

MINUTES  
August 10, 2017  
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, Jerome Kizer, Crawford Moore, and Patti Smyer, Council Members; *Quorum of Council Present.*

Mayor Darby called the meeting to order and led those present in the Pledge of Allegiance and an invocation.

**Approval of Minutes**

**Special Meeting Minutes, July 10, 2017** – Councilwoman Smyer moved to approve the special meeting minutes of July 10, 2017, seconded by Councilman Moore and approved unanimously.

**Special Joint Meeting with the Water and Sewer Committee, July 13, 2017** – Councilman Moore moved to approve the minutes of the July 13, 2017, joint meeting with the Water and Sewer Committee, seconded by Councilwoman Smyer and unanimously approved.

**Regular Meeting Minutes, July 13, 2017** – Councilman Kizer moved to approve the minutes from the regular Council meeting on July 13, 2017, seconded by Councilman Moore and approved unanimously.

**Old Business**

**A. Second Reading of Ordinance No. 2017-20 to Amend Chapter 10 of the Town's Code of Ordinances to Add Section 10-41 Related to Nudity and Display by Persons of Specified Anatomical Areas on the Beach and Within Certain Areas of the Town** – There are situations (mostly juvenile antics), where if the Town charged the offender according to State law, if convicted under State law, the offender would be required to register as a sex offender and face a three-year prison term. The Town's current ordinances do not cover these situations. Councilman Moore moved to approve the second reading of Ordinance No. 2017-20 to Amend Chapter 10 of the Town's Code of Ordinances to Add Section 10-41 Related to Nudity and Display by Persons of Specified Anatomical Areas on the Beach and Within Certain Areas of the Town. Councilman Kizer seconded the motion, which was unanimously approved.

**B. Second Reading of Ordinance No. 2017-21 to Amend Section 8-32 and Section 8-34 of the Town's Code** – Councilman Kizer moved to approve the second reading of Ordinance No. 2017-21 to Amend Section 8-32 and Section 8-34 of the Town's Code as it relates to prohibitions and alcoholic beverages in Bay Creek Park, seconded by Patti Smyer and approved unanimously.

**C. Myrtle/Fort Street Debris Pickup** – This item is being handled internally and requires no action.

**D. Myrtle Street Drainage Project** – In July 2017, the Town was contacted by the South Carolina Department of Transportation regarding the Myrtle Street Drainage Project. When developing the bid documents, SCDOT realized several critical errors were made in the quantities and estimates resulting in a greatly increased cost. The Town was contacted and asked to either find additional funds or consider a substantial reduction in the scope of the project. After the problems the Town encountered in re-acquiring funds from the Colleton Transportation Committee, the Town could either postpone the project or approve a scaled-down version of the project that could be expanded in the future as funding is acquired. The SCDOT recommends removing the valley gutters, piping and catch basins along the project area on Myrtle Street with the exception of the intersection of Myrtle and Lybrand Streets. This will markedly reduce the effectiveness of the project along the area of Myrtle Street that is prone to flooding. The Town has been in contact with someone to handle a pre-disaster mitigation grant. They are waiting on numbers from DOT and feel the grant will be awarded to the Town.

### **New Business/Appearances**

**A. Emergency Purchase – Reinforced baffles for the wastewater treatment facility** – One of the baffles at the wastewater treatment facility has torn loose. It is imperative this be replaced to provide adequate treatment of the wastewater between cells. Since two other baffles were also in need of replacement, three baffles were replaced at a cost of \$38,960 to be paid from Sewer R & R. Councilwoman Smyer moved to approve the emergency purchase of three reinforced baffles for the wastewater treatment facility in the amount of \$38,960. Mayor Pro Tem Hornsby seconded the motion, which was unanimously approved.

**B. FY 2016-17 Water and Sewer Revenue** – Upon review of the year-end utility billing, administration found that revenues were substantially impacted by Hurricane Matthew. The Water revenues were \$48,890 below average and the sewer revenues were \$28,353 below average. The Water revenue impacts were not immediately evident because the water rates were increased by 15%. The Sewer revenue decrease was quite evident and we were not able to transfer \$60,000 to the Sewer R & R fund without experiencing a loss in the fund. Councilwoman Smyer moved to approve not transferring \$60,000 to Sewer R & R, seconded by Councilman Kizer and approved unanimously.

**C. Sales and Use Tax Audit for Periods 6/1/2014 through 5/31/2017** – The Town was notified on May 9, 2017 that the Department of Revenue would be conducting an audit on July 12, 2017 of all sales and use tax from June 1, 2014 – May 31, 2017. According to the audit, the Town failed to pay \$5,915.27 in sales and use taxes for the above listed period for purchases made out of state including freight. In addition, there is an interest payment of \$369.60 and penalty of \$0.18. Councilman Kizer moved to approve payment of these delinquent taxes from various accounts and approve transfer from contingency funds when necessary. Councilman Moore seconded the motion which was unanimously approved.

**D. First Reading of Ordinance No. 2017-22 Providing for Mobile Vending and Regulations Governing Mobile Vending** – Because of Hurricane Matthew recovery efforts, the sunset clause for mobile vending was not extended and did sunset (terminate) on December 31, 2016. Ordinance No. 2017-22 removes the sunset clause and addresses other issues in the mobile vending language such as “‘mobile’ means the state of being active.” Councilwoman Smyer moved to approve the first reading of Ordinance No. 2017-22 Providing for Mobile Vending and Regulations Governing Mobile Vending, seconded by Mayor Pro Tem Hornsby and unanimously approved.

