

City Council
6:00 p.m., Tuesday, September 24, 2019
Council Chambers
1207 Palm Boulevard, Isle of Palms, South Carolina

AGENDA

- 1. INTRODUCTION OF MEETING** and notification that members of the press and public were duly notified in accordance with the Freedom of Information Act.

A. Invocation B. Pledge of Allegiance C. Roll Call

2. Appointment and Administration of Oath to New Employees

- A. Fire Department
 - a. Eric Bolen
 - b. Nick Russo
 - c. Lawrence Daugherty
- B. Police Department
 - a. Ian Mobley
 - b. Bobby Hunter
- C. Recreation – Chris Bako

3. READING OF THE JOURNALS OF PREVIOUS MEETINGS

Regular Meeting of August 27, 2019

4. CITIZEN'S COMMENTS

Presentation regarding the 2020 Census - Vermelle P. Simmons

5. REPORTS FROM STANDING COMMITTEES

A. Ways and Means Committee

- a. Approval of the refurbishment of Tower 1002 in the amount of \$600,000 [FY20 Budget: Capital Projects - \$300,000; Muni ATAX - \$150,000; State ATAX - \$150,000]
- b. Approval of replacement of four patrol vehicles [FY20 Budget: Capital Projects - \$44,000; Muni ATAX - \$88,000; State ATAX - \$88,000]
- c. Consideration of proposal from S&ME, Inc. in the amount of \$32,925 for the geotechnical investigation for the Isle of Palms Marina dock replacement project [FY20 Budget: Marina Fund - \$147,000]
- d. Approval of FY20 millage rate
- e. Recommendation from the Accommodations Tax Advisory Committee for the City to sponsor Pure Theater in the amount of \$8,000
- f. Recommendation from the Accommodations Tax Advisory Committee for the City to sponsor the LOWVELO bike ride in the amount of \$5,000

B. Public Safety Committee

Approval of mutual aid agreement with Charleston County Sherriff's Office

C. Public Works Committee

D. Recreation Committee – No meeting in September

E. Personnel Committee

Approval of City Administrator Employment Agreement

F. Real Property Committee

6. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

A. **Accommodations Tax Advisory Committee** – minutes attached

B. **Board of Zoning Appeals** – no meeting in September

C. **Planning Commission** – minutes attached

7. REPORTS FROM SPECIAL OR JOINT COMMITTEES – None

8. PETITIONS RECEIVED, REFERRED OR DISPOSED OF – None

9. BILLS ALREADY IN POSSESSION OF COUNCIL

Second Reading of Ordinance 2019-17 – An Ordinance to provide amendments and provide clarity to the rules of procedure during public meetings.

10. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS –

None

11. MISCELLANEOUS BUSINESS

Request for City-sponsored event status for Johnson & Johnson event in Wild Dunes to allow small fireworks display on November 2, 2019.

Next meeting date: 6:00 p.m., Tuesday, October 22, 2019.

12. EXECUTIVE SESSION – if needed

Upon returning to open session, Council may take action on matters discussed in Executive Session

13. ADJOURNMENT

City Council
6:00pm, Tuesday, August 27, 2019
Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. **The invocation and the Pledge of Allegiance was followed by the roll call.**

Present: Mayor Carroll, Council members Bell, Buckhannon, Ferencz, Kinghorn, Moyer, Rice, and Ward

Absent: Council Member Smith

Staff Present: Administrator Fragoso, City Attorney Copeland, Director Kerr, Director Page, Chief Cornett, HR Officer DeGroot

2. **Reading of the Journals of Previous Meetings**

Council Member Moyer made a motion to approve the minutes of the previous meeting, and Council Member Buckhannon seconded the motion. The minutes were approved unanimously.

3. **Citizen's Comments**

Prior to Citizen's Comments, Mayor Carroll reviewed new parameters for this portion of the meeting as outlined in City code. He stated the meeting would allow for 30 minutes of citizen's comments and that citizens would need to sign up to speak prior to the start of the meeting.

Megan Smith, a civil engineer from Charleston County, gave a brief presentation on the plans for the sidewalk project slated for construction at the end of the Isle of Palms Connector. She said the purpose is to separate pedestrians and bicyclists from the traffic in that area. The project is being funded by the half-cent sales tax. Council Member Rice asked if the water feature in the park area could be turned into a water bottle refilling station, and Ms. Smith said that could not be part of the project. Administrator Fragoso said that she has reached out to the garden club about enhancing the Leola Hanbury Park.

Susan Page, 5 Forest Trail Court 1, spoke in support of 2019-16. She said this ordinance is not meant to act as an HOA but to focus on issues of extreme neglect like the one next door to her home. She expressed appreciation to the Public Safety Committee and Administrator Fragoso for their attention to this matter.

Bob Page, 5 Forest Trail Court 1, spoke in support of his wife's comments, adding a detailed description of the property next to them as an "eyesore" and a "hazard.". He also said this ordinance is not meant to police all work needing to be done on all houses throughout the island.

Robin Harris, who lives near Bob and Susan Page, said the house they speak of is a health hazard and unsafe. She is concerned teenagers might break in the house which could lead to further problems.

Brenda Rosenbaum, no address given, asked what authority is given to the City in the current ordinance regarding the conditions of homes.

4. Reports from Standing Committees

A. Ways & Means Committee

Council Member Ward reviewed the fund balances and tourism revenues as presented by Treasurer Suggs during the Ways & Means Committee meeting on August 20.

1. Approval of the FY19-20 CARTA proposed budget

Ms. Andrea Kozloski from CARTA came before the Council seeking their approval of their proposed budget. She spoke to CARTA's most recent major accomplishments, adding they continue to work on a Park & Ride in Mt. Pleasant for the hospitality workers that serve the Isle of Palms. Of the Park & Ride serving the downtown hospitality workers, Ms. Kozloski reported there has been a steady increase in the number of users, but parking lot revenue is down since riders can park on nearby side streets for free. She added the service of the Isle of Palms workers will be a vanpool service.

MOTION: Council Member Ward made a motion to approve the CARTA budget as presented, and Council Member Bell seconded the motion. The motion passed unanimously.

2. Approval of the Leola Hanbury Award in the amount of \$500

MOTION: Council Member Rice made a motion to approve, and Council Member Moye seconded the motion.

Mayor Carroll explained the impetus of the award. Council Member Moye said he hoped the amount of the award will increase in the future, and he hopes to engage other citizens to donate to the fund in acknowledgement of the work done by City staff.

VOTE: The motion passed unanimously.

3. Award of a contract to Thomas & Hutton in the amount of \$229,500 for the design and engineering of the Phase III Drainage project (drainage improvements to the 30th, 36th, and 41st Avenue outfalls) [Capital Projects, Public Works, CIP Phase 2 – 5 drainage - \$200,000, p. 17, ln. 50]

MOTION: Council Member Ward made a motion to approve, and Council Member Buckhannon seconded the motion. The motion passed unanimously.

4. Award of a contract to Thomas & Hutton in the amount of \$62,600 for the design and engineering of the small internal projects in the Phase III

Drainage project basin [Muni ATAX, Public Works, Drainage - \$500,000, pag. 18, ln. 56]

MOTION: Council Member Ward made a motion to approve and Council Member Moyer seconded the motion. The motion passed unanimously.

5. **Award of a one-year contract to Host Compliance in the amount of \$13,500 for short-term rental compliance monitoring.**

MOTION: Council Member Bell made a motion to approve, and Council Member Rice seconded the motion.

Council Member Bell noted that some of the language in the contract is confusing and there is a significant price increase during the second year. Administrator Fragoso and Director Kerr explained the company is honoring the original price for the first year of the contract only and believes the software will more than pay for itself moving forward. Administrator Fragoso said that some of the language, including the automatic renewal language, will change, and Council will see the final contract. Director Kerr said staff will keep a tally of the monies collected to determine if the cost of the contract during the second year will still be beneficial to the City.

