



Executive Committee Beaufort County, SC

This meeting will be held both in person at the County Council Chambers, 100 Ribaut Road, Beaufort and also virtually through Zoom.

Monday, February 07, 2022
1:00 PM

AGENDA

COMMITTEE MEMBERS:

PAUL SOMMERVILLE, CHAIRMAN LAWRENCE MCELYNN
ALICE HOWARD STU RODMAN
MARK LAWSON

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF AGENDA
- [5.](#) APPROVAL OF MINUTES- January 3, 2022
6. **CITIZEN COMMENTS - (ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes (a total of 15 minutes) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)**

AGENDA ITEMS

- [7.](#) DISCUSSION REGARDING THE ELEMENTS OF THE RULES AND PROCEDURES HANDBOOK
- [8.](#) 2021-22 BUDGET AMENDMENT TO RECOGNIZE ARPA FUNDS
- [9.](#) RECOMMENDATION TO APPROVE CHANGE ORDER 2 TO MYRTLE PARK COMMERCIAL SITE DEVELOPMENT (IFB 021121E)
- [10.](#) DISCUSSION/ACTION ON MODIFICATIONS TO THE RESOLUTION CREATING A CITIZEN'S ADVISORY COMMITTEE FOR THE PROPOSED TRANSPORTATION SALES TAX REFERENDUM
11. ADJOURNMENT

**TO WATCH COMMITTEE OR COUNTY COUNCIL MEETINGS OR FOR A COMPLETE LIST OF AGENDAS AND
BACKUP PACKAGES, PLEASE VISIT:**

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>



Executive Committee Beaufort County, SC

This meeting was held both in-person in Council Chambers at 100 Ribaut Road, Beaufort, and virtually through Zoom.

Monday, January 3, 2022
2:00 PM

MINUTES

1. **CALL TO ORDER**

Committee Chairman Sommerville called the meeting to order at 2:00 PM.

PRESENT

Committee Chairman D. Paul Sommerville
Council Member Joseph F. Passiment
Council Member Mark Lawson
Council Member Lawrence McElynn
Council Member Stu Rodman
Council Member Chris Hervocho
Council Member Alice Howard
Council Member York Glover
Council Member Gerald Dawson
Council Member Logan Cunningham

ABSENT

Council Member Brian Flewelling

2. **PLEDGE OF ALLEGIANCE**

Committee Chairman Sommerville led the Pledge of Allegiance

3. **FOIA**

Committee Chairman Sommerville stated public notice of this meeting has been published, posted, and distributed in compliance with the SC FOIA Act.

4. **APPROVAL OF AGENDA**

Motion: It Was Moved by Council Member Howard, Seconded by Council Member Glover to Approve The Agenda. The Motion Was Approved Without Objection.

5. **APPROVAL OF MINUTES**

Motion: It Was Moved by Council Member Howard, Seconded by Council Member Glover, To Approve December 6, 2021, Minutes with The Correction of a Typo in Item Number 14. The Motion Was Approved Without Objection.

6. **CITIZEN COMMENTS**

No Citizen Comments

7. **UPDATE FROM ASSISTANT COUNTY ADMINISTRATOR PATRICK HILL, INFORMATION TECHNOLOGY**

To view the full update, click the link below.

<https://beaufortcountysc.new.swagit.com/videos/152333>

- Council Member Dawson would like IT to extend broadband to the Big Estate and Sheldon areas.
- Patrick Hill stated that the extension is focused on District 1 and District 3 but can provide a list of addresses to the Council Members.
- Council Member Glover asked if anything was coordinated with the School District to help students in locations without broadband.
- Jared Fralix stated that they have worked with the School District and the State and have been provided with addresses of those students without access.

Status: Informational purposes only.

AGENDA ITEMS

Items 8 and 9 were handled together.

8. **ACCEPTANCE OF A GRANT AWARD FROM THE DEPARTMENT OF JUSTICE FOR THE BEAUFORT COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$70,005- Pinky Harriott, Budget Director**

- Beaufort County Sheriff's Office applied for a grant through the Department of Justice CEBR Program. The funds will be used to purchase equipment to increase the DNA lab's extraction capacity; the project is from October 1, 2021, to September 30, 2023.

9. **ACCEPTANCE OF A GRANT AWARD FROM THE DEPARTMENT OF JUSTICE FOR THE BEAUFORT COUNTY CORONER'S OFFICE IN THE AMOUNT OF \$113,227- Pinky Harriott, Budget Director**

- Beaufort County Coroner's Office applied for and was awarded a grant by the Department of Justice. The goal of the funds is to develop and implement accreditation standards for the Coroner's Office; the project period is October 1, 2021- September 30, 2023.

