

MINUTES
JANUARY 31, 2019
ANNUAL GOAL SETTING RETREAT
10:00 A.M.

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

Present: Jane S. Darby, Mayor, Crawford Moore, Mayor Pro Tempore, Susan Hornsby, Jerome Kizer and Patti Smyer, Council Members; *Quorum of Council Present*. Also present were Iris Hill, Town Administrator, Mark Aakhus, Administrative Manager, Bert Duffie, Town Counsel, Patrick Brown, Building Code Administrator, George Brothers, Police Chief, Denney Conley, Fire Chief, Bob Doub, Utilities/Public Works Director, Patrick Zemp, Utilities Manager, Kelly Moore, Special Projects Coordinator and Deborah Hargis, Municipal Clerk.

Departmental Requests/Concerns

Lagoon Maintenance Update

Chief Conley updated Council on the progress of the lagoon cleanup and maintenance. The flow has been greatly improved by removing all manner of debris. There will be another clean up in the spring.

Drainage Update

Administrator Hill told Council that last year at the retreat, issues with drainage on Billow Street and Arc Street were mentioned. Driveway pipes would need to be considered in any proposed repairs. The top priority after the completion of the Myrtle Street project is working on the Billow Street/Arc Street component. Other areas of concern are Fort Street, Scott Creek Drive, Yacht Club Road, Docksite Road and the lagoon system between Palmetto and Jungle. A previous project on Yacht Club that included a drainage system has been negatively impacted by sea level rise on the Big Bay Creek side. There is a question of how to fund the drainage projects since Alcohol Permitting funds are limited. Funding is not available from Local Accommodations, State Accommodations or Hospitality at this time due to statute constraints. Currently two pieces of legislation are addressing using tourism taxes for flooding. Administrator Hill asked for direction from Council for managing the tourism taxes and how much should be put aside for projects. Mayor Darby stated her preference to start on Billow and Arc Streets once the Myrtle Street project is complete and look at funding for it. Administrator Hill stated her desire to add the section of Myrtle Street to Jenkins to be added to the priority list, since requests from property owners in that area have been made. Administrator Hill will get prices on Arc and Billow, which will most likely include surveying/engineering. There will be a cost associated with that. Administrator Hill suggested Council look at the funds coming in from tourism taxes and prioritize the projects and amounts for each. Councilwoman Smyer asked, "Can you develop a plan for how much it would cost to have the engineering done (for the Billow/Arc Street drainage project) so that when we do get funding, we'll be ready to go ahead and start?" Administrator Hill said that she could. Ms. Hill told those in attendance that there was originally funding for Billow Street and other areas, but since Myrtle Street was most critical, all available funds were diverted to that project, including CTC and DOT funds.

Review of Ordinances Update

Town Attorney Bert Duffie told Council there was no update for the review of Ordinances.

Turtle Safe Lighting Update

Administrator Hill said that in the past year, six turtle safe lights were installed in the areas with the most reported turtle misorientations. The cost for these lights is \$953 per year. As the lights are installed, the street lighting costs will increase. Six more will be replaced in the coming year. If all streetlights on Palmetto are replaced with the turtle safe lights it will increase the cost to the Town \$4,383 per year.

Operational Concerns

Administration has been in touch with Howard B. Jones, the contractor that submitted a proposal for the reconstruction of the tennis court. The sent a representative to look at the tennis court and subsequently pulled their bid. Mark Aakhus has been in contact with Jill Deardorff, who recommended two contractors, Tennico and Carolina Sport Surfaces. Both companies reviewed the bid, but did not submit a proposal. After talking with Mr. Aakhus, both companies reconsidered and will be in touch with Mr. Aakhus in the near future. The funding will not be available after April so time is of the essence on the project. A discussion of multi-use aspects of the tennis court followed.

Patrick Brown told Council that a foundation-only permit has been issued for the R/O plant and construction has begun on the foundation. The concrete has been poured on the sump pit. Administrator Hill said that the transmission lines would soon be installed and the concentrate discharge pipe has been delivered. The raw water transmission line from Lee Street to the R/O plant would be started next week.

Mr. Brown told Council that he had checked on the ditch around McConkey Square that the TIDE Committee had expressed concern over and Mr. Doub has arranged for it to be graded, at no cost to the Town, into a small swale so it is not an issue for cars.

