



County Council of Beaufort County

County Council Meeting

Chairman

Joseph F. Passiment, JR.

Vice Chairman

D. Paul Sommerville

Council Members

Michael E. Covert

Gerald Dawson

Brian E. Flewelling

York Glover, SR.

Chris Hervocho

Alice G. Howard

Mark Lawson

Lawrence P. McElynn

Stu Rodman

County Administrator

Ashley M. Jacobs

Clerk to Council

Sarah W. Brock

Administration Building

Robert Smalls Complex

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County Council Minutes

Monday, August 10, 2020 at 6:00 PM

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

THIS MEETING WILL CLOSED TO THE PUBLIC. CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING VIA EMAIL TO THE CLERK TO COUNCIL AT SBROCK@BCGOV.NET OR PO DRAWER 1228, BEAUFORT SC 29901. CITIZENS MAY ALSO COMMENT DURING THE MEETING THROUGH FACEBOOK LIVE

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 Stu Rodman

Council Member Alice Howard

Council Member Lawrence McElynn

Council Member Gerald Dawson

Council Member Brian Flewelling

ABSENT

Council Member Chris Hervocho

Council Member Mark Lawson

PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Flewelling led the pledge of allegiance and gave the invocation.

Chairman Passiment announced that Council was going to have a moment of silence in honor of Representative John Lewis.

The Chairman stated that public notification of this meeting is in compliance with the South Carolina Freedom of Information Act.

APPROVAL OF AGENDA

Motion: It was moved by Council Member Rodman, Seconded by Vice Chairman Sommerville to approve the agenda with the addition of the addition of adding "by title only" to the Pepper Hall / Okatie River Park Joint Development Agreement. Motion approved without objection.

APPROVAL OF MINUTES

Motion: It was moved by Council Member Flewelling, Seconded by Council Member McElynn to approve the minutes from June 22, 2020 Caucus and

Council Meeting. Motion approved without objection.

DISCUSSION ITEMS

PROCLAMATION HONORING DEACON JAMES GARFIELD SMALLS ON HIS 100TH BIRTHDAY

Council Member York Glover read a proclamation honoring Deacon James Garfield Smalls on his 100th Birthday.

PROCLAMATION HONORING THE TABBY HOUSE VOLUNTEERS FOR THEIR YEARS OF SERVICE

Council Member Alice Howard read a proclamation honoring all of the Tabby House volunteers.

PRESENTATION ON THE PAIGE POINT CEMETERY - GENERAL MITCHELL, PRESENTER

General Mitchell and Liz Farrell gave an update and PowerPoint presentation on the status of Paige Point Cemetery.

PUBLIC HEARING ON BONAIRE ESTATES SEWER EXTENSION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT CLOSEOUT

Jessica Daily with the Lowcountry Council of Governments spoke regarding the 1 million dollar block grant the county received in 2016 to extend sewer service in the Bonaire Estates area and the project is nearly complete therefore she was seeing public comment.

No citizen comments.

CITIZEN COMMENTS

Chairman Passiment read a letter he received from two constituents in his area regarding loud gun fire. The item was deferred to the Community Services Committee.

COMMITTEE REPORTS

LIAISON AND COMMITTEE REPORTS

TIME SENSITIVE ITEMS

FIRST READING BY TITLE ONLY OF AN ORDINANCE REGARDING AN AMENDMENT TO THE PEPPER HALL AND OKATIE RIVER PARK JOINT DEVELOPMENT AGREEMENT AND HIRE BEN JOHNSON TO HELP PROCEED.

Motion: It was moved by Vice Chairman Sommerville, Seconded by Council Member Howard to approve First Reading by title only of an ordinance regarding an amendment to the Pepper Hall and Okatie River Park joint development agreement and hire Ben Johnson to help proceed. Approved without objection, minus Council Member Flewelling as he was offline during this vote.

FIRST READING OF AN ORDINANCE REGARDING A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 5, SECTION 5.3.20 APPLICABILITY– TO APPLY ARCHITECTURAL STANDARDS AND GUIDELINES TO TWO-FAMILY (DUPLEX) RESIDENTIAL (*CONSIDERATION OF INVOKING PENDING ORDINANCE DOCTRINE*)

Motion: It was moved by made by Council Member Howard, Seconded by Council Member Dawson to approve first reading of an ordinance regarding a text Amendment to the Community Development Code (CDC): Article 5, Section 5.3.20 Applicability– To Apply Architectural Standards and Guidelines to Two-Family (Duplex) Residential. Motion was approved without objection, minus Council Member Flewelling, as he was offline during this vote.

