



## County Council Meeting Beaufort County, SC

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

**Monday, August 08, 2022  
6:00 PM**

### MINUTES

*Watch the video stream available on the County's website to hear the Council's full discussion of a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/178453>*

#### 1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:00 PM.

##### **PRESENT**

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

##### **ABSENT**

Council Member Gerald Dawson

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance. Council Member Lawson led the invocation.

#### 3. FOIA

Chairman Passiment stated that this meeting has 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 Cunningham, Seconded by Council Member Rodman, to approve the minutes from May 9, 2022, May 23, 2022, June 13, 2022, June 27, 2022, and July 11, 2022.

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

## 6. ADMINISTRATOR'S REPORT

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

<https://beaufortcountysc.new.swagit.com/videos/178453?ts=213>

County Administrator Eric Greenway highlighted the accomplishments of Beaufort County employees:

- Sarah Brock graduated from the NACo Leadership Academy
- Katie Herrera and Neil Desai won the 2022 SCAC Barrett Lawrimore Memorial Regional Cooperation Award for Beaufort County's Southern Lowcountry Stormwater Design Manual
- Angelica Marcinkoski and Cindy Carter won the 2022 SCAC J. Mitchell Graham Memorial Award for Beaufort County's collection center decal system
- Tony Mills and Producer Rob Lewis were recognized for Coastal Kingdom's 2022 Southeastern Emmy Award

County Administrator Greenway also discussed the collection of school supplies through the Beaufort County Employee Bright Futures School Supply Drive.

## 7. CITIZEN COMMENTS

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

<https://beaufortcountysc.new.swagit.com/videos/178453?ts=918>

Senator Tom Davis summarized the opinion from the Attorney General's Office that answered previously posed questions by Council Members about the Green Space Sales Tax Act.

Deborah Smith deferred her comment.

Scott Smith commented on the need to renovate the Melrose property, the positive impact of Whitestone Resources' development project, the implications of the County's condemnation of Melrose Landing dock, and his support for a potential deal between Whitestone and the County.

Leanne Coulter (Daufuskie Island Council) discussed the public meeting held by County Administrator Greenway and Whitestone Resources President Tim Pitcher and the need for the County to secure public landings on Daufuskie Island and in the Hilton Head-Bluffton Area.

John Schartner (Daufuskie Island Council) discussed the expense of ferry operations and support for negotiations between the County and Whitestone Resources.

Robert Vaux described progress toward an agreement between the County and Whitestone Resources, requested postponement of item eleven's second reading, and recommended that the item be referred to a Council Committee to continue discussions on ongoing issues.

Ann Ubelis (Beaufort TEA Party) commented on opposition to the green space sales tax referendum and the tools at the County's disposal to curb growth.

Carmen Manning discussed concerns about sediment barriers and runoff from development, requested that citizens of the County be provided with a methodology of how the tax revenue will be spent, and the need to have people with environmental engineering credentials in the decision-making process.

## 8. LIASION AND COMMITTEE REPORTS

Council Member Howard discussed items from the Technical College of the Lowcountry (TCL) Area Commission's August meeting, including a tuition increase, dual enrollment rates, and capital projects. Howard also commented on items from the Beaufort Memorial Hospital's July meeting, including renovations at the satellite site and clinical instruction in conjunction with USC Beaufort.

**9. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE FOR A 2022 COUNTY GREEN SPACE SALES TAX REFERENDUM**

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

<https://beaufortcountysc.new.swagit.com/videos/178453?ts=2141>

**Motion:** It was moved by Council Member Cunningham, Seconded by Council Member McElynn, to approve the public hearing and third reading of an ordinance for a 2022 County Green Space Sales Tax Referendum.

Chairman Passiment discussed an amendment to be added after the item's public hearing.

Chairman Passiment opened the floor for public comment.

Jessie White (Coastal Conservation League) discussed the value of and public support for land conservation, a poll conducted on the green space referendum, and the recommendation to adjust the parameters of the referendum to a two-year sales tax to raise up to 100 million dollars.

Senator Tom Davis highlighted the publishing requirement for the procurement and preservation methodology and the difficulties of using zoning or land use regulations to address growth in response to concerns raised in the citizen's comments portion of the meeting.

Chairman Passiment closed the public comment.

**Motion to Amend:** It was moved by Council Member Sommerville, Seconded by Council Member Cunningham, that the duration of the referendum be lowered from four years to two years and that the amount to be collected be capped at 100 million.

**Discussion:** Council Member Howard discussed her opposition to the referendum, referencing concerns about the purchase of development rights, condemnation, and purchase of properties in other counties, and highlighted the rural and critical lands program.

Council Member Lawson commented on his support for the referendum's duration reduction and concerns about the voter approval of the full cent tax.

Council Member Cunningham discussed the defeat of the location option sales tax referendum, the opportunity to buy down density, and his reasons for supporting the referendum.

Council Member Glover and Senator Davis discussed condemnation and a potential hybrid approach that involves the Rural and Critical Lands Program in the land evaluation and selection process.

Council Member Rodman commented on his support of the proposal and the opportunity to prepare for a transportation sales tax referendum over the next two years.

Chairman Passiment summarized the proposed green space sales tax referendum.

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member Flewelling, Council Member Glover, Council Member Hervochon, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Howard. The motion to amend passed 9:1.

Chairman Passiment clarified that the referendum is a one-cent sales tax for a two-year duration for the County to collect up to 100 million dollars, whichever comes first.

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member Flewelling, Council Member Glover, Council Member Hervochon, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Howard. The motion, as amended, passed 9:1.