Republic Contract

The contract between the Town of Edisto Beach and Republic Services expires in April. Administrator Hill asked for direction as to whether or not to continue with Republic or rebid. Mayor Darby suggested renegotiating the contract if it will be to the Town's advantage monetarily. Councilwoman Hornsby stated that with the time constraints, the Town would be better served by negotiating with Republic to continue for the next three years. Administrator Hill said she would get in touch with Republic to find out the rates moving forward. Audience members Tom Mann and Mike Jenkins expressed concern over the yard debris pick up and lack of service.

The recycling facility in North Charleston has not been finished, so curbside recycling is still cost prohibitive. Administration will keep the curbside recycling on the back burner for now.

Sea Level Rise

Mayor Darby told those in attendance, "Some of the most severe flooding after the storms and during some of the astronomical tides, is coming up on Jungle Shores and Jungle Road and... on Docksite where Scott Creek (is)... In looking at everything that's coming out about the sea level rise, there's a lot of information coming out that this is probably going to be a worse problem than storms." Administrator Hill affirmed that the sea level rise has become an issue for coastal communities. Administrator Hill has gotten a price of \$80,000-\$100,000 from Coastal Science and Engineering to do a study. Councilman Kizer asked if the sea level rise would impact the Town or if it was an individual property owner issue. Mayor Darby stated she thought it would be up to the property owners and the Department of Health and Environmental Control/Ocean and Coastal Resource Management. Mayor Darby said she would check with DHEC/OCRM at her next meeting to see if the sea level rise is on their calendar. Councilwoman Smyer

mentioned that Kiawah Island has already done a sea level rise study, and that Edisto Beach may be able to glean information from their study.

Front Beach Sewer

Administrator Hill explained that the topic of sewer on the front beach comes up occasionally and becomes a more critical issue when there are hurricanes. It is a very costly issue, and Administration has looked at grants through the Rural Water Infrastructure. There must be 100% participation to receive the grant. Mayor Darby brought up the fact that putting in the sewer lines was only one part of the expense; wastewater treatment plant modifications, holding ponds, lift stations and the effluent disposal are also expensive considerations when adding to the system. "It may become critical if we have another storm, but right at the moment, there are just too many things in play going on. Frankly, the jurisdictional lines may impact septic systems." Councilwoman Smyer asked if the project would need to be shovel-ready to secure a grant. Administrator Hill said that was the case. Administrator Hill stated, "If we had a shovel-ready project... when and if that opportunity ever occurred... then you would be ready. But I do foresee that if there was a huge impact and Palmetto Boulevard was destroyed and needed to be resurfaced or repaved... the same as with underground utilities, that would be the time to do it." Councilwoman Smyer asked how much it would cost to get to the point that the Town would be awarded a grant. Administrator Hill said that was unknown at this point. Mayor Pro Tem Moore asked if the grant share would include adjustments to the existing sewer plant. Administrator said the grant would pay for the plant to be upgraded but not for the engineering. Mayor Darby suggested that the front beach sewer be kept on "the back burner" for the time being.

Automatic Read Meters/Utility Building

Administrator Hill gave Council examples of automatic read meters vs. manual read meters. The Town currently uses the manual read or analog meters. The automatic read meter Administrator Hill showed Council sends information to a laptop in the vehicle of the utility personnel automatically. This would allow the Town to know if there is a leak prior to the bill going out once every six months. Automatic read meters would also reduce man-hours since the current practice is to have all utility operators go out and read meters prior to billing. The drive-by option is less expensive than the meters that relay information directly to the main computer in the Utilities Department office. The cost for the entire beach ranges from \$540,000 to \$890,000 depending on the brand. Another option would be to phase in the automatic read meters. Water R&R has approximately \$400,000. The Town would need to look at other needs, such as repairs to booster pumps at Wells #4 and 5. Administrator Hill asked for Council's direction so that a plan can be implemented if requested. Mayor Darby suggested getting an application packet together so the Town would be eligible for Local Option Sales Tax when Colleton County goes out for referendum in 2022. Mayor Darby stated, "I would prefer that, and I'll tell you why. Every time we try phase something like that in... some part of it becomes incompatible with a new computer program or something changes in the whole system. When I looked at these... the difference (in cost) was installation and training." Mayor Darby asked Bob Doub if the automatic read meters were compatible with our pipes and he confirmed they were.

