



Executive Committee 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 Hervochon

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

100 Ribaut Road

Contact

Post Office Drawer 1228

Beaufort, South Carolina 29901-1228

(843) 255-2180

www.beaufortcountysc.gov

Executive Committee Agenda

Thursday, August 27, 2020 at 3:00 PM

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

THIS MEETING WILL BE 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](mailto:sbrock@bcgov.net) OR PO DRAWER 1228, BEAUFORT SC 29901. CITIZENS MAY ALSO COMMENT DURING THE MEETING THROUGH FACEBOOK LIVE

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 FROM APRIL 27, 2020

CITIZEN COMMENTS

6. CITIZEN COMMENT (Every member of the public who is recognized to speak shall limit comments to three minutes - Citizens may email sbrock@bcgov.net, or comment on our Facebook Live stream to participate in Citizen Comment)

ACTION ITEMS

7. AGENDA ITEM SUMMARY SHEET MODIFICATIONS

DISCUSSION ITEMS

8. FINANCE COMMITTEE ISSUES
9. TOPICS FOR CONSIDERATION
10. COUNTY COUNCIL ISSUES
11. TOPICS FOR DISCUSSION
12. CAUCUS MEETING TOPICS
13. COUNTY COUNCIL ISSUES #2
14. TOPICS FOR DISCUSSION #2
15. CAUCUS MEETING TOPICS #2
16. ADJOURNMENT



**County Council of
Beaufort County
Executive Committee
Meeting**

Committee Members

JOSEPH PASSIMENT, CHAIRMAN
PAUL SOMMERVILLE, VICE CHAIRMAN
ALICE HOWARD
LAWRENCE MCELYNN
CHRIS HERVOCHON

County Administrator

ASHLEY M. JACOBS

Clerk to Council

SARAH W. BROCK

Administration Building

Beaufort County Government
Robert Smalls Complex
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Executive Committee Minutes

Monday, April 27, 2020 at 5:00 PM

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

CALL TO ORDER

Chairman Passiment called the meeting to order at 5:00 pm

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.

APPROVAL OF AGENDA

Motion: It was moved by Council Member Dawson, Seconded by Council Member Flewelling to approve the agenda. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Rodman, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion passed.

APPROVAL OF MINUTES

Motion: It was moved by Council Member Flewelling, Seconded by Council Member Howard to approve the minutes from April 13, 2020. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Rodman, Council Member Hervochon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion passed.

ACTION ITEMS

Consideration of an Ordinance establishing the Communications and Transparency Committee as a standing committee. – *Chairman Joseph Passiment.*

An Ordinance establishing the Communications and Transparency Committee as a standing committee with a directive to update Council’s Rules and Procedures, work with the county PIO, and consider other ways of effectively communicating and providing transparency in government. The standing committee will service as support and oversight of the public information efforts of the County including regular interaction with the Public Information Officer, review of Council’s Rules and Procedures, promoting public interaction, considerations of communications policies, and any other issues relevant to Communications both within the organization and with external communications. Recommendation: The establishment of

a Council Committee is Council's decision and staff will execute and support the will of Council.

Discussion:

Chairman Passiment: Beaufort County Council has the authority pursuant to South Carolina Code of Law Section 4-9 170 to establish by ordinance certain Committees. It is the purview of the Chair to establish such a Committee. I will deem persons to that Committee and charge them to update Rules and Procedures manual that will in fact dictate the role the Chair has in establishing Committees.

Council Member Flewelling: I recommend broadening the scope of your statement to include other matters you assign as Chairman.

Recommendation: Informational Purposes Only

DISCUSSION ITEMS

River Oaks Development and School Capital Construction Fee Update. – *Eric Greenway with Kurt Taylor assisting.*

Village Park Homes has elected to develop River Oaks under the existing 2008, as amended in 2014, Development Agreement. That Development Agreement included provisions for the payment of a School Capital Construction Fee in the amount of \$6,000.00 per dwelling unit so long as the county did not enter into another DA that reduced the amount for another project. The Malind Bluff Amended DA reduced the School Capital Construction Fee to \$1,500.00 so River Oaks has raised the question of which fee do they pay. The Legal Department agrees with the Planning and Zoning Director that the River Oaks DA would require the County to reduce the original \$6,000.00 fee to \$1,500.00 per dwelling until such time as the River Oaks DA expires in January 2022 and/or the School Impact Fee is adopted because that fee will likely be higher for each development.

