

**TOWN OF MEGGETT
COUNCIL MEETING MINUTES**

OK 3/23/15

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	P
	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. Mayor Herrington 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 Keith 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 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.

TOWN OF MEGGETT COUNCIL MEETING MINUTES

Date: February 23, 2015

Time: 7:00PM

Location: SCPA Building 4770 Highway 165

Code Enforcement / Charleston County

Mayor Herrington introduced Andrea Petris with Charleston County. Andrea stated that Charleston County would like to request that council complete the legal action of appointed them as the Town of Meggett's Code Enforcement Officers. This is the only way that Charleston County can pursue the violations that have been reported recently. We will follow up later in the year with a better understanding of the services the county provides. Council Member Keith McCarty asked who the county's attorney was. Andrea 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 Andy 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 in to 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 & Annette Saucer 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 supposed to be working on getting TMS#'s and the name of the owner

Meggett Playground:

Mayor Herrington stated that the rubber mats (safety tiles) for the playground area at Meggett Park were ordered several months ago. They were recently delivered in three pallets and he is storing them at his shop to avoid someone stealing them. He stated that he and David planned to begin preliminary installation on Saturday providing that the weather is dry enough to bring in the sand that will be required to place under the tiles. He invited anyone interested in helping to join them.

Oyster Roast Fundraiser at Roxbury Park:

Mayor Herrington stated that the Saturday's in March are the 7th, 14th, 21st, & 28th. March 7th and March 28th were unavailable for several involved. It was agreed upon that we would schedule the Oyster Roast for Saturday March 14th. Mayor Herrington told everyone we would start planning and keep everyone updated on the progress.

Wastewater System:

Mayor Herrington stated at our last meeting approval was given for the Town to purchase 46 sewer taps back which were previously owned by the Bank of Walterboro for the Gulf Coast Bank & Trust Company. We have completed the transaction and the 46 taps belong back to Meggett. We do have a waiting list of people who would like to purchase a tap. There are 13 people on the list with a request of 50 taps between them. The majority of the requests are ones however: we have one person who would like 11, one that would like 15, three that would like 3, and finally someone who would like to purchase 8 taps. Our ordinance states that we are supposed to go down the list one at a time until the list has been satisfied and then we start over. Also, as per our ordinance each person who purchased a tap has two years to tie-in to our system. If they have not tied in within the two year time frame they can request an extension. If the extension approved they are allowed another two years. If the extension is not approved the town will buy the tap back and sell it

TOWN OF MEGGETT COUNCIL MEETING MINUTES

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

to the next person on our waiting list. (The Mayor did read a paragraph out of the Town's Sewer Ordinance). Mayor Herrington brought up the issue of selling taps in blocks. He is concerned that by doing that single family residents in need of a tap might not be able to get one if we allow our taps to be tied up in developments or blocks they may not come to fruition. He wants to help the single family residents get their taps. Attorney Andy Gowder stated that once you complete your list of ones you can go down the list and continue selling taps one at a time to those who want more than one however; you are going to have to be able to determine how to divide up a limited number and reserve some of these taps for individuals who really need them for their homes. Mayor Herrington stated that 13 taps are gone right off the top. Council Member Matt Zender asked if there might be anyone who needs a tap but didn't put their name on the list because they were discouraged thinking they may never get one. Council Member Tommy Butler said we also needed to think of those who own a lot that might not perk but they want a sewage tap. Council Member Keith McCarty stated as long as someone is paying their fee and hasn't tapped into our sewer system he didn't see why we should take their tap from them. Mayor Herrington stated that if someone is sitting on 15 taps and not using them and someone new comes to town and wants to build but they can't get a tap because of a possible future planned development; that poses a problem. Council Member Keith McCarty stated that he agreed with Buster. He could see one person holding on to their tap so they can build a house and move out here when he retires. An additional ordinance needs to be added. Until a determination is made on this it was agreed upon that we would only sell one tap to each person on the waiting list.

Wastewater System:

Mayor Herrington stated that the conservation easement for Roxbury Park has gone through. Everything has been recorded at the court house. It is now permanently attached to that property. The easement prevents the property from ever being developed. Mayor Pro-Tem Tom Hutto stated that the Town of Meggett will be recognized at Lowcountry Land Trust Banquet on February 10, 2015. He said he was planning to go.

