



**County Council of  
Beaufort County**  
**County Council Meeting**

**Chairman**

Joseph F. Passiment, JR.

**Vice Chairman**

D. Paul Sommerville

**Council Members**

Michael E. Covert  
Gerald Dawson  
Brian E. Flewelling  
York Glover, SR.  
Chris Hervochon  
Alice G. Howard  
Mark Lawson  
Lawrence P. McElynn  
Stu Rodman

**Acting County Administrator**

Eric Greenway

**Clerk to Council**

Sarah W. Brock

**Administration Building**

Robert Smalls Complex  
100 Ribaut Road

**Contact**

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# Special Meeting of County Council Minutes

## County Council of Beaufort County

**Monday, October 5, 2020 at 5:00 PM**

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05] CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING VIA EMAIL TO THE CLERK TO COUNCIL AT [SBROCK@BCGOV.NET](mailto:SBROCK@BCGOV.NET) OR PO DRAWER 1228, BEAUFORT SC 29901. CITIZENS MAY ALSO COMMENT DURING THE MEETING THROUGH FACEBOOK LIVE

### CALLED TO ORDER

Chairman Passiment called the meeting to order at 5:00 P.M.

Chairman Passiment called the meeting to recess until 5:30 to comply with FIOA.

### PRESENT

Chairman Joseph F. Passiment  
Vice Chairman D. Paul Sommerville  
Council Member Michael Covert  
Council Member Gerald Dawson  
Council Member Brian Flewelling  
Council Member York Glover  
Council Member Stu Rodman  
Council Member Chris Hervochon  
Council Member Alice Howard  
Council Member Mark Lawson  
Council Member Lawrence McElynn

### PLEDGE OF ALLEGIANCE

Chairman Passiment led the Pledge of Allegiance.

### FOIA

Chairman Passiment noted that the Public Notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

Chairman Passiment stated that there was a typo in which the meeting was posted on the Calendar to start at 5:00 p.m. and the agenda posted reflected 6:00 p.m. The meeting was called at 5:00 p.m. and then called for recess until 5:30 p.m. to compromise the time difference and comply with FIOA.

### APPROVAL OF AGENDA

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Dawson to remove item number 5: Council Communications Manager Position from the Agenda. The Votes: without objection. 11:0

**Motion:** It was moved by Council Member Flewelling, seconded by Council Member Dawson to approve the agenda as amended. The Votes: without objection. 11:0.

## **ACTION ITEMS**

### **Amendment to the 2020-2021 Beaufort County Budget Ordinance.**

Discussion:

Chairman Passiment explained to the public the discrepancy within the Budget Ordinance regarding the millage rate; Section 2.

Mr. Williams, Finance Director, stated that the issue is still being researched regarding the changing of the millage.

Council Member Flewelling explained the millage, based on a conversation with the auditor, and feels that action needs to be taken today and suggested amending the 65.22 mills listed on the Ordinance under Section 2.

Council Member Hervochon suggested that Council review this item at a later time with factual numbers after properly being researched by the Finance Department.

**Motion:** It was moved by Council Member Hervochon, seconded by Council Member Covert to postpone amending the 2020-2021 Beaufort County Budget Ordinance until the next Council meeting on October 12, 2020. The Vote: without objection. 11:0

### **Consideration of an Ordinance extending the State of Emergency in Beaufort County**

**Motion:** It was moved by Council Member McElynn, seconded by Council Member Glover to extend the State of Emergency Ordinance.

Discussion:

Council Member Flewelling asked the County Administrator if there was anything special that has been asked outside of her authority in the past 30 days in response to the current state of emergency.

Ashley Jacobs, County Administrator, stated that this Ordinance allows the Council to meet virtually which is the primary concern and it also allows for the buildings to be closed to the public.

Council Member Hervochon asked what the endpoint was for where the County won't need this Ordinance in place anymore.

Ms. Jacobs replied that it needs to be in place for the Council to continue to meet virtually.

Council Member Covert asked if the renewal of the Mask Ordinance was tied into this particular Ordinance.

Chairman Passiment explained that it is the understanding that if this Ordinance renews the Mask Ordinance will renew as well.

Council Member Covert expressed his feelings regarding ending this Emergency Ordinance and the right for each individual to have a choice.

Council Member Hervochon asked if there were any Federal or State resources contingent on renewing the Emergency Ordinance.

