



Council Beaufort County, SC

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

Monday, June 14, 2021

6:00 PM

MINUTES

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:05 PM.

PRESENT

Chairman Joseph Passiment
Council Member Logan Cunningham
Council Member Gerald Dawson
Council Member Brian Flewelling
Council Member York Glover
Council Member Chris Hervochon
Council Member Alice Howard
Council Member Mark Lawson
Council Member Lawrence McElynn
Council Member Stu Rodman
Vice-Chairman Paul Sommerville

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Joseph Passiment 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

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

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Rodman, seconded by Council Member Howard to approve the agenda. Motion approved without objection.

5. ADMINISTRATOR'S REPORT

To see Interim County Administrator, Eric Greenway's report please click the link below.

- Presentation by Jared Fralix, ACA Engineering regarding Federal and State annual appropriations requests

<https://beaufortcountysc.new.swagit.com/videos/122773>

7. LIAISON AND COMMITTEE REPORTS

Council Member Howard spoke regarding Natural Resources Committee:

- Rural and Critical Lands Board Retreat at Widgeon Point.

Council Member McElynn stated the following items were coming forward from the Community Services and Public Safety Committee for consideration for approval on the consent agenda:

- Appointment of Sheri Phillips for a partial 1st term to the Sheldon Fire District
- Recommendation to the Governor's Office for the appointment of Emily Mayer to the Disabilities and Special Needs Board for a 1st term.

Council Member Rodman spoke regarding the Public Facilities Committee:

- Transportation Penny Sales Tax continuation
- Hilton Head Airport Congestion
- Section of Hwy 170 between 278 and 462 studies

8. CONSENT AGENDA

Motion: It was moved by Council Member McElynn, Seconded by Council Member Cunningham to approve the consent agenda items 1-3. Motion approved without objection.

9. MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of executive session.

10. CONSIDERATION AND APPROVAL OF THE ADMINISTRATOR'S EMPLOYMENT CONTRACT

Motion: It was moved by Council Member McElynn, Seconded by Council Member Howard to approve the contract of employment for Eric Greenway as the Administrator of Beaufort County.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/122773>

The Vote – Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member McElynn, Council Member Lawson, Council Member Flewelling. Voting Nay: Council Member Dawson, Council Member Hervochon, Council Member Cunningham. Motion approved 8:3.

11. RECOMMENDATION OF AWARD FOR RFP #030121 DAUFUSKIE ISLAND FERRY TRANSPORTATION SERVICES FOR BEAUFORT COUNTY (\$259,000 ANNUALLY) TO HAIG POINT FERRY COMPANY, INC.

Motion: It was moved by Council Member Rodman, Seconded by Council Member Lawson to approve the recommendation of award for RFP #030121 Daufuskie Island Ferry Transportation Services for Beaufort County (\$259,000 annually) to Haig Point Ferry Company, Inc.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/122773>

Public Comment:

Ronnie Broom- Shares the property line with the ferry service, never given the opportunity to voice their concerns in the past. Bid process is flawed and believes Beaufort County is subsidizing a tourism operation. Free enterprise without government interference. County needs to enter into a month to month agreement and restart the bid process and move the location, so it does not negatively impact the residential community.

Leanne Coulter- Daufuskie Island Council Chair, Haig Pointe Ferry Service is outstanding and would like for the landing to remain at Buckingham Landing and would like a one-year contract. Utilizing Pinckney Island and making a visitor center is a great idea. Daufuskie is at maximum capacity with tourism.

John Thompson- Daufuskie Island Resident a decision cannot be made because the plans for the bridge and corridor are still up in the air. Shuttling from Lowes or Kroger is a real imposition to residents.

Julie Franklin- Haige Point needs to provide a website for pick up and drop off points instead of signs, additional transportation is needed, congregation setting for tourist waiting on the ferry, Pinckney Island landing is a good suggestion making it a point of tourism and history.

Adam Martin- Representing Daufuskie Island Ferry Company acknowledges that Buckingham Landing is a temporary site but has made investments to provide shuttle services to decrease traffic. Would also like to see a permanent place for parking and tourism. Explains the cost and parking at Buckingham Landing and the operation of the Ferry.

Tom Taylor, Attorney representing the residents of Buckingham Landing. Declines the extension of any services at Buckingham. There is a gentleman who is offering to provide services if the County would decline the contract. Rezoning this property for public service use is wrong and strongly suggests rebidding the project.

Dean Roberson- Daufuskie Island Resident support the contract to Haige Point at Buckingham Landing. There is a parking problem as Daufuskie continues to grow. Propose that all Daufuskie Island residents pay for parking monthly at the embarkation site for \$50 a month.

Motion to Amend: It was moved by Council Member Hervochon, seconded by Council Member Cunningham to not rezone the public service use, to have clear and visible information via the ferry website along with the signage, move all the parking to a remote location, make this a one year duration that is not renewable so that it can be rebid for a more permanent location.

Discussion: The County Administrator clarified for the record that this isn't a rezoning for the public use but to allow the County to establish a public service use which allows the County Council after conducting two public hearings; one with the planning commission and one in front of Council to establish that property as being able to carry out some legitimate government operation that is entitled to Council through the state law as a local governing body. The zoning would not change it is a public service use approval. Council can establish conditions, development, and length of time.