VOTE: The motion passed unanimously.

- B. **Public Safety Committee – no meeting in August**

- C. **Public Works Committee**

Council Member Rice reviewed the highlights of the August Public Works Committee meeting including a discussion about a smoking ban, the possible use of lidded trashcans, and the danger of plastic packing pellets (nurdles) to the environment. She noted the Committee would like to move forward on littering messaging, in particular the “Secure Your Load” message aimed at those with loose items in their truck beds that often end up on the shoulders of the Connector.

The next meeting is scheduled for Tuesday, September 5 at 8am.

- D. **Recreation Committee**

Council Member Buckhannon reviewed the minutes of the August Recreation Committee meeting. Council Member Kinghorn asked about the availability of online registration for Recreation Department programs. Council Member Buckhannon reported that initiative will cost upwards of \$35,000 to start, adding that parents still have to come into the Recreation Department to show proof of age. He hoped that as technology changes the reality of online registration will become much less expensive to start up.

E. Personnel Committee

Council Member Moyer reviewed the minutes of the August Personnel Committee meeting. Administrator Fragoso reported she had begun interviewing for the Assistant City Administrator position and hopes to have someone working by October.

MOTION: Council Member Moyer made a motion to appoint Nicole DeNeane as the interim City Clerk for a 6-month trial period. Council Member Rice seconded the motion. The motion passed unanimously.

Council Member Ward asked that for reports from the CPA and the Employment Security Commission to make sure all the proper policies for contract employment are being followed.

Council Member Moyer spoke about the vacancies on the Water & Sewer Commission and said the Committee will have recommendations for Council to consider next month. Interested peoples can apply online. He further reported that the Committee has asked City staff to prepare training guidelines for current and future City Council members. Finally, he noted that having an employment agreement with the City Administrator is a standard practice which protects the City and sets expectations.

F. Real Property Committee – no meeting in August

5. Reports from City Officers, Boards, and Commissions

- A. **Accommodations Tax Advisory Committee** – no meeting in August
- B. **Board of Zoning Appeals** – minutes attached
- C. **Planning Commission** – minutes attached

6. Reports from Special or Joint Committees – none

7. Petitions Received, Referred or Disposed of – none

8. Bills already in possession of Council

- A. **Second Reading of Ordinance 2017-08** – An Ordinance to require that all subdivisions of lots be connected to the public sewer system and to require certain information related to sewer connection for the subdivision approval process.

MOTION: Council Member Ferencz made a motion to approve, and Council Member Bell seconded the motion. The motion passed unanimously.

- B. **Second Reading of Ordinance 2017-09** – An Ordinance to provide that all new construction or substantial improvements shall be connected to a public sewer system where a public sewer line is located within 150' and to reduce the lot coverage requirements and floor area requirements for lots with septic systems.

MOTION: Council Member Ferencz made a motion to approve, and Council Member Rice seconded the motion.

Director Kerr said he believed there to be less than 100 properties that will be affected by this ordinance. He said a map of the sewer could not be obtained possibly due to Homeland Security concerns. He said the City and the Water and Sewer Commission are trying to create a map that will identify exactly which properties this ordinance will impact. Director Kerr spoke about the history and evolution of the 150' trigger. He further clarified that the ordinance applies to those properties with gravity-operated sewer pumps and grinder pumps.

VOTE: The motion passed unanimously.

- C. **Second Reading of Ordinance 2017-10** – An ordinance to require mandatory connection to public sewer system where public sewer line is available upon the sale or transfer of property.

MOTION: Council Member Ferencz made a motion to approve, and Council Member Rice seconded the motion.

