

MINUTES
JULY 11, 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, June 13, 2019** – Councilwoman Smyer moved to approve the minutes from the Public Hearing on June 13, 2019, seconded by Councilwoman Hornsby and approved unanimously.
- B. **Regular Council Meeting, June 13, 2019** – Councilman Kizer moved to approve the minutes from the regular Council meeting held on June 13, 2019, seconded by Mayor Pro Tem Moore and unanimously approved.

Proclamations and Presentations

- A. **State of the Town Address – Mayor Jane S. Darby** – Mayor Darby presented the state of Edisto Beach to those in attendance and watching via the Facebook live stream.

“Good evening, I am Mayor Jane Darby. With me this evening are our councilmembers, Mayor Pro Tem Crawford Moore, Susan Hornsby, Jerome Kizer and Patti Smyer. Also in attendance are our department directors, Police Chief Brothers, Fire Chief Conley, Building Official Patrick Brown and Utilities Department Patrick Zemp and Iris Hill, Town Administrator. Without the efforts of these people and the staff of the town with the assistance of volunteers, our town would not have the accomplishments of this past year. It would be impossible to individually list each of the town’s accomplishments of this past year so I will only give a brief overview of the state of the Town and the challenges that we face going forward.

Financially, the Town is recovering from the recession and the impacts of the past 4 years of storms. Our housing prices are rebounding, real estate is selling at a rapid pace and our rental market is improving and expanding to more than just the high summer season. We have now received payment from FEMA for storm recovery with the exception of the beach fencing and planting although it is obligated.

Flooding in areas continues to be a problem especially with torrential rains in short periods of time and during storms. These events are very difficult to remediate due to the base level of some lots and the topography. Our goal is to alleviate flooding which occurs other than during extraordinary events. To this end, the Myrtle Street project has been completed and while it will never be efficient for extraordinary events, the work will function to drain the area faster so that lots do not stay under water for extended periods of time. We have established a priority list of projects where flooding and drainage is a problem. The first two of these are the Yacht Club Road area and the Billow/Arc/Neptune area. The first area has

been budgeted and will be completed with town staff. A study of the second area has been budgeted and will be completed this year. This should give us the information needed to plan remediation for these streets. Other areas to be remediated will be planned in each year's budget cycle.

The water project is in the process of drying in the building so that the mechanisms for the reverse osmosis can be installed. The system is to be completed in the fall. The only impediment to a swift changeover is the testing that is required by DHEC before human consumption. We will continue to work with DHEC to expedite the process, however some chemical tests require a time-consuming process in the lab. We will have an official opening ceremony with water featured as the primary refreshment!

DHEC is also in the draft and public hearing stage of adopting the revised Jurisdictional Line process. I served on the committee and was able to advance some change, although we did not get all that we wanted. The committee was composed of academics, coastal engineers, Town administrators, and various state organizations. The legislature mandated that the committee define a dune and provide for a simplified method of measurement with recognition that our coast has significant differences in our beach fronts. In the new draft is recognition of pedestrian and emergency breaks in the dune line which was a major issue for us. Also the continuous length has been modified. Measurements and evaluation of the beach will be delayed after a storm and during the process of completing a beach nourishment as long as a communities plan is permitted by DHEC. A public hearing for our area will be held tonight, July 11 in Charleston and we have a representative present. The next hearing will be in Hardeeville on July 18 at 5 pm.

As part of the Beach front plan, the committee defined the height and slope of a dune and stipulated that the dune must have established vegetation. The town has been working to meet some of these stipulations by planting sea oats and installing sand fencing to capture sand.

The next step to lessen the impacts of the Jurisdictional Line Review for the homeowners is to modify the profile of the dune. We have been working with the Army Corp of Engineers to design a dune project for storm protection. The Corp has \$22,000,000 in funds encumbered for Edisto Beach. We have modified the design of the plan to exclude the sound area since it is an inlet zone. By partnering with the Corp, in the event of a storm, our expenses to recover the beach would have 100% federal funding. This is a vast difference from the previous four years when the town had to provide matching funds for FEMA. Without this project and the steadily increasing cost of nourishment, there would only remain three other legal options: the first would be to do nothing which would endanger many properties; second would be to assess each property owner a beach maintenance fee; or to have an approved referendum for securing a bond. Being a small town, our bonding capacity is relatively low so all our capacity would be designated for one project for a lengthy period of time.

Periodically we evaluate the standard operating procedure, the needs and service improvements for a town department. This year was the rotation for the Edisto Beach Fire Department. Skills testing, that was delayed due to the storms, was scheduled and completed. We are pleased to report that the results were encouraging, and we did not have to resort to have Colleton County step in to staff the department if any of our staff had failed to qualify. As part of the evaluation, the by-laws, training, schedule and operating procedure of the EBVFD have been revised and improved.

We continue to monitor the future Spring Grove Development to assess any impacts on our town. To this point, the development plan has been signed, all the property has been sold, a forestry/agricultural permit for some timbering has been issued and a ten-acre log yard for been approved for storing the timber and bringing in equipment. There are currently no permits for construction.

The Town was approached by the former park superintendent with a letter of petition to annex into the town following a conversation with the State Park director, the park superintendent, and the police chief due to jurisdictional police and safety issues. This was placed on the back burner due to our storm recovery and recently confirmed that this request was still open. The Town is still evaluating the pros and cons of this request and has only provided the requested paperwork for SCPRT which must make their request to the state and then would have to be considered by the Town. Opposition to the annexation has been mounted by the fear of development of the park and costs to the town without due diligence on the part of some of the opposition. Please read the mission of SCPRT, wait for the pros and cons for the town before making a conclusion and address any concerns or questions to the town. This is a lengthy process and is nowhere close to a vote. Additionally, I would remind you that the park and the town have cooperated on many mutually beneficial projects including a grant and cost sharing for the beach nourishment.

We have asked each committee to project a long-range budget for any future projects so that we can plan a responsible balanced budget. The TIDE committee is in this process. To assist this effort, they have applied for a Master Plan Study for the bike paths, parks, beach accesses and streetscape. Additionally, at the request of this committee, the town has removed briars, vines and other invasive vegetation from several of the beach accesses. Some accesses have been opened for golf cart parking. Two beach mats have been installed on beach accesses 1 and 16 as a test of the durability and appropriateness for our environment as they are of a significantly lower cost than wooden walkovers.

Also, this past year we have instituted a golf cart registration process, passed an ordinance to limit single use plastic and Styrofoam products in our environment, replaced some street lights with LED luminaries with more planned for the protection of the turtles, made improvements and repairs at Bay Creek park and the civic center and designed a more user friendly updated town website. We also were saddened by the retirement of two longtime valued employees, Bob Doub and Maxine Burton who will be missed due to their expertise and dedication to the town.

Finally, in closing I would like to express our gratitude to our committee members and volunteers who generously serve our town. Without these people many of these accomplishments would not have been possible. We are proud of our council, staff, citizens and organizations who work every day to protect our Edisto as the place that we know and love.”

New Business

- A. Memorandum of Agreement for the Provision of Secure Detention Services with the Department of Juvenile Justice Detention Center for Fiscal Year 2019-2020** – Mayor Pro Tem Moore moved to approve the annual contract with the Department of Juvenile Justice for juvenile detention services. Councilwoman Hornsby seconded the motion, which was approved unanimously.
- B. State of Emergency Exempt Employee Overtime** – Councilwoman Smyer moved to approve the removal of the discretionary language from the current employee overtime policy since it is not acceptable for federal grant reimbursement consideration. Overtime will be addressed by the Town Administrator. Councilman Kizer seconded the motion, which was unanimously approved.
- C. Beachfront Management Committee Bylaw Revision** – Councilman Kizer moved to approve the revision of the Beachfront Management Committee Bylaws to increase membership from 3 – 5 members to 5 – 7 members. Councilwoman Hornsby seconded the motion, which was approved unanimously. Mayor Darby asked that Council approve adding Bob Ringer and Dallas Lovelace to the Committee. Councilwoman Smyer moved to approve the two new members of the Beachfront Management Committee, seconded by Mayor Pro Tem Moore and approved unanimously.

- D. Recurring Special Event Form, Edisto Beach Shag Festival** – Councilwoman Smyer moved to approve the recurring special event form for the Edisto Beach Shag Festival at Bay Creek Park on August 31 – September 1, 2019, seconded by Councilwoman Hornsby and unanimously approved.
- E. Edisto Beach Shag Festival Sponsorship** – Mayor Pro Tem Moore moved to approve the sponsorship request from Darrin Moore for \$10,000, assistance with security and all park fees waived. With the sponsorship, the Town of Edisto Beach will be included in all printed promotions, radio, television and digital promotions. This funding was included in the FY 2019-202 budget from Alcohol Permitting fees. One dollar of each ticket sold for this event will be reimbursed to the Town within 30 days of the event. Councilwoman Smyer seconded the motion, which was approved unanimously.
- F. Automated External Defibrillators (AED) Civic Center and Bay Creek Park** – Councilwoman Smyer moved to approve the purchase of 2 AEDs, one for the civic center and one for Bay Creek Park from the Hospitality fund at a cost not to exceed \$1,800 each. Councilman Kizer seconded the motion, which was unanimously approved.
- G. Sea Oat Purchase** – Councilwoman Hornsby moved to approve the purchase of sea oats in the amount of \$2,200 from the Hospitality fund to continue planting the dunes. This is a second round of dune planting. Councilwoman Smyer seconded the motion, which was approved unanimously.
- H. Inflow Covers Purchase** – Councilwoman Smyer moved to approve the purchase of ten inflow covers at \$46.00 each from the sewer Renewal and Replacement fund. With the recent flooding the Town experienced, storm water infiltrated the sewer system requiring staff to work overtime to by-pass pump lift stations. These inflow covers are designed to prevent storm water inflows. Councilman Kizer seconded the motion, which was unanimously approved.
- I. 4x4 48” Mower Purchase** – Councilman Kizer moved to approve the purchase of a 4x4 48” width deck mower for mowing rights of way at a price not to exceed \$11,500. Currently, the Town is using a mower designed to mow Bay Creek Park and the Civic Center that has a 72” deck. A 48” mower is more appropriate for this type of work. This is not a budgeted replacement and would be a new equipment purchase and would be funded out of general fund vehicle replacement and reimbursed from prior year funds under the next budget cycle. Councilwoman Smyer seconded the motion, which was approved unanimously.
- J. Special Event Application, Edisto Art Guild, Arts in the Park** – Mayor Pro Tem Moore moved to approve the special event application from the Edisto Art Guild to hold Arts in the Park on September 14, 2019 from 7:00 – 9:00 p.m. If a fee is charged, \$1.00 from each ticket sold will be reimbursed to the Town. Councilwoman Hornsby seconded the motion, which was unanimously approved.
- K. Civic Center Rates** – Councilwoman Smyer moved to approve the inclusion of a mandatory cleaning fee of \$175.00 in the current Civic Center rental rates. Councilman Kizer seconded the motion, which was approved unanimously.
- L. Commercial Sub Lease Agreement with Subordination with Edisto Art Guild** – Mayor Pro Tem Moore moved to approve the lease agreement with the Edisto Art Guild, seconded by Councilwoman Smyer and unanimously approved.
- M. Agreement Concerning Electric Service Rights Between Berkeley Electric Cooperative, Inc. and Dominion Energy South Carolina, Inc.** – Jennifer Hightower, representing Dominion Energy, and Mark Gaddy from Berkeley Electric, addressed Council concerning the service agreement. The agreement is the first step in a process being carried out throughout the Dominion footprint in collaboration with the cooperatives in the state. Councilman Kizer moved to approve the agreement concerning electric service rights between Berkeley Electric Cooperative and Dominion Energy, South Carolina. Mayor Pro Tem seconded the motion, which was approved unanimously.

Committee Vacancies

- A. Accommodations Tax Advisory Board – 2 vacancies** – Councilwoman Smyer moved to approve the applications of Tyler Von Neida (Hospitality/Lodging) and Leslie Varner Hurley (Hospitality) to serve additional four-year terms on the ATAX Board. Councilman Kizer seconded the motion, which was unanimously approved.
- B. Municipal Elections Commission** – There is still a vacancy on the MEC.
- C. Zoning Board of Appeals – 2 vacancies** – The terms of Lou Rasmussen and Marie Bost expire on September 1, 2019. Mayor Pro Tem Moore moved to approve the advertising of these vacancies, seconded by Councilwoman Smyer and approved unanimously.
- D. Water and Sewer Committee** – A resignation has created a vacancy on the Water and Sewer Committee. Councilman Kizer moved to approve the advertising of the vacancy, seconded by Mayor Pro Tem Moore and unanimously approved.

