

MINUTES
DECEMBER 10, 2020
REGULAR TOWN COUNCIL MEETING
6:00 P.M.

Town of Edisto Beach
Town Hall
2414 Murray Street
Edisto Beach, SC 29438

Present in person: Jane S. Darby, Mayor, Crawford Moore, Mayor Pro Tempore, Jerome Kizer, and Patti Smyer, Council Members. *Quorum of Council Present.*

Pledge of Allegiance and Invocation

Councilwoman Smyer led those present in the Pledge of Allegiance and an invocation.

Councilwoman Smyer moved to add to the agenda a vacancy on the TIDE Committee. Councilman Kizer seconded the motion which was approved 4 – 0.

Mayor Pro Tem Moore moved to add to the agenda the award to Patrick Brown from the Coastal Codes Enforcement Association of South Carolina. Councilman Kizer seconded the motion which was approved 4 – 0.

Approval of Minutes

Councilman Kizer moved to approve the minutes of the November 12, 2020 Council meeting, seconded by Mayor Pro Tem Moore, and approved 4 – 0.

Presentations and Proclamations

A. Fifteen Year Service Award, Jim Mellersten – Mayor Darby announced the presentation of a certificate and pin to Jim Mellersten commemorating his fifteen years of service to the Town of Edisto Beach. Mr. Mellersten was thanked on behalf of Council.

B. Beautification Award – Robert Redfearn – Mayor Darby announced the presentation of a certificate on behalf of The Image and Design of Edisto (TIDE) Committee to Robert Redfearn for his beautification efforts at the corner of Jungle and Highway 174.

C. Coastal Code Enforcement Association of South Carolina Member of the Year Award 2020 – Patrick Brown, Building Codes Official, was recently awarded the 2020 Member of the Year Award from the Coastal Code Enforcement Association of South Carolina, International Code Council Chapter. Council commended Mr. Brown on this accomplishment.

New Business

A. Government Wide Financial Statements and Other Financial Information for the Year Ended June 30, 2020- Bill Hancock from the Brittingham Group presented the results of the audit for the year ended June 30, 2020. Mr. Hancock notified Council that the audit is materially correct and commended the staff of Edisto Beach, in particular, Krystal Parsons, Budget/Financial Analyst on a job well done. The Brittingham Group has given the Town an unmodified or clean opinion. The Town has met all bond covenants and has a surplus. Mayor Pro Tem Moore moved to accept the audit for the year ending June

30, 2020 seconded by Councilman Kizer and approved 4 – 0. Council reiterated Mr. Hancock’s commendations to Town staff.

B. First Reading of Ordinance 2021-02 to Amend Section 38-101 of the Code of Ordinances of the Town of Edisto Beach to include the definitions of “electronic smoking device” and “e-liquid” and “vapor” product and amend the definition of “smoking” – Councilwoman Smyer moved to approve the first reading of Ordinance 2021-02 to Amend Section 38-101 of the Code of Ordinances of the Town of Edisto Beach to include the definitions of “electronic smoking device” and e-liquid” and “vapor” product and amend the definition of “smoking.” Mayor Pro Tem Moore seconded the motion, which was approved 4 – 0.

C. Amendment to the Solid Waste Collection and Transportation Agreement between the Town of Edisto Beach and Republic Services of South Carolina – Mayor Pro Tem Moore moved to approve the amendment to the solid Waste Collection and Transportation Agreement between the Town of Edisto Beach and Republic Services of South Carolina. This amendment removes the convenience station attendant duties from the agreed-upon services and credits the Town \$2,500 per month. The Town has hired Lyons Contract Service, LLC to manage the convenience station. Councilwoman Smyer seconded the motion, which was approved 4 – 0.

D. Award RFP No. 2020-08 – Fence Convenience Station and Water Plant – Councilman Kizer moved to approve the award of RFP No. 2020-08, Fence Convenience station and Water Plant, to Maner Fence for \$46,360 (4110.6500 - \$21,380 and 5100.6500 - \$24,980) and authorize the Town Administrator to negotiate and execute said agreement. Funds were budgeted in the FY 2020-21 budget under capital projects. (4100.6500 - \$29,000) (5110.6500 - \$25,000)

E. Emergency Ordinance 2020-27 requiring that face coverings be worn in certain circumstances in the Town of Edisto Beach – Councilwoman Smyer moved to approve Emergency Ordinance 2020-27 requiring that face coverings be worn in certain circumstances in the Town of Edisto Beach during the COVID-19 public health emergency. This emergency Ordinance extends the face covering requirement for 60 days. Councilman Kizer seconded the motion, which was approved 4 – 0.

F. 2007 General Obligation Bond Refunding – Mayor Pro Tem Moore moved to approve the initiation of the refunding of the 2007 General Obligation Bond. With the Town’s AA+ General Obligation Bond rating, if the Town re-funds this bond, the town will realize an approximate 12.8% savings on the remainder of the payments which terms in 2037. This does not extend the term date of the original bond. The general obligation bond funded the purchase and improvements to Bay Creek Park. Councilwoman Smyer seconded the motion, which was approved 4 – 0.

G. Commercial Sublease between the Town of Edisto Beach and the Edisto Art Guild – Mayor Pro Tem Moore moved to approve the commercial sublease between the Town of Edisto Beach and the Edisto Art Guild. This is a two-year lease renewal of the Hammocks Room at the Civic Center. Pricing was adjusted to be consistent with the previous sublease agreements. Councilwoman Smyer seconded the motion, which was approved 4 – 0.

