

June 21, 2011

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
Mike Perkis, Mayor Pro Tem
Hartley Cooper, Councilwoman
Jerry Kaynard, Councilman
Madeleine McGee, Councilwoman
Patrick O'Neil, Councilman
Mary Jane Watson, Councilwoman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilwoman Watson. There were twenty members in the audience and one member of the media present.

Mayor Smith administered the Oath of Office to Councilman Kaynard, with his wife, Cheryl, holding their Bible during the oath. Mayor Smith administered the Oath of Office to Councilwoman Watson and Councilwoman-Elect Cooper.

The floor was opened for comments from the citizens. Ellison Smith, 1908 Flag Street, stated he met with school district representatives and he believed Council has done a miserable job of informing the residents. He stated the many questions that he would like answered. Kathleen Post, 1908 I'on Avenue, spoke regarding petitions and read letters from a few residents opposed to the size of the school. Nancy Carroll Geckler, 1602 Atlantic Avenue, stated she taught at Sullivan's Island for years, and was opposed to a large school. Will Post, 1907 I'on Avenue, stated the points he wanted to make have already been said; however, he added that an Island representative at the Charleston County meeting said the Island had almost an unanimous approval for the school; and he questioned who comprised that island. David Poulnot, 2819 Marshall Avenue is opposed to the school. He stated Council should be concerned with Sullivan's Island residents and there are not enough children to support the school. Wayne Stelljes, 3104 I'on Avenue, indicated that at the last meeting of Council, school representatives presented very good information to the public. Mayor Smith added that the architect for the school will be at the July 19, 2011 meeting. Loren Ziff, 1412 Thompson, stated the school has a broad base of support. Skip Scarpa, 2102 Atlantic, stated he was interested in answers to Ellison Smith's questions this evening. Peter Coish, 2808 Atlantic Avenue, stated he is against the school. He inquired how much of Town funds have been spent on the project, and Mayor Smith stated that no Town funds have been spent. Kelly Maloney, 2014 I'on Avenue, stated there is no zoning pertaining to the school and that the lease will need to address many issues. Larry Middaugh, 2420

Raven, stated he is in favor of the school. Sherry Coish, 2808 I'on Avenue, stated she has not heard much about the school and is concerned why the school is not built in a more centralized place.

David Poulnot inquired as to why each Councilmember wanted the school. Councilman Perkis stated that the School Board made the decision for the school to go away; Town Council did not. The school is funded from the bond approved by voters. The Water and Sewer Committee, along with Town Water and Sewer Manager Greg Gress, has met with the School District several times regarding the impact to the water and sewer utilities due to the increased student population.

Councilwoman Watson stated that she has been a teacher at the school for twenty one years, and the student population has ranged from 300-430 students. She added that she is respectful of the size, scale, mass, traffic impact, and concern of the access road, but believes a community needs a school.

Councilman Kaynard stated the number of children changes yearly. As was explained to Council by designers and the School Board, the only addition is two classrooms to make it a 500 student school. The building size is larger because of flood elevation requirements adopted in 1976, and the State regulations dictate certain conditions and room sizes. He stated he has always been a supporter of public education; therefore, he supports the school. Councilman Kaynard added that the proposed schedule of the design phase will not be complete until June 2012.

Councilman O'Neil asked the audience who had or currently have children that attended Sullivan's Island Elementary School, and over half of the audience responded. He stated he agreed with Councilwoman Watson; that communities need schools. He added that this is not a gated community, and if a few more students are needed to keep the school, it's a small price to pay.

Councilwoman McGee stated the key lesson is the importance of communication. Some ideas to improve communication are adding meeting schedules, reports and links from the School Board's website to the Town Website, along with detailed minutes from Town meetings to include presentations made by school representatives. Without a school, the Town could become a second home community, and it would affect market values.

Councilwoman Cooper stated her family moved here because of the school and the family atmosphere. Council's role is to improve communication, to work with the school district; and added that everyone needs to attend the meetings.

Mayor Smith stated he has lived next to the school for 34 years. He is concerned about the size of the school structure, but there are meetings to voice opinions. Mayor Smith stated that communication is essential and the questions that Ellison Smith raised will be answered at the Council meeting on July 19th.

