

MINUTES
MAY 13, 2021
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, Jerome Kizer, Robert Renner, and Patti Smyer, Council Members. *Quorum of Council Present.*

Pledge of Allegiance and Invocation

Mayor Pro Tem Moore led those present in the Pledge of Allegiance and an invocation.

Approval of Minutes

- A. Special Council Meeting Minutes, April 6, 2021** – Mayor Pro Tem Moore moved to approve the minutes of the April 6, 2021 Special Council Meeting Minutes, April 8, 2021 Regular Council Meeting Minutes, and April 14, 2021 Special Council Meeting Minutes. Councilman Kizer seconded the motion and was approved unanimously.

Presentations and Proclamations

- A. Resolution No. 2021-R17 Municipal Clerk's Week proclaiming May 5-8 as Municipal Clerk's Week** – Councilman Kizer moved to approve resolution No. 2021-R17 proclaiming May 5-8 as Municipal Clerk's Week. Councilman Renner seconded the motion and was approved unanimously.
- B. Starfish Award – Building Code Administrator, Patrick Brown** – Mayor Darby presented Patrick Brown with a Starfish Award for receiving the Building Official of the Year Award from the Building Official's Association of South Carolina (BOASC) and the BOASC Marion Clement Outstanding Building Official of the Year award. The Marion Clement Outstanding Building Official of the Year award has only been given out six times since 1974. Patrick Brown thanked the Council, and Administration for giving him the opportunity to participate in the Building Official's Association of South Carolina.

Old Business

- A. Ordinance No. 2021-13 to Enact and Establish a Temporary Moratorium on the Issuance and Approval of Building Permits and Record Plats for the Town of Edisto Beach for (1) New or Additional Connections for Properties Situated Inside the Municipal Boundaries to the Town Sewer System that flow through Lift Stations A, B and C, (2) Additions to Existing Structures that access the Town Sewer System if additional sewer capacity would be required for the addition that flow through Lift Station A, B and C and (3) that possible solutions be reviewed every 30 days until resolved.** – Mayor Pro Tem Moore moved to approved an additional 30 days for Ordinance No. 2021-13 to Enact and Establish a Temporary Moratorium on the Issuance and Approval of Building Permits and Record Plats for the Town of Edisto Beach for (1) New or

Additional Connections for Properties Situated Inside the Municipal Boundaries to the Town Sewer System that flow through Lift Stations A, B and C , (2) Additions to Existing Structures that access the Town Sewer System if additional sewer capacity would be required for the addition that flow through Lift Station A, B and C and (3) that possible solutions be reviewed every 30 days until resolved. Councilwoman Smyer seconded the motion, and was approved unanimously.

New Business

- A. Work Authorization No. 15 American Engineering Consultants** – Councilwoman Smyer moved to approve the Work Authorization No. 15 American Engineering Consultants to design and permit sewer system upgrades at a cost of \$122,000 to be funded by Colleton County, seconded by Councilman Renner, and approved unanimously.
- B. Monthly Highlights** – Councilman Renner and Administrator Hill will publish the Monthly Highlights that will be available to the public.
- C. First Reading of Ordinance No. 2021-18 to Adopt the Budget for Fiscal Year 2021-22 for the Town of Edisto Beach, South Carolina for the Fiscal Year Beginning July 1, 2021, and Ending June 30, 2022.** – Mayor Pro Tem Moore moved to approve the first reading of ordinance No. 2021-18 to adopt the budget for fiscal year 2021-22 for the Town of Edisto Beach, South Carolina for the fiscal year beginning July 1, 2021, and ending June 30, 2022. Seconded by Councilman Kizer, which was approved unanimously. Administrator Hill mentioned that she will schedule an executive session in June to discuss salaries.
- D. Award of RFP No. 2021-03 Town Janitorial Services** – Councilwoman Smyer moved to approve the award of RFP No. 2021-03 Town Janitorial Services to Jan Pro Cleaning Systems, seconded by Councilman Renner, and approved unanimously.
- E. Award of RFP No. 2021- 04 Litter Removal Highway 174** – Councilman Kizer moved to approve the award of RFP No. 2021-04 Litter Removal on Highway 174 to Yellowstone Landscape, seconded by Mayor Pro Tem Moore, and approved unanimously.
- F. Police Vehicle Replacement** – Mayor Pro Tem Moore moved to approve the purchase of two police vehicles ahead of schedule. Seconded by Councilwoman Smyer, and approved unanimously.
- G. Edisto Invitational Billfish Tournament** – Councilman Kizer moved to approve the request from the Edisto Marina Association requesting funding in the amount of \$10,000 from the Alcohol Permit Fees for the Edisto Invitation Billfish Tournament as a part of the South Carolina Governor’s Cup Billfishing Series and waiver of fees for use of the Bay Creek Park from July 21 through July 24. Councilman Renner seconded the motion. During discussion, Mayor Darby mentioned that at the work session held on Tuesday, May 11, 2021, Council agreed that increasing security was beyond the ability of the Edisto Beach Police Department and that the increased security would be the responsibility of the Edisto Marina Association. Mayor Darby also mentioned that the Edisto Marina Association would need to have an 8-yard trash container available. After discussion, the request was unanimously approved.
- H. Resolution No. 2021-R19 To Accept and Adopt the 2020 Lowcountry Region Natural Hazard Mitigation Plan Update, as Required by the Federal Emergency Management Agency (FEMA)** – Councilwoman Smyer moved to approve Resolution No. 2021-R19 to accept and adopt the 2020 Lowcountry Region Natural Hazard Mitigation Plan Update, as required by the Federal Emergency Management Agency (FEMA), seconded by Mayor Pro Tem Moore, and approved unanimously.