FIRST READING BY TITLE ONLY OF AN ORDINANCE FOR THE IMPOSITION OF A SCHOOL IMPACT FEE FOR SOUTH OF THE BROAD SERVICE AREA

Council Member Rodman stated he would vote against this and addressed some of the comments the home builders regarding fees.

Council Member Flewelling stated he had the same concerns as Mr. Rodman.

Motion: It was moved by made by Council Member Dawson, Seconded by Council Member Covert to approve first reading by title only of a School impact fee for South of the Broad. The Votes: Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Howard, Council Member McElynn, Council Member Dawson. Voting Nay: Council Member Covert, Council Member Glover, Council Member Flewelling, Council Member Rodman. Motion passed 5:4.

CONSENT AGENDA

Motion: It was moved by Council Member Flewelling, Seconded by Vice Chairman Sommerville to approve the consent agenda. Motion was approved without objection.

ACTION ITEMS

THIRD READING OF AN ORDINANCE AMENDING CHAPTER 2 ARTICLE II SECTION 28 REGARDING COUNCIL SALARY AND COMPENSATION

Motion: It was moved by Council Member McElynn, Seconded by Council Member Dawson to approve third reading of an ordinance amending Chapter 2 Article II Section 28 Regarding Council Salary and Compensation. The Vote: Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member McElynn, Council Member Dawson
Voting Nay: Council Member Flewelling. The motion passed 8:1.

PUBLIC HEARING AND SECOND READING OF AN ORDINANCE GRANTING AN EASEMENT TO BEAUFORT JASPER WATER SEWER AUTHORITY ACCESS TO NEW SEWER LINE AT BEAUFORT COUNTY AIRPORT

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Howard to approve public hearing and second reading of an ordinance granting an easement to BJWSA access to new sewer line at Beaufort County Airport.

Chairman opened the floor for public comment.

No one came forward.

Chairman closed public comment

The Vote: The motion was approved without objection.

PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO IMPOSE A BEAUFORT COUNTY UNIFORM LAW ENFORCEMENT SERVICE CHARGE FOR THE TOWN OF HILTON HEAD ISLAND

Motion: It was moved by Council Member Covert, Seconded by Council Member Flewelling to approve public hearing and second reading of an ordinance to impose a Beaufort County Uniform Law Enforcement Service Fee for the Town of Hilton Head.

The Chairman did not open the floor for public hearing but stated he had not received any public comment regarding this item.

Motion to amend: It was moved by Council Member Rodman, Seconded by Council Member McElynn to amend the motion to include accepting the offer from the Town of HHI and in lieu of the uniform fee, 2 million dollar payment over the next 3 years, take over roads and all maintenance, plus waive the \$60,000/\$70,000 a year rent on sheriffs space, pay the \$27,000 overtime at the Heritage, \$5,000 for St. Patrick's Day Parade, cover the County's responsibility for the Island Rec Center, take over up to \$75,000 a year for Bar Patrol with a CPI increase each year. The agreement would be negotiated at the end of 3 years.

Council Member Dawson stated HHI is taking over roads they should be paying for anyway.

The Vote: Voting Yea: Chairman Passiment, Council Member Rodman, Council Member McElynn. Voting Nay: Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Howard, Council Member Dawson, Council Member Flewelling . Motion to amend failed 3:6.

Main Motion: It was moved by Council Member Covert, Seconded by Council Member Flewelling to approve public hearing and second reading of an ordinance to impose a Beaufort County Uniform Law Enforcement Service Fee for the Town of Hilton Head. The Vote: Voting Yea: Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Howard, Council Member Dawson, Council Member Flewelling. Voting Nay: Chairman Passiment, Council Member Rodman, Council Member McElynn. Motion Passed 6:3.

FIRST READING OF AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE TO ESTABLISH "SHORT TERM HOME RENTAL" AS A SPECIAL USE

Motion: It was moved by Vice Chairman Sommerville, Seconded by Council Member Howard to approve first reading of an ordinance amending the community development code to establish "short term home rental" as a special use. Council Member Flewelling recused himself from the vote. The motion passed 8:0.

