

TOWN OF MEGGETT COUNCIL MEETING MINUTES

Date: February 23, 2015 Time: 7:00PM Location: SCPA Building 4770 Highway 165

Call to order by:	Mayor Buster Herrington
Type of Meeting:	Council Meeting
Facilitator:	Mayor Buster Herrington
Notes:	Erica Schaffer

Roll Call:	Mayor Herrington	P	Matt Zender	P
A = Absent	Tom Hutto	P	Andy Gowder	P
P = Present	Tommy Butler	P	Ellie Brabham	A
	Keith McCarty	P	Erica Schaffer	P

Prayer given by: Mayor Buster Herrington **Pledge led by:** Mayor Buster Herrington

Approval of *Minutes from previous meeting held on: January 26, 2015. Council Meeting*

Motion made by: Mayor Pro Tem Tom Hutto

Seconded by: Council Member Keith McCarty

In Favor: Mayor Buster Herrington
 Council Member Tommy Butler
 Council Member Matt Zender

Opposed:

Conclusion: *Minutes were approved as written*

Website:

Mayor Herrington stated that he spoke to Jerry Rose (Website Designer) via email a few times and he has asked for a few more things. The Mayor said he would be sending Jerry the items he requested. Mayor Pro Tem Tom Hutto told Council Member Keith McCarty if he needed anything to help get the website complete to let council know. Council Member McCarty stated that he had sent an email around a couple of times requesting updated bio's if anyone is interested in updating their information.

Meggett Creek Bridge:

Mayor Herrington asked Mr. Robert Clark (SCDOT) if he had an update on the Meggett Creek Bridge. Mr. Clark stated that it is on track to go out for bids either November or December 2015. Mayor Pro Tem Tom Hutto asked Mr. Clark if funding was available for the project. Mr. Clark stated that there is some funding available.

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Code Enforcement / Charleston County

Mayor Herrington introduced Andrea Pietras with Charleston County. Ms. Pietras stated that Charleston County would like to request that council complete the legal action of appointing the County as the Town of Meggett's Code Enforcement Officer. This is the only way that Charleston County can pursue the violations that have been reported recently. She stated that they would follow up later in the year with a "Memorandum of Understanding" of the services the county provides. Council Member Keith McCarty asked who the county's attorney was. Ms. Pietras stated that she usually works with Brad Mitchell. Council Member Tommy Butler posed the question; what do we have to do to allow Charleston County to step in and pursue violations. Attorney Andy Gowder stated that we have some pending matters now and this is the reason for Andrea being present at tonight's meeting. Attorney Gowder answered Council Member Tommy Butler by saying council needs to make a motion, second it, and take a vote to temporarily appoint Charleston County as Meggett's Code Enforcement Officer until we can create a Memorandum of Understanding. This is the speediest way to pursue those who are currently violating Town Codes. Council Member Keith McCarty made the motion. Mayor Pro Tem Tom Hutto seconded the motion. No one was opposed. Mayor Pro Tem Tom Hutto asked if we vote yes now will that mean that Charleston County can move forward and take action against those with existing violations. Attorney Andy Gowder; replied yes to Mayor Pro Tem Tom Hutto's question.

