



County Council Meeting Beaufort County, SC

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

**Monday, October 09, 2023
5:00 PM**

AGENDA

COUNCIL MEMBERS:

JOSEPH F. PASSIMENT, CHAIRMAN
DAVID P. BARTHOLOMEW
LOGAN CUNNINGHAM
YORK GLOVER
MARK LAWSON
ANNA MARIA TABERNIK

LAWRENCE MCELYNN, VICE CHAIR
PAULA BROWN
GERALD DAWSON
ALICE HOWARD
THOMAS REITZ

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION- Council Member Anna Maria Tabernik
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 - August 21, 2023; August 24, 2023; August 28, 2023 1st meeting; August 28, 2023 2nd Meeting.
6. ADMINISTRATOR'S REPORT
7. PROCLAMATION RECOGNIZING BULLYING PREVENTION AWARENESS MONTH - Council Member Anna Maria Tabernik

CITIZEN COMMENTS

8. CITIZEN COMMENT PERIOD - 15 MINUTES TOTAL

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to AGENDA ITEMS ONLY and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language. In accordance with Beaufort County's Rules and Procedures, giving of a speaker's time to another is not allowed.

COMMITTEE REPORTS

9. LIASION AND COMMITTEE REPORTS

PUBLIC HEARINGS AND ACTION ITEMS

10. APPROVAL OF CONSENT AGENDA
11. THIRD 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 (**FISCAL IMPACT: \$3,150,000 Purchase Price plus closing costs and to include all due diligence costs. Funding source is the General Fund- Fund Balance**)
Vote at First Reading on July 10, 2023- 11:0
Vote at Public Hearing and Second Reading on August 14, 2023: Postpone until September 25, 2023- 11:0
Vote at Public Hearing and Second Reading on September 25, 2023- 9:2
12. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE AUTHORIZING THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$23,000,000 OF GENERAL OBLIGATION BONDS; AND PROVIDING FOR OTHER MATTERS RELATED THERETO
Vote at First Reading on September 11, 2023- 10:0
Vote at Second Reading on September 25, 2023- 11:0
13. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR A PROPOSED TEXT AMENDMENT TO ARTICLE 7, DIVISION 7.4, SECTION 7.4.50 (PUBLIC HEARING SCHEDULING AND NOTICE) AND SECTION 7.4.70 (PUBLIC HEARING PROCEDURES) TO CLARIFY THAT PUBLIC COMMENT IS NOT TAKEN FOR APPEALS TO THE PLANNING COMMISSION OR THE ZONING BOARD OF APPEALS
Vote at First Reading on September 25, 2023- 11:0
14. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ADOPTING AMENDMENTS TO CH 38. ARTICLE II. TRASH AND LITTER CONTROL OF THE BEAUFORT COUNTY CODE OF ORDINANCES
Vote at First Reading on September 25, 2023- 11:0
15. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 62, SOLID WASTE, BEAUFORT COUNTY CODE OF ORDINANCES
Vote at First Reading on September 25, 2023- 11:0
16. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT RIGHT OF WAY ON DIANAH'S DRIVE
17. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR REAL PROPERTY LOCATED AT 30 HUNTER ROAD WITH EDISON FOARD, INC. (**FISCAL IMPACT: Hilton Head Island Airport will receive income generated through lease revenue - -Tenant shall pay \$1,390.00 for office space (814 square feet x \$20.50/12) and \$1,698 for warehouse space (1,406 square feet x \$14.50/12) in monthly base rental payments for premises located at 30 Hunter Rd. These lease rates are in accordance with current Beaufort County lease policies**)
18. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR REAL PROPERTY LOCATED AT 39 AIRPORT CIRCLE WITH HIGH TIDE AVIATION SCENIC TOURS (**FISCAL IMPACT: Beaufort Executive Airport will receive income generated through fuel sales, the airport's standard 3% operating agreement, and lease revenue --Tenant shall pay \$231.00 (140 square feet x \$19.80/12) in monthly base rental payments for premises located at the Beaufort**

