

MINUTES
August 9, 2018
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, Crawford Moore, Mayor Pro Tempore, Susan Hornsby, Jerome Kizer, and Patti Smyer, Council Members; *Quorum of Council Present.*

Councilwoman Smyer led those in attendance in the Pledge of Allegiance and an invocation.

Approval of Minutes

A. Public Hearing Meeting Minutes, July 12, 2018 – Councilman Kizer moved to approve the minutes of the public hearing meeting on July 12, 2018, seconded by Mayor Pro Tem Moore and unanimously approved.

B. Regular Council Meeting Minutes, July 12, 2018 – Councilwoman Smyer moved to approve the minutes of the regular Council meeting on July 12, 2018, seconded by Councilwoman Hornsby and approved unanimously.

Proclamations and Presentations

A. 2018 Municipal Association of South Carolina Achievement Award – Bill Taylor, Field Services Representative, presented the award for the 1 – 1,000 population category on behalf of the Municipal Association of South Carolina. Mayor Darby accepted the award on the behalf of the Town and commended all involved in making the beach renourishment project so successful. The video shown at the MASC Annual Meeting was shown to those in attendance.

B. U.S. Army Corps of Engineers Coastal Storm Damage Reduction Project – Russ Rote and John Hinely gave a PowerPoint presentation which is attached to these minutes. John Hinely, Real Estate Specialist, addressed easements. A member of the audience, Mr. George Kostell asked Mr. Rote if other local coastal communities had started a similar project, and if so, would Mr. Rote provide pictures? Mr. Rote said that he would share pictures of Myrtle Beach and Folly Beach. Mr. Kostell asked that the pictures be posted on the Town's website. Mr. Tommy Mann asked how people would cross a 14-foot sand dune. Mr. Rote stated that he was unsure of the requirement. Mr. Mann said, "If you've got a dune and you can't cross it, you've got to go down to a beach access, you essentially have restricted access." Mr. Rote noted that some do build crossovers, and the park has a mat that provides access. An audience member asked what the cost would be per homeowner should the Town decide to move forward with the project. Mayor Darby answered, "Your tax money is what we have used up to this point. There has been no individual assessment up to this point. Sometime in the future there may have to be...as costs escalate, but to this point, we've managed to put together grant money, we save every year, we're able to put back \$200,000 amount of ATAX into beach nourishment and Colleton County has been a very good partner as well as the State Park. So we have been able to cover everything through public money rather than individual money." Marie Bost asked, "Who is fronting the cost for the survey of the property, if you have a loan on the property it has to be released by the lender, and we've discussed this before, about some of these implications. I own a beachfront lot myself, but it has to be surveyed, the title has to be searched, to make sure I actually own it and didn't give it to my children or whomever. It has to be recorded, it has to be released by the

lender and good luck with as I call it Hell's Fargo, to get them to release the loan, so there's a lot more to this than just you know, we're giving them whatever from the toehold of this to there. Who bears the cost? There's thirty-six blocks, x number of properties....." Mr. Rote stated, "One hundred and eighty-seven properties, and that's where that million dollars of LLERDS is for. It's for surveys, identifying the polygon or that piece of property where we would have to put sand on, and doing all the things you just said. It's not for a purchasing fee of anything, I don't believe, maybe temporary construction site.....but that million dollars is for those sorts of activities." Ms. Bost, "So the attorneys and the title searches to make sure the person who owns the property really does own it?" Mr. Rote, "Right." Ms. Bost, "Because we did run into that before, where a property owner had signed it, well she'd been dead ten years and...." Mr. Hinely stated, "They actually don't require the bank to release the loan. Most of these easements have no value to them. We're actually increasing the value of the property by protecting them." Ms. Bost, "And the banks are ok with that?" Mr. Hinely, "In all the beaches I've ever done, we've never had to deal with anything like that... We want to make sure you have the right to sign. As far as lines and things like that, as long as you have the authority." Mr. Rote, "That LLERDS, that million dollars covers those costs." Mr. Hinely, "Most of that is all administrative – it's the surveys (unintelligible)." Mayor Darby suggested that Ms. Bost ask any remaining questions after the meeting adjourned.

C. Five Year Service Award – Patrick Zemp - Mayor Darby presented Mr. Zemp with a certificate and pin and thanked him for five years of diligent service.

D. Starfish Award – Jill Deardorff – Mayor Darby recognized Ms. Deardorff for her service on the Municipal Elections Commission with a Starfish Award.