Helen Hammond, a reporter for the Moultrie News, introduced herself to the audience, and said she was available by phone or e-mail for coverage regarding the school or other issues. Tommy Knisley, 2673 I'on Avenue, urged Council to find funds to improve the tennis and basketball courts.

Motion was made by Councilwoman Watson, seconded by Councilwoman McGee to accept and amend the Council minutes of May 17, 2011 under Recreation Committee regarding the funding of tennis and

basketball courts to “the Foundation is reviewing opportunities for repair and resurfacing of the tennis courts and alternate surfaces for the basketball court, which will be funded through private donations, the Park Foundation, and the Town.” Motion was made by Councilman Kaynard, seconded by Councilman O’Neil, to approve the minutes, as amended, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilwoman Watson, to re-appoint Councilman Perkis as Mayor Pro-Tem, carried by a vote of 6-0, with Councilman Perkis abstaining.

Motion was made by Councilwoman Watson, seconded by Councilman O’Neil, to accept the slate with changes for the Council Committees for 2011-2012, carried unanimously. Mayor Smith read the Committees to the audience.

Ways and Means Committee

Chair: Mike Perkis
Co-chair: Jerry Kaynard
Member: All Council Members

Personnel Committee *

Chair: Jerry Kaynard
Hartley Cooper
Mary Jane Watson

Police Committee

Chair: Carl Smith
Madeleine McGee
Pat O’Neil

Fire Committee

Chair: Carl Smith
Pat O’Neil
Mary Jane Watson

Building and Construction *

Chair: Hartley Cooper
Pat O’Neil
Mike Perkis

Recreation Committee

Chair: Mary Jane Watson
Jerry Kaynard
Carl Smith

Real Estate Committee *

Chair: Pat O’Neil

Jerry Kaynard
Mike Perkis

Water and Sewer Committee *

Chair: Mike Perkis
Madeleine McGee
Jerry Kaynard

Streets and Maintenance Committee

Chair: Madeleine McGee
Hartley Cooper
Mayor Smith

* Ex-Officio Member Mayor Smith

Motion was made by Councilman Kaynard, seconded by Councilman Perkis, to amend the agenda to add Personnel to the Executive Session, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to amend the agenda to have the Recreation Committee presentation at this time, carried unanimously.

Councilwoman Watson and Kay Smith presented a power point presentation to Council and the audience. **After discussion, motion was made by Councilwoman Watson to move forward with the plan of reconstruction of the tennis and basketball courts as proposed for reconstruction not resurfacing, and the following components: engineered drawings and the decision of asphalt or concrete; scope of work; advertise for bid; award contract. Motion was seconded by Councilwoman McGee with the following amendment: to add that the Town approve up to \$90,000 out of reserve to proceed with the four steps as presented with the agreement that in going forward we will not make any further capital expenditures until we have in place a reserve policy; secondly, that this will be an impetus for updating our master plan strategy around the Park's work, the Town's work, and hopefully the Isle of Palm's work on providing recreational resources for our children; thirdly, we will use the school as a situational opportunity to go to Isle of Palms and ask for collaborative work in addressing recreational issues. Mayor Smith called for the question to approve all three amendments, motion was approved unanimously. Motion was made by Councilwoman Watson, seconded by Councilman Kaynard, to approve the motion as amended, carried unanimously.**

Councilwoman Watson reported that the "No Show Gala" fundraiser had raised \$32,000 from 171 families. Information regarding the July 4th celebration will be placed in the water bills and in the newspaper. Nine bike racks have been ordered for placement on the Island.

Reports and Communications

Mayor Smith duly proclaimed June 28, 2011 as Carolina Day in the Town of Sullivan's Island.

Motion was made by Councilman Kaynard, seconded by Councilman Perkis, to Adopt A Resolution for Employee Recognition Day, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilman Perkis, to Adopt a Resolution of Agreement with the S.C. Water and Wastewater Agency Response Network, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilman Perkis, to Adopt a Resolution to Increase Water and Sewer Fees, carried unanimously. Councilwoman McGee asked the record to reflect that the increase was not an easy decision to make.