10. **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO APPROPRIATE FUNDS IN ORDER TO ESTABLISH PUBLIC OWNERSHIP OF THE REAL PROPERTY WITH TMS NO. R552 010 000 0648 0000 AND R552 010 000 0649 0000, LOCATED ON HELMSMAN WAY, HILTON HEAD ISLAND - FISCAL IMPACT: Funds from use of General Fund – Fund balance account. Funding not to exceed \$3,400,000 plus closing costs and legal fees**

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

<https://beaufortcountysc.new.swagit.com/videos/178453?ts=3557>

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member McElynn, to approve the public hearing and third reading of an ordinance to appropriate funds in order to establish public ownership of the real property with TMS No. R552 010 000 0648 0000 and R522 010 000 0649 0000, located on Helmsman Way, Hilton Head Island.

Chairman Passiment opened the floor for public comment.

Sallie Robinson discussed the state of Gullah homes and graveyards and concerns about profit sharing for Daufuskie businesses.

Ron Angle expressed concerns about the proposed profit-sharing business structure for Melrose vendors and possible price increases.

Grant McClure (Coastal Conservation League) and Chairman Passiment discussed the Town of Hilton Head Island's involvement in the County's Helmsman Way purchase plans.

Chairman Passiment closed the public comment.

**Discussion:** Council Member Hervochon opposed the appropriation of funds for the Helmsman Way property, citing the project's expense and the possible impact of condemnation on the private sector as his main concerns.

Council Member Lawson voiced his support and discussed the need to secure permanent ferry locations on the mainland and Daufuskie Island.

Council Member Rodman highlighted the County's obligation to Daufuskie residents and the opportunity to tie the ferry system to Savannah.

Council Member Cunningham voiced his opposition.

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Cunningham and Council Member Hervochon. The motion passed 8:2.

11. **SECOND READING OF AN ORDINANCE TO APPROPRIATE FUNDS IN ORDER TO ESTABLISH PUBLIC OWNERSHIP OF THE REAL PROPERTY WITH TMS NO. R800 021 000 006C 0000 AND R800 021 000 006B 0000 COLLECTIVELY COMMONLY KNOWN AS MELROSE LANDING. FISCAL IMPACT: Funds from use of General Fund – Fund balance account. Funding not to exceed \$800,000 plus closing costs and legal fees**

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

<https://beaufortcountysc.new.swagit.com/videos/178453?ts=4227>

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member McElynn, to approve the second reading of an ordinance to appropriate funds in order to establish public ownership of the real property with TMS No. R800 021 000 006C 0000 and R800 021 000 006B 0000 collectively commonly known as Melrose Landing.

**Motion to Amend:** It was moved by Council Member Lawson, Seconded by Council Member McElynn, to increase the funding from 800 to 900 thousand dollars.

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Cunningham and Council Member Hervochon. The motion to amend passed 8:2.

**Discussion:** Council Member Cunningham reiterated his opposition to the condemnation of Melrose Landing and discussed the expense of the proposed project.

**Motion to Delay:** It was moved by Council Member Flewelling, Seconded by Council Member Cunningham, to delay the third and final reading for one month and to form a committee to evaluate all the different options and meet with the developer and his attorney.

**Discussion:** Chairman Passiment and Council Member Flewelling discussed the proposal to delay the third reading.

Council Member Flewelling and Council Member Cunningham withdrew the Motion to Delay.

**Motion to Delay:** It was moved by Council Member Flewelling, Seconded by Council Member Cunningham, to delay the second reading until September 12<sup>th</sup> and to form a committee to evaluate all the different options and meet with the developer and his attorney.

**Discussion:** Council Member Rodman expressed his support for the delay to allow for additional time to negotiate access to the property by Melrose and the purchase price.

Council Member Lawson and Chairman Passiment discussed the delay of the second reading.

County Administrator Greenway clarified that the second reading of the main motion is for the appropriation of funds, and Council has already authorized the County Administrator to proceed with condemnation whenever that point arrives.

Chairman Passiment, County Attorney Tom Keaveny, County Administrator Greenway, and Council Member Flewelling debated whether the motion to delay negates the previously approved motion to amend or if the amendment carries to the next reading.

Council Member Flewelling, Vice Chair Sommerville, and County Administrator Greenway commented on the proposal to form a committee to negotiate with the developer.

Council Member Lawson voiced his opposition to the delay of the second reading.

Council Member Hervochon asked if Council Member Flewelling would remove the committee request from his motion to delay. Council Member Flewelling and Council Member Cunningham agreed to the withdrawal of the committee request.

**Motion to Delay:** It was moved by Council Member Flewelling, Seconded by Council Member Cunningham, to delay the second reading until September 12<sup>th</sup>.

**Discussion:** Council continued to debate whether the approved motion to amend moves forward if the motion to delay passes.

**The Vote** - Voting Yea: Council Member Flewelling, Council Member Cunningham, Council Member Hervochon, Council Member Lawson, and Council Member Rodman. Voting Nay: Chairman Passiment,

Vice Chairman Sommerville, Council Member Glover, Council Member Howard, and Council Member McElynn. The motion to delay the second reading failed 5:5.

**Discussion:** Council Member Hervochoon voiced his opposition to the motion and reiterated his concerns about the project's expense and condemnation.

Council Member Lawson expressed his support for the motion.

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Cunningham, Council Member Flewelling, and Council Member Hervochoon. The main motion, as amended, passed 7:3.

**12. CITIZEN COMMENTS**

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

<https://beaufortcountysc.new.swagit.com/videos/178453?ts=5824>

William Smith (Beaufort County School Board) commented on the need to provide activities for the community with the American Rescue Plan Act funds and his stance against funding a splash pad.

**13. ADJOURNMENT**

Adjournment: 7:41 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 

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Joseph F. Passiment, Jr., Chairman

ATTEST:



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Sarah W. Brock, Clerk to Council  
Ratified: September 12, 2022