

MINUTES
MARCH 10, 2011
COUNCIL MEETING
6:00 P.M.

Town of Edisto Beach
Town Hall
2414 Murray Street
Edisto Beach, SC 29438

Present: Burley L. Lyons, Mayor, Susan Hornsby, Mayor Pro Tempore, Pete Anderson, Larry “Babe” Hutto and Tommy Mann, Council Members; *Quorum of Council Present.*

Mayor Lyons welcomed guests and thanked all who served the Town of Edisto Beach.

Council Session opened with a word of prayer by Councilman Anderson, who also led those present in the *Pledge of Allegiance.*

Councilman Hutto moved to approve Council Work Session Minutes of February 8, 2011 and Regular Council Meeting Minutes of February 10, 2011. Councilman Mann seconded the motion, which carried unanimously.

Proclamations and Presentations

Approved: *Proclamation 2011-P09 in Support of Sunshine Week.* Councilman Anderson moved to approve Proclamation 2011-P09 in Support of Sunshine Week. This Proclamation, recommended by the Municipal Association, states that the Town of Edisto Beach commits to work to enhance the public’s access to government records and information, to increase information provided electronically and online, and to ensure that all meetings of deliberative bodies under its jurisdictions, and their committees, are fully noticed and open to the public. Councilman Hutto seconded the motion, which carried unanimously.

Approved: *Proclamation 2011-P12 in Support of National Guard and Reserve.* Councilman Mann moved to approve Proclamation 2011-P12 in Support of the National Guard and Reserve. This Proclamation states that the Town of Edisto Beach recognizes that the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities, and our managers and supervisors will effectively manage those employees who serve in the Guard and Reserve. Councilman Hutto seconded the motion, which carried unanimously.

Edisto Beach Elementary School. The Edisto Beach Elementary School called to cancel their presentation. They will reschedule at a later date.

Mayor Lyons told the public that he presented Starfish Awards to Richard Smalls, David James and Nate Brown in Tuesday's Town Council Work Session for their kindness and generosity while helping a resident who fell in Wyndham.

Old Business

Approved: *First Reading of Ordinance 2011-06 to Amend Section 18-50 of the Town's Code to Prohibit Selling, Peddling and Commercial Solicitation on Public Property.* Councilwoman Hornsby moved to approve the first reading of Ordinance 2011-06 to Amend Section 18-50 of the Town's Code to Prohibit Selling, Peddling and Commercial Solicitation on Public Property. The current ordinance is not clear regarding peddling on Edisto Beach. This amendment clarifies that peddling on Town Streets is prohibited. This ordinance was tabled in the February 10, 2011 Council meeting. Councilman Anderson seconded the motion, which carried unanimously.

Approved: *Employee Health Insurance.* Councilman Mann moved to approve the Administrator's recommendation for the State Insurance Benefits Program. Along with this insurance change will be a policy change to allow that all employees get the same benefits. Councilman Mann commented that it will be a substantial cost savings. Administrator Hill told the Council that the current insurance the Town is using is dissolving July 1, 2011. She also thanked staff for all their hard work, especially Maxine Burton and Meagan Chaplin, who met with several of the insurance carriers who had submitted RFPs. Administrator Hill told Council there should be a substantial savings. Councilman Anderson seconded the motion, which carried unanimously.

New Business/Appearances

Council Goals and Action Plans. Administrator Iris Hill read aloud Council's Goals and Action Plans for Fiscal Year 2011-2012. These Goals and Action Plans were determined during the Council Retreat on February 23, 2011. Copies of these Goals and Action Plans were available for the public.

Approved: *Plantings for Sand fencing Hospitality Funds.* Councilman Hutto moved to approve expenditures from the Hospitality Fund for beach plantings along sand fencing. The estimated cost of these plantings will not exceed \$5,000. Councilman Mann seconded the motion, which carried unanimously.

Approved: *Beach Photogrammetric Mapping.* Councilwoman Hornsby moved to approve expenditures from the Hospitality Fund for Photogrammetric Mapping of the beach. The estimated cost of the project will not exceed \$6,000. Councilman Hutto seconded the motion, which carried unanimously.

Approved: *Resolution 2011-R08 Jury Box.* Councilman Mann moved to approve Resolution 2011-R08 stating that the 2011 Jury Box has been prepared pursuant the requirement of Act

#480 and is now ready for use. Councilman Hutto seconded the motion, which carried unanimously.

