

TOWN OF MEGGETT COUNCIL MEETING MINUTES

Date: July 28, 2014

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:	

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

Prayer given by: Mayor Buster Herrington

Pledge led by: Mayor Buster Herrington

Buster introduced Erica Schaffer as Ellie’s helper as well as the person taking care of things at Roxbury Park.

Minutes from previous meeting held on: June 30, 2014 Council Meeting

Motion made by: Mayor Pro Tem Tom Hutto

Seconded by: Council Member Keith McCarty

In Favor: Mayor Buster Herrington
 Mayor Pro Tem Tom Hutto
 Council Member Tommy Butler
 Council Member Matt Zender
 Council Member Keith McCarty

Opposed:

Conclusion: *Minutes were approved as written*

Meggett Creek Bridge:

Mayor Herrington asked that we skip Meggett Park for a moment and he asked Robert Clark if he had an update on the bridge. Robert Clark stated that there was no new news on the bridge. Tom Hutto asked Robert Clark when we read in the paper that there is \$500 million or \$50 million dollars (can't remember the exact number) allocated for bridges is the money there waiting to be spent? Robert Clark stated that legislator puts forth some cash for different programs. This bridge falls in with a number of other bridges across the state that are posted for load limits or that are closed. The money to be used for those bridges is being accrued as other money on other bridge projects go forward. Legislator essentially allocated match money for our Federal Aid Program. As Federal Aid bridges are built that match money

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becomes available to us to spend on our bridges. They let the first 3 or 4 get started in the upstate. Right now I think they have drawn down 9 million of the 50 million. He is hoping over the next year or so Federal Aid money will come down and cash assets come available. Tom Hutto asked "So that would be a no, the money is not sitting there, it has to be accrued?" Robert Clark said; No, it is not sitting there. They go to the CG's office every month. Tom Hutto & Mayor Herrington both thanked Robert for his input.

SCPA Building:

Buster notified everyone that Ellie brought to his attention that we have a baseboard in the front room that has separated from the wall. It seems to be a sagging issue. He states that he has been reviewing the documents to determine the work that was done in 2003 & 2004 trying to find out who the structural engineer was. He is trying to figure out what they did in that front room. He stated that he found information on the elevator shaft, stairwell, and the two upstairs bathrooms. When he finds out who the engineer was he will call them and have them come out and take a look at what is happening. Tom Hutto asked what's happening and Buster advised him it appears the shoe molding has separated from the wall.

Property Purchase:

Mayor Herrington notified everyone that we have completed the purchase of the property on the corner. He notified everyone that the deed is in the RMC office and is being recorded which was confirmed by Attorney Andy Gowder. Matt Zender asked if we had the final cost on the purchase. Mayor Herrington advised Mr. Zender that the cost was approximately \$108,000.00 however it was not showing up on the financial statement for this meeting as the closing just recently occurred in July. The complete figures will show up in next month's meeting. Tom Hutto explained deed stamps, closing costs, lawyers. Matt Zender added title search. Tom Hutto brought up the issue of the rent money from the tenant. Mayor Herrington advised Tom that the Town will begin receiving rent on August 1st from the tenant and that he did in fact pay us for July which we will need to give back to the sellers seeing as we didn't own the property yet. Attorney Andy Gowder advised everyone that we did get credit on the settlement statement from the July rent for the days of the month of July that the Town owned the property. Tom Hutto asked about a lease agreement. Mayor Herrington & Attorney Andy Gowder advised him we had one in place.

Comprehensive Plan 2nd Reading:

Mayor Herrington requested that we now turn the meetings attention to the Comprehensive Plan 2nd Reading and Adoption if we so move to do that. Council Member Matt Zender said he just got around to reading it and wanted to ask a question. Mr. Zender states under Agricultural it says we intend to preserve and protect our land currently under agricultural use. His question was what have we ever done or what can we do to keep the farmers in business? Mayor Herrington said that our zoning typically protects that and makes it less desirable for developers. Matt Zender stated that he feels that restricts the farmers he says it doesn't help them to become profitable. Mayor Herrington stated it was up to the farmer to become profitable. Matt Zender says if we are here to serve and protect then we should do more than just restrict them. Mayor Herrington stated that we are not restricting the farmer. Matt Zender says well if you say he can't divide his property unless he gets our approval 2 acres, 4 acres, whatever, one acre on the coast. It's not very positive is what I am saying. Keith McCarty says if he is in the farming business he is not looking to subdivide his property. He's looking to grow crops. Exactly, says Matt Zender. So what are we doing to help him grow his crops? Keith McCarty says outside of some grant or something I don't have any ideas. He asked Matt if he had any ideas. Matt Zender said well, I don't know. I mentioned sometime back that maybe Buster could give them a discount or something. Matt said I guess there is no way to give them tax incentives. Matt asked if we charge them a business license fee for farming. Mayor Herrington said yes all businesses in the town must purchase a business license. Matt Zender asked if that included famers. Mayor Herrington replied certainly. Someone else stated that the business license fee was based on gross receipts. Matt said maybe we can back off or that or something. He just can't ever remember where we have done

