

MINUTES
September 10, 2015
REGULAR COUNCIL MEETING
6:00 P.M.

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

Present: Jane S. Darby, Mayor, Susan Hornsby, Mayor Pro Tempore, Pete Anderson, and Patti Smyer, Council Members; *Quorum of Council Present.*

Mayor Darby called the meeting to order, followed by the Pledge of Allegiance and prayer by Councilwoman Smyer.

Approval of Minutes

Councilwoman Hornsby moved to approve the minutes of the Special Council meeting on August 11, 2015. The motion was seconded by Councilman Anderson and passed unanimously. Councilwoman Smyer moved to approve the minutes of the Regular Council meeting on August 13, 2015, seconded by Councilman Anderson. The motion was unanimously approved. Councilman Anderson moved to the minutes of the Special Emergency Council meeting on August 28, 2015. The motion was seconded by Councilwoman Smyer and approved unanimously.

Proclamations and Presentations

Starfish Awards: Mayor Darby recognized Beth Guilherme with a Starfish Award for her work on the ATAX Board. Sara Simpson, Utilities Clerk, was recognized with a Starfish Award for coming in on July 4, 2015 to look up a telephone number so a boat owner could be notified his boat was sinking. Utilities Director Bob Doub was presented a Starfish Award for rescuing turtle hatchlings from a storm drain. Officer Ricky Darling and Assistant Police Chief Ken Dasen were presented with Starfish Awards for their aid with a stranded sea turtle.

Proclamation 2015-P23 Ovarian Cancer Awareness Month – Councilwoman Smyer read into the record Proclamation 2015-P23 recognizing September 2015 as Ovarian Cancer Awareness Month. Councilwoman Hornsby moved to approve Proclamation 2015-P23, seconded by Councilman Anderson and unanimously approved.

Resolution 2015-R24 recognizing Rebecca “Becky” Rose Holley as Ms. Senior South Carolina – Mayor Darby presented Becky Rose Holley with a framed, signed copy of Resolution 2015-R24, recognizing her many achievements as Ms. Senior South Carolina. Ms. Rose Holley was given a standing ovation and Council wished her good luck in the upcoming

Ms. Senior America pageant. Councilwoman Hornsby moved to approve Resolution 2015-R24, seconded by Councilwoman Smyer. The motion passed unanimously.

Old Business

A. Second Reading of Ordinance 2015-19 to Amend Chapter 71 Section 71-31 and Amend Chapter 86 Section 86-3 and 86-271 of the Town's Code of Ordinances to Re-Define the Terms "Building", "Open Space", "Private Road" or "Private Street", and "Site Specific Development Plan" – After receiving Council direction, the Planning Commission revised said definitions to make them consistent in Chapters 71 and 86. The first reading was held July 8, 2015. Councilman Anderson moved to approve the second reading of Ordinance 2015-19, seconded by Councilwoman Hornsby. The motion was approved unanimously.

B. Second Reading of Ordinance 2015-16 to Re-Zone Three Lots, Designated as Lot 7, Block UU, Lot 7 Block YY, and Lot 8 Block YY, from R-1 Zoning District to PB Zoning District; to Authorize Amendment to Official Zoning Map – Councilwoman Smyer moved to approve the second reading of Ordinance 2015-16, seconded by Councilman Anderson. The motion passed unanimously.

C. Second Reading of Ordinance 2015-21 to Amend Section 86-144 of Chapter 86 of the Town's Code of Ordinances as Recommended by the Planning Commission Pursuant to an Extensive Study and Re-write Initiative – Councilwoman Smyer moved to approve Ordinance 2015-21 to Amend Section 86-144, seconded by Councilwoman Hornsby. The motion passed unanimously.

New Business/Appearances

A. Special Events Application – 2015 Shrimp Fest – Councilman Anderson moved to approve the special event application submitted by the Edisto Chamber of Commerce for the 2015 Shrimp Fest to be held at Bay Creek Park on September 26, 2015 from 11 am until 10 pm. Councilwoman Smyer seconded the motion, which passed 3 – 0 with Councilwoman Hornsby recused due to conflict of interest.

B. Shrimp Fest Sponsorship – Councilwoman Smyer moved to approve the request of Dan Carter on behalf of the Edisto Chamber that the Town of Edisto Beach co-sponsor the 2015 Shrimp Fest and waive the fees to Bay Creek Park. Mr. Carter also requested \$3,000 from the sponsorship funds to advertise for the Shrimp Fest. Sponsorship funds were acquired from sponsors and are not town or tourism funds. Councilman Anderson seconded the motion, which passed 3 – 0 with Councilwoman Hornsby recused due to conflict of interest.

C. Amendment #1 to Scoping/Options Matrix Agreement Phase 1 Services between the Town of Edisto Beach and Wharton-Smith, Inc. – During the project bid process the insurance requirements were adjusted by Addendum #2 to the bid. This was not reflected in the Scoping/Options Matrix Agreement for Phase I Services executed by Town Council.

