

MINUTES
FEBRUARY 14, 2019
REGULAR TOWN 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 present in the Pledge of Allegiance and an invocation.

Approval of Minutes

A. Public Hearing Meeting Minutes, January 10, 2019 – Councilwoman Smyer moved to approve the Public Hearing Meeting Minutes of January 10, 2019, seconded by Councilwoman Hornsby and approved unanimously.

B. Regular Meeting Minutes, January 10, 2019 – Councilman Kizer moved to approve the Regular Meeting Minutes of January 10, 2019, seconded by Mayor Pro Tem Moore and unanimously approved.

C. Annual Goal Setting Retreat, January 31, 2019 – Mayor Pro Tem Moore moved to approve the minutes of the Annual Goal Setting Retreat held on January 31, 2019, seconded by Councilman Kizer and approved unanimously.

Proclamations and Presentations

A. Ten Year Service Award – Iris Hill – Mayor Darby congratulated Ms. Hill on her ten years of service and presented her with a certificate and pin. Administrator Hill thanked Council and the residents of Edisto Beach for allowing her to serve.

Old Business

A. Edisto Art Guild Request – Councilman Kizer moved to deny the request of the Edisto Art Guild, seconded by Mayor Pro Tem Moore and approved unanimously. This item was deferred in the January 2019 Council meeting.

B. Personnel Manual Update – In January 2019, Council deferred the personnel manual update to have more time to consider the changes. Councilwoman Hornsby moved to approve the following changes: modifying the annual leave and sick leave policies specifying that an employee who resigns must properly work two weeks to receive accrued, unused annual leave; modify the use of sick leave immediately before or after a holiday so that a doctor's excuse or department head approval must be obtained; modify sick leave so that it may not be used as a substitute for annual leave or used during the two-week notice period at the time of resignation and to modify the holidays by removing Confederate Memorial Day and adding a "floating holiday." Councilwoman Smyer seconded the motion, which was unanimously approved.

C. Beach Renourishment – Hurricane Irma – Coastal Science and Engineering has notified the Town that a new permit would be required for sand scraping. Mayor Pro Tem Moore moved to abandon the beach renourishment project to repair the damage done by Hurricane Irma, seconded by Councilwoman Hornsby.

Councilwoman Smyer asked if bringing in sand from another location was a possibility. Administrator Hill said that it may be possible, but since FEMA requires Irma work to be completed by April, it would be very close to that deadline if pursued. Mayor Darby called for the vote and the motion to abandon the project was approved unanimously.

D. Award of RFP No. 2018-16 Edisto Beach Tennis Court Repair - Councilwoman Smyer moved to deny the award of RFP No. 2018-16 as it was put out for bids again. The award of the new bid, No. 2019-02 will be on the March Council agenda. Councilman Kizer seconded the motion, which was unanimously approved.

New Business

A. FY 2019-2020 Budget Calendar – Councilman Kizer moved to approve the FY 2019-2020 Budget Calendar, seconded by Councilwoman Hornsby and unanimously approved.

B. FY 2019-2020 Council Retreat Goals – Councilwoman Smyer moved to approve the FY 2019-2020 Goals established at the January 31, 2019 Goal Setting Retreat. Councilman Kizer seconded the motion, which was approved unanimously.

C. Sponsorship – Edisto Art Guild – 2019 Arts in the Park – Councilwoman Smyer moved to approve the request for sponsorship from the Edisto Art Guild to hold the 2019 Arts in the Park at Bay Creek Park. The event dates are June 9, July 14, and August 11 at 6:00 p.m. and one rehearsal on June 8, 2019. The Art Guild is requesting the Town waive rental fees for those dates. The park will be open to the public during the rehearsals and performance times. The Art Guild will use the stage and Heritage Building and will clean up before and after each performance. Councilwoman Hornsby seconded the motion, which was unanimously approved.

