

MINUTES
APRIL 11, 2019
REGULAR TOWN COUNCIL MEETING
6:00 P.M.

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

Present: Jane S. Darby, Mayor, Crawford Moore, Mayor Pro Tempore, Susan Hornsby, Jerome Kizer and Patti Smyer, Council Members; *Quorum of Council Present.*

Councilman Kizer led those present in the Pledge of Allegiance and an invocation.

Approval of Minutes

A. Public Hearing Meeting Minutes, March 14, 2019 – Councilwoman Smyer moved to approve the minutes from the Public Hearing held on March 14, 2019. Councilwoman Hornsby seconded the motion, which was approved unanimously.

B. Regular Council Meeting, March 14, 2019 – Councilman Kizer moved to approve the regular Council meeting minutes from March 14, 2019, seconded by Councilwoman Smyer and unanimously approved.

Proclamations and Presentations

A. Councilmembers Kizer, Moore and Smyer – Advanced Municipal Elected Officials Institute of Government – Mayor Darby congratulated Councilmembers Kizer, Moore and Smyer for completing the Advanced Municipal Elected Officials Institute of Government.

B. Proclamation No. 2019-P04 Building Safety Month 2019 – Mayor Pro Tem Moore moved to approve Proclamation No. 2019-P04 which reads in part, “Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities’ largely unknown guardians of public safety – our local code officials – who assure us of safe, efficient and new technologies in the construction industry.” Councilwoman Hornsby seconded the motion, which was approved unanimously.

C. Proclamation No. 2019-P05 50th Annual Municipal Clerks Week, May 5 – 11, 2019 – Councilwoman Smyer moved to approve Proclamation No. 2019 – P05, seconded by Councilman Kizer and unanimously approved. Mayor Darby thanked the Town’s Municipal Clerk, Deborah Hargis on behalf of Council.

D. Starfish Awards – Police Chief George Brothers, Building Official Patrick Brown – Mayor Darby presented a Starfish Award to Chief Brothers and thanked him for his recommendation to implement fuel cards through the state fuel procurement system. This will provide a substantial cost savings to the Town. Mayor Darby also presented a Starfish Award to Patrick Brown, Building Official. Mr. Brown has been instrumental in completing some smaller projects that support the TIDE Committee. Examples are filling in the ditch at McConkey Square so the construction fence could be removed, asking that the fence at BiLo be repaired, and installing the directional signs for the Burley L. Lyons Park.

New Business

A. Recurring Special Events Application, Edisto Chamber of Commerce, Movies in the Park – Councilwoman Smyer moved to approve the recurring special events application from the Edisto Chamber to hold Movies in the Park on June 12th, July 10th, and August 7th. The Chamber is asking that the rental fees be waived. Set up will begin at 6:30 p.m. with the movies to begin at sunset (approximately 8:00). Councilwoman Hornsby seconded the motion which was approved unanimously.

B. First Reading of Ordinance No. 2019-06 to Amend Sections 82-33 of the Town’s Code to Adjust the Rates for Water Service – Mayor Pro Tem Moore moved to approve the first reading of Ordinance No. 2019-06 to amend Sections 82-33 of the Town’s Code to adjust the rates for water service. This is the third 15% adjustment. A water rate study is in progress to determine if the rate needs to be adjusted and will be completed by the second reading of the ordinance. Councilwoman Hornsby seconded the motion which was unanimously approved.

C. First Reading of Ordinance No. 2019-07 to Amend Section 66-8 (c) of the Town’s Code to Adjust Solid Waste Fees – Mayor Pro Tem Moore moved to approve the first reading of Ordinance No. 2019-07 to amend Section 66-8(c) of the Town’s Code to adjust solid waste fees. The Town met with our current contractor in an effort to negotiate an extension of the current agreement. The contractor proposed a substantially higher rate than the current rates. To mitigate the proposed increase, the Town has solicited bids for solid waste collection and transportation services. The rates proposed are based on negotiations with the current contractor and will be adjusted based on the bid results for the second reading. Councilwoman Smyer seconded the motion, which was approved unanimously.

