

**AGENDA**  
**TOWN OF EDISTO BEACH**  
**MAY 14, 2020**  
**PUBLIC HEARING**  
**5:45 P.M.**  
**REGULAR TOWN COUNCIL MEETING**  
**6:00 P.M.**

- I. **Call to Order**
- II. **Pledge of Allegiance and Invocation**
- III. **Approval of Minutes**
  - A. Regular Council Meeting Minutes, April 9, 2020
  - B. Special Council Meeting Minutes, April 16, 2020
  - C. Special Council Meeting Minutes, April 22, 2020
- IV. **Proclamations and Presentations**
  - A. Five Year Service Award – Sara Simpson
  - B. Starfish Awards - David Cannon, Laurie Sanders and Darrin Moore
  - C. Presentation of Plaque to Outgoing Municipal Judge Thomas Weeks
  - D. New Municipal Judge Susan Williams
  - E. Municipal Association Award (1 – 1,000 population category)
- V. **Old Business**
  - A. Second Reading of Ordinance No. 2020-04 to Amend Section 82-33 to Adjust the Rates for Water Service
  - B. Second Reading of Ordinance No. 2020-05 to Amend Section 82-139 to Adjust the Rates for Sewer Service
- VI. **New Business**
  - A. First Reading of Ordinance No. 2020-15 to Adopt the Budget for Fiscal Year 2020-21 for the Town of Edisto Beach, South Carolina for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021.
  - B. First Reading of Ordinance 2020-16 To Amend Section 66-8 (c) to Adjust Fees for Garbage Collection and Transportation.
  - C. State and Subrecipient Public Assistance Funding Agreement COVID-19 (FEMA-4492-DR-SC)
  - D. AirMedCare Network Municipal Site Membership Agreement
  - E. Indigent Defense Contract Renewal
  - F. Garbage Container Roll In/Roll Out Service Contract Renewal
  - G. Highway 174 Litter Removal Contract Renewal
  - H. Emergency Decal Policy
  - I. Award of RFP No. 2019-10, Architectural Service for Edisto Beach Town Hall
  - J. Award of RFP No. 2020-03, Professional Tank Maintenance Program
  - K. Award of RFP No. 2020-04 Fire Station Barracks Remodel
  - L. Transfer of Funds Road Maintenance Dolphin and Fort Streets
  - M. First Reading of Ordinance No. 2020-17 to Amend Section 78-36 Penalty for Parking Violations.
  - N. Work Authorization No. 1 Billow/Arc Streets Stormwater Project
  - O. Bay Creek Park Market Fee for 2021
  - P. Civic Center Rates
  - Q. Bay Creek Park Rental Rates
  - R. Special Council Meeting, May 19, 2020 at 10:00 a.m.

- VII. Committee Vacancies**
  - A.** Planning Commission, 1 vacancy
  - B.** Accommodation Tax Advisory Board – 2 vacancies

- VIII. Public Comment**

- IX. Executive Session**

- A.** Emergency Ordinance No. 2020-18 regarding COVID-19
  - B.** Receipt of legal advice protected by the attorney-client privilege related to the Rhinehart lawsuit

**Upon Returning to Open Session, Action May Be Taken By the Council on Items Discussed During the Executive Session**

- X. Adjournment**

V A

No. 2020-04

**TOWN OF EDISTO BEACH**

**AN ORDINANCE**

**TO AMEND SECTION 82-33 OF THE TOWN'S CODE TO ADJUST THE RATES FOR WATER SERVICE**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Edisto Beach, South Carolina, in Council duly assembled that Section 82-33 of the Town's Code be amended to read as follows:

Sec. 82-33. Rates and regulations.

(a) Each residence or other building which is located within 100 feet of any water main shall be connected thereto and shall utilize the same for water purposes. Such connection shall be forthwith made; and for the purposes of the penal provisions of this article, each day during which such building shall not be connected to such water main shall be a separate offense and punishable as provided in this article.

(b) Until changed pursuant to appropriate action of the council, the following shall be the schedule of semi-annual rates or charges for the water services afforded by the waterworks system:

**WATER RATES  
RESIDENTIAL AND COMMERCIAL**

TABLE INSET:

	0--24,000	24,000 to 48,000	48,000 to 72,000	72,000 plus
Residential	\$249.18	\$2.78	\$3.10	\$3.46
Business/docks	\$249.18	\$5.53	\$6.21	\$6.93
Outside town limits	\$498.40	\$9.46	\$10.63	\$11.82
State park	\$1,024.64	\$8.33	\$9.30	\$10.35
Water for irrigation	\$249.18	\$5.53	\$6.21	\$6.93

This ordinance shall take effect upon final reading.

\_\_\_\_\_  
Jane S. Darby, Mayor

First Reading: 3/12/2020

ATTEST:

Final Reading: \_\_\_\_\_

\_\_\_\_\_  
Deborah Hargis, Municipal Clerk

Public Hearing: \_\_\_\_\_

Approved as to form: \_\_\_\_\_

VB

No. 2020-05

TOWN OF EDISTO BEACH

AN ORDINANCE

TO AMEND SECTION 82-139 OF THE TOWN'S CODE.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that Section 82-139 of the Town's Code be amended to read as follows:

Sec. 82-139. Sewer rates.

