

MINUTES
July 9, 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, Pete Anderson, Susan Hornsby and Patti Smyer, Council Members; *Quorum of Council Present.*

Mayor Darby called the meeting to order.

Council Session opened with the Pledge of Allegiance and a word of prayer by Councilman Anderson.

Approval of Minutes

Councilwoman Smyer moved to approve the Public Hearing Meeting minutes of June 11, 2015 seconded by Councilwoman Hornsby. The motion was approved unanimously. Councilman Anderson moved to approve the Regular Council Meeting minutes of June 11, 2015, seconded by Councilwoman Smyer. The motion was unanimously approved.

Proclamations and Presentations

A. Starfish Award – Fire Chief Denney Conley – Chief Conley was recognized for the excellent job he did selling raffle tickets for the Edisto Beach Volunteer Fire Department Fish Fry.

B. Resolution 2015-R18 – Memorializing the Emanuel AME Church Victims – Mayor Darby told those in attendance that Senator Clementa Pinckney was a member of the Colleton County Legislative Delegation. In honor of him and the eight others that lost their lives at Emanuel AME Church in Charleston, a Resolution has been drafted that states, in part:

“Whereas....Senator Clementa Pinckney was an impassioned advocate for human rights, and he campaigned for legislation requiring members of the police force to wear body cameras, and was also seeking to raise awareness about gun violence..., and Whereas Senator Pinckney along with eight other members (Cynthia Hurd, DePayne Middleton Doctor, Sharonda Coleman-Singleton, Tywanza Sanders, Ethel Lee Lance, Susie Jackson, Rev, Daniel L. Simmons, Sr. and Myra Thompson)...lost their lives while attending a bible study on Wednesday, June 17, 2015..., now therefore be it resolved that the council of the Town of Edisto Beach extends its heartfelt condolences to these nine families of our community.” Mayor Darby called for a moment of silence in honor of the Emanuel AME shooting victims. Councilman Anderson moved to adopt Resolution No. 2015-R08 Memorializing the Emanuel AME Church Victims. Councilwoman Smyer seconded the motion, which was unanimously approved.

Old Business

A. Special Council Meeting July 21, 2015 at 10:00 a.m. – There will be a Special Council Meeting on June 21, 2015 at 10:00 a.m. in Council Chambers. There was a lot line abandonment request at 102 and 106 Palmetto Boulevard. Due to timing conflicts with the attorney and scheduling, this item was deferred from the June 2015 meeting to obtain further information or an independent evaluation regarding the public easement question. Council stated they would have a special meeting to discuss this issue if the information was received before the July Council meeting. Mr. Unger is not available to discuss the item at the July Council meeting and requests Council hold a special Council meeting. Councilwoman Smyer moved to approve the Special council Meeting on July 21, 2015 at 10:00 a.m. Councilman Anderson seconded the motion, which was unanimously approved.

B. 3701 Dock Site Road – Edisto Saltwater Tours, LLC – Councilman Anderson moved to approve deferring this item until August to allow the applicant, Philip Albenisius, more time to complete the necessary requirements (Parking spaces and Captain's license). Building Code Administrator Patrick Brown has spoken with Mr. Albenisius, who has gotten the Captain's license, but does not have the required parking as of yet. Councilwoman Hornsby seconded the motion, which was unanimously approved.

C. Zoning Ordinance Chapter 86-144 – At the June 11, 2015 meeting, Council approved final reading of the Zoning Ordinance Rewrite, excluding Chapter 86-144. The Planning Commission asks for direction to address the issues with recommended revisions of Chapter 86-144. A list was compiled from Council concerning items that need to be addressed in Chapter 86-144 to be sent to Planning Commission. Councilwoman Hornsby moved to recommend sending any Chapter 86-144 amended items or desires to the Planning Commission for consideration. Councilwoman Smyer seconded the motion, which was approved unanimously.

New Business/Appearances

A. First Reading of Ordinance No. 2015-17 to Amend Sections 66-78(b) of the Town's Code Related to Solid Waste Management – Since implementation, the Town has received complaints regarding the 12-hour roll out requirement in Section 66-78(b) of the Town's Code relating to solid waste management. Administration recommends that the 12-hour time frame for rolling the containers out be relaxed to the day before. Also, when the Garbage Committee first considered the issue with garbage containers being left at the curb, the solution was to hire someone to pull the containers out and roll them back in. There were no proposals received for the RFQ for that service. The RFQ was reissued for "roll back" service only and a contractor was selected. Administration approached the current contractor about a roll out addition to the contract and received a cost of \$2.50 per container to roll the containers out. Councilwoman Hornsby moved to approve the first Reading of Ordinance 2015-17, relaxing the 12 hour roll out time frame to the day before and the awarding the addition of a "roll out" service to the current contractor that is performing roll back services at a cost of \$2.50 per container per month. Councilwoman Smyer seconded the motion, which was approved unanimously.