- I. **Bay Creek Park – USS Edisto Dedication** – Mayor Pro Tem Moore moved to approve use of Bay Creek Park (waiving fees) for the Dedication ceremony of the USS Edisto on May 25, 2021 at 10:00 A.M., seconded by Councilman Kizer, and approve unanimously.
- J. **Award of RFP No. 2021-06 – Used/demo Fire Department squad truck** – Mayor Darby asked Assistant Town Administrator Mark Aahkus if the Town had received the bids for the squad truck. Assistant Administrator Aahkus mentioned that the Town had received a bid of \$118,399 for the new squad truck and estimates selling the old squad truck for \$59,000 plus a 10% brokerage fee. Councilwoman Smyer moved to approve the award of RFP No. 2021-06 for the use/demo Fire Department squad truck, seconded by Mayor Pro Tem Moore, which was approved unanimously.

Committee Vacancies

- A. **Planning Commission** - There is one vacancy on the Planning Commission. Mr. Everett Smith’s term expires May 2021. He is eligible to serve another term and has applied for the position. Mr. Rufus H. (Rick) Moore has applied to serve on this Committee. Council voted by ballot. Mrs. Davis confirmed that Everett Smith was selected to serve another term on the Planning Commission. Mayor Darby mentioned that Rick Moore is a highly qualified person who would enhance the Town and that she hoped he would apply again or for another Committee. Councilwoman Smyer moved to approve the application of Everett Smith for another term on the Planning Commission, seconded by Councilman Renner, and approved unanimously.
- B. **Water and Sewer Committee** –One vacancy remains for the Water and Sewer Committee – Council
- C. **Town Hall Complex Design Committee** –One vacancy remains for the Town Hall Complex Design Committee.
- D. **Beachfront Management Committee** - 1 Vacancy. Councilwoman Smyer moved to approve that the Town advertise for this position to be filled, seconded by Councilman Kizer, and approved unanimously.
- E. **Municipal Election Commission** – 1 vacancy. Councilwoman Smyer moved to approve the application for Ms. Ann Bond for another term on the Municipal Election Commission, seconded by Mayor Pro Tem Moore, and approved unanimously.
- F. **Accommodations Tax Advisory Board (ATAX)**-3 vacancies. Mr. Oakley’s term expires in August 2021 (at large). Mr. Matthew Kizer’s term expires in August 2021 (Hospitality). Mrs. Blancett’s term expires in August 2021 (Culture and Arts). All have served two terms and are not eligible for another term unless unopposed. Request Council approval to advertise these positions. Mayor Pro Tem Moore moved to approve the request to advertise for these positions, seconded by Councilman Kizer, and approved unanimously.

