

MINUTES
AUGUST 8, 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 Moore led those present in the Pledge of Allegiance and an invocation.

Approval of Minutes

A. Regular Meeting Minutes, July 11, 2019 – Councilman Kizer moved to approve the minutes from the regular Council meeting of July 11, 2019 seconded by Councilwoman Smyer and unanimously approved.

Proclamations and Presentations

A. Proclamation No. 2019-P13 Recognizing the Honorable Reverend William Hance “Bill” Alston – Mayor Pro Tem Moore moved to approve the Proclamation honoring Bill Alston for his years of service and dedication to our community. The motion was seconded by Councilwoman Hornsby and approved unanimously.

B. Starfish Awards – Marshall Horstmann, Pete Lala, Jimmy Mellersten and Deborah Hargis – There was a water leak that resulted in the causeway to Island Cove being shut down for several hours. Marshall, Pete and Jimmy worked diligently in the brutal heat to make sure the leak was repaired and the causeway passable in the shortest possible amount of time. Since CodeRed was not a feasible way to notify residents and guests in Island Cove of the boil water advisory, Deborah placed door hangers on each residence notifying them of such.

Old Business

A. Recreation Master Plan Committee – Councilwoman Smyer moved to approve adding Special Projects Coordinator Kelly Moore to the Recreation Master Plan Committee. Mayor Pro Tem Moore seconded the motion, which was unanimously approved.

B. Water Improvement Project Update – Brandon Campbell of Wharton Smith updated Council and those in attendance at the worksession on the Water Improvement Project. Mr. Campbell stated the roof would be installed on the R/O building in the next week, and equipment will be delivered after that. The three wells have been drilled and quality reports have been sent to DHEC. Mr. Campbell stated he didn't anticipate anything happening that would keep the project from being finished on time.

C. Fire Department Barracks Remodel Design – Councilwoman Smyer moved to approve the design for the Fire Department barracks remodel, seconded by Councilwoman Hornsby and approved unanimously.

D. Sea Turtle Lighting – Mayor Darby asked Town Attorney Bert Duffie about the Town’s liability if streetlights were turned off and an accident were to occur because of lack of adequate lighting. Attorney Duffie stated, “The idea of turning off the light does raise some liability issues, so that is something we need to consider.” Councilwoman Hornsby asked how many turtle nests were compromised because of the streetlight at access 3. Ron Scroggy, turtle patrol volunteer, stated there were three nests. Councilwoman Smyer made a motion to have the streetlight at beach access 3 turned off until the nests hatch. Mayor Darby seconded the motion. Councilwoman Smyer stated, “This is absolutely a banner year, not just at Edisto Beach but all across the state. This state has never seen turtle numbers like we are having this year. That’s a wonderful thing. It’s a great thing, because last year it was very low. I know it’s cyclical and it changes from year to year, and we’re fortunate to have this really good year. But I don’t think that the fact that we’re having more this year is a reason to say, ‘Oh well, it’s ok if we lose 142 or 500.’ I just don’t think that’s ok. Always in the past, we’ve been able to call and have a light turned off for a short period of time until the nests in that area hatched. I would just like to see us continue to do that.” Mayor Darby asked how long a request would take to turn off a streetlight. Administrator Hill stated she did not know. Councilman Kizer stated, “I have a problem with that, turning off the streetlight. I think it’s a liability. I think we are still quite busy here. We have many guests that are still here. They are walking across the street to see the turtle nests and I just feel like the nests are greatly reduced in that area, a lot of them have already hatched. The ones I counted, there were only two nests there today at access 3.... We walked along the beach last night and what I saw was the light coming from the homes that were the biggest problem. I think both of these issues is something we should continue to look at and come up with a solution for them. We are planning to get sea turtle lighting shields, that’s the next step, the first step was just to get the lights, now we know that they need shields now. I think most all of us are ‘pro turtle’ we always have been... We just need to work through this. I don’t feel that we need to do this right at this time, because we are still busy. There’s a lot of people still here.” Mayor Darby called for a vote on the motion and it was defeated 1 – 4. Mayor Darby suggested that Council come up with a solution before next summer so that the issue does not cause problems again.