Chairman Passiment stated that he wasn't 100% sure if it goes away if the Ordinance doesn't renew and the main objective of this was the health of the public in Beaufort County.

Council Member Howard posed legal a question regarding the funding for EMS, schools, and Hospitals, if funding will be lost if there isn't an Emergency Ordinance.

County Attorney, Kurt Taylor, responded that he would need to defer that question to the Finance Department. The funding for the School is something separate but feels as long as the State is in the State of Emergency the funding will be present and referred back to Ms. Jacob's comments regarding the sole purpose of this Ordinance being the purpose of meeting virtually and keeping the buildings closed.

Council Member Glover stated that he felt that an Ordinance needs to be in place in order for people to do the right thing and until the death rate comes down in Beaufort County this Ordinance needs to move forward.

Council Member Sommerville mentioned that the Mask Ordinance does is ask that the public wear a mask inside public buildings and it is without repercussions which supports the businesses that are open to the public.

Council Member Covert stated that the municipalities historically follow the County's lead on these types of Ordinances.

Council Member McElynn explained that the jurisdictions with this type of Ordinances show a decrease in cases according to DHEHC and shows that the masks are working.

Council Member Lawson reiterated that this vote is only for the extension of the Emergency Ordinance and the Mask Ordinance expires in October and the masks are worn to protect others.

Council Member Covert asks what the time limit was on this Ordinance.

Chairman Passiment replied that this extension would expire on December 8<sup>th</sup>.

**Motion: It was moved by Council Member Covert, seconded by Council Member Lawson to amend the Ordinance to change the expiration date within 30 days and to reassess anytime within that 30-day period.**

Council Member McElynn asked if this amendment is in place, the County could localize the emergency even the State wasn't in a State of emergency.

Mr. Taylor stated yes.

Council Member Hervochon asked if the County's CARES ACT fund was tied into the Emergency Ordinance.

Ms. Jacobs replied no, that the County is under the State's state of emergency and the CARES Act pays until December.

Council Member Rodman mentioned that if the County is trying to be in synch with the Governor, that the Ordinance should change to follow the Governor's emergency so Council doesn't have to revisit this Ordinance every 30 days.

Council Member Covert requested that the public comment be read before a vote is taken.

Chairman Passiment denied the request.

Council Member Hervochon mentioned all the Facebook comments are against all of this.

Council Member Rodman stated that the Mask Ordinance needs to be set aside because it is a separate Ordinance which will be discussed later and mentioned that he would like to go into in-person meetings.

**Motion: It was moved by Council Member Rodman, seconded by Council Member Flewelling to amend the amendment to add that this Ordinance is extended until the State of Emergency expires at a State level by the Governor. The vote: Yea: Council Member Rodman, Council Member Dawson, Council Member Howard, Council Member Lawson, Council Member McElynn, Vice-Chairman Sommerville, Chairman Passiment. Nay's: Council Member Flewelling, Council Member Covert, Council member Glover, Council Member Hervochon. The motion passed. 7:4.**

**Motion: It was moved by Council Member Rodman, seconded by Council Member Flewelling to amend the main motion to include the language that the Ordinance is extended until the State of Emergency expires at a State level by the Governor. The Vote: Yea: Council Member Rodman, Council Member Dawson, Council Member Howard, Council Member Lawson, Council Member McElynn, Vice Chairman Sommerville, Chairman Passiment. Nays: Council Member Flewelling, Council member Covert, Council Member Glover, Council Member Hervohcon. The motion passed. 7:4**

**Motion:** It was moved by Council Member McElynn, seconded by Council Member Glover to approve the main motion as amended. The Votes: Yea: Council Member Rodman, Council Member Dawson, Council Member Howard, Council Member Lawson, Council Member McElynn, Vice Chairman Sommerville, Chairman Passiment. Nay: Council Member Glover, Council Member Covert, Council Member Hervochon, Council Member Flewelling. The motion passed. 7:4.

**CITIZEN COMMENT**

*(Every member of the public who is recognized to speak shall limit comments to three minutes - Citizens may email sbrock@bcgov.net, or comment on our Facebook Live stream to participate in Citizen Comment)*

Received several emails for citizen comments, regarding the following subjects: Communications Manager, Impact Fees, Convenience Centers, State of Emergency.

Chairman Passiment read emails regarding the above subjects.

**ADJOURNMENT**

The meeting adjourned at 6:52 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_

Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

Ratified: