

Sullivan's Island Town Council
2050-B Middle Street
June 17, 2014
6:00 p.m.

Welcome

Pledge of Allegiance and Invocation

I. Format: 20 minutes for general comments from the floor

II. Council Action Items

1. Approval of Minutes from May 20, 2014 regular meeting and June 2, 2014 special meeting.
2. Approval of Authorization to Proceed with Hazard Mitigation Grant.
3. Resolution to Approve Water Rates for Fiscal Year 2015.
4. Second Reading and Ratification, Ordinance No. 2014-03, An Ordinance to Adopt Town Budget for Fiscal Year 2014-15.
5. Second Reading and Ratification, Ordinance No. 2014-04, An Ordinance to Adopt the Water and Sewer Operating Budget for Fiscal Year 2014-15.
6. Second Reading and Ratification, Ordinance No. 2014-06, An Ordinance to Amend Section 2-60 Regarding Sale of Town-owned Real Estate.
7. Second Reading and Ratification, Ordinance No. 2014-07, An Ordinance for the Sale of Lots 10 and 11.
8. Second Reading and Ratification, Ordinance No. 2013-09, An Ordinance Amending Section 14-25 of the Code of the Ordinances for the Town of Sullivan's Island to Revise Franchise Fees for Filming, Video Taping, and Still Photography for Commercial Purposes; and, to Add Language Prohibiting Filming of Any Type within the RC-1/RC-2 Zoning Districts or on the Beach.
9. First Reading, Ordinance No. 2014-05, An Ordinance to Adopt Amendments to the 2008 Comprehensive Plan.
10. Proclamation – Commemorating the Events of Carolina Day June 28, 2014.
11. Proclamation – Honoring the Retirement of William "Bill" Lewis.

(continued)

12. Island Club – Lease termination.

13. Staff position for Recreation

III. Reports and Communication

1. General and New Correspondence
2. Attorney's Report
3. Boards and Commissions Reports
 - a) Planning Commission
 - b) Board of Zoning Appeals
 - c) Design Review Board
 - d) Tree Commission
 - e) Municipal Elections Commission

IV. Committee Reports – Discussion Items

1. Finance Committee
2. Public Safety Committee
3. Water and Sewer Committee
4. Administration Committee
5. Land Use and Natural Resources Committee
6. Public Facilities Committee
7. Recreation Committee

V. Executive Session

1. Legal – Legal Advice Bluestein v. SI 10-CP-10-5449
2. Contractual – Ladder Truck RFP and Contract
3. Contractual – Real Estate Broker Agreement
4. Personnel

VI. Adjourn

June 2, 2014

A Special Meeting of Town Council was held on the above date at 6:00 pm at Town Hall, all requirements of the Freedom of Information Act having been satisfied.

Present were: Mike Perkis, Mayor
Jerry Kaynard, Mayor Pro-tem
Chauncey Clark, Councilman
Susan Middaugh, Councilwoman
Patrick O'Neil, Councilman
Mary Jane Watson, Councilwoman

Mayor Perkis called the meeting to order at 6:00 pm and stated the press and public had been notified in accordance with State law. The purpose of the meeting was for the public hearing of the General Fund budget and Water & Sewer budget for fiscal year 2015; as well as two ordinances regarding town-owned real estate.

Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to have First Reading of Ordinance 2014-06, An Ordinance to Amend Section 2-60 Regarding Sale of Town-owned Real Estate. Administrator Benke stated the State statute requires an action of Council to sell property of the Town. At the Town level, the ordinance says that Council would list property to sell by sealed bid or public auction; or if those two were not to the satisfaction of Council, the third option was to list the property with a real estate agent. This ordinance 2014-06 allows Council to have three options for selling Town-owned real estate: sealed bid, public auction, or listing with a real estate agent. **Motion carried unanimously.**

Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to have First Reading of Ordinance 2014-07, An Ordinance for the Sale of Lots 10 and 11. Councilman O'Neil stated the Town had three lots listed for sale in order to generate income for capital needs such as the new Town Hall and new fire truck. One of those properties located on Middle Street across from the old Town Hall was purchased and closed in April. The other two lots – marsh front on Raven – are still for sale. The lots in this ordinance 2014-07, Lots 10 and 11, could be more appealing to a broader range of potential buyers. The lots are on Middle Street seaward side, and they back up to l'on lots. **Motion carried unanimously.**

The third item on the agenda was the public hearing on the General Fund budget. Comptroller Blanton gave an overview of the General Fund for fiscal year 2015 budget. The revenue is \$4,230,000 and the expenses are \$4,418,000. The shortage will be made up by reserve funds generated this year. Most of the overage is due to the tennis courts at \$130,000 (it was budgeted for FY2014 but will be spent in FY2015); \$77,000 for the Town's matching portion of 25% for the purchase of a new rescue boat (grant received for 75%), and \$15,000 for payment on a lease purchase agreement to replace the 14 air packs for the firefighters.

Mayor Perkis stated the revenue budget included a cost of living increase for employees that would be covered by a 0.9 mil increase to the residents. That would translate to about \$55 per year to a homeowner's primary residence appraised at \$1.2 million. Councilman Kaynard reminded the audience that the new Town Hall costs and the debt service were not included because this was the operating budget. Councilwoman Watson stated it appeared that the Island Club would break their lease with the Town in July. The Town owns the property; however, for the Town to operate recreation activities to all residents, it would require \$5,000 for annual utilities in the Recreation budget and \$17,500 salary for a part-time recreation position who would handle bookings and recreation events. Another \$17,500 salary for the front-desk help in the Administration budget would also be needed. The expenses should be offset by the miscellaneous income from the club rental. Mayor Perkis stated if residents had further questions to please contact Comptroller Jason Blanton.

The next item on the agenda was the public hearing on the Water and Sewer budget for fiscal year 2015. Water and Sewer Manager Greg Gress gave an overview of the budget. The water and sewer rates will have a modest increase. Major items that affect the increase are capital for the I&I (inflow and infiltration) project; replacement of trucks; and sandblasting and painting the clarifiers. The combined water and sewer increase is a 7.1% increase on an average water bill of 6,000 gallons. Councilwoman Middaugh stated that the sewer and water systems are aging, as in other nearby communities. The Mt. Pleasant Waterworks Commission has a 10% increase this year. She continued that the older infrastructure is costly to operate and maintain, so as the Town updates the sewer plant, expenses should go down. For example, when the new I&I project is complete, electricity use at the plant will decrease an estimated 20%. Manager Gress reported that water usage has decreased; and that the new Sullivan's Island Elementary School usage was factored back into the budget this year.

Councilman Kaynard stated the Water and Sewer Committee has been looking for other sources of revenue. Recently he read that Mount Pleasant entered into an agreement with an insurance company who is selling private line insurance to homeowners, for the line from the town system to the house. By entering into this agreement, the Mount Pleasant Water and Sewer Commission received a \$125,000 advance payment from the insurer, and will receive a percentage of the collected fees from the insurance company. He stated this might be a potential source of revenue to research.

Mayor Perkis stated if anyone has any questions about the General or Water & Sewer budgets between now and June 17th when the budget will be adopted, please call Comptroller Blanton or Water & Sewer Manager Gress.

Motion was made by Councilwoman Watson, seconded by Councilman Kaynard, to adjourn at 6:23 p.m., carried unanimously.

Council then proceeded with the regularly scheduled Council Workshop.

Respectfully submitted,

Ellen Miller

**A RESOLUTION TO INCREASE WATER AND SEWER FEES
For FY15**

WHEREAS, the water and sewer fees should cover for the expense incurred by the Town when service is provided; and,

WHEREAS, it is necessary from time-to-time to raise such rates to more accurately reflect said expenses;

NOW, THEREFORE, BE IT RESOLVED that Town Council, in a meeting duly assembled revises and establishes the following fees for water and sewer:

<u>1. Monthly Fixed Charges</u>	<u>Water, Irrigation & Water Only</u>	<u>Sewer</u>
Base Charge		
<u>Meter Size</u>		
5/8" by 3/4"	19.23	23.82
1"	23.52	28.90
1.5"	30.45	37.11
2"	47.45	57.25
3"	200.52	238.59
4"	342.15	406.39
 CWS Capital Charge		
Base Charge		
<u>Meter Size</u>		
5/8" by 3/4"	9.60	
1"	12.02	
1.5"	15.94	
2"	25.54	
3"	111.98	
4"	191.97	
 Total Fixed Charge		
<u>Meter Size</u>		
5/8" by 3/4"	28.83	23.82
1"	35.54	28.90
1.5"	46.39	37.11
2"	72.99	57.25
3"	312.50	238.59
4"	534.12	406.39

2. Variable Usage Rates **Water, Irrigation & Water Only** **Sewer**

		Per 1,000 gallons	Per 1,000 gallons
Water Usage Rates			
0 to 4,000 gls	Essential Usage Rate	3.33	6.15
4,000 to 8,000 gls	Average Rate	7.24	8.05
> 8,000 gls	Discretionary Usage Rate	12.08	12.22
 Drought Surcharge Rates			
0 to 4,000 gls	Essential Usage Rate	3.33	6.15
4,000 to 8,000 gls	Average Rate	10.86	8.05
> 8,000 gls	Discretionary Usage Rate	18.12	12.22

3. HYDRANT METER

Due at time meter is picked up

- A. **Permit Fee**
 5/8"-3/4" \$100.00
 2" \$250.00
- B. **Security Deposit**
 Refunded upon return of meter with no unpaid balance
 5/8"-3/4" \$250.00
 2" \$850.00
- D. **Volumetric Rate/1000 gals**
 Same as Water Rates

4. MISCELLANEOUS CUSTOMER CHARGES:

- A. **Delinquent Customer Fee \$1+1.5%**
 (Late if not paid 15 days following rendition) 1.5% charged per month on balance due
- B. **Deferred Payment Agreement Fee \$10+1.5% of Balance**
- C. **Returned Check Fee**
 1 check returned \$30.00
 2 checks returned \$30.00
 (After 2 checks returned, cash only will be accepted)
- D. **Late Fee (Penalty) \$10.00**
 If not paid by 15th of month following rendition
- E. **Delinquent Service**
 Disconnect Fee \$30
 Reconnect Fee
 Monday – Friday 8:00am to 4:00pm \$30.00
 All other hours \$60.00
- F. **Service Call (Not SI's responsibility) \$30.00**
- G. **Meter Reread/Check for Leak \$30.00 (Original reading correct)**

Actim-10

- H. **Meter Test 5/8"-3/4"** \$100
- I. **Sewer Adjustment Request Application Fee** \$50.00
- J. **Construction Services**
 - Mark Water & Sewer Service Taps to Property** \$30.00
 - Demolition:**
 - Removal of water meter and Cap sewer\$500.00 plus cost for tree/structure removal**
 - Inspection fee for connection or disconnect from service** \$50.00
- K. **Septage Tipping Fee (per 100 gals)** \$7.00/100 gals
- L. **Damaged Meter**
 - Cut Wire \$30.00
 - 5/8"
 - Replace Customer Shut-Off \$75.00
 - Replace Meter Box Lid \$45.00
 - Replace Meter Box Top \$90.00
 - Replace Meter Box \$250.00
 - Replace Register & Touch Read System \$110.00
 - Replace Complete Meter & Box \$470.00
 - 1"
 - Replace Customer Shut-Off \$100.00
 - Replace Meter Box Lid \$50.00
 - Replace Meter Box Top \$100.00
 - Replace Meter Box \$350.00
 - Replace Register & Touch Read System \$130.00
 - Replace Complete Meter & Box \$575.00
 - 1 1/2" to 2"
 - Replace Customer Shut-Off \$150.00
 - Replace Meter Box Lid \$75.00
 - Replace Meter Box Top \$180.00
 - Replace Meter Box \$450.00
 - Replace Register & Touch Read System \$140.00
 - Replace Complete Meter & Box \$1200.00
- M. **Bacteriological Testing For Water Samples** \$30.00
- N. **Cross-Connection Services:**
 - Application fee for permit to install Backflow Device \$60.00
 - Inspection for Backflow Device Installations (*per device*) \$25.00
 - Annual Backflow Device Testing (*Per device*) \$40.00
- O. **Grease Trap Inspection Fee (per inspection)** \$50.00
- P. **Damaged Sewer Clean Out**
 - Replace Clean Out Lid \$35.00
 - Replace Clean Out Riser \$100.00
 - Replace Clean Out Protector Ring \$160.00
 - Install 6" Double Sweep Clean Out \$600.00 plus cost for tree/structure removal

5. **ACCOUNT, CONNECTION & DISCONNECTION FEES:**

- A. **Renter's Security Deposit** \$300.00

Action-11

- B. Security Deposits Construction Water Only Accounts \$300.00**
Volumetric Rate/1000 gals for Water Only Same as Water Rates
- C. Security Deposit Dock Only Accounts \$1,000.00**
- D. New Account Fee**
Non refundable
Water Only \$20.00
Water and Wastewater \$40.00
- E. Transfer Account Fee \$20.00**
- F. Final Bill Reading \$30.00**
- G. Water Re-Connect Fee \$100.00**
After a disconnect
- H. Water Meter Connection Fee: (if no service line to property exists)**
5/8"-3/4" \$920.00+ Street, Sidewalk & Curb Cut, or Bore
1" \$1720.00 + Street, Sidewalk & Curb Cut, or Bore
1-1/2" \$2950.00 + Street, Sidewalk & Curb Cut, or Bore
2" \$3500.00 + Street, Sidewalk & Curb Cut, or Bore
3" \$5500.00 + Street, Sidewalk & Curb Cut, or Bore
- I. Unmetered Private Fire Line Tie-In Application & Inspection Fee**
\$150.00
(Actual cost to install will be the applicants' responsibility)
- J. Wastewater Permit Application Fee \$60.00**
- K. *left blank***
- L. Wastewater Tap Fee: (if no service line to property exists)**
6" \$700.00 + Street, Sidewalk & Curb Cut, or Bore
8" Actual Cost + Street, Sidewalk & Curb Cut, or Bore
- M. Wastewater Re-Connect Fee \$100.00**
After a disconnect
- N. Street Cut for 5/8" to 3" Water Connection \$800.00**
- O. Street Cut for 4" to 6" Sewer Connection \$800.00**
- P. Sidewalk / Curb Cut for items K & L above \$600.00**
- Q. Bore for up to 4" pipe 100 feet long \$1500.00**

RESOLVED this 17th day of June, 2014.

Town of Sullivan's Island

Michael Perkis, Mayor

Attest:

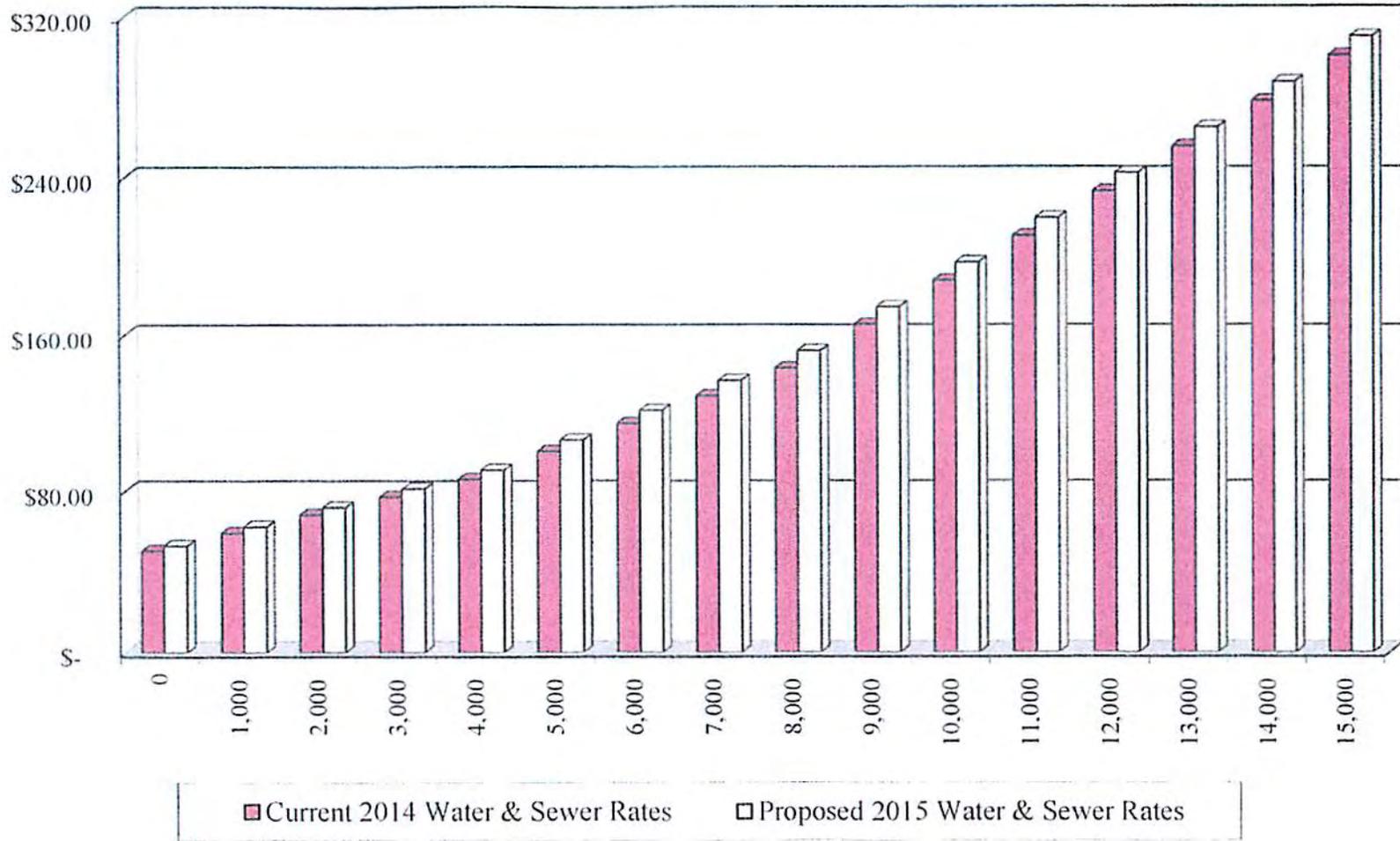
Ellen Miller – Town Clerk

Action-12

Action-13

	Current 2014 Water & Sewer Rates		Proposed 2015 Water & Sewer Rates		% Change	\$ Amount Change
0	\$	50.08	\$	52.65	5.1%	\$ 2.57
1,000	\$	59.05	\$	62.13	5.2%	\$ 3.08
2,000	\$	68.02	\$	71.61	5.3%	\$ 3.59
3,000	\$	76.99	\$	81.09	5.3%	\$ 4.10
4,000	\$	85.96	\$	90.57	5.4%	\$ 4.61
5,000	\$	100.17	\$	105.86	5.7%	\$ 5.69
6,000	\$	114.38	\$	121.15	5.9%	\$ 6.77
7,000	\$	128.59	\$	136.44	6.1%	\$ 7.85
8,000	\$	142.80	\$	151.73	6.3%	\$ 8.93
9,000	\$	165.32	\$	174.34	5.5%	\$ 9.02
10,000	\$	187.84	\$	196.95	4.8%	\$ 9.11
11,000	\$	210.36	\$	219.56	4.4%	\$ 9.20
12,000	\$	232.88	\$	242.17	4.0%	\$ 9.29
13,000	\$	255.40	\$	264.78	3.7%	\$ 9.38
14,000	\$	277.92	\$	287.39	3.4%	\$ 9.47
15,000	\$	300.44	\$	310.00	3.2%	\$ 9.56
16,000	\$	322.96	\$	332.61	3.0%	\$ 9.65
17,000	\$	345.48	\$	355.22	2.8%	\$ 9.74
18,000	\$	368.00	\$	377.83	2.7%	\$ 9.83
19,000	\$	390.52	\$	400.44	2.5%	\$ 9.92
20,000	\$	413.04	\$	423.05	2.4%	\$ 10.01
21,000	\$	435.56	\$	445.66	2.3%	\$ 10.10
22,000	\$	458.08	\$	468.27	2.2%	\$ 10.19
23,000	\$	480.60	\$	490.88	2.1%	\$ 10.28
24,000	\$	503.12	\$	513.49	2.1%	\$ 10.37
25,000	\$	525.64	\$	536.10	2.0%	\$ 10.46
26,000	\$	548.16	\$	558.71	1.9%	\$ 10.55
27,000	\$	570.68	\$	581.32	1.9%	\$ 10.64
28,000	\$	593.20	\$	603.93	1.8%	\$ 10.73
29,000	\$	615.72	\$	626.54	1.8%	\$ 10.82
30,000	\$	638.24	\$	649.15	1.7%	\$ 10.91

FY 14 & FY 15 Combined Water & Sewer Rates



Action-14

Ordinance 2014-03

**AN ORDINANCE
TO ADOPT BUDGET FOR JULY 1, 2014 THROUGH JUNE 30, 2015**

WHEREAS, Section 5-7-260 (3) of the South Carolina Code requires that a municipal council shall act by ordinance to adopt budgets pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Sullivan's Island in Council duly assembled and by the authority of same:

SECTION 1: That the prepared budget and the estimated revenue for payment of same is hereby adopted and is hereby made a part thereof as fully as if incorporated herein and copy thereof is attached hereto.

SECTION 2: That budgeted revenues and expenses cover the period from the First Day of July 2014 to the Last Day of June 2015, both inclusive.

SECTION 3. That budgeted expenses must be matched by budgeted revenues to be generated so as to effect a balanced budget, in a manner deemed feasible by the Town Council, and consistent with the Constitution and Statues of the State of South Carolina.

SECTION 4. The billing dates, the penalty dates, and the amount of the penalty which shall be levied for delinquent taxes shall be as established theretofore.

SECTION 5. The Town Council shall be responsible for the collection of delinquent taxes.

SECTION 6. The Town Council shall administer the budget and may authorize the transfer of appropriated fund within and between departments as are necessary to achieve the goals of the budget.

SECTION 7. If for any reason why any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

This Ordinance to take effect upon its enactment.

Adopted this 17th day of June, 2014.

Town of Sullivan's Island

Michael Perkis, Mayor

Attest:

Ellen Miller, Town Clerk

First Reading: May 12, 2014
Second Reading and Ratification: June 17, 2014

Action-15

FISCAL YEAR 2015

GENERAL FUND

HIGHLIGHTS OF THE BUDGET

REVENUE:

1. Total revenue is projected to be approximately \$133,000 less than FY 2014.
2. Property tax has been projected with an approximate increase of 3.35% for operating purposes. The 3.35% increase is the combination of the 1.46% increase in CPI for 2013 and calendar year 2011 population growth of 1.9%. 3.35% will increase the millage rate from 29.3 to 30.2, which includes an additional mil for the replenishment of the General Fund balance. The Council has the ability to increase the millage rate by an additional 2.78%. This is the combined percentage of the growth in population on Sullivan's Island for 2012 (1.10%) and 2013 (1.68%). Council elected not to use this portion for the increase in the millage for FY 2015.
3. The amount used for the business license revenue is a conservative amount based on the projected revenue for FY 2014. It also includes a 3.0% increase to the rates.
4. The miscellaneous income includes \$35,000 for the re-imbursement of attorney fees related to the accreted land lawsuit, \$40,000 from Charleston County A-Tax and \$40,000 from the Park Foundation to cover a portion of the cost of replacing the tennis courts at Poe Park.
5. The budget has transfers of \$280,000 from the Hospitality and Accommodations Tax Funds for FY 2015. This is approximately 10% of the total budget for the Fire, Police, and Maintenance Departments.

EXPENSES:

1. The increase in expenses is expected to be approximately \$282,450.
2. The rate for the State health insurance will increase by 5% as of January 2015. FY 2015 budget amount for health insurance will be approximately \$12,000 more than the FY 2014 budget amount.
3. A 3% increase of Salaries and wages has been included in the budgeted expenses.
4. The Towns contribution rate for the Police Officers Retirement System will increase from 12.84% to 13.41%. This affects the Police and Fire Departments. The Towns contribution rate for the SC Retirement System, which covers all other Town employees, will increase from 10.6% to 10.9%. The difference in the contribution amount is approximately \$11,000. All Town employees will have to contribute an extra .5% starting July 1st.

5. The Town will pay approximately \$80,000 during FY 2015 for its portion of the Charleston County consolidated dispatch. This amount is split between the Police and Fire Departments.
6. There still remains an amount of \$48,400 in the Police and Fire Department budgets for dispatch service with Isle of Palms for a complete year.

Fire Department:

1. \$15,000 is included in the budget for a payment on a lease/purchase agreement for 14 new air packs at \$4,700 each.
2. \$16,000 is included in the budget for the purchase of a utility vehicle for use on beach paths and water rescues.
3. \$77,000 is included in the budget for the Town's matching portion of 25% for the purchase of a new rescue boat. One of the current rescue boats will be sold.

Police Department:

1. 2 new patrol vehicles will be purchased during FY 2015. The Town is expecting to purchase the vehicles with a lease/purchase agreement. The first payment will not be due until FY 2016.

Administration:

1. \$15,000 has been included in the budget for re-codification of the Town ordinances.
2. \$25,000 has been included in the budget for a new web-site design.
3. \$60,000 has been included in the budget for digitizing Town documents. This will greatly reduce the space needed for storage of documents.

Recreation:

1. \$130,000 is included in the Recreation budget for the replacement of the tennis courts at Poe Park during FY 2015. The Sullivan's Island Park Foundation has agreed to cover \$40,000 of the project.

Other:

1. The budgeted expenses for FY 2015 are greater than the projected revenue with a difference of \$145,291. The addition to the fund balance in FY 2014 will make up this difference.

CAPITAL & DEBT SERVICE:

1. The capital expenses for the Town Hall construction and the purchase of a new ladder truck should be kept in a separate fund outside of the General Fund.
2. There should also be a debt service fund established for the revenue received from the property taxes for servicing of the 2014 G.O. Bond.
3. The debt service for FY 2015 is \$77,695. From the latest assessed values from Charleston County, this would require an additional 1.24 mils. This is not included in the operating budget.

Town of Sullivan's Island
FY 2015 Revenue Projections

	2015 Projections
INTEREST EARNED	\$ 6,000
POLICE ACCIDENT REPORTS	200
TRANSFER FR WATER FUND	200,000
LICENSES	725,000
DOG PERMITS	75,000
BOAT PERMITS	20
BRD. OF ZONING APPEALS APPLIC FEE	2,000
DESIGN AND REVIEW BOARD FEES	11,000
PLANNING COMMISSION FEES	1,000
BUILDING PERMITS	250,000
TRIMMING & PRUNING INCOME	12,000
AD VALOREM PERS PROP TAX	1,776,000 *
HOMESTEAD EXEMPT REFUND	9,000
FINES COLL - RECORDER	55,000
FEE SIMPLE TITLES	100
AID TO SUBDIVISIONS	33,000
VICTIMS RIGHTS FUND	10,000
BEVERAGE TEMP. PERMITS	21,000
FRANCHISE FEES - CELL TOWER	43,000
FRANCHISE FEES - OTHER	430,000
STATE ACCOMMODATIONS TAX	25,000
L.O.S.T., PROP.ROLLBACK	120,000
L.O.S.T., REVENUE FUND	55,000
MISCELLANEOUS INCOME	130,000
PROCEEDS FROM SALE OF ASSETS	4,000
TRANSFERS FROM HOSPITALITY & ACCOMMODATIONS	
TAX FUNDS FOR OPERATING EXPENDITURES	280,000
USE OF ACCUMULATED FUND BALANCE	145,291
	\$ 4,418,611

* An additional \$50,000 has been added to property tax revenue to replenish the fund balance.

Action-19

5/12/2014

Town of Sullivan's Island
FY 2015 - Expense Budget

	<u>Admin</u>	<u>Building</u>	<u>Fire</u>	<u>Police</u>	<u>Maintenance</u>	<u>Recreation</u>	<u>Total</u>
BUDGETED EXPENDITURES:							
Salaries	\$ 385,000	\$ 194,000	\$ 568,000	\$ 480,000	\$ 170,000	\$ -	\$ 1,797,000
Social Security	30,000	14,400	42,000	36,000	12,500	-	134,900
Hospital Insurance	46,200	23,000	85,000	59,000	25,000	-	238,200
Retirement	45,000	21,000	76,000	63,000	14,000	-	219,000
County Sheriff Deputies	-	-	-	40,000	-	-	40,000
Gas & oil	-	2,600	12,000	40,000	12,000	-	66,600
Diesel Fuel	-	-	6,500	1,200	4,000	-	11,700
Vehicle Repairs & Maintenance	-	-	20,000	15,000	7,500	-	42,500
Office Supplies	24,000	3,000	-	-	-	-	27,000
Supplies & Materials	-	-	20,000	12,000	25,000	-	57,000
Travel - Recorder	700	-	-	-	-	-	700
Supplies - Recorder	1,000	-	-	-	-	-	1,000
Supplies - Bldg Inspect.	-	2,000	-	-	-	-	2,000
Telephone	17,000	3,600	10,000	10,000	660	-	41,260
County 911 Service	-	-	50,000	47,000	-	-	97,000
Power & Lights	8,000	1,300	11,000	5,000	42,000	7,500	74,800
Insurance	62,000	5,000	55,000	44,000	17,000	2,500	185,500
Uniforms	-	-	10,000	8,000	3,000	-	21,000
System Repair & Maintenance	40,000	3,000	11,000	8,000	16,000	-	78,000
Recreation Area Maintenance	-	-	-	-	-	10,000	10,000
Dues & Certifications	3,200	2,000	1,000	500	-	-	6,700
Training & Seminars	6,000	4,000	9,500	6,500	-	-	26,000
Professional Services	120,000	-	-	-	-	-	120,000
Fee Simple Deed Costs	100	-	-	-	-	-	100
BZA Expenses	-	2,000	-	-	-	-	2,000
DRB Expenses	-	9,000	-	-	-	-	9,000
Planning Expenses	2,000	-	-	-	-	-	2,000
Tree Commission Expenses	-	1,500	-	-	-	-	1,500
Council Expenses	11,000	-	-	-	-	-	11,000
General Advertising Expenses	8,000	-	-	-	-	-	8,000
Legal & Accounting	100,000	-	-	-	-	-	100,000
Accreted Land Lawsuit	35,000	-	-	-	-	-	35,000
Trimming & Pruning Exp.	-	11,400	-	-	-	-	11,400
Special Events	-	-	-	-	-	25,000	25,000
Miscellaneous	18,000	-	8,500	1,500	1,000	-	29,000
Property & Equipment	10,000	-	93,000	20,000	-	130,000	253,000
Capital Lease Payments	-	-	34,800	33,134	7,917	-	75,851
Equipment Under \$5,000	10,000	5,000	7,500	7,000	-	10,000	39,500
Town Hall Relocation	50,000	-	-	-	-	-	50,000
Building Repairs & Improvements	-	-	10,000	-	-	-	10,000
Victims Rights Fund	10,000	-	-	-	-	-	10,000
Water Bond Payment	200,000	-	-	-	-	-	200,000
Dispatching Services	-	-	24,200	24,200	-	-	48,400
Container Servicing	-	-	-	-	13,000	-	13,000
Causeway Maintenance	-	-	-	-	2,000	-	2,000
Beach Path Maintenance	-	-	-	-	10,000	-	10,000
Garbage Disposal	-	-	-	-	175,000	-	175,000
Total Expenditures - FY 2015	\$ 1,242,200	\$ 307,800	\$ 1,165,000	\$ 961,034	\$ 557,577	\$ 185,000	\$ 4,418,611

Action-20

ORDINANCE NO. 2014-04
AN ORDINANCE TO ADOPT THE WATER AND SEWER OPERATING
BUDGET FOR FISCAL YEAR 2014-15

WHEREAS, The Town of Sullivan's Island owns and operates a municipal waste water collection system and treatment plant; and

WHEREAS, the Town of Sullivan's Island owns and operates a water distribution system; and

WHEREAS, The Town of Sullivan's Island operates the Water and Sewer Systems on a July 1 through June 30 budget cycle; and

WHEREAS, The Town of Sullivan's Island collects user fees and rates for the operation of the Water and Sewer Systems; and

WHEREAS, The Water and Sewer Committee has reviewed the operating expenses and revenue of the Water and Sewer Department and recommends adoption;

NOW THEREFORE BE IT ORDAINED by the Mayor and Town Council of the Town of Sullivan's Island in Council assembled, that the operating budget for the Water and Sewer Department for the period of July 1, 2014 through June 30, 2015 be adopted.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON RATIFICATION.

SIGNED, SEALED AND DELIVERED THIS 17th day of June, 2014.

