



## Special Called Meeting of County Council Meeting

### Chairman

Joseph F. Passiment, JR.

### Vice Chairman

D. Paul Sommerville

### Council Members

Logan Cunningham

Gerald Dawson

Brian E. Flewelling

York Glover, SR.

Chris Hervocho

Alice G. Howard

Mark Lawson

Lawrence P. McElynn

Stu Rodman

### Interim County Administrator

Eric Greenway

### Clerk to Council

Sarah W. Brock

### Administration Building

Robert Smalls Complex

100 Ribaut Road

### Contact

Post Office Drawer 1228

Beaufort, South Carolina 29901-1228

(843) 255-2180

[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

# County Council Meeting Minutes

## County Council of Beaufort County

Monday, December 07, 2020 at 1:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05]

### PRESENT

Chairman Joseph F. Passiment

Vice Chairman D. Paul Sommerville

Council Member York Glover

Council Member Chris Hervocho

Council Member Stu Rodman

Council Member Alice Howard

Council Member Mark Lawson

Council Member Lawrence McElynn

Council Member Gerald Dawson

### ABSENT

Council Member Michael Covert

Council Member Brian Flewelling

### CALL TO ORDER

Chairman Passiment called the meeting to order at 1:02 pm

### PLEDGE OF ALLEGIANCE

Chairman Passiment lead 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.

### APPROVAL OF AGENDA

Motion: It was moved by Council Member Hervocho, seconded by Council Member Rodman to amend the agenda to discuss the one time PTO cash out for Beaufort County Employees and be placed as item# 8 before Executive Session. The motion was approved without objection.

Motion: It was moved by Stu Rodman, seconded by Council Member McElynn to add a second Executive Session item designated as legal claims for Attorney Client Privilege as item# 9. The motion was approved without objection.

Motion: It was moved by Stu Rodman, seconded by Council Member McElynn to approve agenda as amended. The motion was approved without objection.

## **ACTION ITEMS**

**A resolution requesting and authorizing the Treasurer to accept prepayments of ad valorem taxes and fees for tax year 2020, due to the Auditor's anticipated delay in the completion of amending the annual tax roll to reflect the correct millage for Rural & Critical Debt Service.**

Discussion: A statement was read into the record regarding the necessity of this resolution, read by Chairman Passiment. The auditor will not be able to produce accurate tax bills by the end of this year.

Maria Wall, Treasurer, \*\* read the presentation regarding the outlined process regarding the tax bill. Verbal authorization from the IRS regarding the outlined presentation. \*\*

Within the presentation this was discussed:

Prepaying 2020 Taxes: is optional, Customers will still get a bill because it is required by law, the deadline will be extended again, Customer intended payment date will be the effective date on their receipt.

Benefits: Real and personal property tax bills will be able to be paid in the calendar year 2020, online customers will immediately receive a receipt for income tax purposes, revenues will be collected for and distributed to government agencies, customers will still have an extended time to pay without penalty.

Challenges: Until the Auditor's Office has completed their work- extremely manual process, data reporting will be unavailable, refunds will be limited and delayed, installment payments will not be reflected in the balances due, the general ledger will not reflect the revenues collected.

Reviewed the process of paying taxes online via video.

Steps: Go to myBeaufortCounty, look up your bill, pay the amount due, get a receipt, wait for a refund or follow up bill with a residual amount due.

Towns/Agencies: Revenues collected cannot be disbursed in the usual manner, proposing to use a warrant system where funding requests are fulfilled for the agencies, as needed, once revenues are recorded, any differences would be addressed with the individual agency.

Requirements: A completion of the eGov extract in Aumentum, Teamwork, grace, and patience, potentially, additional budgetary funding for additional costs.

**Motion: It was moved by Vice Chairman Sommerville, seconded by Council Member Glover sign a resolution authorizes the Treasurer Office to accept prepayments of ad valorem taxes and fees for tax year 2020 to ensure continued government services throughout Beaufort County and to provide taxpayers the ability to pay during calendar year 2020. The motion was approved without objection.**

## **An update on the Town of Hilton Head Island Sheriff User Fee litigation and settlement negotiations**

Chairman Passiment \*\* read a statement on an update on the result of the litigation filed by the Town of Hilton Head Island regarding the County Sheriff User Fee and their recent attempt to negotiate a settlement. \*\*

**Status:** Informational Purposes Only

## **Discussion regarding an Agreement with Hilton Head Island for Land Use Planner for US 278 Project**

Jared Fralix and Kurt Taylor presented the Agreement with Hilton Head Island for Land for US 278 Project.

