

January 17, 2006

The regular meeting of Town Council was held on the above date at Town Hall, all requirements of the Freedom of Information Act having been satisfied:

Present were: Carl J. Smith, Mayor  
Debra Hazen-Martin, Councilwoman  
Jane Ellen Herron, Councilwoman  
Buddy Howle, Councilman  
Patrick M. O'Neil, Mayor Pro Tem  
Michael Perkis, Councilman  
Everett Presson, Councilman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation given by Councilwoman Herron. A moment of silence was held for Sullivan's Island residents and family members of employees who passed away in 2005. Those remembered are: Bob Taylor, Mary Andrews, Charlotte Richardson, Frances Burnside, R.F. Dawsey, Connie Waylan, Bert Wurthman, Louis Simons, Bobby Varn, Patricia Duffy, Horace Edmiston, John Avinger, Jo Harris, Sadie Krell, Ted Zorn, Louisa Freeman, Sue Fetter, and Col. Sidney R. Crumpton. There were three private citizens and one member of the media present at the meeting.

The floor was opened for comments from the citizens. Mr. Lanneau Siegling, 2907 Marshall Blvd., a volunteer for the NoHomeTax.Org group, spoke concerning a grassroots effort for property tax relief. Mayor Smith stated the Council had passed a Resolution that was sent to S.C. Senators McConnell and Campsen supporting a state sales tax to fund public schools.

Mayor Smith stated the 2005 projects that were completed in 2005: Wastewater Treatment Plant upgrade, commence waterline replacement project, acquire voice over IP telephone system; convey Battery Logan property to Lowcountry Open Land Trust for deed restrictions; initiated accreted land baseline survey; continued work on Mound Garden project; dedicated Town Park to Marshall Stith; dedicated Town Fire Station to Red Wood; completed Comprehensive Revision Zoning Ordinance; installed new tennis court and basketball court lighting; and the Design Review Board completed its first year of operating with 65 applications.

Mayor Smith stated that anticipated projects for 2006 are: Design of commercial district streetscape plan; assist SCDOT with Ben Sawyer Bridge design and construction; complete year one of water line replacement project; assist SCDOT with Middle Street drainage and paving projects; assist SCDOT with storm water collections issues; complete National Registry nomination of three Town historic districts; investigate RC-2 protection easements; convey Battery Logan property to National Park Service for protection; initiate design of accreted land management plan; complete construction of Water and Sewer Administration building; complete Cell Tower project; and expand office space in Town Hall.

Councilman Perkis stated financial goals for 2006 were an accounting software system, and establishment of banking relationships. Other goals are new chairs for Council Chambers, completion of the Personnel handbook, and other items that need to be researched.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to approve the minutes of the December 20, 2005 meeting, carried unanimously.

Councilman Presson commented that almost \$15,000 was raised by Sullivan's Island residents for a gentleman with eight children whose trailer in Moncks Corner had burned down. A trailer is being delivered to the family, thanks to the residents' contributions.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to adopt a Resolution to Adopt the National Incident Management System (NIMS), carried unanimously.

General and New Correspondence – There was no new correspondence.

Attorney's Report – There was no Attorney's report.

Administrator's Report, Administrator Benke. The Confederate Heritage Trust will hold a memorial service on Sullivan's Island on February 17, 2006 for the crew of the H.L. Hunley. They will march from Ft. Moultrie to Sunrise Presbyterian Church, and fire a volley of muskets and cannons to salute the crew. The Town has been invited to attend a region-wide workshop this Spring to discuss important environmental issues by the Deedee Paschal Barrier Island Trust.

Ways and Means Committee, Councilman Perkis. The departments are under budget 6-8%, with the Water and Sewer department even more under budget due to an open position in the department. The resource for our 2004/05 audit and accounting process improvement project is no longer available; we are attempting to locate another person to help with the project. There has been no update since the Committee meeting of the Storm water drainage project. A preliminary list of projects over the next five years has been developed.

Personnel Committee, Councilwoman Hazen-Martin. Chief Howard has recommended full-time status for Officer McCraw, who has completed his employment probation period. Motion was made by Councilwoman Hazen-Martin, seconded by Councilwoman Herron, to give Office McCraw full-time status as a permanent employee, carried unanimously.

Water and Sewer, Councilwoman Hazen-Martin. For the water line project update, there is approximately 100 feet of pipe still to lay, connections and surface work to be completed. Because of the holidays, the substantial completion date for the overall project was extended until January 21, 2006. Greg Gress stated the contractor has not met substantial completion for PCS4, and we have sent correspondence to them regarding that incompleteness. The department completed the sewer line inspection of Poe Avenue from Station 13 to Station 15, and it is in good condition for its age. Greg Gress completed a survey of the easement area in that area, and presented pictures of obstructions to the easement. If the Water & Sewer department can access the Town easement to those properties at either end only, and not cross private property, the Town needs to ensure that it can run a pathway for the equipment to come through in the event a repair is needed. This will be discussed in executive session tonight. The NPDES Permit appeal has been made. There was discussion concerning the SB classification and fecal limitations. There were no operational problems for water or sewer this month. Greg Gress reported that the Water and Sewer Administration building is 95% complete.

