

Town Council Meeting

Meggett SCPA Building

4776 Highway 165

January 25, 2010

7:00PM

(Items 1 and 2) Roll call and Meditation

Meeting was called to order by Mayor Grange Coffin. The following were present: Buster Herrington, Tommy Butler, Keith McCarty and Tom Hutto. Also present was Attorney, Andy Gowder, Administrator, Ellie Brabham and Zoning Planning Administrator, Gail Seabrook. The meeting was opened with a prayer led by Buster Herrington followed by the Pledge of Allegiance.

(Item 3) Approval of Minutes from November

The minutes from the November meeting were reviewed and approved as written.

(Item 4) Begin with Books

Janet Segal gave a brief statement of the history of Dolly Pardon and how she became involved with the Begin with Books Foundation. The purpose of the Foundation is to provide children from 0 to 5 years of age with books. By introducing books to children at these early ages they hope they will develop a love for reading and as well as a good start for development of good reading skills. Ms Segal said to sponsor a child the fee is \$33 a year and the child will receive 12 books. At present Charleston County has not participated in this project. They came before council tonight hoping that the St. Paul's area will be the starting point in Charleston County for this to take hold. It was thought that the council could recommend sponsors that will start the program in the St. Paul Parish area. Should the parents of the sponsored child not have reading skills, they have organizations that work with "Begin with Books" that go in and assist the child with the reading program. Mayor Coffin asked resident Beth Smoak if she would be interested in forming a committee to work on this project. Perhaps they would make a list of potential sponsors.

(Item 5) Request for Annexation of the property owned by Ralph Edwards

Mayor Coffin said he would like to have a workshop and look at the boundaries of Meggett and see what properties we would like to annex. Tommy Butler suggested that we set a date for a workshop and get a plan together of what and how we want to handle annexations. February 9th at 6:00PM was set for the workshop. Tom Hutto pointed out that since a motion was never made to annex the property of Mr. Edwards, basically that was an answer. He said that we need to talk about an annexation policy. It was decided to have a workshop on February 9, at 6:00 before the Planning Commissioners meeting to discuss annexation

(Item 6) 2nd Reading – Zoning and Land Development

Mayor Coffin asked to table this item until the next meeting. We have not received the documents from Charleston County.

(Item 7) Proclamation 2010-01 – Boy Scouts of America, Centennial Celebration Day

Mayor Coffin read the proclamation and signed the document.

(Item 8) Verizon

Matt Zender reported that Verizon would not put any additional funds into the Verizon System. The reason being is the take over by Frontier Telephone Co. He did report that the interference that he was having with his land line had finally been resolved.

(Item 9) – Road Issues

Shark Hole Road

Recently several private road issues have been brought to the Town's attention. One of the issues pertains to the dirt part of Shark Hole Road. The concern is that the road is not wide enough in certain areas for emergency vehicles to be able to get down the road. Mr. Sigwald came before the Council asking for help. He had concerns that one of the residents had planted shrubs that were encroaching into the right of way of the road. The fire department as well as Lt. Martin with Charleston County Police Department had gone down and looked at the area and it was very difficult for the fire truck to maneuver through the road. Mayor Coffin explained that since it is a private road the Town's has no jurisdiction. Mr. Sigwald asked if the Town could just write a letter to all residents asking to trim all vegetation away from the ingress/egress easement. Another concern was that no one was keeping the drainage ditch clean. Tom Hutto asked if the person with the shrubs was Mrs. Carter. Mr. Sigwald replied it was. A transformer box and a pole is also a problem and makes access difficult. Attorney Andy Gowder said that according to the plat it indicated that the original owner Mrs Ida Smoak dedicated a 50' easement for a private road to be maintained by the land owner. Therefore, speaking as the Town's attorney, the Town has no authority to get involved with private road issues. This would be a legal matter. Mayor Coffin said we would write a letter to SCE&G about the location of the transformer box and the pole.

