

MINUTES
TOWN OF EDISTO BEACH
NOVEMBER 9, 2023
REGULAR TOWN COUNCIL MEETING
6:00 p.m.

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

Present: Mayor Crawford Moore, and Council Members Jerome Kizer, Robert Renner, Jay Watts, and Joey Bagwell. *Quorum of Council Present.*

Call to Order

Mayor Crawford Moore called the meeting to order at 6:00 p.m.

Pledge of Allegiance and Invocation

Mr. Kizer led those in attendance in the Pledge of Allegiance and gave the invocation.

Approval of Minutes

Regular Town Council Meeting Minutes, October 12, 2023. Mr. Kizer moved to approve the Regular Town Council Meeting Minutes of October 12, 2023. The motion was seconded by Mr. Bagwell and unanimously approved.

Presentations

There were no proclamations or presentations for this month.

Public Comment Period

Kim Mordock commented on the condition and speed limit of Shores Drive.

Old Business

Ordinance No. 2021-13 Temporary Moratorium to be reviewed every 30 days until resolved. Construction of Pump Station B is complete. Pump Station A bids were due and opened on October 25, 2023. Mr. Aakhus reported that Rural Infrastructure Authority (RIA) is currently reviewing contractors and American Engineering is preparing documents to move forward.

New Business

Approval of Resolution No. 2023-R13/Land and Water Conservation Fund (LWCF) Grant Match. Council was asked to consider and approve Resolution No. 2023-R13, Land and Water Conservation Fund Grant Match, for the Town to provide a local match of \$145,000, if the LWCF grant application is approved for the total project cost of \$290,000. The grant and local matching funds will be used to repair and resurface the Jungle Shores Drive Bike Path, which was originally funded by the Land Water Conservation Fund. Mr. Renner made a motion to approve the local match of \$145,000. Mr. Bagwell seconded the motion, which was approved unanimously.

Special Event Application – Whaley’s Restaurant 20th Anniversary, December 2, 2023. Council was asked to consider and approve the Special Event Application from Whaley’s Restaurant for their 20th Anniversary Event on December 2, 2023, from 1:00 to 5:00 p.m., at the restaurant. Mr. Watts made a motion, seconded by Mr. Renner, to approve the Whaley’s Restaurant 20th Anniversary Event. This motion was approved unanimously.

Award for Upgrades to Pump Station A. Council was asked to consider and approve for the Town Administrator to negotiate a contract with Babcock Construction, contingent upon Rural Infrastructure Authority approval, for Upgrades to Pump Station A in an amount not to exceed \$721,586. Eighty-five percent of the project costs are reimbursable through the SCIIP Grant. The balance will be paid from the Water Renewal and Replacement Fund which has a current balance of \$1,401,788. Mr. Bagwell made a motion to approve the award for upgrade to Pump Station A, in an amount not to exceed \$721.586. Mr. Kizer seconded the motion, which was approved unanimously.

Approval of Proposal for Surveying Services from Davis & Floyd for Jungle Shores Drive Bike Path. Council was asked to consider and approve the proposal for surveying services from Davis & Floyd in the amount of \$12,800 for the purpose of surveying the existing Jungle Shores Drive Bike Path. Services will include surveying the location of the existing bike path and preparation of a series of plan sheets detailing the relative position of the existing road and bike path with the right-of-way and property lines. The fee will be paid from the Capital Improvement Projects Budget. This survey is required to apply for the LWCF Bike Path Grant. Mr. Kizer made a motion to approve the proposal for surveying services from Davis & Floyd for Jungle Shores Drive Bike Path. Mr. Renner seconded the motion, which was approved unanimously.

Approval of Proposal for Surveying Services from ESP Associates, Inc. for Edisto Beach Coastal Storm Risk Management Project. Council was asked to consider and approve the proposal for surveying services from ESP Associates, Inc., in the amount of \$80,000 for the scope of services which will include the preparation of one plat (multiple sheets) showing a perpetual easement for the Edisto Beach Coastal Storm Risk Management Project. The US Army Corps of Engineers has reviewed this proposal. The fee for this work will be paid from the Beach Preservation Fund which has a balance of \$10,981,578. This expense will apply as credit for the Town’s local match for initial construction of the project. Mr. Renner made a motion to approve the proposal for surveying services from ESP Associates, Inc. for the Edisto Beach Coastal Storm Risk Management Project, in the amount of \$80,000. Mr. Bagwell seconded the motion, which was approved unanimously.

