



**County Council of  
Beaufort County  
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 Hervochon

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

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# County Council Meeting Minutes

## County Council of Beaufort County

Monday, April 12, 2021 at 6:00 PM

This meeting was held both in person at County Council Chambers, and also virtually through Zoom.

### 1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:30 PM

### PRESENT

Chairman Joseph Passiment

Council Member Logan Cunningham

Council Member Gerald Dawson

Council Member Brian Flewelling

Council Member York Glover

Council Member Chris Hervochon

Council Member Alice Howard

Council Member Mark Lawson

Council Member Lawrence McElynn

Council Member Stu Rodman

Vice-Chairman Paul Sommerville

### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Brian Flewelling led the Pledge of Allegiance and gave the invocation.

### 3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT

Chairman Passiment stated public notice of this meeting had been published, posted, and distributed in compliance with the SC FOIA Act

### 4. APPROVAL OF AGENDA

**Motion to Amend:** It was moved by Council Member Flewelling, Seconded by Council Member York Glover to remove item number 18; second reading of an Ordinance approving the intergovernmental agreements between Beaufort County, Port Royal, and the City of Beaufort and Amending prior Ordinances regarding the Multi-County Industrial Parks for Project Burger, Garden, Glass, and Stone and add to this item to the April 26th County Council Meeting. Motion to amend was approved without objection.

**Main Motion:** It was moved by Council Member Rodman, seconded by Council Member Alice Howard to approve the agenda as amended. Motion approved without objection.

### 5. APPROVAL OF MINUTES

**Motion:** It was moved by Council Member Rodman, Seconded by Council Member Lawson to approve the minutes of January 25, 2021. Motion approved without objection.

**6. ADMINISTRATOR'S REPORT**

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

<https://beaufortcountysc.new.swagit.com/videos/118443>

**7. PROCLAMATION PRESENTED TO HOPEFUL HORIZONS FOR SEXUAL ASSAULT AWARENESS MONTH**

Council Member Larry McElynn read and presented a proclamation to Hopeful Horizons.

**8. ALCOHOL AWARENESS MONTH**

Council Member Larry McElynn read and presented a proclamation to The Beaufort County Alcohol and Drug Abuse Division.

**9. CITIZENS COMMENTS**

Eric Lawson spoke against wearing a mask.

City of Beaufort Mayor Stephen Murray spoke in support of the Local Option Sales Tax.

Bluffton Mayor Lisa Sulka spoke in support of the Local Option Sales Tax.

Greg John spoke in support of rezoning his property on May River road.

Mike Thompson spoke in support of the noise ordinance and enforcing it.

Anne Marie spoke against the mask ordinance.

**EXTEND PAST 8 O’CLOCK HOUR**

**Motion:** It was moved by Council Member Hervocho, Seconded by Council Member Cunningham to extend past 8:00 pm.

**Motion to Amend:** It was moved by Council Member Stu Rodman, Seconded by Council Member Alice Howard to amend the motion to include extending past 8:00 pm but not past 9:00 pm.

**The Vote** - Voting Yea: Council Member Rodman, Council Member Howard, Council Member Flewelling, Council Member Glover, Council Member Lawson, Council Member McElynn, Council Member Sommerville, Council Member Passiment. Voting Nay: Council Member Cunningham, Council Member Dawson, Council Member Hervocho. Motion passed 8:3.

**Main Motion:** Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Hervocho, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Flewelling, Council Member Cunningham. Voting Nay: Council Member Dawson. Motion passed 10:1.

**CONTINUATION OF CITIZEN COMMENTS**

Mr. and Mrs. Decker spoke for the rezoning of the property on May River Road.

Blane McClure spoke in support of the rezoning of the property on May River Road.

Leah McCarthy spoke against renewing the mask ordinance.

Don Daville spoke against the mask mandate.

Shannon Folcroft spoke against the mask mandate.

Katie Vernon spoke against the mask mandate.

Molly Sandman spoke against the mask mandate.

Melissa Tullino spoke against the mask mandate.

Jennifer Yeager spoke against the mask mandate.

Bonnie Miller spoke against the mask mandate.

Cherry Norris spoke against the mask mandate.

## 10. LIAISON AND COMMITTEE REPORTS

Council Member McElynn stated the following items were coming forward from the Community Services and Public Safety Committee for consideration for approval on the consent agenda:

- A resolution accepting the donation of playground equipment from the Daufuskie Island Council and authorizing the County Administrator to execute documentation associated with the acceptance of the donation.
- Resolution to commission an animal service officer.