Litter Pickup:

Mayor Herrington notified council and residents that we haven't had a community wide litter pick up in quite a while. He would like to schedule a Clean Sweep Community Wide Litter Pickup date sometime in April. He said he believes other town's do it on the 11th or the 18th. He isn't exactly sure but he will keep everyone up to date. Ellie Brabham notified Mayor Herrington and Council that our April in Meggett Festival is planned for April 11th. Mayor Herrington stated that we will schedule our litter pickup for the morning of April 18th. Council Member Tommy Butler asked Mayor Herrington if we had any of those blue trash cans. Mayor Herrington stated that we did not and he has a standing order for more. He said he was told it would be March. He also stated that any individual can go down to Romney Street and request a blue recycle can.

Summerhouse

Mayor Pro Tem Tom Hutto explained that there is a planned development for 105 houses. The Town of Hollywood has approved an ordinance to provide the development with sewer service. The development is at the corner of Toogoodoo Road and Wilson Road. It is our understanding that everything is moving forward as long as there is a willing buyer and a willing seller. The Town of Hollywood has put numerous strict conditions on the ordinance such as not being a gated community, having to upgrade two pump stations, bond the job so they would get halfway through and then not be built. Hollywood has done a good job trying to protect the future residents of that development. The question is will the developer have the adequate capital to purchase and move forward. Council Member Tommy Butler asked if Mayor Pro Tem Tom Hutto knew if Ms. Woodward's property was located in Hollywood. Mayor Herrington went on to say that two (2) of our residents sent letters to House of Representative Robert Brown sharing their concerns about this development. He stated that he would be happy to provide copies of the letter to anyone who wished to see them.

Roxbury Grant

TOWN OF MEGGETT COUNCIL MEETING MINUTES

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

Mayor Pro Tem Tom Hutto stated Department of Agricultural matches what we spend dollar for dollar what we spend on upgrades at Roxbury. We have upgraded the road and they are beautifully done. Even with all of the rain they are looking great. We have upgraded the dock on Toogoodoo Creek, upgraded walking trails, installed a picnic shelter, a walkway over the pond, put up gates for the various ways in and out of the park, & we have put up signs. We have done all of these things with the grant money. The only two things we have left to do are a larger picnic shelter by the house to facilitate events and some small docks on two ponds. We will be working on these items over the spring. Mayor Herrington stated that he spoke to Ken over the weekend and today and the Eagle Scouts just completed installing the wildlife markers. The third gate to block off the hay field was installed in December. We have several people lined up to rent the Cottage. It was rented last weekend and we have a few more 3 day weekends on the books as well as a wedding for the month of October.

Council Member Reports:

Building and grounds given by: Mayor Buster Herrington

Mayor Herrington stated he has already summarized his report in regards to street lights and the delivery of the rubber mats for Meggett Park.

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

Mayor Pro Tem stated he had nothing new to add at this time.

Communications: Council Member Keith McCarty

Council Member Keith McCarty didn't need to comment on communications since Jerry Rose attended the meeting and gave a presentation on the new website at the beginning of the meeting.

Financial report given by: Council Member Tommy Butler

Council Member Tommy Butler states that our Town of Meggett bank balance went down \$13,000.00. Our wastewater account went up \$1,900.00. Our Meggett 1925 account went up \$1,100.00. If you look at our monthly financial statement, we transferred out of property improvements \$15,000.00 and put that amount in for Roxbury (line 41). Additionally line 31 will be moved to line 33 \$12,000.00 for the blue house. This allows us a better tracking system for the income versus the expensive for each property. As far as our main account going down \$13,000.00 our expenses were \$2,900.00 for the Christmas Tree Lighting, Roxbury – We spent \$1,500.00 for a washer and dryer, \$2,255.00 for the electrical and plumbing to have them installed. We spent \$620.00 on a bench and some additional supplies. Council Member Tommy Butler stated he was just covering expenses over \$500.00. We had a \$1,000.00 donation to the Lowcountry Land Trust. They have been so instrumental in helping us obtain Roxbury and the easement. For the Rental Property (Blue House) we have spend \$6,288.00. There are major renovations being done over there. Those are the only out of the ordinary expenses. Looking at the bank statement that I have for the Wastewater CD I started tracking the accounts back in July 2010 we haven't added anything to the CD. For the most part we have \$100,000.00 in the account. We currently have \$104,000.00. I guess we are maintaining the account but we are not building it either. You hate to increase the monthly fee but at some point. We need to determine what we should have in our rainy day CD. Mayor