Old Business

A. Second Reading of Ordinance No. 2018-18 to Amend Section 86-211 To Add Subsection (c); Amend 86-212 To Add Subsection (a)(15) and Amend Subsection (c) and Restate Subsection €; To Amend 86-213 (b)(5)(13) and (g)(3); Amend 86-214 (a)(3), (6), (8), (9), (10), (11), (12), (15), and (16); and 86-214(c)(2); and To Amend 86-218, of Article 5 of Chapter 86 of the Town's Code – Councilwoman Hornsby moved to approve the second reading of Ordinance No. 2018-18, seconded by Councilman Kizer and approved unanimously.

New Business

A. Recurring Special Event Form, Edisto Beach Shag Festival – Mayor Pro Tem Moore moved to approve the recurring special event form submitted by Bay Creek Investments for the Edisto Beach Shag Festival from August 31 – September 2, 2018. The motion was seconded by Councilwoman Smyer and unanimously approved.

B. Sponsorship 2018 Edisto Beach Shag Festival – Bay Creek Investments – Bay Creek Investments has requested sponsorship funds in the amount of \$10,000, assistance in police patrol and waiver of the park fees. Mayor Pro Tem Moore moved to approve the request from Bay Creek Investments and specified the \$10,000 come from the alcohol permitting fund which currently has a balance of \$18,878. The motion was seconded by Councilwoman Hornsby and approved unanimously.

C. Emergency Purchase Order – Flow Meter Wastewater Treatment Pond - \$6,933.60 – Councilwoman Smyer moved to approve the emergency purchase order for the flow meter at the wastewater treatment plant in the amount of \$6,933.60. The Town is required to record the flows at the wastewater treatment pond. Councilman Kizer seconded the motion, which was unanimously approved.

D. Resolution 2018-R19 – Southeastern Grocers/Bi Lo – Southeastern Grocers/BiLo has submitted an initial concept to locate a pharmacy on Edisto Beach at the BiLo. Mayor Pro Tem Moore moved to approve

Resolution 2018-R19 supporting the initial concept, seconded by Councilwoman Hornsby and approved unanimously.

E. Light Emitting Diode (LED) Lighting Agreement – Town of Edisto Beach LED Street Light Upgrade Between the Town of Edisto Beach and South Carolina Electric & Gas Company – Town Administrator Iris Hill told Council that the Building Department has worked with SCE&G to implement the installation of turtle-friendly lighting. SCE&G sent an agreement for Council’s consideration, and Town Attorney Duffie has submitted suggestions. Councilman Kizer moved to approve entering into an agreement with SCE&G pending negotiation of the contract as proposed by the Town Attorney. Councilwoman Hornsby seconded the motion. The areas of the beach that would be changed out first would be those with the most misorientations: Beach Access 1A, Beach Access 3, and 609 Palmetto. After those are done, next in line would be the lights located at 709 Palmetto, Beach Access 31 and Beach Access 34. Mayor Darby called for the vote and the motion was unanimously approved. Mayor Darby thanked Councilman Kizer and Administrator Hill for their hard work on the turtle-friendly lighting project.

Committee Vacancies

A. Municipal Elections Commission – There is one vacancy on the MEC, created by the resignation of Jill Deardorff. No applications have been received for this vacancy.

Accommodations Tax Advisory Board

A. Town of Edisto Beach, Hardie Plank Siding, Bay Creek Park Heritage Building – Councilwoman Hornsby moved to approve the ATAX Board’s recommendation to award \$20,000 in ATAX funds to replace siding on the Heritage Building with Hardie Plank siding. Mayor Pro Tem Moore seconded the motion, which was approved unanimously.

Departmental Reports and Committee Updates

Mayor Darby told those in attendance that there will be a Legislative Delegation meeting on September 17, 2018 at the Civic Center at 6:00 p.m.

Administration

Town Administrator Iris Hill gave the financial report for the month ending July 31, 2018.

	Received	Spent
General Fund	6.34%	5.48%
Water Fund	0.37%	6.09%
Wastewater Fund	0.61%	5.14%

	June 2018	July 2018
Facebook likes/followers	10,492	10,702
FOIA requests	3	5

Over 15,000 people viewed the Facebook post in which Jeopardy mentioned the Town of Edisto Beach: “Edisto Beach, SC says no lights on the beach after dusk in summer to protect these sea turtles named for their big ‘heads.’”

Five Freedom of Information Act requests were received in July one each from Barbara Barrineau, Matthew Van Bakergen and Heather Story. Two were received from Kevin Cook, one having three subparts and the other having two subparts.

