

May 6, 2013

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: Carl Smith, Mayor
Mike Perkis, Mayor Pro-Tem
Hartley Cooper, Councilwoman
Jerry Kaynard, Councilman
Madeleine McGee, Councilwoman
Pat O'Neil, Councilman
Mary Jane Watson, Councilwoman

Mayor Smith called the meeting to order and stated the press and public had been notified in accordance with State law. Mayor Smith stated the first item on the agenda was the reading of Ordinance No. 2013-05, the second item was the reconsideration of the school petition.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to add a time for public comment with the stipulation that people that signed in or do sign in to speak get two minutes to speak with Administrator Benke keeping the time; and move Item # 2 as the first item on the agenda, carried unanimously.

Mayor Smith: We will have discussion and reconsideration of the petition for the school referendum. He opened the floor to public comment.

Ed Allen, Osceola Ave: What one person thinks is elitism another sees as preservation. Some think our local government should intentionally include consideration of people in surrounding communities, while others think should focus on the welfare of our community and its citizens. It is reasonable for people to disagree on such matters. But when there are clear differences on matters of great importance, it is not reasonable for elected officials to deny the very people who elected them a vote on that issue. A referendum is the process designed specifically for that purpose and it only requires a petition, and the Council has failed to recognize the need to collectively hold one. Please explain why we are spending taxpayer money to evade learning what the majority of voters believe is best.

Pete Richardson, 2820 Jasper: We forgot we are still neighbors. Everyone well-intentioned, but we are all entitled to different opinion. But being a community is everyone feeling like they have a voice in what is going on. The people who want a small school just want their voice heard, and possibly the petition could be not do you want a school or no school, or not do you want a big school or little school, but if we discussed with School Board and had no alternative for a new school, would you accept it? That's a possible referendum question.

Andy Gowder, attorney with Pratt Thomas Walker: Trenholm Walker represents the Town on the litigation concerning the school. Mr. Dodds asked me to come speak tonight because apparently there

have been some questions raised as to the effect of Judge Dennis' ruling back in March, so I wanted to explain that briefly. When the lawsuit was filed, a complaint was filed, and the civil procedure in a lawsuit our response would be to answer the complaint directly or to move to dismiss the complaint. We chose to move to dismiss the complaint based on what we thought were some errors in the complaint itself. And so when you do that the Court hears arguments on whether the pleadings themselves are allowed to go forward. He did take affidavits and evidence at the hearing, but in his ruling on March 8, 2013, he simply chose to deny our motion to dismiss on the pleadings alone, and considered no evidence. What that means is that the case will now proceed as a normal lawsuit would proceed. There will be discovery, and at some point a judge or a (inaudible) will decide the case on the evidence. We thought that filing the motion to dismiss when we did was the right thing to do because if we had gotten the case dismissed at that point it would have saved the Town time and money. We thought it was correct based on the facts we think that it was subject to be dismissed but at that point judges often will not grant those motions to dismiss that will allow the case to proceed to discovery and see what the facts turn out. That is where we are. Some reports say there was a decision (inaudible) because there has been no decision (inaudible). It simply was procedural and now we are into the (inaudible). Thank you.

Karen Coste, 322 Station 19: Could you not write while the public is speaking? It just seems like you're not interested in what we have to say.

Councilwoman Watson: I'm documenting what you say.

Councilman Perkis: I can do both.

Karen Coste: It's not nice not to look at somebody when someone is speaking. It's not. My question is about the water sewage. Does the proposed budget have a line item with regard to the water sewer system with the Town of Mt. Pleasant? If the answer to that is yes, then I do need an answer to that tonight. Has there been any discussions with the Mt. Pleasant water and sewage – the company there – who was involved in those meetings, and I'd like to know what was discussed and when did those meetings occur?

Mayor Smith: Mike, you're Water and Sewer chair.

Councilman Perkis: I'm going to wait until the end. That's why I'm writing it down.

Wayne Stelljes, 3104 I'on Avenue: The school issue and the petition are not what some people are claiming that you need. It's not a petition for or against the school. If you go back and read it, it's not an option I want the school or I don't want the school. It invites two options – one had to do with building no larger than the old one, which at today's standards would hold 200 students. There were 465 students in the classrooms today in Mt. Pleasant. The other standard is they want it to go before the DRB and to hold to the standards that are there – one is find its own property because when the last school was built it was owned by the state of SC and not the Town, 2- there's no zoning on there; 3-no design guidelines for a school structure on the island to compare it to or match it to. That is what that petition is about. There is no way in the world anybody could vote yes or no on that petition and the

school would be built one way or the other. And the fact it's brought tonight on the eve of an important mayoral election tomorrow, I take exception to; I think it's wrong. I think it's a political charade. Thank you.

Sara Church: For the past school year, I have been working on the Community Advisory Team for the Constituent School board. They are redrawing the attendance lines and when the original proposals were made the public was not happy, so they put together a team of people, I am the representative for Sullivan's Island Elementary. In doing that, I've learned that District 2 which we are part of is faced with huge overcrowding and I keep hearing these rumors that there are all these empty seats right across the bridge and that's simply not true because those lines are about to shift and all of those seats are actually filled for next year but even after that shift they are going to be beyond full. So I've got various facts and figures that I will give Council and I wanted to point out that the way that the Constituent Board looked at it, if you have a small building on a big piece of land, which is what we used to have, that enrollment number is seen as a flexible number and they can add trailers, that's what would have happened when the rezoning takes effect. Now we are going to have the size of the lease has shrunk for the land and the building is bigger, and with the magnet program that 500 number will stay fixed, they will not be subjected to the overcrowding that all the other schools will be facing. You guys did, I don't know if you realized it or not at the time, but somebody had a stroke of genius there.

Barbara Spell: I want a copy of that.

Councilman Perkis and Councilwoman Watson: It will be part of the minutes.

Administrator Benke: Anyone else that would like to speak that did not get to sign the list?

David Poulnot: I am astounded at the acrimony that this issue has created amongst us. But it all comes down to one thing for me. I don't understand why we want to have a school on the Island to begin with, but be that as it may, I am all the way at the end of the Island; I'll never see it. Why do we want to build such a large structure on the front beach of our island, when for the last 20 years we've been talking about maintaining the character of our Island. That is wholly out of character with the Island. As I said to my little sister the other day, oh boy, maybe the Red & White is coming back. I don't expect to see that, so the school, the size of the building, I just don't understand the mindset of y'all at all. Let's vote.

Bobby Thompson, 2917 Ion. Only been here 37 years. I have opinions and I can feel the acrimony. But I (inaudible) stars in front and stars behind...walk right through the middle in situations like this. Bridge fight - people threw beer cans; we won. The referendum - Council joined our lawsuit and prevailed in Court. And Hollings and Clyde Dangerfield found \$36 billion the next day. We heard it could not be done. But it was done. After the hurricane, we were so thankful to get water back on the Island. Our shallow wells were all salty, our deep wells were full of fluoride and I was on the Water Committee with Debra Hazen. We (inaudible) the referendum. We realized that we had bonded our sewer plant in 1974. Paid it off in 1994. Plenty of room for 1,000 homeowners, 575,000 gallons a day. We do need to fix the island, (inaudible) and we found surface water(inaudible) reverse osmosis. We found surface water and the referendum went 79-21 in favor of keeping a water system on the island. That was

another case of course – they got together - everybody fought – everybody yelled – and it came out fine. And I'm sure next year we'll all be fine. (Laughter).

Mayor Smith: No one else? Does anyone from Council want to speak?