D. Recurring Special Event Application – Edisto Island Ducks Unlimited Banquet, March 16, 2019 – Mayor Pro Tem Moore moved to approve the Recurring Special Event Application from the Edisto Island Ducks Unlimited Banquet on March 16, 2019 at Bay Creek Park. Councilman Kizer seconded the motion, which was approved unanimously.

E. Special Event Application – The Cystic Fibrosis Foundation – CF Cycle For Life – Councilwoman Hornsby moved to approve the Special Event Application from the Cystic Fibrosis Foundation to hold the CF Cycle for Life at Bay Creek Park on September 28, 2019 from 5:00 a.m. – 6:00 p.m. Mayor Pro Tem Moore seconded the motion, which was unanimously approved.

F. Edisto Beach Civic Center Facility Use Guideline Changes – Councilman Kizer moved to approve the Edisto Beach Civic Center Facility Use Guideline changes to address insurance requirements, the use of nails and thumbtacks and excess storage. Mayor Pro Tem Moore seconded the motion, which was approved unanimously.

G. Edisto Beach Civic Center Fitness/Wellness Class 2019 Facility Use Agreement & Application – Mayor Pro Tem Moore moved to approve the Facility Use Agreement and Application for Fitness/Wellness classes at the Edisto Beach Civic Center, seconded by Councilman Kizer and unanimously approved.

H. Edisto Beach Civic Center Fitness/Wellness Class Waiver – Councilwoman Smyer moved to approve the indemnification, hold harmless, defense, waiver, release and assumption of risk agreement form for Fitness/Wellness classes held at the Edisto Beach Civic Center. Councilwoman Hornsby seconded the motion, which was unanimously approved.

I. Edisto Beach Civic Center Rental Agreement Fee Schedule Changes – Councilman Kizer moved to approve the fee schedule change for the Edisto Beach Civic Center Rental Agreement which adds costs for rental of storage space. Mayor Pro Tem Moore seconded the motion, which was approved unanimously.

J. Change Order No. 1 RFP 2018-14 Groin Repairs – Councilman Kizer moved to approve Change Order #1 from Rakes Building and Maintenance Contractors LLC dba Blutide Marine Construction. This change order is a result of Hurricane Irma and adds 120 tons of stone and 67 cubic yards of grout and \$4,000 for mobilization. The original contract was based on estimated quantities. The total contract change is \$67,382.46 for a new contract price of \$341,918.32. Councilwoman Smyer seconded the motion, which was approved unanimously.

K. US Army Corps of Engineers Storm Reduction Project – The Beachfront Management Committee met on January 22, 2019 and recommended 4 – 1 to Town Council that the Town enter into an agreement with the Corps of Engineers to implement the proposed storm damage reduction dune project and work with property owners and the Town to properly adjust the easement line and that the Town focus on and come to an agreement, passed by Ordinance if required, to provide appropriate access to property owners over the dunes and the beach. Mayor Pro Tem Moore moved to enter into such an agreement with the Army Corps of Engineers, seconded by Councilwoman Smyer and unanimously approved.

L. First Reading of Ordinance 2019-02 Prohibiting the Use and Distribution of Single-Use Plastic Bags, Plastic Straws, Polystyrene Coolers, Polystyrene Food Containers or Polystyrene Cups by Any Business Establishment in the Town of Edisto Beach, Any Property of the Town of Edisto Beach or on the Public Beach of the Town of Edisto Beach – Mayor Pro Tem Moore moved to defer the First Reading of Ordinance 2019-02 to the March Council meeting. Councilman Kizer seconded the motion. Councilwoman Smyer stated, “I feel like so much ground work has been done. I know that there are still some questions. I feel like what’s there could be handled even after a first reading, and I am so afraid of what the Legislature might do before we have time to pass this, even though it’s not moving quickly right now, I understand that. I don’t know how quickly the Legislature can move. I don’t know the State Legislature. But I hate to put it off just in case.” Mayor Pro Tem Moore said, “I’m not against this by any stretch of the imagination, Patti and I met today, I have a lot of questions about the type of Ordinance and what’s in it. I get a little afraid that we’re going to write an Ordinance and then we’ll decide what’s going to go in it later. That worries me a little bit...” Mayor Darby called for the vote and the motion to defer passed 4 – 1 with Councilwoman Smyer opposed.

