

# Town of Meggett Council Meeting Minutes

Date: October 22, 2012

Time: 7:00PM

Location: Town Hall 4776 Highway 165

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## Meeting Called to Order

<b>Call to order by:</b>	Mayor Buster Herrington
<b>Type of Meeting:</b>	Council Meeting
<b>Facilitator:</b>	Mayor Buster Herrington
<b>Note Taker:</b>	Gail Seabrook

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## Roll Call

<b>Roll Call:</b>	Buster Herrington	<input type="checkbox"/> P	Matt Zender	<input type="checkbox"/> P
A = Absent	Keith McCarty	<input type="checkbox"/> P	Ellie Brabham	<input type="checkbox"/> P
P = Present	Tom Hutto	<input type="checkbox"/> P	Gail Seabrook	<input type="checkbox"/> P
	Tommy Butler	<input type="checkbox"/> P	Andy Gowder	<input type="checkbox"/> P

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## Prayer and Pledge

Prayer given by: Mayor Buster Herrington

Pledge led by: Mayor Buster Herrington

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## Approval of Minutes

Minutes from previous meeting held on September 24, 2012

Motion made by: Councilman Tom Hutto

Seconded by: Councilman Keith McCarty

Motion: To accept minutes as written

In Favor: Councilman Tom Hutto  
Councilman Matt Zender  
Mayor Buster Herrington  
Councilman Keith McCarty  
Councilman Tommy Butler

Opposed:

Conclusion: Minutes were approved as written

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## Web Page

Tina Garrett, with Gil Shuler Graphic Designs, was contacted by Council member Keith McCarty and invited to attend the council meeting and talk about her company's ideas for redesigning our web page. She said she had reviewed our web page and thought it was nice but outdated and clunky. She felt her company could design a web page that would be easy to update and add information as well as make it attractive. She asked council to express what they were looking for in a web page. Councilman McCarty said he would like for the web page to be very user friendly; address frequently asked questions; and have access to any forms that anyone would have to get from Town Hall. He would also like to have all zoning information and ordinances put on the web site. Councilman Butler asked if it could be set up for residents to fill out the forms on line. Mr. Gil Shuler, the owner of the company, said it could be set up to allow the forms to be filled out and sent back through e-mails. However, if you want to take money on line, we would need to discuss details of exactly how that would work. That would probably be handled through another company. Councilman Zender asked about maintaining the web page and security. Mr. Shuler said it would be password protected. Ms Garrett indicated they would

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provide training for the individuals that would be responsible for adding information and keeping it updated. It would take some training but for the most part it is an easy interface for someone to use. We would offer assistance after the training should they have questions or a problem arise. Councilman Zender inquired where is the data be stored. The information is stored on a server and the annual fee for the use of the server is \$150. The server is backed up daily so if information was lost, it could be retrieved. Councilman Hutto asked how long has the word press system been available and would it be viable in 5 to 10 years from now? Mr. Shuler said it has been used about 8 years and design wise it should have a long life. Kevin Rauton who resides on Ethel P.O. Road asked who initiated the update of the web page and what will be the cost to the town. Was it the town or the vender soliciting the town? Are we updating just because it is clunky or is there a need for it to be updated? Councilman McCarty responded saying he was asked by council to look into updating the web page. The goal is to make the web page user friendly. As far as cost associated with the update, we have not been charged any fee at this time. Mr. Rauton thought the existing web page was user friendly. Councilman McCarty asked Ms Garrett what the next step would be if council decided to move forward with Gil Shuler doing their web update. Mr. Shuler responded indicating they would need to sit down with council and work out an outline of what they wanted on the web page. With the information they compiled, they could provide a projected cost estimate.

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### **MUSC (Research on health issues in the community)**

Ann Singleton with the MUSC Nursing Program attended the meeting to give an update of what MUSC is doing to bring better health care to the community. They are in the process of organizing a health fair around November 10th or the 11th. She has provided a list of suggested locations to her director. As soon as arrangements have been made for the location, flyers will be placed in areas to help get the word out. Some of the tests they will be doing at the health fair will include checking blood pressure for hypertension, testing for diabetes, and providing educational material for a healthier life style. Many individuals are struggling to pay the high cost of certain prescription drugs that treat high blood pressure, respiratory problems and diabetes. To help with the cost of many of these prescription meds, they will be offered at the clinic in Hollywood for a very low cost of \$4 a prescription.

