



## County Council Meeting Beaufort County, SC

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

**Monday, April 08, 2024  
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 York Glover
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 - *March 11, 2024*
6. ADMINISTRATOR'S REPORT
7. PRESENTATION OF A PROCLAMATION RECOGNIZING LIBRARY WEEK - *Council Member Anna Maria Tabernik*
8. PRESENTATION OF A PROCLAMATION RECOGNIZING APRIL 2024 AS SEXUAL ASSAULT AWARENESS MONTH - *Council Member Paula Brown*
9. PRESENTATION OF A PROCLAMATION RECOGNIZING ALCOHOL AWARENESS AND UNDERAGE DRINKING PREVENTION MONTH IN BEAUFORT COUNTY - *Vice-Chairman Lawrence McElynn*
10. PRESENTATION OF A PROCLAMATION RECOGNIZING THE HILTON HEAD ISLAND PUBLIC SERVICE DISTRICT - *Vice-Chairman Lawrence McElynn*

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#### CITIZEN COMMENTS

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11. **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.**

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## COMMITTEE REPORTS

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### 12. LIASION AND COMMITTEE REPORTS

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## PUBLIC HEARINGS AND ACTION ITEMS

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### 13. APPROVAL OF CONSENT AGENDA

### 14. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE APPROPRIATING FUNDS FROM THE STATE A-TAX FUNDS AS RECOMMENDED BY THE STATE A-TAX COMMITTEE IN COMPLIANCE WITH THE REQUIREMENTS OF THE SOUTH CAROLINA CODE OF LAWS. **(FISCAL IMPACT: Funding will come from the State Accommodations Fund.)**

*Vote at First Reading on January 22, 2024 - 6:5*

*Vote at Public Hearing and Second Reading on February 12, 2024 - Recommend to move back to Finance, Administration, and Economic Development Committee 9:2*

*Vote at Finance, Administration, and Economic Development Committee on February 26, 2024 - Move forward to Council meeting for second reading on March 25, 2024, public hearing to be held on April 8, 2024*

*Vote at Second Reading on March 25, 2024 - 9:1*

### 15. THIRD READING OF AN ORDINANCE AMENDING CHAPTER 66 TAXATION, ARTICLE II ACCOMMODATIONS TAX BOARD, DIVISION 1. GENERALLY AND DIVISION 2. ACCOMMODATIONS (3%) TAX

*Vote at First Reading on March 11, 2024- 10:1*

*Vote at Public Hearing and Second Reading on March 25, 2024 - 9:1*

### 16. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 99 STORMWATER MANAGEMENT, ARTICLE II STORMWATER MANAGEMENT UTILITY SECTIONS 110, STORMWATER SERVICE FEE BILLING, DELINQUENCIES AND COLLECTIONS; AND 113, ENFORCEMENT AND PENALTIES OF THE BEAUFORT COUNTY CODE OF ORDINANCES

### 17. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 2023/32 AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE ESTABLISHING A ROAD USE FEE

### 18. FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VII FINANCE, DIVISION 2 FEES AND SERVICE CHARGES GENERALLY, SECTION 2-437 ROAD USE FEE OF THE BEAUFORT COUNTY CODE OF ORDINANCES

### 19. FIRST READING OF AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF PROPERTIES PURSUANT TO A DEVELOPMENT AGREEMENT BETWEEN BEAUFORT COUNTY AND CHEROKEE BEAUFORT, LLC

### 20. APPROVAL OF A RESOLUTION AND AN INTERGOVERNMENTAL AGREEMENT BETWEEN BEAUFORT COUNTY AND HILTON HEAD ISLAND FOR WILLIAM HILTON PARKWAY SAFETY AND PEDESTRIAN IMPROVEMENTS **(FISCAL IMPACT: not to exceed amount of \$600,000 to be funded from the Hilton Head**

*Island/Daufuskie Island Road Impact Fees account 2300-30-0000-54500-12300 with a balance of \$800,000)*