Michael Perkis, Mayor

Attest:

Ellen Miller, Town Clerk

First Reading: May 20, 2014

Second Reading and Ratification: June 17, 2014

Action-21

FY 2015 Water and Sewer Budget Summary Assumptions and Highlights



6/9/2014

	Water	Sewer
	FY 2015	FY 2015
	% of overall increase/decrease	% of overall increase/decrease
Expenses Assumptions		
Salaries	1.25% Increase	0.48% Increase
Health Insurance	0.22% Increase	0.08% Increase
Expenses Highlights		
CWS Capital Reserves	6.71% Decrease	N/A
CWS Capital Improvements	-11.01% Increase	
Capital Improvements	0.50% Increase	7.79% Increase
CWS H2O Purchase	-0.20% Decrease	N/A
Lease Payments/Vehicle Replacement	0.53% Increase	0.20% Increase
Reserves	0.00%	0.00%
Revenue Bond		0.1% Increase
Usage Demand Assumptions		
Usage		
Billed Usage Projected FY15	80 Million Gallons	65 Million Gallons
Revenue Requirements		
Estimated Rate Increase	4.4% Increase	11.4% Increase

Action-22

All references are to revenue requirements or budgeted numbers from FY15 to FY14

Salaries	Increase 3.0%
Health Insurance	Increase 5%
CWS Capital Reserves	Decreased to 17K. Previous year was 59K due to WABS
CWS Capital Improvements	Projected CWS capital payment for FY15 is 177K
Water Capitol	Increase 5K, Continue WLP
CWS H2O Purchase	Decreased 2K based on actual projections
Sewer Capital	85K for Ongoing Collection System Rehab & Replacement
	Added 35K for a total of 91K to fund 1.6 Mil Sewer Collection System Phase I Grouting Progr
Lease Payments/Vehicle Replacement	Existing debt service plus increase funding for 2 trucks and CCTV camera head
Reserves	No change

WATER
PROPOSED
BUDGET FY15

41775.0000	WATER 124	FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED BUDGET	(+/-) % to BUDGET	(+/-) \$ Amount to Budget
							Prop. Budget		
124.0100	Salaries	\$ 127,199.28	\$ 133,312.23	\$ 146,325.43	\$ 140,115.84	\$ 159,165.62	\$ 168,308.92	5.7%	9,143
124.0200	Social Security	\$ 9,355.60	\$ 9,318.46	\$ 10,716.94	\$ 10,641.78	\$ 12,176.17	\$ 12,875.63	5.7%	699
124.0210	Health Insurance	\$ 16,025.74	\$ 15,832.90	\$ 16,082.32	\$ 15,750.15	\$ 23,361.17	\$ 25,390.83	8.7%	2,030
124.0220	Retirement	\$ 11,879.14	\$ 11,534.15	\$ 13,723.13	\$ 13,402.68	\$ 16,871.56	\$ 18,018.67	6.8%	1,147
124.0300	Gas & Oil Vehicles	\$ 5,432.14	\$ 6,567.10	\$ 6,742.45	\$ 6,485.82	\$ 7,000.00	\$ 7,000.00	0.0%	-
124.0310	Diesel-Fuel	\$ 3,134.60	\$ 2,520.42	\$ 2,666.96	\$ 685.85	\$ 3,300.00	\$ 3,300.00	0.0%	-
124.0320	Diesel Equip Maint & Repairs	\$ 1,187.71	\$ 2,121.64	\$ 316.66	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	0.0%	-
124.0400	Maint & Repairs Vehicles	\$ 4,948.54	\$ 2,918.64	\$ 3,333.41	\$ 5,346.93	\$ 5,000.00	\$ 5,000.00	0.0%	-
124.0600	Supplies & Materials	\$ 6,166.10	\$ 5,474.01	\$ 8,415.82	\$ 13,376.33	\$ 10,000.00	\$ 10,000.00	0.0%	-
124.0510	Tools	\$ 2,779.94	\$ 1,658.34	\$ 1,654.09	\$ 592.61	\$ 1,500.00	\$ 1,500.00	0.0%	-
124.0620	Office Supplies	\$ 7,156.17	\$ 6,931.27	\$ 5,955.38	\$ 5,300.17	\$ 8,700.00	\$ 8,700.00	0.0%	-
124.0630	Lab Supplies	\$ 2,023.93	\$ 3,203.18	\$ 1,937.81	\$ 1,836.14	\$ 2,200.00	\$ 2,200.00	0.0%	-
124.0700	Telephone	\$ 6,080.84	\$ 7,582.50	\$ 5,456.34	\$ 5,457.20	\$ 5,600.00	\$ 5,600.00	0.0%	-
124.0900	Power & Electricity	\$ 2,801.96	\$ 3,084.93	\$ 3,128.75	\$ 3,389.42	\$ 2,800.00	\$ 2,800.00	0.0%	-
124.1000	Insurance	\$ 14,976.13	\$ 18,116.83	\$ 15,931.24	\$ 14,745.56	\$ 17,000.00	\$ 17,000.00	0.0%	-
124.1100	Equipment Repairs	\$ -	\$ 188.41	\$ -	\$ -	\$ -	\$ -	-	-
124.1200	System Repairs&Main	\$ 47,250.39	\$ 30,205.78	\$ 23,907.15	\$ 36,351.98	\$ 38,000.00	\$ 38,000.00	0.0%	-
124.1203	Uniforms and Clothing	\$ 3,965.10	\$ 599.39	\$ 303.99	\$ 1,250.33	\$ 1,500.00	\$ 1,500.00	0.0%	-
124.1210	capital Improvements	\$ 3,230.11	\$ 17,411.46	\$ 196,725.54	\$ 51,686.39	\$ 55,000.00	\$ 60,000.00	9.1%	5,000
124.1211	Admin. Bld. Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
124.1220	Depreciation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
124.1300	Dues & Certifications	\$ 8,246.62	\$ 4,758.00	\$ 5,289.00	\$ 4,957.14	\$ 9,000.00	\$ 9,000.00	0.0%	-
124.1400	Training & Seminars	\$ 4,149.81	\$ 3,645.11	\$ 1,213.49	\$ 4,445.96	\$ 4,500.00	\$ 4,500.00	0.0%	-
124.1900	Prof. Ser. - Audit	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	0.0%	-
124.2000	Prof. Ser. - Eng.	\$ -	\$ 5,002.50	\$ 8,000.00	\$ -	\$ 7,000.00	\$ 7,000.00	0.0%	-
124.3000	Miscellaneous	\$ -	\$ 426.96	\$ 260.20	\$ 35.27	\$ 1,564.35	\$ 1,564.35	0.0%	-
124.3100	Prop. & Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
124.3110	Prop & Equip <\$5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
124.3500	Water Bond prmt to general fund	\$ 197,624.46	\$ 196,937.61	\$ 198,500.00	\$ 198,500.00	\$ 198,500.00	\$ 198,500.00	0.0%	-
124.3510	Lease Payments	\$ -	\$ -	\$ -	\$ 13,568.98	\$ 14,255.61	\$ 19,568.98	37.3%	5,313
124.3600	Water analysis	\$ 899.92	\$ 589.28	\$ 420.00	\$ -	\$ 1,200.00	\$ 1,200.00	0.0%	-
124.3700	Chemicals	\$ 7,163.84	\$ 8,527.61	\$ 9,583.60	\$ 12,038.51	\$ 7,000.00	\$ 7,000.00	0.0%	-
124.3800	Meter Lease Payment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
124.3900	H2O Payment, Operation	\$ 113,133.14	\$ 99,542.90	\$ 101,640.10	\$ 112,523.06	\$ 125,000.00	\$ 123,000.00	-1.6%	(2,000)
124.4000	CPW Improvements	\$ 187,116.00	\$ 16,018.00	\$ -	\$ 120,538.00	\$ 118,656.00	\$ 8,295.00	-93.0%	(110,361)
124.8900	Bad Debt Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
	SUBTOTAL - WATER	\$ 845,927.21	\$ 666,029.61	\$ 860,229.80	\$ 908,022.08	\$ 971,850.47	\$ 950,092.39	-2.2%	(21,758)
	ADMINISTRATIVE								
ACCT #	DESCRIPTION								
129.0100	Admin. Salaries	\$ 34,878.77	\$ 37,416.83	\$ 39,803.92	\$ 39,113.87	\$ 40,067.66	\$ 41,269.70	3.0%	1,202
129.0200	Social Security	\$ 2,632.47	\$ 2,826.42	\$ 3,012.49	\$ 2,924.46	\$ 3,065.18	\$ 3,157.13	3.0%	92
129.0210	Hospital Insurance	\$ 3,798.55	\$ 3,455.34	\$ 3,617.76	\$ 3,447.89	\$ 3,275.98	\$ 3,429.78	4.7%	154
129.0220	Retirement	\$ 3,368.34	\$ 3,563.28	\$ 4,219.24	\$ 4,146.02	\$ 4,247.17	\$ 4,498.40	5.9%	251
129.2100	Admin-Office Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
129.2200	Bond Interest expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
129.2300	Transfer to Gen. Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
129.2400	Transfer to Water Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
129.2400	Transfer to Sewer Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
129.2400	Transfer to Special Rev	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
	TOTAL ADMINISTRATIVE	\$ 44,678.13	\$ 47,261.87	\$ 50,653.41	\$ 49,632.23	\$ 50,655.99	\$ 52,355.01	3.4%	1,699
	GRAND TOTAL - WATER	\$ 890,605.34	\$ 713,291.48	\$ 910,883.21	\$ 957,654.31	\$ 1,022,506.46	\$ 1,002,447.40	-2.0%	(20,059)
	Reserve for Anticipated capital Outlays	\$ 30,000.00	\$ 30,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	0.0%	-
	Reserve for CWS capital Charge	\$ 17,000.00	\$ 17,000.00	\$ 17,000.00	\$ 59,000.00	\$ 59,000.00	\$ 126,270.00	114.0%	67,270

Action-23

WATER
REVENUE
BUDGET FY15

###

4	ACCT.#	DESCRIPTION	FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED REVENUES	(+/-) % to BUDGET	(+/-) \$ to BUDGET
5	12-3000-0005	Water Bond Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
6	12-3000-1000	Transfer From CIP Fund	\$ -	\$ -	\$ 39,523.33	\$ 60,565.00	\$ 60,565.00	\$ -	-100.0%	#####
7	123.2000	Transfer fr. Depreciation Fd.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
8	123.3300	Interest earned	\$ 3,850.13	\$ 2,045.31	\$ 1,980.52	\$ 1,902.87	\$ 3,000.00	\$ 2,000.00	-33.3%	\$ (1,000.00)
9	123.4110	Water Sales	\$ 891,288.05	\$ 876,310.00	\$ 869,067.34	\$ 891,115.36	\$ 936,191.46	\$ 977,697.40	4.4%	\$ 41,505.93
10	123.4111	Penalties	\$ 5,340.00	\$ 5,875.00	\$ 5,410.00	\$ 6,529.50	\$ 5,500.00	\$ 5,500.00	0.0%	\$ -
11	123.4112	Administrative Account Fees	\$ 9,375.00	\$ 10,000.00	\$ 9,940.00	\$ 10,140.00	\$ 8,000.00	\$ 8,000.00	0.0%	\$ -
13	123.4114	Hydrant meter permits	\$ -	\$ 350.00	\$ 100.00	\$ 600.00	\$ 200.00	\$ 200.00	0.0%	\$ -
14	123.4300	Meter connect & renew	\$ 13,460.00	\$ 18,485.00	\$ 19,370.00	\$ 19,224.24	\$ 7,000.00	\$ 7,000.00	0.0%	\$ -
15	123.4400	Meter Repairs	\$ 300.00	\$ 335.00	\$ 1,175.00	\$ 1,760.00	\$ 500.00	\$ 500.00	0.0%	\$ -
16	123.4500	Service Calls	\$ 295.00	\$ 420.00	\$ 1,020.00	\$ 330.00	\$ 500.00	\$ 500.00	0.0%	\$ -
17	123.4600	Inspection Fees	\$ -	\$ -	\$ -	\$ -	\$ 250.00	\$ 250.00	0.0%	\$ -
18	123.4610	Backflow Testing	\$ 560.00	\$ 400.00	\$ 560.00	\$ 320.00	\$ 700.00	\$ 700.00	0.0%	\$ -
19	124.4611	Unmetered Fire Line Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
21	124.4612	Repairs Caused by Others	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
22	123.4900	Miscellaneous	\$ 125.00	\$ 4,254.75	\$ 114.76	\$ 3,458.55	\$ 100.00	\$ 100.00	0.0%	\$ -
23	123.9000	Transfer fr. Spec. Rev.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
24	123.9100	Transfer fr. Sewer Fd.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
25	123.9400	Transfer fr. Gen. Fd.	\$ -	\$ -	\$ 125,000.00	\$ -	\$ -	\$ -		\$ -
26	123.9900	Advalorem Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
		TOTAL	\$ 924,593.18	\$ 918,475.06	\$ 1,073,260.95	\$ 995,945.52	\$ 1,022,506.46	\$ 1,002,447.40	-2.0%	#####

Action - 24

WATER DEPARTMENT
CAPITAL
FY15 BUDGET

Action - 25

JUSTIFICATION OF .3100, 3110, 3500																		
DESCRIPTION	FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED BUDGET	(+/-) \$ to BUDGET			FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED BUDGET	(+/-) \$ to BUDGET		
EXISTING DEBT SERVICE	\$ -	\$ -		\$ 13,568.98	\$ 14,255.61	\$ 13,568.98	\$ (686.63)		4.1200 System Repairs & Maintenance	\$ -	\$ -							
Vehicle Replacements	\$ -	\$ -				\$ 6,000.00	\$ 6,000.00		General System Improvements	\$ 47,250.39	\$ 30,205.78	\$ 23,907.15	\$ 36,351.98	\$ 38,000.00	\$ 38,000.00	\$ -		
2006 F150 CO Truck	\$ -	\$ -	\$ -	\$ -					Total	\$ 47,250.39	\$ 30,205.78	\$ 23,907.15	\$ 36,351.98	\$ 38,000.00	\$ 38,000.00	\$ -		
2006 F150 MGR Truck	\$ -	\$ -	\$ -	\$ -														
2002 F250 Utility Truck	\$ -	\$ -	\$ -	\$ -					4.1210 capital Improvements Program									
2005 F750 Dump Truck	\$ -	\$ -								\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Meter Reader Utility vehicle	\$ -	\$ -	\$ -						Pipe Replacement Program	\$ 3,230.11	\$ 17,411.46	\$ 196,725.54	\$ 51,686.39	\$ 55,000.00	\$ 60,000.00	\$ 5,000		
2002 John Deer Skid Steer	\$ -	\$ -							Total	\$ 3,230.11	\$ 17,411.46	\$ 196,725.54	\$ 51,686.39	\$ 55,000.00	\$ 60,000.00	\$ 5,000		
2004 Godwin 4" Pump	\$ -	\$ -																
	\$ -	\$ -							4.1220 Deprecation Fund/Reserves									
Backhoe Trailer	\$ -	\$ -							Reserve for Anticipated capital Outlays	\$ 30,000.00	\$ 30,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ -		
Mobile Solar Powered Sign	\$ -	\$ -	\$ -	\$ -					CWS Annual Capital Reserves	\$ 187,116.00	\$ 16,018.00	\$ -	\$ 170,538.00	\$ 59,000.00	\$ 126,270.00	\$ 67,270		
Safety Equipment (Trench Box)	\$ -	\$ -							Total	\$ 30,000.00	\$ 30,000.00	\$ 50,000.00	\$ 170,538.00	\$ 109,000.00	\$ 126,270.00	\$ 67,270		
Mower	\$ -	\$ -				\$ -	\$ -											
	\$ -	\$ -							4.2000 Professional Services - Engineering									
	\$ -	\$ -							Rate Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
	\$ -	\$ -							ASR Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
	\$ -	\$ -							Water System Modeling/Design	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
	\$ -	\$ -							Design next years water line replacemen	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
	\$ -	\$ -							Miscellaneous Engineering	\$ -	\$ 5,002.50	\$ 8,000.00	\$ -	\$ 7,000.00	\$ 7,000.00	\$ -		
	\$ -	\$ -							GIS Mapping	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL PROPERTY & EQUIPMENT	\$ -	\$ -	\$ -	\$ 13,568.98	\$ 14,255.61	\$ 19,568.98	\$ 5,313.37		Total	\$ -	\$ 5,002.50	\$ 8,000.00	\$ -	\$ 7,000.00	\$ 7,000.00	\$ -		
Property & Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -											
Property & Equipment <\$5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -											
Lease Payments/Vehicle replacements	\$ 13,568.98	\$ -	\$ -	\$ 13,568.98	\$ 14,255.61	\$ 19,568.98	\$ 5,313.37											
									Total	\$ 80,480.50	\$ 82,619.74	\$ 278,632.69	\$ 268,576.37	\$ 209,000.00	\$ 281,270.00	\$ 72,270		
														\$ 223,256	\$ 300,838	\$ 77,583		

**SEWER
PROPOSED
BUDGET FY 15**

		FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED BUDGET	(+/-) % to BUDGET
SEWER 114								
#####	DESCRIPTION							
114.0100	Salaries	\$ 131,399.77	\$ 135,334.88	\$ 146,328.04	\$ 140,116.49	\$ 169,165.82	\$ 169,308.82	5.7%
114.0200	Social Security	\$ 9,708.78	\$ 9,838.48	\$ 10,716.98	\$ 10,109.62	\$ 12,178.17	\$ 12,875.83	5.7%
114.0210	Health Insurance	\$ 16,025.75	\$ 15,830.00	\$ 16,082.38	\$ 19,511.10	\$ 23,381.17	\$ 25,390.83	8.7%
114.0220	Retirement	\$ 12,225.79	\$ 12,149.17	\$ 13,723.21	\$ 13,935.09	\$ 16,871.58	\$ 18,018.67	6.8%
114.0300	Gas & Oil Vehicles	\$ 5,432.20	\$ 6,567.12	\$ 6,742.52	\$ 6,485.75	\$ 7,000.00	\$ 7,000.00	0.0%
114.0310	Diesel-Fuel	\$ 2,389.78	\$ 1,890.52	\$ 2,267.89	\$ 5,244.18	\$ 3,300.00	\$ 3,300.00	0.0%
114.0320	Diesel Equip Maint & Repairs	\$ 4,433.36	\$ 5,610.60	\$ 3,119.74	\$ 4,288.07	\$ 5,000.00	\$ 5,000.00	0.0%
114.0400	Maint & Repairs Vehicles	\$ 4,355.24	\$ 2,918.71	\$ 3,988.43	\$ 5,679.72	\$ 5,000.00	\$ 5,000.00	0.0%
114.0600	Supplies & Materials	\$ 4,949.88	\$ 9,122.97	\$ 12,083.17	\$ 14,550.08	\$ 10,000.00	\$ 10,000.00	0.0%
114.0810	Tools	\$ 2,889.13	\$ 2,351.00	\$ 784.88	\$ 2,480.88	\$ 2,000.00	\$ 2,000.00	0.0%
114.0820	Office Supplies	\$ 7,308.59	\$ 6,892.60	\$ 5,838.74	\$ 5,216.62	\$ 8,700.00	\$ 8,700.00	0.0%
114.0830	Lab Supplies	\$ 5,133.22	\$ 8,395.59	\$ 5,844.21	\$ 5,881.80	\$ 3,700.00	\$ 3,700.00	0.0%
114.0700	Telephone	\$ 6,090.94	\$ 7,582.38	\$ 5,385.63	\$ 5,457.48	\$ 5,800.00	\$ 5,800.00	0.0%
114.0800	Power & Electricity	\$ 44,998.46	\$ 48,218.38	\$ 55,233.83	\$ 54,311.82	\$ 48,000.00	\$ 48,000.00	0.0%
114.1000	Insurance	\$ 18,401.35	\$ 20,561.77	\$ 18,398.20	\$ 18,593.88	\$ 19,000.00	\$ 19,000.00	0.0%
114.1100	Equipment Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
114.1200	System Repairs&Main	\$ 42,989.21	\$ 48,409.70	\$ 75,901.53	\$ 67,111.38	\$ 40,000.00	\$ 40,000.00	0.0%
114.1201	Sludge Disposal	\$ 15,388.77	\$ 10,658.49	\$ 28,552.83	\$ 48,194.05	\$ 17,000.00	\$ 17,000.00	0.0%
114.1202	Grit Disposal	\$ 829.58	\$ 979.45	\$ 1,223.42	\$ 1,009.14	\$ 1,400.00	\$ 1,400.00	0.0%
114.1203	Uniforms and Clothing	\$ 3,685.10	\$ 599.41	\$ 304.00	\$ 1,875.50	\$ 1,500.00	\$ 1,500.00	0.0%
114.1210	capital Improvements	\$ 38,184.71	\$ 131,237.11	\$ 78,524.18	\$ 65,119.20	\$ 141,000.00	\$ 348,000.00	145.4%
114.1211	Admin. Bld. Expenses	\$ -	\$ 7,640.00	\$ -	\$ -	\$ -	\$ -	
114.1220	Depreciation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
114.1230	Collection System I&I Monitoring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
114.1300	Dues & Certifications	\$ 6,884.15	\$ 1,502.00	\$ 2,345.00	\$ 6,048.23	\$ 8,000.00	\$ 8,000.00	0.0%
114.1400	Training & Seminars	\$ 3,893.84	\$ 3,513.82	\$ 4,591.97	\$ 5,314.82	\$ 5,000.00	\$ 5,000.00	0.0%
114.1900	Prof. Ser. - Audit	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	0.0%
114.2000	Prof. Ser. - Eng.	\$ 6,034.90	\$ 788.91	\$ 19,309.58	\$ 9,648.00	\$ 5,000.00	\$ 5,000.00	0.0%
114.3000	Miscellaneous	\$ 483.85	\$ 449.88	\$ 803.62	\$ 272.00	\$ 1,124.82	\$ 1,124.82	0.0%
114.3100	Prop. & Equipment	\$ -	\$ -	\$ 8,940.40	\$ -	\$ -	\$ 20,000.00	
114.3110	Prop & Equip <\$5,000	\$ -	\$ -	\$ -	\$ 6,545.45	\$ 6,000.00	\$ -	-100.0%
114.3500	Admin. of Sewer bond	\$ -	\$ 68,838.50	\$ 68,304.50	\$ 68,304.00	\$ 68,304.00	\$ 72,000.00	5.4%
114.3510	Lease Payments	\$ -	\$ -	\$ -	\$ 13,588.88	\$ 14,255.81	\$ 19,588.88	37.3%
114.3800	Wastewater analysis	\$ 10,804.17	\$ 11,939.27	\$ 11,842.49	\$ 9,587.00	\$ 9,000.00	\$ 9,000.00	0.0%
114.3700	Chemicals (cl2,so2)	\$ 8,808.02	\$ 10,563.44	\$ 14,719.75	\$ 14,614.05	\$ 9,000.00	\$ 9,000.00	0.0%
114.8900	Bad Debt Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	SRF I&I Rehab Project						\$ 1,646,725.00	
	SUBTOTAL - SEWER	\$ 418,893.32	\$ 589,360.21	\$ 652,484.70	\$ 661,835.31	\$ 691,258.94	\$ 2,579,012.86	273.1%
	ADMINISTRATIVE							
ACCT #	DESCRIPTION							
119.0100	Admin. Salaries	\$ 34,878.50	\$ 37,416.59	\$ 39,803.88	\$ 39,113.57	\$ 40,067.68	\$ 41,269.70	3.0%
9.0200	Social Security	\$ 2,632.48	\$ 2,826.36	\$ 3,012.48	\$ 2,924.48	\$ 3,085.18	\$ 3,157.13	3.0%
9.0210	Hospital Insurance	\$ 3,788.55	\$ 3,455.34	\$ 3,817.78	\$ 3,447.98	\$ 3,275.98	\$ 3,429.78	4.7%
9.0220	Retirement	\$ 3,368.34	\$ 3,583.23	\$ 4,219.31	\$ 4,148.02	\$ 4,247.17	\$ 4,498.40	5.9%
9.0800	Admin-Office Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
9.1000	Bond Interest expense	\$ 19,110.41	\$ -	\$ -	\$ -	\$ -	\$ -	
9.2200	Transfer to Gen. Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
9.2300	Transfer to Water Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
9.2400	Transfer to Special Rev	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	TOTAL ADMINISTRATIVE	\$ 63,788.28	\$ 47,281.62	\$ 50,853.41	\$ 49,632.02	\$ 50,855.99	\$ 52,355.01	3.4%
	GRAND TOTAL - SEWER	\$ 482,681.58	\$ 636,641.73	\$ 703,138.11	\$ 711,467.33	\$ 741,914.93	\$ 2,631,367.87	254.7%
	Reserve for Anticipated capital Outlays	\$ -	\$ -	\$ 28,000.00	\$ 30,000.00	\$ 30,800.00	\$ 30,800.00	

Action-26

**SEWER
REVENUE
BUDGET FY15**

###

4	ACCT.#	DESCRIPTION	FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED REVENUES	(+/-) % to BUDGET
5	11-3000-0005	Sewer Bond Transfer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,000.00	
6	11-3000-1000	Transfer From CIP Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	
7	11-3000-2000	Transfer fr. Depreciation Fd.	\$ -	\$ -	\$ 39,523.33	\$ -	\$ -	\$ -	
8	11-3000-3300	Intrest earned	\$ 1,295.59	\$ 733.07	\$ 583.07	\$ 448.23	\$ 1,000.00	\$ 1,000.00	0.0%
10	11-3000-4110	Sewer Service Charges	\$ 572,392.84	\$ 613,761.00	\$ 618,570.00	\$ 708,830.06	\$ 731,914.93	\$ 815,642.87	11.4%
11	11-3000-4111	Penalties	\$ 5,340.00	\$ 5,875.00	\$ 5,410.00	\$ 6,502.50	\$ 5,500.00	\$ 5,500.00	0.0%
12	11-3000-4112	Administrative Account Fees	\$ 80.00	\$ 80.00	\$ 400.00	\$ 825.00	\$ 1,300.00	\$ 1,300.00	0.0%
14	11-3000-4300	Tie-in fees & Installations	\$ 4,300.00	\$ 90.00	\$ 9,378.00	\$ 4,530.00	\$ -	\$ -	
15	11-3000-4500	Service Calls	\$ 80.00	\$ -	\$ -	\$ -	\$ 500.00	\$ 500.00	0.0%
16	11-3000-4600	Inspection Fees	\$ 1,380.00	\$ 1,420.00	\$ 2,550.00	\$ 1,350.00	\$ 1,500.00	\$ 1,500.00	0.0%
17	11-3000-4810	Repairs Caused by Others	\$ 4,375.54	\$ -	\$ -	\$ -	\$ -	\$ -	
18	11-3000-4900	Miscellaneous	\$ -	\$ 55,824.12	\$ 6,790.48	\$ 3,227.83	\$ 200.00	\$ 200.00	0.0%
19	11-3000-9100	Transfer fr. Water Fd.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
20	11-3000-9200	Transfer fr. Gen. Fd.	\$ -	\$ -	\$ 50,000.00	\$ -	\$ -	\$ 125,000.00	#DIV/0!
21	11-3000-9300	Transfer fr. Spec. Rev.	\$ -	\$ -	\$ 11,980.00	\$ -	\$ -	\$ -	
22	11-3000-9900	Advalorem Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
23		SRF Bond Reserve						\$ 1,646,725.00	
24		TOTAL	\$ 589,203.97	\$ 677,563.19	\$ 745,164.88	\$ 725,713.62	\$ 741,914.93	\$ 2,631,367.87	254.7%

Action-27

**SEWER DEPARTMENT
CAPITAL
FY15 BUDGET**

JUSTIFICATION OF 3183.3113.3900																	
DESCRIPTION	FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED BUDGET	(+/-) \$ to BUDGET				FY11 ACTUAL	FY12 ACTUAL	FY13 ACTUAL	FY14 PROJECTED ACTUAL	FY14 BUDGETED	FY15 PROPOSED BUDGET	(+/-) \$ to BUDGET
EXISTING DEBT SERVICE	\$ -	\$ -	\$ -	\$ 13,569.09	\$ 14,256.01	\$ 13,569.09	\$ (687)		4.1200	System Repairs&Main							
Vehicle Replacements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,000.00	\$ 9,000			Special Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sewer Lift Station Equipment	\$ -	\$ -	\$ -	\$ -	\$ 9,000.00	\$ (9,000)					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2008 F190 CO Truck	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				General System Repairs	\$ 42,898.21	\$ 46,409.79	\$ 75,901.63	\$ 48,194.06	\$ 40,000.00	\$ 40,000.00	\$ -
2008 F190 MGR Truck	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				TOTAL	\$ 42,898.21	\$ 46,409.79	\$ 75,901.63	\$ 48,194.06	\$ 40,000.00	\$ 40,000.00	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			4.1210	Capital Improvements Program							
2002 F250 Uteby Truck	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Repairs to lift stations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2005 F750 Dump Truck	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Garbage and Pallet Changers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000.00	\$ 45,000
2004 Jet-Vac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				CCOD Sewer					\$ -	\$ -	\$ -
Motor Roper Utility vehicle	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Pipe Ave Sewer					\$ -	\$ -	\$ -
2002 John Deere 855D Steer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Gravel to Station 17 Sewer					\$ -	\$ -	\$ -
2004 Godwin 4" Pump	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Sludge Drying Improvements					\$ -	\$ 125,000.00	\$ 125,000
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				I&I Monitoring					\$ -	\$ -	\$ -
1999 Kohler Portable Generator	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				On Order Collection Box Rehab A Reserve	\$ 38,194.71	\$ 131,237.11	\$ 75,024.18	\$ 65,119.29	\$ 81,000.00	\$ 85,000.00	\$ 4,000
1995 Ates CCTV Sewer Camera	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ 20,000			Flow Monitoring	\$ 17,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2012 Ates Lateral Push Camera	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Collection Box Rehab A Replacement	\$ 13,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1999 Wisconsin 6" Portable Pump	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				HI Reduction Phase I Overflow Debt Pay				\$ 68,000.00	\$ 68,000.00	\$ 81,000.00	\$ 13,000
Safety Equipment (Tranch Box)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Sewer Lateral Rehab & Replacement	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mobile Solar Powered Sign	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Manhole Rehabilitation	\$ 19,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Rechner Trailer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				TOTAL	\$ 65,119.29	\$ 131,237.11	\$ 75,024.18	\$ 121,119.29	\$ 141,000.00	\$ 245,000.00	\$ 104,000
Mower	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				Depreciation Fund/Reserve	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			4.1220	Reserve for Anticipated Capital Outlays	\$ -	\$ -	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				TOTAL	\$ -	\$ -	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ -
TOTAL PROPERTY & EQUIPMENT	\$ -	\$ -	\$ -	\$ 13,569.09	\$ 20,056.01	\$ 23,569.09	\$ 18,313										
Property & Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00	\$ 20,000			4.3000	Professional Services - Engineering						
Property & Equipment 493,000	\$ 6,545.45	\$ -	\$ -	\$ -	\$ 9,000.00	\$ -	\$ (9,000)			Rate Study	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lease Payments/Vehicle replacements	\$ 13,569.09	\$ -	\$ -	\$ 13,569.09	\$ 14,256.01	\$ 10,569.09	\$ 3,713			GCADA Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
										GIS Mapping	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
										Sewer Collection System Modern	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
										Miscellaneous Engineering	\$ 6,034.00	\$ 784.91	\$ 19,300.58	\$ 9,648.00	\$ 6,000.00	\$ 6,000.00	\$ -
											\$ 6,034.00	\$ 784.91	\$ 19,300.58	\$ 9,648.00	\$ 6,000.00	\$ 6,000.00	\$ -
										TOTAL	\$ 114,183.01	\$ 178,433.72	\$ 195,736.26	\$ 206,861.29	\$ 213,000.00	\$ 421,000.00	\$ 208,000
															\$ 237,026.81	\$ 481,306.81	\$ 274,313

Action-28

Ordinance 2014 – 06

ORDINANCE TO AMEND SECTION 2-60
OF THE ORDINANCES OF THE TOWN OF SULLIVAN'S ISLAND

WHEREAS, Title 5 of the South Carolina Code of Laws sets forth the powers, duties, functions and responsibilities of all municipalities; and

WHEREAS, Section 5-7-40 of the State Statute provides for ownership and the sale of real property owned by the Town; and

WHEREAS, the Town desires to amend Section 2-60 of the Code of Ordinances of the Town of Sullivan's Island to give the Town more flexibility in the way it may sell real property; and

NOW, THEREFORE, BE IT ORDAINED by the Town of Sullivan's Island, in a meeting duly assembled, that Section 2-60 of the Code of Ordinances of the Town of Sullivan's Island be amended to read as follows:

Sec. 2-60. Sale of Town-owned real estate.

The Town Council shall not offer for sale or sell, any piece or parcel or real estate owned by the Town, except pursuant to one or more of the following procedures:

- A. By advertising the real estate at least three (3) times in a newspaper of general circulation in the metropolitan area, calling for sealed bids on the same, and reserving the right to reject any and all bids or to accept any bid most advantageous to the Town; or
- B. By advertising real estate at least three (3) times in a newspaper of general circulation in the metropolitan area, offering it for sale at public auction, with or without a minimum price; or
- C. By listing the real estate with a real estate broker licensed in the State of South Carolina at a minimum price after specific approval by Town Council. The price thereafter may be raised or lowered by Resolution, duly passed by Town Council.

This Section shall not apply to sales to Town-owned real estate to agencies processing the power of condemnation, or sales to public agencies for public purposes. (11-21-77, S1)

(CONTINUED ON NEXT PAGE)

Action - 29

Motion was made by _____, seconded by _____,
and approved by a vote of _____. Passed and approved by the Town Council for the
Town of Sullivan's Island, South Carolina on the _____ day of _____, 2014.

Michael Perkis, Mayor
Town of Sullivan's Island

Attest:

1st Reading: June 2, 2014

Ellen Miller, Town Clerk
Town of Sullivan's Island

2nd Reading and Ratification: June 17, 2014

Attest to Form:

Lawrence A. Dodds, Jr., Town Attorney
Town of Sullivan's Island

ORDINANCE FOR THE SALE OF TOWN OWNED REAL PROPERTY
IN THE TOWN OF SULLIVAN'S ISLAND
ORDINANCE NO. 2014- 07

WHEREAS, Title 5 of the South Carolina Code of Laws sets forth the powers, duties, functions and responsibilities of all municipalities; and

WHEREAS, Section 5-7-40 of the State Statute provides for ownership and disposition of property by municipalities; and

WHEREAS, Section 2-60 of the Town of Sullivan's Island Municipal Code sets forth the procedure for disposition of Town real property; and

WHEREAS, the Town Council has determined that the sale of certain parcels of real property will facilitate the financing of several capital projects including but not limited to construction of a new Town Hall and capital construction projects within the Water and Sewer Department; and

NOW, THEREFORE, BE IT ORDAINED by the Town of Sullivan's Island, in a meeting duly assembled, that the following parcels be offered for sale according to the procedures set forth by the Code of Ordinances of the Town of Sullivan's Island:

- A. Lot 10, Block 12, TMS Number: 529-120-0010 – No Street Address, vacant lot close to Station 30/Middle Street
- B. Lot 11, Block 12, TMS Number: 529-120-0009 – No Street Address, vacant lot close to Station 30/Middle Street

Motion was made by _____, seconded by _____, and approved by a vote of _____. Passed and approved by the Town Council for the Town of Sullivan's Island, South Carolina on the _____ day of _____, 2014.

Michael Perkis, Mayor
Town of Sullivan's Island

Attest:

1st Reading: June 2, 2014

2nd Reading and Ratification: June 17, 2014

Ellen Miller, Town Clerk
Town of Sullivan's Island

Attest to Form:

Lawrence A. Dodds, Jr., Town Attorney
Town of Sullivan's Island

Action-31

ORDINANCE 2013-09

AN ORDINANCE AMENDING SECTION 14-25 OF THE CODE OF ORDINANCES FOR THE TOWN OF SULLIVAN'S ISLAND TO REVISE FRANCHISE FEES FOR FILMING, VIDEO TAPING, AND STILL PHOTOGRAPHY FOR COMMERCIAL PURPOSES, AND TO ADD LANGUAGE PROHIBITING FILMING OF ANY TYPE WITHIN THE RC-1/RC-2 ZONING DISTRICTS OR ON THE BEACH

WHEREAS, the Town of Sullivan's Island has become a popular destination for filming and photography over the past years; and

WHEREAS, the members of Town Council have recognized a need to increase the franchise fees for filming, video taping, and still photography for commercial purposes and the need to restrict commercial activities within RC-1 and RC-2 zoning districts and the beaches of the Town;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Sullivan's Island, in Council assembled, that Section 14-25 of the Sullivan's Island Code of Ordinances shall be and are hereby amended to read specifically as follows:

Sec. 14-25. Franchise Fee for filming, video taping and still photography for commercial purposes.

