

Town of Meggett Council Meeting Minutes

Date: January 28, 2019 **Time:** 7:00PM **Location:** SCPA Building, 4770 Hwy 165

| | |
|------------------------|-------------------------|
| Call to Order | Mayor Buster Herrington |
| Type of Meeting | Town Council Meeting |
| Facilitator | Mayor Buster Herrington |
| Minutes | Ali Ravenel, Town Clerk |

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|-------------------|------------------|---|-----------------|---|
| Roll Call: | Mayor Herrington | P | Angela Watts | P |
| A = Absent | Tommy Butler | P | Andy Gowder | A |
| P = Present | Tom Hutto | P | Stephanie Smith | A |
| | Keith McCarty | A | | |

Prayer Given By: Mr. David Smoak

Pledge of Allegiance Led By: Mayor Buster Herrington

| Approval of Minutes |

Approval of Minutes from previous Council Meeting held on November 26, 2018

Motion Made By: Council Member Angela Watts moved to approve.

Seconded By: Mayor Pro Tem Tommy Butler seconded the motion.

Conclusion: All voted in favor, none opposed; Minutes approved.

| Second Reading: Amendment to Article 3.6 (Annexed Lands) in ZLDR |

Mayor Buster Herrington read the proposed amendment to Article 3.6 of the Town of Meggett ZLDR on Annexed Lands. He explained that the amendment was being made due to the confusing language of the original ordinance. Mayor Herrington then asked for a motion for final approval of the amendment; the motion to approve was made by Council Member Tom Hutto and was seconded by Mayor Pro Tem Tommy Butler. All present voted in favor and the motion to approve the amendment passed.

| Trident Communications |

Mayor Herrington asked Trident Communications representative Mr. PJ Wilt to come forward and give a presentation before Council. Mr. Wilt explained that he and Council Member Keith McCarty had spoken at length about the issues our community faces with Frontier, and that his company may be able to offer some solutions. His company, Trident Communications, was started in 1994 and is currently based out of North Charleston. While they mostly build private networks for businesses, they

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were interested in partnering with the Town to find a solution to our problem. Mr. Wilt suggested that the Town look into a Wireless Internet Service Provider (WISP) with a base location nearby. Mayor Herrington asked if this endeavor would be cost effective for the Town and for Trident Communications, to which Mr. Wilt responded that in his opinion it would be. The Mayor then asked how a WISP would be beneficial over new 5G technology; Mr. Wilt explained that 5G tech was about 3-5 years from being released to the public and also that a WISP uses point-to-point wireless technology, not satellite. The main difference between point-to-point and satellite is that with satellite internet you generally have "line of sight" issues, meaning that your receiver dish cannot have any obstacles between it and the satellite some 20,000+ miles above it. Point-to-point wireless is beamed to the receiving location from a nearby tower, shortening not only the length of travel and response time, but also negates the need for a line of sight. Following the presentation, Mayor Herrington thanked Mr. Wilt for his time and encouraged him to follow up with Council Member McCarty, as this was a major concern for our community.

| Council Member Reports |

Buildings & Grounds: Mayor Buster Herrington

Mayor Herrington shared his appreciation of the Johns Island/Wadmalaw Boy Scout Troops for their hard work and dedication while building and installing several benches at the Meggett County Park last weekend. The Troop Leader called Mayor Herrington to explain what their goal was and asked if the Mayor would be willing to help, which he was. While at the park, Mayor Herrington spoke with a Charleston County Parks & Recreation representative about enlarging the parking area. At its current size, equestrians looking to ride on the trails are unable to park their horse trailers in the parking lot. The CCP&R representative said that he would pass the Mayor's concern on to their Board and see what could be done. Finally, Mayor Herrington explained that there was a large expense in the Waste Water account this month due to the annual replacement/servicing of the seals and such at the Pump Station.