TOWN OF MEGGETT COUNCIL MEETING MINUTES

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

Herrington said that the Wastewater operating account balances would be changing very soon with the purchase of the 46 taps. He also stated that it was his understanding that the CD was an emergency fund for our wastewater system. Council Member Tommy Butler and Mayor Herrington both agreed that the town might consider putting something in the emergency fund every quarter. Council Member Tommy Butler said he was concerned if something major happened with our pump station would we have the funds to repair it. He said he couldn't imagine what a major repair might cost. Mayor Pro Tem Tom Hutto stated that it was less than \$50,000.00. He also stated that we have upgraded the station a couple of times. Mayor Herrington said that with the assistance of CWS we have hired someone new to do our routine maintenance on our Pump Station since Clearwater doesn't do it for us anymore. Mayor Herrington advised council that he just ordered some part that need to be replaced at the recommendation of CWS. They also recommended a few things to keep on hand for emergency repairs. A large check valve will be kept on hand for emergency as well. Those funds will come straight out of the wastewater operating account and not the CD. The cost was about \$3,800.00 but with the sale of the taps we will recoup that money very quickly. Council Member Tommy Butler stated that after looking back he noticed that the balance in July of 2010 was \$26,000.00 and its \$104,000.00 now. Mayor Pro Tem asked if the \$90,000.00 that was spent on the taps was reflected in these numbers. Council Member Tommy Butler stated that this was not included in the numbers we are discussing now and the \$90,000.00 will be recouped as soon as the taps are sold. Council Member Matt Zender asked how much CWS was charging to provide the maintenance on our pump station.. Mayor Herrington stated that CWS is not doing it. CWS does not want to enter into a contract with us because they are worried that they would have to do the same with Hollywood. CWS recommended several other people. After reviewing the numbers we went with a gentleman who works for CWS and will be moon lighting for us with CWS's permission. He is one of their head maintenance men. He will be charging a flat fee of \$275.00 per month to inspect our station 3 times per week and do minor repairs. Anything he does in addition to that will be billed at \$35.00 per hour with the town purchasing materials. . Council Member Matt Zender asked if he was bonded and if he had equipment. Mayor Herrington said he was bonded and insured however; he cannot do major replacements. We would need to sub that work to someone like Andersen or B&C Utilities. Ken Hill at CWS was kind enough to help us organize this. The valve I mentioned earlier much be replaced in the next month or two. It will need to be replaced in the next month or so. It has been repaired many times but never replaced. The service records indicate it is difficult to turn on and off. With this ongoing problem it was determined that the valve should be replaced before it becomes inoperable or we will have a big mess on our hands. Using Gary Dent for our monthly maintenance will save of quite a bit compared to what Clearwater was charging.

Utilities report given by: Council Member Matt Zender

Council Member Matt Zender asked for a copy of the contract between the town and the new sewer guy, certificate of insurance, and a bond. He also asked Mayor Herrington for a copy of the other competitive bids. Council Member Keith McCarty asked Council Member Matt Zender if there was any news on the water system. Council Member Matt Zender stated that he finished his report and submitted it to CWS. They are supposed to review the form by Feb 15th. They still need to do the water testing. I would like them to test for radon but I don't think that they will. I read that one of the main problems with wells could be the water could be contaminated with radon gas. Mayor Pro Tem Tom Hutto was asked if he would test his water at his home for radon at work or if it was possible for him to explore what this type of testing would cost. Mayor Pro Tem Tom Hutto commented that he could do free tests at work but he has never done so. Mayor Pro Tem Tom Hutto also commented that he really didn't know what was in his water. Council Member Matt Zender stated that if someone's water tested positive the quickest solution would be adding a carbon filter. Mayor Pro Tem Tom Hutto told Council Member Matt Zender that he was pretty sure he could get the tests kits for radon gas at Home Depot and put one in the shower.

Council Member Tommy Butler said on a different subject the new Fire Station is going up nicely and has its shell. It's pretty wet but production is moving along.

