

MINUTES  
October 8, 2015  
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, Pete Anderson, and Patti Smyer, Council Members; *Quorum of Council Present.*

Mayor Darby called the meeting to order, followed by the Pledge of Allegiance and prayer by Councilman Anderson.

**Approval of Minutes**

Councilwoman Smyer moved to approve the minutes of the Public Hearing on September 10, 2015, seconded by Councilman Anderson. The motion was approved unanimously. Councilwoman Hornsby moved to approve the minutes of the Regular Council Meeting on September 10, 2015, seconded by Councilman Anderson. The motion was approved unanimously.

**Proclamation and Presentations**

Mayor Darby presented Firefighter Linda Hoff with a five-year service award, with thanks and congratulations from Council.

**Old Business**

**A. Department of Transportation Projects Update** – Bob Doub, updated those in attendance on the DOT projects impacting Edisto Beach. The first project is scheduled to begin in late December/early January with the resurfacing of Highway 174 approximately one mile before the McKinley Washington Bridge and one mile after the McKinley Washington Bridge. The second project is the Department of Transportation Enhancement Grant for Highway 174 Accessible Sidewalk Phase V Project. Awarded on January 19, 2012, for \$400,000 with matching C-funds from Colleton Transportation Commission in the amount of \$321,165, the area is from Baynard to Atlantic on the landward side of Palmetto Boulevard. The project is scheduled to begin after the first of the year. Signage will be placed along the street after the Christmas parade on December 12, 2015. The next project is the C-fund Drainage Improvement Project, which consists of \$250,000 from Colleton Transportation Commission funds. According to the project manager, the Edisto drainage and paving project is currently in its preliminary design phase. Although the project has a relatively small budget, it is surprisingly complicated due to the drainage and permitting issues involved. They are still on track to meet the schedule with bid

opening in the fall of 2017. This drainage project is for Myrtle Street (the north end from Lybrand to where the paving ends and the south end which is the gravel road and Sunset Street). The next project is ACT-98 Resurfacing Project. This is a \$1,183,000 ACT98 funds project for the replacements of bridges at Store Creek, Sand Creek and Russell Creek. According to the project manager, these are scheduled to be bid in December with a start date around March of 2016. This project may be delayed due to recent issues with bridges in other parts of South Carolina.

**B. Keep America Beautiful/Lowe's Grant Update** – Patrick Brown updated Council and those in attendance on the \$20,000 grant. Due to recent flooding events, the Keep America Beautiful Grant may be delayed. If it remains on track, work will begin at Bay Creek Park and causeway beautification on October 15.

### **New Business/Apearances**

**A. Memorandum of Agreement between South Carolina Department of Transportation and the Town of Edisto Beach** – Councilwoman Hornsby moved to approve the Town Administrator execute an agreement with the Department of Transportation to allow the Town to provide protective emergency services regarding a first push of debris on state-maintained roads after a qualifying event. Councilwoman Smyer seconded the motion which passed unanimously.

**B. Maintenance and Landscaping Agreement between the South Carolina Department of Transportation and the Town of Edisto Beach** – Councilwoman Smyer moved to authorize the Mayor to execute an agreement with the Department of Transportation to provide maintenance and landscaping for the causeway beautification project. Councilman Anderson seconded the motion, which was approved unanimously.

**C. Worth Authorization No. 4 Amendment Jungle Shores Drive Waterline Extension** – Councilman Anderson moved to authorize the Mayor to execute work authorization #4 as amended to provide additional construction oversight for an additional cost of \$17,600 totaling \$31,600. Councilwoman Smyer seconded the motion, which passed unanimously.

**D. Work Authorization No. 5 American Engineering Wastewater Treatment Plant Evaluation and Preliminary Engineering Report** – Councilwoman Smyer moved to authorize the Mayor to execute work authorization No. 5 with American Engineering Services to provide wastewater treatment plant evaluation and preliminary engineering report at an estimated cost of \$39,500. A Preliminary Engineering Report is required by the Department of Health and Environmental Control once 80% capacity is reached in the treatment facility. The wastewater lagoon has been in violation for elevated biochemical oxygen demand or BODs. Prior to initiating any improvements to the lagoon regarding the violation, Administration recommends the PER be performed in case there are additional improvements that are recommended. Councilman Anderson seconded the motion which passed unanimously.