Local Accommodations Funds

As stated earlier, Administrator Hill will itemize needs for Town Council prioritization in the budget process.

Beach Accesses – Walkovers vs. mats

After a discussion concerning different types of walkover mat materials, Administrator Hill said she would talk to different communities to see how satisfied they were with the mats. The suggestion was made to purchase enough of each mat to outfit one beach access each. Building Official Patrick Brown offered to prioritize beach accesses by which would use the least amount of material.

Spring Grove Development Update

Patrick Brown informed Council and those in attendance that after contacting the Deputy Planning Director in Charleston County he was told, “the development plan has been signed, all the property has been sold. At this time there were no permits for construction. They have issued a forestry/agricultural permit for some timbering of the properties, and they approved a ten-acre log yard for storing the logs and bringing in equipment.” Mayor Darby reminded everyone that Council told Charleston County that the development is supplying the Town with day visitors, the Town will “... expect some monetary accommodation because this is where they’ll come ... (which will) impact our fire and ambulance, and all.”

Committees – Budgetary Impacts

Administrator Hill asked for Council’s support in having Committees submit budget requests as opposed to asking for funds at random times during the year. The TIDE Committee is in the process of coming up with one- five- and ten-year plans. Emergencies are to be expected occasionally. “That way we have everything up front, we know how much money we have so we can figure out what’s going to pay for what.”

Drones

Police Chief George Brothers told Council that he had spoken to the FAA who said that the Town cannot regulate air space. If drone usage impacts voyeurism laws or public safety laws, then the Town can address them from that stand point. Chief Brothers stated the Town usually gets two or three calls per year. Drones are not allowed over heavily populated areas, so, “July 4th, you can’t fly over the beach. You can fly on the edge of it and look at the beach.” As a point of clarification, if someone were to hire a drone to photograph a social function, that is allowable.

Additional Parking at Beach Accesses

Administrator Hill told Council that the TIDE Committee has requested having additional parking at some beach accesses, and specifically mentioned beach accesses 5 and 6. Councilman Kizer clarified that the suggestion was to open the accesses up for golf cart parking only. Councilman Kizer said, “I believe the Town can do the work...it’s not something that we’d have to spend a lot of money on, it’s something we can do in house, just maybe moving some sand around on our property.” The topic of safety was mentioned, saying that the increased golf cart parking kept children from getting off the carts into Palmetto Boulevard. Mayor Darby suggested that the TIDE Committee incorporate this request into their proposed one- five- and/or ten-year plan so that the items can be budgeted for the upcoming year. Administrator Hill brought up the fact that due to the golf cart laws, this would help residents. Mayor Darby asked that the TIDE Committee address this topic at the next meeting, and that no vegetation be destroyed during the process.

The meeting was recessed for lunch.

Council Topics

Mayor Darby

Mayor Darby explained, "It is difficult to fund some of these events out of ATAX, according to the ATAX language. We have been using the Alcohol Permitting Fund for some of these events. The problem this year is going to be that that account is not flush. So we need to do two things; we need to set a once-a-year deadline so that if anybody is going to ask for funds for the year... it just doesn't pop up... and we're expected to find the money. We can plan for it... The second thing is, are there events that we want to sponsor right off the top of our heads." Council listed the following events to sponsor: Arts in the Park, Movies in the Park, the Governor's Cup, the Shag Fest, Edisto United's BBQ and Oyster Roast, the BBQ Festival and (after discussion) the Shark Tournament. Administrator Hill told Council, "I appreciate ya'll giving me the names of the events, but also we're going to need to know what amount you want to sponsor based on Alcohol Permitting Funds?" Administrator Hill informed Council that the Alcohol Permitting Fund has \$14,889. Fifteen thousand more is budgeted to be received. Councilwoman Smyer stated, "Several of the events we talked about, there's really no money involved, it's just a matter of waiving the Park fees: The Chamber of Commerce Movie nights, the Arts in the Park and the Edisto United Oyster Roast... none of those ask for money from the Town..." Four events would need funding, the Cookin' on the Creek BBQ Festival, the Governor's Cup, the Shag Fest and the Shark Tournament. Councilwoman Hornsby brought up the fact that if the Town expends all the Alcohol Permitting Funds on events, work on the drainage issues will be delayed. Administrator Hill stated, "That's true, unless they pass legislation that allows us to use other Tourism Taxes." Mayor Darby said, "The point is, the drainage (improvements) that we need, we could save 20 years and it wouldn't touch it." Mayor Darby asked Councilwoman Smyer, who asked to address drainage issues on the agenda, to go ahead and present her topic. Councilwoman Smyer said she would like to see a regular maintenance schedule in place for all ditches, DOT- and Town-owned. Administrator Hill said there was a plan in place. We herbicide and remove debris but are not able to clean as well as contractors since the Town doesn't not have the necessary equipment. Councilwoman Smyer asked if DOT could come out on a regular basis to clean DOT-owned ditches. Administrator Hill said that the Town can request it. Administrator Hill said, "We'll put together a plan... and give it to Council." Councilwoman Smyer said that she would like the ditches at the corner of Mikell and Fort Streets to be at the top of the list, as this ditch is no longer there. Councilwoman Smyer also asked to see the existing maintenance schedule already in place.

