

MINUTES
October 31, 2017
SPECIAL COUNCIL MEETING
10:00 A.M.

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

Present: Jane S. Darby, Mayor, Susan Hornsby, Mayor Pro Tempore, Jerome Kizer and Crawford Moore, Council Members; *Quorum of Council Present*. Absent: Patti Smyer, Council Member

Mayor Darby called the meeting to order. Mayor Darby announced that the Town of Edisto Beach was scheduled to hold an election on November 7, 2017 but the election was called off, as allowed under state law, since there were no contested races or write-in candidates who expressed interest after the filing period closed. The election will be certified and winners officially announced on November 9, 2017.

New Business

A. First Reading of Ordinance No. 2017-32 to Amend Sections 14-71 (i) (1), (2), (3), (4), (5), (6) and 14-113 and enact 14-71(i)(7) of the Town of Edisto Beach Code of Ordinances – Mayor Pro Tem Hornsby moved to approve the first reading of Ordinance No. 2017-32, seconded by Councilman Moore. This Ordinance will cover several areas. One area the Ordinance will deal with is the enclosed area below the first living area floor. Below the base flood elevation, “all interior walls, ceilings and floors below the base flood elevation plus three (3) feet shall be unfinished or constructed of flood-resistant materials.” “Mechanical, electrical or plumbing devices shall not be installed below the base flood elevation plus three (3) feet.” In A and V zones, “the opening in the walls of the enclosed areas below the lowest floor shall not be blocked, obstructed or otherwise altered to reduce the size of the openings or restrict the automatic entry and exit of floodwater.” A formula for this opening is included in the Ordinance. Mayor Darby told those in attendance that Ordinance No. 2017-32 will lower the Town’s CRS Rating by 75 points. For every 100 points, insurance rates are reduced 5%. The motion was passed 4 – 0.

B. Change Order #2 – Wharton Smith – Water Improvement Project – Councilman Kizer moved to approve Change Order #2 in the amount of \$370,000, seconded by Councilman Moore. Mayor Pro Tem asked Administrator Hill if the price increase would cover everything up to when the Town was ready to break ground on the project. Administrator Hill explained that Council had authorized her to negotiate a contract with Wharton Smith. The negotiation has been arduous as many unexpected issues have arisen due to ongoing litigation concerning the lots owned by the Town. The contract being used is a standard design-build contract. Language is included in that contract concerning delays, resulting in the need to dissect the contract by the Town Attorney and an attorney at the Municipal Association of South Carolina who deals with litigation. The Town has been working through the deconstruction of the contracts with Wharton Smith, with the main goal being to mitigate any liability to the Town if there is a delay. Wharton Smith has been doing this work out of contract. Change Order #2 will pay Wharton Smith for the work they are doing in Phase II, a contract that has yet to be negotiated. The

change order will pay for consulting work and all associated permits. Administrator Hill will update Council further at the November Council meeting. The motion was approved 4 – 0.

Executive Session

Councilman Moore moved to go into Executive Session, seconded by Mayor Pro Tem Hornsby and approved 4 – 0.

Mayor Pro Tem Hornsby moved to exit Executive Session, seconded by Councilman Kizer and approved 4 – 0.

Mayor Darby made a motion to “authorize the Mayor and Administrator with assistance from Town Council to negotiate and execute a purchase agreement for a vacant lot, which is a portion of 3708 Village Court. The amount of the purchase is to be \$180,000 and these funds to be taken from prior year funds.” Councilman Moore seconded the motion which was approved 4 – 0.

Adjournment

Councilman Moore moved to adjourn the meeting, seconded by Mayor Pro Tem Hornsby and approved 4 – 0.

The media/public was duly notified of the date, time and location of the Council Meeting on Friday, October 27, 2017.

APPROVED BY TOWN COUNCIL


Deborah Hargis, Municipal Clerk
November 9, 2017