New Business

- A. Recurring Special Event Application, Town of Edisto Beach, 10th Annual Trick-Or-Treat at the Creek** – Mayor Pro Tem Moore moved to approve the recurring special event application from the Town of Edisto Beach for the 10th Annual Trick-or-Treat at the Creek to be held at Bay Creek Park on October 31, 2019 from 6:00 – 7:30. Councilman Kizer seconded the motion, which was approved unanimously.
- B. Special Event Application, Edisto Belles, Edisto Belles Beachwalk** – Councilwoman Hornsby moved to approve the special event application from the Edisto Belles to hold a beach walk on August 31, 2019. Registration begins at 9:00 a.m. at 603 Palmetto. Councilwoman Smyer seconded the motion, which was unanimously approved.
- C. Commercial Sub Lease Agreement with Subordination with the Episcopal Church of Edisto, Inc.** – Councilman Kizer moved to approve the Commercial Sub Lease Agreement with the Episcopal Church of Edisto, Inc., which includes a 5% increase. Councilwoman Smyer seconded the motion, which was approved unanimously.
- D. Parking Citation Fines** – Police Chief George Brothers told Council and those in attendance that numerous people have stated it was worth it to them to pay the \$25.00 parking ticket fee so that they could have a parking space. Chief Brothers will have a recommendation to Council in January so that

if a change is warranted, it will be in place before the summer season begins. The last increase in parking fines was in 1997 when the fine went from \$10.00 to \$25.00.

- E. Resolution No. 2019-R12 to appoint a Voting Delegate to the South Carolina Rural Water Association** – Councilwoman Smyer moved to approve Resolution No. 2019-R12 to appoint Patrick Zemp as the voting delegate and Paul Otte as the alternate. Mayor Pro Tem Moore seconded the motion which was unanimously approved.
- F. Watch Guard Maintenance - \$3,475** – Councilwoman Smyer moved to approve purchasing warranty and maintenance for an additional year on the in-car video recording system for Police Department vehicles in the amount of \$3,475 and the transfer of funds from Contingency Funds 4900.999 to General Fund Maintenance Contracts 10-4100.3220. Councilman Kizer seconded the motion, which was approved unanimously.
- G. Resolution No. 2019-R14 to Approve Application Submittal and Funding of a 2019-2020 Recreational Trails program Grant through the South Carolina Department of Parks Recreation and Tourism for Bike Path Maintenance** – Mayor Pro Tem Moore moved to approve Resolution No. 2019-R14 to approve the application submittal and funding of a 2019-2020 recreational trails program grant through the SC Department of Parks Recreation and Tourism for bike path maintenance. The grant requires a 25% match from the Town, or \$25,000, to be funded from accommodation taxes. Councilman Kizer seconded the motion, which was unanimously approved.
- H. Work Authorization No. 12 American Engineering Visual Tank Inspection Services - \$2,000** – Councilman Kizer moved to approve Work Authorization No. 12 with American Engineering to provide visual inspections and resolution to any deficiencies of the tanks prior to issuing an RFP for tank maintenance at a cost of \$2,000 to be funded from the Water Renewal and Replacement fund. Councilwoman Smyer seconded the motion, which was approved unanimously.
- I. Work Authorization No. 13 Tank Maintenance RFP - \$5,800** – Mayor Pro Tem Moore moved to approve Work Authorization No. 13 with American Engineering to draft a Request for Proposals for tank maintenance at a cost of \$5,800 to be paid from Water Renewal and Replacement. Councilwoman Hornsby seconded the motion which was unanimously approved.

Committee Vacancies

- A. Municipal Elections Commission** – There is still a vacancy on the Municipal Elections Commission.
- B. Zoning Board of Appeals** – Marie Bost and Susan Pratt were elected to the Zoning Board of Appeals. Councilman Kizer was recused from the vote since his wife was one of the applicants.
- C. Water and Sewer Committee** – Mayor Pro Tem Moore moved to approve the application of Lou Rasmussen to serve on the Water and Sewer Committee. Councilwoman Smyer seconded the motion, which was approved unanimously.

Accommodations Tax Advisory Board

- A. Town of Edisto Beach, Grant Match for 2019-2020 South Carolina Recreational Trails Program, \$25,000** – Councilwoman Smyer moved to approve the recommendation from the ATAX Board to approve \$25,000 in ATAX funds to match the South Carolina Recreational Trails Program \$100,000 grant if awarded.

Departmental Concerns and Committee Updates

Administration

Town Administrator Iris Hill gave Facebook and FOIA report for the month ending July 31, 2019.

During the month of July, there was one FOIA request from William Hackett. The Town's Facebook page has 13,967 followers and 1,588 people viewed the State of the Town address from the July Council meeting.

Building

Special Projects Coordinator Kelly Moore gave the building department report for the month ending July 31, 2019.