The Town of Sullivan's Island imposes a permit fee of \$1,500 (one thousand five hundred dollars) or 1% (one percent) of gross expenditures, whichever is greater, per day for the filming of all, or parts thereof, of major motion pictures, made for television movies, television series, and other commercial uses. Still photography shall be subject to a permit fee of \$500.00 (five hundred dollars) per day.

Such activities as listed above are prohibited in the RC-1 and RC-2 zoning districts and the beaches of the Town. All activities must be conducted within guidelines and requirements as set forth by the Town.

Violators of the Town's permit shall be subject to the payment of required fees plus \$500.00 (five hundred dollars) per day, each day being a separate offense. (1-19-93, 9-23-97)

If a term or portion of this ordinance is invalid the remaining ordinance remains valid,

THIS ORDINANCE SHALL BE EFFECTIVE UPON RATIFICATION.

SIGNED, SEALED AND DELIVERED THIS DAY OF

Michael Perkis, Mayor

Attest:

Attest to form:

Ellen Miller, Town Clerk

Lawrence Dodds, Town Attorney

First Reading: October 15, 2013

Second Reading and Ratification:

ORDINANCE 2014-05

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR
THE TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA**

**PURSUANT TO THE 1994 STATE OF SOUTH CAROLINA
COMPREHENSIVE PLANNING ENABLING ACT.**

WHEREAS, the Local Government Comprehensive Planning Enabling Act of 1994 (amended), codified as South Carolina Code Title 6, Chapter 29, requires a municipality to establish a Comprehensive Plan that is regularly updated, and the Comprehensive Plan must be comprised of certain defined elements; and

WHEREAS, South Carolina State Code Section 6-29-510 et seq. further requires that municipalities shall review its local Comprehensive Plan in total every ten (10) years and shall make an interim review every five (5) years of part or all of the Comprehensive Plan, reviewing the Land Use Element at minimum; and

WHEREAS, the Town of Sullivan's Island Planning Commission, from April 2012 to May 2013, engaged in a thorough review of the 2008 Town of Sullivan's Island Comprehensive Plan (ratified by Council in 2009, Ordinance 2009-6); and

WHEREAS, after numerous monthly meetings, solicitation of public input, due deliberation, to include a public hearing conducted by the Planning Commission on May 8, 2013, the Planning Commission unanimously recommended to Town Council, by Planning Commission Resolution, approval of an updated Plan entitled "2013 Town of Sullivan's Island Comprehensive Draft Plan" (the "Draft Plan"), dated May 8, 2013; and

WHEREAS, Town Council members reviewed the Draft Plan, both in Committees of Council meetings and full assembly, solicited additional public input at its meeting; and,

WHEREAS, the Water & Sewer Committee of Council, at its April 4, 2014 meeting, recommended the Draft Plan with modifications to the Community Facilities Element Needs & Goals as they relate to water and sewer matters; and

WHEREAS, after further review Town Council held a public hearing on June 17, 2014 to gather public input on the Draft Plan as required prior to the adoption of the Comprehensive Plan; and

WHEREAS, after due deliberation, Town Council slightly modified the Draft Plan to incorporate public suggestions pursuant to the public hearing, said amended document entitled, "2008 Town of Sullivan's Island Comprehensive Plan As Amended, dated _____, 2014" ("the Plan");

Action-34

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL
IN MEETING DULY ASSEMBLED,

ADOPTION OF PLAN

Pursuant to South Carolina State Code Section 6-29-510, et seq., Council does hereby adopt, approve and ratify the enumerated amendments to the 2008 Town of Sullivan's Island Comprehensive Plan dated October 20, 2009, as enumerated on Appendix A and by copy of complete 2008 Comprehensive Plan which is attached hereto and incorporated herein by reference.

That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

That this Ordinance takes effect and be in full force immediately.

Mike Perkis, Mayor
Town of Sullivan's Island

Attest:

Ellen Miller, Town Clerk

First Reading: June 17, 2014
Second Reading and Ratification:

Attest to Form:

Lawrence Dodds, Esq. Town Attorney

Action-35

Appendix A – 2008 Comprehensive Plan Summary of Amendments

Town Council Public Hearing

June 17, 2014

Summary of proposed amendments to the 2008 Plan below are recommendations to Council from the Planning Commission and after review by the Committees of Council.

NEEDS AND GOALS WERE REVIEWED AND UPDATED AS FOLLOWS:

Population: None

Economic: none

Cultural Resources: None

Natural Resources: Pages 8-11

1. **Page 8:** Additional language included in the introductory comments.
2. **Page 8:** At Natural Resources Element insert add new Implementation Strategy for Needs and Goals #1 "In an effort to protect the dunes and the dune vegetation, best management practices should be employed" at paragraph three:

Implementation: Town should install and maintain sufficient and appropriate signs at beach accesses to inform visitors of ordinances that protect natural dune and beach resources (Town Council, Town Administration; Ongoing).

3. **Page 9:** At Natural Resources Element insert a new Needs and Goals as paragraph number 2 "The Town recognizes the need to protect the areas of the Island vulnerable to erosion that may jeopardize public infrastructure and private property"; and, insert three new Implementation Strategies:

Implementation: Identify and pursue funding sources, including but not limited to public and private grants (Town Council; Administration; Ongoing).

Implementation: Determine if "best practices" to control erosion are being utilized and, if not, seek to have best practices identified and implemented (Town Council; Administration; Short Term).

Implementation: Determine if current actions or conditions are exacerbating the erosion problem and, if so, seek methods to mitigate the erosion problem (Town Council; Administration; Ongoing).

4. **Page 9:** Needs and Goals paragraph 2 of the 2008 Plan "Complete the study of the [Sullivan's Island] Accreted Land Management Plan with the broadest possible community participation and input" becomes Needs and Goals paragraph 3.
5. Needs and Goals paragraph 3 of the 2008 Plan "Encourage the use of native vegetation on public and private property" becomes Needs and Goals paragraph 4.
6. Needs and Goals paragraph 4 of the 2008 Plan "Continue to protect the existing trees on the Island" becomes Needs and Goals paragraph 5.
7. Needs and Goals paragraph 5 of the 2008 Plan "Continue to recognize that the marshes, beaches and waterways on and adjacent to the Island are critical habitats that require special protection" becomes Needs and Goals paragraph 6.
8. **Page 10:** Delete from Needs and Goals paragraph 6 of the 2008 Plan "Continue to recognize that the marshes, beaches and waterways on and adjacent to the Island are critical habitats that require special protection" Implementation at paragraph 5 "Monitor silting in the waterways on or adjacent to the Island and determine what if any actions should be taken to preserve the waterways (Town Council; Ongoing).
9. Needs and Goals paragraph 6 of the 2008 Plan "The Town recognizes that Sullivan's Island is a major nesting and hatching site for migratory sea turtles and birds, and thus special protection efforts are required" becomes Needs and Goals paragraph 7.
10. **Page 11:** Add new Needs and Goals paragraph 8 with two Implementation strategies: "Monitor silting in the waterways on or adjacent to the Island and determine what if any actions should be taken to preserve the waterways".

Implementation: Recognize the reality that the silting in, in recent years, of waterways on the marsh side of the Island, specifically Cove Creek, has dramatically accelerated and take action to see the creek and marsh are preserved as a vital habitat for birds and other marine life and a resource to be used and enjoyed by Island residents and other visitors to the Island (Town Council; Administration; Ongoing).

Implementation: Explore potential grant and other funding options (i.e. TIF) to accomplish regular, reliable, effective dredging of the Intracoastal Waterway, Cove Creek and other waterway areas.

11. **Page 11:** Add new Needs and Goals paragraph 9 "Improve Island-wide mosquito abatement and educational outreach" with one Implementation strategy.

Implementation: Coordinate with County agencies to ensure regular, effective mosquito abatement treatment, and, useful public outreach to educate the general public on mosquito control (Town Administration; Ongoing).

Community Facilities: Pages 11-17

1. **Page 12:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” at the third Implementation item D: Retain the language “Examine and make recommendations on the potential for opportunities of coordination with adjacent systems/districts” (Town Council; Long Term).
2. **Page 12:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” at the third Implementation item C: Delete the language “Study the current water/wastewater rate structure and make recommendations and provide rationale for adjusting that structure and make recommendations regarding costs savings potentials in the structure or renegotiation of the CWS contract”.
3. **Page 12:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” at the third Implementation item C: Insert the language “Review and assess rate structure on a regular basis to ensure sufficient resources to fund capital improvements (Town Council; Town Administration; Long Term)”.
4. **Page 12:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” at the third Implementation item D: Insert the language “Water and Sewer Department should develop a Cost Recovery Policy to ensure adequate funding of long term operations and Capital Improvement Projects (Town Council; Town Administration; Long Term)”.
5. **Page 12:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” at the third Implementation item E: Delete the language “Make comments and recommendations regarding the Town’s oversight of water and wastewater operations, specifically regarding the establishment of a Commission for such purpose (Town Council; Long Term)”.
6. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” add the fifth Implementation strategy: “The Town should exercise

and maintain its two existing deep wells to retain their rights under capacity use permits for groundwater withdrawals. They serve as an effective back-up emergency water supply in the event of disruptions of Charleston Water Services to the Island due to weather events or treatment failure”.

7. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” add the sixth Implementation strategy: “The Town should explore the viability of Aquifer Storage and Recovery ASR use of two existing deep wells to augment emergency capacity of potable water”.
8. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” add the seventh Implementation strategy: “The Town should move to fund wastewater treatment enhancements and replacement of treatment processes to prevent against treatment failures and non-permitted wastewater discharges”.
9. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element Item One “Maintain and improve the existing water distribution and wastewater collection systems” add the eighth Implementation strategy: “The Town should prioritize funding for wastewater collection system repairs”.
10. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element add new Needs and Goals Item Two “Explore methods to educate citizens on water usage and encourage conservation of water resources”.
11. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element at Needs and Goals Item Two add Implementation strategy “The Town should evaluate use of advanced meter reading technologies to enhance consumer access to water usage information”.
12. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element at Needs and Goals Item Two add Implementation strategy “Continue to explore rate structures that both reflect water infrastructure costs as well as to foster conservation”.
13. **Page 13:** At Community Facilities & Services – Water and Wastewater Systems Element at Needs and Goals Item Two add Implementation strategy “Establish an advisory committee to Council, comprised of residents, whose role is to identify challenges and opportunities regarding the rate changes with primary focus on maintaining sufficient funding to meet needs of Town’s water/wastewater infrastructure”.

Housing: None

Transportation: Pages

- 14. Page 21:** At Transportation Element delete Needs and Goals item 2 "Support the rebuilding of the Ben Sawyer Bridge" and its implementation: Town Administrator to maintain regular contact with SC Department of Transportation for schedule updates and community impact or other issues that might develop (Town Council; town Administration; Ongoing).
- 15. Page 21:** At Transportation Element Needs and Goals item 3 "Support community effort to receive the designation of the Town as a Bicycle Friendly Community" and its Implementation Strategy "Develop a community interest group to work with Town Administration to implement measures to improve conditions for cycling as recommended by the League of American Bicyclists (Town Administration; Council; Ongoing) becomes item 2.
- 16. Page 21:** At Transportation Element Needs and Goals item 4 "Continue to support the development of the East Coast Greenway Trail System"" and its Implementation Strategy "Implement signage and formal trail designation by the East Coast Greenway Alliance (Town Administration; Council; Short-term)" becomes item 3.
- 17. Page 22:** At Transportation Element Needs and Goals item 5 "Develop a community-wide educational program regarding the rules and regulations for operating golf carts on Town streets" and its three Implementation Strategies "Collect all applicable state and Town regulations regarding the operation of golf carts (Town Administration; Council; Short-Term)"; "Distribute printed copies of rules and regulations and post these on the Town website (Town Administration; Short Term"; and, "Enforce the rules and regulations regarding golf cart usage (Town Staff/Law Enforcement; Ongoing)" become item 4.
- 18. Page 22:** At Transportation Element Needs and Goals item 6 "Continue repaving and maintenance of street programs" and its Implementation Strategy "Coordinate with SCDOT and pursue funding through all funding sources, such as the Charleston County Transportation Committee (CTC) (Town Council; Administration; Ongoing) becomes item 5.
- 19. Page 22:** At Transportation Element Needs and Goals item 7 "Continue participation in all opportunities for Public Transportation" and its Implementation Strategy "Remain active in CARTA (Town Council; Ongoing)" becomes item 6.

- 20. Page 22:** At Transportation Element Needs and Goals item 8 “Enhance streetscapes on the Island” and its Implementation Strategy “Implement plans, as funding is available, for street tree planting, as well as pursuing a commitment from South Carolina Electric and Gas Company (SCE&G) to place all utility lines underground with decorative, environmentally sensitive lamp posts replacing the streetlights currently on poles (Town Council; Town Administration; Long Term)” becomes item 7.
- 21. Page 22:** At Transportation Element Needs and Goals item 9 “Review site plans for traffic access/impacts and drainage impacts” and its Implementation Strategy “As part of the construction permitting process, assess the impact of proposed new construction projects on traffic flow, parking, safety and storm water runoff onto roadways (Town Council; Town Administration; Ongoing)” becomes item 8.
- 22. Page 22:** At Transportation Element Needs and Goals add new item 9 “Pursue improvements to bicycle and pedestrian paths approaching Ben Sawyer Bridge with Implementation: “Continue working with Town of Mount Pleasant to establish bicycle and pedestrian paths to the causeways approaching the Ben Sawyer Bridge from Sullivan’s Island and Mount Pleasants (Town Administration; Town Council; Ongoing)”.
- 23. Page 23:** At Transportation Element Needs and Goals add new item 10 “Encourage establishment of bicycle and pedestrian safe routes to encourage students to safely walk and bicycle to new Sullivan’s Island Elementary School” with Implementation: “Seek grants and resources to establish safe routes for students attending Sullivan’s Island Elementary School (Town Administration, Town Council; Ongoing)”.
- 24. Page 23:** At Transportation Element Needs and Goals add new item 11 “Continue to support the development and Implementation of the “Battery to the Beach Trail Program” with Implementation: “Implement signage and formal trail designation for “Battery to the Beach, an initiative by Charleston Moves biking organization (Town Administration; Town Council; Ongoing)”.
- 25. Page 23:** At Transportation Element Needs and Goals add new item 12 “Continue to encourage increased handicap access to the beach” with Implementation: “When available, seek funding and opportunities to provide additional handicap parking spaces and improve beach path approaches (Town Administration; Ongoing)”.

Priority Investment: None

Elements were reviewed for data updates, noted below

POPULATION

Pages 25, 27 (Population Tables), 28 (Household Demographics), 30 (Annual Household Income table)

ECONOMIC

Pages 32, 33 (Annual Household Income Table)

CULTURAL RESOURCES

Pages 44 (Historic Assets, add Thomson, Historic Bandstand, Post Exchange, Quartermaster's warehouse 1610 Middle and 1602 Thomson Ave.), Page 47

NATURAL RESOURCES

Pages 53, 55, 56 (Long Term Erosion Rates), 57 (Temperature tables), 58-59 (Precipitation Tables), 60 (Climate Trends), 63

COMMUNITY FACILITIES

Pages 70-71, 72 (Fire Protection), 73, 74 (Education Facilities), 75-76 (Public Safety), 77

HOUSING

Pages 85 (Housing Unit Table), 86 (Housing Tables), 87 (Housing Tables), 88, 89, 90, 93

LAND USE

Pages 98-100 (CCOD #1 and #2), 103-104 (CCOD #1 and #2)

TRANSPORTATION

Pages 109-110 (Traffic Counts), 111, 112 (Public Transportation), 113 (Managed Parking)

PRIORITY INVESTMENTS

Pages 118, 119

MICHAEL PERKIS
MAYOR

TOWN OF SULLIVAN'S ISLAND



TOWN COUNCIL
JERRY KAYNARD, MAYOR PRO TEM
CHAUNCEY CLARK
HARTLEY COOPER
SUSAN MIDDAGH
PATRICK O'NEIL
MARY JANE WATSON

ANDY BENKE
TOWN ADMINISTRATOR

JASON BEANTON
COMPTROLLER

LAWRENCE A. DODDS
TOWN ATTORNEY

GREG GRESS
WATER AND SEWER MANAGER

JOE HENDERSON
ZONING ADMINISTRATOR

DANIEL S. HOWARD
CHIEF OF POLICE

ELLEN MILLER
TOWN CLERK

RANDY ROBINSON
BUILDING OFFICIAL

M. ANTHONY STITH
FIRE CHIEF

PROCLAMATION

CAROLINA DAY

WHEREAS, on June 28, 1776, a force of approximately 400 South Carolina patriots, commanded by Colonel William Moultrie, manned the cannons positioned in a half completed fort on Sullivan's Island; and,

WHEREAS, for over nine hours these patriots fought vessels of the British Navy armed with nearly 300 heavy cannons attempting to enter Charleston Harbor and capture the City of Charleston; and,

WHEREAS, the sand and Palmetto logs which composed the walls of the fort made it almost impervious to the British bombardment, while the American bombardment caused the loss of one British ship and several more to be damaged; and,

WHEREAS, with the British defeated, the Patriot cause in the American Revolution won its first significant victory, ended the British campaign in the South until 1780, helped uncommitted Americans to join the Patriot cause, permitted the Southern states to continue their support of the vital Patriot military campaigns in the north, and kept the important port of Charleston open to shipping for three more years; and,

WHEREAS, the Patriot victory on Sullivan's Island gave South Carolina and the nation some of its most important heroes of the American Revolution, including William Moultrie, Francis Marion, Thomas Sumter, and William Jasper; and,

WHEREAS, for generations June 28th has been celebrated as CAROLINA DAY in South Carolina to honor the nation's first significant victory in the American Revolution; and,

WHEREAS, the historical and patriotic organizations having reinstated the Palmetto Society, and local governmental entities have joined together to restore CAROLINA DAY to its proper place of honor, remembrance and observance in South Carolina; and,

WHEREAS, the Town of Sullivan's Island supports these efforts, and the national significance of the battle of Sullivan's Island in the nation's history,

NOW, THEREFORE, I, Michael Perkis, Mayor of the Town of Sullivan's Island do hereby proclaim that June 28, 2014 shall be designated as CAROLINA DAY in the Town of Sullivan's Island and all residents are called upon to remember the gallant and heroic defense of the fort on Sullivan's Island that helped the nation win its independence and the many liberties that have been realized with the establishment of the United States of America.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the Town of Sullivan's Island to be affixed hereto on the 17th day of June, 2014.

TOWN OF SULLIVAN'S ISLAND

Michael Perkis, Mayor

Attest:

Ellen Miller, Town Clerk

Andy Benke, Town Administrator

Action-43

MICHAEL PERKIS
MAYOR

TOWN OF SULLIVAN'S ISLAND



TOWN COUNCIL
JERRY KAYNARD, MAYOR PRO TEM
CHAUNCEY CLARK
HARTLEY COOPER
SUSAN MIDDAUGH
PATRICK O'NEIL
MARY JANE WATSON

ANDY BENKE
TOWN ADMINISTRATOR

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DANIEL S. HOWARD
CHIEF OF POLICE

ELLEN MILLER
TOWN CLERK

RANDY ROBINSON
BUILDING OFFICIAL

M. ANTHONY STITH
FIRE CHIEF

PROCLAMATION

WHEREAS, William (Bill) H. Lewis, a native of Newburgh, New York, received a NROTC scholarship and EPA Fellowship to attend Ohio State University and graduated as a civil engineer with a Bachelor's of Science in 1972; and

WHEREAS, Captain Lewis has dedicated his life to public service, retiring from the Navy's Civil Engineer Corps after serving on active duty for 28 years in a wide range of public works, construction management and SEABEE tours all over the globe; and

WHEREAS, Bill Lewis continued his tradition of public service, joining the Charleston County School District's senior leadership team in June 2000 as the Executive Director of Capital Improvements and promoted as the district's Chief Operating Officer for Capital Programs. He has served as the program manager of the Charleston County School District's building program that has invested \$1.4 billion in the district's schools since 2000; and

WHEREAS, the expertise and dedication Bill Lewis demonstrated in over 13 years of service with the Charleston County School District materially improved the lives of Sullivan's Island and Charleston County children, residents and communities; and

NOW, THEREFORE, I, Michael Perkis, Mayor of the Town of Sullivan's Island, do hereby proclaim June 30, 2014 as

WILLIAM (BILL) H. LEWIS DAY

in the Town of Sullivan's Island, South Carolina and encourage all citizens to participate in this observance.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the Town of Sullivan's Island to be affixed hereto on the 17th day of June, 2014.

TOWN OF SULLIVAN'S ISLAND

Michael Perkis, Mayor

Attest:

Ellen Miller, Town Clerk

Andy Benke, Town Administrator

Action-44

Andy Benke

From: Lisa Darrow
Sent: Wednesday, May 28, 2014 8:52 AM
To: Andy Benke
Subject: FW: A Thank You From RA Osborne

Andy: Letter complimenting Officer Chris Wallace and MD staff. Lisa

From: Raye Ann Osborne [mailto:rayeannosborne@gmail.com]
Sent: Wednesday, May 28, 2014 8:38 AM
To: ldarrow@sullivansisland-sc.com
Subject: A Thank You From RA Osborne

Lisa,

So many times there are more complaints than thanks so here goes a Thank you to the Police department and the Maintenance department.

One the Saturday before Memorial Day , the garbage cans at the foot of Station 18 leading to the beach were overflowing. I called the police department and spoke to Officer Waller. I ask him if he would walk over to the fire house and let the guys on duty know the situation. Within an hour, 3 garbage cans were delivered.

Please let the Chiefs know how much I appreciate what their men did that day! Beyond the call of Duty, I would say.

Raye Ann Osborne
1801 Atlantic Avenue

Andy Benke

From: Bess Bluestein <bessbluestein@gmail.com>
Sent: Friday, May 30, 2014 10:44 AM
To: Andy Benke
Subject: Trees

Hi Andy,

My husband and I live on Sullivan's Island with our two small children. We were happy to hear, recently, that Town Council recently implemented a 100 foot transition zone in the accreted land. Regarding this matter, I feel that Town Council should further provide that only palmetto trees, live oaks, and magnolia trees should be protected in the transition zone.

I would appreciate you notifying Town Council of my opinion and recommendations. If Town Council or any other town representatives would like to discuss further, I can be reached at (843) 696-8441.

We all love this island and feel invested in its future.

Regards,
Bess Bluestein
3116 l'On Avenue

C-2

Andy Benke

From: Brett Bluestein <babluestein@gmail.com>
Sent: Thursday, May 29, 2014 7:20 PM
To: Andy Benke
Subject: Accreted Land

Hey Andy,

Glad to hear that Town Council recently implemented a 100 foot transition zone in the accreted land. I have been following this matter closely and feel that Town Council should further provide that only palmetto trees, live oaks, and magnolia trees should be protected in the transition zone. I have lived on Sullivan's Island most of my life and feel this next step is the most appropriate course of action for me and my fellow residents of Sullivan's. I would appreciate you notifying Town Council of my opinion and recommendations. If Town Council or any other town representatives would like to discuss further, I can be reached at my below cell phone #.

I hope all is well.

Regards,
Brett Bluestein
3116 l'On Avenue
843-250-7951

C-3

Andy Benke

From: BluesteinE@aol.com
Sent: Tuesday, May 27, 2014 10:02 PM
To: Andy Benke
Subject: transition zone

I was very pleased that Council voted to create a transition zone of 100 feet and would like to see them vote to only protect the magnolias, palmetto, and live oaks in the transition zone. Only those trees with a diameter of 16 inches should be protected.

EttaLeah Bluestein, MD
2513 Atlantic Ave.

C-4

Andy Benke

From: Nickybluestein@aol.com
Sent: Tuesday, May 27, 2014 10:11 PM
To: Andy Benke
Subject: Transition zone

I whole-heartedly support Council's transition zone and I hope. this is the beginning of a compromise from both parties I think it is necessary and I support saving only the magnolias, live oak, and palmettos of 16 inch diameter.

Nicky Bluestein
2513 Atlantic Avenue
Sullivan's Island, SC 29482

0-5

Andy Benke

From: OmaSax@aol.com
Sent: Monday, May 26, 2014 3:59 PM
To: walker.barnes@hoodlaw.com; Andy Benke
Subject: Re: Accreted land: transition zone update

To Walker and Andy,

We were delighted with the progress made at the Town Council meeting last Tuesday. However, there questions we hope will be addressed soon. We measured the transition area from our property line and it is only one third of the forest in front of our house. Therefore, if all of the trees (with the exception of the three chosen species) were cut down, we still couldn't see the ocean and therefore a lot of money and energy would be wasted. Personally we would like to see a 20 foot wide transition zone which goes all the way to the beach giving us a view of the ocean we once enjoyed. We congratulate the Town Council members for the careful consideration of the transitional zone and hope to see further progress.

With sincere thanks for your work on this age old problem.

Kathryn White

In a message dated 5/22/2014 1:57:46 P.M. Eastern Daylight Time, walker.barnes@hoodlaw.com writes:

- (1) This past Tuesday, the Town took a baby step forward with regard to the accreted land. The Council voted in favor of a 100-foot transition zone throughout the Atlantic side of the island, but they decided not to vote on the specific trees that would be protected. We were hoping they would put in language that would only protect 3 trees (magnolias, palmettos and live oaks) and allow cutting of everything else. The Council punted on that issue and decided to re-examine it at the next Land Use & Natural Resources meeting (yet to be scheduled). Without deciding on what trees are protected and what are not, a transition zone is fairly meaningless. That being said, if the LUNR committee votes in favor of the 3 trees-only approach, that would be a very positive step in the right direction. Once the next meeting(s) get scheduled, we will certainly let everyone know and encourage our supporters to attend. We had many supporters at this week's meeting, but the opposition was also well represented.
- (2) We believe it would help the cause if additional emails were sent to Andy Benke, the Town Administrator, to give individual support for the notion that the ONLY trees/vegetation that should be protected in the transition zone are magnolias, palmettos and live oaks. Mr. Benke's email address is abenke@sullivanisland-sc.com. A very pleasant tone in the emails is the preferred approach. Ideally, each person would submit their own personalized email, as opposed to the exact same format for all. A sample email could go as follows: "Mr. Benke: I am encouraged by the Town Council's recent decision to implement a 100-foot transition zone in the accreted land. I would like for the Town to take another step and specify that the only 3 trees/vegetation that should be protected in the transition zone are: palmettos, live oaks and magnolias. Please notify Town Council members of my input."
- (3) Feel free to have multiple people from the same household send similar emails. Again, it is probably best if each email can be individualized and not simply be a cut and paste of the same message.

Bobby thanks you all for your continued support.

-Walker

Walker Barnes

Attorney

C-6

Walker.Barnes@hoodlaw.com

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C-7

Andy Benke

From: Bela129@aol.com
Sent: Friday, May 23, 2014 11:11 AM
To: Andy Benke
Subject: accreted land and treers

Dear Andy Benke, I am very disappointed that the Tuesday meeting did not deal with specific trees to be protected in the transition zone.

Palmettos, magnolias, and live oaks are all worth protecting. Other trees, in particular Pines, have no place in a maritime forest, according to Richard Porcher, a recognized and respected authority. In addition, pines are a hazard in times of storm, snapping like matchsticks in high winds.

Please notify Town council members of my input.

Sincerely, Harriet P. McDougal
(owner, 2429 Atlantic Avenue).

C-8

Andy Benke

From: ggdurst <ggdurst@aol.com>
Sent: Thursday, May 22, 2014 3:17 PM
To: Andy Benke
Subject: transition zone

Dear Andy, I think you know my stance on the front beach and trees. It does not affect me directly but as a long time resident and growing up on the Island; I feel strongly that if one has an investment on the front beach they should be allowed to keep the view in front of their house and not have their investment actively or passively be legislated away. I and maybe you remember when Mr. Lowe and his crew kept the growth ie poison ivy, etc. under control. As my father said years ago, "Sullivan's has been occupied by humans for hundreds of years. If one likes a wild barrier island visit Bulls." As a child, I and my friends and much later even my children loved safely playing on this land. I would love for my grandchildren to have this opportunity. As it stands now it is useless and a nuisance. Get rid of all of the trash trees and underbrush saving only the live oaks, magnolias, and palmettos. My wife Dawn, who has been a resident for over 27 years, shares my sentiments. Please pass this along to council. Sincerely and thanks, George Durst 1018 Middle St.

Sent from my iPad

C-9

Andy Benke

From: ggdurst <ggdurst@aol.com>
Sent: Thursday, May 22, 2014 10:47 PM
To: Andy Benke
Subject: p.s.

I also just as strongly feel property owners on the back of the island have the same rights to their views of the marsh and waters. Thanks George Durst

Sent from my iPad

C-10

Andy Benke

From: Mitzi Kirshtein <samitzi@att.net>
Sent: Sunday, June 01, 2014 12:36 PM
To: Andy Benke
Subject: 100 feet transition zone

Mr. Benke:

We are so happy to hear of the recent decision to allow a 100 foot transition zone. There is such dense undergrowth which should go (for safety and fire protection) and trees that should stay--but not all trees. We would like to see the following beautiful trees saved:

1. Magnolia
2. Palmetto
3. Live Oaks

If all the rest are cleared, these 3 species remaining would thrive and be beautiful.

Respectfully,

Sammy and Mitzi Kirshtein
samitzi@att.net

p.s. Sammy's family have been on the Island since the 1930's. When we moved to the front beach about 40 years ago, there were only wild berries, sea oats and sand dunes in front of our house. What a difference time makes. Mitzi

C-11

Andy Benke

From: Michael Bourland <mbourland@emerginet.com>
Sent: Monday, June 09, 2014 7:09 PM
To: Andy Benke
Cc: Bourland, Allison (adiggsbourland@gmail.com)
Subject: coffee shop ordinance

Dear Mr. Benke:

I will not be able to attend the Planning Commission Meeting this Wednesday evening. Please give my opinion to the Commission and to Town Council.

Dear Members of Sullivan's Island Town Council and Planning Commission:

I am very concerned about the stress that our island is under due to the number of visitors that we have coming to the island. This creates severe traffic congestion, parking problems, safety issues, and a definite decrease in the satisfaction of living on Sullivan's Island. It is my understanding that passing this "coffee shop" ordinance would increase the likelihood that more businesses, particularly eating and drinking establishments, could be allowed to open on our island. I am against anything that increases the problems that I described earlier.

There are 2 ways to impact our town budget: raise revenue or cut expenses. Some general ways to raise revenue include tax manipulations such as raising tax rates, increasing types of taxes, collecting more taxes and garnering other forms of non-tax related funds such as grants. I am firmly in the camp of keeping a lid on costs rather than spending more and then having to raise more revenue to cover those increased expenses.

So, allowing and/or even encouraging more businesses that cater to large crowds of non-residents of SI in order to raise tax revenue is the wrong direction for our island. We have already gone much too far down this path. We are now chasing our proverbial tails. More people coming from off island to our businesses brings more tax revenue, but also brings commensurate costs in loss of safety, increased need for police presence, increased liability (fights, traffic accidents, pedestrians injured, attractive nuisance lawsuits, etc.), infrastructure repair, increased dirt and trash and the cost to clean it up, and general loss of peace of mind to name a few.

Making the ill-considered decision to close off Middle Street to traffic in order to have a festival of drunken debauchery is certainly worth examining. Remind me why SI residents benefit from throngs of visitors from off the island descending upon us for the St. Patrick's Day celebration. Is it perhaps the perceived need for tax revenue? Or perhaps our bushes are ammonia deficient?

Getting a green space grant is a nice idea. Money is good. But at what cost do we seek these funds. We now have things that we must do to follow the rules for receiving the funds. We are considering building boardwalks in the forest. This will cost money now and into the future. And, it will invite more visitors to our island. Is this something that we "need"?

I see a pattern here. Increasing our budget causes us to need more town revenue which causes us to do the wrong thing for our island in order to cover our costs.

As a conservative, I believe in low taxes and controlling costs. But, I believe in our town so much that I would rather have my taxes raised than to allow more business traffic ostensibly to keep us from raising taxes on individual residents. Fortunately, I feel fairly safe in saying this because I do not believe that you could successfully raise taxes for

this would rouse the sleeping populous to action to put an end to our addiction to spending and likely result in a change at the voting booth.

Please consider the cost side of the equation in order to balance our fiscal needs. Let's cut our budget (or at least severely restrain its growth) and cut our addiction to revenue. Try it. Have the courage to shake off the bonds of imprudent spending. Free yourself from the necessity to make decisions based on unnecessary fiscal "need" created by a chain of unwise decisions. We can then make decisions based on what is good for the island rather than what the island needs to do to cover our expenses. You will love yourself for it.

I urge Town Council and Planning Commission members to carefully consider any measure that would increase the problems of having too many people on our island and to vote no to those measures.

Your Neighbor,

Michael Bourland

1607 Atlantic Avenue

mdbourland@gmail.com

Andy Benke

From: Steve Poletti <stevepoletti@comcast.net>
Sent: Monday, June 16, 2014 2:53 PM
To: michaelperkis@yahoo.com; Jerry Kaynard; Chauncey Clark; Hartley Cooper; Susan Middaugh; Patrick O'Neil; MaryJane Watson; Andy Benke
Subject: Accreted land transition zone

The transition zone issue should be an easy first step in the accreted land management.

The accreted land is a man created problem that is the result of the jetties redistributing sand, and Sullivan's island being developed. The roads and houses have created a drainage problem, and rainwater drains into the accreted land. Whenever it rains and streets flood on the island, the only streets that flood are ones adjacent to the beach accesses.

There is nothing "natural" about the accreted land. Remember, in its undisturbed state 170 years ago there were "no trees of any magnitude" on Sullivan's Island.

However, there is a level of zealotry among the "islanders" that defies logic. At the last meeting, I was astonished at those passionate citizens interrupting Council's proceedings, yelling "liars" and "recuse yourselves". Incredibly embarrassing for our community to say the least.

I had to chuckle at a couple of the "protesters" who complained. One piles debris and boat trailers into the marshes of the public right of way next to his home. Another parks his catamaran year round in the sand dunes.

This is not an environmental issue. If the "warblers" were really an issue, then we certainly shouldn't be selling off marsh front green space, or increasing the carbon footprint by building a new town hall, rather than renovating the old one.

I could go on and on with the duplicity. However, Council should enact the recommendations of "three tree types" and a 16 inch diameter limit. For that matter, that should be the rule throughout the entire accreted area north of station 16.

Council should have the wisdom to realize that it's the same small group of "islanders" who protest almost every issue, whether it's the school, the cafés, or the shrubs in this man-made spit of sand.