DEPARTMENTAL REPORTS

Administration

	Received	Spent
General Fund	65.08%	64.59%
Water Fund	101.2%	75.72%
Wastewater Fund	96.67%	63.65%

Building

	April 2020	April 2021	YTD
Business/Rental License Fees	\$91,914.34	\$137,981.12	\$292,041.38
New Construction Permits	2	5	23
Other Permits	24	49	307
Permit Fees	\$7,522.00	\$21,000.00	\$105,745.00
Inspections	90	79	608

Fire

Calls	April 2020	April 2021	YTD
Medical	13	14	172
Fire-Related	0	2	15
EMS/Misc.	12	7	208
Beach Wheelchairs	0	0	60
Water Rescue	0	0	8
Welfare Checks	4	0	41

Police

	April 2020	April 2021	YTD
Miles Patrolled	4,501	12,138	95,959
Incidents & Calls for Service	35	151	1,220
Property Checks	377	845	9,578
Town Parking Tickets	3	119	561

Public Works

Utilities

	April 2020	April 2021	YTD
Pumped MG Water	10.68	15.58	161.72
Treated MG Wastewater	2.79	2.89	37.14
Water Line Repairs	2	2	40
Work Order Repairs	49	26	330

Special Projects

	April 2020	April 2021
Edisto Civic Center	No activity reported in April 2020	\$8,571.00
Bay Creek Park	No activity reported in April 2020	\$3,550.00

ACCOMMODATIONS TAX ADVISORY BOARD

- A. **Town of Edisto Beach, Bell Buoy Bond Debt, \$50,000**-The ATAX Board unanimously recommended approval of this request. Councilman Renner moved to approve the Bell Buoy Bond Debt of \$50,000, seconded by Councilwoman Smyer, and approved unanimously.
- B. **Town of Edisto Beach, Beach Renourishment \$150,000**-The ATAX Board unanimously recommended approval of this request. Mayor Pro Tem Moore moved to approve the allocation of \$150,000 in ATAX funds to the dedicated beach preservation fund for beach renourishment. Administrator Hill stated that the Town had submitted an application to the Tourism Expenditure Review Commission (TERC) for approval of extending the 2-year time frame, the motion was seconded by Councilman Kizer, and approved unanimously.
- C. **Edisto Beach Police Department, Law Enforcement \$111,800**-The ATAX Board approved this request by a vote of 3 in favor and 2 opposed. Mayor Pro Tem Moore moved to approve the Edisto Beach Police Department, Law Enforcement application for \$111,800, and seconded by Councilwoman Smyer. During discussion, Mayor Darby informed the audience of the dangerous situations Edisto Beach Police Officer are being placed in while working alone. Mayor Pro Tem Moore mentioned that the tourism seasons are only getting bigger and longer. Councilwoman Smyer commented that the Town should never have one officer at a single time, there should always be backup. After discussion, the application was unanimously approved.

BEACHFRONT MANAGEMENT COMMITTEE.

Mayor Darby mentioned that the following points were recommendations from the Beachfront Management Committee and that some points were being worked on, will be worked on or will be discussed at a later date.

- A. **Permit Increasing the Groin Height** – will be discussed at a later date
- B. **Vegetate Dune and Install Signage** – is currently being worked on because of the aftermath of Hurricane Dorian.
- C. **Locate local sand Pit for Spot Nourishment** – is currently being worked on
- D. **Increase beach preservation from \$200,000 to \$250,000** – approved in budget

Councilwoman Smyer asked if anyone was speaking to Coastal Science Engineering about the cost of increasing the groin height. Mayor Darby and Administrator Hill mentioned the Town was in process of reaching out to Coastal Science Engineering.

PUBLIC COMMENT

No public comment

EXECUTIVE SESSION

Mayor Pro Tem Moore moved to go into Executive Session to discuss 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 County of Charleston, City of Charleston et al vs Airbnb, Inc, et al. Code §30-4-70 (a)(2), seconded by Councilman Kizer and approved unanimously.

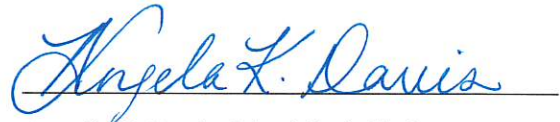
Councilwoman Smyer moved to exit Executive Session, seconded by Councilman Renner, and approved unanimously.

Mayor Pro Tem Moore moved to enter into the agreement with the attorneys Thurmond, Kirchner, and Timbes regarding actions against Airbnb and other online realtor entities. Councilwoman Smyer seconded the motion. After discussion, the motion was approved unanimously.

ADJOURNMENT

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

APPROVED BY TOWN COUNCIL



Angela K. Davis, Municipal Clerk

June 10, 2021