Financial Reports: Mayor Pro Tem Tommy Butler

Mayor Pro Tem Tommy Butler stated that the Town of Meggett operating account went up by \$5,293.20. The Waste Water account decreased by \$5,637.06 due to the annual pump station service and the Meggett 1925 account went up by \$1,702.45.

Grants & Special Reports: Council Member Tom Hutto

Council Member Tom Hutto touched on the recent property purchase that the Town made by buying the small building/lot on the corner of Meggett Quail and Highway 165. The building was originally a grocery store during Meggett's heyday and has been used for various different purposes throughout the years. While the Town will need to spend some money on it for repairs, it was a great opportunity and the Town will use it most likely for storage.

Communications: Council Member Keith McCarty

Council Member Keith McCarty was absent from the meeting and thus had no report.

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Roxbury Park: Council Member Angela Watts

Council Member Angela Watts informed everyone that Tom Austin's last weekend as Caretaker of Roxbury Park would be the coming weekend, February 2nd and 3rd. She thanked Tom for all of his hard work and praised his dedication to the park. During the month of December, in preparation for his leaving, Tom created a Maintenance Handbook and a Management Map for the Town so that whoever takes over his position will be adequately prepared. He also did some mowing and weed eating at the park prior to the rain storms we've received recently. Council Member Watts lastly shared a safety concern she received from a resident, regarding the lack of a fence around the pond at Meggett Park. While there is a fence around the park creating a barrier between children and the roadway, there is currently no fence blocking the small pond off. Mayor Herrington and other Council Members thanked her for sharing the resident's concern with them and stressed that parental supervision while at the park is extremely important.

| Public Comments |

Council Member Tom Hutto updated everyone on the recent letter (attached) that Charleston Water Systems sent to the Town of Hollywood regarding the possible buyout of their sewer system. The letter stated the steps that Hollywood would need to take and other conditions that would need to be met for CWS to takeover the system, one of which was that an engineered study would need to be done of the system to identify current issues. As the Town of Meggett's sewer system ties into Hollywood's, Council Member Hutto has joined the Sewer Study Committee to make sure that Meggett's interests are not being overlooked.

Mr. Ken Schilling asked if the study would be over the system in its entirety (i.e. include Meggett and Ravenel) or would it just include Hollywood's section? Council Member Hutto assured him that the study would include Meggett's sewer system as well but that he wasn't sure about Ravenel.

Council Member Hutto also informed the public that the Town had a Board of Zoning Appeals meeting earlier in January to allow event rentals and other services to take place at Roxbury Park. The request to allow these services was approved.

| Executive Session |

Adjourned to Executive Session at 7:34 PM

Following Public Comments, Mayor Herrington announced that Council would be retreating into an Executive Session to discuss a contractual matter. He invited the public to help themselves to refreshments while they were gone. Once the Executive Session was over, Council returned and Mayor Herrington announced that no decisions were rendered.

Meeting Adjourned 8:13 PM



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Board of Commissioners
Thomas B. Pritchard, Chairman
David E. Rivers, Vice Chairman
William E. Koopman, Jr., Commissioner
Mayor John J. Tecklenburg (Ex-Officio)
Councilmember Perry K. Waring (Ex-Officio)

Officers
Kin Hill, P.E., Chief Executive Officer
Mark Cline, P.E., Assistant Chief Executive Officer
Dorothy Harrison, Chief Administrative Officer
Wesley Ropp, CMA, Chief Financial Officer
Russell Huggins, P.E., Capital Projects Officer

January 04, 2019

The Honorable Jacqueline Heyward
Mayor of the Town of Hollywood
P. O. Box 519
Hollywood, SC 29449-0519

Re: Proposed Path Forward
Town of Hollywood's Sewer System
Potential for Eventual transfer to Charleston Water System (CWS)

Dear Mayor Heyward:

As you know, on December 5th at the Town's recently-formed Sewer Task Force meeting, CWS proposed a draft plan of action to assist the Town of Hollywood in considering a new direction for its wastewater collection system. As of December 18th, this draft plan was discussed formally with the CWS Commissioners, and as such, has their full support and consent to continue pursuing the proposed plan at this time.

