

MINUTES
May 11, 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. Councilwoman Smyer led those in attendance in the Pledge of Allegiance and an invocation.

Approval of Minutes

A. Budget Worksession Minutes, April 13, 2017 – Councilman Moore moved to approve the Budget Worksession minutes, seconded by Councilman Kizer and approved unanimously.

B. Public Hearing Meeting Minutes, April 13, 2017 – Councilwoman Smyer moved to approve the minutes from the public hearing, seconded by Mayor Pro Tem Hornsby and unanimously approved.

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

Special Council Meeting Minutes, April 20, 2017 – Mayor Pro Tem Hornsby moved to approve the minutes from the special Council meeting, seconded by Councilwoman Smyer and unanimously approved.

Proclamation and Presentations

A. Starfish Award – Deborah Hargis – Mayor Darby presented Ms. Hargis with a Starfish Award for her work in reducing the insurance premium paid by the Town.

B. Fifteen Year Service Award – Bob Doub – Mayor Darby presented Mr. Doub with a service pin commemorating fifteen years of service, with thanks from Council. Mr. Doub thanked current and previous mayors and council members and administrators for their support.

Old Business

A. Second Reading of Ordinance No. 2017-09 to Establish a Procedure for Invocations Prior to Town Council Meetings – Councilwoman Smyer moved to approve the second reading of Ordinance No. 2017-09 to establish a procedure for invocations prior to meetings, seconded by Mayor Pro Tem Hornsby and approved unanimously.

New Business/Appearances

A. First Reading of Ordinance No. 2017-13 to Adopt the FY2017-18 Budget (By Title Only) – Councilman Kizer moved to approve the first reading of Ordinance No. 2017-13 to adopt the FY2017-18 budget by title only, seconded by Councilman Moore and unanimously approved.

B. Resolution No. 2017-R12 to Adopt the Local Comprehensive Beachfront Management Plan – Councilman Moore moved to table Resolution No. 2017-R12 to Adopt the Local Comprehensive Beachfront Management Plan, seconded by Councilwoman Smyer and approved unanimously.

C. Survey Report No. 9 Annual Beach and Inshore Surveys Monitoring Year 9 – Councilwoman Smyer moved to accept Survey Report No. 9, seconded by Councilman Kizer and unanimously approved.

D. Civic Center Thermostat Policy – Mayor Pro Tem Hornsby moved to approve the civic center thermostat policy, seconded by Councilman Moore. The policy addresses minimum and maximum thermostat settings, with “special exceptions” made as staff availability allows. Councilwoman Smyer noted her disagreement with the policy, stating “I think that a renter should have the right to request the temperature that they would like the room to be, and even if we don’t give out keys, I think that they should at least be able to request their temperature.” Mayor Darby called for the vote and the motion was approved 4 – 1 with Councilwoman Smyer opposed.

E. Myrtle/Fort Street Debris Pick-up – Councilwoman Smyer moved to table addressing the debris pickup on Myrtle and Fort Streets until there is more evidence of it occurring. Councilman Kizer seconded the motion. The motion passed 3 – 2, with Mayor Darby and Mayor Pro Tem Hornsby opposed. After some discussion, Councilwoman Smyer stated she would like to be notified when there are complaints of debris in the road.

F. First Reading of Ordinance No. 2017-14 to Make Certain Amendments to the Town’s Purchasing Regulations as Found in code of Ordinances Section 2-204 – Councilman Moore moved to approve the first reading of Ordinance No. 2017-14 to Make Certain Amendments to the Town’s Purchasing Regulations as Found in Code of Ordinances Section 2-204, seconded by Mayor Pro Tem Hornsby and approved unanimously.

G. Award of RFP 2017-10 Edisto Beach Sand Fence and Beach Plantings Project – Mayor Pro Tem Hornsby moved to approve the award of RFP 2017-10, Edisto Beach Sand Fence and Beach Plantings Projects to Earth Balance at a cost not to exceed \$105,555 to be paid from the beach nourishment project fund and authorize the Town Administrator to negotiate and execute the contract, seconded by Councilman Kizer and approved 4 - 0 with Councilman Moore recused. Earth Balance was not the lowest bidder on the project but is able to start right away. The lowest bidder could not start until mid-July.