The Vote - Voting Yea: Council Member Hervochon, Council Member Cunningham. Voting Nay: Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Rodman, Council Member Sommerville, Chairman Passiment. Motion to amend failed 2:9.

Motion to Amend: It was moved by Council Member Lawson, seconded by Council Member Flewelling to approve a one-year contract with a 2 year renewal as options, remote parking off site with shuttle services for tourist and allowing residents to park at Buckingham Landing, and for staff to submit a permanent plan within one-year.

The Vote - Voting Yea: Council Member Lawson, Council Member Flewelling, Council Member Dawson, Council Member Glover, Council Member McElynn, Council Member Howard, Council Member Rodman, Council Member Sommerville, Chairman Passiment. Voting Nay: Council Member Cunningham, Council Member Hervochon. The motion passed 9:2.

Back to Main Motion: The Vote - Voting Yea: Council Member Rodman, Council Member McElynn, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member Sommerville, Chairman Passiment. Voting Nay: Council Member Cunningham, Council Member Hervochon. The motion passed 9:2.

MOTION TO EXTEND PAST 8:00 PM

Motion: It was moved by Council Member Rodman, Seconded by Council Member Cunningham to extend the meeting past 8:00 PM. Motion was approved without objection.

12. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR THE FY2021 BUDGET AMENDMENT

Motion: It was moved by Council Member Lawson, Seconded by Council Member Cunningham to approve the Public Hearing and Second Reading of an Ordinance for the FY2021 Budget Amendment.

Public Comment: No public comment.

Motion was approved without objection.

13. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE – TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 5, DIVISION 5.6, SECTIONS 5.6.10; 5.6.20; 5.6.30; 5.6.40; 5.6.50; 5.6.80; 5.6.90; 5.6.100; 5.6.120; 5.6.160; AND 5.6.170; ARTICLE 7, DIVISION 7.2, SECTION 7.2.40; AND ARTICLE 10, SECTIONS 10.1.10; 10.1.30; 10.1.40; 10.1.50; 10.1.60; 10.1.70; 10.1.90; 10.1.120; 10.1.140; 10.1.150; 10.1.160; 10.1.190; AND 10.1.200, TO UPDATE DEFINITIONS, REGULATIONS, AND PROCEDURES FOR SIGNS AND SIGN PERMITS.

Motion: It was moved by Council Member Howard, Seconded by Council Member Glover to approve the Public Hearing and Second Reading of an Ordinance- Text Amendment to the Community Development Code (CDC): Article 5, Division 5.6, Sections 5.6.10; 5.6.20; 5.6.30; 5.6.40; 5.6.50; 5.6.80; 5.6.90; 5.6.100; 5.6.120; 5.6.160; And 5.6.170; Article 7, Division 7.2, Section 7.2.40; And Article 10, Sections 10.1.10; 10.1.30; 10.1.40; 10.1.50; 10.1.60; 10.1.70; 10.1.90; 10.1.120; 10.1.140; 10.1.150; 10.1.160; 10.1.190; And 10.1.200, To Update Definitions, Regulations, And Procedures For Signs And Sign Permits.

Presentation by Scott Bergthold.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/122773>

Public Comment: No public comment.

The Vote - Voting Yea: Council Member Howard, Council Member Glover, Council Member Cunningham, Council Member Dawson, Council Member Flewelling, Council Member Lawson, Council Member McElynn, Council Member Rodman, Council Member Sommerville, Chairman Passiment. Voting Nay: Council Member Hervochon. The motion passed 10:1.

14. SECOND READING OF AN ORDINANCE TO MAKE APPROPRIATION FOR COUNTY GOVERNMENT, SPECIAL PURPOSE DISTRICTS FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JULY 30, 2022

Motion: It was moved by Council Member McElynn, Seconded by Council Member Dawson to approve the Second Reading of an Ordinance to Make Appropriation for County Government, Special Purpose Districts for Beaufort County for the Fiscal Year Beginning July 1, 2021, and Ending July 30, 2022. Motion approved without objection.

15. SECOND READING OF AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE BEAUFORT COUNTY SCHOOL DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022

Motion: It was moved by Council Member Dawson, Seconded by Council Member Glover to approve The Second Reading of An Ordinance to Make Appropriations for The Beaufort County School District for The Fiscal Year Beginning July 1, 2021, and Ending June 30, 2022.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/122773>

The Vote - Voting Yea: Council Member Dawson, Council Member Glover, Council Member Cunningham, Council Member Hervochon, Council Member Howard, Council Member McElynn, Council Member Rodman, Council Member Sommerville, Council Member Lawson, Chairman Passiment. Voting Nay: Council Member Flewelling. The motion passed 10:1

16. SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED AND WAIVER OF REVERTER FOR REAL PROPERTY LOCATED AT 1508 OLD SHELL ROAD WITH TMS NO. R110 011 000 105a 0000

Motion: It was moved by Council Member Flewelling, Seconded by Council Member McElynn to approve the Second Reading of an Ordinance authorizing the execution of a quitclaim deed and waiver of reverter for real property located at 1508 Old Shell Road with TMS NO. R110 011 000 105a 0000. Motion approved without objection.