Discussion: To view the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/152333>

Motion: It Was Moved by Council Member Dawson, Seconded by Council Member Howard To Combined Items 8 And 9 And Approve the Acceptance of a Grant Award from The Department of Justice for The Beaufort County Sheriff's Office in The Amount Of \$70,005 And Approve the Acceptance of a Grant Award from The Department of Justice for The Beaufort County Coroner's Office in The Amount Of \$113,227. Motion Approved Without Objection.

Status: Forward to Council for approval.

10. **APPROVAL FOR THE ALCOHOL AND DRUG ABUSE DEPARTMENT TO APPLY FOR THE RCORP IMPLEMENTATION GRANT- Steve Donaldson, Beaufort County Alcohol and Drug**

- Beaufort County Alcohol and Drug Abuse Department is writing the Rural Communities Opioid Response Program Implementation grant. It is a Federal Grant administered by the Health Resources Services Administration. Its total is 1 Million dollars. This grant is to partner with other community organizations to expand the reach of BCADAD. Implementing personnel and programming in BMH and the BC Detention Center are the primary objectives to engaging substance misusers into treatment and recovery. The BCADAD could help reduce patient recycling through the emergency department and jail, thus saving taxpayer dollars while improving the lives of citizens.

Discussion: To view the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/152333>

Motion: It Was Moved by Council Member McElynn, Seconded by Council Member Dawson To Approve for The Alcohol and Drug Abuse Department to Apply for The RCORP Implementation Grant. The Motion Was Approved Without Objection.

Status: Forward to Council for approval.

11. **DISCUSSION REGARDING THE ELEMENTS OF THE RULES AND PROCEDURES HANDBOOK**

Discussion: To view the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/152333>

12. **APPOINTMENT OF DEAN NADLER TO THE SEABROOK POINT, SPECIAL TAX DISTRICT FOR AN EXPIRATION DATE OF 2026**

Discussion: To view the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/152333>

Motion: It Was Moved by Council Member Howard, Seconded by Council Member Dawson To Approve the Appointment of Dean Nadler To the Seabrook Point, Special Tax District for An Expiration Date Of 2026. The Motion Was Approved Without Objection.

Status: Forward to Council for approval.

Eric Greenway, the County Administrator, spoke regarding several issues:

- Re-opening of the Bluffton Library on Tuesday at 9 am.
- Grants are being applied for by Steve Donaldson, BCADAD.

- Encouraging Council Members to reach out to state legislators regarding mental health care to help with local resources for individuals in the community.
- Council Member Cunningham offered to set up a meeting with state officials regarding the above issue and invited Council Member McElynn.
- Council Member Dawson suggested addressing the full delegation and seeing if they can get some movement and direction for the crisis the county is dealing with
- Council Member Rodman suggested brainstorming ideas on how to address the problem. Mr. Greenway stated there are ideas and solutions to address the problem; however additional resources are needed on a state level.
- Council Member McElynn suggested reaching out to local community organizations for ideas and possible federal funding.
- Council Member Glover suggested a Resolution to give to delegation or something in writing to present.

Discussion: To view the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/152333>

13. **ADJOURNMENT**

The meeting adjourned at 2:33 PM.

Ratified by Committee:

Rule 12. Main Motions.

In order for county council to take official action on any subject, a council member must first propose a main motion. A proposed main motion will not be recognized by the chair until another council member seconds the motion. A second does not require the council member seconding the motion to support the motion. A council member may withdraw a main motion that he or she has made at any time before the council has voted on that motion.

Rule 13. Procedural Motions.

During the course of debate, council members may introduce procedural motions. Procedural motions are used to facilitate the orderly discussion of business before county council. They limit, but allow for, interruptions and allow county council to focus on one issue at a time. Procedural motions are divided into privileged, subsidiary, incidental, and recall motions. Privileged motions and Points of Order do not require a second; all other incidental motions and all subsidiary and recall motions require a second.

Privileged, subsidiary, and recall motions have a precedence or rank assigned. The incidental motions have no rank among themselves; except as described in Model Rule 16, they rank below the privileged motions and the Motion to Lay on the Table. A main motion has the lowest rank and does not take precedence over any other motion, nor can a new main motion be introduced when another main motion is pending.

Rule 14. Privileged Motions.

The five privileged motions are the highest-ranking group of procedural motions, with the Motion to Adjourn having the highest precedence of the group. Only the Motion to Reconsider has higher precedence. Privileged motions can be made at any time; the Motion to Adjourn, the Motion to Raise a Point of Privilege, and the Motion to Convene an Executive Session can interrupt another member who has the floor. When making one of these three motions, the council member should get the attention of the chair. The chair, interrupting anyone then speaking, recognizes the council member, who then states the motion.