H. Award of RFP No. 2017-02 Repair Beach Accesses 17, 19 and 32 – Councilman Kizer moved to approve the award of RFP No. 2017-02, Repair Beach Accesses 17, 19 and 32, to Terry W. Hoff Construction at a cost not to exceed \$72,261.25 and authorize the Town Administrator to negotiate and execute the contract, seconded by Mayor Pro Tem Hornsby. Of the \$76,251.25, \$24,750 is budgeted from Hospitality Funds and the Town has requested the remaining \$22,761.25 be appropriated from ATAX funds. Mayor Darby called for the vote and the motion was approved unanimously.

I. Award of RFP No. 2017-07 Bay Creek Park and Civic Center Cleaning Services – Mayor Pro Tem Hornsby moved to approve awarding RFP No. 2017-07, Bay Creek Park and Civic Center Cleaning Services, to Phoenix Home Care LLC, and authorize the Town Administrator to negotiate and execute the contract. The scope of the services was increased, as is reflected in the increase in price. Since these services are tourism-related, they can be partially paid with tourism-related funds. Administrator Hill and Kelly Moore have already begun negotiating with Phoenix Home Care and have made some modifications, resulting in a reduction in price. Mayor Pro Tem Hornsby moved to approve the award of RFP No. 2017-07 to Phoenix Home Care LLC and for the Town Administrator to negotiate and execute said contract. Councilman Moore seconded the motion, which was unanimously approved.

J. Special Event Application Edisto Water Sports Shark Tournament – Mayor Pro Tem Hornsby moved to approve the special event application from Edisto Water Sports to hold a shark tournament on June 10, 2017 and provide a \$2,000 sponsorship for the event to be paid from the Alcohol Permitting Fund. Councilwoman Smyer seconded the motion, which was approved unanimously.

K. First Reading of Ordinance No. 2017-15 to Amend 14-31 of the Town's Code to adopt the Swimming Pool Code – Councilman Kizer moved to approve the first reading of Ordinance No. 2017-15 to Amend 14-31 of the Town's Code to adopt the Swimming Pool Code, seconded by Councilman Moore and unanimously approved.

L. Special Event Application – Berny Magahee – Edisto Music Festival – Mr. Magahee request Council approval of the Edisto Music Festival to be held July 1 and 2, 2017, at Bay Creek Park. The event host plans to sell beer and wine and the event will feature bands, food trucks and vendors. Councilwoman Smyer moved to approve the special event application, seconded by Councilman Kizer. Councilman Moore expressed concern about the timing of the event, saying, “It’s already crowded out here, everything’s maxed out, the restaurants are maxed out, the businesses are maxed out, that’s their time, that’s their best day of the best week of the best month, to make their business for the year. I’d hate to see us do anything to put a damper on that...I’m concerned about traffic, I’m concerned about the infrastructure.... I think it’s a great idea, but I just think it’s better served...on a different weekend.” Mayor Darby echoed Councilman Moore’s concerns. “This town has long had an objective of having off season events. Our Chamber has asked for that, merchants have asked for that, during...the off season. My concern is when I have to look at the general safety of the beach, my big concern is, not enough police, ambulance, fire, and until we get our water in, water is an issue. If we have a fire, we’re going to have to cut water to somebody.” Councilwoman Smyer stated, “This is a festival that is being planned that is a rarity in that they have not asked for any ATAX funds, they have not asked the town to waive the park fees, I don’t know who does that, they are going to pay the town between (I have to look at the new fees) \$600 - \$1500 for the rental of the park and they will have to pay us \$1.00 per admission, so the town is going to make money. I do understand the concern that this is our biggest weekend of the year, and I know that this music festival will not bring in more people, unless it’s day trippers, because I think the rental companies are already booked out. But I think it would be a wonderfully fun thing to entertain all those people who are here, who might possibly leave the beach on a Saturday night and go to Charleston for other entertainment and spend their money elsewhere rather than staying here where there’s not special entertainment on a special weekend. I have met with Mr. Magahee and talked to him about my concerns about enough parking and enough security and he has shown me two maps where he has lined out what looks like it would be enough parking, what looks like it fully complies with our current biggest music festival that we have, where we haven’t had a

problem, and he has also already gone toward having two security people and is open to having more if that's necessary. So I feel like he's met all the concerns that we have and I feel like we should give it a try." The motion was defeated 2 – 3 with Mayor Darby, Mayor Pro Tem Hornsby and Councilman Moore voting against.

M. TIDE Committee Recommendation – Horseshoe Crab Sign – Councilwoman Smyer moved to approve the recommendation to post signs with information on horseshoe crabs at beach accesses 32 – 37 for a limited amount of time. Councilman Moore seconded the motion, which was unanimously approved.

