

MINUTES
SEPTEMBER 8, 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.

Mayor Lyons then spoke to the audience about remembering September 11, 2001.

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

Councilman Anderson moved to approve the Public Hearing Minutes of August 11, 2011. Councilman Mann seconded the motion, which carried unanimously.

Councilman Mann moved to approve the Regular Council Meeting Minutes of August 11, 2011. Councilman Hutto seconded the motion, which carried unanimously.

Councilman Anderson moved to approve the Special Council Meeting Minutes of August 19, 2011. Councilman Hutto seconded the motion, which carried unanimously.

Proclamations and Presentations

Mayor Lyons presented Starfish Awards to Patrick Brown, who was recommended by Ida Tipton for rescuing a groin sign during Hurricane Irene and Ida Tipton for her service on the Zoning Board of Appeals. He also recognized Jenny Smith, who was not present, for a Starfish Award for implementing the Edisto’s Ultimate Chef Competition.

Jane Darby, TIDE Committee Chairperson, presented Mr. Archie Livingston as a representative of the Lion’s Club with a TIDE Committee Beautification Award for the construction of the bike racks at the beach accesses, Town Hall and Bay Creek Park.

Old Business

Approved: *Second Reading of Ordinance #2011-27 to Amend Section 82-226 of the Town's Code so as to provide that violation thereof shall constitute a misdemeanor.* This amendment states that no surface waters shall be introduced to sanitary sewers, and violators of this section will be charged with a misdemeanor as provided in Section 1-6 of the Town's Code. Councilman Mann moved to approve the first reading of Ordinance #2011-27 to Amend Section 82-226 of the Town's Code so as to provide that violation thereof shall constitute a misdemeanor. Councilwoman Hornsby seconded the motion, which carried unanimously.

New Business/Appearances

Approved: *Special Event Application- Low Country Girls High School Tournament.* Leland Vaughn submitted a special event application for the use of the Bay Creek Park Heritage Building on October 8, 2011 and requested the fee of \$500.00 be waived for the use of the Heritage Building. Mr. Vaughn wishes to use the Heritage Building for a cookout for the players, coaches and parents. The park will not be closed during this event. Councilman Hutto moved to approve the special event application submitted by Mr. Vaughn and waive the fee of \$500 for the use of the Heritage Building. Councilman Anderson seconded the motion, which carried unanimously.

Approved: *Departmental Strategic Plans.* Councilman Hutto moved to approve the departmental strategic plans for fiscal year 2011-2012 for the Building, Police and Utilities Departments. Councilman Mann seconded the motion, which carried unanimously.

Approved: *First Reading of Ordinance #2011-30 to amend Section 82-139 of the Town's Code Relating to Sewer Rates.* The Water and Sewer Committee met on August 24 and voted unanimously to increase water and sewer rates for year one by 5% to begin acquiring sufficient revenues to meet future needs of the Utilities Department. This increase is based on rate revenue scenario #3 (see Attachment A) in the Water Rate Study completed by American Engineering in June 2011. This increases the base sewer rate from \$189.00 to \$198.45 per 0-6,000 gallons per billing cycle. Councilman Mann explained to Council and the audience that the 5% increase will be used for the following: lift station B needs a new pump at a cost of \$20,000 despite rehab on pump three years ago that should have lasted 20 years; lift station B had to be vacuumed because it had a great deal of sand in it; the Town needs to do an inflow and infiltration study with camera to look at lines to determine source of sand at a possible cost as high as \$80,000; capital improvements; and the Town is approaching capacity at sewer plant. Councilman Mann moved to approve the first reading of ordinance #2011-30 to amend section 82-139 of the Town's Code relating to sewer rates. Councilman Hutto seconded the motion. Councilwoman Hornsby expressed that she does not agree with increasing sewer rates. The vote carried 4 to 1 with Councilwoman Hornsby opposed.