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anything in a positive form to help them out. That's the only question I have on the Comprehensive plan. Basically it's a repeat of what we had before. Mayor Herrington said he would like to take a moment to thank our planning commissioners for cleaning it up and making it easier a lot more user friendly. Keith McCarty made a motion to wave the reading and go straight to a vote. Tommy Butler seconded the motion. All in favor. None opposed. Next, Mayor Herrington asked for a motion to adopt the comprehensive plan. Tom Hutto made a motion for Town of Meggett to adopt the Comprehensive Plan for the next 5 years. Keith McCarty seconded the motion to adopt. Mayor Herrington asked all of those in favor to say I. No one opposed. Comprehensive Plan was adopted.

Landscape Contract:

Mayor Herrington stated that the contract with the current landscaper is up for bid. He stated that we had 4 bids which were sealed and he opened each bid and read them aloud. As he read them he added that we have modified the landscaping contract a little to include the pine straw as that has been a sticking point as to who would pay for that. We clarified this in the invitation to bid.

Lawnboys, LLC.	\$10,750.00
Daniel Island Outdoors	\$21,492.00
Singside Industries, LLC.	\$10,400.00
BNCNTRY Landscape Maintenance	\$14,800.00

One of the councilmen asked if we are having any issues with the company we are currently using now. It was stated that they are not spraying the weeds and the lawn is covered with clovers, the trail around the pond has not been sprayed. Also, the flower beds are not being maintained as well as we would like them to be.

The new invitation to bid was broken down to include a particular scope of work for the Town Sign area, Town Hall, & SCPA Building, as well as the park area across from Town Hall which would include; mowing, trimming, and edging of the grass, maintain flower beds, trim hedges, trim limbs on trees, apply weed control as needed, apply ant control as needed, install new pine straw as needed, keep vines off of the building, trees, and light poles, clean grounds to remove, limbs, debris, and trash, and fertilize lawn twice per year. This way everyone knows exactly what the scope of work is and it is very clear. Tom Hutto made a motion to accept the low bid and award the new contract to Singside Industries, LLC. Matt Zender asked if he was the one who had been mowing the areas near Toogoodoo Road. Mayor Herrington stated that he was and that Larry Ott has been doing the bush hogging in that area for free. Keith McCarty made a motion to go with the low bidder. Tom Hutton seconded the motion. Mayor Herrington stated that we have a motion to go with the low bidder Singside Industries, LLC. For \$10,400.00 annually. All of those in favor please say "I". No one was opposed. Congratulations were given to David Singleton who was in the audience.

Council Member Reports:

Building and grounds given by: Mayor Buster Herrington

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Mayor Herrington stated that is has been a very busy month. We started off with having the two oak trees beside the building pruned. They look so much better. We had two big limbs in the back removed and over in Meggett Park we had 9 gum trees removed. Roy Smoak & Josh Garvin have been contacted to give us their professional opinion on what type of trees we should replace the gum trees with. Mayor Herrington said he would be meeting with them later this week. He will let council know what the recommendations are. Tommy Butler said it looks good and he agrees that some shade trees should be put back in but not nearly as many trees as there were before. He also stated we should be sure not to get any type of tree where the roots grow up. Mayor Herrington agreed. Mayor Herrington stated that Erica Schaffer has been busy at Roxbury Park purchasing and hanging new curtains, linens for beds, towels, silverware, pots, pans, dishes, TV, & DVD Player. Anything we need to rent the cottage we have now with the exclusion of the washer and dryer and that will be there soon. We have two family reunions interested in renting, a birding family from North Virginia, and a couple wants to use it for their wedding anniversary. We are very close to having it ready to rent. To touch a little more on Roxbury, Mayor Herrington stated that he met with Roger Brabham and he is grading and preparing the site for the picnic shelter. The rain has kind of held him up for the past few days. He should pick everything back up tomorrow. We have a young man who was in need of community service hours. I spoke with him and asked him to work with Roger as a helper and to help Ken as well.