(a) Until changed pursuant to appropriate action of the council, the following shall be the schedule of rates or charges for the sewer services afforded by the town sewage works:

TABLE INSET:

Gallons	Rate per billing cycle
0--6,000, semi-annual, minimum	\$214.62
Over 6,000, semi-annual, per 1,000	\$3.57

(b) The minimum fee would be billed in semi-annual billing cycles in advance for the period beginning June 1 and for the period beginning December 1. Sewage use in excess of the minimum is billed in arrearage for the period ending May 31 and the period ending November 30 respectively.

This ordinance shall take effect upon final reading.

Jane S. Darby, Mayor

First Reading: 3/9/2020

ATTEST:

Final Reading:

Deborah Hargis, Municipal Clerk

Approved as to form:

**AN ORDINANCE TO ADOPT THE BUDGET FOR FISCAL YEAR 2020-21 FOR THE TOWN OF EDISTO BEACH, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021**

WHEREAS, Subsection 3 of Section 5-7-260 of the South Carolina Code of Laws, 1976, as amended, requires that municipal council shall act by ordinance to levy taxes and adopt a budget pursuant to public notice;

NOW THEREFORE, BE IT ORDAINED by the governing body of the Town of Edisto Beach, in Council duly assembled, and by the authority of the same, that the following provisions are hereby adopted and enacted:

Section 1. The prepared budget and estimated revenues for the payment of the same totaling \$7,645,149 with the revenues equaling expenditures is hereby adopted and made a part of hereof as if fully incorporated herein and a copy therefore dated June 1, 2020, is attached hereto.

Section 2. The tax levy for the Town of Edisto Beach Fiscal Year 2020/2021 shall be 24.07 mills.

Section 3. All other appropriations are adopted thereof.

Section 4. The billing dates, penalty dates and amount of penalty which shall be levied for delinquent taxes shall be as follows:

Taxes are due from the 30th day of September through the 15th day of January. Taxes are delinquent on the 16th day of January with a 3% penalty added, on the 2nd day of February another 7% penalty added, and on the 17th day of March another 5% added.

Pursuant to the contract for the tax year of 1986, the Town of Edisto Beach appoints the Colleton County Treasurer as its agent for collection of taxes and penalties.

Section 5. Nothing herein shall prohibit the Town Council to authorize the transfer of appropriated funds from line item to line item within the General Fund, Water Fund, Sewer Fund or Civic Center Fund as necessary to achieve the goal of the budget. Amendments to the budget may be enacted by resolution of Town Council as it deems necessary and appropriate. The Town Administrator may authorize the transfer of appropriated funds not to exceed \$2,000 within departments as necessary to achieve the goal of the budget.

Section 6. If, for any reason any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining portions thereof.

Section 7. This ordinance shall become effective immediately upon approval by Town Council.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF EDISTO BEACH  
ON THIS 13th DAY OF JUNE 2019.

\_\_\_\_\_  
Jane S. Darby, Mayor

ATTEST:

\_\_\_\_\_  
Deborah Hargis  
Municipal Clerk

First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Final Reading: \_\_\_\_\_

Approved as to form: \_\_\_\_\_

TOWN OF EDISTO BEACH

AN ORDINANCE

TO AMEND SECTION 66-8(c) OF THE TOWN'S CODE.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in Council duly assembled that Section 66-8(c) of the Town's Code be amended to read as follows:

1. Section 66-8(c) is amended to read as follows:

Sec. 66-8. Fees.

(c) The fee structure for residential or nonresidential property owners within the Town is as follows:

	Fee
All residential property owners (first container).....	\$299.00
Each additional container.....	\$202.00

The fees are billed semiannually in advance at a rate of \$149.50 for the first container and \$101.00 for each additional container.

This ordinance shall take effect upon final reading.

\_\_\_\_\_  
Jane S. Darby, Mayor

First Reading: \_\_\_\_\_

ATTEST:

Final Reading: \_\_\_\_\_

\_\_\_\_\_  
Deborah Hargis, Municipal Clerk

Public Hearing: \_\_\_\_\_

Approved as to form: \_\_\_\_\_



VIM

**TOWN OF EDISTO BEACH  
AN ORDINANCE  
TO AMEND SECTION 78-36 OF THE TOWN'S CODE TO ADJUST THE  
PENALTY FOR PARKING VIOLATIONS**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Edisto Beach, South Carolina, in Council duly assembled that Section 78-36 of the Town's Code be amended to read as follows:

Sec. 78-32. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Operator* means and includes every person who shall operate, drive or be in control of any vehicle upon any street.

