



County Council Meeting Beaufort County, SC

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

Monday, October 25, 2021
6:00 PM

MINUTES

1. **CALL TO ORDER**

Chairman Passiment called the meeting to order at 6:08 PM.

PRESENT

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

2. **PLEDGE OF ALLEGIANCE AND INVOCATION**

Chairman Passiment led the Pledge of Allegiance and gave the invocation.

3. **FOIA**

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. The Motion Was Approved Without Objection.

5. **ADMINISTRATOR'S REPORT**

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

6. **PRESENTATION BY PALMETTO PRIDE ON KEEP BEAUFORT COUNTY BEAUTIFUL**

Mallory Coffey with Palmetto Pride presented on Keep Beaufort County Beautiful.

To View Full Presentation, please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/142257>

7. **CITIZEN COMMENTS**

Mike MacDonald, Hilton Head, commented Beaufort county council made a huge mistake in passing a “blanket” impact fee on new home construction. An impact fee should be incurred by all areas of the county, not just unincorporated areas. All residents of Beaufort county have access to its amenities. As a result, they should have to pay for their share. Also, the impact fee should be based on the value of the project, like a building permit. Why should a \$250,000 home be assessed the same as a \$2.5 million dollar home? The new impact fee is going to put lower-cost homes out of reach for many potential new home buyers. As a long-time licensed builder in the Hilton Head – Bluffton area, it is difficult to understand how Council can think this is a good idea to penalize one of the industries that help make the Lowcountry what it is.

Submitted by Mike MacDonald
MacDonald Brothers Enterprises, INC.
9 Big Oak Street, HHISC

Micheal McFee, mcfemike@gmail.com, commented Oppose disclosure requirements of CRO, by use of shaded Zone X zones are falsely implying flood issues that are significantly lower risk properties, thereby impacting value. Undue burden on public and realtors to disclose flood risk in areas that have less than .2 of a percent annual chance. Feel redundant with existing disclosures.

Andrew Twisdale, andytwisdale@gmail.com, commented Hello to members of Beaufort County Council. I am opposed to the ordinance “Coastal Resilience Overlay District.” Currently, in SC and Beaufort County, there are SIX requirements for a seller to disclose any issues relative to possible flooding or past flooding.

- 1) Page #4 of the standard contract of sale. Paragraph #11 “states that the seller is responsible for any survey required by the South Carolina Coastal Tidelands & Wetlands Act”
- 2) Page #3 of the SC Residential Property Disclosure. Items #20) “Problems caused by fire, smoke or water to the property during your ownership” #23) “Flood Hazards, wetlands or flood hazard designations affecting the property” #24) “Flood insurance covering the property” #25) Federal Emergency Management Agency (FEMA) claims filed on the property” “if yes to number 25, please list the dates of claims.”
- 3) SC Residential Property Condition Disclosure Addendum item #10 “Is property or common area structure subject to SC Coastal Zone Management Act.”

Patricia Harvey-Palmer, pharveypalmer@islc.net, commented due to a prior commitment I cannot be at the meeting this evening. I have been in real estate here in Beaufort for over 40 years, so I'm not new to issues that concern everyone. However, we really do not need another disclosure, so I am totally opposed to this recommendation. We are referred to as the Lowcountry, which is an automatic tip-off that we are "low." We have an AICUZ disclosure to alert residents of plane noise which is created by man. Now you are talking about Mother Nature which is totally out of our control. We would then need disclosures about hurricanes, tornadoes, drought, fires, earthquakes, and don't forget we have the five most deadly snakes all in South Carolina, along with no-see-ums and mosquitos. We simply cannot take the danger out of everything. Flood insurance is available.

<https://beaufortcountysc.new.swagit.com/videos/142257>

8. **LIASION AND COMMITTEE REPORTS**

Council Member Alice Howard reviewed and explained items on the consent agenda from Natural Resources Committee.

Council Member Rodman reviewed and explained items on the consent agenda from Public Facilities.

Chairman Passiment stated that Bamberg County has applied for a National Cemetery site for local Veterans, and they have asked for support which he will do.

<https://beaufortcountysc.new.swagit.com/videos/142257>

9. **APPROVAL OF CONSENT AGENDA**

Motion: It Was Moved by Council Member Howard, Seconded by Council Member Rodman to Approve the Consent Agenda. The Motion Was Approved Without Objection.

Council Member Flewelling commented on the short-term project and would like a correction before the third reading.