Since the Commissioners have agreed to the basic concepts presented to the Task Force on December 5th, I thought it would be appropriate if we herein suggest a proposed sequence of events which will need to occur to ultimately implement this multi-faceted plan. (I have briefly discussed this proposed plan with Larry Harper at Dorchester County and Ron Mitchum of the BCDCOG.) As you are keenly aware, this plan will require the collective efforts and cooperation of numerous stakeholders including the Town, CWS, Dorchester County, the SC Department of Health and Environmental Control (SC DHEC), Berkeley-Charleston-Dorchester Council of Governments (BCDCOG), the Department of Agriculture RDA, and others. Nonetheless, we wanted to propose the following sequence of steps for you and your Town Council's consideration:

- #1) The Town should submit a letter to CWS requesting 32 additional ERUs (7,840 GPD of capacity @ 245 GPD/ERU) to be reserved exclusively for Dorchester County as an amendment to our May 1, 2016 sewer service contract. This would increase the contractual wastewater flow limit for the Hollywood contract to 682,840 GPD (675,000 GPD existing, plus the additional 7,840 GPD).
- #2) CWS's Board will review this request, and if approved, amend the existing CWS-Hollywood contract to reflect this single modification. Official approval by both governing bodies will ultimately be required to enact this specific contract amendment.
- #3) Upon completion of steps #1 and #2 above, CWS will initiate discussions with Dorchester County to formulate a scope of services for a comprehensive engineering study to perform a complete evaluation of the Town's existing wastewater collection system and prepare cost estimates to bring the system up to the

design/construction standards of CWS. Dorchester County has informally agreed to fund said engineering study, and Dorchester County and CWS will work together to select a qualified firm and complete the detailed study requirements, once Dorchester County Council officially approves to fund the study. In the interim, the Town can consider whatever terms it deems necessary to have Dorchester County continue operating and maintaining the Hollywood sewer system for some reasonable period of time, until said system improvements are studied, permitted, funded, and ultimately constructed to CWS standards, and approved for operation by SC DHEC. Obviously, whatever interim arrangement is consummated for system operation and maintenance (O&M) will be between the Town and Dorchester County, assuming such arrangement is acceptable to SC DHEC and BCDCOG.

As an aside, CWS may then initiate separate discussions with Dorchester County to evaluate the engineering feasibility and estimated cost to ultimately serve an additional 368 ERUs in Poplar Grove in the future via CWS's Red Top Regional Pump Station (not part of the Hollywood system.) This negotiation/evaluation will be strictly between Dorchester County and CWS, and should not impact the Town of Hollywood in any way.

