



County Council Meeting Beaufort County, SC

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

**Monday, December 11, 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 Alice Howard
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 October 9, 2023, October 23, 2023 and November 13, 2023
6. ADMINISTRATOR'S REPORT
7. PRESENTATION OF A PROCLAMATION RECOGNIZING OYSTER RECYCLING DAY - Council Member Alice Howard
8. PRESENTATION OF A PROCLAMATION RECOGNIZING PAT HARVEY-PALMER - Council Member Alice Howard
9. PRESENTATION OF A PROCLAMATION RECOGNIZING BOARDS AND COMMISSIONS LIAISON CHRIS DIJULIO-COOK- Chairman Joseph Passiment
10. PRESENTATION OF A PROCLAMATION RECOGNIZING THE EMERGING LEADERS PROGRAM - Chairman Joseph Passiment
11. PRESENTATION OF A PROCLAMATION RECOGNIZING TAMEKIA GREEN-JUDGE - Chairman Joseph Passiment
12. PRESENTATION OF A PROCLAMATION RECOGNIZING THE BEAUFORT COUNTY CORONER'S OFFICE FOR RECEIVING THEIR CERTIFICATE OF ACCREDITATION - Vice-Chairman Lawrence McElynn

CITIZEN COMMENTS

13. 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

14. LIASION AND COMMITTEE REPORTS

PUBLIC HEARINGS AND ACTION ITEMS

15. APPROVAL OF CONSENT AGENDA

16. TIME-SENSITIVE ITEM ORIGINATING FROM THE 12.11.23 PUBLIC FACILITIES AND SAFETY MEETING- APPROVAL OF A RESOLUTION TO ADOPT THE RECOMMENDATIONS OF THE SALES TAX ADVISORY COMMITTEE (STAC) REGARDING CONSIDERATION OF A 2024 SALES TAX REFERENDUM

17. FIRST READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE 2% ACCOMMODATIONS TAX FUND AND OTHER MATTERS RELATED THERETO (**FISCAL IMPACT: The award will be from the State ATAX Fund 2000, Budget Line Item 2000-10-0000-55000, direct subsidies, in the current fiscal year**)

18. FIRST READING OF AN ORDINANCE DECLARING CERTAIN REAL PROPERTY LOCATED AT 2 MULLET STREET AS SURPLUS PROPERTY, AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ANY DOCUMENTS NECESSARY FOR THE SALE OF THE REAL PROPERTY, AND ALLOCATING PROCEEDS FROM THE SALE OF REAL PROPERTY (**FISCAL IMPACT: Proceeds from sale of real property to be used for expansion and improvement projects to the Alljoy Boat landing and surround area, any remaining funds to be allocated to the Capital Improvement Fund for other capital improvement projects in Beaufort County**)

19. 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 CINDY HOLLMAN (**FISCAL IMPACT: Beaufort Executive Airport will receive monthly income generated through lease revenue – Tenant shall pay \$69.30 (42 sq ft x \$19.80/12) in monthly base lease payments for premises located at the Beaufort Executive Airport terminal. Annual Expected Revenue increase: \$831.60. These lease rates are in accordance with current Beaufort County lease policies**)

20. 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 MATT ARCHER (**FISCAL IMPACT: Beaufort Executive Airport will receive monthly income generated through lease revenue – Tenant shall pay \$69.30 (42 sq ft x \$19.80/12) in monthly base lease payments for premises located at the Beaufort Executive Airport terminal. Annual Expected Revenue increase: \$831.60. These lease rates are in accordance with current Beaufort County lease policies**)

21. FIRST READING OF AN ORDINANCE CONVEYING AN EASEMENT LOCATED ON A PORTION OF REAL PROPERTY AT 55 GARDNER DRIVE TO THE TOWN OF HILTON HEAD ISLAND

22. APPROVAL OF A RESOLUTION TO ADOPT THE PASSIVE PARKS DEPARTMENT PRIVATE BUSINESS USE POLICY, APPLICATION, AND FEE SCHEDULE

23. APPROVAL OF A RESOLUTION REALLOCATING SIX-HUNDRED THOUSAND DOLLARS OF AMERICAN RESCUE PLAN ACT REVENUE FROM INFRASTRUCTURE PROJECTS TO WORKFORCE HOUSING PROJECTS ***(FISCAL IMPACT: Reallocation of \$600,000 of ARPA funds from infrastructure to workforce housing. Account No: 2330-10-0000-55000, with an account balance of \$8,191,000)***
 24. APPROVAL OF A RESOLUTION ADOPTING THE BEAUFORT COUNTY EMPLOYEE HANDBOOK
 25. APPROVAL OF A RESOLUTION FOR COMMISSIONED PUBLIC WORKS CODE ENFORCEMENT OFFICERS
 26. APPROVAL OF A RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT WITH BEAUFORT-JASPER WATER SEWER AUTHORITY AND THE TOWN OF BLUFFTON TO JOINTLY FUND THE INSTALLATION OF SEWER FACILITIES IN THE STONEY CREEK AREA FOR THE PURPOSE OF PREVENTING FURTHER CONTAMINATION OF THE MAY RIVER HEADWATERS ***(FISCAL IMPACT: \$1,250,000.00)***
 27. APPROVAL OF A RESOLUTION REPEALING AND REPLACING COUNCIL'S RULES AND PROCEDURES
 28. APPROVAL OF THE 2024 COMMITTEE AND COUNTY COUNCIL MEETING SCHEDULE
 29. APPROVAL OF AN RFQ TO SOLICIT RESUMES AND QUALIFICATIONS FROM EXECUTIVE SEARCH FIRMS TO ASSIST IN THE RECRUITMENT AND SELECTION OF A COUNTY ADMINISTRATOR ***(FISCAL IMPACT: the projected fiscal impact will be determined during the firm selection process)***
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CITIZEN COMMENTS

30. CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL

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EXECUTIVE SESSION

31. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO RECEIVE LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING LITIGATION (BEAUFORT COUNTY V BROAD CREEK DEVELOPMENT, LLC)
 32. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) DISCUSSION OF MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (INQUIRES AND INVESTIGATIONS PURSUANT TO S.C. CODE SECTION 4-9-660)
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END OF EXECUTIVE SESSION

33. MATTERS ARISING OUT OF EXECUTIVE SESSION
34. ADJOURNMENT

CONSENT AGENDA

Items Originating from the Community Services and Public Safety Committee

Items Originating from the Public Facilities & Safety Committee

1. SECOND READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR REAL PROPERTY LOCATED AT 39 AIRPORT CIRCLE WITH TIM VERROI **(FISCAL IMPACT: Beaufort Executive Airport will receive monthly income generated through lease revenue – Tenant shall pay \$145.20 (88 sq ft x \$19.80/12) in monthly base lease payments for premises located at the Beaufort Executive Airport terminal. Annual Expected Revenue increase: \$1742.40. These lease rates are in accordance with current Beaufort County lease policies)**

Vote at First Reading on November 13, 2023- 11:0

2. SECOND READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT FOR REAL PROPERTY LOCATED AT 39 AIRPORT CIRCLE WITH BEAUFORT FLIGHT TRAINING **(FISCAL IMPACT: Beaufort Executive Airport will receive monthly income generated through lease revenue – Tenant shall pay \$437.25 (265 sq ft x \$19.80/12) in monthly base lease payments for premises located at the Beaufort Executive Airport terminal. Annual Expected Revenue increase: \$5247.00. These lease rates are in accordance with current Beaufort County lease policies)**

Vote at First Reading on November 13, 2023- 11:0

3. APPROVAL OF CONTRACT AWARD TO O'QUINN MARINE CONSTRUCTION FOR IFB #110123 SPANISH MOSS TRAIL BATTERY CREEK BRIDGE REPAIR PHASE 2 **(FISCAL IMPACT: \$605,000. Funding to come from an A-Tax Grant 2001-10-0000-55000 Current account balance is \$3,142,240.64 with \$609,464 budgeted for this project)**
4. APPROVAL OF CONTRACT AWARD TO PARAGON BUILDERS FOR IFB #090823 BUCKWALTER RECREATION CENTER GENERATOR **(FISCAL IMPACT: \$409,420.00 Funding comes from Parks and Recreation Capital Fund account number 1040-80-1600-54200)**
5. APPROVAL TO AUTHORIZE THE INTERIM ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH LOWCOUNTRY FERRY, LLC FOR THE PROVISION OF FERRY SERVICES TO AND FROM DAUFUSKIE ISLAND **(FISCAL IMPACT: \$250,000 in this budget year from General Fund Fund Balance. \$365,000 annually beginning in the new budget year)**

Items Originating from the Finance, Administration, and Economic Development Committee

6. THIRD READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY'S FISCAL YEAR 2024 BUDGET ORDINANCE (ORDINANCE NO. 2023/22) TO PROVIDE ROLLOVER APPROPRIATIONS IN THE AMOUNT OF \$3,432,768 FROM THE CAPITAL IMPROVEMENT FUND (FUND 1040) FOR CAPITAL IMPROVEMENT PROJECTS APPROVED BUT NOT COMPLETED IN FISCAL YEAR 2023 **(FISCAL IMPACT: This will increase the Capital Improvement Fund's budget from \$21,232,455 to \$24,665,223. There will be a balance of \$703,423 remaining in Fund Balance should 100% of all budgeted line items be expended FY'24)**

Vote at First Reading on October 23, 2023- 9:0

Vote at Public Hearing and Second Reading on November 13, 2023- 11:0

7. THIRD READING OF AN ORDINANCE ADOPTING AMENDMENTS TO THE BUSINESS AND PROFESSIONAL LICENSES ORDINANCE CHAPTER 18, ARTICLE III, SECTION 18-67 (A) (B), APPENDIX A&B **(FISCAL IMPACT: Updated Rate Schedule will have a minor fiscal revenue impact.)**

Vote at First Reading on October 23, 2023- 9:0

Vote at Public Hearing and Second Reading on November 13, 2023- 11:0

8. THIRD READING OF AN ORDINANCE RATIFYING THE SALARIES FOR VARIOUS ELECTED OFFICIALS AND TO AMEND SECTION 2-347 OF THE BEAUFORT COUNTY CODE OF LAWS ESTABLISHING THE SALARIES FOR VARIOUS ELECTED AND APPOINTED OFFICIALS (***FISCAL IMPACT: Potential salary amounts owed totals \$45,417.78 to be paid from the payroll contingency account***)

Vote at First Reading on September 25, 2023 - (send back to Finance, Administration, and Economic Development Committee) 6:4

Vote at Finance, Administration, & Economic Development Committee on October 16, 2023- 7:0

Vote at First Reading on October 23, 2023- 9:0

Vote at Public Hearing and Second Reading on November 13, 2023- 11:0

9. APPOINTMENT OF AMANDA DICKMAN, LIBRARY DIRECTOR, TO THE FIRST STEPS LOCAL PARTNERSHIP BOARD
10. AGENCIES, BOARDS, AND COMMISSIONS APPOINTMENTS & REAPPOINTMENTS

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>