**E. Standard and Poor's Rating Services Edisto Beach, South Carolina; Water/Sewer** – The Town recently underwent a review from Standard and Poor's regarding water/sewer revenue bonds. Standard and Poor's affirmed the Town's A+ rating. This rating reflects the following strengths: 1) Stable, diverse, 2) Historically strong financial performance highlighted with high coverage and liquidity margins, 3) Affordable rates given the town's very strong income levels provide for rate flexibility. Tempering factors are: 1) Tourism based service with very small permanent population, 2) above average unemployment, 3) uncertainty in capital improvement plan that might affect future debt service coverage. Administration has questioned these factors, as well as the inaccuracy of the report which states our last rate adjustment in water and/or sewer was December 2012. Councilwoman Hornsby moved to accept the report, seconded by Councilman Anderson. Councilwoman Smyer asked Administrator Hill if Standard and Poor's would change our rating in response to some of the questions asked. Administrator Hill said that it was a possibility. S&P may include the corrections in a reissued report but not adjust the rating. Councilwoman Hornsby asked if the high unemployment was a reflection of the retired population of Edisto Beach. Administrator Hill said that S&P used the Colleton County unemployment rate. Ms. Hill asked S&P to take Charleston County's unemployment rate into consideration since that is a more accurate reflection of Edisto Beach's unemployment. Mayor Darby called for the vote and the motion passed unanimously.

**F. Holiday Schedule Revision** – Councilman Anderson moved to approve the revised holiday schedule removing November 3, 2015 as a holiday. Councilwoman Hornsby seconded the motion, which was approved unanimously.

**G. Agreement between Presbyterian Church and the Town of Edisto Beach** – Councilwoman Smyer moved to authorize the Mayor to execute an agreement with the Presbyterian Church on Edisto Island to allow the Town to utilize their Omni Center as an Emergency Operations Center, if needed. This agreement automatically renews annually, but since there is a new Pastor, this is being renewed. Councilman Anderson seconded the motion, which passed unanimously.

**H. Public Defender** – According to proviso 61.12 of the State of South Carolina FY2015-16 budget, municipalities who hold municipal court must provide representation for indigents. Councilwoman Smyer moved to allow the Town Administrator to assign cases to Charles Laurie Sanders, Jr. on an as-needed basis to provide indigent public defense at a lump sum cost of \$900.00 per case. Councilwoman Hornsby seconded the motion. Administrator Hill told Council that the proviso was only approved for this year's budget year and may drop off after that year. Mayor Darby called for the vote and the motion was approved unanimously.

**I. Special Event Application – Fall Festival** – Councilman Anderson moved to approve the Special Event Application submitted by the Edisto Chamber of Commerce for the Fall Festival to be held October 17, 2015 from 11:00 a.m. – 4:00 p.m. on Jungle Road in front of Palmetto Plaza. That section of Jungle Road will be closed for the Festival. Councilwoman Smyer seconded the motion which passed 3 – 0 with Councilwoman Hornsby recusing herself due to conflict of interest.

**J. Special Event Application – Trick or Treat at the Creek** – Councilwoman Smyer moved to approve the Special Event Application submitted by the Town of Edisto Beach for Trick or Treat at the Creek to be held at Bay Creek Park on Saturday, October 31, 2015 from 6:00 p.m. – 8:00 p.m. Councilwoman Smyer told those in attendance that baked goods for the cake walk and candy can be dropped off at Town Hall during business hours, 8:00 a.m. – 4:30 p.m. Councilwoman Hornsby seconded the motion, which was approved unanimously.

**K. First Reading of Ordinance 2015-25 Providing for the Implementation of the Provisions of the Fairness in Lodging Act** – Councilwoman Hornsby moved to approve the first reading of Ordinance 2015-25 providing for the implementation of the provisions of the fairness in lodging act. Councilman Anderson seconded the motion, which was unanimously approved.