Council Member Lawson stated the following items were coming forward from the Finance Committee for consideration for approval on the consent agenda:

- Third reading of an ordinance approving the 2021 awards of local Accommodations and Hospitality
- Second reading of an ordinance to use \$5 million in fund balance to defease bonds.

Council Member Howard stated the following items were coming forward from the Natural Resources Committee for consideration for approval on the consent agenda:

- Contract to award itb031021 for purchase of timber to s. A. Allen timber company
- A resolution to authorize the interim county administrator to execute a joint ownership And operating agreement between Beaufort county and the town of Hilton Head Island for The property known as ford shell ring preserve
- A resolution to authorize the Interim County Administrator to execute a lease agreement between Beaufort County, the Town of Hilton Head Island and historic Mitchelville Freedom park for the property known as the beach city road parcels.

Council Member Sommerville stated the following items were coming forward from the Executive Committee for consideration for approval on the consent agenda:

- A resolution to set forth a uniform policy for processing, responding to, and tracking requests for public records in compliance with the FOIA act SC Code of Laws 30-4-10 et seq.
- A resolution to authorize the Interim County Administrator to accept FAA grants.
- A resolution authorizing the settlement of claims related to the care environmental waste disposal site.

## 11. CONSENT AGENDA

Council Member Flewelling requested item number 8, A resolution to set forth a uniform policy for processing, responding to, and tracking requests for public records in compliance with the FOIA act SC Code of Laws 30-4-10 et seq. be removed from the consent agenda.

**Motion:** It was moved by Council Member Rodman, Seconded by Council Member Dawson to approve the consent agenda minus item number 8. Motion approved without objection.

## 12. AN ORDINANCE EXTENDING THE STATE OF EMERGENCY

**Motion:** It was moved by Council Member Howard, Seconded by Council Member Glover to approve an emergency ordinance extending the state of emergency.

**Discussion:** To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/118443>

**The Vote - Voting Yea:** Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson, Council Member Cunningham. **Voting Nay:** Council Member Hervochon, Council Member

Flewelling. Motion passed 8:3.

**13. AN EMERGENCY ORDINANCE REQUIRING THE WEARING OF FACE COVERINGS UNDER CERTAIN CIRCUMSTANCES**

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Dawson to approve an emergency ordinance requiring face coverings in certain circumstances.

**Discussion:** To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/118443>

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member McElynn, Council Member Dawson. Voting Nay: Council Member Hervocho, Council Member Lawson, Council Member Flewelling, Council Member Cunningham. The motion was defeated 7:4. (8 yes votes were needed)

**14. FIRST READING OF AN ORDINANCE TO MAKE PERMANENT THE PREVIOUSLY ADOPTED EMERGENCY RESOLUTION ALLOWING FOR ELECTRONIC OR HYBRID MEETINGS, AND OTHER MATTERS RELATED THERETO**

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Glover to approve first reading of an ordinance to make permanent the previously adopted resolution allowing for electronic meetings.

**Motion to Amend:** It was moved by Council Member Cunningham, seconded by Council Rodman to remove County Council meetings from being able to attend in person.

**Discussion:** To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/118443>

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Hervocho, Council Member Howard, Council Member Lawson, Council Member McElynn. Voting Nay: Council Member Rodman, Council Member Dawson, Council Member Flewelling, Council Member Cunningham. Motion to amend was defeated 4:7.

**Back to Main Motion: The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson. Voting Nay: Council Member Hervocho, Council Member Flewelling, Council Member Cunningham. Motion passed 8:3.

**15. FIRST READING OF AN ORDINANCE TO CALL FOR A REFERENDUM TO ALLOW THE QUALIFIED ELECTORS OF BEAUFORT COUNTY, SOUTH CAROLINA TO VOTE TO RETAIN THE COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT OR CHANGE TO THE COUNCIL-MANAGER FORM OF GOVERNMENT**

**Motion:** It was moved by Council Member McElynn, Seconded by Council Member Glover to approve first reading of an ordinance to call for a referendum regarding form of government.

**Discussion:** To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/118443>

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Dawson. Voting Nay: Council Member Hervocho, Council Member Flewelling, Council Member Cunningham. The motion passed 8:3.

16. AN ORDINANCE TO LEVY AND IMPOSE A ONE PERCENT LOCAL OPTION SALES AND USE TAX WITHIN BEAUFORT COUNTY, SOUTH CAROLINA, PURSUANT TO SECTION 4-10-10 ET SEQ., OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED; TO DEFINE THE SPECIFIC PURPOSE OF THE TAX; TO IMPOSE CONDITIONS AND RESTRICTIONS UPON THE USE OF THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM FOR THE IMPOSITION OF THE TAX; TO PROVIDE FOR THE CONDUCT OF SUCH REFERENDUM; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, AND OTHER MATTERS RELATING THERETO.

