



County Council Meeting Beaufort County, SC

This meeting was held both in person and virtually through Zoom.

Monday, December 13, 2021
5:30 PM

MINUTES

1. **CALL TO ORDER**

Chairman Passiment called the meeting to order at 5:30PM

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**

Council Member Lawrence McElynn led the pledge of allegiance and gave the invocation.

3. **FOIA**

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

4. **APPROVAL OF AGENDA**

Motion to amend: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Rodman to amend the agenda to refer Item 14 to the Finance Committee for further discussion; add the General Fund balance to item number 25 as the funding source, and add a sub-recipient agreement with the City of Beaufort to the agenda as item number 27.

The Vote - The motion was approved without objection.

Main Motion: It was moved by Council Member McElynn, Seconded by Vice-Chairman Sommerville to approve the agenda as amended.

The Vote – The motion was approved without objection.

5. **BREAK FOR TREE LIGHTING CEREMONY**

Chairman Passiment recessed the meeting for the Annual Tree Lighting Ceremony.

6. **APPROVAL OF MINUTES**

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Howard to approve the minutes of September 27th and October 11th, 2021.

The Vote - The motion was approved without objection.

7. **ADMINISTRATOR'S REPORT**

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

<https://beaufortcountysc.new.swagit.com/videos/150469>

8. **CITIZEN COMMENTS**

Leroy Gilliard stated the people in this county that are feeling the burden are the poor people. He also addressed the stormwater fees and is in disagreement with the council's decision to enforce those.

William Smith of St. Helena stated he disagreed with how the county is looking at spending ARPA funds and he doesn't believe the county is using the money for its intended purposes.

9. **LIASION AND COMMITTEE REPORTS**

Council Member Rodman reviewed the Public Facilities consent agenda items.

Council Member Lawson reviewed the one Finance Committee item on the consent agenda.

Council Member Alice Howard reviewed the Natural Resources Committee consent agenda items.

Council Member Glover stated he is the liaison for the Disabilities and Special Needs Board and noted the calendars placed at each council seat are from the Disabilities and Special Needs consumers and contain a daily inspirational quote.

To see the full discussion that occurred during the liaison and committee reports please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/150469>

10. **APPROVAL OF CONSENT AGENDA**

Council Member Flewelling asked that item number 2 from the consent agenda be removed for discussion.

Motion: It was moved by Council Member Rodman, Seconded by Vice-Chairman Sommerville to approve the consent agenda minus item number 2 regarding BMH Board appointments.

The Vote: The motion was approved without objection.

11. **APPOINTMENT OF 1 of 2 INDIVIDUALS, CAROLYN M. BANNER, Ph.D. OR ANGELA D. SIMMONS Ph.D., TO THE BEAUFORT MEMORIAL HOSPITAL BOARD OF TRUSTEES FOR A PARTIAL TERM EXPIRING IN 2023**

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member Flewelling to approve the appointment of Carolyn M. Banner, Ph.D to the Beaufort Memorial Hospital Board of Trustees.

The Vote - The motion was approved without objection.

12. **SECOND READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO CONVEY A PORTION OF, ACCEPT A DEED FOR, AND CONVEY A PERPETUAL EASEMENT ON A PORTION OF PROPERTY OWNED BY BEAUFORT COUNTY WITH TMS NO. R600 021 000 0673 0000; EXECUTE AN AMENDMENT TO A DEED OF PERPETUAL EASEMENT ON A PORTION OF THE PROPERTY WITH TMS NO. R600 021 000 0007 0000; AND ACCEPT A DONATION TO THE RURAL AND CRITICAL LANDS PROGRAM**

Motion: It was moved by Council Member Howard, Seconded by Council Member McElynn to approve second reading of an ordinance authorizing the County Administrator to execute the necessary documents to convey a portion of, accept a deed for, and convey a perpetual easement on a portion of property owned by Beaufort County with tms no. R600 021 000 0673 0000; execute an amendment to a deed of perpetual easement on a portion of the property with tms no. R600 021 000 0007 0000; and accept a donation to the rural and critical lands program.

