

MINUTES  
JUNE 13, 2019  
PUBLIC HEARING  
5:30 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.*

Mayor Darby called the meeting to order.

- I. **Second Reading of Ordinance No. 2019-06 to Amend Section 82-33 of the Town's Code to Adjust the Rates for Water Service** – There were no public comments on this item.
- II. **Second Reading of Ordinance No. 2019-07 to Amend Section 66-8(c) of the Town's Code to Adjust Solid Waste Fees** – There were no public comments on this item.
- III. **Second Reading of Ordinance No. 2019-10 to adopt the Fiscal Year 2019-2020 Budget for the Town of Edisto Beach, South Carolina for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020** – There were no public comments on this item.
- IV. **State Park Annexation Public Comments** –  
George Kostell, 1805 Mitchell Street – Mr. Kostell told those in attendance that as an engineer, he relates better to numbers. He stated the number of times the Edisto Beach Police Department had to go to Walterboro for court appearances due to the arrest of State Park visitors had not been provided by the Town, and suggested it be provided. Mr. Kostell said, “We’re told the solution to this is the annexation of the Park. In life, there are many solutions to many problems, not all. We’re not told of any other potential solutions. Are there grants out there that could be funded for overtime? Are there other budget manipulations that could be done... But nothing has been put forward quantitatively on that.... I urge Council to put forward information.” Mr. Kostell asked Council to make available as much information as possible so that rumors would not continue to be spread about the proposed annexation.  
Bob Sandifer, 502 Jungle – “The primary justification presented by the Town for the annexation is to potentially avoid having to go to Walterboro anytime there is an arrest in the Park by the Town police and the Park rangers and a court appearance is required. Please note that there are also other reasons that such a trip to Walterboro would be necessary including when a suspect is to be incarcerated in Colleton County jail. How can this seemingly minor imposition of attending court justify such a major change and disruption as the annexation of the Edisto Beach State Park? Surely the Town can find a less disruptive way to mitigate these impacts. For example, why not hire the additional personnel needed for this? Also, it is claimed that there is no additional cost to the Town from the annexation. How can the Town develop and administer the zoning and building codes for 1255 additional acres without any cost impacts? Typically one would assume additional personnel would be needed to handle the impact from the Town essentially doubling the size of its footprint. The cost impact of the annexation must be measured against the costs to mitigate the impact of dealing with the issue of attending court in Walterboro for Park arrests. If the cost is greater with annexation, then don’t annex! Also, potential development is a serious concern. How can this 1255 acres be further protected? Conservation easements, etc.? Are there other motivations prompting this annexation tied to new

development in the Park property or facilitating water system infrastructure development for areas contiguous to the Park property which would lead to significant property value increases as well as the development in the adjoining areas? We are indeed nervous about this! We don't need more development. Based on the current available information, I stand opposed to the proposed annexation. Thank You."

Kyle Bullock, Edisto Beach State Park - Mr. Bullock stated that originally this whole annexation, was brought about as a mutual benefit between the previous management and the Town. It was a mutual agreement when we came together on this. The annexation will make our current professional and friendly relationship with the Town of Edisto Beach State Park official. We are clear-cut neighbors...part of our mission is to help our neighbors and help our community out any way we can. Even though the Park would be a common zone if this is passed, Edisto Beach State Park will continue to be operated and governed by the State Government. That also covers engineering, with any kind of building. Not only would this annexation benefit and cooperation between law enforcement and emergency services, but also with disaster recovery. You recall with past back-to-back storms, the State Park was closed for over a year with Matthew, and was only open for eight days before Irma hit. There were a lot of times the Town reached out to the State Park to help, but unfortunately because of not being annexed, not being zoned, there's separate paperwork, so we couldn't just take that help from the Town. It's a matter of filing paperwork. We also know that when the State Park was closed for that time, that had negative impacts on the community, on businesses. Edisto Beach is a special place, but if the Park is not open, that does have negative impact. Lastly what I would like to finish up with what I touched on – the purpose of the State Parks in South Carolina is to be catalysts in our state's local economies. Our State Parks were put in places for conservation and for protection. We are part of the ACE Basin. With the State Park, including Hunting Island, we're about conserving what we have, our 1255 acres. That's our mission and our goal. "I would like to end with our current and long-standing mission statement of Edisto Beach State Park to provide a quality outdoor recreational experience with emphasis on conservation, education and interpretation of the natural and cultural resources of the park and surrounding ACE Basin while managing the park in a way that promotes stewardship towards the resource and maintains the integrity of the fragile coastal environment."