Approved: *First Reading of Ordinance #2011-31 to amend Section 82-33 of the Town's Code Relating to Water Rates.* This ordinance increases the base water rates as follows:
Residential \$123.08 to \$129.23 per 0-24,000 gallons per billing cycle.

| | |
|--------------|---|
| Business | \$123.08 to \$129.23 per 0-24,000 gallons per billing cycle |
| Outside Town | \$246.16 to \$258.47 per 0-24,000 gallons per billing cycle |
| State park | \$506.07 to \$531.37 per 0-24,000 gallons per billing cycle |
| Irrigation | \$123.08 to \$129.23 per 0-24,000 gallons per billing cycle |

Additional per gallon rates were adjusted by 5% also. Councilman Mann explained to Council and the audience that the 5% water rate increase will be used for the following: there was a temporary repair on the valve at Dock Site Road and Yacht Club Road; approximately 60 valves need to be repaired or replaced at an estimated cost of \$120,000 over the next several years; the two inch lines on Point Street and Jungle Shores will not support hydrants and need to be upgraded with hydrants installed; there is not enough revenue to take care of the Town's water system; and parts of water system are over 50 years old and are in need of repair or replacement. Councilman Mann moved to approve the first reading of ordinance #2011-31 to amend section 82-33 of the Town's Code relating to water rates. Councilman Hutto seconded the motion. Councilwoman Hornsby stated that she did not want to raise water rates unless it improved water quality. The vote carried 4 to 1 with Councilwoman Hornsby opposed.

Tabled: *Discuss Solid Waste Fees and Convenience Station.* According to the latest revenue projections, operation costs of the convenience station will exceed the budgeted revenues by \$30,000. This in part is due to fuel surcharge costs that have been higher than anticipated as diesel fuel costs remain high.

According to our contract with Republic, they charge \$147.60 per unit (house) annually for curbside service. This includes municipal solid waste (household garbage), yard trash, white goods and bulky items. Additional units (cans) are billed at half the cost or \$56.00. In addition, a fuel surcharge is added per month. The Republic Services Fuel Recovery Fee component is updated each month (on or about the 1st of each month). The corresponding diesel rate is the peak weekly-published price per gallon in the preceding calendar month. The Fuel Recovery Fee for a billing period will be based on the rate from for the month preceding the month in which it is invoiced (this fee can go up or down).

The Town charges all units (houses, condos, etc.) \$137.00. This rate was maintained because 400 units were not receiving curbside service but were provided access to the convenience station. Over the past 6 months there has been a shift where these units have been converting to curbside service. As the remaining residential units convert to curbside service, the \$137.00 rate will not pay for the curbside collection service much less pay for the operation of the convenience station. The costs to operate the convenience station in 2010 were \$49,817. Because the new contract was not implemented until April 2010, there is still not sufficient data to confidently determine how much of a reduction we can expect in convenience station costs and which waste streams were reduced. However, our projections indicate there will be a \$30,000 deficit in revenues if we extrapolate the current data.

Over the years, management of the convenience station has become increasingly difficult. During periods when the convenience station is left unattended, waste is left in incorrect places

or dumped on the ground, scavenging occurs and construction waste is brought in. This coupled with no method to control costs or adequately predict future costs has resulted in numerous funding shortfalls.

Currently, the convenience station has:

- 1- 30 yard compactor for household waste @ \$250 monthly rental
 - 1- 40 yard container for yard waste @ \$60 monthly rental
 - 1- 30 yard container for yard waste/construction and demolition @ \$60 monthly rental
 - 1- 40 yard container for cardboard @\$60 monthly rental
 - 1- 20 yard container for metal @ \$40 monthly rental
 - 2- 30 yard containers for recyclables (glass/plastic) (paper) @ \$140 monthly rental
- Oil recycling (free)
- 3- 8 yard overflow containers for household waste at no charge

There are several options to this anticipated deficit and ongoing problems.