Discussion: Council Member Flewelling stated he intended to vote against the item and requested a roll call vote.

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

13. **FIRST READING BY TITLE ONLY OF AN ORDINANCE REDISTRICTING THE COUNTY COUNCIL OF BEAUFORT COUNTY**

Motion: It was moved by Vice-Chairman Sommerville, Seconded by Council Member McElynn to approve the first reading of an ordinance redistricting the County Council of Beaufort County version 3.

The Vote - The motion was approved without objection.

14. **FIRST READING BY TITLE ONLY OF AN ORDINANCE ALLOCATING \$166,397.00 TO THE BEAUFORT COUNTY DEFENDERS OFFICE TO COVER A COST-OF-LIVING INCREASE, COMPENSATION STUDY INCREASE, AND COST REQUIRED TO HIRE ANOTHER MAGISTRATE COURT ATTORNEY**

Motion: It was moved by Council Member Sommerville, seconded by Council Member McElynn to refer the item back to the Finance Committee for further discussion.

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

15. **FIRST READING BY TITLE ONLY OF AN ORDINANCE AMENDING THE 2021-22 BUDGET ORDINANCE TO REFLECT THE RECEIPT OF AMERICAN RESCUE PLAN ACT ("ARPA") FUNDS FROM THE US GOVERNMENT**

Motion: It was moved by Council Member Rodman, Seconded by Council Member Lawson to approve first reading by title only of an ordinance amending the 2021-22 budget ordinance to reflect the receipt of American Rescue Plan Act ("ARPA") funds from the US Government.

Discussion: To see the full discussion regarding ARPA funds please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/150469>

The Vote - The motion was approved without objection.

16. **A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE SC TRANSPORTATION INFRASTRUCTURE BANK**
- Motion:** It was moved by Council Member Rodman, Seconded by Council Member McElynn to approve a resolution approving an Intergovernmental Agreement with the SC Transportation Infrastructure Bank.
- The Vote** - The motion was approved without objection.
17. **A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO REFUND THE \$3001.54 AMOUNT OF IMPACT FEES PAID BY BEAUFORT HOUSING AUTHORITY ON 2 RESIDENTIAL UNITS FRONTING RIBAUT ROAD**
18. **A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO WAIVE OR REFUND THE \$17,768 TOTAL AMOUNT OF IMPACT FEES DUE OR PAID BY HILTON HEAD REGIONAL HABITAT FOR HUMANITY ON 8 RESIDENTIAL UNITS FRONTING ALEX PATTERSON ROAD**
- Motion:** It was moved by Council Member Howard, Seconded by Council Member Glover to approve item 17, a resolution authorizing the County Administrator to refund the \$3001.54 amount of impact fees paid by Beaufort Housing Authority on 2 residential units fronting Ribaut Road, and item 18, a resolution authorizing the County Administrator to waive or refund the \$17,768 total amount of impact fees due or paid by Hilton Head Regional Habitat For Humanity on 8 residential units fronting Alex Patterson Road, together.
- The Vote** - The motion was approved without objection.
19. **A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF REAL PROPERTY KNOWN AS TMS# R300 028 000 0016 0000 AND ALSO KNOWN AS BERMUDA BLUFF**
- Motion:** It was moved by Council Member Glover, Seconded by Council Member Flewelling to approve a resolution authorizing the County Administrator to execute the necessary documents and provide funding for the fee simple purchase of real property known as tms# r300 028 000 0016 0000 and also known as Bermuda Bluff.
20. **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 KLINE CIRCLE**
- Motion:** It was moved by Council Member Dawson, Seconded by Council Member Flewelling to approve 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 Kline Circle
21. **A RESOLUTION SUPPORTING FEDERAL FLOOD MITIGATION ASSISTANCE REIMBURSABLE GRANT PROGRAMS**
22. **A RESOLUTION TO ADOPT THE BEAUFORT COUNTY FLOOD MITIGATION ASSISTANCE POLICY**
- Motion:** It was moved by Council Member Lawson, Seconded by Council Member Howard to approve item 21, a resolution supporting federal flood mitigation assistance reimbursable grant programs, and 22, a resolution to adopt the Beaufort County flood mitigation assistance policy, together.