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### **Charter School**

Mayor Herrington said the committee for the Charter School talked with Charleston County about using the Schroder facility but that did not work out. They are now looking at St Paul's Academy. They met last week with St. Paul's Academy and will meet again this week to try and finalize negotiations. We should soon have an update. Registration will begin on Nov. 1<sup>st</sup>. A temporary office has been set up at the Green House in Hollywood. If applications exceed 400, they will do a lottery. For additional information you can go online at Lowcountry Leadership Charter School or LLCS.com or contact Mayor Herrington at 901-1213 and he will put you in contact with someone that can answer your questions.

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### **Ordinance 2012-03 (Amending the Business License Ordinance Provision for Insurance Companies)**

Mayor Herrington said he received the ordinance last week and has reviewed it but not extensively. This is a mandated ordinance signed into law by Governor Haley. We will need to have our first reading tonight. If council has any comments or questions we can address those at our next scheduled meeting. We cannot amend the ordinance at all. Mayor Protem McCarty asked why is it necessary to vote on it if it is mandated and voted into law. Attorney Gowder indicated that was a good question and he would review the document and be glad to talk with anyone that may have questions before the next meeting.

**Motion made by:** Councilman Tom Hutto

**Seconded by:** Councilman Keith McCarty

**Motion:** A motion was made to pass the mandated Ordinance 2012-03

**In Favor:** Councilman Tom Hutto

Mayor Buster Herrington

Councilman Tommy Butler

Councilman Keith McCarty Councilman Matt Zender

**Conclusion:** The first reading of the ordinance was passed.

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## **Smoking Ordinance**

Attorney Gowder, in response to council's request, researched information on smoking ordinances that exist in SC. Councilman Zender emailed information to Attorney Gowder from an organization called The Smoke Free Workplace. He provided council with information that would be helpful as to what to define in the Town's ordinance. Many towns do not have a non smoking ordinance and some of the towns have modeled their ordinance to what the City of Greenville has adopted. The reason Greenville's is significant is back in 2008, the SC Supreme Court ruled their smoking ordinance to be valid in accordance with the by-laws of the constitution. Some of our neighboring towns such as Edisto Beach and Hollywood have modeled their smoking ordinance by Greenville's with some slight variations. The City of Charleston's ordinance is short and more specific; however, their litigation was geared more towards downtown night clubs. Attorney Gowder also included information of cases that were brought against certain towns regarding smoking ordinances and rulings by the courts system regarding these cases. He suggested that council review the information he has provided and give him further instructions should they decide to move forward with the ordinance.

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## **Council Member Reports**

### **Building and Grounds – Buster Herrington**

The drainage problem along the side of Town Hall has been addressed. Additional catch basins were put in to allow drainage away from the building into the existing drain pipes.

The old bricks have been removed from the walkway and upon delivery of the new pavers, Steve Coffin will install them. Mayor Herrington talked with Coastal Security about adding security cameras. He should have a quote by the next council meeting.

Councilman Tom Hutto inquired if Mayor Herrington had checked into solar energy for the town's buildings. Mayor Herrington said he had contacted Alder Energy and they did a site study for the buildings. The estimated cost for the SCPA Building was around \$74,000. We would not qualify for any of the government kick backs associated with the cost since we are a municipality. Based on the life of the system verses cost, it would not be cost effective for the town.

Councilman Butler inquired about the status of the person that was caught stealing the A/C units from the Town. Mayor Herrington said he was arrested, was out on bond after two days in jail and is waiting on trial. No trial date has been set at present.

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### **Communications report - Keith McCarty**

Mayor Pro-tem McCarty said Gil Shuler Graphic Designs did a presentation at the beginning of the meeting. Keith indicated he would talk with a couple more firms to see what ideas they offer regarding the web page. He wanted to make it clear that we have not made any final decisions, but just looking at options and designs for the web page.

