

MINUTES  
May 14, 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 Pro Tem Darby called the meeting to order.

Council Session opened with the Pledge of Allegiance and a word of prayer by Councilwoman Smyer.

**Approval of Minutes**

Councilwoman Smyer moved to approve the Public Hearing Meeting minutes of April 9, 2015. Councilman Anderson seconded the motion, which was approved unanimously. Councilman Anderson moved to approve the Regular Council Meeting minutes of April 9, 2015. Councilwoman Smyer seconded the motion, which was unanimously approved. Councilwoman Hornsby moved to approve the Special Council Meeting minutes of April 14, 2015. The motion was seconded by Councilman Anderson and approved unanimously.

**Proclamations and Presentations**

**A. Proclamation 2015-P14 Declaring May 2015 as Building Safety Month** – Building Safety Month is sponsored by the International Code Council and encourages appropriate steps everyone can take to ensure that places where we live, learn, work, worship and play are safe and sustainable. Each year in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property. Councilwoman Smyer moved to approve Proclamation 2015-P14, declaring May 2015 as Building Safety Month, seconded by Councilwoman Hornsby and approved unanimously. Mayor Pro Tem Darby asked Patrick Brown, Building Code Official, Fire Chief Denney Conley and Police Chief Bill Coffey to stand and be recognized and thanked them for all they do.

**B. Starfish Award** – Russell Shetterly contacted Town Hall on April 30 at 4:35 p.m. stating his water was turned off. Ms. Hargis contacted the Utilities Director and was told a fitting at the meter box was broken and Mr. Shetterly would need to contact a plumber. Not knowing how long it would take to have the plumbing fixed, Ms. Hargis took water to Mr. Shetterly. Mr.

Shetterly stated he was impressed with Ms. Hargis' kindness and concern for his welfare and asked she be recognized.

### **Old Business**

**A. Second Reading of Ordinance No. 2015-13 to Amend Section 82-139 of the Town's Code related to sewer rates** – Councilwoman Smyer moved to approve the second reading of Ordinance number 2015-13 related to sewer rates, seconded by Councilman Anderson. On April 14, 2015, Town Council approved the first reading of Ordinance 2015-13 increasing sewer rates from \$198.45 per 0 – 6,000 gallons, semi-annual, minimum, to \$208.37 per 0 – 6,000 gallons, semi-annual, minimum, and from \$3.31 per 1,000 gallons over 6,000 gallons, semi-annual to \$3.47 per 1,000 gallons over 6,000 gallons semi-annual. Sewer rates were last increased in October 2011. The motion was approved unanimously.

**B. Second Reading of Ordinance No. 2015-07 to Amend Sections 66-78(b), 66-78(c), 66-78(d) and Section 66-9 of the Town's Code Related to Solid Waste Management** – Councilwoman Hornsby moved to approve the second reading of Ordinance number 2015-07 relating to Solid Waste Management. This ordinance provides for an “opt out” provision and a fee if the ordinance is not followed. Councilwoman Smyer seconded the motion, which passed 3-1 with Councilman Anderson opposed.

### **New Business**

**A. Swearing in of Mayor for unexpired term** – Municipal Judge Tom Weeks swore in Jane S. Darby as Mayor of Edisto Beach.

**B. First Reading of Ordinance No. 2015-15 to Adopt the FY2015-16 Budget** – Councilwoman Hornsby moved to approve the first reading of Ordinance number 2015-15 relating to the FY2015-16 budget, seconded by Councilwoman Smyer. Mayor Darby told those in attendance that the millage rate would not increase in the upcoming fiscal year.

**C. Dissolution of the Solid Waste Committee** – The solid waste committee was formed by Mayor Lyons on May 8, 2014 to further discuss the decision to enforce the ordinance regarding removal of garbage cans. The committee has resolved the issue involving garbage containers left at the curb and how to deal with those who fail to remove the containers. Councilwoman Hornsby moved to dissolve the committee, with thanks. Councilwoman Smyer seconded the motion and commented that the beach does look better with the containers being rolled back more regularly. The motion was unanimously approved.