Jerry Ives, South Carolina State Park Service Regional Chief – "I'm here representing not only Edisto Beach State Park but the coastal region and the State of South Carolina and the Park Service. For us, the most important thing about this is that it really is a partnership. I believe that Edisto (State Park) serves this community in a great and wonderful way. I think it also provides a place for tourists to come here to go and enjoy the park. It really is about partnership, it's about us working together to make sure we're providing that service to the community and to those who visit Edisto Beach State Park. Columbia and our State Park system is in support of this, we think it would be a great benefit to both the Town and for the state. I couldn't really say much more, Kyle mentioned the fact that Edisto Beach State Park, even if we annex with the Town, we would still be Edisto Beach State Park. We still are governed by the state, everything from our state laws to the way we manage our parks, our mission statement, everything that we do, is still guided by that mission and that will never change regardless of if we're in the Town of the County."

Connie Austin, Palmetto Road, the Neck – "I just want to reiterate our historical significance for the State Park there is tremendous historical significance. It was part of the Civilian Conservation Corps. It is a Historic National Landmark. It's on the National Registry of Historic Places. It has four miles for handicapped people to access that is the longest in the state of South Carolina. That's an amazing thing for people who are handicapped to be able to see. I want the State Park to remain undeveloped, as it is, it is a beautiful place. It is an anchor for this island."

David Cannon, 2802 Point Street – “This hearing is the first step in an annexation approval package. The town is obviously proceeding headlong toward annexation. The question is why as there is little or no benefit to the Town and the probability of expenses and liability associated with annexation. If there is no benefit to the Town and, as the Town has stated, there is no interest on the part of the Town of the Park in developing the property, why even consider this proposal. Why has the Town gone to the trouble to assess the reasons why development of the park is not feasible: Town’s limited water and sewer capacity, current zoning restrictions, current differences in Town codes vs. Park rules? The stated benefit to the Park is to eliminate the necessity of Park rangers of going to court in Walterboro in connection with an arrest in the Park. State law is cited as the reason these court cases cannot be handled in the Edisto Beach Magistrate’s Court. I ask that the Town provide a written copy of the State Law cited as it makes so little sense as to be incredible. This expenditure of effort on behalf of annexation raises a lot of red flags given the history of development initiatives for the Park property in the past. Case in point. The convention center with hotel accommodations proposed several years ago. This proposed development would have required water and sewer which would have to be supplied by the developer given the Town’s inability to do so. At the time, there was no issue with ownership of the land or annexation and it probably would have happened but for the outcry against it. The project was obviously feasible and unopposed by SC Park officials. With the right zoning, nothing would stand in the way of the development of the Park property if the Park saw reason to allow it. This is a bad deal for the Town with nothing to be gained and a lot of expense and liabilities being assumed. As to Town codes and zoning preventing development once the Park is annexed all that has to happen is for the election of a majority of development friendly councilmen and two votes and a hearing and the door will be thrown open for development. I love Edisto Beach just as it is and nothing will destroy it faster than too many people crowding in. Spring Grove is going to be bad enough; why would we want to make it worse? We have nothing to gain by annexation and everything to lose. We’ve got to drop the whole idea of annexation; it shouldn’t have gotten this far.”

Patrick Brown, Town of Edisto Beach – Mr. Brown stated that he had signed up to speak to address any zoning question and things he heard. “This would not be the only opportunity to get public comment. A rezoning would require the Planning Commission and a Public Hearing. So there would be another opportunity for the public to weigh in on it. Also I heard about how the building codes would be handled in the State Park. The park is a state entity and they are handled by the State Engineers’ Office, so the flood ordinance and any building that goes on in there would not take away from my time in the Town. It would be handled by the State Engineers’ Office. Zoning would be minimal enforcement. I would say that out of the 47 State Parks we have, I don’t know of any that have been developed. The Town’s zoning would seem to provide a layer of protection to the State Park to keep that from happening.”

George Brothers, Town of Edisto Beach – Police Chief George Brothers addressed Council and those in attendance and stated, “A few years ago the former manager of the State Park and I were talking about some of the issues that we had there and we said, ‘What if we did this?’ So yes, it’s true, court in Walterboro was the catalyst for the idea to come up. I think it will be brought up here shortly, there are many pluses to the annexation that come on top of this. I’ve been asked, ‘Well, how many times has it really happened where you have to go to Walterboro and your officers are not down here on Edisto Beach?’ It’s like a hurricane. It only takes one. The first time our officers are in Walterboro in court and somebody calls 911 because a house is being broken into. That’s the problem. I don’t know when that could happen or when it won’t happen. If we hired another officer, or two officers, are they going to be working at the right time, when this happens? I don’t know. I can tell you, and I’ve got the numbers and Iris will have the numbers tomorrow, how many calls we go on in there, how many

