



County Council Meeting Beaufort County, SC

Council Chambers, Administration Building Beaufort County Government Robert Smalls
Complex 100 Ribaut Road, Beaufort

Monday, August 14, 2023
5:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/269074>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:00 PM.

PRESENT

Chairman Joseph F. Passiment
Vice-Chairman Lawrence McElynn
Council Member David P. Bartholomew
Council Member Paula Brown
Council Member Logan Cunningham
Council Member Gerald Dawson
Council Member York Glover
Council Member Alice Howard
Council Member Mark Lawson
Council Member Anna Maria Tabernik
Council Member Thomas Reitz

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Council Member Glover gave the Invocation.

3. FOIA

Chairman Passiment noted that 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 Council Member Howard, seconded by Council Member Reitz, to amend the agenda, adding item number 10; Approval of a Resolution to name the Boundary Street Open Space/ Pocket Park located in the City of Beaufort: "1st South Carolina Volunteers Park" from the Community Services and Land Use Committee as a Time-Sensitive Item and to be listed as item number 12a.

Motion: It was moved by Council Member Howard, seconded by Council Member Dawson, to approve the agenda as amended.

The Vote - The motion was approved without objection.

The Chairman also mentions the postponement of item number 19.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Cunningham, seconded by Council Member Tabernik, to approve the minutes from June 12, 2023, June 26, 2023, July 24, 2023, and July 28, 2023.

The Vote - The motion was approved without objection.

6. ADMINISTRATOR'S REPORT

Interim County Administrator John Robinson thanked the Council for entrusting him to take on the position of Interim County Administrator for the care of Beaufort County and said that he will lead with character and integrity. He is also thankful for the professional team of Beaufort County and the hard work they have done.

Mr. Robinson recognized employee Jennifer Holstein with Beaufort County Animal Services and introduced the new Executive Director of Beaufort Black Chamber of Commerce, Marily Harris. Ms. Harris said it was an honor to serve as the new Executive Director and invited her new team to the meeting. Ms. Harris spoke about the work of the Black Chamber of Commerce and its purpose.

During the 2023 South Carolina Association of Counties Annual Conference, the county was awarded; the 2022 J. Mitchell Graham Memorial Award for the implementation of a collection center decal system along with a Barrett Lawrimore Memorial Regional Award for Southern Lowcountry Stormwater Design. The 2023 J. Mitchell Graham Memorial Award was presented for the PATH program, which was designed to respond to the shortage of state healthcare workers by using ARPA funds to make Beaufort County's healthcare system more resilient.

Beaufort and Jasper County received an Honorable Mention J. Graham Memorial award for Implementation of a Regional Housing Trust Fund.

2023 Barret Lawrimore Memorial Regional Cooperation Award Winnter- Barnwell County Land Fire was a joint application and effort of Aiken, Barnwell, Beaufort, Dorchester, and Hampton Counties.

Mr. Robinson noted that the Detention Center recently had a DHEC health inspection for the food prep area in the kitchen and received a 100%. Also, the purchase of two ambulances back in April or May have now been delivered and are currently being outfitted for use.

Chairman Passiment recognized all the Council Members and Staff who attended the 2023 South Carolina Association of Counties Annual Conference.

7. PROCLAMATION RECOGNIZING THE BLUFFTON ALLSTAR SOFTBALL TEAM ON THEIR STATE CHAMPIONSHIP WIN

Please watch the video stream available on the County's website to view the full presentation.

<https://beaufortcountysc.new.swagit.com/videos/269074>

Vice-Chairman McElynn presented a Proclamation to the team and coaches for their win.

8. PRESENTATION OF FRIENDS OF FORT FREEMONT 2022 ANNUAL REPORT

Please watch the video stream available on the County's website to view the full presentation.

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9. RURAL AND CRITICAL LAND PRESERVATION BOARD ANNUAL REPORT (2022)

Please watch the video stream available on the County's website to view the full presentation.

<https://beaufortcountysc.new.swagit.com/videos/269074>

10. CITIZEN COMMENTS PERIOD

Please watch the video stream available on the County's website to view the comments.

