

MINUTES
April 9, 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 Pro Tempore, Pete Anderson, Susan Hornsby and Patti Smyer, Council Members; Quorum of Council Present.

Mayor Pro Tem Darby called the meeting to order.

Council Session opened with the Pledge of Allegiance and a word of prayer by Councilwoman Hornsby.

Approval of Minutes

Councilwoman Smyer moved to approve the Regular Council Meeting minutes of March 12, 2015. Councilman Anderson seconded the motion, which was approved unanimously.

Proclamations and Presentations

A. Starfish Awards – Cathy Price was recognized with a Starfish Award for her service on The Image and Design of Edisto (TIDE) Committee.

Old Business

A. First Reading of Ordinance No. 2015-07 to Amend Sections 66-78(b), 66-78(c), 66-78(d) and Section 66-9 of the Town's Code Related to Solid Waste Management – Councilwoman Hornsby told those in attendance that the Garbage Committee had been diligently working on an equitable plan and recommends a roll-back service at \$1.50 per can per month. There is an opt-out clause for residents. Councilwoman Hornsby moved to approve the first reading of Ordinance 2015-07 to Amend sections 66-78(b), 66-78(c), 66-78(d) and Section 66-9 of the Town's Code Related to Solid Waste Management. The motion was seconded by Councilwoman Smyer and approved 3 – 1 with Councilman Anderson opposed.

B. Second Reading of Ordinance No. 2015-04 to Amend the FY2014-15 Budget – Because the adjustments approved by Council in February resulted in an increase in the total budget, a budget amendment is required by South Carolina Code. This ordinance increases the total budget by \$179,505 from \$5,409,737 to \$5,589,242. Councilman Anderson moved to approve the second reading of Ordinance No. 2015-04 to Amend the FY2014-15 Budget, seconded by Councilwoman Smyer. The motion passed unanimously.

C. Award of Bid 2015-01 Garbage Container Roll-Back Services – The Garbage Committee recommends awarding the garbage container roll-back service to Lyons Contracting Services at a cost of \$1.50 per container per month. The new service will begin in June, 2015. Notification regarding this change will be mailed to residents in May. Councilwoman Hornsby moved to award bid 2015-01 to Lyons Contracting. The motion was seconded by Councilwoman Smyer. Councilwoman Hornsby noted that since she was voting in favor of the service and the awarding of the contract that she personally was planning on utilizing the service instead of opting out. Councilwoman Smyer told those in attendance that if residents do opt out, according to the Ordinance, they must be able to ensure their cans will be rolled back within twelve hours. There will be a form to be filled out for residents who opt out, and a sticker to put on the cans. Mayor Pro Tem Darby called for a vote and the motion was approved 3 – 1 with Councilman Anderson opposed.

New Business/Appearances

A. Ice Machine – the Utilities Department ice machine is no longer functioning and cannot be repaired. The cost of a new machine is \$2,202.67 to be paid from system repairs and maintenance in both the water and sewer budget. This item is on state contract. Councilwoman Smyer moved to approve the purchase of a new ice machine, seconded by Councilman Anderson. The motion was approved unanimously.

B. Special Event Application Edisto Belles Beach Walk – The Edisto Belles request approval of the special event application for the Edisto Belles Beach Walk dedicated to Burley L. Lyons to be held May 30, 2015 from 9:00 a.m. to 12:00 p.m. The beach walk will start on beach access #6 and go to beach access #24 and back to beach access #6. Parking will be at 603 Palmetto Boulevard and along Palmetto Boulevard. Councilwoman Smyer moved to approve the special event application from the Edisto Belles, seconded by Councilman Anderson. The motion was unanimously approved. Mayor Pro Tem Darby asked those in attendance to donate to the Edisto Belles and walk as much as they are able, since the money goes to such a good cause. In March the Edisto Belles donated \$500 to the Susan G. Komen fund in honor of Mayor Lyons, and provide much needed assistance to those with breast cancer.

C. Special Event Application Whatsoever Circle of Kings Daughters and Sons Edisto Day Bazaar – The Whatsoever Circle of King’s Daughters and Sons requests approval of the special event application for the Edisto Day Bazaar to be held May 2, 2015 from 10:00 a.m. to 3:00 p.m. at the Lions Club at 2907 Myrtle Street. White Cap Road will be closed. Councilwoman Smyer moved to approve the special event application from the Whatsoever Circle of Kings Daughters, seconded by Councilman Anderson. The motion passed 3 – 0 with Councilwoman Hornsby recusing herself due to a conflict of interest.

D. Special Event Application Edisto Beach Fire Department Annual Fish Fry – The Edisto Beach Fire Department requests approval of the special event application for the Annual Fish Fry to be held on May 23, 2015 from 11:00 a.m. to 7:00 p.m. at the Lions Club. White Cap Road will be closed. Councilman Anderson moved to approve the special event application from the Fire

Department, seconded by Councilwoman Smyer. The motion was approved 3 – 0 with Councilwoman Hornsby recusing herself due to a conflict of interest.