Approved: *First Reading of Ordinance 2011-10 to Amend Section 82-33 of the Town's Code Relating to Residential and Commercial Water Rates.* Councilman Mann moved to approve the first reading of Ordinance 2011-10 to Amend Section 82-33 of the Town's Code relating to Residential and Commercial Water Rates. The current ordinance is not clear as to how many gallons the rates refer to. The amended ordinance adds the language "per 1000 gallons." Also, the amended ordinance adds language for a service fee to be charged if service is reconnected after the Town's normal business operating hours, and for reconnection of water service after discontinuance for any reason other than fault of the Town or its employees. Councilman Hutto seconded the motion, which carried unanimously.

Approved: *First Reading of Ordinance 2011-11 to Amend Various Sections of Division 2 of Article II of the Town's Code Relating to Sea Turtle Protection.* Councilman Hutto moved to approve the first reading of Ordinance 2011-11 to Amend Various Sections of Division 2 of Article II of the Town's Code Relating to Sea Turtle Protection. The current ordinance does not include security lighting, lights on balconies and homes on the second row of beach houses. The amended ordinance states that no artificial light shall illuminate any area of the beaches in the Town, and this may include any structure whether on front beach or not. The amended ordinance also clarifies that lights on balconies shall be fitted with hoods, dune crosswalks shall utilize low profile shielded luminaries and temporary security lighting at construction lights shall not be mounted more than fifteen feet above the ground and illumination shall not spread beyond the boundary of the property. The amended ordinance also offers clarification on individual use of lights. Councilman Anderson seconded the motion, which carried unanimously.

Approved: *First Reading of Ordinance 2011-13 to Amend Section 10-37 of the Town's Code to adopt Subsections (f), (g), (h) and (i).* Councilman Hutto moved to approve the first reading of Ordinance 2011-13 to Amend Section 10-37 of the Town's Code to adopt Subsections (f), (g), (h) and (i). The current ordinance needed clarification regarding the digging of holes, leaving personal property unattended on the beach after sunset and the location of personal property near a beach access or turtle nests. The adopted subsections provide that it shall be unlawful to dig a hole on the sandy beach greater than twelve inches deep without adult supervision of the hole, that it shall be unlawful to leave a hole twelve inches deep or deeper without filling the hole, that personal property which is left unattended on the beach after sunset shall be deemed abandoned and the Town shall have the right to take possession of said property, and that no personal property shall be located within twenty-five feet of any beach access or any turtle nest. Councilman Mann seconded the motion, which carried unanimously.

Tabled: *Installation of Solar Panels at Town Hall.* Councilman Mann moved to table the installation of Solar Panels at Town Hall until the April Town Council Meeting pending a local vendor coming forth with a proposal. Councilman Anderson seconded the motion, which carried unanimously.

Approved: Marsh Side Dwellings. Councilman Anderson moved to approve the division of the Marsh Side dwellings located at 801 Jungle Road, 803 Jungle Road, 805 Jungle Road and 807 Jungle Road. Mr. Steedley has made application for division of the Marsh Side dwellings. Per Town Ordinance 86-191 (a)(5) the Building Codes Administrator shall review the application and submit to Town Council for approval. Mr. Steedley completed all of the requirements for the division of the units. Councilman Hutto seconded the motion, which carried unanimously. Councilman Anderson moved to approve the plat that was submitted for the division of the Marsh Side dwellings. Councilman Hutto seconded the motion, which carried unanimously.

Approved: First Reading of Ordinance 2011-14 Providing for Mobile Vending and Regulations Governing Mobile Vending. Councilwoman Hornsby moved to approve the first reading of Ordinance 2011-14 Providing for Mobile Vending and Regulations Governing Mobile Vending. Councilman Anderson seconded the motion. This ordinance allows mobile vending in a designated vending district to be determined by Council. Mayor Lyons spoke about safety issues. Councilman Mann amended the motion for the ordinance to include the following items: a sunset provision of two years, only 3 vendors allowed rather than 6, time allowed will be from 10:00 a.m. to one half hour before sunset, the vehicle may be 20 feet in length and peddling will be excluded from Jungle Road in its entirety. Councilman Hutto seconded the motion, which carried unanimously. Councilwoman Hornsby restated her motion to include Councilman Mann's amendments. Councilman Hutto seconded the motion, which carried unanimously.