Eric Greenway: Malind Bluff's development agreement amendment made it to third reading. School Capital fee was reduced to being \$1,500.00 per dwelling unit. Malind Bluff development sits adjacent to River Oaks. River Oaks was denied at second reading on their development agreement and they elected to follow the existing 2008 agreement. That agreement contains language that says that they are to pay the \$6,000.00 School Capital Construction Fee unless County Council enters into an agreement that will reduce that fee for another development. Both Malind Bluff and River Oaks would pay the \$1,500.00 until such time, in River Oaks case, the new School Impact Fee is adopted or until the 2008 development agreement expires in January 2022.

Discussion:

Council Member McElynn: When the fee is finally adjusted for Malind Bluff Development, will Rive Oaks be adjusted at that time similarly to the way the other is being adjusted?

Eric Greenway: That is our position, yes.

Council Member McElynn: So neither of the developments will be getting any special treatment as time passes?

Eric Greenway: That is correct.

Recommendation: Information Update Only.

EXECUTIVE SESSION

Motion: It was moved by Council Member McElynn, Seconded by Council Member Flewelling to go into Executive Session. Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Covert, Council Member Dawson, Council Member Flewelling, Council Member Glover, Council Member Rodman, Council Member Hervochoon, Council Member Howard, Council Member Lawson, Council Member McElynn. The motion passed.

30-4-70(a)(5). Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

CITIZEN COMMENTS

CITIZEN COMMENT

No Citizen Comments

ADJOURNMENT 5:39PM



BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

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Committee:

Enter Text Here

Meeting Date:

Enter Text Here

Committee Presenter (Name and Title):

Enter Text Here

Issues for Consideration:

Enter Text Here

Points to Consider:

Enter Text Here

Funding & Liability Factors:

Enter Text Here

Council Options:

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Recommendation:

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TOPIC 1 1/18/2019

Here are the items, in no special order, that I think the Finance Committee should be discussing this year

1. Delinquent taxes – have a presentation from Jim Beckert, County Auditor and Maria Walls, County Treasurer.
2. 2019-2020 Budget
 - a. Timelines
 - b. Review process
 - c. County council input
 - d. Presentations
3. Financial Policies review
4. Personnel Policies review
5. Employee Pay issues
 - a. Recent increases
 - b. Vacancies
 - c. Budget Director position
 - d. FY 20 Budget – COLA/ Consultant Report/ Leave Policy/ Holidays
6. 2018-2019 CAFR review – need for an audit sub-committee?
7. County Contracts
 - a. List of contracts
 - b. Those up for renewal and/or rebid – review?
8. 9/24 minutes directing the review of the purchase of Bostic Circle property
 - a. Are moving forward?
 - b. Who is Jay Bender, who was approved to conduct the investigation?
9. Development Agreements
 - a. List of agreements
 - b. Status of current negotiations
 - c. Status of the County master development agreement document
10. Finance Committee webpage
 - a. How to update the page to show the new members
 - b. Review of the mission statement
11. Funding for the Concourse d’Elegance
 - a. Was it funded last year?
 - b. Will it be funded this year?
 - c. What will be the funding source?

TOPIC 2 9/17/2019

TOPICS FOR CONSIDERATION – JUNE 24, 2019

1. LOST – local Option Sales Tax
2. Transportation sales tax referendum update
3. Impact fees
4. Cultural and Heritage tourism
5. Economic Development
6. Shared Services – Capital Projects, EMS, Fire Districts
7. Housing Trust Fund – Attainable, Affordable, Initial Home Buyer
8. Garbage/recycling and tipping fees
9. Road maintenance and ditch maintenance
10. Shared purchasing