E. Fire Truck 2013-05 Change Orders – On March 13, 2014, Town Council approved the award of RFP 2013-05 Fire Department Pumper Truck to Southern Fire Services and Sales. The original bid was \$241,664.52 as negotiated by the Fire Chief. This truck replaced 1401. Through the purchase process, items changed resulting in a change in purchase price. Change Order No.1 increased the price by \$9,306.86. Change Order No. 2 decreased the price by \$11,232.08. Change Order No. 3 provided no change. An adjustment of \$765.61 was made on the base price and \$1,386 was deducted by removing an air ride seat on the passenger side. The final purchase price was \$248,516.85. Taking into account the depreciation increased from \$228,760.62 to \$240,800.90 because an additional year of depreciation was added during the time frame from order to delivery and the Town received \$18,500 in trade-in, no additional funding is needed from the Vehicle/Equipment Replacement fund for the vehicle. Councilwoman Hornsby moved to approve the change orders, seconded by Councilman Anderson. The motion was approved unanimously.

F. Work Authorization No. 5 with URS for the Hydraulic Evaluation for the Edisto Beach Wastewater Collection System at a cost not to exceed \$15,720 – Councilwoman Hornsby moved to approve Work Authorization #5 with URS for the hydraulic evaluation of the Edisto Beach Wastewater Collection system at a cost not to exceed \$15,720 to be funded from the sewer R&R. Councilwoman Smyer seconded the motion, which was unanimously approved.

G. Resolution 2015-R08 designating April 2015 as Fair Housing Month – Councilwoman Smyer moved to approve Resolution 2015-R08 designating April 2015 as Fair Housing month. Councilman Anderson seconded the motion, which was unanimously approved.

H. Civic Center Guidelines and Fees – Councilman Anderson moved to approve the Civic Center Guidelines and Fees, seconded by Councilwoman Hornsby. Councilwoman Smyer told those in attendance that her hope was that the fee structure would be examined and modified accordingly. Mayor Pro Tem Darby stated that the fee structure was a “work in progress” and will have flexibility as needed. Mayor Pro Tem Darby called for a vote and the motion was approved unanimously.

I. Resolution 2015-R10 Opposing H3490, A House Bill to Cap Business License Fees – Councilwoman Smyer moved to approve Resolution 2015-R10 Opposing H3490, seconded by Councilwoman Hornsby. Councilwoman Smyer stated that business license fees account for 6.78 percent (\$200,000 of the Town’s budget) and with the capping of the fees, the services provided by the Town would decrease. The motion passed unanimously.

J. Award of RFQ 2015-02 Town of Edisto Beach Water System Improvement Project –The Selection Committee met on April 2, 2015 after reviewing the proposals to conduct interviews with the four applicants. The Selection Committee ranked the applicants and suggests a contract be negotiated with the top ranked firm, Wharton-Smith, Inc; Thomas and Hutton and Harn R/O.

If a contract cannot be negotiated with the top-ranked team, the Committee recommends negotiating with the lower-ranked firms in order until a contract is negotiated. Councilwoman Smyer moved to approve the award of RFQ 2015-02, the Town of Edisto Beach Water System Improvement Project, to Wharton-Smith, Inc., Thomas and Hutton and Harn R/O. Councilwoman Hornsby seconded the motion. Councilwoman Smyer told those in attendance that the firm that is awarded the contract will look at designing a possible reverse osmosis water treatment plant. The RFQ will also have the firm design a certain percentage of the plant and give the Town a guaranteed maximum price that it would cost the Town to finish the design and finish the plant. The motion passed unanimously.

K. Proclamation 2015-P11 Proclaiming April 2015 as Zero Tolerance of Litter Month – Councilwoman Hornsby moved to approve Proclamation 2015-P11 Proclaiming April 2015 as Zero Tolerance of Litter Month. Councilwoman Smyer seconded the motion, which was unanimously approved.

Committee Vacancies

A. Construction Board of Adjustments and Appeals – 1 vacancy – There is one vacancy remaining on the Construction Board of Adjustments and Appeals. Current members are Bob Sandifer, David Salter, Jim Johnson and Tom Yeargin.

B. The Image and Design of Edisto (TIDE) Committee – 1 vacancy – There is one vacancy on the TIDE Committee. Suzan Kozub and Lynn Bagnal have applied for this vacancy. The first vote by Council resulted in a tie. Mayor Pro Tem Darby told those in attendance that Edisto would be fortunate to have either candidate serve. On the re-vote, Susan Kozub was elected.