Privileged motions require no second, cannot be reconsidered and, except for the Motion to Recede [Take a Recess], are not debatable. All privileged motions pass by simple majority. Specific characteristics of each privileged motion, listed in order of precedence, are set out below.

1. Motion to Adjourn.

An unqualified Motion to Adjourn is the highest ranking privileged motion and requires, if approved by a **simple** majority vote, that the meeting end immediately and reconvene at the next regularly scheduled or called meeting. As the highest ranking privileged motion, the Motion to Adjourn can be raised at anytime, except when a vote is being taken or being counted. It can be interrupted only by the motion to reconsider; it can interrupt any person having the floor. The Motion to Adjourn cannot be amended, debated, or reconsidered; it requires a majority for passage. Like all privileged motions, it does not require a second.

2. Motion to Recede [Motion to Take a Recess].

A recess is a short intermission, taken immediately upon passage. Following the recess, the meeting takes up at the same point where it was interrupted. The motion cannot be debated or reconsidered, but can be amended as to the duration of the recess. It requires a majority for passage. Also, the Motion to Recede is out of order if anyone has the floor or a vote is being taken or counted. Like the Motion to Adjourn, the Motion to Recede is privileged only if the recess is to be taken immediately; a Motion to Recede at some point in the future is a main motion. Like all privileged motions, it does not require a second.

3. Motion to Raise a Question of Privilege.

A Motion to Raise a Question of Privilege is a device to allow county council to take up a matter for immediate consideration because of its urgency; it can interrupt any person having the floor. The motion cannot be amended, debated, or reconsidered, but it can be appealed. It is generally ruled on by the chair, but a vote may be taken if the decision of the chair is appealed. If approved, what follows will be a main motion taken out of order. Generally there are two types of questions of privilege: questions relating to the privilege of county council; and questions of personal privilege. If the two come up together, a question of council privilege should take precedence over a question of personal privilege. Like all privileged motions, it does not require a second.

4. Motion to Convene an Executive Session.

Executive sessions must be convened and conducted in accordance with the Freedom of Information Act and may be convened only for one or more of the specific reasons enumerated in the Act. A properly stated motion provides an appropriate reason for convening the executive session. If a valid reason is not stated, the chair may inquire or, if the reason is obvious, provide the reason when restating the motion. The reason for convening the executive session must be recorded in the minutes, in accordance with **Chapter 2, Section 8**. The motion may be amended and debated

with regard to stating the appropriate reason or reasons for convening the session; however, it cannot be reconsidered. A public vote is required on the motion prior to convening the executive session; a majority vote is required for passage. The Motion to Convene an Executive Session can interrupt any person having the floor. Like all privileged motions, it does not require a second.

5. Motion to Follow the Agenda.

This motion is used to get a meeting back on schedule and is appropriate when the meeting has been allowed to digress or when a specific time scheduled for an item of business has arrived and the chair has failed to take notice. Once the motion is made, the chair must conform with the agenda or put the motion to a vote. The motion cannot be amended, debated, or reconsidered; a **simple** majority vote is required to overrule this motion. Like all privileged motions, it does not require a second.

Rule 15. Subsidiary Motions.

The six subsidiary motions help deliberative bodies reach a decision on other pending motions, usually a main motion. Subsidiary motions are always applied to another pending motion. Three subsidiary motions – Motion to Amend, Motion to Limit/Extend Debate, and Motion to Call for the Question [Motion to Vote Immediately] – can be applied to other subsidiary motions and the Motion to Amend can be applied to the Motion to Recede [Take a Recess], a privileged motion. All subsidiary motions are out of order when another person has the floor.

All subsidiary motions share the following four characteristics:

1. They are always applied to a motion that is pending at the time and, when adopted, the subsidiary motion changes the motion it is applied to without adopting it;
2. They can be applied to any main motion (and some other motions, as well);
3. They are in order from the moment the motion they are to be applied to is stated by the chair **until a vote has begun on that motion**; and
4. They conform to the hierarchy as listed below (no motion in the hierarchy is in order if a motion listed above it in the order is pending).

1. Motion to Lay on the Table [Motion to Table].

A Motion to Lay on the Table proposes that the consideration of a motion be postponed until a later time. It is an appropriate motion to take up a more pressing matter, out of order, and to return later to the tabled motion. The main motion can be brought back for consideration if a Motion to Recall is later passed by county council. A motion that has been laid on the table will die if it has

not been taken from the table by the close of the meeting following the meeting in which the motion was tabled. Amendments and debate are not allowed on a Motion to Lay on the Table and it cannot be reconsidered; it requires a majority vote for passage. The Motion to Lay on the Table is out of order if another speaker has the floor.