<https://beaufortcountysc.new.swagit.com/videos/142257>

CONSENT AGENDA

Items Originating from the Natural Resources Committee

1. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE ADOPTING THE "ENVISION BEAUFORT COUNTY 2040 COMPREHENSIVE PLAN" AND "BEAUFORT COUNTY CONNECTS BICYCLE AND PEDESTRIAN PLAN 2021" AS AN APPENDIX TO THE PLAN.

Items Originating from the Public Facilities Committee

2. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A MODIFICATION OF DRAINAGE EASEMENT ASSOCIATED WITH PARCEL #R112-031-000-0628-0000
3. RECOMMENDATION OF AWARD RFP HXD 091021 LOWCOUNTRY COMMERCIAL SERVICES (\$259,424)
4. A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES ENCUMBERING THE ROAD RIGHT OF WAY FOR CRYSTAL BEACH LANE

END OF CONSENT AGENDA

10. **MATTERS ARISING OUT OF THE CAUCUS EXECUTIVE SESSION**

Motion: It Was Moved by Council Member Cunningham, Seconded by Council Member Hervochoon To Convey Real Property Identified as Parcel A, Convey A Perpetual Easement Over Real Property Identified as Parcel B for The Continued Existing Use, And Accept an Amended Perpetual Easement Over Real Property Identified as Parcel C to Allow for Public Vehicular Access to The Okatie River Park. The Motion Passed. 7:4

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

The Vote Yea: Chairman Passiment, Council Member Hervochoon, Council Member Rodman, Council Member Lawson, Council Member McElynn, Council Member Flewelling, Council Member Cunningham
Voting Nay: Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Dawson.

11. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACCESS AND UTILITY EASEMENT FOR A PORTION OF A RIGHT OF WAY OWNED BY BEAUFORT COUNTY KNOWN AS CASSIDY DRIVE OFF BUCKWALTER PARKWAY IN BLUFFTON TOWNSHIP, SOUTH CAROLINA**

Motion: It Was Moved by Council Member Rodman, Seconded by Council Member Flewelling To Approve First Reading of An Ordinance Authorizing the Execution and Delivery of An Access and Utility Easement for A Portion of a Right of Way Owned by Beaufort County Known as Cassidy Drive Off Buckwalter Parkway in Bluffton Township South Carolina. The Motion Was Approved Without Objection.

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

12. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND THE FY2022 BUDGET ORDINANCE 2021/30 TO INCLUDE AN ADDITIONAL \$150,000 TO THE SOLICITOR'S OFFICE**

Motion: It Was Moved by Council Member Flewelling, Seconded by Council Member Cunningham To Approve First Reading of An Ordinance to Amend the Fy2022 Budget Ordinance 2021/30 To Include an Additional \$150,000 To the Solicitor's Office. The Motion Is Defeated. 6/5

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

The Vote Yea: Council Member Hervochoon, Council Member Rodman, Council Member Lawson, Council Member Flewelling, Council Member Cunningham

Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member McElynn, Council Member Dawson.

13. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE DECLARING CERTAIN COUNTY OWNED REAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE**

ANY AND ALL NECESSARY DOCUMENTS TO SELL REAL PROPERTY IDENTIFIED AS TMS NO. R700 036 000 13J 0000, R700 036 000 0112 0000, R700 036 000 0109 0000, R700 036 000 002C 0000 AND R600 036 000 001B 0000

Motion: It Was Moved by Council Member Howard, Seconded by Council Member Dawson To Approve the First Reading of An Ordinance Declaring Certain County Owned Real Property as Surplus Property and Authorizing the County Administrator to Execute Any and All Necessary Documents to Sell Real Property Identified as TMS No. R700 036 000 13J 0000, R700 036 000 0112 0000, R700 036 000 0109 0000, R700 036 000 002C 0000 And R600 036 000 001B 0000. The Motion Was Approved Without Objection.

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

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Motion to Amend: It was moved by Council Member Howard, seconded by Council Member Glover to set aside the funds from the sale of surplus property to use for purposes of new affordable housing specifically for new hook-up fees for the units in unincorporated Beaufort County. The motion was approved. 9/2

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

The Vote Yea: Council Member Howard, Council Member Glover, Council Member Cunningham, Council Member Dawson, Council Member Flewelling, Council Member Lawson, Council Member McElynn, Vice-Chairman Sommerville, and Chairman Passiment