*Park* means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

*Vehicle* means and includes every device in, upon or by which any person or property is or may be transported or drawn upon a highway. A bicycle, 4-wheel pedaled vehicle, motorized skateboard, mo-ped, motor scooter, motor bicycle, motorcycle, and golf cart shall be termed a 'vehicle'.

(Ord. of 5-14-87, § 1(12-100); Ord. of 9-10-98(2), § 2)

**Cross reference**— Definitions generally, § 1-2.

Sec. 78-33. - Parking prohibited.

- (a) Each of the following streets or portions of streets lying within the town shall constitute a no parking zone:
  - (1) Baynard Street Access.
  - (2) 410 feet west on Jungle Road beginning at Highway 174 intersection.
- (b) The council may create, add to, change or eliminate any no parking zone by resolution.
- (c) No person shall cause, allow or permit any vehicle registered in his name or any vehicle controlled or operated by him to park within a no parking zone, except a service vehicle operator actively engaged in his duties.

(Ord. of 5-14-87, § 1(12-102))

Sec. 78-34. - Signs required.

The provisions of sections 78-32 and 78-33 shall not be enforced on any street until that street has been posted with signs as required by S.C. Code 1976, § 56-5-720.

(Ord. of 5-14-87, § 1(12-103))

Sec. 78-35. - Stopping, standing, or parking prohibited in specified places; exceptions.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

- (1) Stop, stand or park a vehicle:
  - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  - b. On a sidewalk;
  - c. Within an intersection;
  - d. On a crosswalk;
  - e. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
  - f. On roadway where no on-street parking is provided; or
  - g. At any place where official traffic control devices prohibit stopping.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
  - a. In front of a public or private driveway;
  - b. Within 15 feet of a fire hydrant;
  - c. Within 20 feet of a crosswalk at an intersection;
  - d. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite any fire station within 75 feet of the entrance when properly signposted;
  - e. At any place where official traffic control devices prohibit standing; or
  - f. Within 20 feet of an intersection.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
  - a. At any place where official traffic control devices prohibit parking;
  - b. At any of the public beach access parking facilities between the hours of 11:00 p.m. and 6:00 a.m., with the provision that specific exceptions may be granted by the council for emergency vehicles or others involved in public service functions, and further provided that this time restriction shall not apply to the Thistle Street public beach access;
  - c. For the purpose of displaying the vehicle for sale, advertising of any nature without proper authority or washing, greasing or repairing the vehicle except for emergency repairs.

(Ord. of 5-14-87, § 1(12-104); Ord. of 11-10-94, § 1; Ord. of 7-11-96(1), § 1; Ord. of 10-8-98(2), § 1; Ord. of 12-13-01, § 1; Ord. No. 2009-15, 6-11-09)

Sec. 78-36. - Penalty for violations.

- (a) Any person who violates or fails to comply with the parking provisions of this section shall be fined \$50.00 for each offense, provided the fine is paid within 30 calendar days of the date of the citation. The fine shall then be increased to \$100.00 for each offense on the 31st calendar day after the date of the citation. Failure to pay the fine by the 60th day after the date of the citation shall result in the

issuance of a summons for court appearance with the fine to be in the discretion of the court but not to exceed \$200.00 for each offense.

- (b) Any person who violates or fails to comply with the provisions of section 78-33 shall be fined \$50.00 for each offense, provided the fine is paid within 30 calendar days of the date of this citation. The fine shall be increased to \$100.00 for each offense on the 31st calendar day after the date of the citation. Failure to pay the fine by the 60th calendar day after the date of the citation shall result in the issuance of a summons for court appearance with the fine to be in the discretion of the court but not to exceed \$200.00 for each offense.
- (c) Any person who violates or fails to comply with the provisions of section 78-35(1)a—f, (2)a, c—e shall be fined \$50.00 for each offense, provided the fine is paid within 30 calendar days of the date of the citation. The fine shall be increased to \$100.00 for each offense on the 31st calendar day after the date of the citation. Failure to pay the fine by the 60th calendar day after the date of the citation shall result in the issuance of a summons for court appearance with the fine to be in the discretion of the court but not to exceed \$200.00 for each offense. Any person who violates or fails to comply with section 78-35(2)b, parking within 15 feet of a fire hydrant, shall be fined \$75.00 for each offense provided the fine is paid within 30 calendar days of the date of the citation. The fine shall be increased to \$150.00 for each offense on the 31st calendar day after the date of the citation. Failure to pay the fine by the 60th calendar day shall result in the issuance of a summons for court appearance with the fine to be in the discretion of the court but not to exceed \$300.00 for each offense.

(Ord. of 5-14-87, § 1(12-105); Ord. of 11-10-94, § 2; Ord. of 4-10-97(2))

This ordinance shall take effect upon final reading.

\_\_\_\_\_

Jane S. Darby, Mayor

First Reading: 5/14/2020

ATTEST:

\_\_\_\_\_

Final Reading: \_\_\_\_\_

Deborah Hargis, Municipal Clerk

Public Hearing: \_\_\_\_\_

Approved as to form: \_\_\_\_\_