2. Motion to Call for the Question [Motion to Vote Immediately].

If passed, this motion cuts off debate and forces an immediate vote on the pending issue. The Motion to Call for the Question is neither debatable nor amendable, but it can be reconsidered up until a vote is taken on the called question. A two-thirds majority is required for passage. The Motion to Call for the Question can be applied to any motion requiring a vote.

3. Motion to Limit/Extend Debate.

The Motion to Limit Debate and the Motion to Extend Debate change any time constraints **are** placed on the length of debate. The details of such motions are to be provided by the council member making the motion. Either motion can be applied to any motion that is debatable (not just to main motions). Debate is not allowed on either motion, nor can either be reconsidered. A two-thirds vote is required for passage. The motions can be amended as to the length of the time limitation.

4. Motion to Postpone/Motion to Postpone to a Time Certain.

A Motion to Postpone and a Motion to Postpone to a Time Certain are appropriate when a council member believes that the pending main motion should not be considered until some point in the future. These motions are in order even though debate has already occurred on the main motion. The Motion to Postpone to a Time Certain sets a particular time for the main motion to be considered again, which may be later in the same meeting, at a future meeting or upon the occurrence of a specified event, or the issuance of a necessary report. The motion is debatable, amendable as to the duration of postponement, and can be reconsidered. If the motion sets the matter for a date and time certain, a two-thirds majority is required for passage; if the motion does not set a specific time for consideration, it is referred to as a Motion to Postpone and only a majority vote is required for passage. If the motion is set for a time certain, the chair will bring the motion back to county council for further consideration at the specified time.

5. Motion to Commit [Motion to Refer to Committee].

The chair may refer any matter to a committee. If the chair does not refer a matter to a committee and a council member believes that further information or study is needed before the county council can act on a matter, he or she may propose that it be referred to a committee or to a particular office in county government for further study. If an appropriate committee does not already exist, a special committee can be formed as a part of the motion. A Motion to Commit may specify the date that the committee or department will report back to council. If a special committee is formed, the chair will appoint its members and its chair. This motion is debatable and can be amended as to where the motion is to be committed sent and the date and time that the committee will report back; it can be reconsidered. The motion requires a majority for passage.

6. Motion to Amend.

A Motion to Amend is used to make a change to a pending motion. Amendments must be closely related to the original motion and must not change the nature of the motion that they amend. A Motion to Amend can itself be amended, but the Motion to Amend an amendment cannot. These rules are to be enforced by the chair.

In addition to main motions, some subsidiary motions and the Motion to Recede [Take a Recess], can also be amended. Debate is allowed on a Motion to Amend only if the original motion is debatable, and is limited to the proposed amendment. The Motion to Amend can be reconsidered. A majority vote is required to adopt an amendment. If the amendment is adopted, county council will then consider the amended version of the motion.

Rule 16. Incidental Motions.

Six incidental motions allow council members to appeal rulings by the chair, raise points of order, question precedence of motions, and raise objections to consideration of matters that are incidental to the discussions at hand but do not directly relate to the main question under discussion. Incidental motions are in order only if they pertain to the motion then pending or to the business at hand. If the incidental motion is in order, it takes precedence over any other motions that are pending. Points of Order may interrupt another member who has the floor. Incidental motions have no rank among themselves; except as described below, they rank below the privileged motions and the Motion to Lay on the Table.

1. Point of Order [Motion to Raise a Question of Order].

The Point of Order takes precedence over any question matter from which it arose. It yields to any privileged motion and a motion to lay the underlying question on the table. The Point of Order is not debatable (except that the chair may ask the member raising the point to explain it), is not amendable, and cannot be reconsidered. It does not require a second. The Point of Order is in

order when another person has the floor and can interrupt a person speaking if the point genuinely requires attention at the time it is raised. ~~Normally,~~ The point is ruled on by the chair and no vote is taken, unless there is an appeal ~~or the chair is in doubt.~~

2. Appeal.

The duties of the chair include making rulings on questions of parliamentary procedure. An Appeal is the vehicle available to members of council who believe that the chair's ruling was erroneous. The Appeal is in order when another has the floor, but must be taken immediately after the ruling and is out of order if other business has intervened. It is debatable unless the underlying question is not debatable or if the Appeal relates to decorum or priority of business; it is not amendable.

The decision of the chair stands unless reversed by a majority of the members; the chair may vote to create a tie and thus sustain the ruling. An Appeal takes precedence over any pending question at the time the chair makes the ruling. It yields to all privileged motions, incidental motions arising from itself and, if debatable, to the following subsidiary motions: Motion to Limit/Extend Debate, Motion to Call for the Question [Vote Immediately], Motion to Commit, Motion to Postpone/Motion to Postpone to a Time Certain, and the Motion to Lay on the Table. If debatable, each member may speak only once. An Appeal can be reconsidered.