TOPIC 3 11/9/2019

County Council Issues

1. Impact fees – are they required to be used only by ordinance.
2. Ordinance – when, who makes it, why, etc.
3. Resolution – when, who makes it, why, etc.
4. Appointments – when who makes it, why, etc.
5. Status of the Old Courthouse.
6. Status of the parking lot lease at the Old Courthouse.
7. Status of the Facilities Study.
8. Status of the lawyers hired by the Solicitor for the DUI cases.
9. Status of the additional lawyers hired by the Solicitor.
10. Status of the DNA lab improvements.
11. HHI reduction of payment for Sheriff services and the exchange for those service payment reductions.
12. Stipends for deputies that live on HHI – who is paying those stipends.
13. Council meeting protocol – rules and regulations.
14. Public comments at council meetings and committee meetings – importance and inconsistencies.
15. Parliamentarian – What do we use as the source – Robert Rules of Order or something else.
16. Status of the DSN Cleaning Contract.
17. Status of the DSN employees – need to resolve the status – are they employees or contractors.
18. Status of DSN – is it a county department or a state agency.
19. Status of the investigation of stolen equipment.
20. Status of the Capital Projects as part of the current budget.
21. Status of the software updates for administration.
22. Employee compensation – what has been done, what needs to be done.
23. Status of a PIO for administration and county council.
24. Status of the budget – since we do not get monthly reports, what we need to know and what should we have.
25. Status of the goals set at the retreat.
26. Website development
27. Running of meetings, votes, abstaining, etc.
28. Annual training of council

TOPIC 4, 5, 6 5/13/2020

TOPICS FOR DISCUSSION

- Budget- Finance Committee
- Personnel- Administration
- Reserve Study of County owned buildings and land
- Parks both passive- Natural Resources Committee and there is a management plan done this past year
- and active parks– Community Services Committee – (PFC)
- Development Agreements – 3 are highly active, what is on the horizon? - Natural Resources Committee
- Jenkins Island project (PFC)
- Route 278 bridge replacement (PFC)
- Route 170 study and plan (PFC)
- Multi-jurisdictional housing trust organization (we have a Beaufort County housing authority, committee with reps from each entity has been appointed to evaluate proposed format from contractor who is doing the research –similar probably to what Greenville, SC has done) – Natural Resources Committee
- Decal system for the convenience centers (PFC)
- Enterprise fund for recycling and waste (PFC)
- LOST
- Future referendum for transportation projects
- Future referendum for changing from county administrator form of government to county manager and bringing the Treasurer and Auditor under county manager
- Updates for projects under the last referendum
- Municipalities and County relationships- this will depend on the subject as to what committee correct?
- Audit Committee – what departments will be analyzed- Finance Committee based upon staff redommendations
- Communications and Transparency Committee updates
- Agenda preparation and consent agenda items
- The old Federal Courthouse building and the leasing of it and discontinue leasing of the parking lot (PFC)

- The current Administration building and possible additions and renovations (PFC)
- The 2020 census- Natural Resources Committee or Community Services
- Infrastructure shovel ready projects if a Federal stimulus bill is enacted (PFC)
- The future of Tourism in our county over the next months and years- part of economic development
- Economic Development outlook
- Impact fees studies – what are the next steps
- County requirements for attainable and affordable housing as part of future development agreements
- Water and sewer hookups to replace failing septic systems and wells- this is going to probably be funded via CDBG grants in the low/moderate income areas for the most part which now is under Community Services – the municipalities have their planning departments do the coordination for CDBG but for some reason, county has done under Community Services; this may be an organizational structure change question too ; we need to look at failing septic systems not only in low/moderate income areas as a pollution issue to stormwater in my opinion and how to reduce costs with BJWSA for extending to older neighborhoods where feasible
- Technology infrastructure (PFC)
- Daufuskie Ferry – current and future location
- Hilton Head Island Airport expansion
- Comprehensive Plan-Natural Resources

Putting together our next 10 year plan, I would include the following:

If we are to truly have the kind of economic development that we are looking for in this century we need to address the following issues:

Housing at all levels of income

A more robust Health Care System

Infrastructure – roads, sewers, utilities, and technology

An educational system K-12, TCL and USCB to support the needs of the county

Jobs opportunities at all levels from entry level to management in retail, hospitality, service, and manufacturing

Environmental balance, we have finite land and water that must be used to sustain the live style all our citizens have come to enjoy