Jared Fralix stated this agreement is in regards about a contract for land opportunities that surround the project with an independent study in addition to the land plan techniques that surround the project.

Council Member Rodman has requested that council consider entering into a Memorandum of Agreement with the Town of Hilton Head Island regarding hiring a land use planner to study the impact of the US 278 project on the neighborhoods and lands affected by the project. The Town has proposed to share the \$70,000 cost with the County. It would be an amendment to the contract for the Mitchellville study project.

Kurt Taylor, County Attorney stated if it is a contribution of funds to Hilton Head then we would move to contribute funds and follow their procurement process.

Dave Thomas agreed with Kurt Taylor Hilton Head is moving forward with the land use planner and that the County is a contributor up to and no more than \$35,000.00. The Source of funding is from the US/278 project.

**Motion:** It was moved by Council Member Hervochon, seconded by Council Member McElynn to authorize Beaufort County to participate in the payment of the land use planner that has been hired by Hilton Head Island in an amount not to exceed \$35,000.00 from the Independent review from Jenkins Island Project. The motion was approved without objection.

#### **Discuss the one time PTO cash out for Beaufort County Employees**

Eric Greenway, Interim County Administration stated the PTO cash out for the Beaufort County Employees was not administrated every year it was distributed in 2016, 2017, and 2018, after Hurricanes and is up to the county administration if it is to be used. The source of funds that is used to cover this cost will be from the general funds. If the employees took their leave it would have to be paid technically the employees are just getting paid what they would if they used their time. Since this program only needs administration approval it was not necessary to inform County Council that was confirmed that through previous years' actions. However, this action should have been communicated with council on my decision to do so. Katherine Meade and the Finance Department is assisting in this project. As far as having a new Human Resources Department Director is still an open position within the county.

Council Member Hervochon asked what the estimated cost of the program?

Whitney Richland stated the estimated cost \$1.5-\$1.7million.

Chairman Passiment stated this is a financial matter that is now on our radar going forward with the next fiscal year's budget and policies for the future.

Council Member Hervochon stated this should come up in the next finance committee meeting adding as an item and have legal take a look at this to see if the Interim Administrator has the authority to distribute these funds.

Eric Greenway stated staff has been working on this several weeks however has asked staff to reevaluate what options are available up to even delaying payment if council would like. However, wanted to get payments out to the employees to assist in the up and coming holidays.

Vice Chairman Sommerville stated this program was used in the last 3 of 4 years in which County Council was only just informed of this decision. It was not added as an agenda item in the past. This is a time sensitive item since we do not know how many are counting on this to assist with Christmas. The council needs to look at the as an employee not just as a financial decision.

Whitney Richland stated there are 1006 employees with 300 employee anticipating usage of these funds.

Council Member Rodman stated this is more of a balance sheet issue.

**Motion: It was moved by made by Council Member Rodman, seconded by Council Member McElynn to proceed with the PTO cashout as done in the previous years. The vote Yes: Council Member Rodman, Council Member McElynn, Council Member Dawson, Council Member Glover, Council Member Howard, Council Member Lawson, Vice Chairman Sommerville, and Chairman Passiment. The vote No: Council Member Hervochon. The vote 8/1, the motion has passed.**

### **EXECUTIVE SESSION**

**Pursuant to SC Code Section 30-4-70(a)(2), (2) for the receipt of legal advice where the legal advice relates to a settlement of legal claims in the Whitehall litigation.**

**Motion: It was moved by Council Member Dawson, seconded by Council Member Rodman to go into executive session at 2:42 pm. The motion was approved without objection.**

### **Matters Arising Out of the Executive Session**

No matters arising out of executive session.

### **CITIZENS COMMENTS**

Bill Prokop: City Manger of Beaufort emailed a comment about the city and county working towards short term issues.

### **ADJOURNMENT**

The meeting adjourned at 3:01pm

COUNTY COUNCIL OF BEAUFORT COUNTY

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

Joseph F. Passiment, Jr., Chairman

ATTEST:

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Sarah W. Brock, Clerk to Council

Ratified: February 22, 2021