

**Minutes
Public Hearing
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

June 2, 2010

Members Present: Mayor Sam Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Jim Cadien and Municipal Clerk Tanya Payne

I. CALL TO ORDER:

Mayor Murray called the Public Hearing to order at 6:30 pm and welcomed those present.

II. PURPOSE:

- A. Ordinance 2010-5. An ordinance amending chapter 12, “Licenses and Business Regulations”, Section 39 of the Code of Ordinances of the Town of Port Royal, South Carolina**

Town Manager Willis read Ordinance 2010-5 by title and explained this would amend the Business License ordinance to allow denial of a business license when the applicant owes taxes or fees to the Town. He explained there might be further changes to this ordinance as the Town attorney was checking to insure there were no more loopholes.

- B. Ordinance 2010-6. An ordinance to amend as follows Section I of Ordinance 2009-5 to provide for the levy of taxes for ordinary Town purposes in the Town of Port Royal, South Carolina, for the Fiscal Year beginning July 1, 2010, and to provide for the expenditures thereof.**

Town Manager read Ordinance 2010-6 by title and explained it would set the budget for the new fiscal year. He reviewed the different department budgets and stated there was little change over last year's budget except for the Executive Budget which included a large increase. Mr. Willis further explained this increase was due to operation of the shrimp docks. He said the personnel line item in the Fire Department budget was up about five thousand dollars. Mr. Willis told Council a mil in the Town is valued at twenty-five thousand one hundred ten dollars. He said he did not anticipate a tax increase this year and that the final milage rate would be set in August.

III. COMMENTS:

There were no public comments.

IV. ADJOURNMENT:

Mayor Murray adjourned the hearing at 6:52 pm.

Respectfully submitted,

Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the Public Hearing was posted in the local newspaper and on the Town bulletin board fifteen days prior to the hearing. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours before the hearing.

**Minutes
Council Workshop
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

June 2, 2010

Members Present: Mayor Sam Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Jim Cadien and Municipal Clerk Tanya Payne

I. CALL TO ORDER:

Mayor Murray called the Workshop to order at 6:55 pm.

II. REVIEW AGENDA FOR THE JUNE 9, 2010 COUNCIL MEETING:

Town Manager Willis reviewed the agenda for the upcoming June 9th Council Meeting. He briefed Council concerning:

- Alley-way improvements at 9th and 10th Streets and 9th Street resurfacing
- Duck blind wetlands and clearing the pond
- Lady's Island Drive signal will cost one hundred and ten thousand dollars.
- Palmettos will be planted in the Ribaut Road medians on Sunday.
- Port contract has been approved by the Port's Authority; will go to the Budget and Control for review
- Shrimp season beginning; activity picking up at the docks
- Jefferson Commons meeting scheduled for Friday
- Changes to Buoy Park landscaping plan
- Medians on Paris Avenue
- Highway 280 re-designation on hold

- Northern Regional Plan developers working on Phase I; have toured entire county
- Letter from county treasurer in packet
- Financial report tracking good

Town Manager Willis read Ordinance 2010-5 by title and explained it would close a loophole in the current business license ordinance by allowing Town officials to deny a business license to anyone who owes the town taxes or fees.

Town Manager Willis read Ordinance 2010-6 by title and explained it would set the budget for the upcoming fiscal year and provide for its expenditure.

Town Manager Willis told Council they would need to consider reappointing David Williams to Zoning Board of Adjustments and Appeals, consider amending drainage contracts and approve a contractor for the wetlands project.

III. IMPORTANT DATES AND INFORMATION:

- A. Thursday, June 3, 2010, 5:30 pm – Design Review Board, Yvonne C. Butler Council Chambers, 700 Paris Ave.**
- B. Wednesday, June 9, 2010, 6:30 pm - Council Meeting, Yvonne Butler Council Chambers, 700 Paris Avenue**
- C. Monday, June 14, 2010, 5:30 pm – Joint Municipal Planning Commission, Yvonne C. Butler Council Chambers, 700 Paris Ave.**

Town Manager Willis reviewed the list of information and dates.