TOPIC 7 6/23/2020

CHAIRMAN PASSIMENT NEW BUSINESS ITEMS AT THE CAUCUS MEETING

1. **Executive Committee**
 - a. This committee should still be a standing committee of council
 - b. The chairman should not be the chair of this committee
 - c. The vice chair should be the chair and members should be the chairs of the various standing committees.
 - d. Mr. Covert should be added as the chair of the communications and transparency committee.
 - e. Chair Passiment will be ex-officio on the committee
2. **County Administrator Evaluation**
 - a. It is time as per her contract that we conduct an evaluation.
 - b. Ms. Jacobs will supply a copy of her contract to all members of council.
 - c. Chair Passiment will provide the council with the evaluations instrument to be used.
 - d. Chair Passiment will set the timelines for the evaluation to be conducted.
3. **Topics for Discussion**
 - a. Chair Passiment developed a list of topics that he created on May 13, 2020.
 - b. Various committee chairs have reviewed the document and will address the topics in their respective committees.
4. **County Council Issues**
 - a. Chair Passiment developed this list on November 9, 2019.
 - b. Many of the issues have been resolved but others have been moved to the topics for discussion created in May of 2020.
5. **Ordinance to wear masks**
 - a. This is a national issue.
 - b. Columbia has a draft ordinance that they are considering.
 - c. Even if it were legal how do we enforce the ordinance?
 - d. The county attorneys will need to research the legality of such an ordinance.
6. **Committee assignments**
 - a. Chair Passiment asked the following committees to address certain issues:
 - i. Audit Committee – Review of the A-tax and H-tax monies that were spent using the 3% A-tax and H-tax funds. Decide which of the departments would be evaluated as part of the internal audit to be conducted during FY21.
 - ii. Finance Committee – develop procedures to look at the monthly financials now that we have a line item budget book.
 - iii. Natural Resources – review the passive parks plan for FY21.
 - iv. Public Facilities – review the solid waste and recycling program. Evaluate the decal system. Oversee the implementation of the enterprise fund for solid waste and recycling.
 - v. Communications and Transparency – Review the rules and regulations for county council meetings. Review the recommendations that were adopted by council in the various areas of communications and transparency. Review the section on FOIA, especially how the media is paying for requests for information.

7. School Millage Ordinance

- a. The auditor questioned the need for a specific ordinance in a email sent to council members.
- b. County attorneys have reviewed the matter and have concluded that a special ordinance is not needed. The method of approving the school millage is properly done through the ordinance adopting the school district budget.

8. Grievance

- a. Chair Passiment informed council members that he received an email from former employee C. Inglese that he wishes to have his grievance heard in public.
- b. Chair Passiment will consult with our attorneys on this matter.

9. Emergency Resolution – Virtual Meetings.

- a. Council passed a resolution regarding the state of emergency due to COVID-19. A second resolution was passed that allowed the council to hold virtual meetings if the emergency exists or until 61 days after the emergency has been lifted.
- b. No additional actions are necessary by council currently to continue conducting virtual meetings.

10. Retiree litigation.

- a. We have received emails at our meetings asking council to take action to help those that did not participate in the settlement.
- b. Council will hold an executive session at the next council caucus meeting to discuss this item.

11. Bay Point Project

- a. Council members asked what the next steps are.
- b. The Zoning Board of Appeals will be hearing from the applicant on the matter at their meeting.
- c. Council should not make any decisions or discuss this matter prior to any recommendations that may come from the Zoning Board of Appeals.

12. Island West Rezoning

- a. Council has received numerous emails and letters regarding resident from Island West regarding the proposed rezoning of the property.
- b. Council members should not make any comments or discuss this matter until it has gone through the proper vetting process by administration and brought to council for action.

County Council Issue #1

Past Due

- Status of the goals set at the retreat.
- Employee compensation – what has been done, what needs to be done.
- Status of the investigation of stolen equipment.
- Status of the Capital Projects as part of the current budget.

In Process

- Old Courthouse - RFP due 7/15
- Old Courthouse Parking Lot Lease – to be canceled / extended temporarily
- Facilities Study - approved
- Sheriff's HHI Budget

Rules Update (year past due)

1. Parliamentarian – Source – Robert's (w/ exceptions)
2. Running of meetings, votes, abstaining, etc.
3. Ordinance – when, who makes it, why, etc.
4. Resolution – when, who makes it, why, etc.
5. Public comments at council meetings and committee meetings
6. Rules Appointments (courtesy appointments bypassing committee)
7. Council meeting protocol – rules and regulations.