The Vote – The motion was approved without objection.

23. **ACCOMMODATIONS TAX (STATE 2%) BOARD RECOMMENDATIONS TO TOURISM-RELATED ORGANIZATIONS IN THE AMOUNT OF \$800,000**

Motion: It was moved by Council Member Howard, Seconded by Vice Chairman Sommerville to approve the accommodations tax (state 2%) board recommendations to tourism-related organizations in the amount of \$800,000.

The Vote – The motion was approved without objection.

24. **ACCEPTANCE OF COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE STUART POINT ROAD PATHWAY PROJECT**

Motion: It was moved by Council Member Dawson, Seconded by Council Member Flewelling to approve the acceptance of Community Development Block Grant for the Stuart Point Road Pathway Project.

The Vote – The motion was approved without objection.

25. **APPROVAL OF PURCHASE OF TWO LOTS ADJACENT TO THE OLD COURTHOUSE FROM THE GG DOWLING FAMILY TRUST - FISCAL IMPACT WOULD BE IN THE AMOUNT OF \$1,900,000. A FUNDING SOURCE NEEDS TO BE IDENTIFIED.**

Motion: It was moved by Council Member McElynn, Seconded by Vice-Chairman Sommerville to approve the purchase of two lots adjacent to the old courthouse from the GG Dowling Family Trust - Fiscal Impact would be in the amount of \$1,900,000 from the General Fund.

Discussion: to see the full discussion regarding this item please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/150469>

Motion to Amend: It was moved by Council Member Rodman, Seconded by Council Member Flewelling to approve the item without the accompanying charitable donation letter.

Discussion: to see the full discussion regarding the charitable donation letter please click the link below.

<https://beaufortcountysc.new.swagit.com/videos/150469>

The Vote - Voting Yea: Council Member Glover, Council Member Hervochoon, Council Member Rodman, Council Member Dawson, Council Member Flewelling. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Cunningham. The motion to amend failed 5:6

Motion to Amend: It was moved by Vice-Chairman Sommerville, Seconded by Council Member McElynn to approve the item with a caveat that before the county provides the seller with a charitable donation letter, the seller must provide the county with a bonafide appraisal indicating the value.

Discussion: to see the full discussion regarding the amendment click the link below.

<https://beaufortcountysc.new.swagit.com/videos/150469>

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

Main Motion: It was moved by Council Member McElynn, Seconded by Vice-Chairman Sommerville to approve the purchase of two lots adjacent to the old courthouse from the GG Dowling Family Trust - Fiscal

Impact would be in the amount of \$1,900,000 from the General Fund and to include the approved amendments.

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

26. **APPROVAL OF 2022 COUNCIL AND COMMITTEE MEETING SCHEDULES**

Motion: It was moved by Council Member Howard, Seconded by Council Member McElynn to approve the 2022 Council and Committee Meeting Schedule.

The Vote - The motion was approved without objection.

27. **APPROVAL OF A SUB-RECIPIENT GRANT AGREEMENT WITH THE CITY OF BEAUFORT REGARDING A ROAD PROJECT**

Motion: It was moved Council Member Rodman, Seconded by Council Member Howard to approve the sub recipient agreement.

The Vote – The motion was approved without objection.

28. **CITIZEN COMMENTS**

William Smith stated it is sad some members of the hospitality industry make more than teachers but there is more talent in Beaufort that contributes to this statistic.

29. **ADJOURNMENT**

The meeting adjourned at 7:50PM

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified: March 14, 2022