Mayor Pro Tem Moore

Mayor Pro Tem Moore had no issues to discuss.

Councilwoman Hornsby

Councilwoman Hornsby said that an issue that the Happie Chicks had brought to her had been resolved. Patrick Brown told Councilwoman Hornsby that popsicles made with alcohol were not allowed to be sold by mobile vendors.

Councilman Kizer

Councilman Kizer distributed information on a public restroom and other amenities at Jungle Road Park. The Town owns five lots together in that area; one has the gazebo, one has the playground, and the next two lots are empty. The fifth lot has the entrance to the park located across the street from the Town's parking area. Because of the location, the restroom could be built on the ground and connected to sewer. An outdoor shower/pet fountain was also discussed. Mayor Darby expressed reservations with security of

the restroom and cleaning/maintenance. Administrator Hill noted the Town would have to pay for the sewer and water at the restroom. Mayor Darby said, "I think those things can be worked through, but we have to give some thought to that." The issue of funding was also addressed, including ATAX funding, which currently has \$362,000. Mayor Darby asked Chief Brothers to gather information from traffic counts to see if the Town could make a viable case in asking Charleston County (because of the influx of day visitors to Edisto from Charleston County) for funding help. Administrator Hill said Colleton County may be willing to help fund the project with tourism taxes. Administrator Hill said "If we're going to discuss restrooms.... That we do have an option of looking at private/public partnerships. Especially when you're talking about the beachfront. And we had this in place a few years ago where we had two partners that were willing to do some type of partnership with the Town and that would have provided restroom facilities on the beachfront and all we would have to do is a cost share as far as cleaning and the water usage, and that was up at the Pavilion and at Wyndham.... So you would've had two restrooms for the public, and eliminate some of their (Wyndham Cabana and Pavilion owners) frustration about the public coming in and using their restrooms and that still may be a viable option. The State Park is also a viable option..." Mayor Darby said that the Town could revisit those things along with the Jungle Road Park restroom idea. Mayor Darby asked Administrator Hill to revisit the State Park, Pavilion and Wyndham possibilities of cost sharing to provide facilities for the public.

Councilwoman Smyer

Councilwoman Smyer said, "I would like to ask Council to look at us having a plastic bag Ordinance. There are three reasons that I'm bringing this up at this point: 1) We are about to stand alone along the South Carolina coast. Eleven Towns have already passed plastic bag Ordinances, and I really think that in order to be a part of a unified South Carolina coastline, that we ought to join our neighbors in this fight. 2) Last year, legislation was introduced to disallow Towns to write this kind of Ordinance. They were going to take away our right to write an Ordinance that we feel like solves a local problem. In other words, they were messing with our Home Rule. It didn't pass right at the last minute, thank goodness. When I submitted this packet for Deborah to copy on January 18, I said, 'legislation is very likely to be reintroduced,' well 4 days later, on January 22nd, a bill has been introduced into the Senate to not allow Towns to be able to pass this kind of Ordinance. So already, we're looking at legislation in the Senate that's being discussed that would keep us from being able to do this. So this is a timely issue. If we ever think we want to do this, now is the time in order for us to get in before they pass that kind of legislation. The third reason is of course, my primary reason, environmental issues. We live on the coast where these kinds of things blow into the ocean and harm marine life. I would like to see us, again, because we are a coastal community, be a part of the solution, be a part of the state that's trying to make sure that our beaches and our marine life are being preserved. I have given, in your packets, information from the different towns, news articles, about what they have passed. Most of them have passed similar things, with a few beaches having something additional, Isle of Palms was the first one to pass, and they just basically did plastic bags, I believe, but that was back in 2015. They are now in the process of re-looking at their Ordinance to bring it in line with the more recent ones. The latest one to be passed was James Island, earlier this month. City of Charleston before that, Charleston County has already asked their lawyer to go ahead and start drafting an Ordinance for them to look at. And so, we're really kind of standing out there alone. The four things I've asked to be in the Ordinance are: plastic bags, plastic straws, and polystyrene, which would include coolers, cups and food containers. There are exemptions, if you look at the different Ordinances that I put in your packet, and I asked Deborah to add one more this morning, because yesterday I was able to get my hands on the Sullivan's Island one. It's closest to what I would love to see our Town look at. Because in addition to those three things, the fourth thing that they say, is not to allow these things on the beach. So when we have our beach patrol going down and they see a glass bottle, they would also be looking, if somebody has