**E. Special Event Application – Town of Edisto Beach – Trick or Treat at the Creek** – Councilman Moore moved to approve the Special Event Application from the Town of Edisto Beach to hold Trick or Treat at the Creek on Friday, October 27, 2017 from 6:00 p.m. – 8:00 p.m. at Bay Creek Park. Councilwoman Smyer seconded the motion which was approved unanimously.

**F. Resolution No. 2017-23 Municipal State Highway Project Agreement** – Councilman Moore moved to approve Resolution No. 2017-23, known as the Myrtle Street Drainage and Paving Improvements project. This resolves that the Town accepts the reduction in project scope. It allows for the Mayor to execute said agreement. Mayor Pro Tem Hornsby seconded the motion, which was unanimously approved.

**Committee Vacancies**

**A. Zoning Board of Appeals – 3 vacancies** – Mayor Pro Tem Hornsby moved to approve the applications of Joe Dreher and Beverly Sandifer. Since there were no applications for the third vacancy, Charles Boozer, Sr. and Polly McIntosh are eligible to reapply. Councilman Kizer seconded the motion, which was approved unanimously.

**Departmental Reports and Committee Updates**

**Administration**

Town Administrator Iris Hill gave the report for July 2017

	Received	Spent
General Fund	5.37%	5.06%
Water Fund	0.47%	18.04%
Wastewater Fund	0.50%	5.96%

The July 2017 Facebook and FOIA report is as follows:

	June 2017	July 2017
Facebook likes	8,485	8,609
FOIA requests	2	7

One FOIA request was received from the following: Kevin Cook, Kelly Hyatt, William Hackett, Steven Pugh and Marshall Barfield. Two FOIA requests were received from Tommy Mann.

**Building**

Patrick Brown, Building Official, gave the report for the month ending July 31, 2017.

	July-16	July-17	YTD
Business/Rental License Fees	\$2,971.85	\$2,681.50	\$2,681.50
New Construction Permits	1	0	0

Other Permits	17	21	21
Permit Fees	\$4,604.00	\$2,866.00	\$2,866.00
Inspections	51	62	62
Bay Creek Park	\$275.00	\$1,230.00	\$1,230.00

Fire

Fire Chief Denney Conley gave the report for the month ending July 31, 2017.

Calls	July-16	July-17	YTD
Medical	43	49	49
Fire-related	4	23	23
EMS/Misc	128	121	121
Beach Wheel Chairs	25	27	27
Water Rescue	3	3	3
Welfare Checks	32	26	26

Police

The Police report for July 2017 was given by Chief George Brothers.

	July-16	July -17	YTD
Miles Patrolled	8,417	7,673	7,673
Incidents & Calls for Service	185	273	273
Calls for 2 or More Officers	22	34	34
Property Checks	963	881	881
Alarm Calls	9	14	14
Town Parking Tickets		198	198
Animal Control	3	11	11
Assaults	1	0	0
Larcenies	3	4	4
Burglaries	2	0	0
CDV Arrest	0	0	0

Chief Brothers told Council and those in attendance that the Police Department is now at full strength and there are three female officers on staff.

Utilities

Bob Doub, Utilities Director, gave the report for July 2017.

	July-16	July-17	YTD
Pumped MG Water	24.2	20.57	20.57
Treated MG Wastewater	5.5	8.9	8.9

Water Line Repairs	2	3	3
Work Order Repairs	75	36	36

Public Works

Public Works Director Bob Doub gave the report for July 2017

	July -16	July -17	YTD
Mowed Acres	47	42	42
Cleaned Ditches	7,036ft	0ft	0ft
Roll Carts Delivered	25	28	28

Administrator Hill told those in attendance that the lights at Jungle Road Park are being replaced. Eclipse glasses are available while supplies last at no charge from Town Hall.

Chamber of Commerce

Edisto Chamber of Commerce Director Lisa Harrell gave the report for July 2017

- The Chamber is now on Instagram.
- The new sign for Edisto that is on the beach side of the McKinley Washington Bridge will be installed by Labor Day.
- There will be a Back-to School Bash on August 12, 2017 at the Indigo Hill Road baseball field from 12:00 p.m. – 5:00 p.m.
- On August 13, the final Arts in the Park will be held at Bay Creek Park at 5:00 p.m.
- On August 21, there will be an eclipse event at the Charleston County Library located at Trinity Episcopal Church.
- On August 17, Green Boat Liquors will sponsor a “Yappy Hour” from 4:00 p.m. – 6:00 p.m.
- On September 1, 2 and 3 the Shagfest will be held at Bay Creek Park.
- Music at the Marina continues through September.
- The Edisto Belles Beachwalk is September 2, 2017 from 9:00 – noon. Pre-registration is encouraged.
- The Wahoo/King Mackerel Tournament will be held on September 9, 2017 at the Marina.

Public Comment Period

No one signed in to speak.

Executive Session

**A. Contractual – Negotiations related to 3708 Village Court [SC Code 30-4-70a(2)]**

Councilwoman Smyer moved to go into executive session, seconded by Councilman Moore and approved unanimously. Councilwoman Smyer moved to exit executive session, seconded by Mayor Pro Tem Hornsby and unanimously approved.

Councilman Moore moved to approve the Mayor and Administrator to further investigate the contractual matter in regards to 3708 Village Court. Councilman Kizer seconded the motion, which was approved unanimously.

**Adjournment**

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

*The media/public was informed of the date, time and location of the meeting on Friday, August 4, 2017.*

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk  
September 14, 2017