Executive Airport terminal. These lease rates are in accordance with current Beaufort County lease policies)

19. APPROVAL OF A RESOLUTION TO ENTER INTO AN INTERGOVERNMENTAL SUPPORT AGREEMENT (IGSA) WITH THE DEPARTMENT OF DEFENSE TO SUPPORT OPERATIONS AT THE MARINE CORPS RECRUIT DEPOT PARRIS ISLAND (MCRD PARRIS ISLAND), THE MARINE CORPS AIR STATION (MCAS) AND THE NAVAL HOSPITAL BY PROVIDING GENERAL GOVERNMENTAL SERVICES ***(FISCAL IMPACT: In each and every task order, the County would quote a fee that covers all time and material costs to perform the identified work)***
20. APPROVAL OF A RESOLUTION FOR AN ADDENDUM TO A 2020 MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TOWN OF HILTON HEAD FOR THE ST. JAMES BAPTIST CHURCH RELOCATION PROJECT ***(FISCAL IMPACT: As part of the original MOU, both the Town and County deposited \$150,000 each, totaling \$300,000, into an account to share in the costs to prepare all of the preliminary documentation and studies necessary to secure FAA grant funding for the relocation of the Church and School. To date, there are still sufficient funds in the account for the expected expenses, and no additional funding is required by this Addendum)***
21. APPROVAL OF A RESOLUTION AUTHORIZING THE INTERIM ADMINISTRATOR TO ENTER INTO A MOA BETWEEN BEAUFORT COUNTY AND THE CITY OF BEAUFORT TO EXPLORE THE FEASIBILITY OF CO-LOCATING MUNICIPAL FIRE SERVICE AND COUNTY EMS ***(FISCAL IMPACT: Funds in the amount of \$25,000+/- are allocated to the building of a new EMS station in the CIP budget Account #10401230-54420. The balance is \$1.5 Million)***

CITIZEN COMMENTS

22. CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language. In accordance with Beaufort County's Rules and Procedures, giving of a speaker's time to another is not allowed.

EXECUTIVE SESSION

23. PURSUANT TO S. C. CODE §30-4-70(A)(2): RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (REVIEW OF REZONING REQUESTS UNDER THE COMMUNITY DEVELOPMENT CODE)
 24. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING LITIGATION (PERSONNEL EMPLOYMENT LITIGATION)
 25. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE WHERE THE ADVICE RELATES TO POTENTIAL LITIGATION (NOTICE OF POTENTIAL ACTION)
-

END OF EXECUTIVE SESSION

26. MATTERS ARISING OUT OF THE EXECUTIVE SESSION
27. ADJOURNMENT

CONSENT AGENDA

Items Originating from the Public Facilities and Safety Committee

1. APPROVAL OF CONTRACT AWARD TO FIRST CONSTRUCTION MANAGEMENT FOR IFB #082423E SPANISH MOSS TRAIL PORT ROYAL EXTENSION (**FISCAL IMPACT: \$977,253.24 with funding for this project will be Rail Trail account # 48060011-54435 with a balance of \$670,437.00 and TAG account # 2342001T-54500 with a balance of \$5,643,326.00**)
2. APPROVAL OF CONTRACT AWARD TO BEAUFORT CONSTRUCTION OF SC, LLC FOR IFB #052523 PORT ROYAL PUBLIC LIBRARY CONSTRUCTION SERVICES (**FISCAL IMPACT: \$480,000.00 from funding source 26030011-54420 - Library Impact Fees. Current account balance is \$606,400**)
3. APPROVAL TO PURCHASE A 2023 PETERBILT 547 VACUUM TRUCK (**FISCAL IMPACT: a quote was provided from AQUP from Sourcewell in the amount of \$570,000 to come from the Stormwater account with a balance of \$644,000**)

END OF CONSENT AGENDA

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>