FIRST READING OF AN ORDINANCE FINDING THAT THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA, MAY ISSUE NOT EXCEEDING \$1,550,000 OF GENERAL OBLIGATION BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

Motion: It was moved by Vice Chairman Sommerville, Seconded by Council Member Flewelling to approve first reading of an ordinance finding that the Fripp Island Public service district, South Carolina, may issue not exceeding \$1,550,000 of general obligation bonds and to provide for the publication of notice of the said finding and authorization. The motion passed without objection.

CONSIDERATION OF A RESOLUTION FOR A PUBLIC HEARING TO BE HELD UPON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$1,550,000.00 OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO

Motion: It was moved by Vice Chairman Sommerville, Seconded by Council Member Flewelling to approve a resolution for a public hearing to be held upon the question of the issuance of not exceeding \$1,550,000.00 of General Obligation Bonds of the Fripp Island Public Service District, South Carolina; providing for the publication of the notice of such public hearing; and other matters relating thereto. The motion passed without objection.

FIRST READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY BY BEAUFORT COUNTY, SOUTH CAROLINA ACTING THROUGH BEAUFORT COUNTY MEMORIAL HOSPITAL OF NOT EXCEEDING \$20,000,000.00 PROMISSORY NOTE AND A CREDIT AGREEMENT; AUTHORIZING PROPER OFFICERS TO DO ALL THINGS NECESSARY OR ADVISABLE; AND OTHER MATTERS INCIDENTAL THERETO.

Motion: It was moved by Vice Chairman Sommerville, Seconded by Council Member Howard to approve first reading of an ordinance authorizing the execution and delivery by Beaufort County, South Carolina acting through Beaufort County Memorial Hospital of not exceeding \$20,000,000.00 promissory note and a credit agreement; authorizing proper officers to do all things necessary or advisable; and other matters incidental thereto. The motion passed without objection.

RESOLUTION APPROVING A SUPPLEMENTAL INTERGOVERNMENTAL AGREEMENT AND REGIONAL AGREEMENTS FOR JOINT USE EMERGENCY SHELTER WITH JASPER COUNTY AND THE JASPER COUNTY SCHOOL DISTRICT.

Motion: It was moved by Council Member Covert, Seconded by Council Member Flewelling to approve a Resolution Approving A Supplemental Intergovernmental Agreement and regional agreements for Joint Use Emergency Shelter with Jasper County and the Jasper County School District. The motion passed without objection.

A RESOLUTION AUTHORIZING ADMINISTRATION TO FORWARD PROPOSED ST. JAMES RELOCATION PLANS AND BUDGET TO FAA

Motion: It was moved by Council Member Rodman, Seconded by Council Member Glover to approve a resolution authorizing administration to forward proposed St. James relocation plans and budget to FAA. The motion passed without objection.

APPROVAL OF A LEASE EXTENSION FOR OLD COURTHOUSE PARKING LOT

Council Member Howard stated she would vote against it.

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Covert to approve a Lease Extension for the Old Courthouse Parking Lot. The Vote: Voting Yea: Vice Chairman Sommerville, Council Member Covert, Council Member Glover, Council Member Dawson, Council Member Flewelling. Voting Nay: Chairman Passiment, Council Member Rodman, Council Member Howard, Council Member McElynn. Motion passed 5:4.

APPROVAL OF FY 2021 CONTRACT RENEWALS

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Glover to approve FY 2021 Contract Renewals. The motion passed without objection.

BOARDS AND COMMISSIONS

APPOINTMENT OF ROBERT MCFEE TO THE BEAUFORT JASPER WATER AND SEWER AUTHORITY

Motion: It was moved by Council Member McElynn, Seconded by Council Member Glover to appoint Robert McFee to the Beaufort Jasper Water and Sewer Authority. Motion passed without objection.

CITIZEN COMMENT

Comment from Facebook - Ann Ubelis - It is INSANITY to consider mail-in balloting at this late date. There is no way you can comply with Federal Law and certify all ballots within the 35 days required. Thousands upon thousands of mail-in ballots will be discarded. Furthermore, how will you verify the actual voter sent it in and how will you require a affirming signature as witness to the voter's signature? You are on a fools errand if you consider this. And what about complying with state laws and regulations? Will even they allow it?

ADJOURNMENT

Adjourned at 7:59PM

CONSENT AGENDA

29. THIRD READING OF AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE
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END OF CONSENT AGENDA