- Increase the fee so the costs cover the expenditures. The rate would increase from \$137 to \$151 per residence. Additional can cost would remain the same.
- The balance could be offset with contingency funds at the 6 month budget adjustment. Contingency funding is limited and is not recommended for use on pass through expenditures or ongoing costs.
- Usage of the convenience station can be phased out. This can be done in stages.
 1. Removal of the compactor and its subsequent haul charges would save \$8,000 plus fuel surcharge fees. However, Council needs to be aware that the Town states that it will provide access to the convenience station to residents in unincorporated areas in the justification for Colleton County funding for services. By closing the convenience station to household garbage, we can anticipate that those without service, will place garbage in residential cans at the curb, at beach accesses or just throw it on the side of the road. A side option is to keep an 8 yard dumpster for the few without service. The contract does not provide for a charge of the 8 yard dumpster and this would need to be addressed. This would also decrease the anticipated savings.
 2. Removal of the yard waste containers. Rental savings would be \$1,200.00. Assuming the yard waste rolloffs are emptied 2 times a month, the savings would be \$5,200; 3 times a month the savings would be \$7,800 plus associated fuel charges. In April 2010, the convenience station was closed for commercial waste. Homeowners can place waste on road side for collection.
 3. Recycling could be included in curbside services. Council could survey the public to establish if the public wants curbside recycling and are willing to pay for said service. Costs are being acquired from Republic.

Councilman Hutto moved to table this item until further information can be obtained. Council discussed different options for solid waste and the convenience station including curbside recycling. Mayor Lyons stated that he was not in favor of using contingency funds to offset the balance for solid waste. Councilman Mann seconded the motion, which carried unanimously.

Approved: *Amendment to July 14, 2011 Regular Council Meeting Minutes.* The item regarding The Plantation Course was amended because it was not clear which proposal submitted by Mr. Funderburke the Planning Commission reviewed. This change clarifies that the planning commission reviewed the 40 acre request, not the 20.88 acre request. Councilman Anderson moved to approve the amendment to the July 14, 2011 regular Council meeting Minutes. Councilman Mann seconded the motion, which carried unanimously.

Committee Vacancies

Accommodations Tax Advisory Board

Ashley Fontaine submitted a letter of resignation from the Accommodations Tax Advisory Board. Council will be accepting applications to fill his unexpired term in the hospitality sector. Council will vote to fill the unexpired term during the October 13, 2011, Regular Council meeting.

Planning Commission

Approved: *3761 Dock Site Road-Fishing Charter.* Charles and Jane Morrow submitted an application to the Building Department for a business license to operate a one to two passenger in-shore fishing charter out of their residence located at 3761 Dock Site Road. Mr. Morrow submitted his Captain's license to the Building Department and will be operating from a small outboard watercraft. This application is an allowed use in the C-2 district. Per section 86-140(h) of the Towns' Code, each application for a building permit for new construction, remodeling, or a change in floor plan or for a change in use permit or a change in the parking requirements in an area zoned C-2 shall be reviewed by the Planning Commission and approved by Town Council. The Planning Commission passed this item unanimously. Councilman Mann moved to approve the application for a business license by Charles and Jane Morrow to operate a fishing charter from 3761 Dock Site Road. Councilman Hutto seconded the motion, which carried unanimously.

Committee Reports

Mayor Lyons stated that the Fish and Shag fest was great.

Financial Report

This report was presented by Iris Hill, Town Administrator for the month ending August 31, 2011.

| | Received | Spent |
|-----------------|----------|---------|
| General Fund | 11.08 % | 15.46 % |
| Water Fund | 12.16 % | 16.71 % |
| Wastewater Fund | 10.24 % | 13.05 % |

Administrator Hill reminded the audience of the Public Hearing on September 15, 2011, on the Comprehensive Beachfront Management Plan and the Edisto Shrimp Fest on September 24, 2011.