Planning Commission

A. First Reading of Ordinance No. 2017-16 to Amend Sections: 86-214(c)(1)(a), 86-214(c)(1)(b), 86-3, 86-186(1)(c), 86-175 of the Town of Edisto Beach Code of Ordinances – Section 86-214(c)(1)(a) deals with Temporary Contractor signs and changes the language that the signs must be removed in 15 days after certificate of occupancy rather than 30 days; Section 86-214(c)(1)(b) deals with yard sale signs and adds yard sale sign language under temporary signs. Section 86-214(c)(3) provides that way finder signs can be used to provide orientation, traffic control or direction to civic organizations in a commercial district, and Town-owned parks; Section 86-3 adds the definition for yard sale signs; Section 86-186 adds language providing that accessory structures be included under the impervious surface footprint (this does not add impervious area, it just provides that an accessory structure can use part of the impervious surface footprint, if not already used); Section 86-175 removes language requiring one parking space for each private boat or personal watercraft. This space is no longer necessary since boat captains dock their boats at the Marina and are not trailering them in. Councilman Moore moved to approve the first Reading of Ordinance No. 2017-16 with the stipulation that the change to Section 86-175 be removed. Mayor Pro Tem Hornsby seconded the motion, which was approved unanimously.

Committee Vacancies

A. Planning Commission – Tom Edens – Mayor Pro Tem Hornsby moved to approve the application of Everett Smith, seconded by Councilman Moore and approved unanimously.

B. Beachfront Management Committee – A vacancy on the Beachfront Management Committee was advertised in error. Currently, there is no vacancy on the committee, but applications will be kept for future vacancies.

Accommodations Tax Advisory Board

A. Town of Edisto Beach, Bell Property Annual Bond Debt, \$50,000 – Mayor Pro Tem Hornsby moved to approve the unanimous recommendation of the ATAX Board to grant the Town's application for \$50,000 to pay the interest portion of the Bell Property debt. Councilman Kizer seconded the motion, which was approved unanimously.

B. Town of Edisto Beach, Beach Access Walkover Repair, \$22,761.25 – Councilman Moore moved to approve the unanimous recommendation of the ATAX Board to grant the Town's application for \$22,761.25 to help fund the beach access walkover repair for beach accesses 17, 19 and 32. The Town applied for and was awarded a coastal access improvement grant from the SC Department of

Health and Environmental Control, Office of Ocean and Coastal Resource Management for \$24,750. The Town's match for the grant is \$24,750 to be paid from Hospitality Funds. The low bid for the project was \$72,261.25, which equals an unfunded difference of \$22,761.25. Mayor Pro Tem Hornsby seconded the motion, which was unanimously approved. The Town has resubmitted this request to FEMA and if it is funded by FEMA, the Town will reimburse the ATAX funds.

C. Town of Edisto Beach Police Department, Beach Patrol 2017, \$8,500 – Councilwoman Smyer moved to approve the unanimous recommendation of the ATAX Board to grant the Police Department's request for \$8,500 to help fund the 2017 Beach Patrol, seconded by Councilman Kizer. The motion was approved unanimously.

D. Town of Edisto Beach Police Department, Additional License Plate Recognition Camera, \$6,000 – Councilman Moore moved to approve the unanimous recommendation by the ATAX Board to grant the Police Department's request for \$6,000 to purchase a license plate recognition camera for vehicles exiting the beach. Mayor Pro Tem Hornsby seconded the motion, which was unanimously approved.

Departmental Reports and Committee Updates

Administration

Town Administrator Iris Hill gave the financial report for April 2017.

	Received	Spent
General Fund	65.34%	79.34%
Water Fund	87.23%	77.48%
Wastewater Fund	77.39%	86.67%

Municipal Clerk Deborah Hargis gave the Facebook and FOIA report for April 2017.

	March 2017	April 2017
Facebook likes	7,569	7,739
FOIA requests	4	7

FOIA requests were received from Ken Cramer, Alice Gale, Carter Coyle, Robbie Savage, Tommy Mann and Jimmy King (2).

Building

Building Codes Administrator Patrick Brown gave the Building report for the month ending April 30, 2017.

	April - 16	April -17	YTD
Business/Rental License Fees	\$22,796.77	\$12,862.70	\$315,856.06
New Construction Permits	0	1	10
Other Permits	46	33	412

Permit Fees	\$3,864.50	\$8,011.70	\$71,528.70
Inspections	35	40	461
Bay Creek Park	\$2,435.00	\$2,065.00	\$10,135.00

Fire

Fire Chief Denney Conley gave the report for April 2017.