D. First Reading of Ordinance No. 2019-08 to Amend Section 66-2, 66-4, 66-43, 66-79(e)(6), and 66-111(a) of the Town’s Code Regarding Yard Trash – Councilwoman Smyer moved to approve the first reading of Ordinance No. 2019-08 to amend Section 66-2, 66-4, 66-43, 66-79(e)(6), and 66-111(a). Costs for collecting and handling yard trash are based on how long it takes for a contractor to stop and load the trash on the truck. *Yard trash* is defined as “grass and shrubbery clippings, fallen limbs and fronds and similar materials resulting from normal and routine yard maintenance. Yard trash does not include materials from tree cutting or pruning”: however, we see tree cuttings and pruning on the curb every week. Town Code currently allows yard trash be placed at the curb with limited regard to collection. This in addition to subjective language that allows contractors to continue to place waste at the curb has, in part, led to the recent proposed substantial increase in collection costs. This amendment provides that yard trash be containerized or bundled before placing at the curb and eliminates the language that allows contractors to place any waste at the curb. Yard trash can either be placed in paper bags or containers and larger yard trash should be tied in bundles no greater than 30 pounds in weight so collection can be more efficient. Mayor Pro Tem Moore seconded the motion, which was unanimously approved.

E. Edisto Beach State Park Annexation Discussion and Update – In February 2018, the State Park requested annexation into the town limits. This came about after discussions occurred between the State Park and Law Enforcement and the logistical difficulties the police were experiencing when enforcing the law outside the Town limits. If an officer writes a ticket or arrests someone in the State Park, the officer has to go to court in Walterboro, rather than in the Town of Edisto Beach. With hurricane delays and a change in upper management at the South Carolina Parks Recreation and Tourism and the Edisto Beach State Park, this annexation request had no forward movement. Now that the new SC State Park Director and the new Park Manager have been brought up to speed, the annexation request has begun moving forward again. Recently, staff and the Mayor met with the State Park to discuss issues that would need to be addressed if the State moved forward with annexing into the Town. These issues involve zoning, water fees, accommodations taxes, etc. Kyle Bullock, the Edisto Beach State Park Ranger was present for the

meeting. Councilwoman Hornsby asked if the Town could compile questions from citizens and have them sent to Mr. Bullock for answers. Mr. Bullock said he would be happy to do that.

F. Dune Protection Discussion – One of the concerns voiced by residents regarding the US Army Corps of Engineers partnership with the Town is dune access. Our current ordinances do not address their concerns about continued access over the dune. A draft ordinance concerning dune protection and access is being provided to generate discussion.

G. Work Authorization No. 11 American Engineering Water and Sewer Mapping – Councilwoman Smyer moved to approve Work Authorization No. 11 with American Engineering to provide water system and sewer system mapping at an estimated cost of \$3,250.00 for each system to be funded from the appropriate R&R fund. Councilwoman Smyer asked that the water mapping be completed after the Reverse Osmosis plant was finished. Councilman Kizer seconded the motion which was approved unanimously.

H. Drone Purchase – Councilman Kizer moved to approve the purchase of a drone for the Town use to document changes to the dunes on the front beach, to substantiate tourism estimates, for use in law enforcement, fire, building and event applications and to monitor services provided. Mayor Pro Tem Moore seconded the motion which was unanimously approved.

I. Budget Work Session Schedule – Mayor Pro Tem Moore moved to approve holding a budget work session on April 16, 2019 at 10:00 a.m., seconded by Councilwoman Smyer and approved unanimously.

J. Beach accesses 5 and 6 golf cart parking – Councilman Kizer moved to conceptually approve the modifications to beach accesses 5 and 6 to allow for golf cart parking only. Mayor Pro Tem Moore seconded the motion. Councilwoman Hornsby stated that since the beach accesses in question were vegetated, she did not think it was a good idea to move the sand. Mayor Darby stated that the motion was the first step and would give Administration time to research permits, costs and logistics. Council would like to have that information by the May meeting. The Mayor called for the vote and the motion was approved 4 – 1 with Councilwoman Hornsby opposed.