**D. Transfer of funds from Water and Sewer Fund Contingency to System Repair and Maintenance** – There have been more system repairs and maintenance than were anticipated at the six month budget adjustment. Councilwoman Smyer moved to approve the following adjustments:

Transfer \$10,000 from Sewer Contingency (30-6900-9999) to Sewer System Maintenance and Repair (30-6100-4010); Transfer \$7,000 from Water Contingency (20-5900-9999) to Water System Maintenance and Repair (20-5100.4010). The sewer contingency is \$76,677 and the

water contingency is \$133,683. Councilman Anderson seconded the motion, which was approved unanimously.

**E. Purchase of a 6 foot x 12 foot Heavy Duty trailer for Public Works** – The current trailer is not functional and has been fully depreciated. The cost of a new trailer is \$1,400 and funding is available in the general equipment/vehicle replacement fund. Councilwoman Hornsby moved to approve the purchasing of a new trailer, seconded by Councilwoman Smyer. After a brief explanation of the vehicle replacement fund, Mayor Darby called for a vote and the motion passed unanimously.

**F. Victim Assistance Agreement with Colleton County** – Councilwoman Smyer moved to approve the Colleton County Sheriff's Office Victim Assistance Agreement, seconded by Councilman Anderson. The motion was unanimously approved.

**G. Sponsorship Request** – Councilman Anderson moved to approve the request from The Edisto Marina Association for \$3,580 to promote the 2015 Edisto Invitational Billfish Tournament to be held July 22 – 25, 2015. Funding is available in the Alcohol Permitting Fund. The current balance is \$34,167. Councilwoman Smyer seconded the motion, which was approved 3 – 0. Mayor Darby recused herself due to a conflict of interest.

#### **Committee Vacancies**

**A. Construction Board of Adjustments and Appeals** – There is one vacancy remaining on the Construction Board of Adjustments and Appeals. Current members are Jim Johnson, David Salter, Bob Sandifer and Tom Yeargin.

**B. Planning Commission** – There are two vacancies on the Planning Commission. Applications have been received from Reddick A. Bowman and Stephanie P. Renner. Councilwoman Hornsby moved to approve the two applications, seconded by Councilman Anderson and approved unanimously. Mayor Darby thanked former Planning Commission Chairperson Bill Andrews for his service and those in attendance gave him a standing ovation.

**C. Municipal Elections Commission** – Councilwoman Smyer moved to approve advertising for the upcoming vacancy created by the expiration of the term of Ann Hutto, who is eligible to serve another term. Councilwoman Hornsby seconded the motion, which was unanimously approved.

**D. Accommodations Tax Advisory Board** – The terms of Matthew Kizer, Molly Watkins and Charlie Vincent expire August 1, 2015. All three members are eligible for another term, but Mr. Vincent and Ms. Watkins have respectfully declined to serve. Councilman Anderson moved to approve the advertising of the three vacancies, seconded by Councilwoman Smyer. The motion was unanimously approved.

#### **Accommodations Tax Board**

**A. Town of Edisto Beach, Bell Property Bond Debt, \$50,000** – On May 7, 2015, the ATAX Board unanimously approved the request from the Town of Edisto Beach in the amount of \$50,000 to service the Bell Property Bond Debt. Councilwoman Smyer moved to approve the recommendation of the ATAX Board, seconded by Councilwoman Hornsby. The motion passed unanimously.