Councilman Perkis: Let me know if I miss something Karen. The answer to the first question – do we have anything in the budget that ties us into some agreement with Mt. Pleasant Waterworks, the answer is no. The more important question is have we had discussions with Mt. Pleasant Waterworks to see if there were synergies with our system and there is, yes we have. We started about 5-6 years ago when I became chairman of the Water and Sewer Committee to set up a group of neighboring utilities – Isle of Palms (IOP), ourselves, Mt. Pleasant and Charleston Water Systems (CWS) to see if there are synergies that we can all share that provide better operating costs, better environment, and frankly, a sharing of knowledge. And one of the things we discussed at that time with Mt. Pleasant specifically was is there a way that we can have them treat some or all of our sewage? Again this was about 5 years ago I think whenever Jerry, Everett and myself were on the Water and Sewer Committee. And we sat down and took a look at the numbers, sat down with them and their Commission, and the answer was no. It wasn't a good deal. It wasn't a good deal for them; and clearly the economics were not in our favor. So we said let's hear what else we can do. Then we had some discussion about the water supply. Frankly, that just ended too. There just didn't see to be enough in that piece that would benefit us. The discussions we had with IOP on the same basis, one of the synergies that we had, proved clearly much more fruitful. Example, we were sitting around. What we came to is if we had a problem with water – our water supply some people don't know – 100% of our water supply comes through a line that comes through the harbor. We get all our water from Charleston Water System through one line. That's a risk. So we sat down with IOP and they get some of their water from that system and they also have an RO system that treats surface water and they blend the two. After sitting down with them, we got a agreement to basically put in a reversing system where we could take that water if we needed it. And, it probably was about two years ago when a boat or something hit the water line in the harbor and we were out of water. If we didn't get that agreement, if we didn't sit down with IOP and discuss these synergies, we would have had to restart that well with all the problems that Bobby talked about and would have to service for about 1 month or six weeks – service our entire community with potable water through that well. But we didn't have to. We had this agreement with IOP, it wasn't as simple as this, but they changed the valve and IOP served our community with potable water for the whole extent of this outage. That's typically the kind of thing that we're trying to get. And about 4-5 months ago as we were putting the budget together for next year, which we are taking a look at really trying to go after some deferred maintenance, some redundancy, in the water and the system, it's a lot of money. We said to ourselves I think astutely and correctly before we go ask our residents to spend 4 or 5 million dollars, let's go back to these neighboring utilities and see if there are some more options we can look at. One of them was the sewer lines. We said hey, has the economics changed on the sewer line. Does it now make sense to have an arrangement with Mt. Pleasant Waterworks on the sewer. The economics had changed, they made it worse. The cost to try to create a line to Sullivan's Island over to their plant and put into their treatment at Center had gone up to about \$3 million. So we know it was bad to begin with, and now it was worse. So that was it. We said no, but we looked at it. That's what

we should do. I think that's what our residents would want us to do. We are sitting down with Charleston Water System and seeing some opportunities we have with our contracting with CWS, which now has us required to take 750,000 gallons a day of water. We are only using 200,000. There is some cost associated with us not meeting our obligations, so we are meeting with CWS. Starting the same things with IOP again, sharing a knowledge of things out there, will we find something? I am pretty hopeful with Mt. Pleasant that we'll find some opportunities, more on the water side; the sewer issue is dead. Sewer is a dead issue as far as taking and treating our sewage over there. But we are going to start that again. I'm proud of it. It is exactly the thing we should of

Karen Coste: May I ask a question just to further my understanding?

Mayor Smith: Karen, wait a second.

Councilman Perkis: Well I mean I don't know what else to say. I think we should be glad that we have folk on Council that are getting out in front of this issue, of meeting with other utilities and saying what's out there, what can we do to help each other? It had clearly worked with the IOP agreement, we would have been sitting boiling water, anyway, what I don't want to do and we are really getting ahead of the curve and you'll see as I talk about our water sewer line, very frankly, I don't want to be sitting here and have to tell people they can't flush their toilet and we need \$5 million in a hurry. So, I would hope that everybody would say, you guys do a good job. You are getting ahead of the curve on this thing, maintenance was deferred way too long; I think if people read their rate increase letter you see about 2-3 years ago we started putting an emphasis on reducing the I&I that's the stormwater coming into our antiquated sewer lines, and Bobby would know more than anybody how long we've been fighting that problem. Well we are now budgeting a fair amount of money to attack that problem and it's working. And what we're trying to do next year and you'll see if you stay around for that budget we are even going to try to fund a more aggressive approach with some new to us technology on reducing the I&I in the water which obviously costs us money in terms of the equipment. I am proud of what we're doing. I am proud of the discussions we had with the (inaudible). I think it would have been worse if we came and said we are going to spend \$5 million to do these redundancies in the plan as far as maintenance, and someone turns around and asks well did you check with the other utilities? Have they done that and taken that responsibility? If I had said or anyone on the Committee or Council and said no we didn't do that, I think that then you would have the opportunity to say you guys weren't doing your job. So, that's all I can say.