**Motion:** It was moved by Council Member Howard, Seconded by Vice-Chairman Sommerville to approve an ordinance regarding L.O.S.T.

**Discussion:** To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/118443>

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Flewelling. Voting Nay: Council Member Hervochon, Council Member Rodman, Council Member Cunningham. Motion passed 7:3. Council Member Dawson was absent.

17. SECOND READING OF AN ORDINANCE TO ESTABLISH THE INITIAL RESIDENTIAL SOLID WASTE FEE AS A UNIFORM SERVICE CHARGE FOR THE SOLID WASTE AND RECYCLING ENTERPRISE SYSTEM FOR BEAUFORT COUNTY TO FUND THE PLANNING, DESIGNING, CONSTRUCTING, AND MAINTAINING SOLID WASTE AND RECYCLING MANAGEMENT PROGRAMS, PROJECTS, AND FACILITIES; AND OTHER MATTERS RELATED THERETO

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member Rodman to approve second reading of an ordinance to establish the initial residential solid waste and recycling fee as a uniform service charge.

**Motion to Amend:** It was moved by Council Member Flewelling, Seconded by Council Member Howard to amend item changing it from a solid waste fee as a uniformed service charge to a millage rate calculation.

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Hervochon, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn, Council Member Flewelling, Council Member Cunningham. Motion passed 10:0.

**Main Motion:** Motion approved without objection.

18. SECOND READING OF AN ORDINANCE APPROVING THE INTERGOVERNMENTAL AGREEMENTS BETWEEN BEAUFORT COUNTY, PORT ROYAL, AND THE CITY OF BEAUFORT- PROJECT BURGER, GLASS, GARDEN, AND STONE

This item was deferred and will come back before Council on April 26th.

19. THIRD READING OF AN ORDINANCE REGARDING A ZONING MAP AMENDMENT/REZONING REQUEST FOR 1.96 ACRES (R600 036 000 015E 0000) AT THE INTERSECTION MAY RIVER ROAD AND BENTON LANE FROM T3 EDGE TO T2 RURAL CENTER.

**EXTEND PAST 9 O’CLOCK**

**Motion:** It was moved by Council Member Rodman, Seconded by Council Member Cunningham to extend the meeting to 9:15 PM. Motion passed 9:1. Council Member Glover voted against extending.

**Motion:** It was moved by Council Member Lawson, Seconded by Council Member Cunningham to approve third reading of an ordinance regarding a zoning map amendment rezoning request.

**The Vote** - Voting Yea: Chairman Passiment, Council Member Hervochon, Council Member Rodman, Council Member Lawson, Council Member McElynn, Council Member Flewelling, Council Member Cunningham. Voting Nay: Vice Chairman Sommerville, Council Member Glover, Council Member Howard. Motion passed 7:3.

## **20-25. BOARDS AND COMMISSIONS**

**Motion:** It was moved by Council Member Cunningham, Seconded by Council Member Flewelling to approve all boards and commission recommendations. Motion approved without objection.

- Recommendation to the Governor's office for reappointment of Pamela Brandon-Hennigh to the Disabilities and Special Needs board.
- Reappointment of Natalie Hefter to the Historic Preservation Review Board.
- Reappointment of Katrina Epps to the Historic Preservation Review Board.
- Reappointment of Art Baer to the Rural and Critical Lands Preservation Board.
- Appointment of James Bennett to the Rural and Critical Lands Preservation Board.
- Reappointment of Walter Mack to the Rural and Critical Lands Preservation Board.

## **26. A RESOLUTION TO SET FORTH A UNIFORM POLICY FOR PROCESSING, RESPONDING TO, AND TRACKING REQUESTS FOR PUBLIC RECORDS IN COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT SC CODE OF LAWS 30-4-10 et seq.**

**Motion:** It was moved by Council Member McElynn, Seconded by Vice-Chairman Sommerville to approve a resolution for a uniform policy for processing, responding to, and tracking requests for public records.

**Discussion:** To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/118443>

**The Vote** - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Glover, Council Member Rodman, Council Member Howard, Council Member Lawson, Council Member McElynn. Voting Nay: Council Member Hervochon, Council Member Flewelling, Council Member Cunningham. Motion passed 7:3.

## **27. ADJOURNMENT**

The meeting adjourned at 9:10PM

8.

COUNTY COUNCIL OF BEAUFORT COUNTY

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

Joseph F. Passiment, Jr., Chairman

ATTEST:

\_\_\_\_\_

Sarah W. Brock, Clerk to Council

Ratified: