

MINUTES
NOVEMBER 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.*

Pledge and Invocation

Councilwoman Hornsby led those in attendance in the Pledge of Allegiance and an invocation.

Approval of Minutes

A. Special Called Meeting Minutes, October 8, 2019 – Councilman Kizer moved to approve the minutes of the special Council meeting of October 8, 2019 seconded by Mayor Pro Tem Moore and approved unanimously.

B. Public Hearing Meeting Minutes, October 10, 2019 – Councilwoman Smyer moved to approve the Public Hearing minutes from the October 10, 2019 meeting, seconded by Councilwoman Hornsby and unanimously approved.

C. Regular Council Meeting Minutes, October 10, 2019 – Mayor Pro Tem Moore moved to approve the minutes of the regular Council meeting of October 10, 2019, seconded by Councilman Kizer and approved unanimously.

Proclamations and Presentations

A. Five Year Service Award – Ken Dasen – At the Council worksession, Mayor Darby presented Assistant Police Chief Ken Dasen with a five-year service pin and certificate with many thanks.

Old Business

A. Second Reading of Ordinance No. 2019-25 to Amend Section 66-78 (a) of the Town's Code of Ordinances – Councilwoman Smyer moved to approve the second reading of Ordinance No. 2019-25 to Amend Section 66-78 (a) of the Town's Code of Ordinances dealing with the length of twice-weekly garbage pickup. Councilwoman Hornsby seconded the motion which was unanimously approved.

New Business

A. Oath Of Office – Municipal Judge Tom Weeks gave the Oath of Office to the newly-elected Mayor Jane Darby and the newly-elected Councilmembers Jerome Kizer and Crawford Moore.

B. Election of Mayor Pro Tempore – According to the Town's code, a Mayor Pro Tempore must be elected after each general election. Crawford Moore was elected by unanimous ballot to serve as Mayor Pro Tempore for Council.

C. Annual Financial Report Fiscal Year Ending June 30, 2019 – Eve McCoy, CPA, gave her report for the fiscal year ending June 30, 2019 and was a clean report. The 2019-2020 audit report is posted online at www.townofedistobeach.com/finance-reports.

D. 2020 Meetings and Holidays Schedule – Councilman Kizer moved to approve the 2020 meetings and holidays schedule, seconded by Councilwoman Smyer and approved unanimously.

E. 2020 Council Goal Setting Retreat – Councilwoman Smyer moved to approve holding the 2020 Council Goal Setting Retreat on February 26 starting at 9:00 a.m. in Council Chambers. Councilwoman Hornsby seconded the motion, which was approved unanimously.

F. Resolution No. 2019-R28 to Revise the Freedom of Information act Policy and Request Form – Councilwoman Hornsby moved to approve Resolution No. 2019-R28 to revise the Freedom of Information Act Policy and Request Form. Mayor Pro Tem Moore seconded the motion, which was unanimously approved.

G. Jungle Shores Bike Path – Councilman Kizer moved to add shell sand to the Jungle Shores Bike Path to the elevation of the road. Mayor Pro Tem Moore seconded the motion, which was approved unanimously.

H. First Reading of Ordinance No. 2019-26 to Grant to Dominion Energy, South Carolina, Inc., its successors and assigns, the non-exclusive right, power and authority to erect and to install, maintain and operate on, along, across, in, over, above, upon and under the streets, alleys and other public places of the Town: (1) Electric Lines, poles, wires, guys, push braces, transformers, appurtenant facilities; and (2) communication lines and facilities for any purpose and any use by the company or any designee, together with any necessary right of access thereto, for such period as the same is needed by the company to render service to its customers in the Town of Edisto Beach, South Carolina, from those facilities; to set the amount of franchise fees to be paid by Dominion Energy South Carolina, Inc. to the Town; if so required, to levy franchise fees on third parties selling electricity using the company's electric systems; to allow for the establishment of a fund and underground utility districts for electric non-standard service; be it ordained by the Mayor and Council of Edisto Beach in Town Council assembled – Mayor Pro Tem Moore moved to approve the first reading of Ordinance No. 2019-26, seconded by Councilwoman Smyer and unanimously approved.

I. First Reading of Ordinance No. 2019-27 to Grant to Berkeley Electric Cooperative, Inc., the non-exclusive right, power, and authority to erect and to install, maintain, and operate in, over, under, and upon the streets, alleys, and public places of the Town of Edisto Beach, its electric lines, poles, wires, guys, push braces, and appurtenant electric distribution facilities, whether used to render service to the Town or not, together with any necessary right of access thereto, for such period as the same are needed by the cooperative to render electric service to its customers in the Town of Edisto Beach, South Carolina; also to set amount of the franchise fee to be paid by Berkeley Electric Cooperative, Inc., to the Town of Edisto Beach, South Carolina – Councilwoman Smyer moved to approve Ordinance No. 2019-27, seconded by Councilwoman Hornsby and approved unanimously.

J. Hurricane Dorian – Category G Beach Damages – Councilman Kizer moved to approve the Town's request to apply for FEMA Category G funds for Hurricane Dorian. Mayor Pro Tem Moore seconded the motion, which was unanimously approved.

K. Wastewater Treatment Plant Aerator – Councilwoman Smyer moved to approve the purchase of an aerator for the wastewater treatment plant at a cost of \$3,335.72 from Sewer R&R, seconded by Councilman Kizer and approved unanimously.

L. House Bill 4431, Business Licenses – Councilwoman Smyer moved that Council oppose House Bill 4431 which changes the method by which income is calculated for business licenses from gross income to net income and changes how cities address out-of-city businesses in the business license process. The Town would lose approximately 50% of its business license revenues if the bill were to pass. Councilman Kizer seconded the motion, which was unanimously approved.

M. Selection Committee RFQ No. 2019-09 Stormwater Engineering “As Needed” - Mayor Pro Tem Moore moved to approve the appointment of Councilwoman Hornsby, Iris Hill, Mark Aakhus and Bob Doub to the Selection Committee for RFQ No. 2019-09, Stormwater Engineering “As Needed.” Councilman Kizer seconded the motion, which was approved unanimously.

N. Selection Committee RFQ NO. 2019-10 Architect/Engineer New Town Hall Complex – Councilwoman Smyer moved to approve the appointment of Mayor Darby, Councilman Kizer, Iris Hill, Patrick Brown, Mark Aakhus, George Brothers, Denney Conley and Patrick Zemp to the Selection Committee for RFQ No. 2019-10 Architect/Engineer, New Town Hall Complex. The motion was seconded by Councilwoman Hornsby. Mayor Darby went on to explain that a new Town Hall would not put the Town into debt but would be financed by a Capital Project Sales Tax from Colleton County. Councilwoman Smyer told those in attendance that while pursuing grant funding for beach renourishment it became evident how important “shovel ready” projects are in securing said funding. Mayor Darby called for the vote and the motion passed unanimously.

Committee Vacancies

A. Beachfront Management Committee – Mayor Pro Tem Moore moved to approve the application of Matthew Kizer to serve a second four-year term on the Beachfront Management Committee. Councilwoman Hornsby seconded the motion which was approved 4 – 0 with Councilman Kizer recused.

B. The Image and Design of Edisto (TIDE) Committee – Councilwoman Smyer moved to approve the advertising of the vacancy on the TIDE Committee. Councilman Kizer seconded the motion, which was approved unanimously.

C. Zoning Board of Appeals – Two applications were received for the vacancy created by the resignation of Joe Dreher from the ZBA, one from Pat Kostell and one from Ned Kuntz. Council voted by ballot and Mayor Pro Tem Moore moved to appoint Ned Kuntz to the Zoning Board of Appeals. Councilwoman Hornsby seconded the motion, which was unanimously approved.

Accommodations Tax Advisory Board

A. Edisto Chamber of Commerce – Off Season Marketing and Advertising 2019/2020 - \$50,000 – Councilman Kizer moved to approve the recommendation of the ATAX Board to grant the Edisto Chamber’s request for \$50,000 to fund off season marketing and advertising. Councilwoman Smyer seconded the motion, which was approved unanimously.

B. Town of Edisto Beach, Bay Creek Park Parking Lot Asphalt, \$150,000 – Councilwoman Smyer moved to defer the recommendation of the ATAX Board to fund the paving of the Bay Creek Park parking lot until further information is received. Mayor Pro Tem Moore seconded the motion, which was unanimously approved.

Departmental Reports and Committee Updates

Mayor Darby congratulated Iris Hill on being recognized by the International City Managers Association for thirty years of service.

Administration

Town Administrator Iris Hill gave the financial report for the month ending October 31, 2019

	Received	Spent
General Fund	21.80%	29.73%
Water Fund	2.53%	29.77%
Wastewater Fund	1.45%	27.51%

In the month of October, there were three Freedom of Information Act requests, one each from Tommy Mann, Vanessa Meggett and Mallory Molony. The Facebook page has 17,054 followers and over 24,000 people saw the photograph submitted by Steven Frank posted on October 13th.

Building

Building Code Administer Patrick Brown gave the report for the Building Department for the month ending October 31, 2019.

	October-18	October 19	YTD
Business/Rental License Fees	\$3,119.20	\$3,135.40	\$21,872.48
New Construction Permits	3	0	3
Other Permits	22	37	99
Permit Fees	\$8,728.50	\$5,148.00	\$20,752.00
Inspections	36	50	176

Fire

Fire Chief Denney Conley gave the report for the month of October 2019.

Calls	October-18	October -19	YTD
Medical	24	15	93
Fire-related	18	9	66
EMS/Misc	46	40	187
Beach Wheel Chairs	3	8	60
Water Rescue	1	1	6

Police

	October-18	October - 19	YTD
Miles Patrolled	9,415	8,363	33,211
Incidents & Calls for Service	132	66	557
Property Checks	903	856	3,096
Town Parking Tickets	0	24	296

Utilities

Patrick Zemp, Utilities Director, gave the report for October 2019.

	October-18	October-19	YTD
Pumped MG Water	12.32	12.41	46.68
Treated MG Wastewater	3.98	3.34	7.32
Water Line Repairs	3	5	16
Work Order Repairs	25	21	123

Meter reading started in October and will be finished in November.

Public Works

Patrick Zemp gave the report for the Public Works Department. The Public Works Department has been busy with regular maintenance of town-owned properties. They have also cleaned up the town convenience station, the parking lot for the tennis courts and completed an audit of town signs after Hurricane Dorian.

Special Projects

Special Projects Coordinator Kelly Moore gave the report for the month of October 2019.

	October- 18	October - 19	YTD
Bay Creek Park	\$3,160.00	\$2,030.00	\$7,395.00
Civic Center	\$2,576.00	\$3,257.00	\$6,727.40

Chamber of Commerce

Mayor Darby told those in attendance about upcoming events:

- Explore Edisto Educational Event – Fossil Identification will be held November 22 from 4:00 – 5:00 at 495 Highway 174.
- The Edisto Beach Blood Drive will be held on November 26th from 10:30 a.m. – 5:00 p.m. at the Civic Center.
- The Edisto Island Museum Gift Shop Annual Open House and Sale will be on November 29th from 9:00 a.m. – 4:00 p.m.
- The unveiling of the Giving Tree will be November 30th at With These Hands Gallery.
- Flowers Seafood will hold its 8th Annual Oyster Roast on November 30th from 6:00 – 10:00 p.m.
- Sabal & Oak will host a Sip and Shop on December 3rd from 4:00 – 7:00 p.m.

- There will be free pet vaccines on December 7th from 10:00 a.m. – 2:00 p.m. at New First Missionary Baptist Church. You can also sign up for the spay and neuter clinic that is scheduled for December 11th and 18th.
- The Edisto Community Chorus Christmas Concert will be December 7th from 3:00 – 4:00 and December 8th from 6:00 – 7:00 at the Edisto Beach Baptist Church.
- The Holiday Market and Mingle will be December 13th from noon – 7:00 p.m. at Bay Creek Park. There will be arts and crafts, live music, the Christmas tree lighting and Santa will be there!
- The Edisto Christmas Parade will be held rain or shine on December 14th from 2:00 – 2:30 from the 600 block of Palmetto to the Pavilion.

Public Comment Period

No one was signed in to speak.

Executive Session

Mayor Pro Tem Moore moved to go into Executive Session, seconded by Councilwoman Smyer and unanimously approved to discuss the following:

A. 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 the National Prescription Opiate Litigation. S.C. Code §30-4-70(a)(2)

Councilwoman Smyer moved to exit the Executive Session, seconded by Councilman Kizer and approved unanimously.

Mayor Darby moved to authorize the Town Administrator to execute the opt out for the National Prescription Opiate Litigation Class Action suit in Ohio unless, after discussion with Colleton County's litigation attorney, the Town is advised to remain a Class member. Councilwoman Hornsby seconded the motion, which was unanimously approved.

Adjournment

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

The media/public was notified of the date, place and time of the meeting on Thursday, November 7, 2019.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk

December 12, 2019