(Update: It was determined that the property owner of concern (Mrs. Carter) was legally on her property with planting the shrubs and the road itself was bordering her property and actually needed to be relocated more toward the center of the actual ingress/egress easement. The property owners were notified that the location of the road was not in the center of the ingress/egress and this was creating the problem. The placement of the shrubs and the post that were planted by Mrs. Carter were legally within the boundaries of her property and was not in anyway in any violation. SCE&G went out and informed the Town that the placement was on Mrs. Carter's property and was not in the road easement as well.)

Kuzia Road

Cathy Meyer said they were having problems with a resident who had placed logs as fence line inside the dedicated 50' road easement. He had also put a cable across the road preventing access to the vacant lots at the end of the road. Attorney Gowder said that people do have a right to access their property and by blocking the road then it became a police matter. Mrs. Meyer said that Lt. Martin visited the site along with Gail Seabrook and asked the resident to remove the cable. He complied but did not move the logs. Attorney Gowder explained that the developer made the determination that this road would be a private road. He did however have to meet certain standards to get the plat approved by Charleston County. You do have property rights but your rights have to be dealt through private property law. She expressed that the zoning laws of the town should be able to protect her rights without seeking legal counsel.

Tom Hutto said maybe the Town could compose a letter requesting that residents that live on a private road to comply with the rulings that are associated with the easement of the road. Legally we know the Town has no authority over private road issues but just as a courtesy to the other people that live on the road to follow the defined guidelines of the private roads. Attorney Gowder also told Mrs. Meyer that if she had a plat showing the dedicated easement for the private road and could prove that the easement has been blocked or encroached upon, then the police should be able to make the individual that is blocking the access remove the items that are creating the encroachment. A resident questioned the town zoning of a 20' road. Attorney Gowder said that the 20' road requirements were noted in the Town's subdivision regulations as a requirement for a subdivision plat to be approved. Tommy Butler asked how far was this particular resident was encroaching into the 50' road easement. Mrs. Meyer said that he had placed the logs half way. Tom Hutto concluded the discussion by asking if he could make a motion to have Andy

draft up a letter which would ask residents that live on private roads to comply with the rulings that are associated with the easement of the road on which they reside. The motion was made with Mayor Coffin seconding the motion and all of council voted in favor.

Mayor Coffin asked if there was any further discussion of road issues. Buster Herrington inquired about the status of the Plat submitted to Charleston County which showed the relocation of Wilsonia Road. Gail Seabrook said that errors were found on the plat and it had been returned to the surveyor with comments for corrections. The plat was submitted again and the comments had not been addressed as well as new statements were noted on the plat regarding who could use the road in a format that could not be enforced. We have now sent the information to the Attorney for review and are waiting on comments from Attorney Andy Gowder. Mr. Carl Hamm interrupted and asked why was he answering to a Town Clerk and why does she have his plat. Mayor Coffin replied that it was decided by Town Council that she would review the plats. Mr. Hamm asked what was wrong with the plat. Mayor Coffin said she was reviewing it with John Waring who approves the plats for Charleston County Planning. Mr. Hamm asked Mayor Coffin if he remembered what was said at the meeting they had the other night. Mayor Coffin indicated that he did and said that the plat was going through the approval process. Mayor Coffin indicated that he had not personally looked at the plat but was informed that the plat still had some errors when it was re-submitted. Mr. Hamm said that when he met with them (Mayor Coffin, Buster Herrington, and Andy Gowder) and worked out an agreement and he was wondering what happen to the agreement. Mayor Coffin again explained that the plat was going through the approval process and Charleston County does this for Meggett but she (Gail Seabrook) with her expertise in the engineering field also looks over the plats for Meggett and with her experience make recommendations. Mr. Hamm said he had a problem with that being that the council is elected officials and he has recourse there where she is not an elected official. Mayor Coffin indicated that he assumes responsibility for what ever she does. Mr. Hamm made the remark that we have a mayor and a hired mayor. Mayor Coffin indicated that he did not understand what Mr. Hamm was implementing and said that we have procedures that the Town has to follow by law and she is the town's agent to work with the county on these types of matters. Mayor Coffin indicated that she is the one with the civil engineering background and that he is not. Councilman Buster Herrington indicated that since the old road was an unapproved dirt road could that also apply to the new road as well. It was explained that when a road is move to a new location, the standards must meet the requirements of what is in effect at the time of the relocation.