3. Motion to Suspend the Rules.

The Motion to Suspend the Rules allows county council to do something it could not ordinarily do without violating one or more of its regular rules. The motion cannot be used to suspend a rule in violation of state or federal law, nor can the suspension violate a fundamental rule of procedural law.

A Motion to Suspend the Rules can be made anytime there is no question pending. When a matter is pending, this motion takes precedence over any other motion if it applies to the pending matter of business. No subsidiary motion can be applied to this motion. It is out of order when another council member has the floor; it is not debatable, not amendable, and cannot be reconsidered. It requires a two-thirds majority vote for passage.

It is not necessary to state the rule to be suspended when making the motion, but the purpose for the suspension should be stated (e.g. "Mr. Chair, I move to suspend the rules to take up, out of order, the matter of ...").

The Motion to Suspend the Rules has such potential for abuse that the chair must be aware of and must be quick to preclude not only the abuse itself, but also the appearance of abuse. For

example, the majority, by suspending the rules, “cannot deny any particular member the right to attend meetings, make motions, speak in debate, and vote.” RONR § 25.

4. Motion to Divide the Question.

The Motion to Divide the Question allows members of county council to require a question dealing with a single subject to be divided into parts and to have each part considered and voted on separately, but only if each part is capable of standing alone. This motion is not debatable, cannot be reconsidered and requires a majority vote for passage. It is amendable only with regard to how the question should be divided.

This motion is out of order when another has the floor. It takes precedence over the main motion. If applied to an amendment, it takes precedence over the amendment, but it cannot be made to the underlying matter with an amendment pending. It yields to all privileged motions, to all applicable incidental motions and to all subsidiary motions with the following exceptions: Motion to Amend and Motion to Limit/Extend Debate.

5. Motion to Consider by Paragraph/Motion to Consider by Section.

Motions to Consider by Paragraph or by Section allow county council to break down complex proposals into their component parts and to consider, debate, and amend each paragraph or section separately. This procedure can be applied by the chair on his or her own initiative or by the county council following the adoption of a motion by any member.

These motions are not debatable, cannot be reconsidered, and require a majority vote for passage. They are amendable only with regard to how the question should be divided. These motions are out of order when another has the floor. They take precedence over the main motion. If applied to an amendment, they take precedence over the amendment, but cannot be made to the main motion with an amendment pending. They yield to all privileged motions, to all applicable incidental motions, and to all subsidiary motions with the following exceptions: Motion to Amend and Motion to Limit/Extend Debate.

6. Requests and Inquiries.

From time to time, council members may need additional background information or may wish to provide such information, so that the council can better understand the issue under discussion. Requests and inquiries provide the vehicle for exchanging this information. Parliamentary Inquiries and Points of Information may interrupt another who has the floor, but only if the matter requires immediate attention. Requests and inquiries are not amendable, debatable, or subject to reconsideration. No votes are taken on Parliamentary Inquiries or Points of Information;

other requests/inquiries require a majority vote for passage, except that reading of papers requires unanimous consent. All share similar characteristics and procedural requirements and can be subdivided into the following categories:

A. Parliamentary Inquiry

Such inquiries are always directed to and answered by the chair and are used to clarify specific parliamentary or organization rules that have bearing on the issue at hand.

B. Point of Information

This inquiry is addressed to the chair or to another member through the chair, for information relevant to the business at hand, but not related to parliamentary procedure.

C. Reading of Papers

No member of council has the right to read or have another person read from any papers or books as part of that member's debate on any matter without unanimous consent of the other members of council. Even so, it is customary to grant leave to members to read short, pertinent printed matter, so long as the privilege is not abused.

D. Any Other Privilege

Examples of other privileges include requesting to address the council on a personal or non-business matter or, if there is no motion pending, requesting to make a presentation.

Together, these requests and inquiries have the following characteristics which are universally shared unless otherwise indicated:

1. They all take precedence over any motion they are connected with and may be made at any time no other business is pending. They yield to all privileged motions and other incidental motions;
2. No subsidiary motion can be applied to them;
3. Unlike RONR, the Parliamentary Inquiry and Point of Information are the only requests or inquiries that can interrupt a member who has the floor;
4. None is debatable or amendable; and

5. No vote is taken on Parliamentary Inquiries or Points of Information; majority vote is required to pass the others, except that Reading of Papers requires unanimous consent.

Rule 17. Recall Motions.

Two recall motions allow issues that have been previously disposed of or assigned to a committee to be brought back to the County Council as a body.