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### **CITIZEN COMMENTS**

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**21. CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL**

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### **EXECUTIVE SESSION**

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- 22. 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 (FREEDOM OF INFORMATION ACT)
  - 23. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2): DISCUSSION OF MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (INQUIRIES AND INVESTIGATIONS PURSUANT TO S.C. CODE SECTION 4-9-660)
  - 24. 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 (PENDING LITIGATION - WALLS v. BEAUFORT COUNTY)
  - 25. PURSUANT TO S. C. CODE SECTION 30-4-70(A)(2) TO ENGAGE IN DISCUSSIONS AND NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS (DAUFUSKIE FERRY EMERGENCY SERVICES)
  - 26. PURSUANT TO S.C. CODE SEC. 30-4-70(A)(2): RECEIPT OF LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING CLAIMS THAT ARE COVERED BY THE ATTORNEY-CLIENT PRIVILEGE (PINE ISLAND HOLDINGS, LLC v BEAUFORT COUNTY)
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### **END OF EXECUTIVE SESSION**

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- 27. MATTERS ARISING OUT OF EXECUTIVE SESSION
- 28. ADJOURNMENT

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## CONSENT AGENDA

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

1. THIRD READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY'S BUDGET ORDINANCE FOR FISCAL YEAR 2024 (ORDINANCE NO. 2023/22) TO APPROPRIATE AND TRANSFER \$250,000 FROM FUND BALANCE OF THE GENERAL FUND TO THE SPECIAL REVENUE FUND (FUND 2546) TO COVER UNBUDGETED COSTS FOR THE DAUFUSKIE ISLAND FERRY OPERATIONS; TO APPROPRIATE AND TRANSFER \$3,600,000 FROM FUND BALANCE OF THE GENERAL FUND FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 333 AND 335 BUCKWALTER PARKWAY PURSUANT TO ORDINANCE 2023/14; TO INCLUDE THREE SPECIAL REVENUE FUNDS' BUDGETS (FUNDS 2230, 2252, AND 2255) IN AN AGGREGATE AMOUNT OF \$402,918 WHICH WERE CONVERTED TO THE GENERAL FUND DURING THE CHART OF ACCOUNTS CONVERSION PROCESS. TOTAL AMENDMENT OF BUDGET ORDINANCE 2023/22 IS \$4,252,918. ***(FISCAL IMPACT: An increase in the County's operating budget of \$4,252,918)***

*Vote at First Reading on March 11, 2024 - 10:1*

*Vote at Public Hearing and Second Reading on March 25, 2024 - 10:0*

2. THIRD READING OF AN ORDINANCE AMENDING CHAPTER 66 TAXATION, ARTICLE V HOSPITALITY TAX OF THE BEAUFORT COUNTY CODE OF ORDINANCES

*Vote at First Reading on March 11, 2024 - 11:0*

*Vote at Public Hearing and Second Reading on March 25, 2024 - 10:0*

### Items Originating from the Public Facilities and Safety Committee

3. RECOMMEND APPROVAL FOR A REQUEST TO PURCHASE 48 RECYCLING ROLL-OFF CONTAINERS (\$408,530). ***(FISCAL IMPACT: Per the original ARPA ordinance (2022/06), \$2,000,000 of ARPA funds were allocated to Solid Waste & Recycling. Those funds have already been transferred to the Solid Waste Enterprise Fund and the funds have been divided into separate line items within the Solid Waste account. The quote for the purchase of these containers is for \$408,530. The remaining Solid Waste & Recycling ARPA funds will be \$1,591,470. The funding for this item is from account the Solid Waste & Recycling non-capital equipment account: 5010-90-1340-52600 with an available balance of \$408,747.01)***
4. APPROVAL OF A REQUEST TO PURCHASE QTY-13 WASTE COMPACTOR UNITS FOR BEAUFORT COUNTY CONVENIENCE CENTERS ***(FISCAL IMPACT: \$624,021.42)***

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## END OF CONSENT AGENDA

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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>