Resolved (if not committee chairs should respond)

1. Impact fees – are they required to be used only by ordinance.
2. Status of the lawyers hired by the Solicitor for the DUI cases.
3. Status of the additional lawyers hired by the Solicitor.
4. Status of the DNA lab improvements.
5. Stipends for deputies that live on HHI – who is paying those stipends.
6. Status of the DSN Cleaning Contract.
7. Status of the DSN employees – need to resolve the status – are they employees or contractors.
8. Status of DSN – is it a county department or a state agency.
9. Status of the software updates for administration.
10. Status of a PIO for administration and county council.

11. Status of the budget – monthly reports (quarterly sufficient)

12. Website development

13. Annual training of council

Item 13.

TOPICS FOR DISCUSSION – List #2

Council Objectives (languishing)

- **Attainable Housing – NR**
- **County requirements for attainable and affordable housing as part of future development agreements**
- **Enterprise fund for recycling and waste (PFC)**
- **Decal system for the convenience centers (PFC)**
- **The future of Tourism in our county over the next months and years- part of economic development**
- **Economic Development outlook**

'22 Transportation Penny Sales Tax (time is of the essence)

- **Jenkins Island project (PFC)**
- **Route 278 bridge replacement (PFC)**
- **Route 170 study and plan (PFC)**
- **Future referendum for transportation projects Infrastructure – roads, sewers, utilities, and technology**
- **Daufuskie Ferry – current and future location**
- **Infrastructure shovel ready projects Fed stimulus bill enacted (PFC)**

Retreat Discussion – Next 10 Years

Housing at all levels of income

- **A more robust Health Care System**
- **An educational system K-12, TCL and USCB to support county needs**
- **Jobs opportunities at all levels from entry level to management in retail, hospitality, service, and manufacturing**
- **Environmental balance, we have finite land and water that must be used to sustain the live style all our citizens enjoy**

Misc

- Future referendum for changing from county administrator form of government to county manager and bringing the Treasurer and Auditor under county manager
- Agenda preparation and consent agenda items

Committee Responsibilities

- Budget- **Finance Committee**
- Updates for projects under the last referendum
- Federal Courthouse **(PFC)**
- The current Administration renovations **(PFC)**
- The 2020 census- Natural Resources Committee or Community Services
- Audit Committee – what departments will be analyzed- **Finance Committee based upon staff redommendations**
- Communications and Transparency Committee updates
- Impact fees studies – what are the next steps
- Hilton Head Island Airport expansion
- Comprehensive Plan-Natural Resources
- Technology infrastructure **(PFC)**
- Personnel- **Administration Finance**
- Reserve Study of County owned buildings and land
- Parks both passive- NR and there is a management plan done this past year and active parks– CS
- Development Agreements – 3 are highly active, what is on the horizon? -Natural Resources Committee
- LOST
- Municipalities and County relationships- this will depend on the subject as to what committee correct?
- Water and sewer hookups to replace failing septic systems and wells-

TOPIC 10 8/19/2020

The following items should be discussed at the Caucus meeting

1. **Census** – We need an understanding of where we are in the process and what needs to be done to complete the census. Who will be doing the census, what information do we have now.
2. **Comprehensive Plan** - Two meetings were held before COVID-19 caused the county to shut down operations. What is the status of the plan? Are more meetings scheduled?
3. **Legal staff** – We need a complete list of the staff in the various legal areas that serve Beaufort County such as County Attorneys, Labor Attorneys, Bond Attorneys, etc. Also those attorneys who are on retainer; who they represent and what is the amount of the retainer.
4. **CIP** – We need to schedule a meeting to develop the list of projects.
5. **Prior lists created by the chair** – What are the next steps regarding those lists?
6. **2% A-tax and H-tax ordinance** – This ordinance should be reviewed by the Finance Committee with any recommendations for changes brought to council for review.
7. **Reserve Fund** – This item has been discussed in the past and it should be sent to the proper committee(s) for review and recommendation to full council.
8. **Lawsuits** – We need a briefing regarding the lawsuits that are currently against the county.
9. **Salary ordinance** – We need a completed analysis of the who may have attended more than 144 meetings and therefore are owed money that would reduce the over payment of salary. We also need to have a discussion regarding the repayment of monies owed – whether it be a check written or a deduction from future salary.
10. **Mayors meetings** - We need to hold regular monthly meetings with the mayors and township managers to receive input from them and provide them with input on topics that affect each municipality and the county.

8/19/2020 Caucus meeting topics 2.docx