Steve Poletti

Sent from my iPad

Andy Benke

From: oneilp
Sent: Monday, June 16, 2014 4:21 PM
To: Andy Benke; Mike Perkis
Subject: FW: Town Council Meeting, Tuesday, June 17, 6:00pm
Attachments: image003.jpg

Forwarding as I don't think y'all were included in the addressees.

pat

From: "JoanSarnoff@aol.com" <JoanSarnoff@aol.com>
Date: Monday, June 16, 2014 2:19 PM
To: "walker.barnes@hoodlaw.com" <walker.barnes@hoodlaw.com>, Chauncey Clark <crclark4si@gmail.com>, "councilmemercooper@gmail.com" <councilmemercooper@gmail.com>, "RACKETSPE@aol.com" <RACKETSPE@aol.com>, "susmidaugh@gmail.com" <susmidaugh@gmail.com>, Patrick O'Neil <oneilp@sullivanisland-sc.com>, "mwatson@sullivanisland-sc.com" <mwatson@sullivanisland-sc.com>
Subject: Re: Town Council Meeting, Tuesday, June 17, 6:00pm

Dear members of the SI Town Council,

We are writing in support of the measures approved this past May in regard to the trees. We support 100 feet transition zone, the three trees that are protected and the 16 inch rule. We thank you for your dedication to the residents of Sullivan's Island (Joan first came to SI in 1947). Joan and Arthur Sarnoff

In a message dated 6/16/2014 8:15:46 A.M. Eastern Daylight Time, walker.barnes@hoodlaw.com writes:

At tomorrow night's Town Council meeting (**Tuesday, June 17, 6:00pm at Town Hall, 2050-B Middle Street**), we are expecting a large turnout from those who oppose the accreted land management approach we favor. Specifically at issue is the 100-foot transition zone that a majority of Town Council approved this past May. If you are available, please plan on attending tomorrow night's meeting to express your opinion. It would also help if our supporters sent emails to the Mayor and Town Council members (see below for email addresses) telling them that you support (a) a uniform 100-foot transition zone (as opposed to 40 feet for some, 70 for some, 100 for others, etc...), (b) Town Council specifying that the only 3 trees/vegetation that should be protected in the transition zone are: palmettos, live oaks and magnolias and (c) Town Council specifying that only trees 16 inches in diameter or greater should be protected in the transition zone. If you do not necessarily support all of these ideas, but do support the uniform 100-foot transition zone, that is fine, let Town Council know of your support for that policy. Should you be willing to send email(s) to the Mayor and Town Council members, please do not forward this email to anybody on Town Council or within the Town government. Rather, please draft your own individualized email (multiple emails from the same household is fine). Bobby thanks everyone for their continued support. -Walker

Mayor

Mike Perkis - michaelperkis@yahoo.com

Council Members

Chauncey Clark - crclark4si@gmail.com

Hartley Cooper - councilmembercooper@gmail.com

Gerald "Jerry" Kaynard - racketspe@aol.com

Susan Middaugh - susanmiddaugh@gmail.com

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C-16

E Miller

Subject: FW: Tomorrow's meeting

From: Andy Benke
Sent: Tuesday, June 17, 2014 10:00 AM
To: E Miller
Subject: Fwd: Tomorrow's meeting

Begin forwarded message:

From: Michael Mithoefer <mmithoefer@mac.com>
Date: June 17, 2014 at 8:32:48 EDT
To: Mike Perkis <mayormikeperkis@gmail.com>, Andy Benke <abenke@sullivanisland-sc.com>, Jerry Kinard <racketspe@aol.com>, "Chauncey Clark" <crclark4si@gmail.com>, Hartley Cooper <CouncilmemberCooper@gmail.com>, Susan Middaugh <susan.middaugh@gmail.com>, Pat O'Neil <oneilp@sullivanisland-sc.com>, Mary Jane Watson <mwatson@sullivanisland-sc.com>
Subject: Tomorrow's meeting

Dear Mayor Perkis and members of Council,

Because of work commitments I may not be able to make it to the Council meeting tonight so I would like to register these opinions:

1) I have already written to you with my thoughts about the last month's meeting with a forced vote on the "buffer zone". I ask you to bring this issue up again - this time with reasoned discussion and public comment about the surprise wording that was introduced at the last minute and hurriedly voted on over the protests of Pat Oneil, Susan Middaugh and many of the residents in attendance last meeting.

2) Concerning the Coffee Shop ordinance: Because I have always been strongly in favor of preserving the uncrowded residential nature of the Island I am a bit surprised to find myself asking you to pass an ordinance that will allow for coffee shops, but that's what I'm asking. A few coffee shops with tables, and with reasonable restrictions to keep them from becoming restaurants without being so restrictive that the business are not viable, add to the quality of life here and bring Island residents together. A gauntlet of nothing but restaurants feels like a tourist zone. A commercial area with a variety of businesses, including coffee shops, feels like a town where the residents, as well as tourists, participate. None of us are fond of crowds and beach traffic, but that's not going to change. We have a business district that gets congested with tourists, beach traffic and parking problems, and we have a few other small businesses such as coffee shops. If we don't pass an ordinance that allows a few coffee shops to survive we'll still have essentially the same level of traffic and crowds, and will have accomplished nothing but but depriving residents of a place to sit together and enjoy a cup of coffee.

Thank you for your attention to these issues, and all your hard work on behalf of all of us.

Michael Mithoefer

**Michael Mithoefer, MD
407 O'Neil St.
Sullivan's Island, SC 29482
843-883-9261
Fax: 843-278-9188
Cell: 843-566-4252**

C-18₂

June 12, 2014

Sullivan's Island, SC Planning Commission
Gary Visser, Chair

Report to Council
For June 17, 2014 Council Meeting

Planning Commission held its regular monthly meeting at 6:30PM, Wednesday, June 11, 2014 at Town Hall, 2050-B Middle Street with approximately 45 audience members present including Council members Clark, Kaynard, Middaugh and Mayor Perkis (attending as residents); Island Eye media. Next meeting: 6:30PM Wednesday, July 9, 2014 at Town Hall.

Chair Visser noted Commissioners were present; Staff: Zoning Administrator Henderson, Asst. to Administrator Darrow.

MEETING HIGHLIGHTS:

Parcel Subdivision Requests

- 1. Marsh Winds Executive Offices: Loren Ziff, applicant, requests approval to subdivide TMS3 529-09-00-021 (2113 Middle and 2114 I'On Avenue) in accordance with Zoning Ordinance Section 21-29.**

Note: Split zoned lots within CCOD#2 eligible for subdivision pursuant to Community Commercial Overlay District guidelines.

Action: Commission approved subdivision of 2113 Middle and 2114 I'On Avenue contingent upon concurrent recording of deed restrictions when property has subdivided requiring owner to establish sewer line extensions along the properties when sewer service is made available to this portion of the Middle Street area. MOTION PASSED (Unanimously)

Items for Consideration

- 2. Station 22 Access to Stith Park: Planning Commission requests to hold a discussion concerning a Town owned right-of-way located between Station 22 and Stith Park (TMS# 529-05-00-080)**

Action: Topic tabled; item removed as a topic of Planning Commission consideration.

Public Hearing

Potential Zoning Ordinance Text Amendment:

- 3. Coffee Shops and Food Service Establishments: Review of text amendments that would allow café uses and define other food service establishments within the Community Commercial Zoning District. Proposed, are Zoning Ordinance text amendments to Section 21-203, "Definitions"; Section 21-50A.(1)(B), "Permitted Uses;" Section 21-50B(1), "Conditional Uses;" Section 21-50C(1), "Special Exceptions;" Section 21-50.D.(1) "Prohibited Uses."**

June 12, 2014

Sullivan's Island, SC Planning Commission
Gary Visser, Chair

Report to Council
For June 17, 2014 Council Meeting

Continuation of discussion from November 2013-present with public invited to ask questions of staff and offer input on Commission's discussion pursuant to public hearing process.

Action: Commission recommended to Town Council approval of five Zoning Ordinance text amendments as presented by Staff (Sec 21-203, Definitions; Sec 21-50A(1)(B), Permitted Uses; Sec 21-50B(1), Conditional Uses, Sec 21-50C(1), Special Exceptions and Sec 21-50D(1), Prohibited Uses), to include establishing a coffee shop land use designation within the CCD, noting the following changes: maximum fifteen (15%) percent on-site alcohol sales and enhancing the definition of "light fare" elaborating on the procedure for approving a special exception by the Board of Zoning Appeals, to wit: applicant required to disclose its core business commodity or cuisine and outline any ancillary non-core items as an added measure to keep coffee shops from serving menu items indicative of full service restaurants. MOTION PASSED (Unanimously)

Highlights of Coffee Shop Restrictions in Proposed Text Amendment (21-50C):

- Coffee shop use permitted through CC District as a special exception, granted by the Board of Zoning Appeals.
- Separation between two coffee shop uses: minimum 300 feet measured in a straight line between primary front entrance doors.
- Square footage: 700 sf maximum patron seating space
- Outdoor patios, porches and decks permitted up to 25% of shop's available patron seating space.
- Seating: 25 seats maximum (inside and outside)
- Hours of operation: 6:00AM – 10:00PM
- Alcohol: maximum 15% on-site alcohol consumption (85% food/ 15% on-site alcohol sales)
- No outdoor entertainment or speaker system permitted.
- Light fare cuisine only: cannot install Type I or Type II kitchen exhaust hood system; further applicant must provide to BZA, in order to gain special exception, disclosure of its core business commodity or cuisine, and, outline any ancillary non-core items, as a measure to keep coffee shops from serving menu items indicative of full service restaurants.

NOTE: Recommended further defined "formula restaurants" for the Town, prohibiting eating establishments with 4 or more nationwide franchises/

4. **Correspondence** – Eighteen (18) items of written correspondence were provided, one (1) relating to Stith Park access (Item #2 above) and seventeen (17) relating to coffee shop use (8 supportive of concept and 9 non-supportive).

5. **Next meeting:** No specific items identified for July meeting.

Meeting adjourned at 10:20p.m.

**TOWN OF SULLIVAN'S ISLAND
SOUTH CAROLINA
PLANNING COMMISSION
REGULAR MEETING MINUTES
Wednesday, May 14, 2014**

A regular meeting of the Town of Sullivan's Island Planning Commission was held at 6:30 p.m., Wednesday, May 14, 2014 at Town Hall, 2050-B Middle Street, all requirements of the Freedom of Information Act having been satisfied. Present were Commission members Vice-Chair Hal Currey; Sydney Cook, Carl Hubbard, Carlsen Huey and Manda Poletti. Staff members present: Zoning Administrator Henderson, Asst. to Administrator Darrow; Building Official Robinson.

I. Call to Order. Vice-Chair Currey called the meeting to order, stated press and public were duly notified pursuant to state law, noted all Commission members were present except Chair Gary Visser and Rusty Bennett (excused absence), and a quorum was present. No media; approximately 18 members of the public present including Council members Chauncey Clark and Jerry Kaynard (as interested residents).

II. Approval of Agenda

MOTION: Mr. Hubbard moved to approve the May 14, 2014 agenda, amended to consider Item D(1), Station 22 Access to Stith Park, as first agenda item. Seconded by Mr. Huey; MOTION UNANIMOUSLY PASSED.

III. Approval of Minutes

MOTION: Mr. Hubbard moved to approve the April 9, 2014 minutes as presented; seconded by Mr. Huey. MOTION UNANIMOUSLY PASSED.

IV. Correspondence & General Public Comments –

Staff received nineteen (19) written correspondence items prior to this meeting (distributed to Commission members), all relating to the text amendment on tonight's agenda regarding Coffee Shops and Food Service Establishments.

V. Items for Consideration

- 1. Station 22 Access to Stith Park: Planning Commission requests to hold a discussion concerning a Town owned right-of-way located between Station 22 and Stith Park (TMS# 529-05-00-080)**

Staff Report:

Joe Henderson, Zoning Administrator

- Discussion of Town owned right-of-way located between Station 22 and Stith Park (TMS# 529-05-00-080) – deferred from April 9, 2014 meeting

Background:

Continuation of previous request to discuss the possibility of utilizing a 25' wide by 122' deep parcel of Town owned property as a pedestrian and bike access point to Stith Park.

- In 1967 the Town acquired the right-of-way to provide a sewer line access to the plant. This served as Town employee access to and from the plant only;
 - Access was closed to all vehicular and pedestrian traffic in the 1980's due to public safety concerns:
 - Nonresident vehicles were being parked in the neighborhood near the cemetery to access the mound where illegal activity was occurring.
 - Access point would then serve as an escape point, making law enforcement difficult.
- Land is currently undeveloped and is used solely for water and sewer infrastructure;
- Police Chief Howard, in a letter dated May 14, 2014, outlined safety concerns with re-opening public access to the area and recommended the Town keep the Station 22 right-of-way closed to public access. Alternatively, Chief Howard suggested installing a crosswalk at the intersection of Station 21 and Middle Street to allow access to the middle of Park in addition to either end of the Park.

Commission discussed the merits of the request and whether to remove the item from Commission's agenda based upon Chief Howard's recommendations. Mr. Huey noted topography and conditions have changed since the 1980's, to include removal of previously existing tunnels around the Park Mound. It was suggested that, since Chair Visser had met with the Park Foundation to discuss this ROW access concept, the Commission should defer decision on this topic until they heard Chair Visser's report next month.

MOTION: Mr. Huey made a motion to defer this item until June meeting to allow Chair Visser the opportunity to provide a report of his meeting with the Park Foundation on this concept; seconded by Mr. Hubbard. MOTION UNANIMOUSLY PASSED.

Vice-Chair Currey, noting a few residents were present specifically for this topic, invited those interested residents to comment on this concept.

Public Comments:

Heidi Brown, 405 Station 22, Sullivan's Island

- Lives next to the Mound area at the Park;
- Noted topography and profile of the area has changed since the 1980's. Submitted the impact of traffic has increased since the 1980's.
- Residents fought to get the area closed for the same reasons that neighboring residents are concerned about the concept now: increased noise, traffic and parking problems, at a minimum, in an area that is unenforceable.
- Requested Planning Commission and Council consider the needs of a small, fragile neighborhood over tourists.

Marshall Stith, 415 Station 22, Sullivan's Island

- Expressed appreciation for the work the Planning Commission and Council does.
- Submitted the sanctity of the neighborhood should be paramount;
- Noted the neighborhood around the Park is impacted by the same issues as the balance of the Island, namely noise and parking. However, this area sees a concentration of tourist visitors due to its proximity to the Park, CCD and Mt. Pleasant Town entrance.
- Stated that the history of the area behind the Mound has been accurately captured by Chief Howard and noted years ago cars would cut through this access area as a way to get on/off the Island when Middle Street and Hwy 703/Station 22 ½ was blocked with beach traffic.
- Stated this concept affects the quality-of-life and safety of the residents and their children in the neighborhood around the Park/Mound.

Lovick Waring, 2214 Myrtle Avenue, Sullivan's Island

- Resident of the neighborhood since 1975;
- Noted the "cut through" was a magnet for problems in the past and sees no reason it would not become so again.

Vice-Chair Currey asked for Chief Howard to attend the June 11, 2014 Planning Commission for this agenda topic.

VI. Text Amendments

1. Text Amendment, Zoning Ordinance - Discussion

Café's and Food Service Establishments: Review of text amendments to allow café uses and define other food service establishments within the Community Commercial Zoning District. Zoning Ordinance text amendments proposed to Section 21-203, "Definitions;" Section 21-50A(1)(B), "Permitted Uses;" Section 21-50B(1) "Conditional Uses;" Section 21-50C(1), "Special Exceptions;" Section 21-50D(1) "Prohibited Uses."

Staff Report:

Joe Henderson, Zoning Administrator

- Referenced background of agenda item placed before the Planning Commission in November 2013.
- Reviewed the areas of potential consensus and points for consideration and clarification for the Commission, based upon discussion in previous meetings.

Potential points of consensus from previous meetings (Commission reaffirmed)

- Change name of the designation from "café" to "coffee shop"
- Over-the-counter service only.
- Consider allowing coffee shops throughout the entire CC-District.
- Apply a 300' minimum distance between uses. This may allow up to four coffee shops in the district and will not be in danger of spot zoning.

- Limit coffee shop to a beer and wine license only per SC Code Section 61-6-1500. No liquor sales allowed.

Commission Discussion:

Commission discussed and clarified the following:

- On-site alcohol consumption, the difference between a beer & wine sale license instead of a full liquor license
- Options for addressing the type of cuisine served at the establishments. Planning Commission did not endorse Staff review and approval of all menu changes in an establishment noting this would be time consuming for Staff and onerous for business owners. Commission looked toward kitchen equipment, such as hoods and fryers with grease traps, as a mechanism to navigate business owners toward their understanding of “light cuisine” fare.
- Reviewed the difference between a permitted use and special exception, noting the Town would have the most control over the type of coffee shop if it was allowed as a special exception (Commission recommendation).
- Commission discussed operating hours, target clientele and patronage traffic patterns in the summer, when sunset is close to 9PM, as opposed to winter season.
- Commission inquired as to Town attorney’s legal opinion on the concept of a 300’ buffer between coffee shops. Zoning Administrator Henderson reported that Town Attorney Dodds opined the 300’ radius between coffee shops would be defensible provided all business owners within the CCD had equal opportunity to potentially qualify for this business type.

Public Questions:

Lovick Waring, 2214 Myrtle Avenue, Sullivan’s Island

- Questioned the 25-30 seats and how this would control the coffee shop.

Zoning Administrator Henderson: Whether 20/25/30 total seats, the business owner has the burden to demonstrate seating compliance with the Town. It is a mechanism to manage the volume of patrons at each establishment.

Bobby Thompson, 2917 I’On Avenue, Sullivan’s Island

- Resident since 1975. Questioned who initiated this concept, whether Council or Planning Commission.
- Questioned seats that could be deemed patron waiting seats versus food service seats. Opined this could be a way for a business owner to expand the coffee shop toward a small restaurant?

Zoning Administrator Henderson replied that he and the Town Administrator brought this concept before the Planning Commission for discussion and review.

Rita Langley, 1618 Middle Street, Sullivan’s Island

- Questioned where 300’ buffer started and whether starting point was randomly determined for the first coffee shop.

Zoning Administrator Henderson referenced Town Zoning Ordinance Section 21-203 (CC District) noting the buffer would be measured from the primary entrances between establishments at 300 linear feet. The 300' buffer radius would initiate with the first business license issued for a coffee shop.

Sumter Debreaux, Station 19/Back Street, Sullivan's Island

- What is the difference between a restaurant and a café or coffee shop?

Zoning Administrator Henderson noted that the limitations on a coffee shop, which the Planning Commission has been deliberating, include square footage, maximum seating and alcohol sales. It was noted that restaurants limit alcohol sales at 50%.

George Livingston, 1816 Back Street, Sullivan's Island

- Asked how coffee shop parking formulation is determined.

Zoning Administrator Henderson noted that there is no minimum parking requirement for businesses on Sullivan's Island. The Design Review Board reviews parking plans, but concrete parking calculations were removed by the Zoning Ordinance some years ago.

Mr. Livingston:

- Questioned how the Town is controlling and judging eating establishments and their ability to accommodate increased parking, particularly for this new use. Asked if the Town's evaluation of parking for coffee shop uses has been and will be comprehensively approached.
- Questioned how the Town will evaluate parking for these coffee shop special exception requests.

Zoning Administrator Henderson noted there is no current mechanism to track the comprehensive parking to the CCD area, at this point. He noted businesses can use on-street parking as part of their business plan. He noted that business parking plans must be submitted for Town review and DRB approval. However, Staff does not have a tracking record of parking fluctuations for businesses within the CCD.

Mr. Livingston:

- Questioned why the Town does not have a comprehensive tracking program for the impact of business parking in the CCD. Noted that parking considerations are critical when discussing the concept of expanding business license uses in the area.

Zoning Administrator Henderson noted the Board of Zoning Appeal does have the responsibility to examine businesses with no on-site parking plan.

Mr. Livingston reiterated his comment that, since the Planning Commission is considering use and licensing changes in the CCD, the impact that the coffee shop parking would have on the CCD should be part of the discussion.

Carol Killough, 1813 Back Street, Sullivan's Island

- Submitted the Town should slow the process of potential coffee shop use down until the school is built, address parking first and then consider coffee shop use.

Zoning Administrator Henderson acknowledged that parking was a big, macro-level issue for the Island but noted that this issue was bigger than the Planning Commission's ability to remedy.

Kleide Debreaux, Station 19/Back Street, Sullivan's Island

- Noted Coleman Boulevard and Shem Creek in Mt. Pleasant. Asked if the Town could prevent a future multi-floor parking garage like that being built at Shem Creek.

Zoning Administrator Henderson noted that the Town's design standards would make construction of a multi-floor parking garage difficult, particularly regarding maximum lot coverage considerations.

Karen Coste, 322 Station 19, Sullivan's Island

- Asked for Town's master parking plan. Submitted it would be wiser to deal with parking first.

Staff suggested these types of comments would be best directed to Town Council.

Vice-Chair Currey closed public questions for Staff; Commission continued deliberations.

Commission Discussion:

Ms. Cook shared a report from Poe's Tavern that it sells 30% alcohol and 70% food, and, noted her surprise at this statistic.

Mr. Huey asked Drew Harris, owner of Café Medley, present in the audience, to provide his on-site alcohol sales.

Mr. Harris:

- Café Medley has 12-18% on-site alcohol sales.

Stated he spoke with other restaurant owners and shared their alcohol sales:

- Atlanticville (now closed) 35-40% on-site alcohol sales;
- Mamacita's and Dunleavy's has 40-45% alcohol sales

On-site alcohol sales:

Commission debated the ratio of on-site alcohol (beer/wine) to food sales. Commission asked Staff to clarify how alcohol sales are audited. Zoning Administrator Henderson noted that businesses self-report alcohol sales. The Town could audit the total sales through the Department of Revenue.

MOTION: Mr. Hubbard made a motion to include in proposed coffee shop ordinance language maximum on-site alcohol sales at 18%; seconded by Huey. MOTION UNANIMOUSLY PASSED.

Hours of operation:

Commission discussed coffee shop hours of operation, noting restaurants are allowed to remain open until 2:00AM.

MOTION: Mr. Huey made a motion to include in proposed coffee shop ordinance language hours of operation at 6:00AM-10:00PM; seconded by Ms. Poletti. MOTION UNANIMOUSLY PASSED.

Seating:

Commission debated maximum seating (interior/exterior) for coffee shops. Vice-Chair Currey advocated small seating numbers; Mr. Huey noted Café Medley currently has 14 seats inside/10 outside for a total of 24.

MOTION: Mr. Huey made a motion to include in proposed coffee shop ordinance language maximum seating at 25 (total inside/outside); seconded by Ms. Poletti. MOTION PASSED FIVE TO ONE (Currey voting nay).

Cuisine regulation:

Zoning Administrator Henderson suggested Town could include more restrictive language regarding light cuisine fare, noting Winter Park, Florida's restrictive cuisine language.

Building Official Robinson observed that should a coffee shop be located adjacent to an existing restaurant, the Town would need to monitor for instances where the neighboring restaurant cooked a meal and delivered it to a patron at the coffee shop (non-compliance creep). Zoning Administrator Henderson noted Staff needs something in the ordinance to assist them with the interpretation of, and compliance with, light fare. There is a need to establish a marked difference between full service and coffee shop fare.

Commission discussed adding to existing proposed language a list of examples of light fare, "such as" baked goods, salads, soups and sandwiches. List of ("such as") food examples: sandwiches, soups, salads, baked goods, deserts, cheese plates and typical breakfast items.

Formula restaurants:

Commission discussed franchise/formula restaurant restrictions.

MOTION: Mr. Huey made a motion to include in proposed eating establishment ordinance language restrictions for franchise restaurants seeking a Town business license to a maximum of three franchise restaurants nationwide; seconded by Mr. Hubbard. MOTION UNANIMOUSLY PASSED.

**MOTION: Mr. Huey made a motion to recommend in proposed coffee shop ordinance language the following verbiage regarding light fare: “Coffee shop uses shall be limited to preparing light meals with appliances which do not require Type I or Type II kitchen exhaust hood system inspections by SCDHEC Section 6-8-20; Subsection 8-400; light fare meals shall include, but not be limited to, soups, sandwiches, salads, baked goods, desserts, ice cream, cheese plates and typical breakfast items.” Seconded by Ms. Cook.
MOTION UNANIMOUSLY PASSED.**

Summary of consensus points for draft ordinance at this meeting:

- **Maximum on-site alcohol consumption: eighteen (18%) percent on-site alcohol consumption**
- **Café hours of operation limited: 6 a.m. to 10 p.m.**
- **Seating limitations: 25 seats maximum (total inside and outside seating)**
- **Further refine definition for “formula restaurants” and maximum number of franchises a restaurant seeking to establish on the Town might have nation-wide: Maximum 3 restaurant franchises nationwide.**
- **Consider options for regulating cuisine by listing business license conditions: incorporate following verbiage: “Coffee shop uses shall be limited to preparing light meals with appliances which do not require Type I or Type II kitchen exhaust hood system inspections by SCDHEC Section 6-8-20; Subsection 8-400; light fare meals shall include, but not be limited to, soups, sandwiches, salads, baked goods, desserts, ice cream, cheese plates and typical breakfast items.”**

Public Comments/Questions

Cheryl Clark, 2119 Pettigrew Street, Sullivan’s Island

- Asked the status of Café Medley and Coop

Zoning Administrator Henderson noted Café Medley is licensed as a take-out deli and Co-Op is licensed as a retail establishment with take-out food.

- Ms. Clark clarified that the Town will not grandfather existing businesses; all businesses seeking coffee shop use will have to go before the Board of Zoning Appeals for approval (special exception) before getting a business license (yes, per Staff).
- Asked if coffee shop could serve Mimosa (yes, per Staff).

Jane Gallis, 1817 Back Street, Sullivan’s Island

- Questioned whether current businesses, like Co-Op, would be required to get the special exception to maintain current operation and could any business owner apply for special exception.

Zoning Administrator Henderson clarified that any commercial property owner in the CCD could apply for a special exception for coffee shop use, if this draft ordinance should pass in its current form. He noted the special exception ends with the closing of a specific business. It is not transferrable to a new property owner or a particular site.

Carol Killough, 1813 Back Street, Sullivan's Island

- Noted that, should Café Medley request a BZA special exception for a coffee shop business license, the BZA could deem its request as being less desirable than another business owner making the same request (example– available onsite parking).

Rita Langley, 1618 Middle Street, Sullivan's Island

- Proposed maximum seating is too high a number and alcohol sales percentage is too high.

Bobby Thompson, 2917 I'On Avenue, Sullivan's Island

- Noted that the Town has approved two full re-writes of the Comprehensive Plan and in 2005, when the Town conducted its Zoning Ordinance re-write, coffee shop use was not identified as a need or goal on the Island.
- Recalled that surveys conducted by Connie Cooper Consulting in 2005, during Zoning Ordinance re-write, over 90% of surveyed residents felt the CCD was big enough "as is."
- Submitted there is neither a need nor public appetite to expand eating establishment uses in the CCD.
- Expressed concern about "compliance creep" over issues such as menu items, seating and parking spaces. Commented these coffee shops could become tapas cafés where the ratio of alcohol sales exceeds food sales, unless strictly monitored by the Town.

Chuck Gallis, 1817 Back Street, Sullivan's Island

- Expressed following observations:
 - Majority of discussion tonight revolves around enforcement issues that will fall on Town Staff if this ordinance is approved;
 - Commented that Café Medley's non-compliance with their business license is the reason the Commission is discussing this use now. Asked why the Town did not "nip this in the bud" by forcing Café Medley to cease operations that did not comply with its business license as a take-out deli.
 - Noted it was ironic that Police Chief Howard holds weekly meet/greet sessions with residents at Café Medley, an establishment that is not complying with the Town's ordinances and restrictions for its business.
 - Concerned, based upon history with Café Medley, about the Town's enforcement of proposed guidelines, noting there are lots of opportunities for "creep" by business owners pushing restrictions.

Thereafter Mr. Gallis read aloud the following prepared, written remarks:

- "For the past hour or so, we've been talking about multiple components of a new "Coffee Shop" designation. All this will be virtually impossible to enforce; it will require constant vigilance and repeated enforcement effort: Menus, number of seats, parking, percentage of alcohol consumption, alcohol sales for onsite consumption, alcohol sales for takeout. The truth is we do not have the political will to enforce our existing ordinances. One might surmise that with a new Planning Administrator we can do a better job. But as I understand the

circumstances surrounding this issue, when the Planning Administrator attempted to enforce the Business License ordinance, he was told to back off.

- Instead of mandating compliance with the Business License, then considering solutions, the Planning Commission has been “encouraged” to seek an alternative that would allow a business to operate outside of the original intent of its license. The alternatives contemplated to date seem to favor what, in my opinion, amount to a substantial repositioning of the Commercial District camouflaged as “protecting” a popular island business. In my view, this business has become the poster child to pass the proposed zoning classification that would allow expansion of on premise consumption of food and alcohol and add 25-35 seats per establishment beyond Station 22 down to the post office. As proposed, four(4) of these establishments would be permitted in the Commercial District and Commercial Overlay District which begins at the BP Station and ends at Co-Op Building. That’s 100 plus new patron seats added to the Commercial District. No matter how you cut it, these establishments are not “take-out only” food service establishments as envisioned by the current zoning enacted years ago; these are restaurants, albeit scaled down. If the contemplated changes are adopted, I fear the “Camel’s Nose is in the Tent.”
- A major part of the conversation should focus on parking and traffic. We all know that parking demand island wide is already well beyond capacity. Adding 100 plus new patron seats, factor in employee parking needs, then the issue can only be exacerbated. One might ask how and why we got to this point of considering a major shift in our commercial zoning regulations. In my opinion, the answer is found in self interest, economic motives.
- My personal concern centers on the fact that the months’ long process you have been engaged in appears to have become overtly politicized. This environment encumbers the Planning Commissioners and Town Staffers in their deliberations. I feel you and the citizens of the island should not sit by while the economic interests of a very few trump the overall quality of life for those of us who have invested substantially in our homes. Jane & I moved to Sullivans Island several years ago for what the island was, not what it is trying to become.
- Please understand I am not anti-business. But I am about integrity driven island governance. I am about a broad view of what is best for the island as a whole, not what is in the best financial interests of a very few.
- I hope you see your role as planners and not pawns. I understand our town staffers have to do what Town Council says. After all, Town Council signs their pay checks. But no one in Town Hall signs your check. I hope you will put the best interests of the island first. I hope you will tell town council to enforce the business license ordinance so that you can go about your business of promoting sound planning and responsible growth on the island.
- In closing, let me assure you I have no hidden agenda, I have no business interests on the island. Jane & I are simply motivated by a genuine passion for this unique and historic spit of land known as Sullivan’s Island.”

Ms. Cook asked Staff what its enforcement process would be for coffee shop business guideline violations.

Zoning Administrator Henderson noted that Town Staff would engage in periodic and regular business inspections, plus potential audits during the annual business license renewals. If an on-site violation were found, Staff would follow this procedure: 1st soft enforcement (telephone call, visit, letter); 2nd issue a ticket (misdemeanor offense) carrying a fine up to \$1040 for each day of the violation. He noted a revocation of a business license would be a severe measure requiring Council direction to do so.

Vice-Chair Currey closed public comments at 8:20pm.

Drew Harris, Café Medley Owner, Sullivan's Island

- Indicated he had a list of supporters for the coffee shop concept he would hand over to Staff at the end of this meeting.

MOTION: Mr. Huey made a motion directing Staff to revise draft ordinance language incorporating points discussed tonight and for the Planning Commission to hold a public hearing on this matter at 6:30PM on Wednesday, June 11, 2014.

Commission reviewed public notice requirements for the public hearing – ad will be placed in newspaper of public circulation (Post & Courier) minimum 15 days before meeting. Additionally, the Town will post the draft ordinance language and notice on the Town's website, make documents available for review at Town Hall, post signs around the Town reminding people of the Planning Commission meeting and include the notice in future Town E-Newsletters.

Staff Update on Town Projects

Comprehensive Plan (2013 Draft) – Council continues review of Commission recommendations; public hearing on an ordinance to approve some/all recommended Plan changes should be held in June or July .

Next Meeting – (6:30pm) Wednesday, June 11, 2014 at Town Hall

There being no further business, the meeting adjourned at approximately 8:48p.m. (Mr. Hubbard motioned; Ms. Poletti seconded; unanimously passed).

Respectfully submitted,
Lisa Darrow
Asst. to Administrator

Approved at the Wednesday, June 11, 2014 Planning Commission Meeting

FINANCE COUNCIL MEETING

June 17, 2014

**Chairman Mike Perkis; Co-Chairman Jerry Kaynard
All Members of Council**

All matters connected with Town finances, taxes and licenses. The Committee shall prepare and submit an annual operating budget and capital improvement program to Council.

I. Matters for Action by Council

1. Second Reading and Ratification, Ordinance No. 2014-03, An Ordinance to Adopt Town Budget for Fiscal Year 2014-15.
2. Second Reading and Ratification, Ordinance No. 2014-04, An Ordinance to Adopt the Water and Sewer Operating Budget for Fiscal Year 2014-15.
3. Resolution for the approval of Water rates for Fiscal year 2015.

II. Matters for Discussion by Council

1. Second Reading, An Ordinance amending Section 14-25 of the Code of Ordinances for the Town to revise Franchise Fees for filming, video-taping, and still photography for commercial purposes; and, to add language prohibiting such activity within the RC-1/RC-2 Zoning Districts or on the beach.

III. New Matters Presented to Council

1. FY 2015 Budget – Town Council held a Public Hearing for the General Fund and Municipal and Water & Sewer budget ordinances for FY2015 at the June 2, 2014 Special Meeting of Council. Final reading and ratification of both ordinances is set for June 17, 2014.

IV. Matters Pending By Council

No pending items at this time.

ORDINANCE 2013-

AN ORDINANCE AMENDING SECTION 14-25 OF THE CODE OF ORDINANCES FOR THE TOWN OF SULLIVAN'S ISLAND TO RESCIND THE SECTION IN ITS ENTIRETY; AND, TO ADD LANGUAGE TO SECTION 10-20 ESTABLISHING BUSINESS LICENSE FEES FOR MAJOR MOTION PICTURES, MADE FOR TELEVISION MOVIES, NATIONAL AND REGIONAL COMMERCIALS, AND ALL OTHER TYPES OF FILMING, VIDEO TAPING AND STILL PHOTOGRAPHY.

Commented [PO1]: Need to include new 14-34, and should title list them in the order we decide on for the recitals and actual ordinance language? I advise 10-20, 14-25, 14-34, in all cases, but could easily be wrong...

Commented [PO2]: Suggest we rethink this part of the title after we settle on definitions. Shouldn't it be consistent with language in the ordinance?