people we've arrested in there, and it's not many, but again, how many times does it take? I've been asked how many tickets we write the State Park. We don't write any tickets in the State Park, because we don't have jurisdiction in the State Park. Through mutual aid with Colleton County, we go and can take care of an incident when requested by the County. So the State Park will call 911 or call the County and they call and say, 'We need you to go handle this.' That gives us the jurisdiction to handle **that** incident. I can't go in there and write somebody a ticket for reckless driving unless they call us. So, the numbers aren't great because of that. This (annexation) will clean a lot of that up. But the most important thing I think for the Park and us, as Kyle said is to clean up that relationship. We have a very good relationship with them, we're in there almost every day patrolling, just as we patrol in those areas of the County for the Sheriff's Office and that's an important relationship that we've got to keep going and anything that we can do to improve it I think is important to us and the County. We're already in there, the fire service already provides service in there, of course County EMS is handling that side of it so those services are being provided to the Park by the Town, so it's not going to be an additional workload for my officers. It does help that they can set court here... even for the Park, they have some officers there that can write tickets. They're just like us, they can't really afford to go running up to Walterboro to go to court. It would be much easier for them to come here to our court as well. So, that's just the beginning of it. There's much more benefit to the annexation besides just law enforcement. That was just the catalyst."

Marie Bost, 509 Palmetto Boulevard – "My comments have already been said."

Lloyd Bray, 7965 Russell Creek Road, Edisto Island Preservation Alliance (EIPA) Vice Chair – Mr. Bray read into the record the following, from Barbara Gould, Chair, Edisto Island Preservation Alliance: "In Re: Resolution of the Edisto Island Preservation Alliance in Opposition to the Proposal to Annex the Edisto Beach State Park into the Municipal Limits of Edisto Beach. Dear Mayor Darby: At its meeting on June 3<sup>rd</sup>, 2019, the Board of Directors of the Edisto Island Preservation Alliance ("EIPA"), a quorum being present and voting, unanimously passed a resolution opposing the proposal to annex the state park into the town limits. Prior to the vote, the board thoroughly discussed the proposal and studied all the information and documentation available to us at the time. If more information should be forthcoming, we are certainly open to taking it into consideration as well. From the date of its original organization, EIPA has always had Town of Edisto Beach residents and one or more members of the Town Council as voting members of its Board of Directors. We continue to strive to be a voice for all of Edisto Island, beach and unincorporated areas alike. In the absence of any substantial justification or explanation for such a major ballooning of the corporate limits of the town, we respectfully request that the annexation proposal be denied. Sincerely, Barbara Gould, Chair, Edisto Island Preservation Alliance."

Iris Hill, Town Administrator, Town of Edisto Beach – When we first heard comments back from the public regarding the annexation, and I know when you say 'annexation' it strikes fear in a lot of people. That's something that's understandable, because Edisto's been Edisto, the way it is, for a long time.... One thing that I think that most people don't understand is that we have a professional and a personal relationship with the State Park. This is the way to make it official. We are providing services to the State Park; fire, police, water, garbage. They are getting the services from us, but we have no official capacity to do that, except through a handshake and some Mutual Aid Agreements. One thing that came up when we started talking about annexation was water rates. When we dispelled that the water rates were not going to be impacted, because they have a special rate – they are not out of town water customers, then the concern became development. I talked to the Director of the State Park, and their mission is conservation and preservation. I pulled the Colleton County Comprehensive Plan, the Edisto Beach Comprehensive Plan and we are all proponents of conservation and not proponents of

development. The Neck was the next question that came in... 'This is one step for the Neck to annex into the Town.' Annexation of the Neck does not have to wait until the State Park is annexed to petition the Town for annexation. They do have to follow state statutes, which requires 75% of their ownership petition the Town to be annexed into the Town. We don't go out and ask people to annex into the Town, they would have to petition us. That's very highly regulated by the state. The cost, as most of our department heads have explained, there's really not an additional cost. We do have a cost if our officers have to go to Walterboro to court. We have approached and looked at moving court here, because the public has asked about solutions and that was one of the things we looked at. We are not able to do that. That is not a solution. The State Engineer handles everything that's built in the State Park. You would have additional comments, because this area would have to be rezoned, so it would go to the Planning Commission and through a process. Our cost to codify our Ordinances and also publish the notices would be around \$300. As Kyle mentioned, we do have improved storm recovery efforts. Everybody in this room was impacted by the State Park being closed down for a year. Everybody who rents their home, everybody who owns a commercial business, everybody suffered. We could've gone in and helped the State Park but we weren't part of that entity and they weren't part of the Town. So they have to go through their process through the state. If we did hire additional people, there are certain things it would impact... First if we hired two officers, it would cost upward of \$200,000. That includes the officers' pay and their equipment. If we add more staff, we would also fall into a different category with more federal regulations, which would cost the Town. We did look at this from a cost perspective and what would help us as far as being more efficient as a Town, because I handle the operations for the Town, and believe me, Colleton County gets the majority of the tax money. We get a small portion of the taxes, but we provide all the services, and we **have** to maximize the funding that we have.

Mayor Jane Darby – "These comments were recorded and will be submitted to the state.... At this point, if I hear no other comments, I'll adjourn this public hearing."

*The public/media were notified of the day, time and place of the meeting on Friday, June 7, 2019.*

APPROVED BY TOWN COUNCIL



---

Deborah Hargis, Municipal Clerk  
July 11, 2019