Committee Vacancies

There are two upcoming committee vacancies in the Planning Commission, Jerry Zeller and Laurie Sanders. These committee terms will end on May 31, 2011. Mr. Sanders will be eligible to serve another term.

Planning Commission

Approved: 137 Jungle Road. Councilman Hutto moved to approve the issuance of a permit to allow the construction of a residential home on the commercially zoned property (an allowed use per Town Code 86-141). Per section 86-141 (I) of the Town's Code, all applications for a building permit in a district area zoned C-3 shall be reviewed by the Planning Commission and approved by Town Council. The Planning Commission passed with two members opposed. Councilman Anderson seconded the motion, and the motion carried with a vote of 4 to 1. Councilman Mann was opposed.

Approved: 108 Jungle Road roof system. Councilman Mann moved to approve the installation of a roof system at 108 Jungle Road (McConkey's Jungle Shack) to eliminate the portable tents. Per section 86-141 (I) of the Town's Code, all applications for a building permit in a district area zoned C-3 shall be revised by the Planning Commission and approved by Town Council. The Planning Commission passed this unanimously. Councilman Hutto seconded the motion, which carried unanimously.

Approved: *908 Palmetto Boulevard Plat Review.* Councilman Hutto moved to approve the abandonment and relocation of the lot line at 908 Palmetto Boulevard. Plats for 908 Palmetto Boulevard have been submitted proposing that property lines dividing the two tracts be abandoned and relocated. In accordance with Town Ordinance Section 71-4 the plats must be submitted to the Planning Commission for review and to Town Council for approval. The Planning Commission passed this unanimously. Councilman Anderson seconded the motion, and the motion carried with a vote of 4 to 1. Councilwoman Hornsby was opposed.

Committee Reports

Police Department Report

The Police Department report was presented by Mayor Lyons for the month of February 2011.

	Feb-10	Feb-11	YTD
Citations	9	5	98
Speeding	6	5	32
Golf Cart Violations	0	0	3
Property Checks	-	3,355	5351
Calls for Service	34	39	555
Calls Requiring 2 Officers	6	7	77
Burglary	0	3	15
Larceny	2	3	39
Assaults	0	0	6
Alarms	5	17	173
Warning Tickets	22	23	327
Patrolled Miles	5,550	5,716	42,746
Criminal Domestic Violence	0	0	3

Financial Report

This report was presented by Iris Hill, Town Administrator for the month ending February 28, 2011.

	Received	Spent
General Fund	77.79%	64.52%
Water Fund	93.88%	68.09%
Wastewater Fund	90.27%	60.45%

Mayor Lyons thanked Dan Carter for attending the Charleston County Accommodations Finance Meeting on behalf of the Town.

Mayor Lyons also told the audience of Governor Haley’s Movement Tour around the state. She will be at the College of Charleston at Randolph Hall on March 16, 2011.

Building Department Report

The Building Department Report was presented by Patrick Brown, Building Codes Administrator, for the month of February 2011.

	Feb-10	Feb-11	YTD
Business/Rental License Fees	\$68,810.31	\$77,809.54	\$118,343.92
New Construction Permits	-	0	4
Other Permits	33	34	189
Permit Fees	\$2,820.50	\$3,172.50	\$28,279.80
Inspections	154	105	690

Councilwoman Hornsby told the audience that Keep America Beautiful Cleanup day will be on March 19, 2011 at 9 a.m. Participants will be meeting at the Community Center. Councilwoman Hornsby also told the audience that there were sixty-five entries into the t-shirt contest from Edisto Beach Elementary and Jane Edwards Elementary.

Edisto Chamber of Commerce

There was no Edisto Chamber report for the month of February 2011.

Fire Department

The fire department report was given by Fire Chief Larry Waddle.

Calls	Feb-10	Feb-11	YTD
Medical	2	9	112
Fire-related	1	3	30
Public Assistance	2	6	118
Beach Wheel Chairs	2	1	67

Chief Waddle told the Council and audience that three firefighters are currently attending the Reserve Police Officer training. He commented that attending the Council Retreat on February 23, 2011 was very enlightening. Chief Waddle also told the audience that the call tree program is still going well.

Utilities Department

The Utilities Department report for the month of March 2011 was given by Bob Doub, the Town's Utilities Director.

