



**County Council of  
Beaufort County  
County Council**

**Chairman**

Joseph F. Passiment, JR.

**Vice Chairman**

D. Paul Sommerville

**Council Members**

Michael Covert  
Gerald Dawson  
Brian E. Flewelling  
York Glover, SR.  
Chris Hervochoch  
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

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# County Council Meeting Minutes

## County Council of Beaufort County

Monday, October 26, 2020 at 6:00 PM

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

### **CALL TO ORDER**

Chairman Passiment called the meeting to order at 6:00PM

### **PRESENT**

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

### **PLEDGE OF ALLEGIANCE AND INVOCATION**

Council Member Larry McElynn led the Pledge of Allegiance and gave the Invocation.

### **FOIA**

Chairman Passiment stated notification of this meeting had been published, posted and distributed in compliance with the South Carolina Freedom of Information Act.

### **APPROVAL OF AGENDA**

**Motion to amend:** It was moved by Council Member Flewelling, Seconded by Council Member Rodman to amend the agenda as follows: Remove Item 5 approval of the September 28<sup>th</sup> Council Meeting Minutes; Reword Consent Agenda Item 4 to state "First Reading of multiple Ordinances and Inducement Resolutions regarding FILOT agreements"; Remove Consent Agenda Item 8 for the stated reason the item did not come out of committee; Remove Action Item 9 and bring back to Council on November 9<sup>th</sup>; Remove Action Item 10 and postpone until November 16<sup>th</sup>; and move Consent Agenda Item 11 to action items. Motion approved without objection.

**Main Motion:** It was moved by Council Member McElynn, Seconded by Council Member Dawson to approve agenda as amended. Motion approved without objection.

## **APPROVAL OF MINUTES**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Howard to approve the minutes minus the minutes for September 28th. Motion approved without objection.

## **CITIZEN COMMENTS**

Dr. Eric Larsen (Lawson) called in to speak against the mask ordinance and stated wearing a mask does not have any value to the COVID 19 pandemic.

Grant Conder, resident of Port Royal, spoke against the mask ordinance.

Rebecca Bass, resident of Beaufort, spoke against the mask ordinance and in support Ashley Jacobs.

Vallee Buback, Bluffton resident stated she was disappointed the Chairman shut out citizens by not having the meeting on Facebook. and against the mask ordinance.

Anne Ubelis, Lady's Island resident, stated she was against the mask ordinance.

Laurie, Bluffton resident, questioned why this meeting was not being aired on Facebook and spoke against the mask ordinance.

Claude LaBeau, Bluffton resident, spoke against the mask ordinance.

Kris (inaudible), resident of Hilton Head Island, spoke against the mask ordinance.

## **LIAISON AND COMMITTEE REPORTS**

Finance Committee Chair, Chris Hervochon; Natural Resources Committee Chair, Alice Howard; and Public Facilities Committee Chair, Brian Flewelling reviewed items on the consent coming forward from their individual committees.

## **CONSENT AGENDA**

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Rodman to approve the consent agenda without objection. Motion approved without objection.

## **PUBLIC HEARINGS AND ACTION ITEMS**

### **PUBLIC HEARING AND THIRD READING OF THE 2021 BUDGET ORDINANCE**

Chairman Passiment opened the floor for public hearing.

There were no public comments.

Chairman Passiment closed public hearing.

**Motion:** It was moved by Vice Chairman Sommerville, Seconded by Council Member Glover to approve Third Reading of an ordinance amending 2021 Budget Ordinance. The Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Hervochon, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson. Voting Nay: Council Member Flewelling. The motion passed 10:1

### **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE REGARDING TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 5, SECTION 5.6.50.e(2) TO ALLOW FOR MINOR MODIFICATIONS TO BILLBOARDS TO IMPROVE SAFETY STANDARDS DURING HURRICANES AND HIGH WIND EVENTS.**

Chairman Passiment opened the floor for public hearing.

There were no public comments.

Chairman Passiment closed the public hearing.

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Dawson to approve Third Reading of an ordinance regarding text amendments to the CDC Article 5, Section 5.6.50,e(2) to allow for minor modifications to billboards to improve safety standards during hurricanes and high wind events. The Vote - Voting Yea: Chairman Passiment, Council Member Covert, Council Member Glover, Council Member Hervochoon, Council Member Rodman, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Flewelling. Voting Nay: Vice Chairman Sommerville, Council Member Howard. Motion passed 9:2.

#### **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE ESTABLISHING THE BEAUFORT COUNTY DISTANCE LEARNING FUND AND OTHER MATTERS RELATED THERETO**

Chairman Passiment opened the floor for public hearing.

There were no public comments.

Chairman Passiment closed the public hearing.