Police Department Report

The Police Department report was presented by Chief Coffey for the month of August 2011.

| | August-10 | August-11 | YTD |
|-------------------------------|-----------|-----------|--------|
| Citations | 13 | 21 | 32 |
| Speeding | 2 | 7 | 14 |
| Golf Cart Violations | 3 | 2 | 2 |
| Property Checks | 0 | 1,345 | 2,967 |
| Calls for Service | 74 | 86 | 244 |
| Calls Requiring 2 Officers | 14 | 7 | 17 |
| Burglary | 4 | 2 | 2 |
| Larceny | 13 | 8 | 8 |
| Assaults | 2 | 1 | 1 |
| Alarms | 11 | 16 | 43 |
| Traffic Warnings | 40 | 157 | 281 |
| Patrolled Miles | 5,042 | 9,902 | 11,069 |
| Criminal Domestic Violence | 1 | 2 | 3 |

Mayor Lyons reminded the audience about the Special Council meeting to be held on September 19, 2011, at 9:30 a.m. to have first reading of Ordinance #2011-33 regarding revisions to Chapters 62, 71 and 86 of the Town's Code.

Committee Bylaws

Mayor Lyons brought up the topic of term limits and committee appointments, and the fact that appointments and term limits are not standard throughout all committees. Councilwoman Hornsby moved that beginning at a determined date, applications for the TIDE committee will be brought to Council to vote on members. The motion failed for lack of a second.

Councilman Anderson moved that the Council member in charge of the committee pick one person, and all other committee members be voted on by Council. Councilman Mann seconded the motion. Attorney Bert Duffie told Council that the motion needs to be clarified to state which committee this applies to. The motion carried with all opposed.

Councilman Mann moved to table this discussion until it could be clarified which committee this applies to. Councilman Hutto seconded the motion, which carried unanimously.

Building Department Report

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

| | August-10 | August-11 | YTD |
|------------------------------|------------|------------|------------|
| Business/Rental License Fees | \$1,041.00 | \$952.00 | \$3,825.75 |
| New Construction Permits | | 0 | 0 |
| Other Permits | 26 | 18 | 37 |
| Permit Fees | \$3,919.00 | \$2,345.00 | \$3,964.00 |
| Inspections | 102 | 95 | 194 |

Councilwoman Hornsby reminded the audience of the Edisto Pride Beach/River Sweep scheduled for September 17, 2011. Participants are asked to meet at beach access 1 at 9:00 a.m.

Fire Department

The fire department report for the month of August 2011 was given by Fire Chief Larry Waddle.

| Calls | August-10 | August-11 | YTD |
|--------------------|-----------|-----------|-----|
| Medical | 24 | 19 | 55 |
| Fire-related | 5 | 2 | 15 |
| Public Assistance | 41 | 19 | 57 |
| Beach Wheel Chairs | 26 | 12 | 12 |

Chief Waddle told the audience that the fire department is still calling to check on citizens. Councilwoman Hornsby stated that her mother-in-law looks forward to calls from the fire department.

Chief Waddle also stated that the Fish and Shag fest was great.

Edisto Chamber of Commerce

The Chamber report for the month of August was given by Dan Carter.

Utilities Department

The Utilities Department report for the month of August 2011 was given by Bob Doub, the Utilities Director.

| | August-10 | August-11 | YTD |
|-----------------------|-----------|-----------|----------|
| Pumped MG Water | 25.94 MG | 25.94 MG | 58.43 MG |
| Treated MG Wastewater | 6.69 MG | 7.13 MG | 16.45 MG |
| Water Line Repairs | 88 | 0 | 0 |
| Work Order Repairs | 93 | 84 | 179 |

Public Works

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

| | August-10 | August-11 | YTD |
|-------------------------|-----------|-----------|--------|
| Mowed Acres | 51.10 | 76.39 | 116.92 |
| Cleaned Ditches (Acres) | 34.99 | 38.58 | 56.55 |
| Roll Carts Delivered | 11 | 9 | 17 |

Signed in to Speak

There was no one signed in to speak.

Councilman Hutto moved to go into executive session. Councilman Mann seconded the motion, which carried unanimously.

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

Councilman Mann moved to deny an offer from Mark Steedley to donate a 50 foot marsh access parcel. Councilman Hutto seconded the motion, which carried unanimously.

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

Meeting adjourned at 7:05 p.m.

The media/public was duly notified of the date, time and place of the Council Meeting on Friday, September 2, 2011.

APPROVED BY TOWN COUNCIL

Meagan Chaplin
Meagan Chaplin, Municipal Clerk
November 10, 2011