Mayor Smith: I ran into a member of the Mt Pleasant Water & Sewer Commission last week in Royall Hardware, and he said well we've been talking about you and I said really? He said yea, we have been talking to Mike Perkis and Jerry Kaynard about hooking up our water with you and creating a loop that Charleston Water Systems would pay 1/3, Sullivan's Island would pay 1/3, and Mt. Pleasant would pay 1/3. But, and it's great. I said really, I haven't been involved nor Council been involved in that discussion and that really shouldn't take place. If y'all are meeting them you are a quorum of Water and Sewer and you really should not be having those discussions with the Water Sewer Commission in Mt. Pleasant without Council having full knowledge of that. The other thing he talked about was the waste. He said well, we're working out a deal to take your waste as well, the only problem might be that on the

outfall in Mt Pleasant. How would they decide if there was a problem with our system or theirs because they are all going to the same outfall, so I think we need to be very careful about discussions at that level with – one or two of you – if just one of you is there, that's one thing. With both of you there, that's a quorum of Committee Water & Sewer and that is an infraction so I think you need to be careful about that.

Councilman Perkis: I appreciate that. Let me make a couple of corrections. One – at least in the last two minutes I have updated Council that we were having discussions with Mt. Pleasant Waterworks. I think that is pretty clear. Two – we did not have a meeting with that Commission. We had a meeting with , I guess it's like their chief operating officer, Clay Duffie. So it was not a Commission meeting.

Mayor Smith: This Councilman was part of that too so

Councilman Perkis: There's one person. We only had one meeting this year to try to get a sense of was there some way we could move forward on the sewer line. The information we have is five years old, sat in his office, and he said yea I have new information, it's \$3 million more. It was \$9-10 million, now it's \$13 million. It didn't make sense at \$9 million, it really didn't make sense at \$13 million. So it was a very informal meeting with just one person – not the Commission. I came back and told Council about it, and I think the direction was keep it up. As far as the water side we said is there some way we can share, and you nailed it – that's what we're talking about – can we somehow move that water commitment from CWS which is not only we pay a premium because we take less water than the contract. We would pay less money and please – if we opened the hydrants every day and poured out 500,000 gallons of water we would pay less money to do that. Clearly it is not something we want to do; it's wrong on so many levels. But we pay more per gallon because we don't use our quota. We also pay \$700,000 – our share in the capital cost of that whole mass of the CWS. We pay \$ 700,000, we're only using 200,000. So, you're right; we talked about it. You know, what I argue with what Clay thinks is a fair share is not what I think is a fair share

Mayor Smith: Clearly (multiple talking) it would be an advantage for us and we are paying for extra water as you say, and if we could sell that to Mt. Pleasant we could gain income from that and probably lower our water rates now.

Councilman Perkis: But I just want to say about the two of us there, I made that mistake, you know it was an informal meeting and

Councilwoman McGee: But as the third member of the Water and Sewer Committee, I want to say that I absolutely endorse their approach. They talked with staff, they weren't talking with other Commission members. They were doing research to figure out pricing, there was no sense of are we making a deal in any way, shape or form. They were simply there as they went and talked to the IOP staff about the opportunities. And personally, I think this is one of the most important issues facing the island. We pay the highest rate in the State, is that not correct Mike?

Councilman Perkis: Right.

Councilwoman McGee: Because of that contract. It was the right thing to do. If we hadn't brought City water over here, we wouldn't have all these people living here because they wouldn't drink the coffee the way we used to drink it. But it's the right thing to do because the contract has more capacity than we'll ever use because people are using less water than they were, and we have the whole issue with the sewer and the I&I infiltration, and I really want to commend Mike and Jerry for their work they are doing on this issue. It's a long way from solved, I don't know what the solution is going to be, because it is going to take a lot of figuring it out and negotiating whether we can get out the CPW contract, whether we can negotiate with IOP, but you two have put the time and energy into doing this that no one else on Council has done, and Greg as hard as he's working to operate the system hasn't gotten the capacity to do. So I want to commend it, and I want you to encourage citizens to pay attention to it. Because we don't want to have the highest rates in the State. We need to get that under control.

Mayor Smith: Well, to follow-up, I don't have a problem with the water situation at all; I think the sewer is a different issue. The matter if we even go to the Mt. Pleasant sewer, we still have the I&I cost. That's a separate issue. But, I reiterate again, Mike, you should go to that meeting, take Greg with you, Andy with you, but two members of Council on that Water and Sewer Commission is a quorum of that Committee and we've been told over and over by Larry Dodds that we can't do that. So anyway, that's my (inaudible) to my discussion.

Karen Coste: Can I get clarification on my question?