B. Water and Sewer By-Law Changes – Councilwoman Smyer moved to approve a change to the Water and Sewer Committee By-Laws to provide Council or the Town Administrator can schedule a meeting of the committee when issues arise that need to be addressed by the committee. Councilwoman Hornsby seconded the motion, which was approved unanimously.

C. First Reading of Ordinance 2015-16 to Re-Zone Three Lots, Designated as Lot 7 Block UU, Lot 7 Block YY and Lot 8 Block YY from R-1 Zoning District to PB Zoning District and to Authorize Amendment to the Official Zoning Map – Councilman Anderson moved to defer the first reading of Ordinance 2015-16 until the August 2015 meeting to allow time to confer with Town Attorney Duffie. Councilwoman Hornsby seconded the motion, which was unanimously approved.

D. Personnel Policy Five-Year Review – According to the South Carolina Municipal Insurance Trust (SCMIT) and the South Carolina Municipal Insurance and Risk Financing Fund (SCMIRF), the Town should have its handbook reviewed every five years by a labor attorney to ensure compliance with local, state and federal regulations, laws and constitutional provisions. These policies were reviewed by Labor Attorney Kevin Sturm. Councilwoman Smyer moved to accept the changes to the employee handbook, seconded by Councilman Anderson. The motion was approved unanimously.

E. Financing Options for Utility Upgrades and General Obligation Refunding – Lyman Wray, Senior Vice President of Public Finance with Stephens, Inc. provided an overview of funding options for Utility upgrades and General Obligation Refunding to Council and those in attendance. Council thanked Mr. Wray for his presentation.

F. Election of Mayor Pro Tempore – Council voted, by ballot, to elect Councilwoman Susan Hornsby as Mayor Pro Tempore.

G. First Reading of Ordinance No. 2015-12 to Increase the Annual Salaries of the Mayor and Council for the Town of Edisto Beach, South Carolina – Councilwoman Smyer moved to approve the first reading of Ordinance No. 2015-12 to increase the salary of the Mayor from \$400.00 to \$500.00 per month and the Council members from \$200.00 to \$300.00 to become effective in February 2016 coinciding with the six-month budget adjustment when the employee cost of living increase is considered. If, at that time, council deems funds are not sufficient to support the salary increases, Council may by resolution duly adopted suspend the salary increases until a later date. Councilwoman Hornsby seconded the motion, which was approved unanimously.

H. Award of Project No. 13-031 Jungle Shores Drive Waterline Extension – Councilwoman Smyer moved to award the Jungle Shores Waterline Extension project to Southern Fiber Construction and Management Company LLC for a total of \$177,080.00 of which \$8,500.00 is Alternate Bid No. 1; and approve the Mayor to execute said award; and approve the Town Administrator negotiate the agreement for the project; and approve the Mayor execute the negotiated agreement. Councilman Anderson seconded the motion, which was approved unanimously.

I. Fire Protection Agreement between Colleton County and the Town of Edisto Beach – Councilwoman Smyer moved to approve the Fire Protection Agreement between Colleton County and the Town of Edisto Beach and approve the Mayor to execute said agreement. Councilman Anderson seconded the motion, which was unanimously approved.

J. Sponsorship Request for Music and Shag Fest 2015 – Councilwoman Smyer moved to approve the request from Darrin Moore for the Town of Edisto Beach to sponsor the Music and Shag Fest for \$8,000 from event sponsorship funds. Councilman Anderson seconded the motion, which was approved unanimously.

Committee Vacancies

A. Zoning Board of Appeals – 2 vacancies on September 1, 2015 – Councilwoman Hornsby moved to authorize Administration to advertise for the upcoming two vacancies on the Zoning Board as of September 1, 2015. Councilman Anderson seconded the motion, which was unanimously approved.

Planning Commission

A. Ordinance Definitions – Council requested that the Planning Commission correct differences in definitions between Chapters 71 and 86. They clarified the definitions of building, open space, private road, site specific development plan and street. Councilwoman Hornsby moved to approve the definitions of the first four terms, allowing the Town Attorney to give input on the definition of the last term (street). Councilwoman Smyer seconded the motion, which was unanimously approved. The definition of street was referred to the Town Attorney for language.

B. The Marina at Edisto Beach – Charter Boat Businesses – Councilman Anderson moved to approve the Planning Commission’s unanimous recommendation of Brian Bell’s application to run a charter boat for sunset cruises with 1 – 12 passengers, utilizing a 26-foot Carolina Skiff and a charter boat for fishing trips with up to 6 passengers. Mayor Darby recused herself due to a conflict of interest. Councilwoman Hornsby seconded the motion, which was approved 3 – 0.