Voting Nay: Council Member Hervochoch and Council Member Rodman

14. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE REGARDING a TEXT AMENDMENT TO BEAUFORT COUNTY CODE OF ORDINANCES: ARTICLE VII, DIVISION 4, SECTION 2-508; SECTION 2-509; SECTION 2-513; SECTION 2-517; AND SECTION 2-541 TO UPDATE ADMINISTRATIVE CHANGES, TO PROVIDE NECESSARY CONTRACT DOLLAR THRESHOLD CHANGES AND TO UPDATE EXEMPTION PROVISIONS AND PROCEDURES.**

Motion: It Was Moved by Council Member Lawson, Seconded by Council Member Rodman to Approve the First Reading of An Ordinance Regarding A Text Amendment to Beaufort County Code of Ordinances: Article Vii, Division 4, Section 2-508; Section 2-509; Section 2-513; Section 2-517; And Section 2-541 To Update Administrative Changes, To Provide Necessary Contract Dollar Threshold Changes and To Update Exemption Provisions and Procedures. The Motion Was Approved. 9/2

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Flewelling

Voting Nay: Council Member Hervochoch, Council Member Cunningham.

Motion to Amend: It Was Moved by Council Member Rodman, Seconded by To Indicate That Out-Of-Budget Items Would Be At 50% Of the Threshold of In-Budget Items. **Motion Withdrawn**

Motion to Amend: It Was Moved by Council Member Cunningham, Seconded by Council Member Flewelling To Lower the Committee Amount Back Down To \$100,000 And Leave the Rest the Same. The Motion Was Defeated. 2/9

Voting Yea: Council Member Hervochoch and Council Member Cunningham

Voting Nay: Chairman Passiment, Vice-Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Flewelling

15. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING BEAUFORT COUNTY ORDINANCE 2008/17 AND ADOPTING THE BUCKWALTER ACCESS MANAGEMENT PLAN**

Motion: It Was Moved by Council Member Cunningham, Seconded by Council Member Rodman to Approve the First Reading of An Ordinance Amending Beaufort County Ordinance 2008/17 And Adopting the Buckwalter Access Management Plan. The Motion Was Approved Without Objection.

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

<https://beaufortcountysc.new.swagit.com/videos/142257>

16. **RESOLUTION TO ACCEPT SFY2022 GRANT IN AID FUNDS FROM SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR BEAUFORT COUNTY EMERGENCY MEDICAL SERVICES IN THE AMOUNT OF \$15,803.61**

Motion: It Was Moved by Council Member Rodman, Seconded by Council Member Glover to Approve the Resolution to Accept SFY2022 Grant in Aid Funds From South Carolina Department of Health and Environmental Control for Beaufort County Emergency Medical Services in The Amount Of \$15,803.61. The Motion Was Approved Without Objection

17. **RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT DEPARTMENT OF HOMELAND SECURITY GRANT 21SHSP34 IN THE AMOUNT OF \$40,000 FOR BEAUFORT COUNTY EMERGENCY MEDICAL SERVICES**

Motion: It Was Moved by Council Member Rodman, Seconded by Council Member Glover to Approve the Resolution Authorizing the County Administrator to Accept Department of Homeland Security Grant 21shsp34 In the Amount Of 40,000 For Beaufort County Emergency Medical Services. The Motion Was Approved Without Objection

18. **APPROVAL OF A RESOLUTION FORMALLY ADOPTING THE BEAUFORT COUNTY EMPLOYEE CLASSIFICATION AND COMPENSATION PLAN. INCLUDED IN THE RESOLUTION IS EXHIBIT A - 2021 CLASSIFICATION AND COMPENSATION PLAN.**

Motion: It Was Moved by Council Member Hervochon, Seconded by Council Member Glover to Approve the Resolution Formally Adopting the Beaufort County Employee Classification and Compensation Plan. The Motion Was Approved Without Objection.

19. **APPROVAL OF A HOMELAND SECURITY GRANT/ BEAUFORT CO. SWAT TEAM**

Motion: It Was Moved by Council Member Cunningham, Seconded by Council Member Hervochon For the Approval of a Homeland Security Grant/ Beaufort Co. Swat Team. The Motion Was Approved Without Objection.

20. **APPROVAL OF A HOMELAND SECURITY GRANT/ BEAUFORT CO. BOMB SQUAD**

Motion: It Was Moved by Council Member Cunningham, Seconded by Council Member Hervochoh For the Approval of a Homeland Security Grant/ Beaufort Co. Bomb Squad. The Motion Was Approved Without Objection.

21. **CITIZEN COMMENTS**

No citizen comments

22. **ADJOURNMENT**

The meeting was adjourned at 7:49 PM.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified: January 24, 2022