Departmental Reports and Committee Updates

Administration

Town Administrator Iris Hill gave the Facebook and FOIA reports for the month ending June 30, 2019. There were four Freedom of Information Act Requests during the month of June, one each from Jason Smith, Stephanie Tillerson, Malena Dinwoodie and Ann Swelgin. The Town Facebook page has 13,826 followers and more than 51,000 saw pictures of the flooding on Palmetto Boulevard from the June 12th rain. There was no financial report for the month, but end-of-year information will be provided as soon as the data is available.

Building

Building Codes Administrator Patrick Brown gave the report for June 2019.

	June - 18	June- 19	YTD
Business/Rental License Fees	\$14,103.45	\$38,653.32	\$328,770.80
New Construction Permits	1	0	15
Other Permits	33	26	353
Permit Fees	\$5,676.00	\$3,477.00	\$81,353.50
Inspections	45	47	664

Fire

Fire Chief Denney Conley gave the report for the month ending June 30, 2019.

Calls	June - 18	June - 19	YTD
Medical	37	38	257
Fire-related	35	22	172
EMS/Misc	62	7	661
Beach Wheel Chairs	19	30	111
Water Rescue	0	2	7
Welfare Checks	<u>28</u>	<u>26</u>	<u>385</u>

Police

Assistant Chief Ken Dasen gave the report for the month of June 2019.

	June - 18	June - 19	YTD
Miles Patrolled	10,044	11,122	125,470
Incidents & Calls for Service	213	400	3,207
Property Checks	920	802	9,970
Town Parking Tickets	200	112	533

Sixteen tickets were written for glass on the beach violations, one for a tent on the beach, one for public nudity and one for a vehicle on the beach.

Utilities and Public Works

Interim Director Patrick Zemp gave the reports for the Utilities and Public Works departments reports for June 2019.

	June -18	June -19	YTD
Pumped MG Water	16.25	18.83	154.74
Treated MG Wastewater	7.30	6.93	64.44
Water Line Repairs	4	4	58
Work Order Repairs	35	84	515

Public Works completed 16 trash can orders and performed routine maintenance of Town-owned properties and beach accesses. Special projects included removing sand along Palmetto Boulevard and grading beach accesses after significant rainfall.

Special Projects

Special Projects Coordinator Kelly Moore gave the report for June 2019. Fencing is being installed at Bay Creek Park around the newly acquired area. Mrs. Moore has been busy with Keep Edisto Beautiful paperwork and reports. At the Civic Center, there was one private rental and the Arts in the Park event was moved from the Park to the Civic Center due to weather.

	June - 18	June - 19	YTD
Bay Creek Park	\$1,485.00	\$17,890.00	\$55,799.00
Civic Center		\$1,712.75	\$38,461.00

Chamber of Commerce

Lisa Harrell, Chamber Director, gave the report for the month ending June 30, 2019.

- Arts in the Park will be July 14, 2019 at 6:00 p.m.
- A blood drive will be held at the Civic Center on Tuesday, July 16th.
- The Governor's Cup will be July 17 – 20, 2019.
- A "Living Wild" lecture will be presented by wildlife photographer Hal Looney on July 17th at 7:00 p.m.

- The first book signing of the summer will be held on July 18th at the Edisto Bookstore.
- The Arts and Crafts Market is held every Wednesday except the week of the Governor's Cup from 9:00 a.m. – 4:00 p.m.
- The next Movies in the Park will be held August 7, 2019.

Public Comment Period

Keith Henderson, 607 Portia Street – Mr. Henderson asked Council for their recommendations for dealing with the flooding on the bottom floor of his house. He was told by neighbors that there used to be a ditch at the rear of his property that drained excess water to a nearby lagoon, but that the ditch was no longer there. Mr. Henderson is hopeful the ditch will be reestablished. Mr. Henderson asked who was responsible for the right of way on his property. Administrator Hill said she would check on that. Patrick Brown said he would look to see if the Town had a map or any other information on pipes and ditches on Portia Street and relay the information to Administrator Hill.

Adjournment

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

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

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
August 8, 2019