



## County Council Meeting Beaufort County, SC

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

Monday, October 28, 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/318809>

#### 1. CALL TO ORDER

Vice-Chair McElynn called the meeting to order at 5:26PM.

##### PRESENT

Vice-Chairman Lawrence McElynn  
Council Member David P. Bartholomew  
Council Member Paula Brown  
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 (*dropped off the meeting after administrators report*)

##### ABSENT

Chairman Joseph F. Passiment  
Council Member Logan Cunningham

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

Vice-Chairman Lawrence McElynn led the Pledge of Allegiance and 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-Chairman McElynn stated public notice of this meeting had 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 Brown, Seconded by Council Member Glover to approve the agenda.

**The Vote** - Motion approved without objection.

**5. APPROVAL OF MINUTES**

**Motion:** It was moved by Council Member Tabernik, Seconded by Council Member Dawson to approve the minutes from August 26, 2024; September 9, 2024; September 16, 2024; and September 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/318809>

**7. PRESENTATION OF A PROCLAMATION FOR RED RIBBON WEEK- YOUNG MARINES**

Vice-Chair McElynn presented a proclamation to the Young Marines for Red Ribbon Week.

**8. PRESENTATION OF A PROCLAMATION RECOGNIZING OPERATION GREEN**

Council Member Bartholomew presented a proclamation to the Beaufort County Veterans Affairs office recognizing Operation Green Light.

**9. PRESENTATION OF A PROCLAMATION RECOGNIZING PENN CENTER'S 162ND ANNIVERSARY**

Council Member Glover presented a proclamation recognizing Penn Center's 162nd Anniversary.

**10. PRESENTATION OF A PROCLAMATION RECOGNIZING THE OUTSTANDING PERFORMANCE AND COMMITMENT OF THE BEAUFORT COUNTY YOUTH CONFERENCE YOUTH AMBASSADORS**

Council Member Glover presented a proclamation to the Beaufort County Youth Conference Youth Ambassadors.

**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 report. <https://beaufortcountysc.new.swagit.com/videos/318809>

**13. APPROVAL OF CONSENT AGENDA**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Tabernik to approve the following consent agenda items; Third 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, Third 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; Third 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, Approval Of A Resolution Authorizing The County Administrator To Execute The Necessary Documents And Provide Funding For The Fee Simple Purchase Of Real Property Identified As Tax Map Serial Number R600 009 000 0030 0000 And Also Known As Rawstrom Road; Approval Of A Resolution Committing Future Fiscal Year Funds To Beaufort Jasper Water Sewer Authority's Efforts To Extend Its Public Sewer System And Facilitate The Conversion Of Customers From Septic To Sewer In The Alljoy Neighborhood Area In Bluffton To Promote Public Health And Environmental Safety; Approval Of A

Contract Change Order For An Additional \$10,958.49 In Funding For The Completion And Closeout Of The Fire Station 34 Project; Third 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; Approval Of A Resolution Authorizing The County Administrator To Approve A Parking Space Rental Agreement Between Beaufort County And United Parcel Service, Inc., An Ohio Corporation; Approval Of A Resolution To Enter Into A Local Public Agency (LPA) Agreement Between The South Carolina Department Of Transportation And Beaufort County For Its Master Plan For Various Corridors In Beaufort And Jasper County; Approval Of A Resolution Authorizing The County Administrator To Approve A Cooperative Service Agreement Between Beaufort County And United States Department Of Agriculture Animal And Plant Health Inspection Service (Aphis) Wildlife Services (WS); Approval Of A Resolution To Accept SCAC Grant 24-026 For \$140,405.00 For HXD Air Traffic Control Tower Radio Suite Equipment Replacement; Approval Of A Resolution Authorizing The County Administrator To Enter Into A Letter Of Agreement For Shuttle Service Between Beaufort County And The Best Of Hilton Head; Approval Of A Resolution To Accept The Military Enhancement Plan Fund Grant From The South Carolina Department Of Veterans Affairs For The Amount Of \$3,000,000 For The Laurel Bay Treatment Plant Project; Approval Of A Resolution To Accept SCAC Grant 24-027 For \$157,006.00 For ARW Runway 07/25 Rehabilitation Project; Approval Of A Resolution Authorizing The County Administrator To Accept A Grant In Aid From The South Carolina Department Of Public Health; Approval Of A Resolution To Accept The Military Enhancement Plan Fund Grant From The South Carolina Department Of Veterans Affairs For The Amount Of \$1,600,000 For The Port Royal Reclamation Facility Project; Approval Of Contract Award For A Design Contract To Kimley Horn For The Realignment Of Sc 462 At Sc 170; Approval For A Talbert, Bright, And Ellington (TBE) Work Authorization 2119-2401 For ARW Runway 07/25 Rehabilitation Project; Approval Of A Contract Award To Quality Enterprises USA for Ifb # 070924 ARW Runway Rehabilitation Construction Project; Approval Of An Intergovernmental Agreement With The City Of Beaufort And The Approval Of A Change Order To Eurovia Atlantic Dba Blythe For Ifb #011224e Year 7 Resurfacing Project For The Paving Of City-Owned Roads In Battery Shore Neighborhood.