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### **Grants and projects - Tom Hutto**

**Walnut Hill Park** - Councilman Hutto reported that we will sign the papers this Friday with SC Parks, Recreation and Tourism that will allow us to access the \$250,000 grant that we have been awarded for the Walnut Hill Property. The grant is a 50% match; which means the town will be responsible for half of the total amount of the \$250,000 grant. The grant is for upgrades to the park. Councilman Hutto said one of the first projects he would like to see take place is to add a floating dock to the existing platform. All of the upgrades listed on the grant will need to be completed within a two year time frame. A BBQ is planned for residents on November 3 from 12:00PM to 6:00 PM at the Walnut Hill property for those who would like to come out and see the park.

**Landscaping behind Town Hall** - At the last meeting of The Land Plan Committee, they talked about getting estimates for the engineering designs and grading for the project behind Town Hall. Councilman Hutto made the recommendation that council hold off with implementing the land plan for the back of Town Hall since we will be starting with the projects at Walnut Hill. He also mentioned that Council Zender may encounter some unforeseen expenses in his efforts to try and bring public water to some of areas in Meggett.

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**Finance report given by: Tommy Butler**

Town of Meggett

One Month & One Year Bank Account Balance Comparison

**Town Checking Account Bank Balance**

One month comparison	August 2012	421,860.09	Sept. 2012	405,305.50	Decrease	(16,554.59)
One year comparison	Sept 2011	478,326.68	Sept. 2012	421,680.09	Decrease	(73,024.18)

**Town CD # 1 Balance**

One month comparison	August 2012	53,461.23	Sept 2012	53,461.23	No Change	0.00
One year comparison	Sept 2011	52,814.01	Sept 2012	53,461.23	Increase	647.22

**Town CD # 4 Balance**

One month comparison	August 2012	75,000.00	Sept2012	75,000.00	No Change	0.00
One year comparison	Sept 2011	0.00	Sept2012	75,000.00	Increase	75,000.00

**Town Wastewater Checking Account Bank Balance**

One month comparison	August 2012	90,534.19	Sept 2012	93,745.33	Increase	3,211.14
One year comparison	Sept 2011	71,755.47	Sept 2012	93,745.33	Increase	21,989.86

**Town Wastewater CD Balance**

One month comparison	August 2012	280,861.91	Sept 2012	280,861.91	No Change	0.00
One year comparison	Sept2011	276,960.91	Sept 2012	280,861.91	Increase	3,901.00

**Meggett 1925 Banck Account Balance**

One month comparison	August 2012	6,039.78	Sept2012	5,789.78	Decrease	(250.00)
One year comparison	Sept2011	5,884.75	Sept2012	5,789.78	Decrease	(94.97)

**Utilities report - Matt Zender**

**Bridge project** - Council member Zender attended the CPW contract signing on October 17. Due to the delay in the starting of the project, an extension for the permits has been applied for. The materials are scheduled to be delivered on November 19<sup>th</sup> and work should begin on November 26<sup>th</sup>. Highway 165 will be closed in the bridge area during the day but will allow traffic at night. Traffic will be detoured through Ethel P.O. Road and Wilson Road. The estimated time frame for the road closure will be three days provided the project runs as planned and no problems are encountered. B & C Utilities will have a suction truck on site to handle any emergency situation of the pipe breaking and waste material being spilled. The deadline for the completion of the bore is December 28<sup>th</sup> but it is not anticipated to take that long.

**PUPS** - We are now registered and on line with "call before you dig".

**Water** - CPW sent 157 letters to residents and land owners along Ethel P.O. Road and the Quigley Farms area. Twenty-nine residents responded that they were interested in getting public water; six did not want public water and eighteen were returned undeliverable. Councilman Zender mentioned that some residents wanted to know if they would be forced to

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---

connect if water became available in the area. Councilman Zender said no one would be forced to tap in. An estimated cost to bring water to these areas is \$55 per linear foot. When CPW has compiled all the information from residents as well as the results from the wells that were tested, a public meeting will be held to inform the residents of the results and if we will be able to move forward with the project.