Council Member Matt Zender asked about the pump aerator. He stated that the pond was looking like a sewer. Mayor Herrington stated that he has purchased the chemicals to prepare the pond and he will be working on that tomorrow. He stated that David Singleton will be helping him pull the old fountain out. Instead of buying a new fountain we are going to send this one back and see if it would be more cost effective just to have it repaired. If it's economical we will have it repaired. If not we will have it replaced. Matt Zender also asked about the mulch for the playground at Meggett Park to which Mayor Herrington concluded that we haven't decided if we are planning to go with loose mulch or rubber mats (pads). He would like to do more research before making a decision and a purchase. Now that the trees are gone Mayor Herrington feels he can proceed with sprucing up the playground area. Matt Zender asked if the stumps were ground out. Mayor Herrington stated that they were. Matt Zender asked about the Town sign. Mayor Herrington said the new sign should be in by next week. Matt Zender then asked about the drinking station for the Meggett Park. Mayor Herrington stated that the drinking fountain has been held up due to permitting issues and that Erica Schaffer would be working on Encroachment Permits, etc. to move that project forward. Matt Zender asked where we stand with renting out the remainder of the SCPA Building to tenants. Mayor Herrington stated that we did not have any new tenants lined up. We have two office spaces left one of which is very small.

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

The Mayor Pro Tem stated the active project is with Roxbury. The picnic shelter will be paid for at 50% by the Land and Water Conservation Service Fund. The other thing we are actively working on right now is the walkway. Bubba Main is putting in the walkway and the peninsula across the pond. We need to complete the trails. The poles Bubba Main ordered finally came in on Friday. He is supposed to deliver them on Wednesday or Thursday. Thursday he is supposed to drop a barge into the pond with a crane so he can work off of a platform and should start serious work on Thursday. I expect he will have made great progress by our next meeting. He is happy to get the equipment in. Once that is completed the primary thing we will have left to do under the grant will be the larger picnic shelter by the house and some miscellaneous canoe/kayak docks so you can get in the water without falling in the river/ponds. Those are the primary items we have left. Mayor Pro Tem Tom Hutto stated that he wants to get this one picnic shelter under our belt and the walkway under our belt and see where we are financially. Anything we learn from the picnic shelter we may decide to do the exact same thing with the one by the cottage or alter it in some manner.

Council Member Matt Zender asked where we stand with the railroad easement. Attorney Gowder stepped in to answer that question. He said that we are waiting to hear from CSX. We have given them our appraisal and are waiting to hear back from them. The person we were working with has since left CSX so we are dealing with a new person now. They

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have turned it over to their Real Estate department. They are determining first if they want to sell it and second whether they agree with our appraisal or not. It's been 4 or 5 weeks since Attorney Andy Gowder has heard from them last. They tend to go 6-8 weeks in communicating with us. Matt Zender asked if it was one continuous piece. He also asked where it started and where it ends. Attorney Andy Gowder assured him it was one continuous piece. Tom Hutto informed him of the location. They also started discussing the bridge (train trestle). Matt Zender wanted to know if it would be safe for visitors and if we would have to pay to upgrade the bridge. Tom Hutto noted that he doesn't think the bridge will need any work. Matt Zender asked for a copy of the study. Attorney Andy Gowder agreed to forward him a copy of the appraisal.

Communications: Council Member Keith McCarty

Council Member Keith McCarty's states that it looks like we are almost done with Municode. I looked over Andy's comments and I don't have any other additional comments. He asked Andy if he thought we'd have a final version by next meeting. Attorney Andy Gowder stated that based on what he is being told we should have bound version in the next couple of weeks. The timing on this will probably be 1st Reading in August and 2nd Reading in September. Keith McCarty requested to Andy that once copies are received that they are distributed to each Council Member prior to the meeting so they can read it before the meeting begins. This way if there are questions or issues everyone will be on the same page with what is being discussed. Attorney Andy Gowder said that would work for him and that the bound versions should come to Town Hall and we can distribute accordingly. Mayor Herrington asked if Keith received the email about doing the fancy binding. It was decided to just have them done in plain paper. Nothing fancy. Website is being worked on and he is hoping to have the website and Municode wrapped up by the end of summer or Sept. /Oct.