John Ellerbe told those present the Historic Port Royal Foundation was working on the July 4th celebration at the Sands. He introduced the new HPRF Vice President Tom Klein.

Tom Klein said the group was planning for a patriotic celebration with band, food vendors and drinks. He said they were looking for volunteers to help with the event. Mr. Klein said they hoped to have a larger celebration next year.

IV. ADJOURNMENT:

Councilmember Robinson moved to close the workshop.

The workshop adjourned at 7:22 pm.

Council Workshop
June 2, 2010

Respectfully submitted,

Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the workshop was posted on the Town bulletin board two weeks before the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

**Minutes
Regular Council Meeting
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

June 9, 2010

Members Present: Mayor Sam Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Capt. Alan Beach and Municipal Clerk Tanya Payne

I. PLEDGE OF ALLEGIANCE:

Mayor Murray opened the meeting at 6:30 pm and led the Pledge of Allegiance.

II. INVOCATION:

Councilmember DeLoach offered the invocation.

III. APPROVAL OF MINUTES:

- A. Minutes from the Budget Workshop of May 5, 2010**
- B. Minutes from the Special Meeting/ Workshop of May 5, 2010**
- C. Minutes from the Special Meeting of May 12, 2010**
- D. Minutes from the Budget Workshop of May 12, 2010**
- E. Minutes from the Regular Council Meeting of May 12, 2010**

Councilmember Robinson moved to adopt the minutes from the Budget Workshop of May 5, 2010, the Special Meeting/Workshop of May 5, 2010, the Special Meeting of May 12, 2010, the Budget Workshop of May 12, 2010 and the Regular Council Meeting of May 12, 2010. Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

IV. AMENDMENTS TO THE AGENDA

Town Manager Willis asked that the agenda be amended to add "Item D" under Council's Action to appoint a member to the Military Enhancement Committee.

Councilmember Robinson moved to amend the agenda as stated and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

V. COUNCIL BRIEFING:

Town Manager Willis told Council he would be attending the Budget and Control Board Meeting in Charleston on June 15th where they would be discussing the sales contract for the port. He also said shrimp season was beginning and that business at the docks was picking up.

Planning Administrator Bridges explained work was underway at Jefferson Commons and that the Town architect checked the aesthetics of the building. She said the well engineered, cantilever balconies were in place and looked good. Ms. Bridges explained since no changes were made in the appearance of the building the plans did not need to be reviewed by the Design Review Board again.

Town Manager Willis said the landscaping project on Ribaut Road was almost completed but said the palmetto trees at the end of Columbia Avenue were not planted because asphalt which was discovered underneath the dirt and had to be removed. He said plans were also underway for planting the beds on Paris Avenue.

VI. PUBLIC COMMENTS:

At this time, the Mayor will recognize members of the audience who have submitted speaker forms to address the Council on agenda items. Each speaker will be limited to two minutes.

There were no comments at this time.

VII. SECOND READINGS:

- A. Ordinance 2010-5. An ordinance amending chapter 12, "Licenses and Business Regulations", Section 39 of the Code of Ordinances of the Town of Port Royal, South Carolina**

Town Manager Willis read Ordinance 2010-5 by title and explained this ordinance would close a loophole which allowed applicants to get a business license even when they owed taxes or fees to the Town. Mr. Willis told Council another loophole had been discovered in the ordinance which would allow a company or LLC, owned by persons owing money to the Town, to acquire a license. Mr. Willis told Council this loophole existed throughout other local municipalities and the county and that it was likely another amendment would come up soon to correct this issue.