a plastic bag or a straw, they would also mention to people that those are no longer allowed. The other thing, there are several things, one is that we don't ever want a small business to have a problem with an Ordinance of this type. And so, I would want us to have a clause in there, a hardship clause, so that if a business was having a problem economically, being able to comply with this Ordinance, they would be able to come to Town Council and request more time, up to a year, so that they were able to come in compliance. Another thing, North Myrtle Beach right now is looking at writing an Ordinance, but they don't want to really enforce it right now, but they want to get it on the books before the Legislature has a chance to tell them they can't do it. So they're looking at writing an Ordinance and having it going ahead and become effective, but not enforce it for a year. So I want us to talk about that as a possibility. So that we would... have our Ordinance, but not enforce it yet – give businesses time to comply.” Councilwoman Hornsby: “Have you talked to businesses at all?” Councilwoman Smyer, “... We approached 23 businesses... there were 18 that responded, 15 were supportive, 3 indicated they were concerned about cost. Some of those businesses have already complied, there are 12 businesses who have voluntarily complied with getting rid of all plastic bags and have started working on polystyrene. There are some businesses that don't use any of those any more.... We've already got a lot of our businesses already working toward this. And I do have a rundown of what businesses we talked to and who said what.” Mayor Darby, “I'd like to see that (list), can you make sure that's in Council's packet for next week? Now, I think it's up to Council to come up with those things you'd like to see in an Ordinance... because it should be complete Council input... If you would get that in by Wednesday of next week.” Administrator Hill, “We have a draft ” Tommy Mann, a member of the audience, expressed concern over the plastic straw ban, stating that his grandson, because of being differently-abled, cannot drink from a container without one. Councilman Kizer said, “The ban won't be to ban straws from here. You can bring them in from Charleston or wherever you go to get them. But you won't get them at our restaurants and our businesses. That's what the Ordinance would say.” Mr. Mann, “That's my problem. If we forget to bring the straws with us, and they're not sold here, we've got to drive to Charleston or Walterboro to buy straws.” Mayor Darby, “One rule doesn't fit every size... There has to be some kind of provision that you make if a person is physically unable to drink or eat and it's got to fall under ADA or something.” Councilwoman Smyer, “It's actually in the Ordinances that that's exempt.” Mayor Darby, “Another thing that I've heard from the community is bags of ice.” Councilwoman Smyer, “That's exempt.” Mayor Darby, “...and bait.” Councilwoman Smyer, “That's exempt...” Mayor Darby brought up juice pouches/boxes with plastic straws attached and stated, “We've got to find some way to put a little heart into it.... Granted, we need to do this.” Mayor Pro Tem Moore said that he had talked with the BiLo manager, who said the main problem his store would have was the greater need for storage with paper vs. plastic bags. If he has to make room for paper bags, storage for other items will have to be sacrificed. Administrator Hill requested Town Attorney Duffie look over any proposed Ordinance to make certain it is ADA compliant.

2019-2020 COUNCIL GOALS

Drainage/Lagoons

Walkovers/Beach Access Golf Cart Parking

Proactive schedule for Public Works

Public Restrooms/Public Private Partnership

Funding for automatic meter readers

Turtle-safe lighting

The public/media was notified of the date, place and time of the meeting on January 28, 2019.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
February 14, 2019