Council Member Ward ask if this ordinance excluded properties being willed to heirs, and Mayor Carroll said yes. Director Kerr said this ordinance affects very few properties on the island and would require the property to tie into the sewer line when it is sold. He noted this ordinance becomes more important as expansions to the sewer system occur. Council Member Buckhannon expressed concern about forcing a homeowner to comply with the ordinance. Director Kerr said a complete changeover to sewer on the island could take 20-30 years, to which Council Member Kinghorn said, "Our citizens should be aware that there has been a report to the Water & Sewer Commission that they could do an implementation [of the sewer system] city-wide in eight years," and he hoped future councils would be more aggressive with the process.

VOTE: Ayes: Buckhannon, Ferencz, Kinghorn, Moye, Rice, Ward, Carroll
Nays: Bell

The motion passed Second Reading.

9. **Introduction of New Bills, Resolutions, and Proclamations**

- A. **First Reading of Ordinance 2019-16** – An Ordinance to amendments to ensure properties on the Isle of Palms are kept in a condition that is both safe to the public and maintains the character of the City.

Council Member Ward called for a point of order to request the rules be amended to discuss this ordinance during First Reading. Council Member Bell seconded the motion. The motion passed unanimously.

Council Member Ward said he did not believe this ordinance addresses the root problem and it is "overkill" in its current state. Council Member Bell agreed with his comments, adding that Council cannot arbitrarily determine "the character of the island." He suggested it go back to the Public Safety Committee for further work. Administrator Fragoso and Director Kerr reviewed what interventions from the City the current

ordinance allows. Council Member Kinghorn said he appreciates the people coming forward to speak on this matter and does not want to see it dragged out.

MOTION: Council Member Bell made a motion to defer Ordinance 2019-16 to the Public Safety Committee, and Council Member Moyer seconded the motion. The motion passed unanimously.

B. **First Reading by Title Only, of Ordinance 2019-17** – An Ordinance to provide amendments and provide clarity to the rules of procedure during public meetings.

MOTION: Council Member Ward made a motion to approve, and Council Member Bell seconded the motion.

Council Member Kinghorn asked why such an ordinance is needed to address an issue that is already handled in another ordinance. Mayor Carroll said it was meant to keep some speakers from taking too much time. Council Member Rice felt the 30 minutes was too arbitrary and may need to be increased based on the concerns before the Council. Administrator Fragoso stated that City Council could vote to increase the amount of time needed for Citizen's Comments should that become necessary. She also clarified that Citizen's Comments would not be a time to debate a topic, but Council members could ask clarifying questions to the speakers.

VOTE: Ayes: Bell, Buckhannon, Ferencz, Moyer, Rice, Ward, Carroll
Nays: Kinghorn

The motion passed First Reading.

10. **Miscellaneous Business**

Next meeting date: 6:00pm, Tuesday, September 24, 2019, Council Chambers

11. **Conclusion/Adjournment**

Mayor Carroll reminded everyone of the Farmer's Market starting tomorrow afternoon and also of the live streaming of the Council meetings now available on YouTube.

Council Member Buckhannon made a motion to adjourn, and Council Member Moyer seconded the motion. The meeting was adjourned at 7:26pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

WAYS AND MEANS COMMITTEE
5:00pm, Tuesday, September 17, 2019
Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to order

Present: Mayor Carroll, Council members Ward (Chair), Ferencz, Moye, Rice, Kinghorn, Bell, Smith

Absent: Council Member Buckhannon

Staff Present: Administrator Fragoso, Treasurer Suggs, Director Kerr, Chief Cornett, Chief Graham

2. Approval of Previous Meeting's Minutes

MOTION: Council Member Bell made a motion to approve the minutes of the July 20, 2019 meeting, and Council Member Moye seconded the motion. The minutes passed unanimously.

3. Citizen's Comments – none

4. Financial Statements – Treasurer Debbie Suggs

Treasurer Suggs reviewed the financial reports and project worksheets provided to Committee members. She stated that all departments are currently meeting their expenditure targets, and the budget is the same as the forecast to this point in the year. The final payout for the underground storage tank has been made. The project is now complete and finished under budget. Administrator Fragoso and Treasurer Suggs stated that they are not proposing a millage rate change.