1. Motion to Reconsider.

The Motion to Reconsider allows county council to debate whether or not to overturn a decision made at the meeting that is in progress or at the immediately preceding meeting; provided, however, that third reading to an ordinance may be reconsidered only at the same meeting in which the third reading was adopted. Furthermore, if the matter to be reconsidered was the adoption of a resolution that has already been published or acted upon, the motion is out of order. The Motion to Reconsider allows county council to consider new information that may affect the decision that has already been made. Any council member who voted on the prevailing side can make a Motion to Reconsider. The motion is debatable if the matter to be reconsidered is debatable, but it cannot be amended. A majority vote is required for the motion to pass. The Motion to Reconsider, itself, cannot be reconsidered. If the Motion to Reconsider is agreed to, the original decision will be voided and the county council will return to debate and vote again on the original motion.

Subject to the time restriction indicated above, the Motion to Reconsider can be made at any time, taking precedence over any other motion and yielding to nothing. The Motion to Reconsider is out of order when another person has the floor. Once the Motion to Reconsider is made, the consideration of the motion takes the priority of the motion to be reconsidered, but has precedence over any new motion of equal rank. A Motion to Reconsider temporarily suspends any action growing out of the motion to be reconsidered. If the Motion to Reconsider is made but not considered immediately, any member can call up the motion by bringing it to the attention of council at any time consideration of the motion would be in order.

2. Motion to Recall from the Table/Motion to Recall from Committee.

The Motions to Recall from the Table and to Recall from Committee allow the county council to consider a question that has been laid on the table or that has been assigned but not yet reported out of committee. These motions take precedence over nothing and must be made when no other business is pending. The motions are not debatable or amendable. A tabled motion that is not recalled by the close of the meeting following the meeting in which it was tabled is dead. A majority vote is required for passage of either motion.

Rule 18. Discipline of Individual Council Member [Motion to Discipline].

A member of the body may be disciplined by the body during an active meeting for conduct that substantially impairs the ability of the body to conduct the meeting. The member shall be given an initial warning by the chair that his or her conduct is in breach of the rules of the body. The member may only be removed from an active meeting by motion and a two-thirds vote of the body for continued conduct if the chair determines that such conduct has substantially impaired the body's ability to conduct the meeting. The removal of the member shall continue for such time as determined by the body, not to exceed adjournment of the active meeting. ~~When it is the Vice-Chair or Chair's conduct that substantially impairs the body's ability to conduct the meeting, the body shall have remedies available in Robert's Rules of Order.~~

Rule 19. Travel and Expense Reimbursement and Attendance at Seminars, Conferences, Etc.

(INSERT LANGUAGE FROM THE NEW DIRECTOR OF FINANCE REGARDING TRAVEL EXPENSES)

ORDINANCE 2022/____

AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2021/____ FOR THE FISCAL YEAR 2021-22 BEAUFORT COUNTY BUDGET TO PROVIDE FOR ADDITIONAL REVENUES AND APPROPRIATIONS FROM THE AMERICAN RESCUE PLAN ACT

WHEREAS, on June 30, 2021, Beaufort County Council adopted Ordinance No. 2021/____ which sets the County's FY 2021-2022 budget and associated expenditures; and

WHEREAS, the Federal government has allocated funding to each state (the “Funds”) under the American Rescue Plan Act (the “Act”); and

WHEREAS, Beaufort County received \$37,317,446 under the Act; and

WHEREAS, the Federal government has provided guidance on eligible uses of the Funds and within specified time frames for expenditure of the Funds; and

WHEREAS, Beaufort County seeks to expend the Funds according to these provisions; and

WHEREAS, Beaufort County identified numerous categories for appropriate expenditure of the Funds; and

WHEREAS, Beaufort County acknowledges some of the expenditures may need to be revised based on feasibility studies and the availability of items; and

WHEREAS, in the interest of good accounting practices and transparency in the budget process it is beneficial and necessary to amend the budget to reflect the receipt and appropriation of the Funds;

NOW, THEREFORE be it ordained by Beaufort County Council, in meeting duly assembled, that the FY 2021-2022 Beaufort County Budget Ordinance (Ordinance 2021/____) is hereby amended as follows:

1. Beaufort County adopts a multi-year budget for the Funds in the amount of \$37,317,446 to be expended through fiscal year 2027 according to expenditure categories identified in Exhibit “A”.
2. The County Administrator is authorized to make revisions between categories as projects or capital outlays become infeasible, unavailable or it otherwise is beneficial to change.