Councilmember Lee moved to adopt Ordinance 2010-5 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2010-6. An ordinance to amend as follows Section I of Ordinance 2009-5 to provide for the levy of taxes for ordinary Town purposes in the Town of Port Royal, South Carolina, for the Fiscal Year beginning July 1, 2010, and to provide for the expenditures thereof.**

Town Manager Willis read Ordinance 2010-5 by title and explained this would set the budget for the fiscal year beginning in July. He said the current budget was holding well and the total projected expenditures for next year's budget was \$4,663,212. Mr. Willis said this was a significant increase over last year but explained the increase is caused by the shrimp dock operation and the match for the Ft. Frederick sewer project. He said this budget will maintain the current milage rate.

Councilmember Robinson moved to adopt ordinance 2010-5 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

VIII. FOR COUNCIL'S ACTION:

- A. Appointments:**

Zoning Board of Adjustments and Appeals – reappoint David Williams

Councilmember Lee moved to reappoint David Williams to the Zoning Board of Adjustments and Appeals. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

B. Amendment to drainage contract

Town Manager Willis explained there were three separate contract issues to be discussed.

- Town Manager Willis told Council the first issue was for the resurfacing of eleven thousand square feet on 9th Street. He said this will redirect drainage into the drainage boxes rather than holding water on the street... Mr. Willis said the repaving would cost nineteen thousand nine hundred sixty-five dollars.

Councilmember Lee moved to amend the drainage contract as stated above and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- Town Manager Willis explained a contract amendment was needed to correct drainage in an alley way between 9th and 10th Streets where road repairs have changed the drainage direction. This correction would cost sixteen thousand six hundred thirty-eight dollars.

Councilmember Robinson moved to accept the amendment and Councilmember DeLoach seconded the motion.

The motion carried by unanimous vote.

- Town Manager Willis explained the Duck Blind pond which contains freshwater was full of cattails causing a bad odor. He said two remedies were to dredge the pond or inject it with a material that would kill the odor causing substance and the cattails. The cost of the injection would be fifty seven thousand six hundred eighty six dollars which would be paid over a two year period. He asked Council to consider returning the pond to its natural salt water state.

Councilmember Lee moved to amend the contract to clean the pond and spread the funding over a two year period. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

C. Contract approval for wetlands project

Town Manager Willis explained five bids were received for the project with the low bidder being JOCO in the amount of one hundred sixty three thousand four hundred seventy dollars.

Councilmember Lee moved to award the wetlands contract to JOCO Construction and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

D. Appoint member to Military Enhancement Committee (added agenda item)

Councilmember Lee moved to appoint Jimmy Boozer to represent Port Royal on the Military Enhancement Committee and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

IX. IMPORTANT INFORMATION AND DATES:

- A. Thursday, July 1, 2010, 5:30 pm – Design Review Board Meeting (DRB), 700 Paris Avenue**
- B. Sunday, July 4, 2010 – July 4th celebration and fireworks at The Sands**
- C. Monday, July 5, 2010 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Independence Day**
- D. Wednesday, July 7, 2010, 6:30 pm - Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- E. Wednesday, July 7, 2010, 6:30 pm - immediately following the scheduled Public Hearing, Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- F. Monday, July 12, 2010, 5:30 pm – Joint Municipal Planning Commission, 1901 Boundary Street, Beaufort, Municipal Court Building**
- G. Wednesday, July 14, 2010, 6:30 pm – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

Town Manager Willis reviewed the list of information and dates.

X. PUBLIC COMMENTS: At this time, the Mayor will recognize members of the audience who have submitted Speaker Forms to address the Council on non-agenda items. Each speaker will be limited to two minutes.

Tom Klein speaking on behalf of the Historic Port Royal Foundation told Council the foundation had okayed three vendors to sell hot dogs, hamburgers, barbeque and ice cream at the July 4th celebration. He said the foundation would be selling drinks. Mr. Klein also said there would be a DJ at the event for entertainment. He said the foundation hoped to sponsor a bigger event next year.