Mayor Smith: Councilman Perkis?

Karen Coste: What I want to ask Mike, my second and third question was how many meetings recently you have with Mt. Pleasant?

Councilman Perkis: one.

Karen Coste: Do you remember that month or day, I mean just give me a little bit, was it in winter, was it

Councilman Perkis: oh no, no. It was a couple of months ago.

Karen Coste: And was it only with Clay Duffie?

Councilman Perkis : And Mary Jane just showed me. When we talked about capital costs, it was the March 2nd.

Councilwoman Watson: March 2nd at the Council Retreat we were reprised of what Mike and Jerry had done.

Karen Coste: OK

Councilwoman McGee: So we've been talking about this for years.

Councilwoman Watson: We've been talking about it forever, but I'm just saying that he gave a full

(multiple talking)

Councilwoman McGee: well that was like before, we met with (inaudible).

Councilman Kaynard: I just want to say Mayor, you know I don't think there's anything wrong with Mike and I having those meetings. I was involved 15-20 years ago in an effort to have a regional water authority for Mt. Pleasant, IOP and SI, and it was called East Cooper Water Authority, and it actually got formed under State law, and there was an entity and a Board in an effort to do a common project that would have been beneficial cost-wise to all of the entities. And it didn't work for a number of reasons, most of them political, but at the same time, it was an effort by the three jurisdictions to work together which is really a directive of statewide legislation for water and sewer that there is regional plans that you're supposed to work together with other utilities, especially the ones that are larger and that can help the smaller ones. And unfortunately over the past 10-15 years there has been an attitude developed in the community that Sullivan's Island didn't want to talk to the other jurisdictions about these issues and so there hasn't been any progress made on discussing cooperative efforts with other jurisdictions and I think that Mike and I and the Water and Sewer Committee have tried to change that. We have tried to let the other jurisdictions know that we want to work with them and cooperate with them and if we can find something that is beneficial financially to work together on behalf of all taxpayers. So, if any of you want to come to a Water and Sewer committee meeting, Mike chairs that committee, Madeleine and I are on it, we probably have the longest meetings of any committee of Council. Generally we are about 3 hours at a minimum for our meeting so you're welcome to come and sit through and listen to the discussion. It's a very hardworking committee, it's got a lot of responsibility; the community around us they need to know that we are open to do projects with them, that's the purpose of the discussion, we don't have any proposals to present to Council at this time. When we do, we will certainly bring them. It's just in the early discussions. And it's an important thing for this community to have those kinds of relationships with the other jurisdictions.

Mayor Smith: Jerry, I will tell you why this Town turned down the referendum going to Water and Sewer in Mt. Pleasant. Certainly Bobby will remember that as well. The concern was, if we, we know with the situation we have with taps right now and paycheck and all that, checkbook rather, on a number of taps that we can have and how that effects even the split lots that we're trying to deal with in the commercial/residential area. Well it was pointed out that if we moved our sewer to Mt. Pleasant, then we would have unlimited number of taps, which then would allow for subdivision of lots. We were very careful about that, and always have been about allowing subdivision of 1/2 acre lots and the (inaudible) these problems it would create. So that was the very reason, Bobby you can chime in, you were very involved in the referendum. That was the major reason.

Bobby Thompson: The reason Mt. Pleasant was expanding so much was because Mt. Pleasant wanted service districts. They wanted to incorporate any outlying district they could in order to (inaudible) and build incredible roads in Mt. Pleasant. So we are probably better off to go with (inaudible). At that time they wanted RO water..

Mayor Smith: I'm talking about the sewer side because you know we're limited on taps, so that limits how much we can develop.

Bobby Thompson: Although we have to carefully write our zoning not based on sewer taps. That is a fact. Our zoning is pretty iron clad now.

Mayor Smith: any more discussion on water and sewer?

Councilman Kaynard: Bobby, you remember there were a lot of issues that were discussed during that referendum and how we were going to bond it, whether it was going to be bonded with revenue bond or general obligation bond. And one of the issues that some of our leaders at the time raised is that if we went with Mt. Pleasant, it was said I think not truthfully, that if we went with the Mt. Pleasant sewer facility to take some of our sewage, that it would allow the building of a hotel on Sullivan's Island. Well, everyone who lives here and everyone who has been on Council knows that's never going to happen, so it was kind of a silly argument, but it scared a lot of people. So for awhile there wasn't any discussions anymore with Mt. Pleasant or anyone else because people were scared, well, we're going to have this capacity, we're going to have a hotel out here. That's never going to happen.