	July-18	July-19	YTD
Business/Rental License Fees	\$6,728.40	\$6,971.00	\$6971.00
New Construction Permits	1	2	2
Other Permits	35	12	12
Permit Fees	\$4,548.50	\$7,397.00	\$7,397.00
Inspections	52	38	38

Fire

Fire Chief Denney Conley gave the Fire Department report for July 2019.

Calls	July-18	July-19	YTD
Medical	38	41	41
Fire-related	17	34	34
EMS/Misc	117	61	61
Beach Wheel Chairs	30	24	24
Water Rescue	0	2	2

Police

Police Chief George Brothers gave the Police Department report for the month ending July 31, 2019.

	July - 18	July - 19	YTD
Miles Patrolled	11,252	9,011	9,011
Incidents & Calls for Service	258	421	421
Property Checks	1170	569	569
Town Parking Tickets	183	206	206

Tickets were written for the following Town Ordinance violations: 3 for noise, 1 for climbing on the groins, 4 tents on the beach after dark and 20 for glass on the beach.

Utilities and Public Works

Utilities Director Patrick Zemp gave the Utilities report for July 2019.

	July-18	July -19	YTD
Pumped MG Water	24.53	20.93	20.93
Treated MG Wastewater	7.12	7.43	7.43
Water Line Repairs	4	8	8
Work Order Repairs	38	46	46

The Public Works Department has been busy with routine maintenance and mowing of Town-owned properties, beach accesses, Palmetto Boulevard and side streets. They have been working with SCDOT to fill pot holes.

Special Projects

Special Projects Coordinator Kelly Moore gave the report for the month ending July 31, 2019.

	July - 18	July - 19	YTD
Bay Creek Park	\$2,570.00	\$1,655.00	\$1,655.00
Civic Center		\$1,483.00	\$1,483.00

The cigarette litter prevention project that was done in July was a big success.

Chamber of Commerce

Kelly Moore gave the report for the month ending July 31, 2019.

- Movies in the Park for 2019 concluded on August 7 with almost 130 people in attendance
- The Music and Shag Festival will be held August 30 – September 1 at Bay Creek Park.
- The Edisto Belles Beachwalk will be August 31, 2019.

Mayor Darby thanked Town Administrator Hill and Administrative Manager Mark Aakhus for planting sea oats and installing sand fencing.

Public Comment Period

Ron Scroggy – Mr. Scroggy asked Council to come up with a way to enforce Ordinances concerning lights on the beach. He gave Council printed information along with a picture of the streetlight at beach access 3. He encouraged Council to come up with a way to ensure pedestrian safety and turtle safety. Mr. Scroggy thanked Police Chief George Brothers and his department for their assistance. Mayor Darby assured Mr. Scroggy that Council is committed to coming up with a solution.

Kristi Summers – Ms. Summers read a statement from Susan Porth, section leader for the turtle patrol. Ms. Porth has been reporting the same houses that do not have window coverings since she became section leader in 2016. Ms. Porth stated the importance of shielding the streetlights. “Nothing will completely eliminate disorientations but placing the covers over the lighting and window coverings over the houses will certainly decrease the numbers. At this point, Edisto is turtle friendly in name, number of nests and dedication of volunteers and guests who are trying to protect them. It’s time for the Town Council to do

their part and let our guests know that this is definitely a place that they can come to see hatching and mama turtles nesting.”

Christopher Prall – Mr. Prall handed out copies of the most recent Ordinance dealing with lights on the beach. He reiterated the statements of others made during the public comment and asked Council to please adhere to the Ordinances.

Executive Session

Mayor Pro Tem Moore moved to go into Executive Session for the following two items, seconded by Councilman Kizer and approved unanimously.

A. Discussion of employment, appointment, compensation, promotion, demotion, discipline or release of the Administrative Manager in the Administration Department. S.C. Code §30-4-70(a)(1)

B. 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)

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

Mayor Pro Tem Moore moved to approve the promotion of Mark Aakhus from Administrative Manager to Assistant Town Administrator. Councilman Kizer seconded the motion which was unanimously approved.

Councilman Kizer moved to approve the settlement as proposed by Drew Butler, attorney, representing the Town of Edisto Beach in the Redeemer Fellowship lawsuit. Mayor Pro Tem Moore seconded the motion which was approved unanimously.

Adjournment

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

The public/media was informed of the location, date and time of the meeting on Friday, August 2, 2019.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
September 12, 2019