Administrator Fragoso said the impact of the new drainage projects will be seen on next month's financial statements. Treasurer Suggs stated a new project worksheet for the Public Safety building renovations will appear in next month's packet.

5. Old Business – none

6. New Business

A. Presentation by David Cheatwood, Managing Director, First Tryon Advisors

Administrator Fragoso introduced Mr. Cheatwood as an advisor being considered to provide guidance to the City through the planning, budgeting, and spending processes for upcoming capital improvements projects. She stated that First Tryon is a firm used by

many state and local municipalities for similar purposes. She invited Mr. Cheatwood to present to First Tryon's "Capital Improvements Planning Model" to the Committee. She indicated to the Committee that no vote would be expected following the presentation; that it is for information only at this point in time. Mr. Cheatwood then gave a broad but detailed overview of their planning model, how it is being used in nearby municipalities, and how it could be used for the City. Council Member Ward said the issue would be discussed further at next week's City Council meeting.

B. Consideration of the refurbishment of Tower 1002 in the amount of \$600,000
[FY 20 Budget: Capital Projects -- \$300,000; Muni ATAX \$150,000; State ATAX \$150,000]

Chief Graham requested approval of funding for the refurbishment of the 2003 95' Tower truck in the amount of \$600,000. She reported this is less than the \$655,000 originally discussed as there were four options she is declining at this time. She shared there is a one-year warranty on the parts, but the refurbishment is expected to extend the life of the truck 10-15 years.

MOTION: Council Member Rice made a motion to approve Chief Graham's funding request of \$600,000, and Council Member Moye seconded the motion. The motion passed unanimously.

C. Consideration of replacement of four patrol vehicles
[FY20 Budget: Capital Projects -- \$44,000; Muni ATAX - \$88,000; State ATAX - \$88,000]

Chief Cornett requested approval of funding for four patrol vehicles in the amount of \$220,000. He noted the original budget item was for five new SUVs, but the Ford SUV interceptors were not on the State contract. The contract did have Ford F150 trucks which will help with towing a boat as well as response to beachfront calls, if needed. These trucks are more expensive which is why the request is for four vehicles instead of the originally planned five, however the total expense will be under budget.

Discussion ensued as to whether or not the Ford F150 is an appropriate police vehicle for the Isle of Palms, with Council Member Rice stating she felt the trucks were "aggressive." Chief Cornett said these are roomier vehicles than the regular patrol cars. Mayor Carroll did ask that they limit the amount of time they would be used on the beach. Chief Cornett assured him they would only be used on the beach if necessary.

MOTION: Council Member Bell made a motion to approve Chief Cornet's funding request for four patrol vehicles, and Mayor Carroll seconded the motion. A vote was taken as follows:

Ayes: Carroll, Moye, Ferencz, Smith, Kinghorn, Bell, Ward
Nays: Rice

The motion passed.

D. Approval of FY20 Millage Rate

Administrator Fragoso stated no millage rate increase is being proposed.

MOTION: Mayor Carroll made a motion to set the millage rate at 0.0247. Council Member Moya seconded the motion. The motion passed unanimously.

E. Consideration of City Administrator Employment Agreement

Council Member Moya stated the Personnel Committee and the Mayor have been working through the agreement, and he suggested the need for legal advice from the City Attorney.

7. Miscellaneous Business

The next Ways and Means Committee meeting will be held at 5:00pm on Tuesday, October 15, 2019 in Council Chambers.

8. Executive Session

Mayor Carroll made a motion to move into Executive Session to receive legal advice regarding an employment contract. Council Member Rice seconded the motion. Committee members moved into Executive Session at 6:01pm.

