30-4-70(a)(2) to receive legal advice where the advice relates to pending litigation (Munday v Beaufort County)

The Vote - Motion was approved without objection.

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

Motion: It was moved by Council Member Bartholomew, Seconded by Council Member Reitz to amend the road use fee ordinance as discussed in executive session.

The Vote - Motion was approved without objection.

25. **ADJOURNMENT**

The meeting adjourned at 7:38PM

COUNTY COUNCIL OF BEAUFORT COUNTY



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

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: April 8, 2024