Annexations

Mayor Herrington stated that he has received several written requests from people who are interested in being annexed into the Town of Meggett. Several of these properties are in the county and three of them are in Hollywood. Mayor Herrington said that he met with Mayor Heyward and Council Member Annette Sausser this week. They have some property we want and we have some property that they want. Mayor Herrington stated that they discussed the possibility of trading some of the land. Mayor Herrington is working on getting TMS#'s as well as names of the owners, and addresses. Hollywood is doing their research as well. Another meeting will be held once we have all the research complete. Mayor Pro Tem Tom Hutto asked if it was possible to have a workshop of council to review everything. Mayor Herrington stated that once The Town of Meggett and the Town of Hollywood have completed their research we will turn all of the information over to our attorneys and schedule the workshop. Council Member Matt Zender asked if part of the trade would include the Gillespie property. Mayor Herrington told him that was one of the things on the table. Mayor Pro Tem Tom Hutto asked if it would be worthwhile to gather information on everyone who wants to be annexed right now. Mayor Herrington stated that currently they are just focusing on what is in the interest of each town. We do have some others that have requested to be annexed into Meggett. We will try to include those properties at the same time since it takes so much time to complete an annexation. Mayor Pro Tem Tom Hutto asked Andrea Pietras where we were with our Comprehensive Plan. We had considered modifying our zoning and having another zoning class so people could annex into Meggett. Andrea Pietras stated that the Comprehensive Plan review is done and now all they have to do is move on to the certain requirements section. They include a list of things that you are currently talking about. Mayor Pro Tem Tom Hutto stated that he would like to get that done as part of the process.

Road Maintenance

Mayor Herrington stated that he received a request from the residents of Flounder Lake for the Town of Meggett to take over their Road. The Mayor stated that he sent an email to Andrea Pietras with Charleston County as well as Matt Fountain. They got with their Public Works Department and came up with a way to make it happen. What it entails is the residents must petition the town to take over the Road. If the town accepts it the residents will have to have the road surveyed and new plats will have to be completed. If approved residents of Flounder Lake would have to bring the road up to current county standards. After that the road would officially become town property however the town would not maintain the road. Maintenance would be done by the county. The cost for this up front would be the residents bringing the road up to county standards. Mayor Herrington stated that he doesn't know what the cost would be to bring it up to

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current codes but he imagined it would be pretty expensive. Andrea Pietras stated that it depends on what area you are in as to what the standards are. She also stated that someone from Public Works would need to come out and access the road. Council Member Keith McCarty asked if anyone was present to represent Flounder Lake. Mayor Herrington stated that there were many residents of Flounder Lake in attendance this evening. Council Member McCarty recommended that two or three people from Flounder Lake begin looking into what it would take to upgrade the road to current standards. He also stated that he didn't have any objections to the town obtaining the road. Britton Corbin stated that many of the residents have looked into getting help but they really haven't gotten anywhere. One resident of Flounder Lake stated that they recently completed work on the road to make it passable because it wasn't before. Council Member Tommy Butler asked if the County has ever accepted a road and then decided that they wanted to turn it back over. Andrea Pietras stated that the town would actually own the road and enter a contract with the County or whoever they wanted to maintain it. If there are major upgrades that need to be done at that point there would be a cost involved to the town. We have had this same request from many of our other Municipalities such as Hollywood, Awendaw, McClellanville, and James Island as well. Mayor Pro Tem Tom Hutto asked how this request interfaces with Charleston County's program to bring up a lot of these old private community roads. Ms. Pietras said the program being referenced here is the County Non-Standard Road Community Program. It has to do with community roads that are not in any sort of private right of way or easement. They have to get all of the property owners to sign off on the plats. That doesn't mean that the County is planning to upgrade the road in any sort of way, it just means that Charleston County is trying to obtain the right of way, not necessarily maintain these roads. Andrea stated that the program is different from this situation. He asked the residents of Flounder Lake if this was a deeded road or is it just parts of their property. Resident, Britton Corbin stated that it was parts of their property. He said it is an ingress egress easement. It's not a right of way. Mayor Pro Tem asked Charleston County Representative Andrea Pietras how this road differs from the program referred to earlier. Andrea stated that the "Non-Standard Road Program" is on roads that are not even easements. They are just roads that people have been driving on forever. In this process an updated plat would need to be completed and the town would take over the ownership of the Right of Way before the county would even get involved. After that the road would need to be brought up to county standards and a contract between the town and the county would need to be executed. At that time the county could begin maintenance on the road. Council Member Keith McCarty asked if the town would be responsible for paying for the maintenance of the road once accepted into the town. Andrea Pietras said it was her understanding that routine maintenance of the road which includes grading the road, minor roadside drainage, cleaning, and vegetative trimming would be done at no cost. Any improvements needed to the road would be done on an individual basis and we would figure out the cost at that time. She suggested that residents of Flounder Lake contact Public Works to come out and assess the situation to find out the minimum standards for that road because it depends on where the road is as to what the requirements are. The Public Works Department can identify the roads right of way width, the road surface type, and more. Mayor Pro Tem Tom Hutto stated that as long as the expense to bring the road up to standards doesn't fall on the town he would be in agreement to accept the ownership of the road. Council Member Keith McCarty stated that it sounds like most of the maintenance is taken care of by the county for free. Council Member Tommy Butler advised everyone that if a repair presents itself the cost for the repair would fall on the town. He also asked if it is possible for residents to deed the road directly to the county rather than the town. Andrea Pietras said we could ask that question but generally the way this works is for the town to take ownership because the road falls in your corporate limits. After taking ownership the town can enter into a contract with the county or anyone else that they would like to have maintain the road. If you take the road in as a town road you are responsible for repairs and larger maintenance so the town would definitely want residents to bring the road up to standards before accepting it as town property. Mayor Pro Tem Tom Hutto expressed his concern for the town needing to purchase loads and loads of gravel every year to maintain this road. He stated that Meggett was nothing but dirt roads and if we accept ownership of this one more HOA's may want us to take over ownership of their roads. He stated that his concern was the fact that Meggett does not have a tax basis in place to cover the expense for maintaining these roads by purchasing more gravel, etc. Council Member Keith McCarty recommended that the residents of Flounder Lake contact Public Works to find out what they need to do to get the road up to county standards. Once that has been taken care of we can go from there. Mayor Herrington suggested that one or two residents take the lead and get with the county and report back to the town. Britton Corbin stated that he would