<https://beaufortcountysc.new.swagit.com/videos/269074>

1. Mike McShane

11. LIASION AND COMMITTEE REPORTS

Council Member Howard commented on the 80th Anniversary of Beaufort Memorial Hospital. The Hospital's Sickle Cell Program has exceeded its goal of \$2,000,000.00. Also, workforce housing continues to work with the Town of Hardeeville on increasing the density of a PUD. They are also planning to build a learning center on Allison Road to support people working at the Hospital. There is an article about a success story of the property that the county purchased from TCL. An employee from the hospital won the lottery for housing and is now living at that property with her son. Lastly, Council Member Howard mentions the Town of Port Royal and the City of Beaufort having a joint meeting on Thursday at 6:00 p.m.

Council Member Tabernik gave updates on the Library Board's meeting in July. They have revised their challenged materials policy and procedures. The summer reading program and the number of students involved. The summer lunch program. The Transportation Committee did a Highway 170 triangle update, and the Highway 278 plan is in draft. The resurfacing project is in six years. The pavement preservation project, the rejuvenator, gave an update. Every district representative was to bring a list of roads that need attention to the Transportation Committee. Districts 2, 3, 4, 6, and 7 had no roads that needed attention. District 1, Poppy Hill Circle, District 5, Cherokee Farms Road, Roof Rack Road, and Salem Drive. District 11 Ibis Street, District 7 Gibbet Drive, District 9 Ulmer Road, and Ulmer Drive, and District 10 Wilborne Road.

12. APPROVAL OF CONSENT AGENDA

ORIGINATING FROM THE PUBLIC FACILITIES AND SAFETY COMMITTEE

THIRD READING OF AN ORDINANCE AMENDING ORDINANCE 2022/45 BY REMOVING THE PROPERTY LOCATED AT 68 HESMAN WAY WITH TMS NO. R55201000003090000 AND OTHER MATTERS RELATED THERETO.

Motion: It was moved by Council Member Cunningham, seconded by Vice-Chairman McElynn, to approve the consent agenda.

DISCUSSION: No discussion

The Vote - The motion was approved without objection.

12a. TIME-SENSITIVE ITEM ORIGINATING FROM THE AUGUST 14TH COMMUNITY SERVICES AND LAND USE COMMITTEE -APPROVAL OF A RESOLUTION TO NAME THE BOUNDARY STREET OPEN SPACE/ POCKET PARK LOCATED IN THE CITY OF BEAUFORT: "1ST SOUTH CAROLINA VOLUNTEERS PARK"

Motion: It was moved by Council Member Bartholomew, seconded by Council Member Reitz, to approve a resolution to name the Boundary Street Open Space/ Pocket Park in the City of Beaufort: "1st South Carolina Volunteers Park".

DISCUSSION: No discussion

The Vote - The motion was approved without objection.

13. TIME-SENSITIVE ITEM ORIGINATING FROM THE AUGUST 14TH COMMUNITY SERVICES AND LAND USE COMMITTEE -APPROVAL OF A RESOLUTION AUTHORIZING THE REALLOCATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR THE PLANNING, PERMITTING, AND CONSTRUCTION OF INFRASTRUCTURE NECESSARY TO RELOCATE THE OPERATION OF THE PUBLIC DAUFUSKIE ISLAND FERRY SERVICE

Motion: It was moved by Council Member Lawson, seconded by Council Member Brown, to approve a resolution authorizing the reallocation of American Rescue Plan Act (ARPA) funds for the planning, permitting, and construction of infrastructure necessary to relocate the operation of the public Daufuskie Island Ferry Service.

DISCUSSION: No discussion

The Vote - The motion was approved without objection.

14. **TIME-SENSITIVE ITEM ORIGINATING FROM THE AUGUST 14TH COMMUNITY SERVICES AND LAND USE COMMITTEE -APPROVAL OF A RESOLUTION APPROVING THE EMERGENCY PROCUREMENT OF AND FUNDING FOR THE DESIGN, PERMITTING, AND CONSTRUCTION SERVICES NECESSARY FOR IMPROVEMENTS TO THE CROSS ISLAND BOAT LANDING TO ACCOMMODATE THE DAUFUSKIE ISLAND FERRY BY JANUARY 1, 2024, TO COMPLY WITH A COURT ORDER**

DISCUSSION: No discussion

Motion: It was moved by Council Member Lawson, seconded by Council Member Brown, to approve the resolution approving the emergency procurement of and funding for the design, permitting, and construction services necessary for improvements to the Cross Island Boat Landing to accommodate the Daufuskie Island Ferry by January 1, 2024, to comply with a court order.

The Vote - The motion was approved without objection.

15. **TIME-SENSITIVE ITEM ORIGINATING FROM THE AUGUST 14TH COMMUNITY SERVICES AND LAND USE COMMITTEE – APPROVAL OF A RESOLUTION TO ACCEPT SC AERONAUTICS COMMISSION GRANT OFFER 23-025 FOR \$378,044 FOR TAXIWAY F STRENGTHENING AND FOR A PARTIAL ACQUISITION OF EXEC AIR PROPERTY AT THE HILTON HEAD ISLAND AIRPORT**

DISCUSSION: No discussion

Motion: It was moved by Council Member Reitz, seconded by Vice-Chairman McElynn, to approve a resolution to accept SC Aeronautics Commission Grant Offer 23-025 for \$378,044 for Taxiway F strengthening and for a partial acquisition of Exec Air property at the Hilton Head Island Airport

The Vote - The motion was approved without objection.

16. **TIME-SENSITIVE ITEM ORIGINATING FROM THE AUGUST 14TH COMMUNITY SERVICES AND LAND USE COMMITTEE – APPROVAL OF AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE VII – GREEN SPACE PROGRAM, TO ESTABLISH SECTION 38-200 – GREEN SPACE ADVISORY COMMITTEE (GSAC) PROGRAM CRITERIA AND APPLICATION PROCESS**

Please watch the video stream available on the County's website to view the full discussion.

<https://beaufortcountysc.new.swagit.com/videos/269074>

Motion: It was moved by Council Member Cunningham, seconded by Council Member Howard, to approve the first reading of an ordinance amending Beaufort County Code of Ordinances Chapter 38, Article VII – Green Space Program, to establish Section 38-200 – Green Space Advisory Committee (GSAC) program criteria and application process.

Discussion: Council Member Howard wanted to emphasize what Mr. McShane said, that Beaufort is at the cusp of the county and the cusp of the state on this program and will write new ground.

Chairman Passiment commented that several counties approached him at the South Carolina Association of Counties Conference and understood what Beaufort County was trying to do with the program.

The Vote – The motion to amend was approved without objection.

17. TIME-SENSITIVE ITEM ORIGINATING FROM THE AUGUST 14TH COMMUNITY SERVICES AND LAND USE COMMITTEE – FIRST READING OF AN ORDINANCE AMENDMENT TO PROVIDE FOR A MODIFIED MILLAGE RATE FOR THE LEVY OF TAX FOR SCHOOL PURPOSES FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, AND TO MAKE APPROPRIATIONS FOR SAID PURPOSES

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Motion: It was moved by Council Member Tabernik, seconded by Council Member Dawson, to approve the first reading of an ordinance amendment to provide for a modified millage rate for the levy of tax for school purposes for Beaufort County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and to make appropriations for said purposes.

DISCUSSION: Chairman Passiment spoke to the public regarding this item, explaining that during the Community Services and Land Use Committee earlier, information was presented, and a millage rate was established as required by law and that County Council could change that millage rate if necessary because the County is in a reassessment year. The millage rate reduction was 3.8 mills.

Council Member Tabernik wanted to point out that this item was explained and questioned in detail at the committee level.

Chairman Passiment added that at the committee level, all the heavy details and questions are heard, and during Council meetings, Council approves what was recommended by the committee. This item will be heard on August 21st and August 28th so that this amendment can be issued by August 30th.

The Vote - The motion was approved without objection.

18. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE REGARDING A ROAD USE FEE

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<https://beaufortcountysc.new.swagit.com/videos/269074>

Chairman Passiment opened the floor for public comment.

Skip Hoagland spoke regarding two previous items questioning if the School Districts will be a part of the audit and stating that the SC Association of Counties is a trademark and cannot make laws only recommended.

The Chairman closed the public comment.

Motion: It was moved by Council Member Glover, seconded by Council Member Howard, to approve the public hearing and second reading of an ordinance to amend the Beaufort County Ordinance regarding a road use fee.

The Vote - The motion was approved without objection.

19. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF REAL PROPERTY IDENTIFIED AS 34 ULMER ROAD

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The Chairman requested that a member of Council make a motion to postpone the public hearing and second reading of this ordinance until the Council meeting on September 25th.