(Item 10) Old Business

Ground Cover for Playground Area

Tom Hutto said he had talked with an individual about mulch for the playground area and was waiting on him to get back with additional information.

Terms for Planning Commissioners

Tommy Butler asked if an ordinance had been drafter designating the length of terms for the planning commissioners. Attorney Gowder said he should have it for the February Meeting.

Comcast update

Bill Watson said he had again looked at the end of Ethel P.O. Road for service and still that area doesn't meet the requirements to run the service in that area. He would continue to canvas the area and see if they could get enough residents to commit and see if they can come up with a fix to provide service to that area. Toogoodoo Road and Westervelt Road are other areas that they are trying to find a way to meet the requirements to provide service. Question: What is the estimated cost to place the cable? Mr. Watson said that if aerial cable is place on existing poles the cost is about \$38000 to \$42000. This means that the existing poles in the area are high enough to be able to connect to them. Mr. Watson said that any residents asking about service, he would be glad to talk with them and asked Council members to direct any question to him so he can work towards

helping them get service or at least provide them with a reason why service can not be placed in that area.

SCPA Building Floor Structure

Tom Hutto said he spoke with Tom Boozer regarding the support of the floor in the room in the SCPA Building there were no structural issues with the floor and the upstairs could accommodate as many as 180 people based on the exits for emergency. Ellie made the point that the 180 people meant just the people and not other things like tables. She suggested that still we state when renting that it will accommodate a 100 people just like we have it now.

(Item 11) New Business

Buster Herrington said we probably need to have the pump checked under the elevator shaft for it seems a lot of water is collecting in the area. Ellie also mentioned that when we came in after the hard rain we found water on the floor by her desk and we also need to have the roof on Town Hall check as well. Gail Seabrook said that when the inspection of the elevator was done the person said that the pump did not have a check valve and so what happens is when the water is pumped out and the pump shuts off the water flows back into the well area and that is why the pump runs so much and we constantly hear the water trickling into the elevator area.

Keith McCarty said that at the Council's retreat, they decided to divide among the council members certain items that each council member would be responsible for. For example Tommy would handle issues that deal with accounting such as insurance, audits, budgets and contracts; Tom would be in charge of sewer and grants; Buster would handle issues with zoning and building and grounds maintenance and Keith would work with communication such as the web site and news letter. Mr. Hutto asked if we need to do a resolution to adopt this. Keith made the motion to adopt the letter as drafted which assigned the above areas to the council members as indicated. Mayor Coffin asked for any discussion and then asked for a vote and all voted in favor.

(Item 12) Miscellaneous Reports (Ellie Brabham)

The auditor will be here on Thursday. He indicated that we had some things to go over and he hoped to have the audit complete and present it to Council at the February Meeting. Talked with Jennifer Gruber about the grant money. She said the paper work had been signed and if we do not hear something in the next two weeks to call her back and she will try to find out what is the hold up. Tom Hutto inquired if what was shown on the financial statement included the grant money. Ellie replied that it did not include the outstanding amount for the Grant money. Tom also inquired about the funds for aid to subdivisions and what would that amount be. Ellie replied about 30,000. So when we receive Tom indicated that when we receive both of these that it should come to about \$100,000 added to our account.

Tom Hutto asked about the maintenance contract for the upkeep of the grounds that is presently handled by Larry Commins. We will put the work out for bid.

Upcoming Scheduled:

Feb 9, 2010	7:00PM	Planning Commissioners Meeting
Feb 15		Town Hall Closed for President's Day
Feb 22	7:00PM	Public Hearing followed by Council Meeting

Mayor Coffin asked for a motion to go into executive session. Motion was made and meeting was adjourned.

Submitted by Town Clerk: Gail Seabrook