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appoint himself and Ed as the lead consultants of Flounder Lake to communicate with Charleston County. Council Member Matt Zender asked if the requirement for the easement was 60'. He also made the comment that it will be a dirt road not a paved road. Andrea Pietras said that it could be but that again would need to be determined by the Charleston County Public Works Department. Council Member Matt Zender added that a dirt road is hard to maintain especially when you have a lot of rain like we have had. He stated that he and his neighbors have spent a lot of money maintaining their road. He added that the shell sand is washing away into the marsh or the grass. Britton Corbin said he would call Public Works to get started on collecting information. Andrea Pietras told him he needed to contact 202-7600 and ask for Matt Fountain. Mr. Corbin said he would get him to look at it and see what it was going to cost since his HOA was going to bare that cost. He said he would also find out what standard it is and report back to council. Council Member Tommy Butler asked Andrea Pietras again to check and see if the HOA could possibly bypass the Town of Meggett and get the county to accept direct ownership of the road. Andrea stated that she would check into it.

Meggett Park:

Mayor Herrington stated that the installation work with the rubber mats (safety tiles) for the playground area at Meggett Park has begun. He along with David and Rebeccah Singleton were able to install approximately 20 tiles a few weekends ago. It was the only weekend that the park has been dry enough to begin the installation. He invited everyone to go over and take a look at the progress and stated that when we get more sunshine they will get more of the tiles completed. Council Member Matt Zender asked if we ever got the drinking fountain installed. Mayor Herrington stated that we had not completed the installation of the drinking fountain however; the area has been marked for digging and the plumber is scheduled to get started next week. Mayor Herrington asked council to consider putting up cameras in the park similar to what we have in Town Hall or putting up some motion activated lights. He advised that we still have people coming to the park at all hours of the night doing things that they are not supposed to be doing. He told council that he and David Singleton put up some wild game cameras and have gotten some good footage, but without nicer security cameras they can't always see everything they need to see. He added that motion lights might be the most cost effective way to go. Council Member Tommy Butler stated that it might be a good idea to put the cameras over there and if someone was damaging things we would know who did the damage. Mayor Herrington said that one of the town's picnic tables has been stolen. Council Member Matt Zender stated that he wasn't sure how well we would be able to see with the video cameras at night. He asked if they were very clear. Administrative Assistant, Erica Schaffer, responded by advising council that after watching one of the videos she was able to identify two teenage boys misbehaving in the park and contacted their parents. Mayor Pro Tem Tom Hutto stated that maybe the cameras are a better idea because people might shoot the lights out. Mayor Herrington said he would get the costs of them and get back to council.