Motion: It was moved by Council Member Cunningham, seconded by Council Member Lawson, to postpone the public hearing and second reading of an ordinance authorizing the County Administrator to

execute the necessary documents and provide funding for the purchase of real property at 34 Ulmer Road until the Council meeting on September 25th.

Discussion: Council Member Cunningham wanted to make sure that it was clear to the public why this item was being postponed. The postponement is to make sure that the reason the County was purchasing this land was achievable and could be accomplished before \$3,000,000.00 of public funds were used. If this goal can't be established, staff will need time to discuss with other departments if they have a purpose for the land. Extension is being requested to give our staff time and Rural and Critical Lands time to discuss different options if the county cannot fulfill what is intended for the land.

Council Member Howard wanted to express that there are limited funds in the Rural and Critical Lands Program, and this purchase will have to go to the Rural and Critical Lands Board. It will be taken into consideration what is left and what the county can do.

The Vote - The motion was approved without objection.

20. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$5,250,000.00 OF GENERAL OBLIGATION BONDS SUBJECT TO VOTER APPROVAL, PROVIDING FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION; AND PROVIDING FOR OTHER MATTERS RELATED THERETO

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Motion: It was moved by Council Member Glover, seconded by Council Member Bartholomew, to approve the public hearing and third reading of an ordinance authorizing the Fripp Island Public Service District, South Carolina, to issue not exceeding \$5,250,000.00 of general obligation bonds subject to voter approval, providing for the publication of notice of the said finding and authorization; and providing for other matters related thereto.

Chairman Passiment opened the floor for public comment.

Skip Hoagland commented, asking if the Burr Forman Law Firm was handling or has anything to do with these bonds and would like to know what bonds Burr Forman does and if hospitality tax is used to retire bonds. There are a lot of hospitality taxes that are unaccounted for, and all this needs to be tied into future audits.

The Chairman closed the public comment.

The Vote - The motion was approved without objection.

21. APPROVAL OF A RESOLUTION ORDERING BOND REFERENDA TO BE HELD IN THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA, ON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$5,250,000.00 OF GENERAL OBLIGATION BONDS OF FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA IN THREE SEPARATE QUESTIONS; PROVIDING FOR THE FORM OF THE BALLOTS TO BE USED; PROVIDING FOR NOTICE

Motion: It was moved by Council Member Glover, seconded by Council Member Batholomew, to approve a resolution ordering bond referenda to be held in the Fripp Island Public Service District, South Carolina, on the question of the issuance of not exceeding \$5,250,000.00 of general obligation bonds of Fripp Island Public Service District, South Carolina in three separate questions; providing for the form of the ballots to be used; providing for notice

Discussion: Council Member Glover wanted to comment for the record that this bond is for the Fripp Island Public Service District. The citizens of Fripp Island will basically decide their destination as far as bonding, funding, payments, etc.

The Vote - The motion was approved without objection.

22. CITIZEN COMMENT PERIOD

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1. Lisa Lynch
2. Skip Hoagland
3. Lynne Greely (Time given to Skip Hoagland) Chairman recessed during this time because giving time to another is prohibited according to Beaufort County's Rules and Procedures
4. Ms. Scott
5. Marilyn Hemingway

EXECUTIVE SESSION

23. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE ON MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (ERIC GREENWAY'S REQUEST FOR A PUBLIC HEARING PURSUANT TO S.C. CODE SECTION 4-9-620).

24. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE ON MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (RETENTION OF OUTSIDE LAW FIRM TO CONDUCT REVIEWS AND AUDITS AS PREVIOUSLY APPROVED BY COUNCIL)

25. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(1) DISCUSSION OF EMPLOYMENT OF A PERSON REGULATED BY COUNTY COUNCIL (JOHN ROBINSON)

Motion: It was moved by Vice-Chairman McElynn, seconded by Council Member Brown, for Council to enter executive session.

The Vote – The motion was approved without objection.

Executive Session 6:35 pm – 7:29 pm

26. MATTERS ARISING OUT OF EXECUTIVE SESSION

No matters arising out of the executive session.

24. ADJOURNMENT


Adjourned at or around 7:30 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 

Joseph F. Passiment, Jr., Chairman

ATTEST:



Sarah W. Brock, Clerk to Council

Ratified: September 25, 2023