C. Planning Commission – 2 vacancies – There are two terms that will expire on May 31, 2015: Bill Andrews and Dave Blauch. Councilman Anderson moved to allow Administration to advertise the two vacancies, seconded by Patti Smyer. The motion was approved unanimously.

Planning Commission

A. 101 Jungle Road – Delta Constructors on Behalf of Smugglers Attic owner Delana I. Rast – Deck Addition – Reggie Watts with Delta Constructors, on behalf of owner Delana I. Rast made application with the Building Department to add a deck onto the existing retail business located at 101 Jungle Road, as well as upgrade the Highway 174 side gift shop entry per Section 86-141(i) of the Town's Code. The Planning Commission passed this item unanimously. A seating change was not requested in the application. If seating is changed in the future, according to Section 86-141(i), it would require a change in parking requirements and would need another application to the Planning Commission. Councilman Anderson moved to accept the application for the deck and upgrading the gift shop entry, seconded by Councilwoman Hornsby. The motion passed unanimously.

B. 114-J Jungle Road – Delana I. Rast – Sugartime Expansion – Delana I. Rast, owner of Sugartime, currently located in space I in Palmetto Plaza, made application to expand her business into the adjacent space J in Palmetto Plaza, formerly occupied by Beachside Fitness and

Spa per Section 86-141(i) of the Town's Code. The Planning Commission passed this item unanimously. Councilwoman Smyer moved to approve the application to expand Sugartime, seconded by Councilman Anderson. The motion was approved unanimously.

C. First Reading of Ordinance No. 2015-09 to Amend Chapter 62, Amend Chapter 71 and Amend Chapter 86 of the Town's Code of Ordinances as Recommended by the Planning Commission Pursuant to an Extensive Study and Re-Write Initiative – The Planning Commission unanimously recommends Chapters 62, 71 and 86 (3/24/2015 versions) which include agreed upon changes and recommendations from the February 20, 2015 meeting with Town Council and Planning Commission members, as well as agreed upon changes and recommendations from the March 24, 2015 Planning Commission meeting. Councilwoman Hornsby moved to approve the recommendation of the Planning with the **exception** of Chapter 86-144, seconded by Councilman Anderson. Councilwoman Hornsby stated there were references that were vague. Councilwoman Smyer told those in attendance that there were issues in Chapter 62, Chapter 71 and Chapter 86 that needed to be addressed. Councilwoman Smyer has submitted these issues to be addressed, but doesn't think the document is complete. Mayor Pro Tem Darby called for a vote and the motion passed 3 – 1 with Councilwoman Smyer opposed.

Departmental Reports and Committee Updates

Mayor Pro Tem Darby told those in attendance that on May 5, 2015, Councilwoman Smyer, Administrator Hill and Mayor Pro Tem Darby will be traveling to Columbia to meet with the Town's legislative representatives to encourage them to make provisions for beach nourishment funds.

Administration

Town Administrator Iris Hill gave the finance report for March 2015.

	Received	Spent
General Fund	78.00%	72.41%
Water Fund	74.71%	72.08%
Wastewater Fund	83.24 %	72.04%

Administrator Hill told those in attendance that Police Chief Bill Coffey has tendered his resignation effective June 11, 2015 and that she has enjoyed working with him.

There are zoning placards indicating a rezoning of the Civic Center. Administrator Hill said that the Town is proposing going to the Zoning Board of Appeals in Colleton County to ask for a special exemption to put a retail space of 30 x 24 (one room) at the Civic Center. When the Town agreed to run the Civic Center for Colleton County, no Town funds were to be spent. If the Town has a steady income from the Civic Center, that will allow the Town to lower or remove the fees for the community to use the Civic Center. If the special exemption is achieved, it doesn't mean the retail space will be located there, but it will be an option for the Town.

A letter will be mailed around May 1, 2015 about the roll-back service. Everyone will have a chance to review it and get the Opt Out Agreement filled in and turned back in.

The Town website has been updated. If there are glitches or problems, please let Administration know.

A Budget Worksession will be held on Tuesday, April 14, 2015 at 1:00 p.m. The public is welcome to attend.

The Special Election for Mayor of the Town of Edisto Beach will be held on April 28, 2015.

Building

Building Official, Patrick Brown, gave the report for the month ending March 31, 2015.

	March -14	March - 15	YTD
Business/Rental License Fees	\$93,708.30	\$161,978.21	\$244,107.92
New Construction Permits	0	0	8
Other Permits	31	34	222
Permit Fees	\$4,651.00	\$3,897.00	\$35,726.62
Inspections	67	78	340
Bay Creek Park	\$800.00	\$1,175.00	\$10,930.00

Mr. Brown told those in attendance that work on groin #1 would begin the week of April 13, 2015.

Fire

Fire Chief Denney Conley gave the report for the month of March, 2015.