Calls	April - 16	April - 17	YTD
Medical	17	13	170
Fire-related	6	6	93
EMS/Misc	30	81	635
Beach Wheel Chairs	5	5	80
Water Rescue	3	4	21
Welfare Checks	30	29	263

Police

Police Chief George Brothers gave the report for April 2017.

	April-16	April -17	YTD
Town Parking Tickets		30	295
Alarm Calls	11	14	137
Calls for 2 or More Officers	25	33	201
Miles Patrolled	7,150	7761	72,895
Assaults	2	0	7
Larcenies	5	5	19
Burglaries	6	1	8
Incidents & Calls for Service	149	195	1,635
Animal Control	4	2	7
Property Checks	962	787	9,888
CDV Arrest	0	0	2

Officer Lee Hanley has submitted his resignation. His last day is May 24, 2017. Officer Kaitlyn Morris will graduate from the Criminal Justice Academy the Friday before Memorial Day.

Utilities

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

	April - 16	April - 17	YTD
Pumped MG Water	10.36	13.47	106.07
Treated MG Wastewater	3.22	5.72	23.18

Water Line Repairs	6	2	21
Work Orders	87	52	395

Public Works

Public Works Director, Bob Doub, gave the report for April 2017.

	April- 16	April - 17	YTD
Mowed Acres	33.75	9.29	100.68
Cleaned Ditches	4,247 feet	0 ft	15,323ft
Roll Carts Delivered	14	51	148

Chamber of Commerce

Lisa Harrell, Chamber Director, gave the report for the month of April 2017.

- A new sign has been ordered for the beach side of the McKinley Washington Bridge.
- The kiosk in the parking lot of Mason Law Firm is being updated.
- The Edisto Chamber dinner will be held on June 14, 2017.
- On May 23, 2017, there will be a blood drive at the Civic Center.
- On May 27, 2017, the Edisto Beach Volunteer Fire Department will hold its annual Fish Fry at the Lions Club on Myrtle Street.
- On May 27, the 12th Annual Rum Run and Wing Walk will be held to benefit the Edisto Food Pantry. More information is available on the Chamber website.
- Music at the Marina will be held every weekend.
- On June 3, the Turtle Fest will be held at the State Park from 10:00 a.m. – 1:00 p.m.
- On June 5, the Jenny Gowan show and art exhibition will be held at the Edisto Museum
- On June 6, Bingo starts at the Lions Club.
- On June 6, the sea turtle night walks will begin and continue every Tuesday, Thursday and Saturday from 9:00 – 11:00 p.m. through June and July. (meet at State Park Beach Access)
- The Bay Creek Arts and Crafts Market is every Wednesday in June.
- On June 10, the Shark Tournament with Edisto Water Sports will be held
- On June 11, the first Arts in the Park will take place at Bay Creek Park at 5:00.

Mayor Darby introduced Al Jenkins from Senator Tim Scott’s office. Mr. Jenkins is the new Regional Director for Senator Scott.

Mayor Darby announced that David Smalls, formally of the Colleton County Chamber of Commerce is now the head of the Legislative Delegation office.

Public Comment Period

David Cannon – Mr. Cannon spoke to Council about the length of groins 26 and 27. After a brief history of the area, Mr. Cannon requested that Council consider finding the funds to lengthen those two groins by five and six feet respectively.

Berny Magahee – Mr. Magahee thanked Councilwoman Smyer and Councilman Kizer for supporting his special event application. He told Council he would be taking their comments into consideration and finding another weekend to have the event.

Executive Session

Councilman Moore moved to go into executive session, seconded by Councilwoman Smyer and unanimously approved.

A. Contractual – Revenue Bond [SC Code 30-4-70a(2)]

B. Legal Advice Regarding Property Lot 7, Block UU, Lot 7, Block YY, Lot 8, Block YY [SC Code 30-4-70a(2)]

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

Mayor Darby made the motion to move ahead with condemnation of property Lot 7, Block UU, Lot 7, Block YY and Lot 8, Block YY for the purpose of constructing, erecting and providing for a reverse osmosis water treatment facility for the benefit of the citizens of the Town of Edisto Beach and provide for additional parking for the use of citizens at Town Hall. Mayor Pro Tem Hornsby seconded the motion, which was approved unanimously.

Adjournment

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

The media/public was informed of the date, time and location of the meeting on Friday, May 5, 2017.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
June 8, 2017