Resident Bill Young who lives on Sebago Road questioned if homeowners would be forced to tap in. Councilman Zender repeated that no one would be forced to tap in; only those that wanted water. Mr. Young also asked where the pipe would be placed and if it was in front of his property would they replace any sod that was removed. Councilman Zender explained that the pipe would be placed in the road easement and they would clean up any debris left as a result of the construction.

**Sewer Taps** – Attorney Gowder said they were still holding the taps until they figure out what their options are for the four lots.

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## **New Business**

Councilman Hutto asked if Mayor Herrington was able to find out who the water tap in Hollywood belongs to. Mayor Herrington said he talked with Lydia Owens at CWS and she said it was owned by Hollywood. Hollywood on the other hand said it was owned by CWS. So, we are still trying to determine who it belongs to. Mayor Herrington said he had received several requests to have another access point for residents to get drinking water but not necessarily in the park. Most of council was opposed to placing the tap in the park area because they felt it would create an unsafe environment for children playing. Mayor Herrington made the recommendation that once we establish who owns the tap in Hollywood; we could make a donation to the upkeep or even add another tap at that location. Attorney Gowder said he also checked and pretty much received the same answer. Councilman Zender said Lydia pulled up the records at CWS and Hollywood is paying for it. Matt also indicated repairs to the tap have been made by individuals that use the facility. Tom Hutto agreed that the town should share in the responsibility of the maintenance of the tap in Hollywood since many of Meggett residents get their water from that location. He also thought it was a good idea to add another tap at that location. The site is a central location, is well lit and it is not in a residential area. Councilman Zender said he thought we should look into building something substantial like the one at Edisto where it is an actual structure rather than just a pipe. Councilman Tommy Butler thought this would be a project that the St. Paul's Alliance could do as a joint effort. Attorney Gowder also agreed that it should be a three way agreement with Hollywood, Ravenel and Meggett. Councilman Hutto also indicated that Charleston County would need to be included since the library is owned by Charleston County. Councilman Zender was asked to check into this proposed project.

Resident Grace Kennedy Clark shared with council some drawings she had sketched similar to a watering facility in Mt. Pleasant. She gave copies to council and suggested that perhaps they could use the design as a model for a watering station to serve the St. Pauls area maintained by the Towns of Hollywood, Meggett and Ravenel. Councilman Zender inquired if she had obtained a cost estimate for a facility of this type? She replied a cost estimate was not determined. Councilman Hutto expressed that a project of this sort may be eligible for some type of grant funding.

Mayor Herrington thanked Chris Hammond with Palmetto Communications Service for attending our meeting tonight to make sure our new sound system is working properly.

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## **Public Comments**

A resident asked if the Town moved forward with the joint effort of a water access facility could it become a liability for the Town. Attorney Gowder indicated he did not know for sure but thought the liability would be with Charleston Water Systems (CWS) since the water is provided by them.

Grace Kennedy Clark also mentioned that DHEC would be involved if an actual facility was built. However, if just additional faucets coming out of the ground were installed, DHEC would not be involved. She also mentioned that if council decided to move forward with building a facility, someone would need to be hired for maintenance and cleaning.

Christy Young, who resides on Sebago Road, thought bringing water to residents would encourage growth in the community. A council member expressed that even if water was brought to the area, the restriction of a minimum lot size of 2 acres for interior lots and 1 acre for waterfront lots would help discourage the cookie cutter type subdivisions. Another resident asked about cluster development and if our ordinance allows that. Reply: You can have cluster developments but you would have to have green space that would be equivalent for each home to meet the minimum requirement of lot size as stated in our ordinance. Attorney Gowder also indicated you would have to submit a preliminary

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plan for approval for a development of that type. We also have an ordinance forbidding community type engineered septic systems. Smaller lots that existed prior to our ordinance are grandfathered in. Millie Flippen was recognized and she asked to have more pictures of African American residents shown on the town's website.

With no further comments, Mayor Herrington thanked everyone for attending and closed the meeting.

Submitted by Gail Seabrook