K. Old Restrooms at Retreat Pool House – Councilwoman Smyer moved to approve the revision of the action made by Council that called for the building used as the pool house at the Retreat to be removed. Mayor Pro Tem Moore seconded the motion, which was approved unanimously.

L. First Reading of Ordinance No. 2019-09 to Amend Article III of Chapter 78 of the Code of Ordinances of the Town of Edisto Beach entitled “Golf Carts” – Mayor Pro Tem Moore moved to approve the first reading of Ordinance No. 2019-09 to Amend Article III of Chapter 78 of the Town’s Code of Ordinances. Administration discovered that language in the initial code dealing with a residential requirement was inadvertently omitted. This language has been added back into the ordinance and the Town Attorney also added language for clarification regarding day light hours and licensed drivers. Councilwoman Smyer seconded the motion, which was unanimously approved.

Old Business

A. Second Reading of Ordinance No. 2019-02 Prohibiting the Use and Distribution of Single-Use Plastic Bags, Plastic Straws, Polystyrene Coolers, Polystyrene Food Containers or Polystyrene Cups by Any Business Establishment in the Town of Edisto Beach, or Any Property of the Town of Edisto Beach – Councilwoman Smyer moved to approve the second reading of Ordinance No. 2019-02 Prohibiting the Use and Distribution of Single-Use Plastic Bags, Plastic Straws, Polystyrene Coolers, Polystyrene Food Containers or Polystyrene Cups by Any Business Establishment in the Town of Edisto

Beach, or Any Property of the Town of Edisto Beach and remove the phrase “carry-out” from the “purpose” section of the Ordinance. Councilman Kizer seconded the motion, which was approved 4 – 1 with Councilwoman Hornsby opposed.

B. Award of RFP No. 2018-15 Edisto Beach Pump House Rehab 81 Gun Bluff – Mayor Pro Tem Moore moved to approve rescinding the award of RFP 2018-15 to SmithCo and awarding to the third bidder, BZ Construction at a cost of \$10,800 to be funded from sewer R&R. Councilman Kizer seconded the motion, which was approved unanimously.

Committee Vacancies

A. Accommodations Tax Advisory Board – 1 vacancy – There were two applications for the vacancy on the ATAX Board; one from Bruce Shaw and one from Robert Pratt. After voting by ballot (Pratt/4, Shaw/1), Mayor Pro Tem Moore moved to approve the application of Robert Pratt to fill the unexpired term created when Stephanie Jumper resigned her At-Large position. Councilwoman Smyer seconded the motion which was unanimously approved.

B. Municipal Elections Commission – 2 vacancies – Mayor Pro Tem Moore moved to approve the application of Ann Bond to fill the unexpired term of Ann Hutto. Councilwoman Smyer seconded the motion, which was approved unanimously.

C. Planning Commission – 2 vacancies – The terms of Stephanie Renner and Reddick Bowman expire on May 31, 2019. Applications have been received from Alex Cone, Stephanie Renner and Bruce Shaw. After voting by ballot, Mayor Pro Tem Moore moved to approve the applications of Alex Cone and Stephanie Renner.

Departmental Reports and Committee Updates

Administration

Town Administrator Iris Hill gave the financial report for the month ending March 31, 2019.

	Received	Spent
General Fund	68.04%	70.05%
Water Fund	79.36%	80.45%
Wastewater Fund	75.27%	71.76%

In the month of March there was one Freedom of Information Act request from Chris Walters. The Town’s Facebook page has 12,069 likes and 9,995 people saw the picture of the sunrise posted on March 13th.

Administrator Hill commended those who helped in the cleanup of Beach Access 15 and Beach Access 11. She announced that volunteers were welcome to help clean Beach Access 36 on April 22, 2019 at 10:00 a.m.

Building

Building Code Official Patrick Brown gave the report for March 2019.