**Planning Commission**

**A. 102 and 106 Palmetto Boulevard** – At the request of Mr. H. Wayne Unger, this item will be heard in June.

**B. Second Reading of Ordinance 2015-09 to Amend Chapter 62, Amend Chapter 71 and Amend Chapter 86 of the Town’s Code of Ordinances as Recommended by the Planning Commission Pursuant to an Extensive Study and Re-write Initiative** – In the March 2015 Planning Commission meeting, the Commission unanimously agreed to recommend to Town Council the March 24, 2015 versions of Chapters 62, 71 and 86. In the April Town Council meeting, Council accepted all Chapters of the recommended version with the exception of Section 86-144, which was rejected in its entirety. The Planning Commission has reviewed and revised 86-144, adding specific references to Chapter 71, clarifying the flow chart and correcting formatting errors. Councilwoman Hornsby moved to approve the second reading of Ordinance 2015-09 with the exception of Section 86-144. Councilwoman Smyer seconded the motion, which passed 3 – 1 with Councilman Anderson opposed. Councilwoman Smyer then moved to approve directing the Planning Commission to look at five definitions which do not agree in Chapter 71 and Chapter 86. In the interest of clarity, Councilwoman Smyer asked the Planning Commission to make the definitions consistent throughout the two chapters. Councilwoman Hornsby seconded the motion, which passed 3 – 1 with Councilman Anderson opposed.

**Departmental Reports and Committee Updates**

**Administration**

Iris Hill, Town Administrator, gave the financial report for April 2015.

	Received	Spent
General Fund	82.15%	78.03%
Water Fund	74.86%	76.50%
Wastewater Fund	83.56%	79.10%

Administrator Hill congratulated Mayor Darby on her election. Ms. Hill expressed her enjoyment of working with the late Mayor Burley L. Lyons for the past six years and is looking forward to working with Mayor Darby. Administrator Hill stated that there were some changes in the FY2015-16 budget that would be online soon.

**Building Department**

Patrick Brown, Building Code Official, gave the building report for April 2015.

	April - 14	April -15	YTD
Business/Rental License Fees	\$31,331.00	\$36,244.44	\$280,352.36
New Construction Permits	1	0	8
Other Permits	34	27	249
Permit Fees	\$6,470.00	\$2,774.50	\$38,501.12
Inspections	52	41	418
Bay Creek Park	\$645.00	\$1,245.00	\$12,175.00

Fire Department

Fire Chief Denney Conley gave the report for April 2015.

Calls	April- 14	April - 15	YTD
Medical	19	12	229
Fire-related	10	6	92
Public Assistance/Miscellaneous	45	48	457
Beach Wheel Chairs	2	4	66

Police Department

Police Chief Bill Coffey gave the police department report for April 2015.

	April - 14	April - 15	YTD
Citations	57	20	229
Speeding	30	15	149
Warnings	90	80	817
Alarm Calls	21	6	123
Calls for 2 or More Officers	30	6	81
Miles Patrolled	7,193	7,995	84,181
Assaults	3	2	10
Larcenies	8	7	45
Burglaries	0	2	7
Incidents & Calls for Service	161	112	1,165
Golf Cart Violations	0	0	13
Domestic Violence Calls	0	0	0
Property Checks	2,144	1,077	15,722
Open Container	3	0	1
D.U.I.	0	0	0
CDV Arrest	0	0	0
Disorderly Conduct	3	1	8
Animal Control Call	2	0	16

Chief Coffey thanked Council for the opportunity to serve as the Police Chief for the last four years, since this will be his last Council meeting before he retires. He expressed his appreciation for the support of Council in achieving the goals and objectives set by the Police Department when he began his tenure. Chief Coffey said, "It has been a privilege and an honor to work with each one of you, and I thank you for your service." Mayor Darby thanked Chief Coffey for his service and commended him on achieving a difficult task. Mayor Darby also thanked Chief Coffey for hiring and training a replacement. Chief Coffey commented that Assistant Chief Brothers was very competent and would do well as Chief.

Utilities Department

Bob Doub, Utilities Director, gave the utilities department report for April 2015.

	April - 14	April - 15	YTD
Pumped MG Water	13,247	11.65	151.84
Treated MG Wastewater	3.60	4.87	45.35
Water Line Repairs	5	1	30
Work Orders	101	67	1,237

The Utilities Department has set up a static screen with the emergency pumper to remove the duck weed that was dying on cell 5 and creating an issue with biochemical oxygen demand at the wastewater treatment plant.