Approval of Agreement for Appraisal Services with Colliers International Valuation & Advisory Services, LLC, for the Edisto Beach Coastal Storm Risk Management Project. Council was asked to consider and approve the Appraisal Professional Service Agreement with Colliers International Valuation & Advisory Services, LLC, in an amount not to exceed \$21,000. The work will include the appraisal of 189 oceanfront parcels as part of the Edisto Beach Coastal Storm Risk Management Project. The US Army Corps of Engineers has reviewed and approved this appraiser, as per Army Corps of Engineers requirements. The US Army Corps has also reviewed this proposal. The fee for this work will be paid from the Beach Preservation Fund which has a balance of \$10,981,578. This expense will apply as credit for the Town’s local match for initial construction of the project. Mr. Kizer made a motion to approve the Appraisal Professional Service

Agreement with Colliers International Valuation & Advisory Services, LLC, in an amount not to exceed \$21,000. Mr. Renner seconded the motion, which was approved unanimously.

Approval of Contract Extension with Lyons Contracting for Convenience Station Attendant Services. Council was asked to consider and approve the extension of the Convenience Center Attendant agreement with Lyons Contracting. This will be the third extension of the possible four extensions permitted by the agreement. Mr. Bagwell made a motion to approve the extension of Lyons Contracting for Convenience Station Attendant Services. Mr. Kizer seconded the motion, which was approved unanimously.

Approval of Purchase of Kubota Model F2690E Tractor and Sand Sweeper from Steen Enterprises. Council was asked to consider and approve the purchase of a Kubota Model F2690E Tractor and Sand Sweeper from Steen Enterprises in the amount of \$14,084.93, which is on South Carolina State contract. The Town will trade-in the current tractor, which does not have the capability of utilizing a sand sweeping brush attachment. The cost of this equipment will be paid from the General Vehicle and Equipment Replacement fund which has a balance of \$1,662,971. The Town has accrued \$15,348 in the replacement fund specific to this piece of equipment. Mr. Renner made a motion to approve the purchase of a Kubota F2690E Tractor and Sand Sweeper from Steen Enterprises. Mr. Watts seconded the motion, which was approved unanimously.

Approval of Renewal of the Agreement between The Town of Edisto Beach and Ashley Hudson-Scott for Legal Representation for Indigent Defendants in Municipal Court. Council was asked to consider and approve the extension of a contract with Ashley Hudson-Scott, Esquire, to provide legal representation for indigent defendants appearing before the Town's summary court. State and Federal Law require that prior to the imposition of a jail sentence for any crime, the defendant charged must be advised of their right to counsel, and this must be provided free of charge to the defendant. For services rendered, the Town agrees to pay a flat fee of \$200 per case. Mr. Kizer made a motion to approve the renewal of the agreement between the Town of Edisto Beach and Ashley Hudson-Scott for Legal Representation for Indigent Defendants in Municipal Court. Mr. Watts seconded the motion, which was approved unanimously.

Approval of 2024 Holiday and Meeting Schedules. Council was asked to consider and approve the 2024 Holiday Schedule and the 2024 Town Council and Committees Meeting Schedule. The Holiday Schedule and Town Council Meeting Schedule will be published in the Press & Standard newspaper upon approval. Mr. Bagwell made a motion to approve the 2024 Holiday Schedule and the Town Council and Committees Meeting Schedule. Mr. Kizer seconded the motion, which was approved unanimously.

Town Committee—Approval of Appointment. Town Council received one application for the committee vacancy as noted below. Mr. Renner made a motion to approve the committee appointment as noted below. The motion was seconded by Mr. Watts.

- TIDE Committee (One Vacancy):
 - Gary Cantrell

Accommodations Tax Advisory Board Recommendations At the November 2, 2023, Accommodations Tax Advisory Board meeting, the Board approved the following recommendations to be submitted to Town Council:

1. The South Carolina Lowcountry Tourism Commission requested \$42,000 for destination advertising and promotion purposes. Edisto Beach would be one of the areas featured in the advertising and promotion. The ATAX Board recommended the SC Lowcountry Tourism Commission receive \$18,000 in ATAX funds.
2. The Edisto Beach Fire Department requested \$31,587.92 for the radio replacement project, which has a total project cost of \$90,587.92. The amount of \$59,000 will be paid from the General Vehicle/Equipment Replacement Fund. The project includes replacement of emergency handheld radios and truck-mounted base stations. The current equipment will be obsolete by April 2025. The ATAX Board recommended this project be funded in the amount of \$31,587.92 as requested.
3. Ocean Ridge Master Property Owners Association requested \$69,225 for the Yacht Club Road Outfall/Pipe Project. This request is due to pipe damage, and repairs to the pipe will alleviate flooding. The ATAX Board recommended this project be funded in the amount of \$10,000.

Mr. Kizer made a motion to approve the requests as noted. Mr. Renner seconded the motion, which was approved unanimously.

Discussion of Noise Ordinance. There were no comments.