Calls	March- 14	March - 15	YTD
Medical	16	8	217
Fire-related	6	27	86
Public Assistance/Miscellaneous	54	32	409
Beach Wheel Chairs	2	1	62

Chief Conley reported there had been a sea rescue on April 6, 2015 involving a stranded boat on Pine Island.

Members of the Fire Department participated in a live fire training on Hilton Head Island.

The ISO rating has been reduced from 4/9 to 3/3 and will go into effect on July 1, 2015. Some of the things that influenced the decrease were the new fire truck, the transfer of the current fire truck to Station 20, the staff and the water system upgrades. Chief Conley thanked all those that assisted the department, including Town Administrator Hill, Utilities Director Bob Doub, and Building Official Patrick Brown. The lower rating will result in a small reduction in insurance rates and better fire service. Those living outside the Town limits (the Hammocks, Jeremy Cay, the Neck, etc.) will see a larger cost savings. Once the rating goes into effect on July 1, property owners should contact the ISO services to get a copy of the rating to submit to the individual's insurance carrier.

Police

Assistant Police Chief George Brothers gave the Police Department Report for the month ending March 31, 2015. Assistant Chief Brothers commended out-going Chief Coffey on his leadership and service to the Town of Edisto Beach. He also commended the department heads and Administration for always being willing to work together for the good of the Town.

	March - 14	March - 15	YTD
Citations	15	32	209
Speeding	13	26	134
Warnings	51	93	737
Alarm Calls	16	18	117
Calls for 2 or More Officers	7	9	75
Miles Patrolled	8,457	9,425	76,186
Assaults	1	1	8
Larcenies	3	2	38
Burglaries	1	2	5
Incidents & Calls for Service	97	111	1,053
Golf Cart Violations	1	2	13
Domestic Violence Calls	0	0	0
Property Checks	8,457	1,345	14,645
Open Container	0	0	1
D.U.I.	0	0	0
CDV Arrest	0	0	0
Disorderly Conduct	0	0	8
Animal Control Call	1	0	16

Utilities

Utilities Director Bob Doub gave the report for March 2015.

	March - 14	March - 15	YTD
Pumped MG Water	9.54	7.9	140.16
Treated MG Wastewater	2.95	3.41	40.48
Water Line Repairs	2	4	29
Work Orders	66	124	1,171

Public Works

Bob Doub, Public Works Director, gave the report for the month ending March 31, 2015.

	March - 14	March- 15	YTD
Mowed Acres	30	6	338
Cleaned Ditches	5,398 feet	7,742 feet	72,239feet
Roll Carts Delivered	6	58	121

Chamber of Commerce

Dan Carter, Chamber Director, gave the report for March 2015

- On April 11, 2015 the Hoe Down for History will be held at Sunnyside Plantation, sponsored by the Edisto Island Historic Preservation Society.
- On April 14 there will be a Business After Hours sponsored by Pressley’s at the Marina and the Marina at Edisto Beach.
- On May 2, 2015 the Marina at Edisto Beach is sponsoring a Dolphin Slam fishing contest between the Marina at Edisto and Bohicket Marina.
- On May 3, the Legacy at Live Oak and Conservation Celebration at Indigo Farms.
- A Cobia Tournament will be held on May 16, 2015 sponsored by the Marina at Edisto Beach.

Mayor Pro Tem Darby asked Mr. Carter to convey the Town’s appreciation to the Chamber for the addition of new off-season events.

Public Comment Period

Bob Sandifer – Mr. Sandifer addressed Council concerning the Zoning Re-Write. He stated that the Edisto Beach Property Owners’ Association (EBPOA) cannot support proposed changes and is opposed to any approval of the current revisions. The EBPOA is concerned that the latest changes significantly weaken the PUD Ordinances as well as making them more difficult to

follow. The latest version also attempts to integrate the subdivision regulation and the zoning regulation making them longer and more difficult to understand. Lines of authority between the Planning Commission and the Building Codes Administrator have been amended in several sections, rendering them quite confusing to the reader. Mr. Sandifer said the EBPOA realized some changes were necessary, however the vast majority of them are not warranted.

Executive Session

Councilwoman Smyer moved to go into Executive Session, seconded by Councilman Anderson and approved unanimously. Councilman Anderson moved to exit Executive Session, seconded by Councilwoman Smyer and approved unanimously.

Mayor Pro Tem Darby moved to appoint George Brothers as Police Chief beginning June 11, 2015. Councilwoman Hornsby seconded the motion, which was unanimously approved.

Adjournment

Councilman Anderson moved to adjourn the meeting, seconded by Councilwoman Smyer and approved unanimously.

The media/public was duly notified of the location, date and time of the meeting on Thursday, April 2, 2015.

APPROVED BY TOWN COUNCIL

Deborah Hargis, Municipal Clerk
May 14, 2015