Building and Construction Committee, Councilman Howle. Monthly report rendered. The number of issued permits has increased.

Fire Committee, Councilwoman Herron. Monthly report rendered. The Fire personnel had their annual physicals. The oyster roast will be held on February 11, 2006.

Recreation Committee, Councilwoman Herron. The annual Charlie Post Classic will be held on January 28, 2006. Carol Antman is planning recreation activities for this spring and summer. Council agreed that the park may be used for these activities, as long as specific details are provided to the Town before the event.

Real Estate Committee, Councilman O'Neil. Information regarding various Town property leases were discussed at the last Committee meeting. Insurance issues will be reviewed on some of the leases; and the cultural center will change from a monthly lease to a five year lease.

The deed has been filed for the seaward most parcel of the Battery Logan properties to the Lowcountry Open Land Trust. The Lowcountry Open Land Trust will deed it back to the Town with deed restrictions the same as placed on the other accreted land protected by the Land Trust.

David Schneider, preservation expert and consultant, sent additional information regarding the multiple property documentation approach, which he is formulizing and preparing the applications for national register designation for historic districts on the Island. This approach would facilitate applications for designation for properties outside of proposed national register districts. Mr. Schneider also has results of his survey dated December 31, 2005. He originally proposed three historic districts, however, he is now recommending that one of the districts be divided in two parts. He is recommending the Moultrieville Historical District, the Sullivan's Island Historic District, off of which he carved the Fort Moultrie Quartermaster's Historic District; and the Atlanticville Historic District.

Mayor Smith commented that the Ben Sawyer Bridge was on the preliminary list to be national register eligible. If it becomes registered as a historic structure, there are more steps to replace/rebuild the bridge according to SCDOT. Councilman O'Neil stated he believed the Ben Sawyer Bridge was on the list of properties that are outside of Mr. Schneider's recommended districts. It is his understanding that only an owner of an individual property, which is SCDOT in this case, could apply for the national register designation.

Administrator Benke stated that we received eight letters of interest in the cell tower; two from cell companies; six from tower companies, of which three were publicly traded companies, and three were privately traded companies. The next step is to review the letters of interest and write an RFP.

The Vested Rights Act was passed by the General Assembly and went into effect on July 1, 2005. It deals with the duration of time that a property owner can continue to operate on the basis of various types of approvals under zoning ordinances. This will be discussed in executive session tonight.

Councilman O'Neil stated there was a letter to the editor in the paper from a Charleston County Council member, concerning the support for not permitting to build on Morris Island. She listed Sullivan's Island as one of several governmental entities that had resolutions against it. Councilman O'Neil stated that the Town's resolution of April 2004 resolved to oppose any development proposals or actions that would lead to development beyond the resource management development standards applicable as set forth in the county comprehensive plan. Councilman O'Neil's understanding is that the county comprehensive plan, however, is what currently permits the two structures proposed for Morris Island. This will be discussed in the next Committee meeting.

Police Committee, Mayor Smith. Monthly report rendered. The Police Committee met with Chief Howard and Administrator Benke today, and is researching programs to introduce to the department.

Streets and Maintenance, Councilman Presson. Monthly report rendered. Planning Commission member Scott Parker will be at the next Committee to discuss parking in the commercial district. The drainage maintenance project began on January 3, 2006.

Motion was made by Councilman Howle, seconded by Councilwoman Herron, to have First Reading, by title only, An Ordinance to Amend Section 21-75 (B) Zoning Ordinance for the Town of Sullivan's Island, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, to have Second Reading of an Ordinance to Amend Sections 20-4, 20-7 (C), and 20-8 (C) of the Ordinances for the Town of Sullivan's Island, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilwoman Hazen-Martin, to suspend the rules to have Third Reading of an Ordinance to Amend Sections 20-4, 20-7 (C), and 20-8 (C) of the Ordinances for the Town of Sullivan's Island, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Howle, to have Third Reading of an Ordinance to Amend Sections 20-4, 20-7 (C), and 20-8 (C) of the Ordinances for the Town of Sullivan's Island, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, to defer Second Reading of An Ordinance to Convey Battery Logan Property to Federal Government, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, to amend the agenda to discuss a claim for possible damage to property on Brook Street, carried unanimously.

Motion was made by Councilman Presson, seconded by Councilwoman Hazen-Martin, to go into Executive Session to discuss legal advice concerning S.C. State Code Section 6-29-1510 to 6-29-1560; 1401 Middle Street sewer line easement and building permit; a contractual matter concerning Schneider Historic Preservation; and a claim for possible damage to property on Brook Street, carried unanimously. No action or votes were taken.

There being no further business to come before Council, the meeting was adjourned.

Respectfully submitted,

Ellen McQueeney  
Town Clerk