

LEGISLATIVE INITIATIVES

TOWN OF EDISTO BEACH

Legislative Action 2014

Approved by Town Council August 14, 2014

❖ **Local Government Fund**

The Town of Edisto Beach promotes fully funding the local government fund according to state statute. This past year the LGF was only funded at 74% and since 2009, the General Assembly has not fully funded the LGF.

❖ **Beach Nourishment**

The Town of Edisto Beach is the only coastal, tourist destination in Colleton County and provides 48% in tax revenues to Colleton County. The Town's beach needs nourishment and the groins that hold the sand in place are in need of rehabilitation. Last year, the General Assembly provided \$1.6 million in funds through a special appropriation. This is far from sufficient to help coastal communities as beach nourishment is quite costly and cyclic. The Town would like to see additional funds available to support beach nourishment projects that bring tourism \$18 billion to South Carolina. This could be accomplished through a state capital improvement plan or special appropriations.

❖ **State Accommodations Tax**

The Town of Edisto Beach is unique that it is the only coastal community not exempted as an area of high tourism (receives greater than \$600,000 in ATAX) and therefore falls under the Tourism Expenditure Review Committee review. The Town of Edisto Beach would like legislation passed to provide all the same allowances as those communities that are in areas of high tourism and be exempted from TERC oversight.

❖ **Biggert Waters Act**

Work with United States Congress to Repeal the Biggert Waters Act of 2012. "The Homeowner Flood Insurance Affordability Act" is a band aide and delays the implementation of BW-12. Edisto Beach is a family beach. Many homes have been passed down from generation to generation and are pre-firm homes. This means they were built prior 1974 or before the Town adopted its initial Flood Insurance Rating Map. These homes are typically not elevated above the base flood elevation and are subsidized. They are generally what you see in the older beach communities. These homes cannot easily be elevated above the base flood elevation. Many will have to sell or drop flood insurance coverage. Impacts to flood insurance premiums and the unjust assumption that homes can be retrofitted to meet flood requirements are driving people from coastal areas.

❖ **Department of Transportation Grant Management**

Grants are a major source of funding for municipalities for a sundry of reasons. Recipients of these funds should be allowed to administer and manage the project because they can typically "do it for less". The FHWA has made it so cumbersome to use resources other than the DOT for project management that smaller municipalities who do not have an engineer on staff must hire the DOT to manage their grant funds. The bureaucracy of the DOT is dysfunctional and projects that cross technical divisions are not being managed effectively leading to additional cost overruns and time delays wasting valuable resources.

Mayor Burley L. Lyons

Councilman Pete Anderson
Councilwoman Susan Hornsby

Mayor Pro Tempore Jane S. Darby
Councilwoman Patti Smyer



❖ **Golf Carts**

During the 2014 session, the General Assembly considered numerous versions of legislation regarding Golf Carts (H 3594, H 3353, H 3631, and H 4612). Golf Carts on Edisto Beach are a problem. In general, golf cart owners cannot provide proper registration and insurance leading to violations. If violators do not pay the fine, the information is sent to the DMV only to have it returned and nothing done from an enforcement standpoint. There needs to be some mechanism for the local police to access DMV permit data and a penalty for illegal operation needs to be implemented. Night-time use of these vehicles is not recommended. People tend to view these vehicles as recreational. Most are not equipped with safety equipment such as headlights, turn signals, windshield wipers and seat belts. Golf carts have evolved and no longer have speeds under 19 mph. Many exceed this speed limit. The propensity of major injury to life and limb is inevitable if people are allowed to drive these vehicles after dark. If legislation is enacted, provide a mechanism for municipalities to opt out or further restrict the regulations to tailor it to the community.

❖ **Utility Vehicles and All-Terrain Vehicles**

Did you know it is illegal to operate an UTV or ATV on a public road? Often municipalities utilize these types of vehicle in public safety and public utilities because they provide the functionality necessary for specialized purposes. These vehicles cannot be permitted because they are not “roadworthy” according to the federal safety standards. The Town of Edisto Beach would like legislation considered to allow special exception use of UTVs and ATVs for purposes for law enforcement and utilities.

❖ **Elder Abuse-Financial Exploitation of Seniors**

The elderly lose billions a year to financial exploitation. Seniors have become a favorite target for criminals who commit countless forms of fraud. One of the many deceptive swindles aimed at seniors is the international lottery and sweepstakes scam. Fraudsters perpetrating this scam target older citizens in attempts to gain access to assets, including checking, savings, retirement accounts and cash reserves. These scam artists typically reside outside the U.S. and use telephone and direct mail to falsely notify potential victims they’ve won the sweepstakes or lottery. They string them along collecting phony fees. The scammer creates a “sense of urgency,” to get the victim to send money before being awarded the prize. They’re hit with a series of fees, such as taxes, attorney fees and exchange rate differences until all bank accounts are drained. Then they convince their victims to take out home equity loans or lines of credit. Edisto Beach has a mature demographic and this issue is becoming more prevalent. If not for the vigilance of our local banks and post office, the problem would likely go unnoticed. The reality is when elderly lose their money to thieves, the taxpayers will have to pay for their care. South Carolina needs to be proactive in fighting elder abuse. Placing fraud information on a website that most seniors do not know how to access is not being proactive. A start would be to limit toll free access to the United States from foreign areas such as Jamaica (876 area code). Providing the ability to stop bulk mail would also help.