17. FIRST READING OF AN ORDINANCE PROPOSING AMENDMENTS TO BEAUFORT COUNTY CODE OF ORDINANCES: CHAPTER 46, ARTICLE 11, SECTIONS 46.26 THROUGH 46.33

Motion: It was moved by Council Member Howard, Seconded by Council Member McElynn to approve the First Reading of An Ordinance proposing amendments to Beaufort County Code of Ordinances: Chapter 46, Article 11, Sections 46.26 through 46.33.

Discussion: To see the full discussion click the link below.
<https://beaufortcountysc.new.swagit.com/videos/122773>

Public Comment:

Russel Baxley, CEO of Beaufort Memorial Hospital stated that this item is not just proposed changes to the ordinance but changes that will fundamentally change the operation of the Hospital and the procurement policy and recommending that the Hospital seek approval for expenditures over \$500,000.00 yet the daily operations is over \$670,000.00 and doesn't see the concern for the daily operations and finances of the Hospital. Referencing the section 46-43 that has been struck through to eliminate from the ordinance which states that the Ordinance shall not be changes without mutual consent. Wish that the two sides would sit down and try to discuss a way to update the ordinance the right way.

Steve Lawrence, Medical Director of the Emergency Department and Board Member stated that going from this agency model to this proposal of being a County regulated Hospital is a step back and if it isn't broke don't fix it. The Board is a very diverse group and the CEO draws from the experience of its members.

Dr. Eric Billings, Radiologist stated that the Hospital is running now better than ever.

Kurt Ellenberger, Chief of Staff and Board Member concurs that this administration at the Hospital is the best he has ever seen. Being a member of the Board there are deep concerns with the changes of the Ordinances and the Board is extremely qualified and engaged with the welfare of Beaufort County. The Hospital despite two hurricanes and a pandemic has thrived and has become more profitable.

Geneva Baxley, Register Nurse and foundation Board Member, the Hospital has thrived since the CEO has arrived in 2016. The Board Members courageously directed the Hospital through COVID and implementing many needs required for the pandemic. Implores the Council to open the lines of communication.

Billy Keyserling, Former Mayor, believes that this Ordinance is more than changing and is more about a relationship that is important than any community can have with an entity or form of government. Doesn't believe in lawsuits and it is the wrong way to start a conversation. If the Ordinance is 40 years old, it needs to be revised.

Further Discussion by Council: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/122773>

Amended Motion: It was moved by Council Member Rodman, Seconded by Council Member Cunningham to postpone first reading for sixty (60) days or next Council meeting on July 26, 2021. The motion passed 7:4

The Vote - Voting Yea: Council Member Rodman, Council Member Cunningham, Council Member Dawson, Council Member Glover, Council Member Hervochon, Council Member Lawson, Chairman Passiment. Voting Nay: Council Member Flewelling, Council Member Howard, Council Member McElynn, Council Member Sommerville. The motion passed 7:4.

David House, Chairman of the Board of Trustee's for Beaufort Memorial spoke about the lawsuit and stated that both sides need to have a discussion and resolve this. The lawsuit is not being removed but is amendable to removing it but there needs to be a discussion first.

18. FIRST READING OF AN ORDINANCE FOR A ZONING MAP AMENDMENT/REZONING REQUEST FOR 5.23 ACRES (R100 027 000 042B 0000) AT 335 JOE FRAZIER RD FROM T2 RURAL TO T2 RURAL CENTER

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Sommerville To Approve The First Reading Of An Ordinance For A Zoning Map Amendment/Rezoning Request For 5.23 Acres (R100 027 000 042B 0000) At 335 Joe Frazier Rd From T2 Rural To T2 Rural Center.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/122773>

Billy Player and the other owner of the property spoke regarding the request for rezoning.

The Vote - Voting Yea: Council Member Flewelling, Council Member Sommerville, Council Member Cunningham, Council Member Hervochon, Council Member Lawson, Council Member McElynn, Council Member Rodman, Chairman Passiment. Voting Nay: Council Member Dawson, Council Member Glover, Council Member Howard. The motion passed 8:3.

19. REQUEST FOR APPROVAL FOR THE COUNTY ADMINISTRATOR TO RETAIN SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE FOR SERVICES NEEDED REGARDING REDISTRICTING

Motion: It was moved by Council Member Rodman, Seconded by Glover to approve the request for the County Administrator to Retain South Carolina Revenue and Fiscal Affairs Office for Services needed Regarding Redistricting. Motion approved without objection.

20. CITIZEN COMMENTS

Joyce Gibbs a/k/a Joyce Hamm: Additional information on comprehensive plan, requested documents at a few county buildings and the police were called. Requesting a joint meeting for Burton and St. Helena regarding Comprehensive plan. Has a problem with her tax bill and needs assistance with clearing up some discrepancies.

30. ADJOURNMENT

The meeting adjourned at 9:45PM

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

Sarah W. Brock, Clerk to Council

Ratified: