



Natural Resources Committee Beaufort County, SC

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

Monday, March 07, 2022
3:00 PM

MINUTES

1. **CALL TO ORDER**

Committee Chair Howard called the meeting to order at 3:20 p.m.

PRESENT

Committee Chair Alice Howard
Committee Vice-Chair Gerald Dawson
Council Member Joseph F. Passiment
Council Member D. Paul Sommerville
Council Member Stu Rodman
Council Member York Glover
Council Member Mark Lawson
Council Member Lawrence McElynn
Council Member Logan Cunningham

ABSENT

Council Member Brian Flewelling
Council Member Chris Hervochon

2. **PLEDGE OF ALLEGIANCE**

Committee Chair Howard led the Pledge of Allegiance.

3. **FOIA**

Committee Chair Howard 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 Sommerville, seconded by Council Member Glover to approve the agenda.

The Vote - The motion was approved without objection.

5. **APPROVAL OF MINUTES - FEBRUARY 7, 2022**

Motion: It was moved by Council Member Rodman, seconded by Council Member Sommerville to approve the February 7, 2022, minutes.

The Vote - The motion was approved without objection.

6. **CITIZEN COMMENTS**

Harold Williams, a homeowner at Mailind Bluff, commented on the disagreement of commercial property planned development on Malind Bluff drive.

Graham Trask, a homeowner in Beaufort, commented on the disagreement of the drive-thru ordinance. (Remaining comments will be submitted to Public Comments as an add on)

** See Add-On for additional comments **

AGENDA ITEMS

7. **RURAL AND CRITICAL LANDS PRESERVATION PROGRAM 2021 ANNUAL REPORT**

Discussion: Kate Schaefer presented the 2021 Annual Report, highlighting three land protection projects from 2021, passive park openings, and other program operations.

Status: For informational purposes only.

To see the presentation, click on the link below.

<https://beaufortcountysc.new.swagit.com/videos/156227>

8. **RECOMMEND APPROVAL OF FIRST READING OF AN ORDINANCE AUTHORIZING THE APPROVAL TO TERMINATE AN EASEMENT AND EXECUTE AN EASEMENT ENCUMBERING A PORTION OF PROPERTY OWNED BY BEAUFORT COUNTY AND KNOWN AS FORDS SHELL RING**

Discussion: Stephanie Nagid stated that during the Fords Shell Ring passive park planning process, it became known that a 1991 easement agreement between the prior landowner and the adjacent landowner was encumbering the property. The terms of that easement were not conducive to the property now that it will be open to the public. The County, Town of Hilton Head Island (as co-owner of the property), and the adjacent landowner wish to terminate the 1991 easement agreement and enter into a new easement agreement.

Motion: It was moved by Council Member Rodman, seconded by Council Member Glover, to recommend first reading approval of an ordinance authorizing termination of the 1991 easement agreement and executing an easement encumbering a portion of property owned by Beaufort County and known as Fords Shell Ring and to move forward to County Council for approval.

The Vote - The motion was approved without objection.

9. **RECOMMEND APPROVAL OF FIRST READING OF AN ORDINANCE REPEALING AN ORDINANCE CREATING THE SOUTHERN BEAUFORT COUNTY CORRIDOR BEAUTIFICATION BOARD**

Discussion: Eric Greenway, County Administrator, stated in 2013, County Council created the Southern Beaufort County Corridor Beautification Board. For reasons set forth in the ordinance, administration believes it is time to repeal the ordinance, dissolve the board, bring the work of the board in-house, thank the board members for their years of service, and ask them to volunteer on other boards and commissions.

Motion: It was moved by Council Member Sommerville, seconded by Committee Vice-Chair Dawson, to approve the recommendation to dissolve the Southern Beaufort County Corridor Beautification Board and to move forward to County Council for approval.

The Vote - The motion was approved without objection.

10. **RECOMMEND APPROVAL OF FIRST READING OF AN ORDINANCE FOR APPROVAL OF AN AMENDMENT TO THE OSPREY POINT (MAILIND BLUFF) PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN TO CONVERT THE COMMERCIAL AREA TO MULTIFAMILY**

Discussion: Robert Merchant stated that a zoning applicant is requesting that a portion of the Osprey Point PUD Master Plan be amended. The current PUD, as amended in 2019, consists of 345 single-family residential units and 207,700 square feet of commercial development.

Walt Nester, attorney representing the client, commented on the client's agreement with the zoning change for a portion of Osprey Point.

Council Member Cunningham expressed disagreement with the approval of a rezoning amendment.

Council Member Sommerville stated he is not convinced of the need for rezoning.

Council Member Rodman agrees with the rezoning change.

Committee Chair Howard stated if this moves forward to Council, there will be a subcommittee created.

Motion: It was moved by Council Member Rodman, seconded by Committee Vice-Chair Dawson to approve the recommendation of First Reading of an ordinance for an amendment to the Osprey Point (Mailind Bluff) Planned Unit Development (PUD) Master Plan to convert the commercial area to multifamily and move forward to County Council for approval.

The Vote - Voting Yea: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Rodman, Council Member Lawson

Voting Nay: Council Member Sommerville, Council Member Glover, Council Member McElynn, Council Member Cunningham. The motion passed with five yeas and four nays.

11. **DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF DEVELOPMENT RIGHTS ON REAL PROPERTY KNOWN AS BEACH CITY ROAD**

Discussion: Eric Greenway, County Administrator stated Beach City Road project was proposed by the Town of Hilton Head for partnership with the Rural and Critical Lands Preservation (RCLP) Program in the Historic Mitchelville area.

Motion: It was moved by Council Member Glover, seconded by Council Member Cunningham, to approve with due diligence for Beach City Road Fee.

The Vote - The motion was approved without objection.

12. **RECOMMEND APPROVAL OF A RESOLUTION FOR A STORMWATER UTILITY INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT WITH CITY OF BEAUFORT**

13. **RECOMMEND APPROVAL OF A RESOLUTION FOR A STORMWATER UTILITY INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT WITH TOWN OF PORT ROYAL**

Discussion: Neil Desai stated that Beaufort County Stormwater was contacted by the City of Beaufort and Town of Port Royal advising that they were no longer interested in Beaufort County pursuing delinquent stormwater fees from the military installations. The Public Works staff have been working internally with Legal and the County Administrator to discuss impacts and solutions between the City, the County, and the military installations. County staff has amended the IGA language to remove the County's responsibility to collect delinquent fees for the military installations within the City of Beaufort and the Town of Port Royal jurisdiction. For the City of Beaufort, language has been included in the agreement to hold the County responsible for providing an annual CWI fee report prior to September 1 of each year. For the Town of Port Royal, language has also been included in the agreement to hold the County

responsible for providing an annual CWI fee report prior to September 1 of each year and changing the due date for the Town to provide its annual stormwater financial report to the County.

Motion: It was moved by Council Member Cunningham, seconded by Council Member Rodman, to approve the recommendation for a Stormwater Utility Intergovernmental Agreement (IGA) Amendment with the City of Beaufort and approve recommendation of the resolution for a Stormwater Utility Intergovernmental Agreement (IGA) Amendment with Town of Port Royal and move forward to County Council for approval.

The Vote - The motion was approved without objection.

14. **RECOMMEND APPROVAL OF THE REAPPOINTMENT OF JOHN A CHEMSAK TO THE BEAUFORT COUNTY ZONING BOARD OF APPEALS FOR A SECOND TERM WITH AN EXPIRATION DATE OF 2025**

Motion: It was moved by Council Member Sommerville, seconded by Council Member Cunningham, to approve the recommendation to reappoint John A Chemsak to the Beaufort County Zoning Board of Appeals for a second term with an expiration date of 2025 and to move forward to County Council for approval.

The Vote - The motion was approved without objection.

15. **RECOMMEND APPROVAL OF THE APPOINTMENT OF EVAN BROMLEY OR CHESTER WILLIAMS TO FILL THE SOUTHERN BEAUFORT COUNTY ATTORNEY OPENING ON THE ZONING BOARD OF APPEALS. THIS SEAT WILL HAVE AN EXPIRATION DATE OF 2026**

Motion: It was moved by Council Member Sommerville, seconded by Council Member Cunningham, to recommend approval of the appointment of Evan Bromley to the Beaufort County Zoning Board of Appeals and to move forward to County Council for approval.

The Vote - The motion was approved without objection.

16. **RECOMMEND APPROVAL OF THE REAPPOINTMENTS OF JANET PORTER FOR A SECOND TERM EXPIRING IN 2026; JOSEPH BOGACZ FOR A THIRD TERM EXPIRING IN 2026; BERNARD COLE FOR A FOURTH TERM EXPIRING IN 2026; LYNNE MILLER FOR A FOURTH TERM EXPIRING IN 2026; BRENDA POWELL FOR A THIRD TERM EXPIRING IN 2026; ROSALIE RICHMAN FOR A THIRD TERM EXPIRING IN 2026; AND ANNA MARIA TABERNIK FOR A FOURTH TERM EXPIRING IN 2026 TO THE BEAUFORT COUNTY LIBRARY BOARD**

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Sommerville, to recommend approval of the reappointments of Janet Porter for a second term expiring in 2026; Joseph Bogacz for a third term expiring in 2026; Bernard Cole for a fourth term expiring in 2026; Lynne Miller for a fourth term expiring in 2026; Brenda Powell for a third term expiring in 2026; Rosalie Richman for a third term expiring in 2026; and Anna Maria Tabernik for a fourth term expiring in 2026 to the Beaufort County Library Board and to move forward to County Council for approval.

The Vote - The motion was approved without objection.

EXECUTIVE SESSION

17. **PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY (NEW RIVERSIDE LIBRARY and PORT ROYAL BOAT LANDING)**

Motion: It was moved by Council Member Cunningham, seconded by Council Member Glover to go into Executive Session at 4:47 p.m.

The Vote - The motion was approved without objection.

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

No matters arising out of executive session

19. **ADJOURNMENT**

The meeting adjourned at 5:22 PM.