Council Time

Mayor Moore commented that the recent Trick or Treat on the Creek event brought the community together. He thanked Ms. McElveen and the Fire Department for their involvement in making this event such a huge success.

Mr. Bagwell reported the pickleball court is being resurfaced and noted the residents' excitement on this project.

Mr. Watts reported the Vaccine Clinic held earlier in the day was very successful and expects to have another one in 1 – 2 months.

Department Reports

The following reports were presented to Council:

Building

	October 2022	October 2023	YTD
Business/Rental License Fees	\$8,192.24	\$6,912.52	\$46,628.44
New Construction Permits	2	1	9
Other Permits	37	54	152
Permit Fees	\$11,707.50	\$15,061.50	\$62,974.00
Inspections	47	72	323

Mr. Brown reported 24 new homes are under construction

Fire

	October 2022	October 2023	YTD
Calls			
Medical	29	25	116
Fire-Related	4	2	11
EMS/Misc. (includes alarms, hazmat, public assist, water rescue, etc.)	29	11	51
Public Service (includes fire inspections, beach wheelchair loan, welfare checks)	19	23	174

Chief Conley reported the EBFD have had multiple Public Service events with the St. Paul's Fire Department.

Police

	October 2022	October 2023	YTD
Miles Patrolled	8,769	11,023	40,741
Incidents & Calls for Service	104	283	1004
Property Checks	784	1,587	5,984
Town Parking Tickets	38	25	426

T. Herring reported Chief Seyle was a guest speaker at the Codgers Group meeting. Officer McWatters, Lt. Herring, and Chief Seyle have all been recertified on the radar equipment

Utilities

MG (Million gallons)	October 2022	October 2023	YTD
Pumped MG Water	15.6	15.	79.7
Treated MG Wastewater	3.2	4.0	19.3
Water Line Repairs	2	3	11
Work Order Repairs	26	22	156

Mr. Kemp reports that Dominion is preparing to put up the Christmas lights. Mr. Bagwell asked if a reminder can be sent to homeowners about winterizing their homes, Code Red alert on our website or on the mobile sign

Fund Information

Fund	Received	Spent
General Fund	41.96%	38.66%
Water Fund	32.42%	29.63%
Wastewater Fund	33.36%	27.96%

Freedom of Information Act Requests (FOIA)

	October 2022	October 2023	YTD
Number of Requests	5	4	71

Administration

Town Administrator Mark Aakhus presented updates to Council on the following items:

- Pump Station A contractor has been approved by RIA and the contracts are being prepared now by American Engineering.
- The Arc/Billow Street Project is very close to completion.
- There will be a presentation and open discussion for Council and the public on the Lagoon Study during the January 2024 Council meeting.
- The sprinkler system for the Fire Department was re-bid and bids are due November 15.
- Site clearing has begun on the Jungle Road Park bathroom.
- Town Hall updated cost estimate is due next week.
- The new pickleball court resurfacing has begun and should be completed soon.

Executive Session

Mr. Kizer made a motion to go into Executive Session for the following item and this item only:

*Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, 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, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. SC 30-4-70(A)(2)
(Upon returning to Open Session, action may be taken by the Council on items discussed during the Executive Session.)*

Mr. Renner seconded this motion, which was approved unanimously. Council entered into Executive Session at 6:35 p.m.

Open Session

At 6:55 p.m., Mr. Kizer made a motion to exit Executive Session and enter Open Session. Mr. Renner seconded this motion, which was approved unanimously.

No action was needed from Executive Session.

Oath of Office for Newly Elected Council Members

As a result of the November 7, 2023 election, the following were administered the Oath of Office by Town Attorney Maryann Blake. Mayor Crawford Moore, Mr. Jerome Kizer, and Mr. Joey Bagwell.

ELECTION OF MAYOR PRO TEMPORE

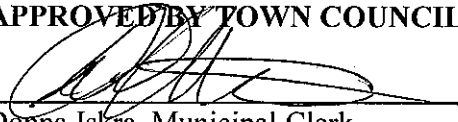
As per Town Ordinance, following a general election for Town Council, a Mayor Pro Tempore shall be elected by ballot from the Town Council. The Mayor Pro Tempore shall serve for a term of two years or until his/her successor is elected. Council voted by ballot and Mr. Jerome Kizer received the majority of the votes. Mayor Moore made a motion to approve Mr. Kizer as Mayor Pro Tempore. Mr. Bagwell seconded the motion, which was approved unanimously.

Adjournment

There being no further business to discuss, Mr. Kizer made a motion, seconded by Mr. Renner, to adjourn the meeting. The motion was approved unanimously.

The meeting was adjourned at 7:10 p.m.

APPROVED BY TOWN COUNCIL



Donna Iskra, Municipal Clerk
December 14, 2023