**Motion:** It was moved by Council Member McElynn, Seconded by Vice Chairman Sommerville to approve Third Reading of an ordinance establishing the Beaufort County Distant Learning Fund. Motion passed without objection.

#### **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE FOR THE BEAUFORT COUNTY AIRPORT (AWR) HANGAR GROUND LEASE AGREEMENT**

Chairman Passiment opened the floor for public hearing.

There were no public comments.

Chairman Passiment closed the public hearing.

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member McElynn to approve Third Reading of an ordinance for the Beaufort County Airport Hangar Ground Lease Agreement. Motion approved without objection.

#### **PUBLIC HEARING AND THIRD READING OF AN ORDINANCE REGARDING ACCOMMODATIONS TAX/ HOSPITALITY TAX RESERVE FUND**

Chairman Passiment opened the floor for public hearing.

There were no public comments.

Chairman Passiment closed the public hearing.

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Dawson to approve Third Reading of an ordinance regarding accommodations tax/ hospitality tax reserve fund. Motion approved without objection.

#### **PUBLIC HEARING AND THIRD READING TO AMEND ORDINANCE 2019/56 PENN CENTER RENOVATIONS**

Chairman Passiment opened the floor for public hearing.

There were no public comments.

Chairman Passiment closed the public hearing.

**Motion:** It was moved by Council Member Glover, Seconded by Council Member Flewelling to approve the Third Reading of an amendment to ordinance 2019/56, Penn Center Renovations. Motion approved without objection.

**PUBLIC HEARING AND THIRD READING OF AN ORDINANCE REGARDING A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX B TO REMOVE THE MAXIMUM LOT SIZE REQUIREMENT FOR MINOR RESIDENTIAL SUBDIVISIONS IN THE D3 GENERAL NEIGHBORHOOD (D3GN), THE D4 MIXED USE (D4MU); THE VILLAGE CENTER (D5VC), AND THE GATEWAY CORRIDOR (D5GC) DISTRICTS ON DAUFUSKIE ISLAND**

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member Glover to approve Third Reading of an ordinance regarding a text amendment to the CDC Appendix B to remove the maximum lot size requirement for minor residential subdivisions in the D3 General Neighborhood; D4 Mixed Use; the Village Center; and the Gateway Corridor Districts on Daufuskie Island. Motion was approved without objection.

**RATIFICATION OF THE COUNTY ADMINISTRATOR'S SEVERANCE PACKAGE**

**Motion:** It was moved by Council Member McElynn, Seconded by Vice Chairman Sommerville to approve the ratification of the county administrator's severance package. Motion was approved without objection.

**US 278 INDEPENDENT REVIEW**

**Motion to Amend:** It was move by Council Member Flewelling, Seconded by Council Member Rodman to amend the item to include comments submitted from Senator Davis into the scope of work. Motion approved without objection.

**Motion to Amend the Amendment:** It was moved by Council Member Rodman, Seconded by Council Member Flewelling to amend the amended item to include all of the alternatives and see if there is room for other alternatives to be considered, as well as make sure the underlying traffic demand is correct. The Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Hervochon, Council Member Rodman, Council Member Lawson, Council Member McElynn, Council Member Flewelling. Voting Nay: Council Member Glover, Council Member Howard, Council Member Dawson. The motion passed 8:3.

**Main Motion:** It was moved by Council Member Rodman, Seconded by Council Member Flewelling to approve the contract award to HDR Engineering, Inc to provide the US 278 Independent Engineering Review to be included as part of the overall US 278 Corridor Project with the inclusion of Senator Davis's Comments and Council Member Rodman's suggestions. Motion approved without objection.

**BOARDS AND COMMISSIONS**

**CONSIDERATION OF THE REAPPOINTMENT OF DAN AHERN AND THE APPOINTMENT OF THOMAS SHEAHAN TO THE AIRPORTS BOARD**

**Motion:** It was moved by Council Member Flewelling, Seconded by Council Member Hervochon to approve the reappointments of Dan Ahern and Thomas Sheahan to the Airports Board. Motion passed without objection.

**7:47PM**

**Motion:** It was moved by Council Member Rodman, Seconded by Council Member Hervochon to extend past the 8 o'clock hour. Motion approved without objection.

**CITIZEN COMMENTS**

Danny Gause, Bluffton Resident, spoke against the mask ordinance and stated he was upset council tabled the agenda due to wanting to get expert input and had not sought expert input prior to bringing this ordinance forward.

Lisa Laking, Hilton Head Island Resident, spoke against the mask ordinance.

Cherry Norris, Hilton Head Island Resident, spoke against the mask ordinance.

**ADJOURNMENT**

Chairman Passiment adjourned the meeting at 8:09PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph F. Passiment, Jr., Chairman

ATTEST:

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