Wastewater System:

Mayor Herrington said we are still in agreement with Gary Dent performing minor and routine maintenance to our sewer system. He also stated that he had sent the larger work out for bid requests and after receiving the bid proposals he realized he had an error in the scope of work, therefore he was sending everything back out for rebid. It was basically just things that he thought the town was not responsible for paying for but in fact we were responsible for so these things will need to be added to the proposals received. Mayor Herrington said that Attorney Andy Gowder was helping him with the requests for new bids. In the meantime James F. Pedersen Co., Inc. is on standby to make repairs for us if something was to go wrong with our wastewater system. Mayor Herrington said he ordered replacement parts and Gary has installed some of them, however we needed a new valve for the pump station and that is something that James F. Pedersen Co., Inc. will need to replace for us. We are currently operating with the original valve. We may not change it out until we get the new quotes. Council Member Matt Zender asked the Mayor if he was planning to ask contractors to provide proof of their million dollar bond and a million dollar insurance policy. Attorney Gowder said that those limits for bonds and insurances are standard. Council Member Zender stated that he was just concerned because if something went wrong and someone did not have the correct bond and insurance limits the burden of cost would fall back on the town.

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Water System:

Council Member Zender said that he sent our water survey to CWS and they are doing the engineering on the survey. CWS is working up the expense cost for the system and they need to complete water tests. They will complete up to 10 tests in different areas. They will also be doing a study on income from different areas for a grant. The people in the lower income bracket have a greater chance of getting water at a lesser cost. CWS said that they can certainly see from the list of people that there are many people who do want water. We can go back to the people who are signed up to see what their income bracket is. CWS stated that this process was going to take time. Council Member Zender said he would try to get a few more names. He stated he has been talking to Palmetto Rural Telecommunications Coop. They are the ones who brought the fiber optic wire to help with internet for the Fire Station and the schools. They have approval from the FCC to operate in our area. Council Member Zender has a meeting with them on March 25th to look into having them provide fiber optic cable and satellite services to residents and businesses of Meggett. They got in our community because the schools need fiber optic. Frontier and other companies out here are not interested in us having clear phone connections or speeding our internet up. After meeting with the CEO of Palmetto Rural Telecommunications Coop. on the 25th of March, Council Member Zender will update everyone on the outcome of the meeting. If it goes well an additional meeting between all three of our local towns and the mayors will be required to really open this thing up. Council Member Matt Zender stated that his phone service with Frontier is terrible.

Lowcountry Leadership Charter School

Mayor Herrington provided council with an update of LLCS. LLCS began construction of the 11th and 12th grade portions of their facility last week. The school is in full capacity as far as enrollment goes.

Conservation Easement/Lowcountry Open Land Trust:

Mayor Herrington stated that he and Mayor Pro Tem Tom Hutto attended the annual meeting of the Lowcountry Open Land Trust on behalf of the town. He reminded everyone of the Conservation Easement placed on Roxbury Park. The Lowcountry Open Land Trust was kind enough to present us with an aerial photo of the park. The photo has a yellow band around it showing the total acreage of the park. They even had a nice presentation and video featuring Roxbury Park in addition to giving us that really pretty picture. It will be hung in the near future.

Election

The election is coming up on May 5th. There are two council seats and the Mayor's position open. The election sign up began on February 4th and will end on March 6, 2015. If anyone is interested in running for these seats feel free to sign up before then. Mayor Herrington stated that he knew of one person who was interested in running for council but no one besides he and Mayor Pro Tem Tom Hutto have signed up to date.