	March-10	March-11	YTD
Pumped MG Water	10 MG	12.04 MG	231.46 MG

Treated MG Wastewater	4 MG	3.81 MG	39.75 MG
Water Line Repairs	90	111	1,061
Work Order Repairs	-	168	928

Mr. Doub told Council and the audience that over the past few weeks the Utilities Department has been doing their annual generator maintenance and testing the emergency generator system. Also, they have been working on maintenance and painting of Pump Station “A” and flushing all of the dead end water lines with in the Town.

Public Works

This report was presented by the Utilities Director, Bob Doub for the month of February 2011.

	Feb-10	Feb-11	YTD
Mowed Sq. Yds.	0	0	705,256
Cleaned Ditches	0	0	24,739
Roll Carts Delivered	3	4	135

Mr. Doub told the audience that the Public Works department has been cleaning beach accesses, parks and bike paths. They have assisted in the placement of 600 feet of sand fencing and replaced 11 signs on the beach that have been destroyed or removed.

Councilman Mann told the audience about the trip he, Administrator Iris Hill and Utilities Director Bob Doub made to Hilton Head to learn about their Reverse Osmosis system.

Administrator Iris Hill stated that the Public Works department has been out doing shoulder work on our roads even though we have mostly state maintained roads. Also, Utilities Director Bob Doub has gone out and visited with the Army Corps of Engineers to discuss the plantings that will be done after all sand fencing has been installed.

Administrator Hill told the audience that the screens on Channel 2 have been freezing, and the Town is in the process of changing the program used for Channel 2.

Signed in to Speak

Sharon Ethridge- Ms. Ethridge stated that she wanted to speak about her issue with the new turtle ordinance. She wanted to know if there was going to be a fine for not turning lights out, and if so, who would be enforcing the ordinance. Also, she stated that this ordinance was made to target the Horizon gas station. Mayor Lyons commented that the Edisto Beach Police Department would be enforcing the ordinance. Administrator Hill stated that the Police Department and the Town’s Code Enforcement Officer would be enforcing the new turtle ordinance. Administrator Hill said the main focus would be on the first row houses, but this ordinance gives the Town the authority to address lighting issues on the second row houses. Administrator Hill stated that the Town is trying to be conscientious to help protect an

endangered species. Ms. Ethridge told Council that she feels that they are passing an ordinance that is making it difficult for one of the Town's businesses to conduct business. Ms. Ethridge believes the entire ordinance is targeted at the Horizon gas station. Administrator Hill told her that is not true. Councilman Anderson stated that he thinks there is a way the lights at the Horizon can be shielded, and thinks the Town should make an effort to do this. Ms. Ethridge stated that she thinks Council should table the new turtle ordinance.

George Kostill- Mr. Kostill told Council that he and his wife own a home here and have been coming to Edisto for 20 years. They enjoy bicycling. When he arrived this week he noticed the new paving and new bridge on the bike path. Mr. Kostill thinks these improvements are "very refreshing." He wanted to thank Council for funding the bike path improvements.

David Cannon- Mr. Cannon told Council and the audience about House Bill 3713. This bill will totally eliminate point of sale reassessment. It has been passed by the Subcommittee on Property Tax. It is now being evaluated by the Ways and Means Subcommittee. Mr. Cannon stated that this is a great bill and a clean bill. He recommends that everyone contact members of the Ways and Means Subcommittee, and Representatives when it gets to the House.

Jennie Smith- Ms. Smith told the audience about the event that will be held at McConkey's on March 19, 2011. The event is to benefit Learning through Loggerheads. The day will begin with a cooking competition. Ingredients have been provided by Geechie Boy Market on Edisto Island.

Councilman Anderson moved to go into Executive Session. Councilman Mann seconded the motion, which carried unanimously.

Councilman Anderson moved to exit executive session. Councilman Hutto seconded the motion, which carried unanimously.

Councilman Mann moved to approve the personnel recommendations made by the Town Administrator. Councilman Hutto seconded the motion, which carried with a vote of 4 to 1. Councilman Anderson was opposed.

Councilman Mann moved to adjourn the meeting. Councilwoman Hornsby seconded the motion, which carried unanimously.

Meeting adjourned at 7:29 p.m.

The media/public was duly notified of the date, time and place of the Council Meeting on Friday, March 4, 2011.

APPROVED BY TOWN COUNCIL

Meagan Chaplin

Meagan Chaplin, Municipal Clerk

April 14, 2011