**L. Civic Center Funding** – Councilman Anderson moved to approve repaying ten thousand dollars to the General Fund used to pay for preparation of the Civic Center prior to the disbursement of direct assistance funds from Colleton County. Councilwoman Smyer seconded the motion, which was approved unanimously.

**M. Utilities Capital Improvement Plan** – Councilwoman Smyer moved to approve the revised Capital Improvement Plan showing the addition of Preliminary Engineering Report at a cost of \$39,500. The motion was seconded by Councilwoman Hornsby and approved unanimously.

#### Committee Vacancies

**A. TIDE Committee – 2 vacancies** – Councilwoman Smyer moved to approve the advertising of two vacancies on The Image and Design of Edisto Committee. The terms of Archie Livingston and Cameron Andrews will expire in November 2015. Councilman Anderson seconded the motion, which was approved unanimously.

**B. Beachfront Management Committee – 1 vacancy** – Councilman Anderson moved to approve the advertising of one vacancy on the Beachfront Management Committee. Mayor Darby stated the Town will miss Mr. Lybrand's contributions to the Town. Councilwoman Smyer seconded the motion, which passed unanimously.

#### Planning Commission

**A. Wyndham Ocean Ridge Conference Center Use Modification** – Mr. Peiter Knot, Resort Manager, made an application to modify the inside of the conference center second floor to continue using half as a conference center and the other half as offices, a break room and storage. Planning Commission passed this unanimously. Councilwoman Smyer moved to approve the recommendation of the Planning Commission, seconded by Councilman Anderson. The motion passed unanimously. Mr. Knot addressed Council and those in attendance. He informed everyone that Wyndham is renovating and has stoves, dishwashers, refrigerators, microwaves, beds, sofas, tables and chairs that they are donating to anyone who was impacted by recent flooding. Some of the furniture will be sent to Columbia to aid those in need.

**Departmental Reports and Committee Updates**

Administration

Iris Hill, Town Administrator, gave the financial and FOIA reports for the month ending September 30, 2015.

	Received	Spent
General Fund	19.27%	22.62%
Water Fund	16.22%	15.74%
Wastewater Fund	17.87%	19.29%

There were six Freedom of Information Act requests from five individuals in September.

Administrator Hill told those in attendance that their patience was appreciated with all the emergency protective services that have taken place. She also thanked the staff that was involved, citizens and Council that helped assist in keeping everyone safe. Ms. Hill expressed her sadness at the loss of a great asset to the town, Mr. David Lybrand. Administrator Hill asked the Department Heads to stand and be recognized for their hard work during the recent flooding.

Building

Patrick Brown, Building Codes Official, gave the report for the month of September 2015.

	Sept-14	Sept-15	YTD
Business/Rental License Fees	\$1,320.15	\$5,252.20	\$4,900.00
New Construction Permits	1	1	7
Other Permits	20	26	61
Permit Fees	\$3,359.50	\$4,155.00	\$22,027.00
Inspections	68	1	57
Bay Creek Park	\$945.00	\$6,304.00	\$9,509.00

Mr. Brown added that if anyone had any damage from the flood to be sure to call if the Building Department can be of assistance. If you have concerns about contractors, there is information on the Town's website.

Fire

Fire Chief Denney Conley gave the report for the month ending September 30, 2015.

Calls	Sept-14	Sept-15	YTD
Medical	14	14	83
Fire-related	8	11	32
Public Assistance	51		147

Beach Wheel Chairs	9	4	37
Water Rescue	0	5	11
Welfare Checks		55	123

Chief Conley thanked all who helped with the recent flooding.

Police

George Brothers, Chief of Police, gave the report for the month of September 2015.