	March - 18	March - 19	YTD
Business/Rental License Fees	\$90,739.92	\$16,942.76	\$65,316.58

New Construction Permits	2	1	12
Other Permits	43	41	2
Permit Fees	\$13,551.00	\$6,584.50	\$59,850.50
Inspections	63	45	443

Mr. Brown mentioned that Business Licenses are now due on May 1. Volunteers are needed to install sand fence on Saturday, April 27, 2019 at 9:00 a.m.

Fire

Fire Chief Denney Conley gave the report for March 2019.

Calls	March - 18	March - 19	YTD
Medical	19	24	175
Fire-related	12	15	113
EMS/Misc		34	437
Beach Wheel Chairs	3	1	67
Water Rescue	0	0	8
Welfare Checks	30	28	273

Police

Police Chief George Brothers gave the report for March 2019

	March - 18	March- 19	YTD
Miles Patrolled	9,919	11,382	92,880
Incidents & Calls for Service	116	204	1,020
Property Checks	576	910	12,251
Parking Tickets		10	313

Utilities and Public Works

Interim Utilities Director Patrick Zemp gave the report for the Utilities and Public Works Departments for March 2019.

	March -18	March- 19	YTD
Pumped MG Water	7.88	6.77	103.48
Treated MG Wastewater	3.54	3.36	37.86
Water Line Repairs	2	9	40
Work Order Repairs	30	43	334

Jim Mellersten and Patrick Zemp passed the Water Treatment D exam.

The Public Works Department performed 14 regular trash can work orders and helped with several special events. “Keep off the Dunes” signs were installed and mowing and edging of Palmetto Boulevard was completed.

Special Events

Special Events Coordinator Kelly Moore gave the report for the month ending March 31, 2019.

	March - 19	YTD
Edisto Civic Center	\$ 4,474.65	\$56,044.13
Bay Creek Park	\$5,571.00	\$27,552.00

The flyers for Market, held every Wednesday in Bay Creek Park have been distributed. Volunteers are needed for the upcoming Cookin’ on the Creek BBQ Festival (May 31 – June 1). Mrs. Moore was in charge of two litter pickups, including the Great American Cleanup, where 950 pounds of litter were collected. Twelve teams have signed up to cook at the BBQ festival.

Chamber of Commerce

Lisa Harrell, Chamber Director, gave the report for the month ending March 31, 2019.

- The Chamber-sponsored road race had 114 people finish.
- On April 13, 2019 there will be an Easter egg hunt at the State Park at 10:00 a.m. You can pre-register by calling the Environmental Learning Center.
- There will be a book signing at the Edisto Island Bookstore from 3:00 – 5:00 on April 19th featuring C. Hope Clark and Amy Inabinet.
- On April 20, 2019 from 10:00 a.m. – 4:00 p.m. the Art Guild will sponsor its annual spring show and sale beside the Edistonian.
- A Gator Egg hunt will be held on April 20th at 10:00 a.m. at the Edisto Island Serpentarium.
- Sunrise Service will be held on April 21, 2019 in the parking lot of the Pavilion at 6:30 a.m.
- The Kings Daughters will hold their annual Edisto Day Bazaar on May 4, 2019 from 10:00 a.m. – 3:00 p.m. at the Lions Club.
- The Edisto Beach Dolphin Slam will take place on May 4, 2019 at the Edisto Marina.

Public Comment Period

No one was signed in to speak.

Executive Session

Mayor Pro Tem Moore moved to go into Executive Session to discuss the following item:

A. The receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege related to Redeemer Fellowship lawsuit. S.C. Code §30-4-70(a)(2) –

Councilman Kizer seconded the motion, which was approved unanimously.

Councilwoman Smyer moved to exit Executive Session, seconded by Mayor Pro Tem Moore and unanimously approved.

No action was required on the item discussed in Executive Session.

Adjournment

Mayor Pro Tem Moore moved to adjourn the meeting, seconded by Councilman Kizer and approved unanimously.

The public/media was informed of the location, date and time of the meeting on Friday April 5, 2019.

APPROVED BY TOWN COUNCIL

Deborah Hargis, Municipal Clerk
May 9, 2019