WHEREAS, the Town of Sullivan's Island has become an increasingly popular destination for commercial filming, recording and photography over the past years; and

WHEREAS, such activities produce additional demand on Town staff for time and effort, adding to the costs of Town government; and

~~the members of Town Council wish to increase the revenue for filming, video taping, and still photography for commercial purposes because of additional time and burden upon staff during such events; and~~

WHEREAS, the members of Town Council find that uncontrolled use of public property and facilities for commercial filming, recording and photography can adversely affect the public health, safety and welfare through obstructing or interfering with the normal use of public streets, parks, buildings and other public facilities, and that it can adversely affect the economic well-being of the business community by obstructing free access to business establishments within the Town and by potentially reflecting adversely on the Town's established public image; and

Commented [PO3]: Perhaps add "and/or increasing"

WHEREAS, to mitigate the costs of the aforementioned impacts on the Town, the Town Council finds that it is in the best interests of the Town to increase the revenue derived from filming, video-recording, and still photography for commercial purposes;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Sullivan's Island, in Council assembled, that that Section 10-20 of the Sullivan's Island Code of Ordinances be amended to read specifically as follows; that Section 14-25 of the Sullivan's Island Code of Ordinances shall be rescinded in its entirety; and are hereby amend Section 10-20 that and adding Section 14-34 be added to read specifically as follows:

Commented [PO4]: I suggested the following re-ordering to make it easier to follow... however, please reject if you don't think it does that.

Commented [PO5]: When we present to Council, can we include a strikethrough of 14-25 to indicate what is rescinded, and show changes to 10-20

Sec. 10-20 Classification Rate Schedule. (12/16/08) (12/18/12) (11/19/13)

The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the Standard Industrial Classification Manual

(SIC). The license Inspector shall determine the proper class for a business according to the SIC. (12-15-92)

CLASS	RATE	
	INCOME: 0-\$2000 MINIMUM	ALL OVER \$2,000 Rate Per Thousand (For Portion Round to Next Thousand)
3	\$69.35	\$2.65
3A	\$75.00	\$3.75

Such activities as listed above are prohibited in the RC-1 and RC-2 zoning districts and the beaches of the Town. All activities must be conducted within guidelines and requirements as set forth by the Town.

Commented [PO6]: I don't think we ever listed them. Not sure what is 3 and what is 3A.

Violators of the Town's permit shall be subject to the payment of required fees plus \$500.00 (five hundred dollars) per day, each day being a separate offense. (1-19-93, 9-23-97)

Sec. 14-34 Filming

A. Use of Public Property for Filming

(1) ~~Without an approved written permit from the Town, it shall be unlawful for any person or entity to, on any public property within the Town, to~~

~~a. film, video, videorecord, tape, photograph or otherwise record any scenes, sounds or actions while on any public property; or~~

~~(+) b. to use or obstruct any public property while filming on private property without a written permit from the Town.~~

(2) It shall be unlawful for any person or entity to film, video, videorecord, tape, photograph or otherwise record any scenes, sounds or actions in the RC-1 Zoning District or on the beach.

Commented [PO7]: Should we add an "A. Definition" section which defines "filming" as activities such as filming, audio-recording, video-recording, and still photography which capture auditory and/or visual images in a retrievable format... or some such definition? I'm sure there is a good one in someone else's ordinances. If we do this up front

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Commented [PO8]: I am assuming you meant to prohibit the filming activity on public property, not necessarily to prohibit filming from private property something taking place on public property??

Commented [PO9]: What about seaward of high water line, e.g., at low tide?

B. This section shall not apply to amateurs making noncommercial films, videos or photographs when assisted by no more than one other person; nor, shall this section apply to the filming of news events by accredited representatives of news agencies; nor shall this section apply to film, video or photographic charitable purposes including productions which are conducted or carried on wholly for a charitable purpose or from which no profit is derived, either directly or indirectly.

Commented [PO10]: Credentialed?

Commented [PO11]: Should this be "and"?

C. Business Requirements

(1) A film permit application is required for all film events.

(2) The film permit application fee is in addition to a business license fee.

(3) The film permit application fee and business license fees are in addition to

Commented [PO12]: Assuming this exception is intended to apply to Current Sections A, C and D, shouldn't it be the last section, i.e., new Section D?

Commented [PO13]: I'm not sure which kinds of film events you mean here to require film permits... only the ones in 14-34-A.(1) and (2)? Any others?

any land use fees.

D. Film Permits

Any person or entity wishing to film, video-record, tape or photograph scenes or actions requiring a permit shall submit, in writing, to the Town Administrator or his designee, not less than five (5) working days prior to filming, a request for a permit.

~~D. (1) Application review fee: The film permit application must be to the Town Administrator or his designee accompanied~~ accompanied by a non-refundable deposit of \$50. Upon approval, an additional ~~the balance of \$100~~ \$100 shall be paid to the Town. The total \$150 will become the fee to compensate the Town for administrative and overhead costs to review the permit application and monitor compliance with approved permits. ~~The permit application will determine the impact of the film operation on the Town.~~

Commented [PO14]: Should we say "property use" instead to cover possibility of use of Town structures or moveable property? E.g., "Jaws: Southern Exposure" is set here and they want to film guys with our rescue craft at the Ark? And should we define these fees a bit?

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Commented [PO15]: Or "business"

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E. Per-Day Permit Fees-Per-Day

E. Review of the permit application will determine the impact of the film operation on the Town and consequent per-day permit fees.

- (1) Low Impact Film Operation – Cast, Extras and Crew up to 10: Permit fee \$200 per day.
- (2) Medium Impact Film Operation – Cast, Extras and Crew 11 to 40: Permit fee \$600 per day. Strike days are \$300 per day.
- (3) High Impact Film Operation – Cast, Extras and Crew over 40: Permit fee \$800 per day. Strike days are \$250 per day.

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Commented [PO16]: Should we say "or portion of a day" in all cases? Should we charge more for weekend days as impact on Town staff and residents would likely be greater?

Commented [PO17]: Did you intend this to be less than strike day cost for medium impact?

If a term or portion of this ordinance is invalid the remaining ordinance remains valid,

THIS ORDINANCE SHALL BE EFFECTIVE UPON RATIFICATION.

SIGNED, SEALED AND DELIVERED THIS _____ DAY OF _____ 2013.

Michael Perkis, Mayor

**Finance
Points of Interest
May 2014**

Revenue

1. The Town has received approximately \$1.7 million in property tax revenue as of May 31st.
2. The Town has received approximately \$910,000 in business license revenue as of May 31st.
3. Approximately \$257,000 has been received in building permit fees as of May 31st, which is almost \$13,000 more than projected.
4. All other revenue was as expected.

Expenditures

1. All expenses were as expected.
2. The cost of the relocation and operation of the temporary Town Hall as of May 2014 was \$319,540. The cost of the temporary Town Hall is approximately \$4,000 per month. A spreadsheet is attached to this report with a description of all the expenses incurred.
3. The cost for the design and construction of the Town Hall as of May 2014 was approximately \$97,700. A spreadsheet is attached to this report with a description of the expenditures.

May 31, 2014
Cash & Investment Balances

CHECKING ACCOUNTS	\$ 5,611,845.47
MONEY MARKET - 2014 GO BOND FUNDS	4,102,404.53
SC LOCAL GOVERNMENT INVESTMENT POOL	203,688.11
INVESTMENTS	150,001.16
CASH ON HAND	<u>600.00</u>

TOTAL CASH & INVESTMENTS: \$ 10,068,539.27

Unassigned:	
Operating	\$ 2,523,924.63
2014 GO Bond Funds	4,102,404.53
Capital Improvements Reserve	336,500.00
Emergency Reserve	1,025,000.00

Assigned:	
William Bradley Memorial Fund	20,000.00

Committed: -

Restricted:	
County Accommodations Tax Funds - County Deputies	37,005.00
Land Trust Fund	35,118.25
Confederate Memorial Fund	3,151.84
Victim's Rights Fund	<u>67,046.58</u>

Total Cash & Investment Accounts **\$ 8,150,150.83**

<u>PETTY CASH:</u>	
Petty Cash	<u>\$ 400.00</u>

TOTAL GENERAL FUND \$ 8,150,550.83

Operating	\$ 149,680.71
Capital Improvement Fund Sewer	72,233.51
Sewer Depreciation Fund	<u>36,343.53</u>

Total Sewer Fund \$ 258,257.75

Operating	\$ 901,203.18
Capital Improvement Fund Water	177,449.47
CWS CIP Improvements Fund	176,910.20
Water Depreciation Fund	46,143.27
Petty Cash	200.00
Total Water Fund	\$ 1,301,906.12
<hr/>	
Unreserved	\$ 265,020.43
Total Hospitality Tax Fund - Restricted	\$ 265,020.43
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Unreserved	\$ 58,232.54
Total Local Accommodations Tax Fund -	\$ 58,232.54
<hr/>	
Tree Bank Fund - Committed	\$ 34,571.60
Total Tree Fund	\$ 34,571.60
TOTAL CASH & INVESTMENTS:	\$ 10,068,539.27
<hr/>	
1% Firemen's Fund - First Federal Money Market	\$ 130,693.05
Total 1% FIREMEN'S FUND	\$ 130,693.05

**Investment Income
Month Ended May 31, 2014 and YTD**

<u>Bank</u>	<u>Interest Rate</u>	<u>Interest Earned Current Month</u>	<u>Interest Earned Year-to-Date</u>
Investment Pool	0.1223%	21.30	309.34
1st Federal Money Market	0.20%	803.32	6,804.45
1st Federal MM - Bond	0.20%	696.78	2,404.53
1st Southeast Investor Services	0.01%	<u>0.53</u>	<u>2,463.31</u>
		<u>\$ 1,521.93</u>	<u>\$ 11,981.63</u>

Interest Earned by Fund

	<u>Month Ended</u>	<u>YTD</u>
General Fund	\$ 1,256.63	\$ 8,669.86
Sewer Fund	35.73	496.20
Water Fund	180.05	2,139.48
State A-Tax Funds	-	-
Local A-Tax Funds	8.09	114.30
Hospitality Tax Fund	36.64	497.71
Tree Fund	<u>4.79</u>	<u>64.08</u>
Total Earned	<u>\$ 1,521.93</u>	<u>\$ 11,981.63</u>

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUND
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED REVENUE</u>	<u>CURRENT REVENUE</u>	<u>YEAR TO DATE REVENUE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
GEN FUND					
10-3000-2000 PROCEEDS FROM BOND	0.00	0.00	4,100,000.00	-4,100,000.00	0
10-3000-3300 INTEREST EARNED	6,000.00	1,256.82	7,276.60	-1,276.60	-21
10-3000-6000 POLICE ACCIDENT REPORTS	200.00	15.00	325.00	-125.00	-63
10-3000-8000 TRANSFER FROM WATER FUND	198,500.00	0.00	0.00	198,500.00	100
10-3000-9100 LICENSES	1,024,500.00	13,366.89	910,074.33	114,425.67	11
10-3000-9110 DOG PERMITS	75,000.00	9,392.00	70,794.00	4,206.00	6
10-3000-9120 BOAT PERMITS	0.00	0.00	30.00	-30.00	0
10-3000-9130 BD. OF ZONING APPEALS APPLIC FEE	2,000.00	600.00	2,050.00	-50.00	-3
10-3000-9140 DESIGN REVIEW BOARD FEES	11,000.00	1,200.00	11,105.00	-105.00	-1
10-3000-9150 PLANNING COMMISSION FEES	1,000.00	0.00	750.00	250.00	25
10-3000-9300 BUILDING PERMITS	245,000.00	8,288.73	257,114.38	-12,114.38	-5
10-3000-9350 TRIMMING & PRUNING INCOME	12,000.00	0.00	10,500.00	1,500.00	13
10-3000-9400 AD VALOREM PERS PROP TAX	1,700,000.00	22,028.80	1,704,348.21	-4,348.21	0
10-3000-9410 HOMESTEAD EXEMPT REFUND	8,000.00	0.00	9,462.73	-1,462.73	-18
10-3000-9510 FINES COLL - RECORDER	55,000.00	163.97	51,421.05	3,578.95	7
10-3000-9600 FEE SIMPLE TITLES	100.00	0.00	50.00	50.00	50
10-3000-9690 AID TO SUBDIVISIONS	33,000.00	64.76	41,336.54	-8,336.54	-25
10-3000-9710 VICTIMS RIGHTS FUND	10,000.00	1,330.47	7,499.33	2,500.67	25
10-3000-9750 BEVERAGE TEMP. PERMITS	21,000.00	15,150.00	18,800.00	2,200.00	10
10-3000-9760 FRANCHISE FEES - CELL TOWER	43,000.00	3,757.39	40,453.18	2,546.82	6
10-3000-9765 FRANCHISE FEES - OTHER	450,000.00	5,827.17	50,604.70	399,395.30	89
10-3000-9770 STATE ACCOMMODATIONS TAX	25,000.00	0.00	18,391.53	6,608.47	26
10-3000-9778 TRANSFER LOCAL A-TAX	30,000.00	2,500.00	27,500.00	2,500.00	8
10-3000-9779 TRANSFER FROM HOSP. TAX	250,000.00	20,847.00	229,153.00	20,847.00	8
10-3000-9780 L.O.S.T. PROP.ROLLBACK	120,000.00	11,622.87	110,724.35	9,275.65	8
10-3000-9781 L.O.S.T. REVENUE FUND	55,000.00	8,955.23	65,678.43	-10,678.43	-19
10-3000-9900 MISCELLANEOUS INCOME	130,000.00	10,069.70	99,233.70	30,766.30	24
10-3000-9901 PROCEEDS-SALES OF ASSETS	4,000.00	0.00	573,755.88	-569,755.88	-14,244
10 GEN FUND	4,509,300.00	136,436.80	8,418,431.94	-3,909,131.94	-87

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUND
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED REVENUE</u>	<u>CURRENT REVENUE</u>	<u>YEAR TO DATE REVENUE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
SEWER FUND					
11-3000-3300 INTEREST EARNED	1,000.00	35.70	372.78	627.22	63
11-3000-4110 SEWER SERVICE CHARGES	731,914.93	60,800.20	660,622.09	71,292.84	10
11-3000-4111 PENALTIES	5,500.00	365.00	5,680.00	-180.00	-3
11-3000-4112 ADMINISTRATIVE ACCOUNT FEES	1,300.00	0.00	900.00	400.00	31
11-3000-4300 TIE-IN FEES & INSTALL	0.00	0.00	4,530.00	-4,530.00	0
11-3000-4500 SERVICE CALLS	500.00	0.00	0.00	500.00	100
11-3000-4600 INSPECTION FEES	1,500.00	150.00	1,350.00	150.00	10
11-3000-4900 MISCELLANEOUS	200.00	150.00	3,377.83	-3,177.83	-1,589
11-3000-9900 INCREASE TO RESERVE	-30,800.00	0.00	0.00	-30,800.00	100
11 SEWER FUND	711,114.93	61,500.90	676,832.70	34,282.23	5

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUND
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED REVENUE</u>	<u>CURRENT REVENUE</u>	<u>YEAR TO DATE REVENUE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
WATER FUND					
12-3000-3300 INTEREST EARNED	3,000.00	179.93	1,633.33	1,366.67	46
12-3000-4110 WATER SALES	936,191.47	78,525.05	821,901.93	114,289.54	12
12-3000-4111 PENALTIES	5,500.00	365.00	5,680.00	-180.00	-3
12-3000-4112 ADMINISTRATIVE ACCOUNT FEES	8,000.00	700.00	9,080.00	-1,080.00	-14
12-3000-4114 HYDRANT METER PERMITS	200.00	0.00	600.00	-400.00	-200
12-3000-4300 METER CONNECT & RENEWALS	7,000.00	0.00	22,169.24	-15,169.24	-217
12-3000-4400 METER REPAIRS	500.00	0.00	1,760.00	-1,260.00	-252
12-3000-4500 SERVICE CALLS	500.00	0.00	330.00	170.00	34
12-3000-4600 INSPECTION FEES	250.00	0.00	0.00	250.00	100
12-3000-4610 BACKFLOW TESTING	700.00	120.00	680.00	20.00	3
12-3000-4900 MISCELLANEOUS	100.00	0.00	3,558.55	-3,458.55	-3,459
12-3000-9000 ADDITION TO FUND BAL	-48,435.00	0.00	0.00	-48,435.00	100
12 WATER FUND	<u>913,506.47</u>	<u>79,889.98</u>	<u>867,393.05</u>	<u>46,113.42</u>	<u>5</u>

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUND
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED REVENUE</u>	<u>CURRENT REVENUE</u>	<u>YEAR TO DATE REVENUE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
HOSPITALITY TAX					
13-3000-3300 INTEREST EARNED	0.00	36.62	374.06	-374.06	0
13-3000-9779 HOSPITALITY TAX	0.00	27,747.40	213,108.40	-213,108.40	0
13 HOSPITALITY TAX	<u>0.00</u>	<u>27,784.02</u>	<u>213,482.46</u>	<u>-213,482.46</u>	<u>0</u>
LOCAL A-TAX					
17-3000-3300 INTEREST EARNED	0.00	8.08	86.18	-86.18	0
17-3000-9777 2% COUNTY A-TAX	0.00	0.00	5,550.46	-5,550.46	0
17-3000-9778 1% LOCAL A-TAX	0.00	1,581.53	15,928.06	-15,928.06	0
17 LOCAL A-TAX	<u>0.00</u>	<u>1,589.61</u>	<u>21,564.70</u>	<u>-21,564.70</u>	<u>0</u>
TREE FUND					
19-3000-3300 TREE FUND INTEREST	0.00	4.78	48.46	-48.46	0
19-3000-9310 TREE PERMITS	0.00	0.00	4,600.00	-4,600.00	0
19 TREE FUND	<u>0.00</u>	<u>4.78</u>	<u>4,648.46</u>	<u>-4,648.46</u>	<u>0</u>
	<u>0.00</u>	<u>29,378.41</u>	<u>239,695.62</u>	<u>-239,695.62</u>	<u>0</u>

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUNCTION
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
FIRE DEPARTMENT					
10-5000-0100 SALARIES & WAGES	565,000.00	59,934.28	491,941.91	73,058.09	13
10-5000-0200 FD PRT SOCIAL SECURITY	41,000.00	4,383.00	35,643.62	5,356.38	13
10-5000-0210 FD PRT HEALTH INSURANCE	93,000.00	6,869.54	71,406.68	21,593.32	23
10-5000-0220 FD PRT POL OFF RETIREMENT	73,000.00	7,664.71	62,403.86	10,596.14	15
10-5000-0300 FD GAS & OIL	10,000.00	1,533.62	11,716.73	-1,716.73	-17
10-5000-0310 FD DIESEL	8,000.00	282.11	5,280.22	2,719.78	34
10-5000-0400 FD VEHICLE REPAIRS	20,000.00	946.63	17,029.65	2,970.35	15
10-5000-0600 FD SUPPLIES & MATERIALS	20,000.00	1,475.78	21,188.49	-1,188.49	-6
10-5000-0700 FD TELEPHONE	10,000.00	519.10	5,712.33	4,287.67	43
10-5000-0800 CO. WIDE RADIO SYSTEM	53,000.00	2,166.00	52,717.30	282.70	1
10-5000-0900 FD POWER & LIGHTS	9,500.00	579.94	8,603.43	896.57	9
10-5000-1000 FD INSURANCE	55,000.00	2,137.65	49,035.95	5,964.05	11
10-5000-1200 FD SYSTEM REPAIRS & MAINT	11,000.00	531.28	11,248.62	-248.62	-2
10-5000-1203 UNIFORMS & CLOTHING	10,000.00	0.00	7,637.40	2,362.60	24
10-5000-1300 FD DUES & CERTIF FEES	1,000.00	0.00	920.00	80.00	8
10-5000-1400 FD TRAINING & SEMINARS	9,500.00	1,328.27	10,471.95	-971.95	-10
10-5000-3000 FD MISCELLANEOUS EXPENSE	8,500.00	30.00	198.68	8,301.32	98
10-5000-3100 FD PROPERTY & EQUIP PURCH	24,000.00	0.00	0.00	24,000.00	100
10-5000-3102 FD-CAPITAL LEASE PRINCIPAL	23,000.00	0.00	19,688.81	3,311.19	14
10-5000-3110 PROP & EQUIP < \$5000	15,000.00	0.00	25,737.78	-10,737.78	-72
10-5000-3120 FD BUILDING REPAIRS	10,000.00	0.00	765.72	9,234.28	92
10-5000-3200 FD DISPATCHING SERVICES	23,000.00	1,832.00	19,882.00	3,118.00	14
5000 FIRE DEPARTMENT	1,092,500.00	92,213.91	929,231.13	163,268.87	15

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUNCTION
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
POLICE DEPARTMENT					
10-6000-0100 PD SALARIES & WAGES	464,500.00	55,928.78	429,911.40	34,588.60	7
10-6000-0200 PD PRT SOCIAL SECURITY	34,300.00	4,187.24	31,865.86	2,434.14	7
10-6000-0210 PD PRT HEALTH INS	65,000.00	4,693.26	52,704.08	12,295.92	19
10-6000-0220 PD PRT POL OFF RETIRE	59,000.00	6,981.39	53,597.82	5,402.18	9
10-6000-0250 COUNTY SHERIFF DEPUTIES	40,000.00	5,150.00	25,615.00	14,385.00	36
10-6000-0300 PD GAS & OIL	43,200.00	3,053.13	33,591.06	9,608.94	22
10-6000-0320 PD DIESEL FUEL	1,200.00	0.00	480.38	719.62	60
10-6000-0400 PD VEHICLE REPAIR & MAINT	16,000.00	3,270.86	11,759.53	4,240.47	27
10-6000-0600 PD SUPPLIES & MATERIALS	12,000.00	677.55	9,222.98	2,777.02	23
10-6000-0700 PD TELEPHONE	12,000.00	675.73	8,044.59	3,955.41	33
10-6000-0800 CO. WIDE RADIO SYSTEM	51,000.00	1,938.00	49,901.49	1,098.51	2
10-6000-0900 PD POWER & LIGHTS	5,800.00	266.85	3,361.63	2,438.37	42
10-6000-1000 PD INSURANCE	44,300.00	1,748.76	37,599.82	6,700.18	15
10-6000-1200 PD SYSTEM REPAIR & MAINT	8,000.00	369.96	8,158.97	-158.97	-2
10-6000-1203 UNIFORMS & CLOTHING	9,000.00	0.00	3,375.60	5,624.40	62
10-6000-1300 PD DUES & CERTIF FEES	500.00	0.00	290.00	210.00	42
10-6000-1400 PD TRAINING & SEMINARS	6,500.00	260.00	4,039.91	2,460.09	38
10-6000-3000 PD MISCELLANEOUS EXPENSES	1,500.00	0.00	231.10	1,268.90	85
10-6000-3100 PD PROPERTY & EQUIP PURCH	13,000.00	19,309.44	32,405.39	-19,405.39	-149
10-6000-3102 PD-CAPITAL LEASE PRINCIPAL	33,134.00	0.00	33,874.95	-740.95	-2
10-6000-3110 PROP & EQUIP < \$5000	7,000.00	0.00	3,163.32	3,836.68	55
10-6000-3200 PD DISPATCHING SERVICES	23,000.00	1,832.00	19,882.00	3,118.00	14
6000 POLICE DEPARTMENT	949,934.00	110,342.95	853,076.88	96,857.12	10

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUNCTION
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
MAINTENANCE					
10-7000-0100 MD SALARIES & WAGES	163,000.00	18,492.88	136,324.01	26,675.99	16
10-7000-0200 MD PRT SOCIAL SECURITY	12,500.00	1,379.92	10,193.20	2,306.80	18
10-7000-0210 MD PRT HEALTH INSURANCE	19,000.00	1,901.11	17,538.21	1,461.79	8
10-7000-0220 MD PRT S. C. RETIREMENT	14,000.00	1,493.83	11,435.34	2,564.66	18
10-7000-0300 MD VEHICLE GAS & OIL	12,000.00	1,141.66	10,133.64	1,866.36	16
10-7000-0310 MD DIESEL FUEL	4,000.00	242.51	1,884.08	2,115.92	53
10-7000-0400 MD VEHICLE REPAIRS	7,500.00	3,379.60	15,661.72	-8,161.72	-109
10-7000-0600 MD SUPPLIES & MATERIALS	25,000.00	4,723.04	18,081.10	6,918.90	28
10-7000-0700 TELEPHONE	660.00	55.00	605.00	55.00	8
10-7000-0900 MD POWER & ELECTRICITY	39,000.00	3,169.46	34,991.42	4,008.58	10
10-7000-1000 MD INSURANCE	16,000.00	580.19	11,804.86	4,195.14	26
10-7000-1200 MD SYSTEMS REPAIRS & MAIN	15,000.00	304.39	18,813.67	-3,813.67	-25
10-7000-1203 UNIFORMS & CLOTHING	3,000.00	0.00	1,979.54	1,020.46	34
10-7000-3000 MD MISCELLANEOUS EXPENSES	1,000.00	0.00	0.00	1,000.00	100
10-7000-3100 MD PROP & EQUIP PURCHASE	13,000.00	0.00	13,208.79	-208.79	-2
10-7000-3102 MD-CAPITAL LEASE PRINCIPAL	5,256.00	0.00	7,916.29	-2,660.29	-51
10-7000-3110 PROP & EQUIP < \$5000	0.00	0.00	4,227.05	-4,227.05	0
10-7000-3400 MD GARBAGE DISPOSAL CONTR	170,000.00	14,078.65	157,593.41	12,406.59	7
10-7000-3500 CAUSEWAY MAINTENANCE	2,000.00	0.00	1,141.81	858.19	43
10-7000-3600 CONTAINER SERVICING	13,000.00	824.50	6,486.38	6,513.62	50
10-7000-3700 BEACH PATH MAINTENANCE	10,000.00	0.00	104,062.37	-94,062.37	-941
7000 MAINTENANCE	544,916.00	51,766.74	584,081.89	-39,165.89	-7

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUNCTION
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
RECREATION					
10-8000-0900 RD POWER & LIGHTS	7,500.00	622.04	6,239.24	1,260.76	17
10-8000-1000 RD INSURANCE	2,500.00	347.40	2,932.91	-432.91	-17
10-8000-1200 RD SYSTEM REPAIR & MAINT	0.00	375.00	0.00	0.00	0
10-8000-1300 RD RECREATION AREA MAINT	7,500.00	-375.00	8,159.50	-659.50	-9
10-8000-1400 SPECIAL EVENTS	15,000.00	0.00	17,183.90	-2,183.90	-15
10-8000-3100 RD PROPERTY & EQUIP PURCH	130,000.00	0.00	9,900.00	120,100.00	92
10-8000-3110 PROP & EQUIP < \$5000	10,000.00	0.00	7,245.00	2,755.00	28
10-8000-3200 RECREATIONAL PROJECTS	14,500.00	0.00	900.00	13,600.00	94
8000 RECREATION	187,000.00	969.44	52,560.55	134,439.45	72

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUNCTION
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
ADMIN					
10-9000-0100 AD SALARIES & WAGES	376,000.00	42,899.03	347,677.11	28,322.89	8
10-9000-0200 AD PRT SOCIAL SECURITY	30,000.00	3,365.06	27,338.02	2,661.98	9
10-9000-0210 AD PRT HEALTH INSURANCE	42,500.00	4,068.26	41,117.07	1,382.93	3
10-9000-0220 AD PRT S. C. RETIREMENT	40,000.00	4,607.71	39,252.48	747.52	2
10-9000-0600 AD OFFICE SUPPLIES	24,000.00	1,013.89	21,275.98	2,724.02	11
10-9000-0610 AD TRAVEL - RECORDER	500.00	0.00	673.67	-173.67	-35
10-9000-0620 AD SUPPLIES - RECORDER	1,000.00	0.00	303.98	696.02	70
10-9000-0700 AD TELEPHONE	14,500.00	1,290.66	14,814.01	-314.01	-2
10-9000-0900 AD POWER & LIGHTS	6,500.00	572.37	7,417.20	-917.20	-14
10-9000-1000 AD INSURANCE	62,000.00	4,368.06	57,383.86	4,616.14	7
10-9000-1200 AD SYSTEMS REPAIR & MAINT	40,000.00	465.41	49,406.04	-9,406.04	-24
10-9000-1300 AD DUES & CERTIF FEES	3,200.00	71.25	2,677.30	522.70	16
10-9000-1400 AD TRAINING & SEMINARS	6,000.00	1,892.65	4,229.18	1,770.82	30
10-9000-1800 AD PROFESSIONAL SERVICES	35,000.00	1,730.00	8,760.00	26,240.00	75
10-9000-1810 AD FEE SIMPLE DEED COSTS	100.00	0.00	0.00	100.00	100
10-9000-1830 DRB EXPENSE	0.00	56.46	56.46	-56.46	0
10-9000-1840 PLANNING EXPENSE	2,000.00	0.00	110.28	1,889.72	94
10-9000-1870 COUNCIL EXPENSES	13,000.00	0.00	4,360.29	8,639.71	66
10-9000-1880 GENERAL ADVERTISING EXPENSES	8,000.00	755.81	12,700.79	-4,700.79	-59
10-9000-1900 AD LEGAL & ACCOUNTING	95,000.00	44,388.92	167,673.46	-72,673.46	-76
10-9000-1910 ACCRETED LAND - LAWSUIT EXPENSES	35,000.00	21,654.87	70,858.76	-35,858.76	-102
10-9000-1920 ACCRETED LAND MANAGEMENT	100,000.00	1,500.00	4,100.00	95,900.00	96
10-9000-3000 AD MISCELLANEOUS EXPENSES	12,250.00	1,104.74	33,463.22	-21,213.22	-173
10-9000-3100 AD PROPERTY & EQUIP PURCH	7,000.00	0.00	9,569.70	-2,569.70	-37
10-9000-3105 CAPITAL PROJECT	200,000.00	53,488.91	97,655.47	102,344.53	51
10-9000-3110 PROP & EQUIP < \$5000	7,500.00	0.00	13,890.56	-6,390.56	-85
10-9000-3130 TOWN HALL RELOCATION EXPENSES	50,000.00	4,215.21	47,086.68	2,913.32	6
10-9000-4000 VICTIMS RIGHTS FUND	10,000.00	0.00	0.00	10,000.00	100
10-9000-5000 WATER BOND REPAYMENT	198,500.00	0.00	199,682.77	-1,182.77	-1
9000 ADMIN	1,419,550.00	193,509.27	1,283,534.34	136,015.66	10

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUNCTION
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
BUILDING					
10-9500-0100 BD SALARIES & WAGES	195,000.00	21,309.51	170,293.47	24,706.53	13
10-9500-0200 BD PRT SOCIAL SECURITY	14,400.00	1,584.00	12,538.82	1,861.18	13
10-9500-0210 BD PRT HEALTH INSURANCE	22,400.00	1,750.80	19,902.41	2,497.59	11
10-9500-0220 BD PRT S.C. RETIREMENT	21,000.00	2,450.67	19,434.67	1,565.33	7
10-9500-0300 BD GAS & OIL	2,600.00	0.00	1,216.24	1,383.76	53
10-9500-0310 BD TRAVEL - BLDG INSPECTOR	0.00	-181.65	0.00	0.00	0
10-9500-0600 BD OFFICE SUPPLIES	3,000.00	0.00	1,690.77	1,309.23	44
10-9500-0630 BD SUPPLIES BLDG INSPECT	2,000.00	0.00	468.06	1,531.94	77
10-9500-0700 BD TELEPHONE	3,600.00	265.45	3,133.19	466.81	13
10-9500-0900 BD POWER & LIGHTS	1,300.00	38.62	624.71	675.29	52
10-9500-1000 BD INSURANCE	5,000.00	53.45	573.64	4,426.36	89
10-9500-1200 BD SYSTEMS REPAIRS & MAINT	2,700.00	410.27	2,535.86	164.14	6
10-9500-1300 BD DUES & CERTIF FEES	1,500.00	365.00	1,035.00	465.00	31
10-9500-1400 BD TRAINING & SEMINARS	3,000.00	181.65	1,415.91	1,584.09	53
10-9500-1820 BZA EXPENSES	2,000.00	32.55	1,177.60	822.40	41
10-9500-1830 DRB EXPENSES	9,000.00	740.00	3,745.88	5,254.12	58
10-9500-1850 TREE COMMISSION	1,500.00	0.00	112.85	1,387.15	92
10-9500-2500 TRIMMING & PRUNING EXP.	11,400.00	0.00	8,800.00	2,600.00	23
10-9500-3000 BD MISCELLANEOUS	0.00	0.00	695.00	-695.00	0
10-9500-3100 BD PROPERTY & EQUIPMENT	11,000.00	0.00	12,935.00	-1,935.00	-18
10-9500-3110 PROP & EQUIP < \$5000	3,000.00	0.00	1,899.50	1,100.50	37
9500 BUILDING	315,400.00	29,000.32	264,228.58	51,171.42	16

FY 2013-2014

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUND
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
SEWER FUND					
11-4000-0100 SALARIES & WAGES	159,165.62	20,132.35	135,980.15	23,185.47	15
11-4000-0200 PRT - SOCIAL SECURITY	12,176.17	1,471.73	9,865.84	2,310.33	19
11-4000-0210 PRT - HEALTH INSURANCE	23,361.17	1,616.06	18,261.44	5,099.73	22
11-4000-0220 PRT - S C RETIREMENT	16,871.56	2,005.08	13,626.08	3,245.48	19
11-4000-0300 GAS & OIL - VEHICLES	7,000.00	603.87	6,112.72	887.28	13
11-4000-0310 DIESEL FUEL	3,300.00	116.86	3,550.72	-250.72	-8
11-4000-0320 DIESEL EQUIPMENT	5,000.00	0.00	3,228.71	1,771.29	35
11-4000-0400 REPAIRS - VEHICLES	5,000.00	622.00	6,885.32	-1,885.32	-38
11-4000-0600 SUPPLIES & MATERIALS	10,000.00	117.23	12,547.69	-2,547.69	-25
11-4000-0610 TOOLS	2,000.00	0.00	2,102.24	-102.24	-5
11-4000-0620 OFFICE SUPPLIES	8,700.00	676.13	3,957.81	4,742.19	55
11-4000-0630 LAB SUPPLIES	3,700.00	916.65	5,085.70	-1,385.70	-37
11-4000-0700 TELEPHONE	5,600.00	455.41	5,024.75	575.25	10
11-4000-0900 POWER & ELECTRICITY	48,000.00	5,649.88	50,755.66	-2,755.66	-6
11-4000-1000 INSURANCE	19,000.00	1,113.02	17,042.67	1,957.33	10
11-4000-1200 SYSTEMS REPAIRS & MAINT	40,000.00	2,370.44	78,655.05	-38,655.05	-97
11-4000-1201 SLUDGE DISPOSAL	17,000.00	3,137.86	51,690.15	-34,690.15	-204
11-4000-1202 GRIT DISPOSAL	1,400.00	168.19	1,075.21	324.79	23
11-4000-1203 UNIFORMS & CLOTHING	1,500.00	0.00	1,812.90	-312.90	-21
11-4000-1210 CAPITOL IMPROVEMENTS	141,000.00	8,231.42	73,219.24	67,780.76	48
11-4000-1300 DUES & CERTIFICATION	8,000.00	0.00	5,745.65	2,254.35	28
11-4000-1400 TRAINING & SEMINARS	5,000.00	0.00	4,142.09	857.91	17
11-4000-1900 PROF SERVICES - AUDIT	5,000.00	0.00	5,000.00	0.00	0
11-4000-2000 PROFESSIONAL - ENGINEERNG	5,000.00	0.00	15,795.18	-10,795.18	-216
11-4000-3000 MISCELLANEOUS	1,124.82	0.00	1,406.08	-281.26	-25
11-4000-3110 PROP & EQUIP < \$5000	6,000.00	0.00	0.00	6,000.00	100
11-4000-3500 ADMIN OF SEWER BOND	68,304.00	0.00	5,841.00	62,463.00	91
11-4000-3510 LEASE PAYMENTS	14,255.61	0.00	13,568.98	686.63	5
11-4000-3600 WASTEWATER ANAL - LAB SVC	9,000.00	2,461.35	10,219.35	-1,219.35	-14
11-4000-3700 CHEMICALS	9,000.00	2,416.89	15,688.50	-6,688.50	-74
11-9000-0100 ADMIN SALARIES	40,067.66	4,496.70	36,615.66	3,452.00	9
11-9000-0200 PRT - SOCIAL SECURITY	3,065.18	340.36	2,744.97	320.21	10
11-9000-0210 PRT - HEALTH INSURANCE	3,275.98	320.65	3,260.60	15.38	0
11-9000-0220 PRT - S C RETIREMENT	4,247.17	476.64	3,881.22	365.95	9
11 SEWER FUND	711,114.94	59,916.77	624,389.33	86,725.61	12