Amendment #1 corrects this. Councilwoman Hornsby moved to approve Amendment #1 to the Scoping/Options Matrix Agreement, seconded by Councilwoman Smyer. The motion was approved unanimously.

D. Change Order No. 1 RFP 2014-10 – Valve Insertion Project - The valve insertion project was budgeted in the Utility Construction Fund. The project with Abdella Services was approved by Council on October 9, 2014 and an agreement was executed on October 14, 2014 for a not to exceed cost of \$104,000. The not to exceed cost was based on an estimated project cost and assumption whether the valves could be inserted while the line was charged or not. After the initial work was completed, additional funds were unencumbered in the construction fund and additional valves were replaced. This change order increases the contract amount by \$6,640.00 for a total contract price of \$110,640 from the Construction Fund. This work has already been completed. Councilman Anderson moved to approve the change order, seconded by Councilwoman Smyer. Councilwoman Smyer stated she was glad the work had been able to be done while the project was underway. The motion was approved unanimously.

E. Ms. Senior South Carolina sponsorship – Councilman Anderson moved to approve the request to support Ms. Senior South Carolina “Becky” Rose- Holley as she competes in the Ms. Senior America Pageant by sponsoring a quarter-page ad in the program book for \$250 from sponsorship funds congratulating her on her achievement. Councilman Anderson moved to approve the sponsorship, seconded by Councilwoman Smyer and approved unanimously.

F. Town of Edisto Beach Emergency Operations Plan – Several areas of the plan have been updated to reflect information received during a table top exercise held by Colleton County on August 26, 2015. Also, the Town has received comments regarding the re-entry levels. Level 3 allows re-entry to permanent residents, property managers and owners of commercial establishments. Level 4 allows unrestricted access to the public and second homeowners. Councilwoman Smyer moved to approve the changes of the Edisto Beach Emergency Operations Plan and to allow all homeowners access at Level 3. Councilman Anderson seconded the motion. The comments received were in favor of allowing all property owners equal access at Level 3. Councilwoman Hornsby reminded those in attendance that residents/property owners would need a picture id and proof of ownership for admittance to the beach. Mayor Darby called for the vote and the motion was unanimously approved.

Committee Vacancies

A. Accommodations Tax Advisory Board – Councilwoman Hornsby moved to approve the applications of Leslie Varner Hurley in the Hospitality/Lodging sector to fill the unexpired term of Jane Morrow until August 1, 2016 and Stephanie Jumper to serve at large to fill the unexpired term of Beth Guilherme until August 1, 2017. Councilwoman Smyer seconded the motion, which was unanimously approved.

B. Water and Sewer Committee – Councilwoman Hornsby moved to approve the application of Bob Renner to replace Ray Johnson on the Water and Sewer Committee. Councilman Anderson seconded the motion, which was approved unanimously.

Departmental Reports and Committee Updates

Administration

Iris Hill, Town Administrator, gave the financial and FOIA reports for August 2015.

	Received	Spent
General Fund	12.92%	12.87%
Water Fund	.49%	10.56%
Wastewater Fund	.42%	11.69%

There were 9 FOIA requests from 6 people in the month of August.

Building

The Building report for August 2015 was given by Celese Miller, Code Enforcement Officer.

	Aug-14	Aug-15	YTD
Business/Rental License Fees	\$1,413.00	\$1,745.00	\$4,900.00
New Construction Permits	0	1	6
Other Permits	15	18	35
Permit Fees	\$901.00	\$2,400.00	\$15,454.00
Inspections	37	22	56
Bay Creek Park	\$2,940.00	\$1,400.00	\$3,205.00

Fire

Fire Chief Denney Conley gave the report for the month ending August 31, 2015.

Calls	Aug-14	Aug-15	YTD
Medical	44	34	69
Fire-related	5	9	21
Public Assistance	79	65	147
Beach Wheel Chairs	20	5	33
Water Rescue	4	2	6
Welfare Checks		31	68

Police

George Brothers, Police Chief, gave the report for the month of August 2015.

	Aug-14	Aug-15	YTD
Citations	32	45	126
Speeding	15	27	57
Warnings	146	148	343
Alarm Calls	7	16	38
Calls for 2 or More Officers	11	11	25
Miles Patrolled	7,535	7,827	16,350
Assaults	0	0	2
Larcenies	11	4	5
Burglaries	1	0	0
Incidents & Calls for Service	122	167	326
Golf Cart Violations	3	8	42
Domestic Violence Calls	0		
Property Checks	1791	1,489	2,836
Open Container	4	3	6
D.U.I.	1	0	1
CDV Arrest	0	0	1
Disorderly Conduct	1	0	2

Coffee with the Chief will be held on Wednesday, September 16, 2015 at 8:00 – 9:30 a.m. at the Coffee Shop at Edisto Beach on Docksite Road.

Utilities

Utilities Director Bob Doub gave the report for the month ending August 31, 2015.