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

14. **SECOND READING OF AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING SEVENTY MILLION DOLLARS (\$70,000,000) GENERAL OBLIGATION BONDS OF 2025 OF BEAUFORT COUNTY, SOUTH CAROLINA; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Tabernik second reading of an ordinance to provide for the issuance and sale of not exceeding seventy million dollars (\$70,000,000) general obligation bonds of 2025 of Beaufort County, South Carolina; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

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

15. **FIRST READING OF AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACCEPTANCE OF A DRAINAGE EASEMENT LOCATED AT 1 FLAMINGO COVE ON PARCEL R200 005 00A 0040 0000**

**Motion:** It was moved by Council Member Bartholomew, Seconded by Council Member Dawson to approve the first reading of an ordinance authorizing the administrator to execute all documents necessary for the acceptance of a drainage easement located at 1 Flamingo Cove on parcel r200 005 00a 0040 0000

**The Vote - Voting Yea:** Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown,

Council Member Dawson, Council Member Howard, Council Member Lawson, and Council Member Tabernik. **Voting Abstaining:** Council Member Glover. The motion passed 7:0 with 1 abstention.

**16. FIRST READING OF AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DRAINAGE EASEMENT LOCATED AT 10 QUAIL RIDGE CIRCLE SOUTH ON PARCEL R100 030 000 0268 0000**

**Motion:** It was moved by Council Member Tabernik, Seconded by Council Member Howard to approve the first reading of an ordinance authorizing the acceptance of a drainage easement located at 10 Quail Ridge Circle South on parcel r100 030 000 0268 0000.

**The Vote - Voting Yea:** Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Dawson, Council Member Howard, Council Member Lawson, and Council Member Tabernik. **Voting Abstaining:** Council Member Glover. The motion passed 7:0 with 1 abstention.

**17. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT RIGHT OF WAY ON FISH HAUL ROAD**

**Motion:** It was moved by Council Member Tabernik, Seconded by Council Member Brown to approve the first reading of an ordinance authorizing the county administrator to execute any documents necessary to accept right of way on Fish Haul Road.

**The Vote - Voting Yea:** Vice-Chairman McElynn, Council Member Bartholomew, Council Member Brown, Council Member Dawson, Council Member Howard, Council Member Lawson, and Council Member Tabernik. **Voting Abstaining:** Council Member Glover. The motion passed 7:0 with 1 abstention.

**18. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF RIGHT OF WAY PROPERTIES ON PARCEL R200 011 000 0007 0000 ASSOCIATED WITH SHEPPARD ROAD, CAUSEY WAY AND DOCK BUILDERS DRIVE ON LADY'S ISLAND**

**Motion:** It was moved by Council Member Dawson, Seconded by Council Member Brown to approve first reading of an ordinance authorizing the county administrator to execute any necessary documents for the acceptance of right of way properties on parcel r200 011 000 0007 0000 associated with Sheppard Road, Causey Way and Dock Builders Drive on Lady's Island.

**The Vote - Voting Yea:** Vice-Chairman McElynn, Council Member Brown, Council Member Dawson, Council Member Howard, Council Member Lawson, and Council Member Tabernik. **Voting Abstaining:** Council Member Bartholomew, and Council Member Glover. The motion passed 6:0 with 2 Abstentions.

**19. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO PURCHASE AND TO FUND THE PURCHASE OF THE REAL PROPERTY LOCATED AT 247 ROBERT SMALLS PARKWAY**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Bartholomew to approve the first reading of an ordinance authorizing the county administrator to execute the necessary documents to purchase and fund the purchase of the real property located at 247 Robert Smalls Parkway.

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

**20. FIRST READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO ACCEPT CONVEYANCE OF A PORTION OF PROPERTY OWNED BY THE TOWN OF BLUFFTON LOCATED AT 140 BUCK ISLAND ROAD WITH TMS NO. R610-031-000-00003-0000**

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member Brown to approve first reading of an ordinance authorizing the county administrator to execute the necessary documents to accept the conveyance of a portion of property owned by the Town of Bluffton located at 140 Buck Island Road with tms no. R610-031-000-00003-0000.

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

**21. CITIZEN COMMENT PERIOD**

Citizen comments were taken.

**22. EXECUTIVE SESSION**

**Motion:** It was moved by Council Member Dawson, Seconded by Council Bartholomew to go into executive session to discuss the items below:

*Pursuant To S.C. Code Section 30-4-70(A)(2) Receipt Of Legal Advice Where The Legal Advice Relates To Pending Litigation (Ware V Beaufort County)*

*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 Pending Litigation (Redfish Holdings Llc V Beaufort County)*

*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. Okatie River Park/Pepper Hall, Llc )*

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

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

**Motion:** It was moved by Council Member Brown, Seconded by Council Member Tabernik that Council not approve the settlement offer proposed by the Plaintiffs in the litigation related to James Ware, et. al. v. Beaufort County at this time.

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

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member Dawson that Council authorize the Deputy County Attorney and our Outside Counsel in the case of Red Fish Holdings v Beaufort to attempt to negotiate a settlement in an amount as discussed in executive session and, if successful, for the County Administrator to execute a Settlement Agreement for an amount as discussed in executive session.

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

**Motion:** It was moved by Council Member Bartholomew, Seconded by Council Member Brown that Council authorize the Deputy County Attorney and our outside counsel in the case of Broad Creek Development v. Beaufort County to attempt to negotiate a settlement in an amount as discussed in executive session and, if successful, for the County Administrator to execute a Settlement Agreement for an amount as discussed in executive session.

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

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Glover that Council authorize the Deputy County Attorney to negotiate a Settlement Agreement with the Parties involved in the Okatie River Park contractual dispute for an amount discussed in executive session and, if successful,

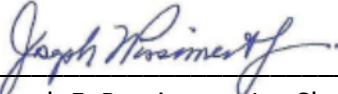
authorize the County Administrator to execute a Settlement Agreement for an amount as discussed in executive session.

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


**27. ADJOURNMENT**

The meeting adjourned at 7:55PM.

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: December 9, 2024