**TOWN OF SULLIVAN'S ISLAND
BUDGET REPORT BY FUND
CURRENT PERIOD: 05/01/2014 TO 05/31/2014**

FY 2013-2014

IDEAL REMAINING PERCENT: 8 %

<u>ACCOUNT</u>	<u>BUDGETED EXPENDITURE</u>	<u>CURRENT EXPENDITURE</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>REMAINING BALANCE</u>	<u>PCT</u>
WATER FUND					
12-4000-0100 SALARIES AND WAGES	159,165.62	19,233.10	135,080.38	24,085.24	15
12-4000-0200 PRT - SOCIAL SECURITY	12,176.17	1,402.93	10,151.86	2,024.31	17
12-4000-0210 PRT - HEALTH INSURANCE	23,361.17	1,616.06	15,754.13	7,607.04	33
12-4000-0220 PRT - S C RETIREMENT	16,871.56	1,909.77	13,175.80	3,695.76	22
12-4000-0300 GAS & OIL - VEHICLES	7,000.00	603.88	6,112.77	887.23	13
12-4000-0310 DIESEL - VEHICLES	3,300.00	0.00	546.91	2,753.09	83
12-4000-0320 DIESEL EQUIP. REPAIRS & MAINT.	2,000.00	0.00	1,436.09	563.91	28
12-4000-0400 REPAIRS - VEHICLES	5,000.00	622.00	5,793.35	-793.35	-16
12-4000-0600 SUPPLIES & MATERIALS	10,000.00	227.77	13,878.84	-3,878.84	-39
12-4000-0610 TOOLS	1,500.00	0.00	592.61	907.39	60
12-4000-0620 OFFICE SUPPLIES	8,700.00	149.51	3,321.05	5,378.95	62
12-4000-0630 LAB SUPPLIES	2,200.00	342.94	1,614.23	585.77	27
12-4000-0700 TELEPHONE	5,600.00	455.41	5,024.80	575.20	10
12-4000-0900 POWER & ELECTRICITY	2,800.00	275.19	3,031.68	-231.68	-8
12-4000-1000 INSURANCE	17,000.00	926.73	14,823.38	2,176.62	13
12-4000-1200 SYSTEMS REPAIRS & MAIN.	38,000.00	1,139.99	28,590.14	9,409.86	25
12-4000-1203 UNIFORMS & CLOTHING	1,500.00	0.00	1,812.91	-312.91	-21
12-4000-1210 CAPITOL IMPROVEMENTS	55,000.00	3,562.90	25,797.02	29,202.98	53
12-4000-1300 DUES & CERTIFICATION	9,000.00	0.00	4,944.64	4,055.36	45
12-4000-1400 TRAINING & SEMINARS	4,500.00	0.00	3,747.50	752.50	17
12-4000-1900 PROFESSIONAL SER.- AUDIT	5,000.00	0.00	5,000.00	0.00	0
12-4000-2000 PROFESSIONAL-ENGINEERING	7,000.00	0.00	0.00	7,000.00	100
12-4000-3000 MISCELLANEOUS	1,564.35	0.00	35.27	1,529.08	98
12-4000-3500 TRANSFER TO GF - BOND PMT.	198,500.00	0.00	0.00	198,500.00	100
12-4000-3510 LEASE PAYMENTS	14,255.61	0.00	13,568.98	686.63	5
12-4000-3600 WATER ANALYSIS	1,200.00	0.00	0.00	1,200.00	100
12-4000-3700 CHEMICALS	7,000.00	0.00	4,938.51	2,061.49	29
12-4000-3900 H2O PAYMENT OPERATION	125,000.00	11,821.70	103,119.18	21,880.82	18
12-4000-4000 CPW IMPROVEMENTS	118,656.00	0.00	538.00	118,118.00	100
12-9000-0100 ADMINISTRATION SALARIES	40,067.66	4,496.70	36,615.88	3,451.78	9
12-9000-0200 PRT-SOCIAL SECURITY	3,065.18	340.36	2,744.95	320.23	10
12-9000-0210 PRT - HEALTH INSURANCE	3,275.98	320.62	3,260.45	15.53	0
12-9000-0220 PRT - SC RETIREMENT	4,247.17	476.63	3,881.22	365.95	9
12 WATER FUND	913,506.47	49,924.19	468,932.53	444,573.94	49

**Town Hall Expenses - Relocation & Operation
As of May 31, 2014**

Land Preparation and Trailer Set-up Expenses:	\$ 138,892.81
Sewer Tank Expenses:	45,934.28
Trailer Lease	78,973.84
Consultants	26,361.00
Miscellaneous Expenses:	<u>29,379.96</u>
	<u>\$ 319,541.89</u>

**PUBLIC SAFETY
COUNCIL MEETING**

June 17, 2014

**Chairman Chauncey Clark
Members Pat O'Neil and Mary Jane Watson**

All matters relating to the Police and Fire Departments, and other matters regarding emergency preparedness.

Monthly Report by Chiefs Howard and Stith

I. Matters for Action by Council

1. Ladder Truck RFP – Recommendation by Public Safety Committee regarding vendor RFP submittals. Committee recommends Executive Session of contractual issues prior to Council action.
2. Approval of Minutes – Approval of Public Safety Committee Minutes of June 9, 2014.

II. Matters for Discussion by Council

Nothing at this time.

III. New Matters Presented to Council

Nothing at this time.

IV. Matters Pending Further Action By Council

1. Parking - Managed parking summer 2015

**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
PUBLIC SAFETY COMMITTEE OF COUNCIL
MEETING MINUTES
Monday, June 9, 2014**

A meeting of the Public Safety Committee of Council was held at 1:30 p.m., Monday, June 9, 2014 at Fire Station Training Room, 2nd Floor, Fire Station, 2050 Middle Street all requirements of the Freedom of Information Act having been satisfied. Present were Committee members, Chauncey Clark, Chair, Council members Pat O'Neil and Mary Jane Watson. Staff included Administrator Benke, Fire Chief Stith, Comptroller Blanton & Asst. Fire Chief McDaniel.

I. Call to Order. Chair Clark called the meeting to order, stated the press and public were duly notified pursuant to state law and noted all members were present (no audience or media in attendance).

II. General Discussion of RFP for Ladder Truck

Chief Stith noted the Town received three bids regarding the RFP for a ladder truck:

	Engine Bid	Existing truck Trade-In Offer	Total Bid
1. Fireline, Inc./Engine One	\$1,008,897.00	\$17000.00	\$ 991,987.00
2. Smeal Fire Apparatus Co/ Atlantic Coast Fire Engine	\$1,055,757.00	-0-	\$1,055,757.00
3. Stevens Fire Equipment/ Supthen Engine	\$985,837.53	\$ 5,000.00	\$ 980,837.00

Chief Stith noted Smeal also offered purchase of well-used demo truck priced close to the bid amounts on the new truck. Chief Stith noted he assigned Asst. Chief McDaniel to review of the bids against the RFP specifications for the Fire Station's recommendation to Council.

MOTION: Councilwoman Watson moved to go into executive session; seconded by Councilman O'Neil; MOTION UNANIMOUSLY PASSED.

Committee went into executive session at approximately 1:02pm, returning into open session at 2:01pm. Chair Clark noted no votes were taken or decisions made during executive session.

MOTION: Councilman O'Neil moved to return from executive session; seconded by Councilwoman Watson; MOTION UNANIMOUSLY PASSED.

MOTION: Councilman O'Neil made a motion, based upon information received at this meeting, the Committee recommends ranking submittals in order of (1) E-One, (2) Supthen Engine and (3) Smeal. Based upon further information from selection committee the Public Safety Committee will make a recommendation to full Council on June 17, 2014; seconded by Councilwoman Watson. **MOTION UNANIMOUSLY PASSED.**

VI. Adjourn

There being no further business, the meeting was adjourned at approximately 2:05 p.m. (Councilwoman Watson motioned; Councilman O'Neil seconded; unanimously passed).

Respectfully submitted,
Chauncey Clark, Chair
Public Safety Committee

To be approved at _____

DRAFT

**WATER AND SEWER REPORT
TOWN COUNCIL MEETING
June 17, 2014**

Committee Chair: Susan Middaugh

Committee Members: Jerry Kaynard, Chauncey Clark

Committee Charge: All matters relating to the Water and Sewer Department and systems.

Monthly Report from Mr. Gress

I. Matters for Action by Council

1. **Action Item:** Second Reading & Ratification, Ordinance for W&S FY2015 budget.
2. **Action Item:** Resolution to approve W&S rates for FY2015
3. **Action Item:** Approval of Letter of Intent and Application for FEMA Hazard Mitigation Grant Funds for replacement of the Oxidation Ditch and Approval of the funds required to support the preparation and submission of this grant application.

II. Matters for Discussion by Council

1. Letter of Intent and Application for FEMA Hazard Mitigation Grant Funds for replacement of the Oxidation Ditch and funds required to support the preparation and submission of this grant application.
2. HDR Consultant Report on review of the Water & Sewer Department Capital Improvement Plan
3. Water & Sewer Operational Plan for Structural Failure of Oxidation Ditch

III. New Matters Presented to Council

1. Minutes for W&S Committee meeting on 5-7-2014 (attached)
Minutes for W&S Committee meeting on 5-14-2014 (attached)
Minutes for W&S Committee meeting on 6-17-2014 (pending)

No additional W&S Committee meeting scheduled at this time.

IV. Matters Pending by Council

1. See above: Matters for Discussion by Council



Town of Sullivan's Island
Water & Sewer Department
843-883-5748
ggress@sullivanisland-sc.com



June 9, 2014

Ms. Melanie Hall
Compliance Officer
Water Pollution Enforcement Section
2600 Bull Street
Columbia, SC 29201

Dear Ms. Hall,

The Discharge monitoring report for the period from May 1, 2014 to May 31, 2014 is enclosed. Should you have any questions, please contact me at (843)-883-5748.

Respectfully,

A handwritten signature in cursive script that reads "Greg Gress".

Greg Gress
Water & Sewer Manager
Town of Sullivan's Island

PERMITTEE NAME/ADDRESS:

NAME: SULLIVAN'S ISLAND TOWN OF
 ADDRESS: P.O. BOX 427
 SULLIVAN'S ISLAND, SC 29482

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
 DISCHARGE MONITORING REPORT (DMR)

SC0020052
 PERMIT NUMBER

001 1
 DISCHARGE NUMBER

MINOR

FACILITY: SULLIVAN'S ISLAND WWTF

LOCATION: AT 2051 GULL DRIVE

MONITORING PERIOD						
YEAR	MO	DAY	YEAR	MO	DAY	
14	05	01	TO	14	05	31

19 TR

FINAL LIMITS

DMR VALID: 08/01/2013-07/31/2018

NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
00300 LAB ID: 10005 Dissolved Oxygen MLOC=1	SAMPLE MEASUREMENT	*****	*****	*****	6.5	*****	*****		0	01/01	GR
	PERMIT REQUIREMENT	*****	*****	****	4.0 INST MIN	*****	*****	MG/L		01/01	GR
00310 LAB ID: 10122 BOD - 5 DAY (20 DEGREES C) MLOC=1	SAMPLE MEASUREMENT	10	11		*****	2	2		0	01/07	24
	PERMIT REQUIREMENT	143 MO AVG	215 WKLY AVG	LBS/DAY	*****	30 MO AVG	45 WKLY AVG	MG/L		01/07	24
00530 LAB ID: 10005 Total Suspended Solids (TSS) MLOC=1	SAMPLE MEASUREMENT	13	20		*****	3	4		0	01/07	24
	PERMIT REQUIREMENT	143 MO AVG	215 WKLY AVG	LBS/DAY	*****	30 MO AVG	45 WKLY AVG	MG/L		01/07	24
00610 LAB ID: 10122 Ammonia-Nitrogen Total as N MLOC=1 NNYYYYYYYNN	SAMPLE MEASUREMENT	0.5	0.6		*****	0.1	0.1	MG/L	0	01/07	24
	PERMIT REQUIREMENT	9 MO AVG	14 WKLY AVG	LBS/DAY	*****	1.8 MO AVG	2.7 WKLY AVG			01/07	24
00610 LAB ID: 10122 Ammonia-Nitrogen Total as N MLOC=1 YNNNNNNNNYY	SAMPLE MEASUREMENT	NA	NA		*****	NA	NA		NA	NA	NA
	PERMIT REQUIREMENT	16 MO AVG	24 WKLY AVG	LBS/DAY	*****	3.3 MO AVG	4.95 WKLY AVG	MG/L		01/07	24
50050 LAB ID: 10005 Flow in Conduit or Thru Treatment Plant MLOC=1	SAMPLE MEASUREMENT	0.62	0.78		*****	*****	*****	*****	0	01/01	CN
	PERMIT REQUIREMENT	REPORT MO AVG	REPORT WKLY AVG	MGD	*****	*****	*****	*****		01/01	CN
50060 LAB ID: 10005 Total Residual Chlorine MLOC=1	SAMPLE MEASUREMENT	*****	*****	*****	*****	0.00	0.00		0	01/01	GR
	PERMIT REQUIREMENT	*****	*****	****	*****	0.035 MO AVG	0.061 DAILY MX	MG/L		01/07	GR
NAME / TITLE PRINCIPAL EXECUTIVE OFFICER									TELEPHONE		DATE
Mike Perkis Mayor									843-883-3198		14 06 09
TYPED OR PRINTED									Area Code NUMBER		YEAR MO DAY

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violators.

Greg Hess
 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

COMMENT AND EXPLANATION OF ANY VIOLATIONS

(Reference all attachments here)

Permit limits are based on an average design flow of 0.57 MGD. MLOC O, P=See permit conditions. "Conditional Monitoring Not Required" under specific circumstances. 24-Hr. reporting required when FC daily max. exceeds 43/100 ml, per part II.L.5.a of the permit

PERMITTEE NAME/ADDRESS:

NAME: SULLIVAN'S ISLAND TOWN OF
 ADDRESS: P.O. BOX 427
 SULLIVAN'S ISLAND, SC 29482

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
 DISCHARGE MONITORING REPORT (DMR)

SC0020052
 PERMIT NUMBER

001 1
 DISCHARGE NUMBER

MINOR

FACILITY: SULLIVAN'S ISLAND WWTF

LOCATION: AT 2051 GULL DRIVE

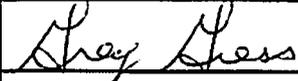
MONITORING PERIOD						
YEAR	MO	DAY	YEAR	MO	DAY	
14	05	01	TO	14	05	31

19 TR

FINAL LIMITS

DMR VALID: 08/01/2013-07/31/2018

NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
51040 LAB ID: 10122 E. COLI (MPN/100ML) MLOC=O	SAMPLE MEASUREMENT	*****	*****	*****	*****	7.7	36		0	01/07	GR
	PERMIT REQUIREMENT	*****	*****	****	*****	35 30DAVGEO	501 DAILY MX	# PER 100ML		01/07	GR
51040 LAB ID: 10122 E. COLI (MPN/100ML) MLOC=P	SAMPLE MEASUREMENT	*****	*****	*****	*****	NA	NA		NA	NA	NA
	PERMIT REQUIREMENT	*****	*****	****	*****	35 30DAVGEO	800 DAILY MX	# PER 100ML		01/07	GR
74055 LAB ID: 10005 Fecal Coliform General MLOC= 1	SAMPLE MEASUREMENT	*****	*****	*****	*****	3.5	9.0		0	01/07	GR
	PERMIT REQUIREMENT	*****	*****	****	*****	REPORT 30 DAVGEO	REPORT DAILY MX	# PER 100ML		01/07	GR
81010 LAB ID: 10005 BOD, 5-DAY Percent Removal MLOC=K	SAMPLE MEASUREMENT	*****	*****	*****	*****	97%	*****		0	01/30	CA
	PERMIT REQUIREMENT	*****	*****	****	*****	85 MO AV MN	*****	PER- CENT		01/30	CA
81011 LAB ID: 10005 Solids, Suspended Percent Removal MLOC=K	SAMPLE MEASUREMENT	*****	*****	*****	*****	98%	*****		0	01/30	CA
	PERMIT REQUIREMENT	*****	*****	****	*****	85 MO AV MN	*****	PER- CENT		01/30	CA
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
NAME / TITLE PRINCIPAL EXECUTIVE OFFICER		I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violators.				 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE		DATE	
Mike Perkis Mayor								843-883-3198		14 06 09	
TYPED OR PRINTED						Area Code		NUMBER		YEAR MO DAY	

COMMENT AND EXPLANATION OF ANY VIOLATIONS

(Reference all attachments here)

Permit limits are based on an average design flow of 0.57 MGD. MLOC O, P=See permit conditions. "Conditional Monitoring Not Required" under specific circumstances. 24-Hr. reporting required when FC daily max. exceeds 43/100 ml, per part II.L.5.a of the permit

PERMITTEE NAME/ADDRESS: (Include Facility Name/Location if different)

NAME: SULLIVAN'S ISLAND TOWN OF
 ADDRESS: P.O. BOX 427
 SULLIVAN'S ISLAND, SC 29482

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
 DISCHARGE MONITORING REPORT (DMR)

SC0020052
 PERMIT NUMBER

001 2
 DISCHARGE NUMBER

MINOR

FACILITY: SULLIVAN'S ISLAND WWTF

LOCATION: AT 2051 GULL DRIVE

MONITORING PERIOD						
YEAR	MO	DAY	YEAR	MO	DAY	
14	05	01	TO	14	05	31

19 TR

INTERIM LIMITS

DMR VALID: 08/01/2013-08/30/2018

NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
00400 LAB ID: 10005 PH Standard Units MLOC=1	SAMPLE MEASUREMENT	*****	*****	*****	7.0	*****	7.6		0	01/01	GR
	PERMIT REQUIREMENT	*****	*****	****	6.0 MINIMUM	*****	8.5 MAXIMUM	SU		01/01	GR
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

W+S-12

NAME / TITLE PRINCIPAL EXECUTIVE OFFICER

Mike Perkis

Mayor

TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violators.

Shay Gress
 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE

843-883-3198

Area Code NUMBER

DATE

14 | 06 | 09

YEAR | MO | DAY

COMMENT AND EXPLANATION OF ANY VIOLATIONS

(Reference all attachments here)

PERMITTEE NAME/ADDRESS: (include Facility Name/Location if different)

NAME: SULLIVAN'S ISLAND TOWN OF
 ADDRESS: P.O. BOX 427
 SULLIVAN'S ISLAND, SC 29482

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

DISCHARGE MONITORING REPORT (DMR)

SC0020052
 PERMIT NUMBER

001 3
 DISCHARGE NUMBER

MINOR

FACILITY: SULLIVAN'S ISLAND WWTF

LOCATION: AT 2051 GULL DRIVE

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
13	08	01	14	07	31

19 TR

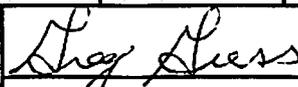
FINAL LIMITS

DMR VALID: 08/01/2013-07/31/2018

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PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
TBP3E LAB ID:T43335 % Fecundity Red Stare 7Day M. Bahia MLOC=X	SAMPLE MEASUREMENT	*****	*****	*****	*****	0.0%	0.0%		0	01/YR	
	PERMIT REQUIREMENT	*****	*****	****	*****	REPORT MO AVG	REPORT DAILY MX	PER-CENT		01/YR	24
TCP3E LAB ID:T43335 7 Day Chronic % Effect M. Bahia MLOC=1	SAMPLE MEASUREMENT	*****	*****	*****	*****	11.9%	11.9%		0	01/YR	
	PERMIT REQUIREMENT	*****	*****	****	*****	REPORT MO AVG	REPORT DAILY MX	PER-CENT		01/YR	24
TJP3E LAB ID:T43335 % Mortality 7Day Chr Mysidopsis Bahia MLOC=1	SAMPLE MEASUREMENT	*****	*****	*****	*****	0.0%	0.0%		0	01/YR	
	PERMIT REQUIREMENT	*****	*****	****	*****	REPORT MO AVG	REPORT DAILY MX	PER-CENT		01/YR	24
TVP3E LAB ID:T43335 %Repro Reduc Stare 7D M. Bahia MLOC=1	SAMPLE MEASUREMENT	*****	*****	*****	*****	11.9%	11.9%		0	01/YR	
	PERMIT REQUIREMENT	*****	*****	****	*****	REPORT MO AVG	REPORT DAILY MX	PER-CENT		01/YR	24
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

W+S-13

NAME / TITLE PRINCIPAL EXECUTIVE OFFICER		I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violators.	 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE	DATE	
Mike Perkis Mayor				843-883-3198	14 05 20	
TYPED OR PRINTED		Area Code	NUMBER	YEAR	MO	DAY

COMMENT AND EXPLANATION OF ANY VIOLATIONS

(Reference all attachments here)

MLOC X= FECUNDITY Chronic toxicity CTC=100.00% effluent.

WATER AND SEWER COMMITTEE AGENDA

Tuesday, June 17, 2014, 2:00 PM

Water & Sewer Department Office

- 1. Call to Order & Freedom of Information Requirements**
- 2. Approval of minutes for:** W&S Committee meeting on 5-7-2014
W&S Committee meeting on 5-14-2014
- 3. HDR Review of W&S Dept. CIP Plan; Q&A with Consultant Tracy Lewis P.E.**
- 4. FEMA Hazard Mitigation Grant for S.C. Communities**

Need & opportunity for replacement of Sewer Plant Oxidation Ditch

Plan for Oxidation Ditch Structural Failure

Letter of Intent & Grant Application: Timeline and Process

Resources & Funding: Grant Preparation, Engineering, 25% matching funds
- 5. W&S Rates for FY 2015 and Council Resolution**
- 6. Status of I&I project**
- 7. Adjourn**

Pending Water & Sewer Committee Topics:

The following is a list of Water & Sewer Committee current & upcoming items:

- a) Drying bed improvements
- b) Policy for I&I due to laterals on private property
- c) Insurance for homeowner for laterals on private property
- c) Review of billing process with regard late fees.

W+S - 15

WATER AND SEWER COMMITTEE MEETING MINUTES

Wednesday, May 7, 2014, 1:30 PM

1. Call to Order

All Freedom of Information requirements having been met, the meeting was called to order at 1:30 PM.

Those present were: Committee Members Susan Middaugh (Chair) and Chauncey Clark; Administrators Greg Gress and Andy Benke.

2. Draft W&S Budget for FY 2015 – preliminary data

Those present reviewed the available data regarding:

FY2014 revenue and expenditures to date
Projected revenue for FY2015
Proposed expenditures for FY2015

3. Adjourn

The meeting was adjourned at 3:30 pm

W+S-16

WATER AND SEWER COMMITTEE MEETING MINUTES

Wednesday, May 14, 2014, 9:00 AM

1. Call to Order

All Freedom of Information requirements having been met, the meeting was called to order at 9:00 AM.

Those present were: Committee Members Susan Middaugh (Chair), Chauncey Clark and Jerry Kaynard; Administrators Greg Gress and Jason Blanton.

2. W&S Budget for FY 2015

Those present reviewed and discussed data regarding: (1) FY2014 revenue and expenditures to date, (2) projected revenue for FY2015; (3) proposed expenditures for FY2015; proposed W&S rates for FY2015.

MOTION: to recommend to council the attached FY2015 Water & Sewer Department Budget and Rates. Motion by Chauncey Clark, second by Jerry Kaynard, carried on unanimous vote.

3. Adjourn

The meeting was adjourned at 11:30 pm on a motion by Chauncey Clark, second by Jerry Kaynard, on unanimous vote.

W+S-17

ADMINISTRATION COUNCIL MEETING

June 17, 2014

Chairman Jerry Kaynard

Members Mary Jane Watson and Susan Middaugh

All matters relating to oversight of implementation of the following Town administrative functions: personnel; licensing; Town Attorney; court; rules; solicitation for Boards and Commissions; administrative infrastructure; communications and community outreach.

I. Matters for Action by Council

1. Approval of Minutes from May 20, 2014 regular meeting and June 02, 2014 special meeting of Council.
2. Approval of minutes from Administration Committee meeting June 11, 2014.
3. Proclamation commemorating the events of Carolina Day.
4. Proclamation honoring the retirement of William Lewis from Charleston County School District.
5. Staff position for Recreation Department.

II. Matters for Discussion by Council

1. South Carolina Department of Health and Environmental Control Hazard Mitigation Grant Program (HMGP) - Staff would like to participate in the HMGP this year. Letter of intent is due by June 27, 2014. The grant is at a 75/25 match.

III. New Matters Presented to Council

2. Personnel
 - a) Personnel Report
 - b) Boards and Commissions – Terms and Recruitment.
3. Martha Smith et al. v. Town of Sullivan's Island – Final order from Judge Dennis for 12-CP-10-6830.
4. Correspondence
 - a) Raye Ann Osborne, 1801 Atlantic Avenue: Note of appreciation to Police and Maintenance Departments.

- b) Bess Bluestein, 3116 I'On Avenue: tree removal in the 100 ft. transition zone.
- c) Etta Leah Bluestein, 2513 Atlantic Avenue: tree removal in the 100 ft. transition zone.
- d) Nicky Bluestein, 2513 Atlantic Avenue: tree removal in the 100 ft. transition zone.
- e) Kathryn White: tree removal in the 100 ft. transition zone.
- f) Harriet McDougal, 2429 Atlantic Avenue: tree removal in the 100 ft. transition zone.
- g) George Durst, 1018 Middle Street: tree removal in the 100 ft. transition zone and similar property owners' rights in the RC-2 zone.
- h) Mitzi Kirshtein, 2657 Bayonne; tree removal in the 100 ft. transition zone.
- i) Michael Bourland, 1607 Atlantic Avenue; Public events, Greenbelt projects; traffic/parking and coffee shops.
- j) Steve Poletti, 1771 Atlantic Avenue; transition zone and accreted land.
- k) Joan Sarnoff, 2650 and 2651 Bayonne; transition zone and accreted land.
- l) Michael Mithoefer, 407 O'Neil Street; 100 ft. transition zone and coffee shops.

IV. Matters Pending Further Action by Council

1. Archiving Old Records

Initial estimate for paper files is approximately \$82,000, construction drawings approximately \$79,000 and pictures/miscellaneous files \$4,800 (subtotal \$86,800 exclusive of construction drawings). The estimate for software, license, installation and training is \$35,000. It should be noted that staff is locating and identifying other vendors and anticipates better pricing.

2. Commercial District Operational Issues – The Town has been working with the commercial district business owners group to address and resolve various issues surfaced by nearby residents. Attached is a list of solutions proposed by the owners. To date it has not been possible to schedule a meeting with the residents. The Administrator and Chief Howard met with food and beverage operators on Thursday September 19, 2013 to further discuss operational hours. A revised delivery agreement is attached.

3. Committee Meeting Schedule – General discussion regarding committee meetings scheduled at various dates during the month.

4. Town Communications Plan – General discussion by Council regarding resident outreach and communications plan.

**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
ADMINISTRATION COMMITTEE OF COUNCIL
MINUTES**

Wednesday, June 11, 2014

A meeting of the Administration Committee of Council was held at 4:45 p.m., Wednesday, June 11, 2014 at Town Hall, 2050-B Middle Street all requirements of the Freedom of Information Act having been satisfied. Present were Committee members: Council members Jerry Kaynard (Chair), Susan Middaugh and Mary Jane Watson; Staff Administrator Benke, Asst. to Administrator/Human Resources Darrow and Comptroller Blanton.

I. Call to Order. Chair Kaynard called the meeting to order, noted the press and public were duly notified pursuant to state law and all members were present. Two residents were present (Barbara Spell and Karen Coste).

II. Recreation Director/Administration – General Administration Department

Chair Kaynard reported that the Recreation Committee discussed this potential new General Administration Department position at their Committee meeting held just prior to this one. He noted that the Administration Committee's agenda entitled this potential position as Recreation Director (working in the General Administration Department). However, as the Recreation Committee discussed, the title of "Recreation Director" was inaccurate. He clarified that the Town does not seek to establish a municipal Recreation Department and/or Recreation Director.

Thereafter, the Committee reviewed the job description for an Administrative Assistant for General Administration/Town Hall (**Exhibit A**). The Committee noted the majority of the position's duties would include general administrative support for the Administration Department, primarily as front-counter reception and customer service, processing special requests, such as beach fire permits, maintaining office supplies, digitizing records and typing meeting minutes. A component of the job description duties would include recreation related activities in support of resident-centric events (i.e. Independence Day Golf Cart parade, Youth Valentine's Day card party, etc.).

Committee noted that in the Recreation Committee held this afternoon, Recreation Chair Watson reported the Island Club group intended to terminate, effective September 1, 2014, its lease with the Town of the property known as the Island Club adjacent to the Fish Fry Shack (Hennessy Street). Should the Town decide in the future to open this facility for events or public rental, the Administrative Assistant employee would be assigned the coordination of those rentals.

Chair Kaynard stressed for the public that the potential termination of the Island Club lease/Town assumption of the property is a new issue for the Town. Council will need to gather research and discuss options for the property.

Committee did not debate compensation, noting that the proposal is for a regular, full-time employee with benefits. Chair Kaynard noted that position, if approved, did not need to be

filled this year; therefore, the Committee could discuss the position further, to include the terms of compensation, in the fall.

MOTION: Councilwoman Middaugh made a recommendation to Council to approve the creation of a full-time position in General Administration Department entitled Administrative Assistant with the job duties as outlined in the job description provided to this Committee (Exhibit A) with compensation to be determined; seconded by Chair Watson. MOTION UNANIMOUSLY PASSED.

III. Vacation Policy

Chair Kaynard noted the Committee received a request from an employee to waive, as an individual special exception, the Town's vacation leave roll-over policy.

Committee reviewed the Town's leave policy regarding maximum annual vacation accrual (three work weeks per year) and Staff's procedures for monitoring leave accrual. Staff clarified that, pursuant to Town Council's resolution July 17, 2012, employees forfeited any unused banked vacation hours in excess of three (3) weeks as of January 1, 2014.

Chair Kaynard noted that the aforementioned employee further recommended that employees eligible to earn over 4 weeks of vacation leave per year (employees with 20+ years Town service) should be allowed to cash-out up to two (2) weeks of vacation hours each year. Staff clarified that the current policy allows for employees with 10+ years of Town service to cash-out one (1) week of vacation hours per year. Chair Kaynard noted this could be option #1 for the Town, should Council want to accommodate the employee's request.

Chair Kaynard noted a second option for the Committee to explore: discontinuing accrual of vacation hours at four (4) weeks per year.

Committee members acknowledged that the Town operates on a staff size as small as possible. For some departments, such as Fire and Police, the increased operational demands of summer tourists makes it difficult for employees to take extended amounts of time off. For critical services department heads, it is particularly difficult to take 3 or 4 weeks of vacation per year.

No action taken. Committee will discuss at a future meeting

Other Leave: Holiday, Disaster/Emergency Operations & Sick

Administrator Benke offered feedback on two other types of leave for the Committee to consider: holiday pay for shift employees and overtime for exempt employees during an emergency/disaster situation.

Holiday Pay:

Administrator Benke suggested the Committee consider a policy to approach payment of holiday benefits differently for shift employees (Fire and Police Department). He noted that there has been employee and Fire/Police Department support for the concept of paying

these employees lump payments for the Town's 11 annual holidays, either annually, bi-annually, quarterly or monthly.

He indicated this could prevent confusion between employees and departments as to when the employee is entitled to holiday pay at payroll time. Asst. to Administrator Darrow noted that the Town's personnel policies provide that a Town holiday falling on a weekend will be recognized by the Town on the Friday or Morning closest to the holiday date. This can cause confusion for the shift employee determining what holiday pay should be. For example, a shift employee should receive holiday pay for the actual New Year's Day holiday (January 1st) or December 31st (if New Year's is Friday) or January 2nd (if New Year's is Monday), but in no cases should the employee receive two holidays even if Town Hall is closed Friday or Monday when New Year's falls on the weekend.

Asst. to Administrator Darrow noted there is precedent with other municipalities for handling holiday pay in different ways (i.e. banks). Committee asked her to research this issue for review at the next Committee meeting.

No action taken. Committee will discuss at a future meeting

Disaster/Emergency Operations – Exempt Employees:

Administrator Benke reported that, in the aftermath of Hurricane Hugo, most employees (exempt and non-exempt) worked very extensive hours to assist residents and the Town with post-disaster recovery. Town Council at that time, according to his research, authorized a special bonus for exempt employees ineligible to earn overtime pay. It appears as if the Town absorbed that extra expense in its budget.

Administrator Benke noted that, in the event of a federally recognized disaster, FEMA would offset municipal salary expenses, to include overtime for those employees authorized to earn it. If the Town wanted to extend overtime benefits for exempt employees in a natural disaster, it would have to enact this policy in the Town's ordinances.

Sick Leave Policy

Councilwoman Watson broached the topic of employees using sick leave to medically care for dependents, discussed at the Committee's last meeting. Staff clarified that currently Town personnel policies allow for use of sick leave for employees only.