	Aug-14	Aug-15	YTD
Pumped MG Water	22.86	15.85	40.03
Treated MG Wastewater	6.30	4.09	10.55
Water Line Repairs	3	5	9
Work Order Repairs	120	72	151

Public Works

Bob Doub, Public Works Director, gave the report for August 2015.

	Aug -14	Aug -15	YTD
Mowed Acres	100	71.3	173.3
Cleaned Ditches	6,855ft	7,721	17,378ftft
Roll Carts Delivered	16	10	56

Chamber of Commerce

Dan Carter, Executive Director, gave the report for August 2015.

- On September 12, 2015, the Edisto Wahoo Fishing Tournament will be held at the Marina.
- The Governor's Cup sanctioning has been approved for next year's Billfish Tournament. It will take several weeks for the date to be confirmed.
- On September 22nd there will be a blood drive at the Edisto Beach Baptist Church in honor of Karen Koon.
- There will be a book signing at the Edisto Bookstore on September 24th. Lee Robinson will be signing copies of her book, *Lawyer for the Dog* and Lisa Wingate will be signing *The Seakeeper's Daughter* on September 28th.
- Mr. Carter thanked Council for their support of the Edisto Shrimp Fest to be held on September 26th from 11:00 a.m. until 10:00 p.m. at Bay Creek Park. The Shem Creek Boogie Band will perform.

Mayor Darby relayed a message received from Jim Bowers via the Town's Facebook page congratulating everyone involved in the Music and Shag Fest.

Edisto Pride

Ida Tipton gave the report for Edisto Pride. She reminded those in attendance of the Beach River Sweep on September 19, 2015 and those interested should meet at beach access 1 at 9:00 a.m.

Public Comment Period

Ida Tipton – Mrs. Tipton expressed her displeasure with the change in the Emergency Operations Plan re-entry levels, allowing all property owners to get back on the beach at the same time as permanent residents.

Walton J. McLeod – Mr. McLeod addressed Council concerning the lot rezoning. “Nice to see you, Madam Mayor. Members of Council, it's a pleasure to be with you. Let me say that I enjoyed very much the Shag Festival on Labor Day weekend. I liked the music, I liked the people and I enjoyed seeing the Mayor. If you'd have hired a hawk to keep an eye on everything, it couldn't have done a better job. She was there keeping an eye on everything and I can see you're doing a fine job. Now let me get in step with these department heads. This is my third Town Council meeting, three round trips, that's about 1,050 miles, about 5 tanks of gas, which costs about \$150, so I'm enjoying keeping a count of things like you department heads, and I compliment you all. I'm a property owner, lot 4 block YY, at 2501 Myrtle Street. I mean, it's not a pleasure for me to be here, but as a property owner I have a duty to exhaust remedies regarding the re-zoning that you did in Roman (numeral) V item 2. There are about eight property owners who strongly object to this re-zoning. About twelve lots are going to be negatively affected, in other words, they are going to be devalued, and it's a regrettable circumstance. It's a classic example, my friends, of the fox guarding the henhouse. You folks own those lots and I know you don't want to hear it, but as practical matter, if a third party owned it, you would be doing exactly right. But because you are the owners of that property,

you have a different standard to meet. And so, this is basically fundamentally denying those property owners like me due process of law, it's fundamentally unfair and I just want you to know that when it hurts, there are remedies. So I think you need to be aware of the fact that there are some very dissatisfied people and I compliment you on your dedicated service to the citizens of Edisto Beach and thank you for doing a swell job. On the other hand, sometimes people don't agree, so I wanted you to know that I've got a duty to be here, it's not a labor of love, it's a necessity. So thank you for your service, thank you for allowing me to talk and I wish I could convince you that it would be appropriate to reconsider Roman numeral V, item B and to take action to table this re-zoning action. So those are my comments, and thank you for letting me speak with you. I've enjoyed Edisto Beach for many many years and hope to do so in the future. Coincidentally, I'd close by saying, those are approximately twelve lots that will be affected are ripe for residential use, houses being built there, which will pay taxes and which will enhance the treasury of the municipality of Edisto Beach. So I urge you to think in terms of what's best for the future, rather than what's best for the moment now. So, thank you for letting me speak, it's a pleasure being with you, I look forward to....and as I may have said at the beginning, I ain't mad at you at all, I just don't agree with you, and I look forward to seeing you all at the Shag Festival Labor Day 2016. Thank you so very much."

Mayor Darby announced that the Municipal Association will sponsor a Regional Advocacy meeting in Port Royal SC on Wednesday, September 16, 2015. Several members of Council will be going, along with the Administrator. Members of Council and Administration will be representing the Town at the South Carolina Beach Advocacy Seminar in Myrtle Beach on September 28 – 30. Mayor Darby will be representing the Town on the Municipal Association Legislative Committee to set the legislative agenda for the Municipal Association for the next year.

Adjournment

Councilman Anderson moved to adjourn the meeting. Councilwoman Hornsby seconded the motion, which was unanimously approved.

The media/public was notified of the date, time and place of the meeting on Friday, September 4, 2015.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
October 8, 2015