M. Building Code Effectiveness Grading – Patrick Brown, Building Code Official updated Council and those in attendance on the recent audit. The Town went through an audit with Building Code Effectiveness Grading System in October of 2018. The Town is classified as a 3 for businesses and a 3 for residential buildings. According to a local insurance company, this will save a local property owner an average of 3 1/2 % on their homeowner’s insurance.

N. Extension of Master Services Agreement with American Engineering – Mayor Pro Tem Moore moved to approve the extension of the Master Services Agreement with American Engineering for two years. Councilwoman Hornsby seconded the motion, which was approved unanimously.

Planning Commission

A. First Reading of Ordinance No. 2018-14 to Establish the Standards for the Placement of Small Wireless Facilities in Covered Areas in the Town of Edisto Beach, South Carolina; And for Other Purposes – Councilman Kizer moved to approve the First Reading of Ordinance No. 2018-14, which

establishes rules regarding the use of small cell facilities on Edisto Beach. Councilwoman Hornsby seconded the motion, which was unanimously approved.

Committee Vacancies

A. Accommodations Tax Advisory Board – 1 vacancy – Stephanie Jumper, an At Large member of the Board, has resigned. Mayor Pro Tem Moore moved to approve advertising this vacancy, seconded by Councilwoman Smyer and approved unanimously.

B. Water and Sewer Committee – 1 vacancy – Councilman Kizer moved to approve advertising the vacancy, seconded by Mayor Pro Tem Moore and approved unanimously.

Accommodations Tax Advisory Board

A. Town of Edisto Beach, Edisto Beach Cookin’ on the Creek BBQ Festival, \$6,000 – Councilwoman Smyer moved to approve the ATAX Board’s recommendation to grant the Town’s request for \$6,000. These funds will provide necessary electrical upgrades and advertising for the Festival. Councilwoman Hornsby seconded the motion which was unanimously approved.

Departmental Reports and Committee Update

Due to the length of the agenda Mayor Darby asked the Department Heads to defer their departmental reports at the meeting. Information was given to the Municipal Clerk to be included in these minutes.

Administration

	Received	Spent
General Fund	62.16%	57.91%
Water Fund	84.41%	48.17%
Wastewater Fund	76.26%	55.42%

Building

	January - 18	January - 19	YTD
Business/Rental License Fees	\$27,046.06	\$4,159.51	\$40,064.22
New Construction Permits	1	0	10
Other Permits	15	22	172
Permit Fees	\$4,844.50	\$7,193.00	\$43,986.00
Inspections	32	45	319

Fire

Volunteer Firefighter President Mike Casey updated Council on the Volunteers and outlined goals for the department. Training will be a focus of the Volunteer Fire Department this year, as will chain of command. Compliance for volunteers, by way of NIMS, CPR and other necessary qualifications will be stressed throughout the year. The importance of attendance at meetings and participation of volunteers will also be emphasized.

Calls	January - 18	January - 19	YTD
Medical	8	7	146
Fire-related	6	3	78
EMS/Misc	46	33	344
Beach Wheel Chairs	0	0	66
Water Rescue	0	0	8
Welfare Checks	32	31	219

Police

	January - 18	January - 19	YTD
Miles Patrolled	9,458	10,315	71,252
Incidents & Calls for Service	86	59	760
Calls for 2 or More Officers	22		
Property Checks	863	1,324	3,939

Utilities and Public Works

	January -18	January - 19	YTD
Pumped MG Water	10.89	5.70	
Treated MG Wastewater	2.55	2.81	
Water Line Repairs	1	5	
Work Order Repairs	59	30	

In the Public Works Department, twenty trash cans were replaced. Beach access trash cans were bleached and washed. Several beach accesses were graded and holes were filled. Old and damaged dog boxes were replaced. Sand fencing was repaired from the 100 block to the 600 block of the beach.