H. First Reading of Ordinance 2021-03 to Amend Section 2-201, Section 2-215(J) and Section 2-218(A) of the Town’s Code of Ordinances to Provide the Purchasing Agent with Authority to Award Small Purchases and Clarify Purchases in the Amount of \$25,000 or more Require Town Council Approval for Award – Councilman Kizer moved to approve the first reading of Ordinance 2021-03 to Amend Section 2-201, Section 2-215(J) and Section 2-218(A) of the Town’s Code of Ordinances to Provide

the Purchasing Agent with Authority to Award Small Purchases up to \$10,000 and clarify purchases up in the amount of \$10,000 or more require Town Council approval for award. Mayor Pro Tem Moore seconded the motion which was approved 4 – 0.

Committee Vacancies

A. Water and Sewer Committee – 1 vacancy – There is still a vacancy on the Water and Sewer Committee. The Town will continue to advertise.

B. Beachfront Management Committee – 1 vacancy – Councilwoman Smyer moved to approve the application submitted by Pat DeLoach for the vacancy on the Beachfront Management Committee. Councilman Kizer seconded the motion which was approved 4 – 0.

C. TIDE Committee – Archie Livingston has resigned from the TIDE Committee. Mayor Pro Tem Moore moved to approve advertising the vacancy, seconded by Councilman Kizer and approved 4 – 0.

Departmental Reports

Administration

In the month of November, there were seven Freedom of Information act requests: one each from Kim Moredock and Chris Hollowell, two from William Hackett and three from Sammie Sherman.

	Received	Spent
General Fund	32.72%	43.93%
Water Fund	10.26%	34.17%
Wastewater Fund	8.90%	37.78%

Building

	November 2019	November 2020	YTD
Business/Rental License Fees	\$3,825.40	\$5,578.50	\$72,462.62
New Construction Permits	1	3	12
Other Permits	22	22	144
Permit Fees	\$3,680.00	\$16,691.00	\$50,332.00
Inspections	67	39	249

Fire

Calls	November 2019	November 2020	YTD
Medical	14	17	114
Fire-related	7	0	6
EMS/Misc	27	16	164
Beach Wheelchairs	5	3	59
Water Rescue	0	0	6
Welfare Checks		4	35

Police

	November 2019	November 2020	YTD
Miles Patrolled	11,389	10,004	46,851
Incidents & Calls for Service	69	67	798
Property Checks	1,019	1,218	4,765
Town Parking Tickets	9	29	374

Utilities

	November 2019	November 2020	YTD
Pumped MG Water	11.53	13.00	102.52
Treated MG Wastewater	2.98	3.14	22.72
Water Line Repairs	3	3	23
Work Order Repairs		50	175

Public Works

In the month of November 2020, the Public Works department was busy replacing beach access roll carts with the newer, brown carts, cleared right of ways, and inspected and repaired Christmas lights for Palmetto Boulevard. They also assisted Dominion in installing the Christmas lights. Road grading is currently in progress, with Jungle Shores having been completed.

Special Projects

	October 2020	November 2020
Edisto Civic Center	\$5,118.05	\$4,521.30
Bay Creek Park	\$4,684.00	\$1,115.00

Public Comment

The following submissions were received:

Kathy Klopp "I would like to see the council consider a smoking ban on the beach. At this point IOP and Sullivans both have smoking bans. Folly Beach and Myrtle Beach are both in the process of developing one. As a full time resident, I live in an ocean front home and I see the amount of cigarette butts left on the beach every day. It is significant. Use of our beach is growing especially as other beaches impose parking limits and alcohol/smoking bans. We need to protect this beautiful resource."

Robert Long "It is time to end any new calls for mandatory face coverings. This issue should be left up to the individual citizen concerning his or her health and not the business of city government. Business owners should be allowed to make their own choice as to require face coverings at their place of business. These individual rights are set forth in the U.S. Bill of Rights and South Carolina Constitution. We are a nation of government by and for the people. Any government be it City, State or Federal is not Constitutionally permitted to propose any edict or dictate that tramples our freedom as U.S. citizens."

Bob Sandifer “Your agenda for the 12-10-2020 Town Council meeting lists ordinance 2021-03 for first reading approval in which the Town’s Purchasing Agent or an ‘officer of the Town’ designated by the administrator, is able to approve ‘small purchases’ in the amount of up to \$25,000 without Town Council review and approval. Why are you doing this now after ‘all these years’? This, in our opinion, is unnecessary and opens the door for abuse of our budget process. We urge you to recognize this and reject the proposal. One final question: who is qualified to be an ‘officer of the Town’?”

Executive Session

Mayor Pro Tem Moore moved to go into Executive Session to discuss the items listed below. Councilman Kizer seconded the motion which was approved 4 – 0.

A. 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 Sea Island Elevator, LLC v. Patrick Brown and Town of Edisto Beach lawsuit, S.C. Code §30-4-70 (a)(2)

B. Discussion of negotiations incident to proposed contractual arrangements related to Family Dinner, LLC and Over the Bridge, LLC Hospitality Taxes, S.C. Code §30-4-70 (a)(2)

C. Discussion of negotiations incident to proposed contractual arrangements related to 1209 Thistle Street Utility Fees. S.C. Code §30-4-70 (a)(2)

D. Discussion of negotiations incident to proposed contractual arrangements related to 426 Highway 174 Utility Fees, S.C. Code §30-4-70 (a)(2)

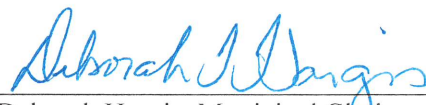
No action was taken on any of the matters discussed in Executive Session.

Adjournment

Mayor Pro Tem Moore moved to adjourn the meeting, seconded by Councilwoman Smyer, and approved 4 – 0.

The public/media were notified of the location, date, and time of the meeting on Friday, December 4, 2020.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
January 14, 2021