General and New Correspondence – Correspondence was received from Eddie Fava complementing the quick move to the new Town Hall; from Fred Reinhard regarding his resignation from the Design Review Board due to change in residence; and from Betty Harmon regarding her desire to not seek reappointment to the Design Review Board when her term ends in September. Councilman O'Neil presented information regarding the 2011 Lowcountry Heart Walk to be held on September 17, 2011, and Council agreed for the Council and Town employees to participate.

Attorney Report – no report

Board and Commission Reports – no report

Administrator's Report, Mayor Smith for Administrator Benke.

Civil Action Against the Town of Sullivan's island and Sullivan's Island Town Council - The civil action against the Town of Sullivan's Island and Town Council continues, and there is nothing new to report at this time.

Sullivan's Island Elementary School - Discussions with the District office continue regarding the lease agreement for the Sullivan's island property to Charleston County School District.

Cell Tower Hardware Addition - Attorney Dodds stated the attorney for the cell tower hardware addition request has a new interpretation of the lease. **Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to amend the agenda to add the cell tower to executive session tonight, carried unanimously.**

Myrtle Avenue Cemetery - Monsignor Lawrence McNerny will be present at the July 19th meeting to discuss design work for the Myrtle Avenue Cemetery.

S.C. DHEC Beach Monitoring Report - The S.C. Department of Health and Environmental Control has tendered the water quality monitoring report for three stations on Sullivan's Island during the month of May 2011.

BellSouth Telephone Inc. Video Franchise Agreement - Attorney Dodds stated that BellSouth Telephone d/b/a/ AT&T has not yet responded to our offer regarding the video franchise agreement and are looking for an alternative site on the Island.

Correspondence - Correspondence was received from Tim Stone, Superintendent for the National Park Service, thanking Town and its staff for assistance during the opening of the sesquicentennial commemoration.

Ways and Means Committee, Councilman Perkis. Councilman Perkis reviewed the May 2011 financial statement. Over \$1,490,000 in revenue had been received, and the projected amount is \$1,502,000. Other general fund revenues are within projections; and the Water and Sewer Funds revenues will finish above the budgeted projected amounts. The expenses such as salaries, supplies, etc. are in-line with projections. Insurance expenses are lower due to a decrease in the workers' compensation insurance. The accreted land lawsuit expenditure total approximately \$117,500, and approximately \$75,000 in legal expense reimbursement has been received from the State. The cost of the relocation of Town Hall is approximately \$110,000 as of the end of May. The cost for the preparation of the land was less than expected; the difference was used to purchase the sod to prevent erosion. There will be a shortfall of revenue due to the unbudgeted items of litigation (\$25,000) health insurance (\$105-110,000), and to relocate Town Hall (\$110,000). The net shortfall will be about \$100,000 because of savings on expense items. Councilman Perkis presented information just received from Charleston County regarding property value assessment. The assessed value of property on Sullivan's Island is expected to be higher the next fiscal year. The next reassessment is this year. Also, there was a change in legislation at the end of May regarding Point of Sale. More information will be presented about this in future meetings.

Personnel Committee, Councilman Kaynard. Monthly report rendered. Councilman Kaynard reported that the following seats have term expirations in September 2011:

Planning Commission – Hal Currey, Anne Kilpatrick, Elaine Fowler and Nicky Bluestein.

Design Review Board – Fred Reinhard (resigned effective July 15) and Betty Harmon (resigned as of end of term), and Jon Lancto.

Councilman Kaynard asked that the retiring Board members be recognized in some manner, perhaps by Resolution by Council. The application deadline for applicants is July 25, 2011, with appointments at the August 16, 2011 Council meeting. Councilman Kaynard noted changes to be made on the application forms before distribution.

Water and Sewer Committee, Councilman Perkis. Monthly reports rendered. The Water and Sewer Committee met on May 31, 2011 and May 9, 2011 to review the FY 2012 budget, capital projects and SCDOT paving projects. The U.S. Department of Energy has awarded the Town a State Energy Program ARRA grant through the S.C. Energy Office. The \$61,000 no match stimulus grant for a package submitted by Greg Gress will reduce energy consumption by the oxidation ditch rotors. **Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to approve the State Energy Program ARRA no match stimulus grant in the amount of \$61,000, carried unanimously.**

Building and Construction Committee, Councilwoman Cooper. Monthly Report rendered. Councilwoman Cooper reviewed the May 2011 Building/Business License report. Activity has increased, including inquiries on properties for sale.