Edisto Chamber of Commerce

- The Chamber Facebook page has 4,216 likes and the post on February 14 reached 4,714 people. The February 5 video reached 17,000 people.
- On February 16, 2019, Pressley's will hold the 3rd Annual Grits Cook-Off at 4:00 p.m.
- On February 23, 2019 the Edisto Island Community Association Oyster Roast will be held at 5:00 p.m. at the Edisto Community Center.
- The 5th annual Edisto Golf Tournament will be held at the Plantation Course will be held on February 25, 2019. Contact the Pro Shop for more information.
- Learn to build your own rain barrel at the Edisto Environmental Learning Center on March 2nd at 10:00 a.m.
- Toni Carrier, Director of the Center for Family History at the International African American Museum and founder of Lowcountry Africans will present a program titled, "If Only I Had Known: Avoiding Beginner Mistakes in Genealogy" at New First Baptist Church on March 5th at 7:00 p.m.

- On March 9 Green Boat Liquor Store will hold the 3rd Annual Mac and Cheese Cook-Off. Proceeds will go to First Responders. See the Green Boat Facebook page for more details.
- The 8th Annual Edisto Beach Road Race will be held March 16th at 8:30 a.m. The Course begins in Wyndham on King Cotton Road.
- The Ducks Unlimited Annual Dinner will be held on March 16, 2019 at 6:00 p.m. at Bay Creek Park. See the Edisto Ducks Unlimited Facebook page for more details.

Public Comment

Buddy Smith – Mr. Smith expressed his concern over the proposed Army Corps project, mainly with the perpetual easements. Mr. Smith stated, “We are getting ready to make a decision that will effect this community, this beach, the environment and the character forever.” The unknowns of the federal government and expectations of things to come should also be taken into consideration. Mr. Smith indicated that there are many on the beach who are not clear on what the proposed project entails. “I think the way this is rolled out is very important, when people don’t know really what the issues are or what we are doing...” Mr. Smith offered his help to relay information to the public.

Executive Session

Mayor Pro Tem Moore moved to go into Executive Session to discuss the following items:

A. Discussion incidental to contractual negotiations or other matters covered by the attorney-client privilege. (Robert Doub, Utilities Director) S.C. Code § 30-4-70(a)(2)

B. Discussions incidental to contractual negotiations or other matters covered by the attorney-client privilege. (Fire Department) S.C. Code § 30-4-70(a)(2)

C. 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 Worker’s Compensation. (Judson Davis, III) S.C. Code § 30-4-70(a)(2)

D. Discussion regarding annual pay adjustments in positions in all departments. S.C. Code § 30-4-70(a)(1)

The motion was seconded by Councilman Kizer and unanimously approved.

Councilwoman Smyer moved to exit Executive Session, seconded by Councilwoman Hornsby and approved unanimously.

Councilwoman Hornsby moved to authorize Mayor Pro Tem Moore to handle the mediation of the Worker’s Compensation case involving Judson Davis, III. Councilwoman Smyer seconded the motion, which was unanimously approved.

New Business Continued

A. FY 2018-2019 Budget Adjustments – Mayor Pro Tem Moore moved to approve the FY2018-2019 Budget Adjustments which are attached to these minutes, seconded by Councilman Kizer and approved unanimously.

Adjournment

Mayor Pro Tem Moore moved to adjourn the meeting, seconded by Councilwoman Hornsby and unanimously approved.

The public/media was informed of the location, date and time of the meeting on Thursday, February 7, 2019.

APPROVED BY TOWN COUNCIL

Deborah Hargis, Municipal Clerk
March 14, 2019