- #4) Hollywood should then request, in a separate letter, that CWS agree to act on their behalf as grant coordinator for the Town in regards to various funding entities (esp. the SC Rural Infrastructure Authority) that can potentially provide grant funding for the eventual system repairs/replacement/upgrades, etc. once the detailed engineering study (previously referenced) is complete. Upon receipt of your official request, CWS will gladly respond in the affirmative following our Commissioners approval. CWS will cover all costs associated with the grants administration effort for the Town until the identified repairs and upgrades, etc. are completed to our standards and permitted to operate by SC DHEC.
- #5) Hollywood should also formally request of the BCDCOG a 208 plan amendment conceptually approving the eventual transfer of the wastewater collection system in the Town to CWS (You may want to touch base with Executive Director Ron Mitchum regarding this step.) Upon completion of said upgrades to CWS standards (and to our satisfaction), we will provide a letter to BCDCOG indicating our willingness and ability to take over the system (pending final CWS-Commissioners' approval) as an official transfer of ownership at no additional cost to CWS. We will also need to ensure that the USDA Rural Administration loan is satisfied or assumed, and that their approval of the transfer is officially documented on their letterhead. Your assistance with this step would also be most helpful.
- #6) Upon completion of the needed improvements and receipt of written permits to operate from SC DHEC, as well as BCDCOG of the 208 Plan Amendment, CWS will schedule a final approval of the system transfer for consideration with our Board of Commissioners. Upon their approval, a formal closing with the Town can be scheduled such that all the assets, easements, properties, deeds, system records, inventories, etc. of the Hollywood wastewater collection system can be officially transferred at no cost to CWS. CWS is willing to cover all the legal expenses of this formal closing step as well. All existing wholesale sewer service contracts between CWS and the Town will subsequently need to be terminated or modified/amended as needed; all existing and future customers within the Town's service area will then automatically become CWS retail customers. (CWS will work jointly with the Town regarding future sewer service requests within the corporate boundaries of the Town once the system transfer is officially completed.) CWS will then officially notify SC DHEC of the asset transfer and the cancellation of the existing wholesale sewer contracts with the Town. Also, CWS will need a definitive and comprehensive listing of previously-purchased sewer taps which the Town has previously sold to private developers and others so that CWS can correctly honor all existing pre-sold taps in the future. Additionally, the existing contracts between Hollywood and both the Towns of Ravenel and Meggett (and any other entities) will

need to be transferred to CWS and/or amended as needed. Our attorney can work with the respective Town attorneys to complete this process as well. CWS will commit to keeping the Town's total flow capacity for the future at the newly established figure of 682,820 GPD, as referenced in step #1 above.

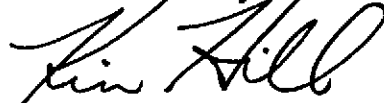
- #7) At this point, CWS will then notify all existing Hollywood retail sewer customers of the official system transfer and provide each customer with formal notifications of the CWS published outside-city sewer rates in effect at that time (As you know, CWS's published outside sewer rates are significantly higher than the current Town of Hollywood's rates.) Also, all water, electrical, and any other utility accounts for all the Town's pump stations will need to be transferred into CWS's name. The O&M contract/relationship with Dorchester County should also be terminated at this point, as CWS would then be assuming these day-to-day operational duties as the new owner/operator.

We trust that above helps provide a proposed logical sequence to our path forward, and as always much of this is subject to adjustment/modification and certain official approvals as necessary. However, if you have any questions or concerns with this proposed sequence, please advise. Somewhere between steps #4 and #5 above, CWS strongly urges the Town to complete the updated sewer rate study, (as we understand is scheduled to be conducted soon by the SC Rural Water Association), and to progressively implement all recommended sewer retail rate increases for the Town's sewer customers such that in the event of an eventual CWS system transfer, the increase in retail sewer rates to Hollywood's customers will not be quite as dramatic.

We look forward to working with you and all the involved parties copied here towards the goal of an eventual system transfer in accordance with the above conditions. In fact, we would strongly suggest that a private meeting be scheduled in the very near future with all the involved entities (Hollywood, SC DHEC, BCDCOG, CWS, SC RIA, Dorchester County, USRDA, etc.) in order to refine our collective approach going forward. CWS would be more than willing to host such a meeting; just let us know some possible dates and times that will be acceptable, and we will gladly coordinate such a meeting. Best regards and Happy New Year! We look forward to hearing from you soon.

Sincerely,

Charleston Water System



Kin Hill, PE
Chief Executive Officer

cc: CWS Officers
CWS Board of Commissioners
Baker Mordecai, PE, CWS
Ron Mitchum, BCD Council of Governments
Mike Marcus, Buck Graham - SC DHEC
Mickey Seabrook, PE
Bonnie Ammons - SCRIA
Larry Harper, Jason Ward - Dorchester County
Jon L. Austen, Austen & Gowder
Lucas C. Padgett, Burr & Forman LLP
Chuck Black, PE, Task Force Chair
Jill Miller, SC Rural Water Association
US Department of Agriculture, Rural Development Administration - Walterboro District