Fire Committee, Mayor Smith. Monthly Report rendered. Chief Stith reported no more concerns from the Turtle Team related to large gatherings at beach fires that were damaging turtle nests. There was discussion regarding including the permitting process for beach fires as a special event request, along with an associated fee. This item will be placed on the Ways and Means Committee for next month.

Recreation Committee, Councilwoman Watson. Report presented earlier in meeting.

Real Estate Committee, Councilman O'Neil.

Accreted Land Management Plan – Councilman O'Neil distributed notes from the meeting of Zone 4 for Council's review.

Sullivan's Island Gadsden Cultural Center Lease – The lease agreement with the Sullivan's Island Gadsden Cultural Center is due to expire on June 30, 2011. The lease terms become monthly thereafter.

Thomson Memorial Park Exhibit – The South Carolina Department of Transportation has given approval of the boundary encroachment permit. The Park dedication was held on June 18, 2011.

BellSouth Telecommunications, Inc. Switch Gear – BellSouth is currently looking for other options on the Island for the switch gear box.

Consideration for a Permanent Town Hall – Letters to potential candidates for the needs assessment were mailed. After discussion, an invitation to bid will be placed on the Town website as well as the Municipal Association website.

Open Space Protection for Parcels – Attorney Dodds stated the surveys should be delivered by the end of the week. Council agreed to send the plats to the Planning Commission as soon as they are received, and place on the Planning Commission agenda for their July meeting.

Island Club Structural Improvements – Building Official Randy Robinson will work on the handicap ramp to be ready for the July 4th celebration.

Planning Commission – Council agreed to ask the Planning Commission to have a public hearing at their July meeting on the CC District Zoning Overlay ordinance.

Police Committee, Mayor Smith. Monthly report rendered. The Police Committee met on June 2, 2011. Chief Howard stated that all police officers will be working during the July 4th weekend, along with additional officers.

Streets and Maintenance Committee, Councilwoman McGee.
Middle Street Resurfacing and Stormwater Pipe Project – The S.C. DOT contractor for the Middle Street project has completed all work for the project. Chief Stith reported that work has not begun by Banks Construction on the sidewalks. Councilwoman McGee stated her understanding is that the SC Department of Transportation will not paint any lines except the pedestrian crosswalk on Middle Street, but will consider allowing the Town to paint a line at our expense with an encroachment permit. She stated if the Town wanted to re-install the line that was behind the cars on High Thyme side of the block of Middle between Station 22 and Station 22-1/2, we could at the Town's expense. Council agreed to re-install the line. Chief Stith stated he and Administrator Benke would handle it after the Town received the encroachment permit. She added that Council might want to consider putting lines between parallel parking and the road for the commercial area. SCDOT would allow this with an encroachment permit. Councilwoman McGee will bring examples to the next meeting for further discussion.

Ben Sawyer Bridge Project – Mayor Smith reported that S.C. Department of Transportation has not yet taken possession of the bridge.

Intersection Dedication – The date of the dedication of intersection at Jasper Boulevard and Station 22-1/2 Street in honor of the late Dr. George Durst, Sr. has not been set. Mayor Smith reported that Administrator Benke had communicated with DOT about making the approved improvements to Station 22-1/2 before the dedication; however, the dedication sign was recently installed. Therefore, currently there is no date set for making the improvements.

Mayor Smith duly ratified Ordinance No. 2011-03, An Ordinance to Adopt Budget for July 1, 2011 through June 30, 2012.

Mayor Smith duly ratified Ordinance No. 2011-04, An Ordinance to adopt the Water and Sewer Operating Budget for Fiscal Year 2011-2012.

Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to go into Executive Session for Raven Drive – Legal Advice, Sullivan's Island Elementary School – Contractual Matter, Personnel, and Cell Tower – Legal Advice, carried unanimously.

Upon returning to Regular Session, Mayor Smith stated no action or votes were taken during Executive Session.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson to adjourn, carried unanimously.

Respectfully submitted,

Ellen Miller