Council Member Reports:

Building and grounds given by: Mayor Buster Herrington

Mayor Herrington stated that the subcontractor Ertel working for SCE&G has destroyed our corner where the Town of Meggett sign is. He stated that he has spoken to SCE&G and they are aware of the destruction that has taken place. Ertel is also aware that they will be required to repair all damages when they are finished with that project. As soon as they are done with that the town can move forward with our sign replacement. Mayor Herrington also reminded

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everyone about our upcoming events Oyster Roast at Roxbury Park, March 14th, April in Meggett, April 11th, and April 18th, Meggett Beautification Litter Pickup Project. He let everyone know that Hold Harmless Waivers will need to be executed prior to beginning trash pick-up. He also said that the town will be serving lunch after the cleanup.

Grants and projects reports given by: Mayor Pro Tem Tom Hutto

Mayor Pro Tem Tom Hutto stated that everything is really looking good at Roxbury Park. He stated that we still have one picnic shelter, some wildlife observation areas, and kayak docks that need to be finished as per the grant. Rental of the cottage has really picked up. People are welcome to rent the park for a week, the weekend, or even special events such as engagement parties, rehearsal dinners, weddings, anniversary parties, graduation parties, and more. Meggett residents receive a 10% discount on the rental rate. Council Member Tommy Butler asked about the green scum growing in the pond. Mayor Herrington stated that our Naturalist for Roxbury Park, Ken Carmen, has been speaking to professionals about the pros and cons of pesticides. It was decided that Ken would prefer to try and pump out the duck weed to protect the wildlife from potential dangers associated with the pesticides. The pesticides are damaging to the wildlife and are also extremely expensive. Council Member Matt Zender said that he would try to get the number for the person who takes care of Drayton Hall because they use herbicides. They are not disturbing the wildlife or the ducks and their ponds are perfectly clear. Mayor Herrington stated that the other benefit to not using chemicals is the fact that our Naturalist, Ken Carmen, actually uses the duck weed as fertilizer for the flowers and trees once it is pumped out of the pond. It's a wonderful recycling process and Ken wants to do it manually. If he can't get it cleaned up manually we will check into the pesticides later.

Communications: Council Member Keith McCarty

Council Member Keith McCarty stated that the website will be up and running next week. He requested that everyone visit our new website and enter their email address into our newsletter data base. We are trying to eliminate some of the postage costs.

Financial report given by: Council Member Tommy Butler

Council Member Tommy Butler states that our Town of Meggett bank balance went down \$6,800.00. As far as our main account going down we had expenses that include \$1,400.00 for annual Xerox maintenance. For the rental property (Blue House) we spent \$4,000.00 on repairs. We spent an additional \$14,700.00 on the picnic shelter, upgrades, and groundwork at Roxbury Park. Mayor Pro Tem Tom Hutto stated that we would get 50% of the cost of the picnic shelter back. No change on the balance of CD1. CD5 matured and we received interest of \$453.60. Our Wastewater account went down \$87,000.00, but we purchased 46 sewer taps for \$92,000.00. As they are sold to residents waiting for taps, that money will be replaced back into this account. A copy of the auditor's preliminary report went out but no one has really had a chance to review it. The auditor did mention that our accounts are only Federally Insured for \$250,000.00 each. We might need to consider putting money into an additional account to protect our exposure. The First Citizens checking account is sometimes over \$250,000.00. It might be best to move the two CD's and the Wastewater CD to another banking institution. Council Member Keith McCarty asked if that was aggregate. Council Member Tommy Butler stated that yes its \$250,000.00 per name. We couldn't put it in any different name. As the CD's mature we might need to move them to another banking institution. Mayor Herrington stated that we should do some research with different banking institutions to see what our options are.

Utilities report given by: Council Member Matt Zender

Council Member Matt Zender stated he had nothing further to add.

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Public Comments:

Mayor Herrington opened the floor for public comments. With no public comments the meeting was adjourned at 7:44pm.

Submitted by Erica Schaffer