Council discussed the concept and the sick leave policies of agencies such as MUSC and CCSD. Committee asked Asst. to Administrator Darrow to gather information for Committee review at its next meeting. Councilwoman Watson noted she would obtain the policy for CCSD.

No action taken. Committee will discuss at a future meeting

IV. Health Insurance

Asst. to Administrator Darrow provided a brief report on the Town's health insurance and medical benefits program.

No action taken. Committee will monitor in future meetings

V. Executive Session - Personnel

Chair Kaynard noted the Committee needed to meet in executive session to discuss three personnel matters.

MOTION: Councilwoman Watson made a motion to go into executive session; seconded by Councilwoman Middaugh. MOTION UNANIMOUSLY PASSED.

Committee sequestered for executive session at 5:33pm, returning at 6:06PM.

Chair Kaynard noted the Committee was back in open session and no decisions or votes were made in executive session.

MOTION: Councilwoman Watson made a motion to recommend to Council at its June 17, 2014 meeting the approval of three (3) employee salary adjustments; seconded by Councilwoman Middaugh. MOTION UNANIMOUSLY PASSED.

Next meeting: Date and time to be determined. Agenda will include: (1) Vacation Policy; (2) Holiday Pay-Shift Employees; (3) Disaster/Emergency Operations – Exempt Salary Policy; and (4) Sick Leave Policy

There being no further business, the meeting was adjourned at approximately 6:07p.m. (Councilwoman Watson motioned; Councilwoman Middaugh; unanimously passed).

Respectfully submitted,
Jerry Kaynard, Chairman
Administration Committee

To be approved on _____

EXHIBIT A

ADMINISTRATIVE ASSISTANT

This position performs a variety of complex and specialized administrative duties to ensure efficient office operations. Assistance is provided to the Administrator, Deputy Administrator, Department Heads and the general public as required. Reports to Deputy Administrator.

Duties include but are not limited to:

Provides effective and courteous customer service at front desk of Town Hall.
Answers Town Hall telephone.
Performs duties of Clerk of Council in his/her absence.
Attends department and Committee meetings as required.
Research and compile data.
Performs routine office functions.
Prepares minutes for various Committee meetings.
Digitizes Town records and files.
Assists Town Administrator with various special projects and grants.
Assists Town Administrator and Town Council with preparation of presentations for meetings.
Oversees Fire Permit process and Special Event Permit process.
Oversees the lease and use of all Town property.
Oversees and plans all Recreation Town events.
Oversees and maintains office supplies.

The Administrative Assistant must be proficient in word processing, data collection and entry, and have ability to perform accurate mathematical calculations. Flexibility, capability of learning new functions, and dedication are necessary elements of this position.

This position requires two years experience in general office functions, preferably government. High school diploma is required and an open mind and eagerness to learn is essential.



PERSONNEL REPORT

June 2014

Activity as of Friday, June 13, 2014

HIRINGS/RESIGNATIONS: N/A

CURRENT OPENINGS:

General Administration: None
Water & Sewer: None
Maintenance: One - Laborer (FT)
Police Department: None
Fire Department: None

PERSONNEL CHANGES:

Maintenance: Sam Stith 6-month probation (DOH 1/6/14); recommended for full-time status and budgeted salary increase

PERSONAL DAY HOLIDAY/VACATIONS:

Department Heads: **Greg Gress: June 16, 2014 (Mon)**
Danny Howard: June 4-6, 2014 (Wed-Fri)

Town Hall Staff: Andy Benke: June 6, 2014 (Fri)
Lisa Darrow: June 20, 2014 (Fri)
Kim Griffin: June 13, 2014 (Fri)
Kat Kenyon: June 20-23, 26-27, 2014 (Mon-Fri; Thurs-Fri)
Maria LoRusso: June 4, 2014 (Wed)
Mary Poole: June 11, 2014 (Wed)
Randy Robinson: June 9-13, 2014 (Mon-Fri)

PROFESSIONAL DEVELOPMENT/TRAINING:

Admin/Town Hall: Lisa Darrow, MASC Risk Management Training, Columbia (Wed, June 4, 2014) – will complete 2-year RMI certification program fall 2014.

Staff Safety Meeting/Training: 8:00AM Thursday, June 19, 2014 (Police conducts talk)

TOWN SERVICES/NOTES:

Town Hall offices will be closed on Friday, July 4, 2014 in observance of Independence Day. Offices will re-open at 8:00AM on Monday, July 7, 2014. Essential services will remain available and fully staffed.

Emergency: Dial 9-1-1.

County Non-emergency: (843) 743-7200

Police Administration: (843) 883-3931 Fire Administration: (843) 883-9944

Holiday garbage collection schedule:

Tuesday, July 1, 2014	Household garbage
Wednesday, July 2, 2014	Bulk/Yard Debris
Saturday, July 5, 2014	Household garbage (Holiday Schedule)
Wednesday, July 9, 2014	Next Recycle Day

Summer schedule: Household garbage pick-up Tuesdays & Fridays
Yard/Bulk Debris Wednesdays; Recycling alternating Wednesdays

UPCOMING VACANCIES

Terms expire September 2014 unless otherwise noted

Planning Commission: (2 year terms) – 7 Commission Members

3 upcoming vacancies

1. Rusty Bennett 2. Carlsen Huey 3. Mandy Poletti

Board of Zoning Appeals: (3 year terms) – 7 Board Members

No (-0-) upcoming vacancies

Design Review Board: (3 year terms) – 7 Board Members

4 upcoming vacancies

1. Pat Ilderton (Chair) 3. Duke Wright 4. Billy Craver
2. Jon Lancto

Tree Commission: (3 year terms) – 5 Commission Members

1 upcoming vacancy

1. Nat Robb

Election Commission: (6 year terms) – 3 Commission Members

1 upcoming vacancy

1. Tim Reese

Other: Accommodations Tax Committee appointments (consideration)

RECRUITMENT TIMELINE (Proposed):

1. Initial Application/Questionnaire Review: **June 17, 2014 Council Meeting (Tues)**
Action: Council/Personnel Committee feedback; modifications to be made by **June 25, 2013 (Wed)**
2. Advertisement/Application drop to public: **(NLT) June 30, 2014 (Mon)**
Action: To Be Posted on Town's website and E-Newsletters; print media ads (display ad in Post & Courier; ads to run in Moultrie News & Island Eye News: in July, dates TBA)
3. Letters to incumbents with application/questionnaire (interest in re-applying?):
Action: Letters to incumbents with application/questionnaire **on June 30, 2014 (Mon)**
Telephone calls to incumbents (follow up on no responses) **on July 7, 2014 (Mon)**
4. Application deadline: **(12Noon) July 31, 2014 (Thurs) (One month recruitment period)**
7. Personnel Committee Report to Council: **August 4, 2014 Council Workshop/Committees (Mon)**
8. Council Deliberation & Appointments: **August 19, 2014 Council Meeting (Tues)**
Action: Staff (Darrow) telephone all candidates; mail out letters NLT **August 20, 2014 (Wed)**
9. First Meetings for Appointees: **September 2014**
Planning (6:30PM Wed. Sept. 10, 2014); DRB (6:00PM Wed. Sept. 17, 2014);
Tree Comm. (5:00PM Mon. Sept. 22, 2014)



TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
APPLICATION TO SERVE ON A TOWN BOARD/COMMISSION

DEADLINE: 12Noon, Thursday, July 31, 2014

PLEASE COMPLETE ALL OF THE FOLLOWING FOR POSSIBLE PARTICIPATION

1. NAME: _____

2. MAILING ADDRESS: _____

3. TELEPHONE NUMBER(S):
Home: _____ Work: _____ Cell: _____

4. E-MAIL ADDRESS: _____

5. Are you a registered voter on Sullivan's Island? Yes _____ No _____

6. Indicate the real properties on Sullivan's Island in which you have a proprietary interest, identifying your primary residence:

7. Please disclose any circumstances which might pose a conflict of interest in executing your responsibilities as a member of any Board or Commission for which you are applying.

8. Please select Board/Commission for which you are applying. If applying to more than one, please indicate your choice priority (1st, 2nd, 3rd).

Planning Commission _____ (3 seats, terms expiring 9/2016)

Design Review Board _____ (4 seats, terms expiring 9/2017)

Tree Commission _____ (1 seat, term expiring 9/2017)

Municipal Election Commission _____ (1 seat, term expiring 9/2020)

NOTE: No member of a Town Board or Commission may hold an elected office in the Town of Sullivan's Island or within Charleston County. If appointed, you must successfully complete a minimum six (6) hours of State mandated planning and zoning training as soon as possible, plus required continued education thereafter. You must return a completed Town questionnaire for your desired Board for consideration and a personal resume is encouraged.

By signing herein, I have read and understand the requirements for serving as a member of the Commission &/or Board requested and attest the information provided is accurate.

Applicant signature

Date

Questions: Contact Lisa Darrow (883-5744; ldarrow@sullivanisland-sc.com) at Town Hall (2050-B Middle Street)

June 13, 2014



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA**

**PLANNING COMMISSION
QUESTIONNAIRE**

1. Why do you wish to serve on the Planning Commission?
2. The Planning Commission meets on average one evening per month. Are you able to attend meetings at this frequency?
3. What do you think should be the goals and priorities of the Planning Commission? How would you use your knowledge and/or experience to further those goals and priorities?
4. Please read the attached information regarding the role of the Planning Commission and review the Town's Code regarding this Commission (Chapter 17). Please articulate how you would apply your judgment, knowledge and experience while working within this type of structure.
5. The Commission primarily addresses issues by recommending to Town Council changes in the Zoning Ordinance. Such changes inevitably entail controlling what a property owner may do with his/her property to achieve a greater good for the community. What is your philosophy about this trade-off between individual and community goals?
6. Are there any provisions of the Zoning Ordinance with which you disagree? If so, indicate how this will affect your decisions on the Planning Commission.
7. What are your thoughts on the following ordinance topics:
 - a.) Town's Comprehensive Plan;
 - b.) Protected (Accreted) Land and Management Plan
 - c.) Historic Preservation Overlay District
 - d.) Neighborhood Compatibility
 - e.) Zoning Ordinances which restrict house size and lot size
 - f.) Community Commercial District and Overlay Districts #1 and #2
8. How would you handle having to make decisions that might be unfavorable to neighbors?
9. What would you do if a business associate, client or family member were to come before the Planning Commission with requests and with you a Commission member?
10. How would you handle making decisions and rendering decisions that might directly affect your property and its value in the present or foreseeable future?
11. Do you have any potential conflicts of interest that would keep you from making impartial decisions on the Planning Commission?

Thank you for taking the time to respond to these questions. Please submit your answers along with the application and your resume to Lisa Darrow (843-883-5744 or email at ldarrow@sullivansisland-sc.com) at Town Hall (2050-B Middle Street or mail to PO Box 427) by 12Noon on Thursday, July 31, 2014.

A-9

June 13, 2014



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA
DESIGN REVIEW BOARD
QUESTIONNAIRE**

1. Why do you wish to serve on the Design Review Board (DRB)?
2. DRB meets on average one evening per month. Are you able to attend meetings at this frequency?
3. What do you think should be the goals and priorities of DRB? How would you use your knowledge and/or experience to further those goals and priorities?
4. Please read the attached summary of the role of the Design Review Board and review the Town's Code regarding this Board (Chapter 21, XII). Please articulate how you would apply your judgment, knowledge and experience to your role on the DRB.
5. Beyond knowledge of the Town's Zoning Ordinance, DRB service calls for a clear understanding of its provisions and careful consideration of each application that comes before it. Describe your knowledge, expertise and/or experience which would qualify you for this position.
6. Are there any provisions of the Zoning Ordinance with which you disagree? If so, indicate how this will affect your decisions on DRB.
7. Do you see any conflicts between the DRB's decisions and property rights? If so, indicate how this will affect your decisions on the DRB.
8. What are your thoughts on the following ordinance topics/concepts:
 - a.) Town's Comprehensive Plan
 - b.) Historic Preservation Overlay District; historic preservation ordinances; and National Register of Historic Places.
 - c.) Neighborhood Compatibility
 - d.) Zoning Ordinances which restrict house size and lot size
 - e.) Community Commercial District
 - f.) Community Commercial Overlay Districts #1 and #2
9. How would you handle having to make decisions and render judgments that might be unfavorable to applicants or neighbors who come before the DRB?
10. What would you do if a business associate, client or family member were to come before the DRB with you as a member of it?
11. Do you have any potential conflicts of interest that would keep you from making impartial decisions on the DRB?

Thank you for taking the time to respond to these questions. Please submit your answers along with the application and your resume to Lisa Darrow (843-883-5744 or ldarrow@sullivansisland-sc.com) at Town Hall (2050-B Middle Street; mail PO Box 427) by **12Noon on Thursday, July 31, 2014.**

Please read Special Note regarding Design Review Board appointments attached (page two)

June 13, 2014

A-10



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA**

DESIGN REVIEW BOARD

Special Note – Appointments

The Town ordinance establishing the Design Review Board states that

“In making appointments to the Design Review Board, the Town Council shall make an attempt to maintain a balance of interest and skills on the Board by assessing the individual qualifications of the candidates including but not limited to their knowledge and demonstrated interest in architecture, history, archeology, planning, urban or community design, landscape architecture, construction and restoration, or law. All members should have knowledge and demonstrated interest in the design and preservation of buildings and places.”

Further, South Carolina State Department of Archives and History in its requirements for designation of certified local government programs in historic preservation, states that: *“Interest, competence or knowledge in historic preservation should be identified on commissioners’ resumes giving their education and volunteer background, attendance at workshops and seminars, and related activities.”*



**TOWN OF SULLIVAN'S ISLAND
SOUTH CAROLINA**

**TREE COMMISSION
QUESTIONNAIRE**

1. Why do you wish to serve on the Tree Commission?
2. The Tree Commission meets on average one evening per month. Are you able to attend meetings at this frequency?
3. Please review the Town's Code regarding this Board (Chapter 21, XVII). Please articulate how you would apply your judgment, knowledge and experience to your role on the Tree Commission.
4. Are there any provisions of the Tree Ordinance with which you disagree? If so, indicate how this will affect your decisions on the Tree Commission.
5. Do you see any conflicts between the Commission's decisions and property rights? If so, indicate how this will affect your decisions on the Tree Commission.
6. What are your thoughts on the following ordinance topics:
 - a.) Town's Comprehensive Plan
 - b.) Trimming in RC-1 District (Sections 21-71 through 21-74, Town Zoning Ordinance)
 - c.) Tree Removal
7. How would you handle having to make decisions and render judgments that might be unfavorable to applicants or neighbors that plead their cases to the Tree Commission?
8. What would you do if a business associate, client or family member were to come before the Tree Commission with you as a member of it?
9. Do you have any potential conflicts of interest that would keep you from making impartial decisions on the Tree Commission?
10. Beyond knowledge of the Town's Tree Ordinance, Commission service calls for your understanding of its provisions and careful consideration of each appeal that comes before the Tree Commission. Please describe your knowledge, expertise and/or experience that qualify you for this position.

Thank you for taking the time to respond to these questions. Please submit your answers along with the application and your resume to Lisa Darrow (843-883-5744 or ldarrow@sullivanisland-sc.com) at Town Hall (2050-B Middle Street or mail to PO Box 427) by **12Noon on Thursday, July 31, 2014.**

A-12

June 13, 2014



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA**

**MUNICIPAL ELECTION COMMISSION
QUESTIONNAIRE**

1. Why do you wish to serve on the Municipal Election Commission?
2. The Election Commission meets primarily around regular municipal election cycles (elections are held every two years in May on odd years) and any necessary special elections. Would you be prepared to serve in this cyclical capacity?
3. What do you think should be the role of the Municipal Election Commission in a municipal election? What about a general election? How would you use your knowledge and/or experience to fulfill this role?
4. Please read the attached summary information regarding an Election Commission and review the Town's Code regarding this Commission (Chapter 6, Elections). As you can see, the Election Commission operates within a well-defined framework. Please articulate how you would apply your judgment, knowledge and experience while working within this type of structure.
5. Beyond knowledge of the Town's Election Ordinance and State Election guidelines, Municipal Election Commission service calls for a clear understanding of and appreciation for the need to promote voting opportunities in a highly ethical way, to avoid voter disenfranchisement issues. Describe your knowledge, expertise and/or experience that would qualify you for this position.
6. How would you handle candidates and/or supporters of candidates who campaign in the poll location?
7. What would you do if a business associate, client or family member were to come before you and ask for your endorsement of their candidacy and/or help with the campaign?
8. Do you have any potential conflicts of interest that would keep you from impartially serving as a member of the Municipal Election Commission?

Thank you for taking the time to respond to these questions. Please submit your answers along with the application and your resume to Lisa Darrow (843-883-5744) at Town Hall (2050-B Middle Street or mail to PO Box 427) by **12Noon on Thursday, July 31, 2014.**

June 13, 2014

A-13

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 MARTHA SMITH, KATHLEEN POST,)
 AND WILLIAM POST,)
)
 Plaintiffs,)
)
 v.)
)
 TOWN OF SULLIVAN'S ISLAND,)
)
 Defendants.)

IN THE COURT OF COMMON PLEAS
 NINTH JUDICIAL CIRCUIT
 CIVIL ACTION NO. 2012-CP-10-6830

FILED
 2014 JUN -9 PM 3:25
 JULIE J. ARMSTRONG
 CLERK OF COURT
 BY _____
 FINAL ORDER
 AND
 JUDGMENT

This matter is before the Court for final disposition after a bench trial conducted on May 15 and 16, 2014. After hearing the testimony, examining the exhibits in evidence, considering the arguments of counsel, and applying the applicable law, this Court enters the following findings of fact and conclusions of law and renders judgment in favor of Defendant, the Town of Sullivan's Island ("Defendant" or the "Town").

FINDINGS OF FACT

1. The Town is the owner of land within its municipal boundaries that is the site of the Sullivan's Island Elementary School (the "School"), a public school operated and administered by the Charleston County School District ("CCSD").
2. CCSD operated the original School under a 99-year lease entered into in 1954 between the State of South Carolina and CCSD. That lease was assumed by the Town later, upon its incorporation.
3. Because of concerns about the then existing building's age and structural integrity, especially its vulnerability to an earthquake, CCSD vacated the original school building a

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A-14

few years ago and moved the students to Mamie P. Whitesides Elementary School in Mount Pleasant.

4. CCSD offered to demolish and rebuild the School on certain conditions. One of CCSD's conditions was that a new facility would have to accommodate at least 500 students. Additionally, the new facility would also have to be in compliance with current building standards and current design criteria for elementary schools.
5. On January 19, 2010, the Town Council for Sullivan's Island unanimously adopted a resolution in favor of the new school.
6. On May 20, 2011 the Town Council for Sullivan's Island unanimously adopted a second resolution supporting the new school under the conditions put forward by CCSD, including rebuilding of the school for an enrollment of up to 500 students if required.
7. In the summer of 2011, prior to beginning any work on the School site, CCSD and the Town negotiated a new 75-year lease for 5.61 acres of the site, ("the Lease").
8. The board of CCSD approved the Lease at its meeting on August 15, 2011.
9. After three readings with favorable votes at duly noticed Town Council meetings on August 16, September 12, and September 20, 2011, the Lease was ratified and signed at the meeting of Council on October 18, 2011, by the adoption of Ordinance No. 2011-05.
10. Several provisions of the Lease address design, design review, and construction, including the following:

10. IMPROVEMENTS AND ALTERATIONS. *Any new structures to be placed on the Leased Property, or any improvements to the Leased Property should not be made without the prior written consent of Landlord. Tenant hereby agrees to build the anticipated new school, taking into consideration the compatibility of the existing buildings located nearby and within the Town, with intentions to achieve neighborhood compatibility. In achieving neighborhood compatibility, the Tenant shall*

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consider the standards of neighborhood compatibility as set out in Section 21-111 of the Town of Sullivan's Island Ordinances.

Tenant agrees to design the new school with input from the Town Council, or their duly appointed agents with the understanding and agreement that no construction shall begin until such plans have been approved by the Town Council. The Landlord and Tenant agree to create procedures for the Town and/or its agents or boards, to review the design in phases, and to review the construction pursuant to the design and specifications.

11. DESIGN APPROVAL PROCESS. Tenant shall submit to the Landlord all plans and designs for the new school to be located on the Leased Property. The approval process shall include the following approval steps:

Conceptual Design Parameters.

The parties agree that the conceptual design parameters for the new school building shall include a maximum of 74,000 square feet of conditioned space as defined by the International Building Code, with a maximum of 34 feet for Building A, with maximum of 48 feet height for two-story building (Building B), if required and justified to Council, with a maximum of 42 feet for multi-purpose building (Building C), and with a maximum of 35 feet height for Building D.

13. BUILDING INSPECTION. All building inspections, including the approval of the plans and specifications, shall be the sole responsibility and obligation of the Tenant and of the State of South Carolina, Department of Education, who shall approve all plans and inspect all construction *in accordance with Code Requirements of as set for in the S.C. School Facilities Planning and Construction Guide.* It shall be the sole obligation and responsibility of State Superintendent of Education to approve construction and issue a certificate of occupancy at the completion of construction, prior to the occupation and use of the school building. The Town of Sullivan's Island may, but shall have no obligation to, require further inspections prior to occupancy, all at the expense of the Tenant. Notwithstanding any provisions here, the Town of Sullivan's Island shall not be responsible for the design, construction, maintenance or inspection of the new school and the Town of Sullivan's Island shall not be

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responsible for any future design, construction, maintenance or inspection of the new school.

11. The 5.61 acres of the site subject to the Lease between the Town and CCSD is not located in any of the Town's five defined zoning districts. However, the Town and CCSD agreed the Town could use the enforcement powers prescribed in the Town's zoning ordinance with respect to the leased property and the Town retained the "unrestricted right, authority, and power" to zone the leased property in the future in sections 30 and 31 of the Lease, respectively.
12. During September and early October 2011, a group known as "Islanders for a Smaller School" drafted and circulated for signature a document entitled "A Petition to Reconsider the Construction of the Sullivan's Island Elementary School, as Currently Proposed (22 September 2011)" (the "Petition").
13. The Petition was submitted to the Town on October 10, 2011, and presented to Council at its meeting on October 18, 2011, the same meeting where Council ratified and signed the Lease.
14. The Petition purported to be signed by more than 15% of the qualified electors of the Town as of the last regular municipal election.
15. After receiving the Petition, the Town submitted it to the Charleston County Board of Elections and Voter Registration that certified the Petition was signed by more than 15% of the qualified electors of the Town as of the last regular municipal election.
16. The cover page of the Petition states that it purports to act under the provisions of South Carolina's initiative and referendum statute, S.C. Code §5-17-10, and states as follows:

Pursuant to S.C. Code Ann. §5-17-10, we the undersigned as registered voters of Sullivan's Island, do hereby request that no further action be taken by the Town Council on the proposed construction for the Sullivan's Island Elementary School

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(SIES), pending serious and heretofore unexecuted, public evaluation of the most recently proposed construction plan. We, the undersigned, emphatically support the rebuilding of a new public school, but hold that this new school must be one of a more appropriate size, scope and type for our historic and environmentally sensitive residential community. Further, all of Sullivan's Island's residents deserve an opportunity to be heard on this issue regarding public monies, education and impacts, with full transparency. Therefore, we hereby request that the Town Council adopt an ordinance (attached) entitled "Reconsideration of the Construction of the Sullivan's Island Elementary School As Currently Proposed." This ordinance seeks full and complete, public evaluation of the currently proposed construction at, in or about the present location of the SIES. (emphasis in original)

17. The ordinance that the Petition sought to have placed on the election ballot as a referendum (the "Initiated Ordinance") was couched as two provisions that were stated in the alternative:

Section 1-5 (a-b): PROVISIONS

(a) Any school built or rebuilt on Sullivan's Island must comply with established design guidelines for neighborhood compatibility, as stated in the adopted public ordinances of the Town of Sullivan's Island and must specifically be approved by the board or committee that has responsibility for approving design guidelines. (Article XII, Design Review Board, Section 21-111);

(b) If the Town of Sullivan's Island enters into any agreement or makes any commitment to allow for the construction of a school at Sullivan's Island before the board or committee has approved the design of the school, the Town of Sullivan's Island shall take action to revoke such agreement or commitment.

ALTERNATIVE

Section 1-5 (a-b): PROVISIONS

(a) The Town of Sullivan's Island shall not enter into any agreement or make any commitment to allow for the construction of a school at Sullivan's Island with more square footage than the previous school.

Handwritten signature/initials

(b) If the Town of Sullivan's Island enters into any agreement or makes any commitment to allow for the construction of a school at Sullivan's Island with more square footage than the previous school, the Town of Sullivan's Island shall take action to revoke such agreement or commitment.

18. On February 13, 2012, the Town filed a Complaint in Charleston County, C.A. No. 2012-CP-10-1060, against the Charleston County School Board and Islanders for a Smaller School that the Town alleged "is an unincorporated association of individuals who, upon information and belief, are organized and existing for the purpose of taking coordinated action in the public domain advancing their common agenda for the construction of a small school on the leased site described below, including conceiving, drafting, and circulating for execution" the Petition.
19. The Town's Complaint sought a declaratory judgment that the Petition was facially defective; that the Town had no legal obligation under the laws of the State of South Carolina to act on the Petition or submit the Initiated Ordinance to a referendum; that the Lease was duly entered and its terms could not be altered by the Initiated Ordinance; and that the only design review of CCSD's building plans for the new school are those set forth in the terms of the Lease.
20. The Town requested that residents who were members of Islanders for a Smaller School come forward and agree to accept service on behalf of the group. The few persons who came forward were willing to be named personally as defendants in the case but not to accept service for the organization. The Town did not amend the Complaint to add those few persons as individual defendants nor did it serve any of the persons who had identified themselves as acting on behalf of the organization in meetings or in the press .

RW/6

21. Plaintiffs in this case - Martha Smith, Kathleen Post, and William Post, three of the signers of the Petition - filed this separate action on October 19, 2012. Plaintiffs seek a declaratory judgment that the Town failed to comply with South Carolina law by not placing the Initiated Ordinance on the election ballot and for an injunction requiring the Town to either adopt the Initiated Ordinance or hold a public referendum. Additionally, Plaintiffs amended their Complaint to assert a second cause of action that alleges that the Town deprived them of their right to vote and other rights under 42 U.S.C. § 1983.
22. In its defenses in its Answer in this action the Town alleges, among other things, that the Initiated Ordinance is moot and is legally invalid for the several reasons that were alleged in the action the Town initiated in February 2012.
23. On April 23, 2013, six months after this case was filed, the Town voluntarily dismissed its prior lawsuit, C.A. No. 2012-CP-10-1060, without prejudice
24. As a result of comments at the Town's public meetings on the design of the new School, CCSD's architect made numerous revisions to the design.
25. Town Council approved the design of the new School before CCSD was allowed to commence construction, as specified in the Lease.
26. Construction work commenced in early 2013 and has been ongoing. At the time of trial, the \$20,000,000+ facility was at least 75% completed and expected to be finished and open in time for the school year beginning in August 2014.

CONCLUSIONS OF LAW

- (1) **The Initiated Ordinance is facially defective and, thus, not the proper subject of a public referendum.**

The Initiated Ordinance was facially defective for the following five independent reasons, each addressed in detail below: (a) it seeks to control the design and size of the new school that

2/2/17

are both inherently within the Town's zoning authority; (b) it involves matters which are subject to a uniform statewide statutory scheme; (c) it involves the entry into a contract, an administrative matter; (d) it is incapable of performance since it is undisputed that CCSD would not have proceeded with the new School if the size were no greater than the original school; and (e) it mandates the Town violate civil law and breach a binding lease.

- a. The Initiated Ordinance seeks to control the design and size of the new school, both of which are inherently within the Town's zoning authority.

The petitioners directed their Initiated Ordinance at the design and size of the new School. Both are zoning in nature and, therefore, not proper subjects for initiative and referendum in South Carolina.

The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code §§ 6-29-310 et seq., enables local governing bodies to adopt zoning ordinances including, but not limited to, ordinances regulating "the size, location, height, bulk, orientation, number of stories, erection, construction, reconstruction, alteration, demolition, or removal in whole or in part of buildings and other structures..." and ordinances regulating "other aspects of the development and use of land or structures necessary to accomplish the purposes set forth throughout this chapter." S.C. Code § 6-29-720 (A)(2) and (7). Under the enabling legislation local governing bodies are also specifically authorized to adopt ordinances providing for a board of architectural review. S.C. Code § 6-29-870.

Zoning matters are outside the category of matters subject to the initiative and referendum process set forth at S.C. Code §§5-17-10 et seq. See I'on, LLC v. Town of Mt. Pleasant, 338 S.C. 406, 526 S.E. 2d 716 (S.C. 2000) (affirming the trial court's ruling that a zoning provision cannot be enacted by referendum). In the I'on case, the Court stated the following:

RND/8

The obvious incompatibility between the initiative and referendum process and the comprehensive [statutory zoning] provisions indicates the Legislature did not intend to allow voters to enact more complex zoning measures by initiative and referendum. Furthermore, the [statutory zoning] provisions enacted in 1994 address the matter of zoning in detail. We conclude the Legislature intended for this more specific and more recent enactment to take precedence over the general initiative and referendum process enacted thirty-seven years ago.

Id. at 415-16, 526 S.E.2d at 720-21 (agreeing with those courts that “have prohibited such initiatives and referenda, finding that the detailed nature of zoning acts indicates a legislative intent that zoning matters must be decided only in the manner specified in those acts”).

The Initiated Ordinance comes within this prohibition. Under the second alternative, no school could be built with more square footage than the previous building. The size of a school building is inherently a zoning issue. See I'on, at 414, 526 S.E.2d at 720 (noting that “[z]oning ordinances must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare . . . Goals include the prevention of overcrowding of people, buildings, and traffic; the preservation of historic and ecologically sensitive areas; and the adequate provision of services to residents.” (citing S.C. CODE § 6-29-710(A) (internal quotation omitted)); see also e.g., S.C. CODE § 6-29-720(A) (2) quoted above.

The first alternative in the Initiated Ordinance likewise concerns a zoning matter. It seeks to impose a method of design review. Included within the Town’s Zoning Ordinance are ordinances establishing a Design Review Board (“DRB”) to review and approve proposed construction on Sullivan’s Island that is located within one of the zoning districts established by Ordinance. See TOSI Ordinances, Sec. 21-108 (DRB’s powers limited to properties governed by the Zoning Ordinance); and see TOSI Ordinances Sec. 21-9 (“For the purpose of this Zoning Ordinance, the Town of Sullivan’s Island is hereby divided into the following Zoning Districts. .

RWD/9

.”); and TOSI Ordinances Sec. 21-10 (A) (“The regulations set by this Zoning Ordinance *within each district* shall be minimum standards and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.”) (double emphasis added). See also, S.C. CODE §6-29-720 (Providing that a municipality’s “. . . zoning ordinance shall create *zoning districts* of such number, shape, and size as the governing authority determines to be best suited to carry out the purposes of this chapter [and that] *[w]ithin each district the governing body may regulate....*”) (double emphasis added).

The School site does not fall under the DRB’s purview because it is not located within a zoning district. See TOSI Official Zoning Map, and Sec. 21-4 (A) (“The Official Zoning Map is the official map depicting the boundaries of the above zoning districts of Sullivan’s Island, South Carolina . . . [t]he Official Zoning Map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Zoning Ordinance.”). There is no zoning district for schools or public facilities and, as a result, no specific design standards that apply to the schools.

Plaintiffs put into evidence portions of the Town’s Comprehensive Plan that concern the School site. However, comprehensive plans have no regulatory effect and do not constitute zoning. In Petersen v. Town of Clemson, 312 S.C. 162, 439 S.E.2d 317 (Ct. App. 1993), the Court of Appeals commented on this distinction:

The plan does not establish the zoning for the property nor does it mandate the mixing of commercial and residential uses. It merely provides a general direction for considering future rezoning, which is a legislative process.

439 S.E.2d 322.

The Initiated Ordinance would have the impermissible effect of amending the zoning ordinances to grant the DRB authority to evaluate and approve the design of a building that is not

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located within any of the five zoning districts. The Initiated Ordinance in essence seeks to zone School site leased to CCSD. The Enabling Act reserves zoning decisions to the local governing body – here, Town Council. Council addressed these design matters in the Lease, including size, that are intrinsically zoning in nature as it was entitled to do.

The Initiated Ordinance is fatally deficient since it seeks to bind Council on zoning matters that are beyond the purview of the statutes governing initiative and referendum. Ion, at 415-16, 526 S.E.2d at 720-21 (“the detailed nature of zoning acts indicates a legislative intent that zoning matters must be decided only in the manner specified in those acts” and are not appropriate for public referendum).

b. The Initiated Ordinance involves matters that are subject to uniform scheme or practice.

Under South Carolina law, “[m]unicipalities have no authority to set aside the structure and administration of any governmental service or function, the responsibility for which rests with the state government or which requires statewide uniformity.” Town of Hilton Head, at 456, 415 S.E.2d at 805 (citing S.C. CONST. art. VIII. § 14). Any ordinance seeking to set aside the structure and administration of any governmental service or function requiring statewide uniformity would conflict with state law. See id.

In Town of Hilton Head, the Court determined that “the initiated ordinance [was] facially defective in its entirety because it set[] aside the structure and administration of the statewide highway scheme by attempting to limit the authority granted to the SCDHPT to consider the collection of tolls as a method of financing the construction of state roads.” Town of Hilton Head, at 456, 415 S.E.2d at 805. “The planning, construction, and financing of state roads is a governmental service which requires statewide uniformity” as provided for in South Carolina Code § 57-3-10-30. Id. The Court in Town of Hilton Head explained why such an ordinance is

Reg/11

not proper for referendum as follows: “When a municipality enacts an ordinance which conflicts with state law, the ordinance is invalid . . . [and] [a]n electorate has no greater power to legislate than the municipality itself . . . [therefore] [a]n initiated ordinance which is facially defective cannot be cured by adoption by the electorate. Id. (internal citation omitted).

In this case the Initiated Ordinance attempts to set aside the structure and administration of a statewide school scheme for the construction of schools. The South Carolina legislature has mandated that the State Board of Education establish a statewide scheme to govern the building of school facilities and approve all plans for public schools. See, S.C. CODE § 59-23-210.¹ Pursuant to that statutory authority, the Office of School Facilities of the South Carolina Department of Education has promulgated guidelines as minimum standards for the construction and design of public schools and published them in a document entitled “South Carolina School Facilities Planning and Construction Guide.” Under S.C. Code § 59-23-210 (A), the School’s design and construction was required to conform to the provisions of the South Carolina School Facilities Planning and Construction Guide. Section 13 of the Lease incorporated this requirement in specifying that CCSD and the Department of Education “shall approve all plans and inspect all construction in accordance with Code Requirements of as set for in the S.C. School Facilities Planning and Construction Guide....”