Public Comments:

TOWN OF MEGGETT COUNCIL MEETING MINUTES

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

Gale Smith asked if we knew anything in regards to the wave length that the new LED bulb emits. She went on to say that LED; lights can be a jarring white. 2700 is the lowest wave length you can get and it is better looking. Mayor Herrington stated we did not know the wave length.

Resident Ann Truesdale stated that she wanted to thank Mayor Herrington, Mayor Pro Tem Tom Hutto, and Council Member Tommy Butler for attending the meeting in Hollywood in December regarding the Summerhouse Development. I am one of the members of the community who feels that as it is proposed this new development will be detrimental to our town. It's a wedge of land that is partially in Meggett. It will affect the density of our town and its restrictions are not in line with those of Meggett. I believe it will cause major traffic problems with the intersection of Wilson & Toogoodoo Road. All of the drainage that will be added to the Toogoodoo Creek via the drainage canal. They are doing things now to try and get the chloroform down so oysters can be harvested. If more drainage is added into the creek this feat will be impossible. I am hoping that the Town of Meggett will do whatever they can to prevent this development.

Teri Epting stated that she agrees with Ann Truedale's comments. She posed the question what can be done by the Town? Is there an action that the Town can take? Attorney Gowder said he did not know. They haven't needed any

zoning changes. They just needed access to sewer. They will still need all kinds of permitting and I feel sure there will be people watching to make sure the permitting is done properly and also there will be many people contesting the permits. Now whether that's the town or not I don't know but others may. We are going to take this one step at a time and see what plays out. We will watch the progress and do everything we can to protect the best interest of Meggett. Council Member Keith McCarty stated that in terms of private actions concerned citizens of Wilson Road can move for injunctive release. This will cause all kinds of trouble. You'd be surprised at what type of road blocks that could throw up. Mayor Pro Tem Tom Hutto said that he got a letter from a concerned citizen today that could hold up a project he is working on for a year. We have been told the developer may not have the capitol to move forward with the project.

One resident asked; Could the fact that due to the excessive drainage which affects the water quality stop the development? Council Member Keith McCarty said this needs to be addressed now by requesting copy of the proposed drainage flows (runoffs). Mayor Pro Tem Tom Hutto said the developer will have to complete a Water Quality Certificate with DHEC as well as several other permits (Erosion Control Land Disturbance). Higher Permitting hurdles might be faced by the developer not because it's opposed but because the creek is very small, sensitive, and it's an impaired water body. It has been documented by DHEC. Its impaired water body will hold it to a higher level of scrutiny. Council Member Keith McCarty said he was skeptical that the developer would put 150 houses on that beautiful property. He felt it would be great to have 12 nice lots with 12 nice houses back there. Teri Epting said she heard they were planning work force housing?

Council Member Matt Zender said that if all of this is approved and we begin using our 46 taps and they used their hundred there will be an extra 160,000 gallons of water flowing to pump station 4 per day. I don't think the pump station can take it. He wonders if they will use this information when they do the survey. If the Town of Hollywood's system fails it would cause a problem with the Town of Meggett's residents. Mayor Pro Tem Tom Hutto reminded everyone that one of Hollywood's requirements will be the upgrade of 2 pumps stations. This ordinance is challenging and they have laid out steep ordinances for the developers.

Mayor Herrington asked if anyone had anything further. With no additional public comments the meeting was adjourned at 8:15pm.

Submitted by Erica Schaffer

TREASURER'S REPORT

FEBRUARY 2015

BANK BALANCE: \$ 333,277.14 First Citizens Hollywood

CD NOTE #1: \$ 75,433.69 Bank of Walterboro

CD NOTE #5 \$ 76,053.60 Bank of Walterboro

BANK ACCOUNT \ CD ACCOUNT \$ 484,764.43

WATER/WASTE Bank of Walterboro
WATER PROJECT: \$ 285,706.60 (CD)

BANK ACCOUNT \$ 13,286.33 Bank of Walterboro
Wastewater Account

WATER \ WASTE TOTALS: \$ 298,992.93

MEGGETT 1925 \$ 1652.44 First Citizens Hollywood



HARRY V. "BUSTER" HERRINGTON III, MAYOR