DONE this _____ day of March, 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council

First Reading:
Second Reading:
Public Hearing:
Third Reading

Exhibit "A"

Beaufort County ARPA Expenditures:

Personnel	\$	3,557,446.00
Professional Services	\$	1,340,000.00
Interagency	\$	4,900,000.00
Infrastructure	\$	13,150,000.00
Equipment	\$	920,000.00
Buildings & Improvements	\$	13,450,000.00
Total	\$	37,317,446.00

Workforce	Item	Budget Retreat	Revisions	Recommendation	Budget Category	Notes	BC Totals
	1 Loan Payoff	1,000,000		1,000,000	Inter agency		Inter agency 4,900,000
	2 Recruitment	500,000		500,000	Inter agency		Bldgs & Improvs 13,450,000
	3 Nursing Pilot	700,000		700,000	Inter agency		Infrastructure 13,150,000
	4 SOLO Housing	1,200,000		1,200,000	Inter agency		Equipment 920,000
	5 Headhunter	200,000	(200,000)	-		Per EG, GF budget	Prof Svcs 1,340,000
	6 Cybersecurity	500,000		500,000	Buildings & Improvements		Personnel 3,557,446
				3,900,000			
EMA	1 Station Alerting	2,500,000		2,500,000	Buildings & Improvements		37,317,446
				2,500,000			
Good Neighbor	1 Muni's	3,000,000	(1,500,000)	1,500,000	Inter agency		
				1,500,000			
Recreation	1 Splash Pad	1,250,000	(1,250,000)	-			
	2 New Riverside	1,000,000		1,000,000	Infrastructure		
	3 Burton Wells	1,000,000		1,000,000	Buildings & Improvements		
	4 Recon Era Ntnl Park	350,000		350,000	Infrastructure		
	5 St Helena		1,000,000	1,000,000	Buildings & Improvements		
				3,350,000			
Innovation	1 Broadband	500,000		500,000	Infrastructure		
	2 Starlink	200,000		200,000	Professional Services		
	3 EV's	1,200,000	(500,000)	700,000	Equipment		
				1,400,000			
Public Health	1 Health Clinic-Garden's Corner	1,000,000		1,000,000	Buildings & Improvements		
	2 Health Clinic - St Helena	1,000,000		1,000,000	Buildings & Improvements		
	3 Health Clinic - DI	1,000,000		1,000,000	Buildings & Improvements		
	4 Tele-health	1,000,000		1,000,000	Professional Services		
	5 PPE Supplies		25,000	25,000	Equipment		
				4,025,000			
Infrastructure	1 General	8,000,000	(200,000)	7,800,000	Infrastructure		
	2 Water & Sewer	3,000,000		3,000,000	Infrastructure		
	3 IT Data Center	400,000		400,000	Buildings & Improvements		
	4 Ferry	500,000		500,000	Infrastructure		
				11,700,000			
Enterprise & Capital	1 Airport	2,000,000	(500,000)	1,500,000	Buildings & Improvements		
	2 Solid Waste & Recycling	2,000,000		2,000,000	Buildings & Improvements		
	3 Garage	1,000,000		1,000,000	Buildings & Improvements		
	4 DI Improvements	300,000		300,000	Buildings & Improvements		
	5 Farmer's Co-Op		250,000	250,000	Buildings & Improvements		
				5,050,000			
TP's & Staff	1 Consultant	125,000		125,000	Prof Services		
	2 Project Mgr	520,000		520,000	Personnel		
	3 Fiscal Mgr	260,000		260,000	Personnel		
	4 COVID Pay		2,537,446	2,537,446	Personnel		
	5 Health Services Coordinator		240,000	240,000	Personnel		
				3,682,446			
Already done but not above	1 Motorgrader		195,000	195,000	Equipment		
	2 Consultant - Lobeco Site		15,000	15,000	Prof Services		
				210,000			
Total		37,205,000	112,446	37,317,446			



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Recommendation to Approve Change Order 2 to Myrtle Park Commercial Site Development (IFB 021121E)
MEETING NAME AND DATE:
Executive Committee – February 7, 2022
PRESENTER INFORMATION:
Jared Fralix, Assistant County Administrator – Engineering Dave Wilhelm, Capital Projects Director (Alternate) (5 mins)
ITEM BACKGROUND:
On January 16, 2021 Beaufort County entered into an incentive agreement with CSD Myrtle Park, LLC to invest up to \$577,000 toward site development and utilities for Myrtle Park. On April 26, 2021 Beaufort County Council approved a contract award to JS Construction Service for IFB#021121E Earthwork & Site Utilities at Myrtle Business Park Commercial Development for \$334,147 with a 10% contingency totaling \$367,561.70.
PROJECT / ITEM NARRATIVE:
In addition to the original contract scope, asphalt paving is needed for improvement of the site. Negotiations with JS Construction Services have yielded a package providing: a 6-8” rock base, 2” binder asphalt course, and 1670 linear feet of concrete curbing, for a total of \$180,000. Time to complete the work will be extended from 105 days to 135 days.
FISCAL IMPACT:
The original contract minus contingency totals \$334,147. Change order 1 was a total of \$25,223.16 bringing the contract total to \$359,370.16. Change Order 2 will increase JS Construction Service’s contract by \$180,000 to a total of \$539,370.16. A 3% contingency is requested of \$16,181.10 to bring the total to \$555,551.26. This will be funded from utility tax credits account 48070011-54430 with an available balance of \$208,417.84.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of Change Order 2 to Myrtle Park Commercial Site Development to JS Construction.
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny Change Order 2 for Myrtle Park Commercial Site Development (IFB 021121E). <i>Next Step: Move forward to County Council approval of the Change Order to IFB 021121E.</i>