Mayor Smith: I recall hotel being mentioned but it was concerned about the growth, the ½ acre lots.

Councilwoman McGee: But the concept of a sewer treatment plant on a barrier island is much riskier than an elementary school on a barrier island.

Councilman Kaynard: And those of us that I think are very concerned about our environment, and I include everybody on Council, we are discharging into the creek. Mt. Pleasant is discharging into the harbor. It is a substantial difference where our discharge goes. Even though our discharge is fully treated, we are not doing any damage, but if you have discharge between the two, the discharge would be preferable to be going into the harbor than to be going into a tidal creek.

Mayor Smith: Well the preferable choice would be for it to go to neither place, but it does. And the harbor still ends up here, so it's not just the harbor's isolated and that the way only flows one way; anyway, any further discussion on the water and sewer part of it?

Mayor Smith: Back to the discussion and reconsideration of the petition for the school referendum. Is there any further discussion?

Ed Allen: Carl, I did have an open question to Council.

Mayor Smith: Would Council permit that?

Ed Allen: In my other comment I asked why we were continuing to basically spend taxpayer money rather than agree on two opposing arguments to a referendum that we could have and be done with it, get all the acrimony behind us, get the spending behind us, get the issue solved, I just don't see why that is so objectionable when it would seem so easy to do.

Councilman O'Neil: Can we ask our attorney, may I ask our attorney for comment on something. One thing that would worry me about that although I agree that would have been very valid wording if originally choice 500 or 0.

Ed Allen: That isn't my language or wording. I'm talking about not school or no school, I'm talking about this school or this school, and those arguments aren't even built. I'm talking about the principle of getting this whole thing behind us and knowing what the people hear really want.

Councilman O'Neil: The question I had for our attorney is obviously we have executed a lease agreement with the school and they have operated with and taken that into account

Barbara Spell: you had the petition before then

Councilman O'Neil: Excuse me. They've got a multi-million dollar investment in what they've done based on that lease, what would our liability be if we did that and it got voted down.

Andy Gowder: Certainly you have a lease in place, much beyond that I would be hesitant to go into much details.

Ed Allen: If I may I'd like to may this observation. I don't have any (inaudible) or credentials by which to do this, ok, but it would seem to me, no matter how thin we think that is, that the risk of losing the lawsuit and being behind the 8 ball of having already "x" amount of construction done, and a lease signed and everything else which could (inaudible) at the time that this was petitioned. Again, maybe you consider that a .0009 chance of happening, but the reality is if that happens, that is a hell a lot more expensive than the stuff you guys are talking about. So, to me, we are just missing the path of less resistance on this issue. That's all. I just haven't heard anything yet to convince me otherwise.

Councilwoman McGee: I'd say the path of least resistance on this issue is that in the period of time that we've been discussing this election since 2009, we have had, we are now into our second election; and the last election was an opportunity for our representatives, for our citizens to elect representatives that would have been against the school. That did not happen. Those that won were more in favor of the school than anyone else. And I think that we are elected, and when you ask us to serve you ask us to make decisions based on the information we have, that includes listening to everything you say, that includes thinking about all that we in the best interest of the community, if we make a decision that you disagree with, forget a referendum, vote us out, which is what can happen tomorrow. What is surprising to me is that if there are so many people against the school, how do we not have anyone running for Council, when we have two empty seats. I'm not running again, Mike is running for Mayor, so there are two seats that could be filled by people. You could have put 3 candidates for Council and a candidate for Mayor, and had a quorum and address that issue. And that opportunity to select your candidate and to run on a platform says this is what I'm going to do, and have that vote; that's the way in which you make these decisions. And tomorrow we may see it, the only thing about tomorrow is that it would continue what we have now because every other candidate is for the school, so after tomorrow, if Carl continues as Mayor it will continue our 6-1 situation.