Public Works

Public works director Bob Doub gave the April 2015 report.

	April - 14	April- 15	YTD
Mowed Acres	48.4	87	425
Cleaned Ditches	13,275 feet	9,655 feet	81,894
Roll Carts Delivered	8	48	169

The department has been busy edging the sidewalks and curbs along Palmetto Boulevard, maintaining parks, beach accesses and bike paths. A portion of Myrtle Street is being paved.

Chamber of Commerce

Dan Carter, Executive Director of the Edisto Chamber, gave the report for April 2015.

- There will be a Cobia fishing tournament the weekend of May 16<sup>th</sup>
- The May blood drive will be May 19<sup>th</sup> at the Edisto Beach Baptist Church in honor of Dave Blauch.
- May 23<sup>rd</sup> is the Edisto Beach Volunteer Fire Department Fish Fry from 11:00 - 7:00.
- On May 30<sup>th</sup> the Edisto Belles will have a Beach Walk to raise money for support and advocacy of breast cancer patients, in honor of Burley L. Lyons.

- Bingo will start at the Lions Club June 2<sup>nd</sup> and run through August 6<sup>th</sup> (2907 Myrtle Street, Edisto Beach)
- On June 5<sup>th</sup> and 6<sup>th</sup> the Edisto Island Open Land Trust will hold their Tomato Open Tournament with a silent auction and party at 6:00 p.m. on Friday, June 5<sup>th</sup> at the Civic Center and the golf tournament on June 6<sup>th</sup>.

### **Public Comment Period**

Tommy Mann –Mr. Mann asked for justification of the salary increases for Mayor and Council. Mr. Mann stated that at the worksession he had been told that “it cost people to serve.” He stated that mileage, meals and travel were all reimbursed, so he is concerned about the increase. Mr. Mann complimented Council on the meeting with Wharton-Smith, Harn R/O and Thomas & Hutton. Mr. Mann encouraged Council to hold the firms accountable, and since this is an “open book concept,” every item needs to be bid so that the Town will get the best price for all services. Mayor Darby told Mr. Mann and those in attendance that the increase in salary is projected, but it will not go into effect until after the November election.

Bill Andrews – Mr. Andrews thanked Council and those in attendance for recognizing his work on the Planning Commission. Mr. Andrews stated he did not hear the vote and asked for the vote on the second reading of the ordinance changes recommended by the Planning Commission, which was 3 – 1 with Councilman Anderson opposed. Mr. Andrews stated that he had questions about the exclusion of 86-144 from the approval. There were four basic areas of change: references to Chapter 71 that were added, a flow chart which described the application process, a list of requirements for an application, and references to a similar list in Chapter 71. There are differences from an application for a PUD project and a single family application. The changes that the Planning Commission suggested are to strengthen the Ordinances by requiring both lists be satisfied. Mr. Andrews stated he thought it significant for the current Ordinances to specify that when an application is initiated, it comes first to the Planning Commission. The Commission recommended that applications go first to the Building Code department so that they can look over the application before it goes to the Planning Commission. Mr. Andrews stated he was at a loss as to why the changes, which are meant to strengthen and improve the existing Ordinances, were not passed in their entirety. Mr. Andrews stated on behalf of the Planning Commission, they would appreciate some explanation as to why 86-144 was rejected.

Newton Hornsby – Mr. Hornsby announced that there would be a memorial service for Ray Archibald on Sunday, May 17<sup>th</sup> at 4:00 p.m. at Bay Creek Park, since Mr. Archibald was instrumental in making Bay Creek Park a reality. There will be reception after the service at the home of Bill Houston.

### **Adjournment**

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

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*The media/public was duly notified of the date, time and place of the Council Meeting on Friday,  
May 8, 2015*

APPROVED BY TOWN COUNCIL

A handwritten signature in cursive script, appearing to read "Deborah Blazyn", is written over a horizontal line.

Municipal Clerk

June 11, 2015