Date of Issuance: December 29, 2021		Effective Date: _____	
Owner: County of Beaufort-SC		Owner's Contract No.: IFB 02112E	
Contractor: JS Construction Services, Inc		Contractor's Project No.: 21-35	
Engineer: Ward / Edwards		Engineer's Project No.: 190255	
Project Name: Myrtle Park Commercial Site Development		Contract Name: Exhibit G Revised Earthwork and Site Utilities	

The Contract Documents are modified as follows upon execution of this Change Order:

- Description:**
- A. Increase price resulting in additional site development scope of work as requested.
 - B. Increase contract time duration by 30-days due to increase in the scope of work.
 - C. JS Construction proposes the following:
 - a. Provide 6/8" rock base under design of HD Paving sections
 - b. Placing 2" binder asphalt course
 - c. No Surface finish asphalt performed
 - d. Install 1670 LF concrete curbing
 - e. Compliance with General Conditions, Mobilization, Insurance, Overhead/Profit

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: Earthwork + Site Utilities Price = \$334,147.00	Original Contract Times: √ Calendar Days Substantial completion days = 75d
Increase / Decrease from previously approved Change Orders No. 01, Price= \$ 25,223.16	Increase / Decrease from previously approved Change Orders: 30d
Contract Price prior to this Change Order: Price = \$359,370.16	Contract Times prior to this Change Order: Substantial completion days 105d
Increase / Decrease of this Change Order: Price = \$180,000.00	Increase of this Change Order: = 30d
Contract Price incorporating this Change: Price = \$539,370.16	Contract Time Duration with this Change: 135d

ACCEPTED:	ACCEPTED:
By Owner:	By Contractor:
(Authorized Signature)	(Authorized Signature)
Date:	Date: 12/29/21

RESOLUTION 2022/_____

A RESOLUTION AMENDING RESOLUTION 2022/10 CREATING A CITIZENS ADVISORY COMMITTEE TO
MAKE RECOMMENDATIONS TO COUNTY COUNCIL REGARDING A POSSIBLE 2022 TRANSPORTATION
SALES TAX [AS HIGHLIGHTED BELOW]

WHEREAS, the consensus of the County Council has been to pursue a 2022 referendum for the imposition of another transportation sales tax (the "Sales Tax"); and

WHEREAS, County Council now wishes to create a citizens advisory committee to make certain recommendations regarding the proposed Sales Tax; and

NOW, THEREFORE, be it resolved by Beaufort County Council, in meeting duly assembled, as follows:

1. A citizens committee is hereby established that consists of one appointee from each of the eleven council districts and one from each of the six-county municipalities for a total of seventeen members. Appointments should be communicated to the Chairman of County Council no later than February 11, 2022, who shall then convene a meeting of the committee.

2. As this is a citizens committee, no elected or appointed official may serve on the committee.

3. If a member of council or any of the municipalities fails or refuses to appoint a citizen by the February 11 deadline, then the Chairman of Council may make an appointment.

4. The committee shall elect a chairman and vice chairman, and adopt rules of procedure. All meetings of the committee must comply with the SC Freedom of Information Act. Meetings may be in person but members may also attend through electronic means.

5. Jared Fralix, ACA for Engineering, will serve as the lead Beaufort County Staff liaison to the Committee, and will prepare lists, proposals and other documentation for the committee's consideration.

6. The citizen's committee is charged with completing and preparing the following recommendations:

- a. A proposed project list and/or categories for the referendum question(s);
- b. The amount of the sales tax to be collected; and/or
- c. The duration of the sales tax collection period.

7. The committee shall begin meetings as called by the Chairman of County Council, as soon as practicable after all members are appointed, and will complete its work by April 29th, 2022.

8. The recommendations must comply with the requirements and limitations of the State enabling act.

9. The committee's recommendations shall be presented to County Council for consideration, adoption, and/or revision of the recommendations.

BE IT SO RESOLVED, this _____ day of February, 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah w. Brock, Clerk to Council