Financial report given by: Council Member Tommy Butler

We just finished our fiscal year July 2013 through June 2014 and looking at it we had budgeted to take in \$468,000.00. We only brought in \$403,000.00 which was 88% of what we budgeted to take in. We only spent 73% of what we were budgeted to spend so we were ok there. For the last month the only noncustomary expenses we had were \$2,600.00 for environmental site assessment. We purchased a utility vehicle for Roxbury for \$7,131.00. We had grounds work done at Roxbury for a fee of \$3,500.00 and we spent \$2,450.00 for the new garage doors on the lower level of the cottage. As far as the bank balances May 2014-June 2014 we took in \$100,000.00, CD's did not change, wastewater account went up \$212.36, and Meggett 1925 went up \$2,000.00. What I did was I took the last 5 years of our audit and kind of go over the monthly income and the yearly income. I just want to go over where we have gone over the last 5 years. You see in 2009 the Town's assets were \$2,400,000.00 and now the assets are \$6,400,000.00. So the Town's assets have gone up by \$4,000,000.00. Which a lot of it is Roxbury. But at the same time the liability went from \$96,918.000 down to only \$8,000.00 so basically the assets went up 4 million and our only liabilities are \$8,000.00 so that's pretty good. The town is in good shape.

Tom Hutto asked so the bank balance as of June 30, 2014 which is the end of our fiscal year shows \$648,000.00, the wastewater account shows \$362,000.00, and the Meggett 1925 account shows \$10,500.00. You have been here longer than I have has the bank balance ever been this high? Council Member Tommy Butler responded that the bank balance and assets are at an all time high. He did state the bank balance will go down next month due to the purchase of the property on the corner. It equals out. Keith McCarty said most of this is being done when the interest rate is next to nothing. Mayor Pro tem Tom Hutto said even with the absence of Roxbury the assets of the town have gone up every year.

Utilities report given by: Council Member Matt Zender

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Council Member Matt Zender asked did we ever get the franchising fee from Frontier. Mayor Herrington stated that he didn't know. He hadn't been informed if it had come in. Matt said he called them and he guessed he could lean on them again. The biggest issue that we have is the fact that our contract with Gene McCall will come to an end at the end of this month. If we have a failure and we do not have a contractor representing us then we become liable for any problems. So if we have a major spill like we had at Metal Trades when the gate valve malfunctioned we will be 100% responsible for the clean-up and any DHEC penalties. DHEC does not like municipalities to be in charge of their own system without a maintenance program in place. They require someone be in charge of the system. Previously we talked about CWS taking over the system. I don't know where you are with that. Have you talked to them?" Mayor Herrington said yes sir; Andy and I are planning a meeting with CWS next week. Matt asked if the Mayor had any feel as to what CWS might say. Mayor Herrington said no. Matt Zender continued addressing Tom Hutto and said, in the mean time Tom you said that maybe Hollywood would take over and maybe bridge the gap. Mayor Herrington stated, he thought we discussed at our last meeting that we did not want to enter into a joint venture with another municipality. Matt agreed with that. Council Member Matt Zender said that right now David Boyert's son Larry is working part-time with Gene McCall to maintain our system as well as Ravenel and maybe we would want to hire him to continue that. Right now he inspects our system on Monday or Tuesday and also on Friday. He works for Charleston County clearing right-of-ways. Gene McCall has given him a truck to use in the interim but when the Ravenel contract expires, which is Dec 1st, that's going to end. I talked to the Mayor of Ravenel and she will not be joining forces with Hollywood. She said basically that they haven't even discussed it yet. They have no idea what they will do. Whether we can team up with Ravenel to get a contractor to handle both of our systems, I don't know yet. Mayor Herrington stated that he would let Council Member Zender know what becomes of the meeting with CWS. Council Member Zender asked if there were any questions. Council Member Tom Hutto asked Buster if we should get in touch with Gene McCall and extend the contract on a month to month basis through December. Mayor Herrington said yes we should. Matt Zender said that Gene was not interested and that he was losing money right now on the two contracts. Tom Hutto said he thought he would be interested. Matt Zender said he would call Gene McCall and ask him if he would do month to month or extend through Dec 1st at the current rate. Matt Zender asked the Mayor to let him know what happens at the meeting with CWS. He also stated that he was sure nothing would happen with our sewer in the next two weeks as it was just inspected and no problems were evident.

Public Comments:

Tom Hutto brought up the Summerhouse project. Hollywood was voting on that tonight. He stopped by the meeting in Hollywood and respectfully requested they consider something far fewer than 100 houses. We certainly support a land owners right to develop his land and we are not opposed to development but 100 houses on 50 or 60 developable acres on Summerhouse in the middle of a rural area that is surrounded by our town is probably not the best. He went on to say we would appreciate it if they would consider something less. Matt Zender said she was pretty much stuck on 145 houses which the public was not impressed with. Tom Hutto said if you use Wilson Road and you can imagine a couple hundred extra cars a day coming and going. That would be interesting. Mayor Herrington said he saw a traffic study 7 or 8 years ago and the traffic was somewhere around 1,400 cars per day. Now it's about 1,100 as of last year.

With no public comments Mayor Herrington concluded the meeting. Meeting was adjourned.

Submitted by Erica Schaffer