	Sept-14	Sept-15	YTD
Citations	25	42	168
Speeding	16	28	85
Warnings	96	100	443
Alarm Calls	14	6	44
Calls for 2 or More Officers	10	9	34
Miles Patrolled	8,990	7,792	24,142
Assaults	0	0	2
Larcenies	3	4	5
Burglaries	0	0	0
Incidents & Calls for Service	99	95	421
Golf Cart Violations	4	6	48
Animal Control		0	5
Property Checks	2,193	1,359	2,195
Open Container	0	0	6
D.U.I.	0	1	2
CDV Arrest	0	0	1
Disorderly Conduct	3	0	2

Chief Brothers gave a brief comparison of the 2014 summer season to the 2015 summer season. There were 401 calls for service in 2014 and 496 this year. Chief Brothers reported that in 2014 the license plate recognition system on the causeway read 501,497 plates. In 2015 during the same time period, the system read 866,899, or 57% more license plates than the previous year.

Mayor Darby thanked the police department and fire department for taking time out of their busy schedule during the flooding to go out and check on homes for non-residents who called and emailed concerns.

Utilities

Utilities Director Bob Doub gave the report for the month ending September 30, 2015.

	Sept-14	Sept-15	YTD
Pumped MG Water	15.66	14.37	54.40
Treated MG Wastewater	3.73	3.72	14.27

Water Line Repairs	3	9	13
Work Orders	109	80	231

Public Works

Bob Doub, Public Works Director, gave the report for September 2015.

	Sept-14	Sept -15	YTD
Mowed Acres	106	65	238.3
Cleaned Ditches	5,495ft	3,405ft	20,783ft
Roll Carts Delivered	13	10	66

The Public Works department has installed 86 new street signs.

Chamber of Commerce

Dan Carter, Executive Director, gave the report for September 2015.

- With These Hands Gallery will have a celebration of American Craft Week the week of October 4<sup>th</sup>.
- The Coffee Shop at Edisto is expanding its event schedule, which is available on their website.
- On Saturday, October 10, the Edisto Historical Preservation Society will hold its annual home tour.
- The Art Guild will hold its annual art show and sale at the Edistonian on Saturday, October 10<sup>th</sup>.
- On October 11, 2015 at the Presbyterian Church, the Charleston Chamber Music Orchestra and Ensemble will perform at 2:00 p.m.
- On October 17, 2015, the Chamber will sponsor the Fall Festival on Jungle Road in front of Palmetto Plaza.
- Trick or Treat at the Creek will be held on Saturday, October 31, 2015 from 6:00 – 8:00 p.m. at Bay Creek Park.
- The Governor’s Cup tournament will be held July 20 – 23, 2016.

Public Comment Period

Doug Smith addressed Council regarding their pay raise. He told Council he was happy to see that they had reduced the raise to 50% for Council and 25% for Mayor for the 2015 – 2016 budget. Mr. Smith said the responses he got “are not legal pay increase(s).” Mr. Smith said that in his opinion, the reason for the pay increase is to take family members to functions that the Town already pays for Councilmembers and the Mayor to go to. Mayor Darby told Mr. Smith that there are a lot of unexpected expenses that are incurred when you serve in a public office. Mayor Darby said that in order for people not to have to pay to serve the community, the salary

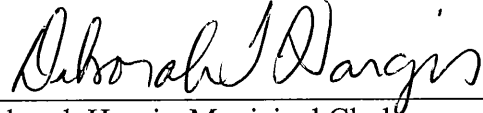
should at least cover the unexpected expenses. Mr. Smith said, "As far as I can tell, you all chose to be elected to these offices. And you serve the people, not your bank account and not to take your husband to Myrtle Beach or whatever it is. You really hit a nerve with me. This is the people's bank account." Councilwoman Smyer told Mr. Smith that the specific event to which she referred was on the beach, cost \$60 to attend, and the Town did not pay for her to attend.

**Adjournment**

Councilman Anderson moved to adjourn the meeting, seconded by Councilwoman Hornsby and unanimously approved.

*The media/public was notified of the date, time and place of the meeting on Friday, October 2, 2015.*

APPROVED BY TOWN COUNCIL



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Deborah Hargis, Municipal Clerk  
November 12, 2015