¹ S.C. Code § 59-23-210 (A) and (B) provide, in pertinent part, as follows: “(A) All construction, improvement, and renovation of public school buildings and property on or after the effective date of this section shall comply with the latest applicable standards and specifications set forth in the South Carolina School Facilities Planning and Construction Guide as published by the South Carolina Department of Education.... (B) All construction, improvement, and renovation of public school buildings and property on or after the effective date of this section must have plans and specifications submitted to the State Superintendent of Education or the superintendent’s designee. Approval of the plans and specifications by the State Superintendent of Education or the superintendent’s designee must be received before public bidding before the construction can begin....”

The Initiated Ordinance intrudes into design and construction considerations that are exclusively within the authority of the State Board of Education in the exercise of the mandate of the General Assembly to establish, promulgate, and enforce statewide standards. Just as the proposed initiated ordinance in Town of Hilton Head impermissibly sought to set aside the statewide statutory scheme of SCDHPT, the Initiated ordinance in this case seeks to set aside the statewide scheme of the Department of Education. See Town of Hilton Head, at 456, 415 S.E.2d at 805 (“the initiated ordinance [was] facially defective in its entirety because it set[] aside the structure and administration of the statewide highway scheme by attempting to limit the authority granted to the SCDHPT to consider the collection of tolls as a method of financing the construction of state roads.”). Therefore, the Initiated Ordinance was facially defective for this additional reason, and the Town was under no obligation to hold a referendum on the Initiated Ordinance. See Town of Hilton Head, at 456, 415 S.E.2d at 805.

The Initiated Ordinance also seeks to override the structure and administration of the countywide school building standards by attempting to limit the authority of CCSD to determine the parameters for the construction of its schools in Charleston County. CCSD applies a written county-wide set of standards titled “Charleston County School District Elementary Education Facilities Specifications 3.0.” To accomplish economies of scale, CCSD also has a practice that it will not build any new freestanding elementary school for a capacity of less than 500 students. The Initiated Ordinance seeks to displace these countywide requirements of CCSD for new elementary schools that it pays for, constructs, operates, and maintains.

Although the particular holding in Town of Hilton Head was limited to statewide schemes, the same principles and policy reasons would apply to countywide standards and practices of a local school district with respect to the construction of its new schools. However,

RWD/13

because the Court finds and concludes the Initiated Ordinance was facially invalid for violating a statewide scheme implemented by the General Assembly, the Court need not reach the question of whether the state supreme court's holding in Town of Hilton Head would encompass the countywide practices and policies of CCSD in this case.

c. The Initiated Ordinance involves the entry into a contract, an administrative matter.

“Only legislative questions may be referred to a vote of the people.” Town of Hilton Head Island, at 457, 415 S.E.2d at 806 (citing State ex rel. Boynton v. Charles, 136 Kan. 875, 18 P.2d 149 (1933)). “An administrative measure is an enactment which puts into execution previously declared policies or previously enacted laws.” Id. The Initiated Ordinance plainly intruded on the Town's administrative decisions. It sought to dictate certain terms of the Lease and instructed Town Council to breach the Lease if the new building was larger than the original one.

Whether a Town should enter a contract and the terms of that contract is an administrative decision, rather than the enactment of permanent legislation. Courts considering this question have reached this same conclusion. In particular, the Supreme Court of Colorado held that the adoption of an amendment of a lease of municipal property is an administrative function that it is *not* the proper subject of a public referendum. See Witcher v. Canon City, 716 P.2d 445, 450 (Colo. 1986). As the court succinctly stated in Witcher:

The question of approval of the specific terms and conditions of the lease is not a matter of public policy. The negotiation of the leases and the amendments thereto are administrative acts. . . .

Witcher, 716 P.2d at 450 (double emphasis added).

See, also, City of Idaho Springs v. Blackwell, 731 P.2d 1250, 1254 (Colo. 1987) (the choice of location and structure for a new city hall is administrative).

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A-27

Because the Initiated Ordinance sought to curtail and overrule administrative actions of Council, the Petition was facially defective for this additional, alternative reasons, and the Town was not required to adopt the Initiated Ordinance or put it on an election ballot.

d. The Initiated Ordinance is incapable of performance.

The Initiated Ordinance is incapable of performance seeking to do something that is neither possible nor feasible.

It is undisputed that CCSD was not going to proceed with the new School facility if its size were no greater than the original school. In the numerous “whereas” clauses of the Initiated Ordinance, the signers of the Petition profess to emphatically support the rebuilding of an elementary school on Sullivan’s Island. Yet, the Initiated Ordinance’s second alternative provision seeks to prohibit the construction of a new building with more square footage than the first one.

The Court finds and concludes that a new elementary school that meets the statewide and countywide standards previously discussed must necessarily be larger than the elementary school built in 1954 that had already outgrown its building at the time it was closed and vacated. CCSD was not going to proceed with the new facility unless it was designed and constructed for at least 500 students. Council unanimously passed a resolution in favor of a new school building for up to 500 students in May 2011.

Petitioners possess no right to obtain a vote to enact invalid legislation; a court “should not compel the doing of a vain thing and the useless spending of money.” Town of Hilton Head, 415 S.E.2d 806. The Initiated Ordinance sought a vain and impossible act and was facially defective for this additional reason as well.

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- e. The Initiated Ordinance mandates the Town violate civil law and breach a binding lease.

The Initiated Ordinance mandates the Town violate civil law by breaching a binding contract—the Lease duly entered into by the Town and CCSD. The Lease’s terms are specific and contemplate a school of a particular size and provide for an extensive design review process. Lease, ¶¶ 10-16. Either of the two of the alternative provisions of the Initiated Ordinance would have required the Town to breach the terms of Lease related to size and the design review process, in violation of civil contract law. Therefore, the Initiated Ordinance was facially defective for this additional reason, and the Town had no obligation to adopt the Initiated Ordinance of place it on an election ballot.

- (2) The Court, not Council, renders the ultimate determination of whether a proposed initiated ordinance is facially defective.

In Town of Hilton Head our state supreme court ruled that the final determination of the legal validity of an initiated ordinance rests with the courts: “We emphasize that these are findings [of facial invalidity] which can be made pursuant to judicial inquiry only, and that a municipality has no power to pass on the validity of an initiated ordinance; a declaratory judgment action is the appropriate method by which a municipality may seek pre-election review of an initiated ordinance.” 415 S.E.2d 806.

Here, the Town received the Petition; the Town sent the Petition to Charleston County Board of Elections and Voter Registration; and the Charleston County Board of Elections and Voter Registration certified the Petition as being signed by more than 15% of the qualified electors of the Town as of the last regular municipal election. Members of Town Council came to their own conclusions whether the Initiated Ordinance was facial invalid. Council then had the Town file the first declaratory judgment action, C. A, No. 2012-CP-10-1060, seeking a judicial

RNF/16

declaration that the Initiated Ordinance was legally invalid and that Council was not required to adopt it nor to conduct a referendum.

Plaintiffs argue that somehow their rights were violated when the Town did not proceed to serve and prosecute its declaratory judgment action until conclusion. Putting aside that Plaintiffs, as individual petitioners, have no "right" to force council to adopt a facially invalid initiated ordinance or to force it to conduct a referendum on it, their separate suit now before the Court seeks a declaratory judgment and other relief that requires judicial findings of the facial validity of the Initiated Ordinance. The Town violated no rights in not proceeding to judgment in its case and in dismissing its action eight months after this case was filed. This second action joins the same issues and results in a judicial determination of the validity of the proposed ordinance, in keeping with the process espoused by our state supreme court in Town of Hilton Head.

A town council necessarily must review and assess an initiated ordinance to decide what action to take, including whether to initiate litigation to seek a final, binding judicial determination of its validity, as it did in this instance. The Town is not contending that any determinations by its members are binding on this Court nor entitled to judicial deference. Our state supreme court in Town of Hilton Head did not prohibit such initial consideration of validity by a town council when it reposed in the courts the authority to make the ultimate findings on validity.

The Town's actions were in keeping with the various holdings of our state supreme court in Town of Hilton Head.

Rnd/17

(3) Plaintiffs have no right under South Carolina law to have Town Council adopt or hold a referendum on their Initiated Ordinance that is facially invalid.

The statutes providing for initiative and referendum, as applied by our state supreme court, do not create a right in a petitioner to have a municipality proceed to adopt or conduct a referendum on a facially invalid initiated ordinance.

South Carolina Code section 5-17-10 provides that “[t]he electors of a municipality may propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes [provided that any] initiated ordinance [is] submitted to the council by a petition signed by qualified electors of the municipality equal in number to at least fifteen percent of the registered voters at the last regular municipal election and certified by the municipal election commission as being in accordance with the provisions of this section.”

South Carolina Code section 5-17-30 provides that “[i]f the council shall fail to pass an ordinance proposed by initiative petition or shall pass it in a form substantially different from that set forth in the petition therefor . . . , the adoption . . . of the ordinance concerned shall be submitted to the electors not less than thirty days nor more than one year from the date the council takes its final vote thereon.”

Even though these statutes contain no express exclusions, our supreme court has determined that a municipality is under no obligation to adopt or place a facially defective ordinance on a ballot. Town of Hilton Head Island v. Coalition of Expressway Opponents, 307 S.C. 449, 456, 415 S.E.2d 801, 806 (S.C. 1992) (“Because the initiated ordinance is facially defective in its entirety, we find that the Town has no obligation to place the initiated ordinance on the ballot”). This is because citizens “possess no right to obtain a vote to enact invalid legislation.” Id. (citing Utz v. City of Newport, 252 S.W.2d 434 (Ky. 1952)).

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Since Plaintiffs possessed no right to obtain a vote to enact invalid legislation, the Town did not violate any of their alleged rights under the South Carolina's initiative and referendum statutes.

(4) The right to vote is not implicated, and Plaintiffs have not proven that the Town violated any of their State or Federal Constitutional rights.

In addition to their claim that the Initiated Ordinance should have been submitted to referendum and that their rights were violated when the Town failed to do so, Plaintiffs brought a cause of action under 42 U.S. Code § 1983 asserting that the Town deprived them of their right to vote and their right to due process under the South Carolina and United States Constitutions.

The Fourth Circuit Court of Appeals has squarely decided this issue against Plaintiffs and ruled that state law authorizing voters to initiate legislation does not implicate the fundamental right to vote. In Kendall v. Balcerzak, 650 F.3d 515, 522 (4th Cir. 2011), the Fourth Circuit addressed whether a group of citizens' right to initiate a petition for referendum can implicate the right to vote such that a plaintiff can maintain an action pursuant to section 1983 for an alleged failure of the government to hold a referendum on an initiated ordinance. In that case, a unanimous panel of the Fourth Circuit Court of Appeals affirmed the lower court's determination that the right to vote is not implicated when a group of citizens seeks to have a particular issue submitted to referendum. Id. ("We agree with the district court's conclusion that there is no fundamental right to initiate legislation as there is a fundamental right to vote."). The court went on to explain as follows:

AND/19

This case is not a right to vote case. We find the case of Taxpayers United v. Austin, 994 F.2d 291, 296 (6th Cir.1993), to be instructive on this issue. As summarized above, in Taxpayers United, the Sixth Circuit Court of Appeals held that Michigan's procedures for checking signatures on initiative petitions did not deny voters' right to vote, as signing a petition to initiate legislation was not entitled to the same protection as exercising the right to vote. As in Taxpayers United in this case, Kendall *does not cite to us nor does our research identify any decision of the Supreme Court holding that signing a petition to initiate legislation is entitled to the same protection as exercising the right to vote.*

The basis for distinguishing the right to vote in a representative election, on the one hand, from the right to petition for referendum and initiative, on the other, is a sound one. The referendum is a form of direct democracy and is not compelled by the Federal Constitution. See Doe v. Reed, 561 U.S. 186, 130 S.Ct. 2811, 2817, 177 L.Ed.2d 493 (2010) (Sotomayor, J., concurring); Kelly v. Macon-Bibb Cnty. Bd. of Elections, 608 F.Supp. 1036, 1038 (M.D. Ga. 1985).

Kendall, at 523 (4th Cir. 2011) (double emphasis added).

Furthermore, as just discussed, with respect to the right to petition for referendum and initiative, there is no right under South Carolina law to compel a municipality to adopt or conduct a referendum on an initiated ordinance that is legally invalid on its face.

With respect to the other rights Plaintiffs allege were violated in their Amended Complaint, the Court finds that those claims fail as well. The Town did not violate any state law (as discussed in detail above); no fundamental federal right is implicated in the right to initiate legislation; the legislation they sought to initiate was facially invalid; Plaintiffs were not deprived of a property or liberty interest that would sustain a claim for violation of substantive due process; and Plaintiffs were not deprived of procedural due process because this lawsuit has afforded them all the procedural rights afforded to any party to litigate the issues before the Court.

The Court has fully considered all the claims, arguments, and positions of Plaintiffs contained in their filings, including their Pretrial Brief, including those stated on the record during trial. Any particular argument advanced by Plaintiffs not specifically addressed herein

has been considered and rejected. No motion to alter or amend shall be necessary to protect and preserve any grounds of Plaintiff previously presented to the Court.

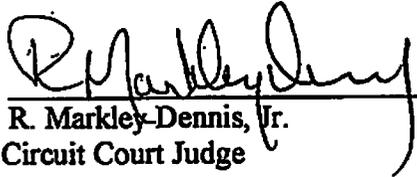
Therefore, based upon the forgoing findings of facts and conclusions of law the Court renders the following Judgment:

- (1) The Plaintiffs' request for a declaration that the Town failed to comply with the law of the State of South Carolina is **DENIED** and it is **DECLARED** that the Initiated Ordinance was facially invalid for the multiple reasons discussed, that the Town had no obligation to adopt the Initiated Ordinance or to conduct a referendum, that Town did not violate any rights of Plaintiffs, and that the Town is entitled to judgment in its favor on Plaintiffs' first cause of action;
- (2) It is further **DECLARED** that the Town did not deprive the Plaintiffs of any state or federal constitutional right, including the right to vote, right to participate in local government, right to procedural due process, or the right to substantive due process; and that the Town is entitled to judgment in its favor on Plaintiffs' second cause of action under 42 U.S.C. §1983;
- (3) The Plaintiffs' request for an Order of the Court or writ of Mandamus directing the Town to adopt the Initiated Ordinance or hold a public referendum is **DENIED**.
- (4) The Plaintiffs request for an award of cost and attorneys' fees pursuant to 42 U.S.C. § 1988; S.C. CODE § 15-53-100; or other statute or legal precedent is **DENIED**.

2/20/21

AND IT IS SO ORDERED.

June 6, 2014
Charleston, S.C.


R. Markley-Dennis, Jr.
Circuit Court Judge

RWD/22

LAND USE AND NATURAL RESOURCES COUNCIL MEETING

June 17, 2014

Chairman Pat O'Neil

Members Mike Perkis and Jerry Kaynard

All matters relating to the zoning and building ordinances and their implementation, and natural resources including Town-owned land.

Monthly Zoning Report Presented by Mr. Henderson

Monthly Boards and Commission Reports Attached

I. Matters for Action by Council

1. Second Reading and Ratification Ordinance 2014-06, An Ordinance to Amend Section 2-60 Regarding Sale of Town- owned Real Estate.
2. Second Reading and Ratification Ordinance 2014-07, An Ordinance for the Sale of Lots 10 and 11.
3. First Reading Ordinance 2014-05, An Ordinance to Adopt Amendments to the 2008 Comprehensive Plan.

II. Matters for Discussion by Council

1. Review and consideration for approval of the Planning Commission recommendations for updating the Comprehensive Plan; upcoming Council public hearing on the matter.

III. New Matters Presented to Council

No pending matters at this time.

IV. Matters Pending Further Action by Council

No pending matters at this time.

**PUBLIC FACILITIES
COUNCIL MEETING**

June 2, 2014

**Chairwoman Hartley Cooper
Members Pat O'Neil and Chauncey Clark**

All matters relating to construction, maintenance and improvements of streets, beach paths and Town-owned buildings; sanitation services including trash and garbage; stormwater management; and energy and resource conservation programs.

Monthly Construction Report Presented by Mr. Robinson.

I. Matters for Action by Council

No action items at this time.

II. Matters for Discussion by Council

1. Town Hall Project – Work continues with Creech and Associates and Hill Construction on schematic design and construction pricing.

III. New Matters Presented to Council

No new matters for Council at this time.

IV. Matters Pending Further Action by Council

No pending matters for Council at this time.

RECREATION COUNCIL MEETING

June 17, 2014

**Chairwoman Mary Jane Watson
Members Hartley Cooper and Susan Middaugh**

All matters relating to the creation, expansion or improvement of facilities and programs in the area of parks and recreation; and community wellness programs.

I. Matters for Action by Council

1. Approval of Committee Meeting Minutes
 - June 11, 2014
 - January 22, 2014
2. Island Club – Lease termination.
3. Staff position for Recreation

II. Matters for Discussion by Council

1. Tree Removal – Stith Park
2. Engineering Study for Mound at Stith Park

III. New Matters Presented to Council

1. Memorial Bench – Request for placement of a bench memorial located in RC-1 area.

IV. Matters Pending Further Action by Council

1. Moultrie News 50th Anniversary Celebration – The Moultrie News would like to celebrate its 50th anniversary with Island residents on or about October 17, 2014 with an event in the Park.

TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
RECREATION COMMITTEE OF COUNCIL
MEETING MINUTES
Wednesday, January 22, 2014

A meeting of the Recreation Committee of Council was held at 3:30 p.m., Wednesday, January 22, 2014 at Town Hall, 2050-B Middle Street all requirements of the Freedom of Information Act having been satisfied. Present were Committee members, Council members Mary Jane Watson (Chair), Hartley Cooper and Susan Middaugh. Staff included Administrator Benke and Fire Chief Stith.

I. Call to Order. Chair Watson called the meeting to order, stated the press and public were duly notified pursuant to state law, noted all members were present and welcomed Diana Browder to the meeting.

II. Tennis Court Replacement

Committee discussed options for replacement of two public courts at 1732 Poe Avenue/Middle Street as previously discussed at the October 2, 2013 Committee meeting. Park Foundation proposal:

1. Tennis court (alone)
2. Multi-purpose court (tennis court also striped for half-court basketball)

Staff will gather prices for courts. Chair Watson commented she has been receiving unofficial reports that younger children (age 8-10) are unable to get secure court time at the Stith Park, due to intense demand for court time. Having a tennis court at Stith Park and 1732 Poe/Middle would allow flexibility for growing court demand.

Chair Watson noted this funding was incorporated in the FY14 budget but will present the following to Council in February for general consensus, prior to action:

Request for Proposal (RFP) for engineering and construction of two (2) courts, without lighting, one being a tennis court and the second being a multi-purpose court (tennis court with backboard also striped for half-court basketball use) at 1732 Poe Avenue/Middle Street.

General discussion regarding courts: retain in current footprints or expand the area, by moving it forward, to provide for additional parking in area, one Hackberry tree that would have to be removed, existing storm water and drainage considerations and how courts are situated on the vacant Middle Street lots.

Chair Watson will seek general discussion from Council at its February meeting on the aforementioned considerations.

III. "Topping Off" Ceremony - Saturday, February 22, 2014

Event will begin at 10AM on Saturday, February 22, 2014, to be held at Battery Gadsden. Theme: Coastal environment and marine biology, the magnet status of Sullivan's Island Elementary School. Current event plans include:

- School Chorus providing entertainment
- Inside Battery Gadsden: projector with rolling Power Point, movie entitled "Into the Deep;"
- Poetry writing on large boards that will be moved into the school;
- Tile paintings - to be grouted and placed within the school;
- Councilman O'Neil will donate a flag for the top of the school.

There is no specific time for the event; estimated 1 ½ hour event. Advertisement: flyer to circulate in business district, Island Eye News, Town E-Newsletter, website and other media outlets.

Committee brainstormed vendors and groups to work with tile painting event (estimated 100), to avoid parents and teachers manning booths. Chair Watson will coordinate remaining planned events.

Committee discussed timeline to install electricity at Battery Gadsden, anticipated for later this week. Fire Chief Stith will assist with providing three (3) tables within Battery Gadsden for this event.

IV. Youth Valentine Card Decorating Event – Saturday, February 8, 2014

- 2nd annual event for Sullivan's Island youth to be held from 10AM-12Noon at the Fire Station, 9:30AM set-up;
- Town will order cards and supplies to accommodate approximately 35 children;
- Refreshments: donut holes and water bottles;
- Advertisement through Town website and E-Newsletter.

V. Park Foundation Fundraiser: 3rd Annual "Round on Mound," Saturday, April 5, 2014

- Foundation fundraiser to be held on top of mound at Stith Park on Saturday, April 5, 2014 in the evening. Administrator Benke noted that there is no anticipated construction or site preparation in/around Park mound for April. Chair Watson will advise Park Foundation that use of mound is approved.
- Nashville singers will provide entertainment again this year.
- Chair Watson will coordinate with Building Official Robinson for generator use.
- General discussion regarding tents, quantity and location near music, bar and food. Last year's tent and venue configuration was good; however, more lighting was needed. Chief Stith recommends using two bigger tents in lieu of smaller tents, in case of inclement weather. Chair Watson will work on this concept.
- Chair Watson will get liability and workman's compensation insurance started.

VI. Independence Day – July 4th (Friday)

- Chair Watson noted she was contacted by the Town's past fireworks vendor (Zambelli) inquiring about fireworks for 2014.
- Administrator Benke noted shooting fireworks from the Park mound might be problematic for July 4th as the Town may be in pre-construction phase for the new Town Hall/Police Station project (July-August vendor's projected date).
- General discussion regarding about alternate firework venues in Park area. Chair Watson noted the fireworks deposit deadline is March 1, 2014.
- Committee discussed the possibility of shooting off fireworks on Memorial Day this year, due to anticipated construction. No consensus on this concept.

VII. Town Family Event in Stith Park – St. Patrick's Day (Monday)

- Chair Watson inquired whether the Recreation Committee has been directed to organize a second family event in the Park on St. Patrick's Day.
- Administrator Benke advised he has received no instructions/direction from Council regarding this. It was noted St. Patrick's Day falls on Monday (March 17, 2014).
- General discussion regarding last year's (first) St. Patrick's Day family Park event, potential plans for 2014 event on Saturday, March 15, 2014, depending upon potential street closure, with no alcohol in the Park.

Committee consensus to hold this family event on Saturday, March 15, 2014; Chair Watson will add this item to the February Council Workshop meeting for report and general discussion.

There being no further business, the meeting was adjourned at approximately 4:15p.m. (Councilwoman Hartley motioned; Councilwoman Middaugh seconded; unanimously passed).

Respectfully submitted,
Mary Jane Watson, Chairman
Recreation Committee

TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
RECREATION COMMITTEE OF COUNCIL
MEETING MINUTES
Wednesday, June 11, 2014

A meeting of the Recreation Committee of Council was held at 4:00 p.m., Wednesday, June 11, 2014 at Town Hall, 2050-B Middle Street all requirements of the Freedom of Information Act having been satisfied. Present were Committee members, Council members Mary Jane Watson (Chair) and Susan Middaugh (Hartley Cooper absent). Staff included Administrator Benke, Asst. to Administrator Darrow and Comptroller Blanton.

I. Call to Order. Chair Watson called the meeting to order, stated the press and public were duly notified pursuant to state law, and the Committee had a quorum. Three members of the public were present, to include Councilman Kaynard (present as resident).

II. Independence Day 2014

Chair Watson Report:

Bicycle & Golf Cart Parade – Fire Station & Fish Fry Shack

- Participants gather at 8:30AM in front of the Fire Station with a 9AM start
- Parade Middle/On Avenue to Fish Fry Shack (Hennessy Street)
- Family Celebration at parade's end
- Participating vendors (Fish Fry Shack): Carvel Ice Cream (2 trucks); Co-Op (watermelon); Harris Teeter (2 big cookie trays); Park Foundation (mimosa's); Maintenance Department (decorate)
- Noted she will have a detailed checklist by June 17, 2014 Council meeting
- SIES auctioned off "Grand Marshall" for event – will be Cole family (2662 Middle)
- RAIN DATE: Saturday, July 5, 2014

III. Island Club Lease

Chair Watson Report:

- She received verbal indication that the Island Club group wishes to terminate its lease for the rental of the Island Club, a Town owned facility, adjacent to the Fish Fry Shack (Hennessy Street). Turnover to Town would occur September 1, 2014.
- Considerations:
 - Future obligations made by Island Club for rental beyond September 1st (possible deposits taken, contracts signed, etc.)
 - Payment of utility expenses through the summer (estimate cost \$1000.00)
 - Methodical discussion by Committee regarding future use and/or rental of Island Club (scope, policies and procedures).

MOTION: Councilwoman Middaugh made a motion to recommend to Council that the Town terminate its lease with the Island Club group for use of the facility commonly known as the Island Club (Hennessy Street) effective September 1, 2014 and, further, that Council allocate \$1000.00 for the payment of facility utility expenses through August 31, 2014; seconded by Chair Watson. MOTION UNANIMOUSLY PASSED.

Chair Watson will request a letter from the Island Club group indicating its intention to terminate its lease as of September 1, 2014, and, she will solicit information on rentals and deposit funds taken by the Island Club group through the remainder of 2014.

IV. Recreation Position

Administrator Benke distributed a draft job description (**Exhibit A**) for the position entitled Administrative Assistant and reviewed the proposed duties for this new full-time Town Hall position as they relate to Town recreational activities.

- The Committee acknowledged to residents present that references in previous Council meetings to a Recreation Director were inaccurate. They clarified that the Town does not seek to establish a Recreation "Department" with a Recreation Director, as commonly understood in the municipal field.
- Committee members stressed the Town does not intend to create a position to facilitate additional large events on the Island for off Island groups. Administrator Benke noted that the Island could host foot races every weekend, if it desired. Council, years ago, gave Staff guidance to deny requests for additional events/races other than those already being held on the Island (approximately 8/year).
- Some of the proposed recreation related duties for the administrative assistant would include: fire and/or special event permits, oversee lease and use of all Town property and provide assistance with the Town's recreation activities (i.e. Golf Cart parade on July 4th).

Residents Barbara Spell and Karen Coste requested background on the genesis of this position, how the Committee determined that the public needs/wants this additional position and what assurances it could give to residents that new events (i.e. big wedding receptions at the Island Club and/or celebrations drawing tourists to the Island) will not increase on the Island, negatively impacting their quality of life.

The Committee responded that the events for which this administrative assistant would assist the Recreation Committee would be resident-centric. Current examples include the Saint Patrick's Day celebration in Stith Park, Independence Day Golf Cart/Bicycle Parade and Holiday Tree Lighting. The Committee reiterated that any future use of the Island Club would be researched and discussed for months. Administrator Benke noted that the preponderance of duties for the proposed Administrative Assistant would be Town Hall front desk customer service and general administrative work.

MOTION: Councilwoman Middaugh made a motion to recommend to Town Council a new administrative assistant position for Town Hall whose duties would include assisting with Town recreation activities as articulated in the proposed job description; seconded by Chair Watson. MOTION UNANIMOUSLY PASSED.

There being no further business, the meeting was adjourned at approximately 4:45p.m. (Councilwoman Middaugh motioned; Chair Watson seconded; unanimously passed).

Respectfully submitted,
Mary Jane Watson, Chairwoman
Recreation Committee

EXHIBIT A

ADMINISTRATIVE ASSISTANT

This position performs a variety of complex and specialized administrative duties to ensure efficient office operations. Assistance is provided to the Administrator, Deputy Administrator, Department Heads and the general public as required. Reports to Deputy Administrator.

Duties include but are not limited to:

Provides effective and courteous customer service at front desk of Town Hall.
Answers Town Hall telephone.
Performs duties of Clerk of Council in his/her absence.
Attends department and Committee meetings as required.
Research and compile data.
Performs routine office functions.
Prepares minutes for various Committee meetings.
Digitizes Town records and files.
Assists Town Administrator with various special projects and grants.
Assists Town Administrator and Town Council with preparation of presentations for meetings.
Oversees Fire Permit process and Special Event Permit process.
Oversees the lease and use of all Town property.
Oversees and plans all Recreation Town events.
Oversees and maintains office supplies.

The Administrative Assistant must be proficient in word processing, data collection and entry, and have ability to perform accurate mathematical calculations. Flexibility, capability of learning new functions, and dedication are necessary elements of this position.

This position requires two years experience in general office functions, preferably government. High school diploma is required and an open mind and eagerness to learn is essential.

Andy Benke

From: Mary Jane Watson <maryjane.watson99@yahoo.com>
Sent: Thursday, June 12, 2014 6:58 AM
To: A Stith; Anthony Stith; Andy Benke
Subject: Fwd: Reese Memorial Bench

Guys

Can we add to recreation agenda?

Jane

Sent from my iPhone

Begin forwarded message:

From: "Kevin M. Klemm" <kevinklemm.paragon@gmail.com>
Date: June 11, 2014 at 4:10:43 PM EDT
To: <maryjane.watson99@yahoo.com>
Subject: Reese Memorial Bench

Greetings Mary Jane,

I hope you are adjusting to the quiet solitude of summer after a great school year. I am back in town and wanted to share with you our progress in identifying the Michael Reese Memorial Bench.

I have attached a photograph below of the bench that we have come up with that would work based on the setting and its exposure to the elements. In addition, I have included a manufacture's cut sheet that shows the design detail. The bench will have a plaque with an inscription provided by the Family.

We realize that Town Council may have their design criteria, but we felt this would be a start to the submittal process. With Town Council's permission we would like for the Family to pick the Station location of the bench. A location that Michael spent most of his time, realizing Town Council may have input here also. The preference would be on the beach path facing the ocean as opposed to the street entry side of the path. Again understanding Town Council will have input here.

Anchoring the bench is going to be dictated by its location. Once we have approval for the type of bench and which end of the beach path location, we can prepare a footing or pedestal detail.

What we are asking Town Council is for a formal approval (1) to place the Memorial Bench, (2) type of bench material (if not the bench we have attached) and (3) the beach side of the path location. Ideally at the June 17th meeting, we would like to have Town Council tell us here is a bench that we would approve, and Town Council agrees to allow the bench to be set on the beach side of the path at a location requested by the Family. I think at that point our Group would make the presentation to the Reese Family.

We are most grateful for all your assistance. Hope to see you this summer.

King Regards,

Kevin M. Klemm
14 25th Avenue
Isle of Palms, SC 29451
Cell (843) 732-0484

West Coast Office:
Paragon Commercial Properties
240 Newport Center Drive, Ste. 219-8
Newport Beach, CA 92660
Ph. (949) 200-3411
Cell (714) 402-9949



Here is what I think we should work with. John Bell if you could design a spread footing detail for the bench based on the spec sheet attachment, we could then put together a presentaton to Tim and then to Sullivans Island Town Council.

Sullivans Island is undoubtedly going to have their respective comments of what they want to see, but that is okay. It gets the dialogue going.

I told them we would be ready by the June 17 meeting.

Kevin M. Klemm
14 25th Avenue
Isle of Palms, SC 29451
Cell (843) 732-0484

West Coast Office:
Paragon Commercial Properties
240 Newport Center Drive, Ste. 219-8
Newport Beach, CA 92660
Ph. (949) 200-3411
Cell (714) 402-9949

From: Bill Harley [<mailto:bill.harley.84@gmail.com>]

Sent: Monday, May 26, 2014 5:06 AM

To: Mark Hodapp

Cc: Kevin M. Klemm; Rackliffe, John; Buck Guerry; Cope Copleston; David Nielsen; Don Miller; Forrest Edwards; Frank Beattie; Jim Johnston; John Bell; John Miller; Ken Leitch; Kurtz Smith; Lane Mack; Philip Prickett; Robert Phelan; Scott Senef; Todd Capps; Todd Senf; Trey McCraw; Tripp Clayton; Wade Boals

Subject: Re: Reece Memorial Bench

Gentlemen,

On May 22, 2014, at 10:48 AM, "Kevin M. Klemm" <kevinklemm.paragon@gmail.com> wrote:

Okay Gentlemen (less Tim),

The SI Town Council is asking us to wait until the new SI Town Council Building is completed and park enhancements are done before we set our bench. Time uncertain. They did however offer as an alternative perhaps a beach path entry for the placement of the bench. I thought that was a great idea.

A few things we should consider:

1. Do we try to find out what Station Michael Reece spent most of his time and "us" set the bench?
2. Do we let the Family pick the location?
3. I have attached a few examples of memorial type benches. The location is going to dictate material type as we probably don't want a metal bench in a sun exposure location.
4. Bench type? Plaque or inscribed?

Here are some thoughts. We should pick the bench and John B. you prepare a footing or pedestal detail because we are going to need to anchor it. We then take that to Town Council along with the bench cut sheet and say here is the bench, here is how we will anchor it, and here is our location. This way it is a package presentation and just one approval.

Trey or Bill, how about that general contractor's discount? The attached are just examples, there are many to choose from in varying prices and materials. Do you gentlemen have suppliers here?

I said before, no one has a monopoly on a good idea. Any and all input would be great, remember this is from all of us.

Blessings,

Kevin M. Klemm

14 25th Avenue

Isle of Palms, SC 29451

Cell [\(843\) 732-0484](tel:8437320484)

West Coast Office:

Paragon Commercial Properties

240 Newport Center Drive, Ste. 219-8

Newport Beach, CA 92660

Ph. [\(949\) 200-3411](tel:9492003411)

Cell [\(714\) 402-9949](tel:7144029949)

From: Kevin M. Klemm [<mailto:kevinklemm.paragon@gmail.com>]

Sent: Thursday, May 22, 2014 7:08 AM

To: 'Kevin Klemm'

Subject: Emailing: images

<images.jpg>

<CA4WBA-P-001-M.jpg>

<Memorial-Garden-Bench-3-edi.jpg>



Centaur Bench 48" Spine Steel		Frog Finishing	
<p>Product Name: Centaur Bench 48" Spine Steel</p> <p>Material: Steel</p> <p>Finish: Powder Coat</p> <p>Color: Black</p> <p>Weight: 150 lbs</p> <p>Dimensions: 48" L x 18" W x 30" H</p>	<p>Product Name: Frog Finishing</p> <p>Material: Steel</p> <p>Finish: Powder Coat</p> <p>Color: Black</p> <p>Weight: 150 lbs</p> <p>Dimensions: 48" L x 18" W x 30" H</p>	<p>Product Name: Frog Finishing</p> <p>Material: Steel</p> <p>Finish: Powder Coat</p> <p>Color: Black</p> <p>Weight: 150 lbs</p> <p>Dimensions: 48" L x 18" W x 30" H</p>	<p>Product Name: Frog Finishing</p> <p>Material: Steel</p> <p>Finish: Powder Coat</p> <p>Color: Black</p> <p>Weight: 150 lbs</p> <p>Dimensions: 48" L x 18" W x 30" H</p>

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