Ed Allen: Again, with respect I would simply say that we don't know how many people are going to vote on this side of this. There may be truth in the fact that there is (inaudible), but we would have with that certainty. The one thing no one can deny (inaudible) anybody that has been driving up and down these streets the last couple of years, the acrimony, the deviceness?, I've been here 13 years. The first 11 I

had died and literally gone to heaven. It is the most amazing place I have ever lived in my life. The last three, that is not true. It is palatable. You can feel it. You can feel it when you go in places. You can feel it when we're in rooms and we feel like maybe we're on the opposite side of this issue and it just to me blows my mind that it doesn't warrant that, when we could know, in a heartbeat, for a little amount of money, and I believe that the people in this Town would say you know what, the people have spoken, it pisses me off, but let's go, let's make it happen.

Councilwoman McGee: I think that's what they've done with the election, and that is what will happen tomorrow.

Ed Allen: I disagree.

(multiple voices)

Councilman Kaynard: I think I just want to say one more thing and then you know probably got to go on from this subject, but clearly Mr. Allen and others that have come to our meeting and talked about this issue are very determined and have very strong feelings about this issue, but in our opinion, members of Council have decided that you are a determined minority and we represent the majority of the citizens on this Island, and the majority we believe want a school.

Ed Allen: How do you know that?

Councilman Kaynard: Well, if we are wrong, then you have the right to vote and you can make that determination, but we believe that we do represent the majority of the citizens on this Island, and they speak through us, and that's what a representative democracy is. I want you to understand that tonight this was put on the agenda and we really didn't have to have this discussion and this public comment session. This is something that Council did one more time to give the community an opportunity to air your opinions, but in point of fact on a matter like this that has been voted on 6-1 votes several times, it really should not even really come up for reconsideration unless somebody who voted for it changes their mind; because there is no chance when someone whose of one vote minority brings something up. There has been no indication of anybody changing their mind on this Council. Notwithstanding that, 6 members of this Council allowed this meeting to happen so you could have another discussion once again on the school issue and express your opinion when we really didn't have to do that. And I think that's part of the transparency and the openness that we represent and we allow the community to participate and we're glad that you're here. We disagree with you, I do at least, but I'm always glad to hear your opinion and there is always an opportunity for somebody to know something better than I know, I might learn something, so I'm always willing to hear what you have to say. But I think on this issue we have discussed this probably more than any other single issue that has come before Council in the six years that I've been here, so I appreciate your coming and expressing your opinion, but it has been thoroughly discussed. We do hear what you have to say.

Mayor Smith: Point of order, Jerry. I put this on the agenda because the Mayor sets the agenda. So that was there because I put it there. And I wanted to have this discussion before tomorrow's election because I think it's very important. It's important that we have a last go-round on this issue, and I think

it's a great assumption that it is a minority of people on this Island that agree with this. I think we'll find out tomorrow that it's different.

Councilman Kaynard: I think (inaudible) but I mean in point of order about what you put on the agenda, when it's a consideration of an issue we've already voted on, if you refer to Robert's Rules of Order, it takes somebody who voted for it, for the motion, to bring it back up for reconsideration. I didn't object to you bringing it back up or to anybody having a chance to speak on it because I am in favor of having full participation, but under our rules, it really would not have been allowed. And if you really wanted to bring it up, you had several meetings you could have brought it when it wasn't this meeting than have the meeting the night before the election.

Mayor Smith: According to the ordinance the Mayor sets the agenda.

Councilman Kaynard: Because this Council is not to be used for political purposes, ok? We are a government, and we are here to represent all the people on this Island. We don't use or abuse this Council meeting for political purposes.

Mayor Smith: If you think I'm doing this for political purposes, you're very wrong. My motives have never been political. Not the 26 years I've served on this Council have been political.

Councilman O'Neil: Mayor, unless there is an actionable item on the table, may we move to the next item on the agenda?

Mayor Smith: Everyone agree? OK, let's go on to First Reading of An Ordinance No. 2013-05, An Ordinance to Adopt the Water and Sewer Budget for July 1, 2013 through June 30, 2014.

Councilman Perkis: I'll make a motion that we approve First Reading of An Ordinance No. 2013-05,

Mayor Smith: Would anybody like to leave at this point?

(most of audience leaves)


Councilman Perkis: Aw, come on.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to have First Reading of An Ordinance No. 2013-05, An Ordinance to Adopt the Water and Sewer Budget for July 1, 2013 through June 30, 2014, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to adjourn the special meeting at 6:55pm, carried unanimously.

Council then proceeded with the regularly scheduled Council Workshop.

Respectfully submitted,



Ellen Miller