John Ellerbe suggested the Town might have a gaming tournament to draw visitors from other communities. He suggested croquet, bocce ball, corn hole, and horse shoes with teams from different municipalities participating. Mr. Ellerbe said this could be done at one of the Street Music events, festivals or as a stand-alone tournament.

Carlotta Ungaro, President of the Beaufort Regional Chamber of Commerce told everyone there would be a Listening Session on the F35B (fighter jets) at the Holiday Inn on June 22nd and invited all to come out and support the effort to have these planes based at the Marine Corps Air Station. She said the addition of these squadrons would have a huge impact on the local economy by adding both military and private sector jobs.

XI. EXECUTIVE SESSION:

- A. Discussion relative to the Whitfield law suite**
- B. Discussion relative to the Svalinia law suite**
- C. Discussion of a personnel matter**

Councilmember Heyward moved to adjourn to Executive Session for discussion relative to the Whitfield law suit, the Svalinia law suit and a personnel matter. Councilmember Robinson seconded the motion.

Council adjourned to Executive Session at 7:15 pm.

Council returned from Executive Session at 9:00 pm.

No action was taken.

XI. ADJOURNMENT:

The meeting adjourned at 9:00 pm.

Respectfully submitted,

Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the Town bulletin board two weeks before the meeting date. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

**Minutes
Special Council Meeting
Conference Room, 700 Paris Avenue**

June 23, 2010

Members Present: Mayor Murray and Councilmembers, Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

Staff present: Town Manager Van Willis, Police Chief Jim Cadien and Municipal Clerk Tanya Payne

I. CALL TO ORDER:

Mayor Murray called the meeting to order at 5:00 pm and welcomed those present.

Councilmember DeLoach offered the invocation.

II. PUBLIC COMMENTS:

At this time, the Mayor will recognize members of the audience who have submitted speaker forms to address the Council on agenda items. Each speaker will be limited to two minutes.

There were no public comments at this time.

III. RESOLUTION:

A. Resolution 6-2010. A resolution compelling prompt consideration and approval by the Budget and Control Board of the Purchase and Sale Agreement of the Port Property that is now before it

Mayor Murray explained the purpose of the meeting was to consider Resolution 6-2010 which urged quick sale of the port property.

Town Manager Willis read the resolution.

Town Manager Willis explained the Budget and Control Board needed to approve the contract for sale of the port property in order for the sale to proceed. He said he had not seen the board's the meeting agenda but hoped to have the resolution, urging the board to proceed with approval of the sale, available at its Wednesday meeting. Mr. Willis said the meeting had already been postponed twice.

Tom Klein spoke in support of the resolution.

Nancy Vista asked what happens if the sale is not approved by the board.

Another citizen asked what was the Governor's objection to the contract?

Town Manager Willis explained the governor has concerns about the way the contract is structured and said he wants a ten acre park on the property.

Councilmember DeLoach stated he would like to read the contract himself. He wanted to know the plans for the shrimp dock and whether the developers were financially able to fulfill the contract obligations.

Bob Bender said any changes to the PUD would have to receive two readings by council plus a public hearing.

Town Manager Willis explained Phase I of the project included the waterfront property and the second phase included the marsh property. He said should the developers choose not to follow through with Phase II, they would forfeit their \$200,000 and were obligated to install infrastructure on the second phase property.

Carlotta Ungaro President of the Beaufort Regional Chamber of Commerce said the Chamber fully supported the resolution and as soon as the Town sends its resolution to the Budget and Control Board, the chamber would follow with its resolution.

Councilmember Robinson moved to adopt Resolution 6-2010 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

IV. ADJOURNMENT:

Councilmember Heyward moved to adjourn the meeting and Councilmember Robinson seconded the motion.

The meeting adjourned at 5:20 pm.

Special Council Meeting
June 23, 2010

Respectfully submitted,

Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the Special Meeting was posted on the bulletin board five days prior to the event. A copy of the agenda was given to the news media forty-eight hours prior to the meeting.