The Town has received two checks to date from SCEMD for Hurricane Irma.

Building

Patrick Brown, Building Official, gave the building report for the month of July 2018.

	July-17	July-18	YTD
Business/Rental License Fees	\$14,103.45	\$6,728.40	\$6,728.40
New Construction Permits	1	1	1
Other Permits	33	35	35
Permit Fees	\$5,676.00	\$4,548.50	\$4,548.50
Inspections	45	52	52
Bay Creek Park	\$1,485.00	\$2,570.00	\$2,570.00

Mr. Brown told Council and those in attendance that the Building Department has distributed rack cards and placemats to local establishments and restaurants which provide information on turtle safety and facts. The placemats also include flood risk information. Mr. Brown noted that the Ordinance revisions that had been approved by Council in the last year has made it possible for the Town to be rated as a Class 6, which will result in a 20% cost savings on flood insurance policies. These policies will go into effect in May of 2019.

Fire

Fire Chief Denney Conley gave the fire report for the month ending July 31, 2018.

Calls	July-17	July-18	YTD
Medical	30	38	38
Fire-related	19	17	17
EMS/Misc	99	117	117
Beach Wheel Chairs	26	30	30
Water Rescue	1	0	0
Welfare Checks	28	31	31

Police

Police Chief George Brothers recognized two State Park employees Brandon Goff, Cathy Gumper and Mike Lang with Life Saving Awards for rescuing a child in distress in the water on July 4, 2018. He also commended Officer Casey Bell and Officer Heidi Coleman for successfully intervening in a suicide attempt.

	July -17	July - 18	YTD
Miles Patrolled	7,673	11,252	11,252
Incidents & Calls for Service	273	258	258

Calls for 2 or More Officers	34		
Property Checks	881	1170	1170
Alarm Calls	14		
Town Parking Tickets	198	183	183

Utilities

Patrick Zemp, Utilities Operator, gave the report for July 2018.

	July-17	July-18	YTD
Pumped MG Water	20.57	24.53	24.53
Treated MG Wastewater	8.9	7.12	7.12
Water Line Repairs	3	4	4
Work Orders	36	38	38

Public Works

Patrick Zemp gave the Public Works report for the month ending July 31, 2018. The Public Works Department replaced sixteen trash cans; cut, cleaned and trimmed beach accesses, parks, the Civic Center and Town Hall. They repaired three potholes and repaired sand fencing.

Chamber of Commerce

Lisa Harrell, Executive Director of the Edisto Chamber of Commerce, gave the report for July 2018.

- On August 11, 2018 there will be a Back to School Blast from 12:00 – 5:00 p.m. at Jane Edwards Elementary. There will be food, games, free school supplies and free haircuts.
- On August 12th, Arts in the Park will conclude the summer season with the Edisto Jazz Group at 6:00 p.m.
- Movies in the Park will conclude the summer season on August 13, 2018 with the movie Coco (weather permitting). Approximate start time for the movie is 8:15 p.m.
- On August 16th the Colleton County Clemson Edisto Chapter will hold a meeting at Coots Bar and Grill at 6:00 p.m.
- The Edisto Beach Baptist Church will sponsor the Love Him/Love Them choir, a group of 22 children orphaned after the Haitian earthquake in 2010. The concert begins at 6:00 p.m.
- On August 28th there will be a book discussion at the Edisto Beach Public Library.
- The Shagfest will be held August 31 – September 2, 2018 at Bay Creek Park. The cost to attend is \$15 per day.
- The Art Walk will be held on September 10 from 5:00 – 7:00 p.m.

Public Comment

Mr. Jim Powell signed up to speak but declined.

Executive Session

Mayor Pro Tem Moore moved to go into executive session, seconded by Councilwoman Hornsby, for the purpose of discussing the following item: 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 Beach Access 1a. S.C. Code §3-4-70(a)(2). Mayor Darby called for the vote and the motion was unanimously approved. Councilman Kizer was recused from the Executive Session.

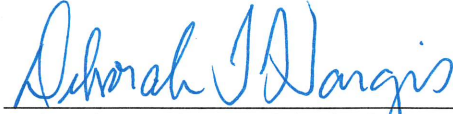
Councilwoman Smyer moved to exit executive session, seconded by Councilwoman Hornsby and unanimously approved. No action was taken on the item.

Adjournment

Councilman Moore moved to adjourn the meeting, seconded by Councilwoman Hornsby and approved unanimously.

The media/public was informed of the date, time and location of the meeting on Friday, August 3, 2018.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
September 13, 2018