Departmental Reports and Committee Updates

Mayor Darby announced that Mrs. Becky Rose-Holley has been chosen as Mrs. Senior South Carolina. She will be representing the state of South Carolina at the national competition.

Ellen and Carl Taylor wrote a letter complimenting Chief George Brothers and Colleton County Deputy Bobby Youmans and thanking them for their diligence in retrieving their golf cart.

Administration

Town Administrator Iris Hill gave the report for June 2015.

	Received	Spent
General Fund	97.29%	91.67%

Water Fund	84.81%	89.90%
Wastewater Fund	98.27%	92.64%

Building

Building Code Official Patrick Brown gave the report for the month ending June 30, 2015.

	June-14	June-15	YTD
Business/Rental License Fees	\$5,227.68	\$2,899.55	\$289,526.26
New Construction Permits	0	0	8
Other Permits	22	30	307
Permit Fees	\$5,392.00	\$3001.00	\$43,676.12
Inspections	64	53	538
Bay Creek Park	2,455.00	\$1,835.	\$15,375.00

Fire

Fire Chief Denney Conley gave the report for June 2015.

Calls	June-14	June-15	YTD
Medical	44	31	260
Fire-related	3	10	110
Public Assistance	8		522
Beach Wheel Chairs	26	24	97

Councilwoman Smyer thanked the Fire and Police Departments for assistance provided to family members in the last month.

Police

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

	June-14	June-15	YTD
Citations	72	56	342
Speeding	51	30	228
Warnings	140	86	1052
Alarm Calls	14	16	154
Calls for 2 or More Officers	25	1	101
Miles Patrolled	9,648	10,209	113,485
Assaults	6	0	10
Larcenies	14	5	52
Burglaries	4	1	8
Incidents & Calls for Service	153	165	1466
Golf Cart Violations	4	1	14
Domestic Violence Calls	0		
Property Checks	1909	1,231	19,389

Open Container	2	1	10
D.U.I.	0	0	3
CDV Arrest	0	1	1
Disorderly Conduct	1	1	9
Animal Control Call		5	5

The first "Coffee with the Chief" will be on Tuesday, July 21, 2015 at the Coffee Shop on Edisto from 7:00 – 8:30. Chief Brothers introduced Officer Ricky Darling to those in attendance.

Public Works

	June -14	June -15	YTD
Mowed Acres	82	76	582.50
Cleaned Ditches	3670ft	12,244ft	94,138ft
Roll Carts Delivered	10	39	284

Utilities

	June-14	June-15	YTD
Pumped MG Water	24.35	22.00	190.09
Treated MG Wastewater	6.1	5.5	55.15
Water Line Repairs	3	3	36
Work Orders	172	78	1,381

Chamber of Commerce

Executive Director Dan Carter gave the report from the Chamber of Commerce.

- On July 18th and 19th, a play "Butterflies are Free" will be performed at the Edisto Civic Center, produced by Coastal Stage Productions.
- The Edisto Billfish Tournament will be held July 22nd – 25th
- There will be a blood drive on July 28th in memory of Mayor Burley L. Lyons at the Edisto Beach Baptist Church.

Public Comment Period

Pete Weathers: Mr. Weathers, of 2211 Seabrook Street addressed Council concerning his confusion over garbage pickup. Mayor Darby told Mr. Weathers that the roll out service would not go into effect immediately. Administrator Hill told Mr. Weathers that the 12-hour limit was still in effect, but due to the pending ordinance doctrine, no fines would be issued, since Council is in the process of amending the ordinance. Mr. Weathers asked if there was a possibility of opting out of the garbage service altogether. Councilwoman Hornbsy told Mr. Weathers that she had spoken with Town Attorney Duffie and Mr. Duffie had said that it was comparable to having sewer service, you are not able to opt out of that service. Mr. Weathers said it is done in St. George and asked Council to look into it again.

Executive Session – Personnel [S.C. Code, Section 30-4-70 (a)(1)]

Councilman Anderson moved to go into Executive Session. Councilwoman Smyer seconded the motion, which was unanimously approved.

Councilwoman Hornsby moved to exit Executive Session, seconded by Councilwoman Smyer. The motion was approved unanimously. Mayor Darby stated that Council had discussed a personnel issue.

Adjournment

Councilman Anderson moved to adjourn the meeting, seconded by Councilwoman Hornsby. The motion was passed unanimously.

The media/public was duly notified of the date, time and location of the Council Meeting on Wednesday, July 1, 2015.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
July 21, 2015