9. Adjournment

There being no votes or actions taken during Executive Session, the meeting was adjourned at 6:24pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



August 30, 2019

City of Isle of Palms
Post Office Box 508
Isle of Palms, South Carolina 29451

Attention: Ms. Desiree Fragoso, City Administrator

Reference: **Proposal for Geotechnical Investigation
Isle of Palms Marina Replacement**
Isle of Palms, South Carolina
S&ME Proposal No. 14-1900469R

Dear Ms. Fragoso:

We appreciate the opportunity to perform the geotechnical investigation for the Isle of Palms Marina Replacement project. The purpose of our geotechnical services will be to explore the subsurface conditions at the site, evaluate those conditions, and provide recommendations for pile foundation support for the new docks and platforms. This proposal presents our understanding of the project, our work and safety program, our intended scope of services, and the fee for our services. This proposal is in response to the City of Isle of Palms Request for Proposal (RFP) 2019-04.

◆ Project Information

We understand the Isle of Palms Marina will be refurbished. The work will include removal and replacement of most of the floating docks, marina piling, and pile-supported access platforms within the main basin of the marina. Applied Technology & Management (ATM) is designing the project and requires information and geotechnical analyses of the local subsurface conditions.

The marina is located along the Atlantic Intercoastal Water and Morgan Creek, both waterways are active, and the marina is in operation. The mean tide range is approximately +5.1 ft, and mud line elevations vary from approximately 10 to 15 ft at mean low water (MLW). The proposed boring locations must be accessed by an over-water, floating platform.

This project information and request for proposal were provided in RFP 2019-04.

The project information and assumptions presented above should be reviewed and confirmed by the appropriate team members. Modifications to our scope and fee may be required if the actual conditions vary substantially from the project information and assumptions stated herein.

◆ Scope of Service

The scope of services has been prepared to meet the requirements of RFP 2019-04. In preparation of this proposal, we have reviewed soil test boring and cone penetration test (CPT) sounding data from the existing



restaurant site and cell tower and a proposed dry stock facility that was never constructed. Review of this information indicates subsurface conditions in the area generally consist of interbedded layers of loose to medium dense sands and soft to firm clays overlying the Cooper Marl. Marl was encountered at a depth of approximately 55 ft below the ground surface, which would be roughly elevation -50 ft MLW. We would expect to encounter similar conditions within the proposed borings in the marina.

Assumptions

The following assumptions have been used in preparation of our scope of services and fee.

1. The Marina will provide dock space to moor our barge and work boat at night. This is a requirement.
2. Only one mobilization is required for the base, five-boring scope and the provisional borings scope.
3. Borings will be advanced to 50 ft below the mud line. A geotechnical professional will observe the borings.
4. A site bench mark will be provided, or a temporary bench mark will be assumed to determine boring elevation information relative to MLW.
5. S&ME will obtain necessary permits and approval to perform the field work.
6. No soil sampling or analytical testing is required to address "chemical compatibility of soil and pile."
7. There are no environmental conditions, subsurface structures, or other man-made impediments to advancing the borings using conventional mud-rotary techniques at the proposed locations.
8. Coast Guard permit is not required.

Method Statement, Work Program, and Safety Plan

S&ME will perform the borings using our "small" barge platform. The equipment will be transported to the site via over-the-road truck, lifted off the truck and launched into the water using a crane, and then moved in the water by a purpose-build work boat designed for use with the barge. The process will be reversed to recover the barge. These activities will be performed in accordance with our *Health & Safety Protocol Manual (HSPM 19) – Working in, on, or Around Water*. A copy of this document is attached.

Prior to mobilizing to the site, we will contact South Carolina 811 (SC811) to locate underground utilities. Any private utilities will need to be located by the owner. We cannot be responsible for damage to unmarked private utilities. We will obtain an OCRM permit to perform the borings. None of the borings are located within navigational channels; therefore, no Coast Guard permits will be required. We will coordinate our field work with marina personnel to reduce disruption to marina operations as much as practicable.

Field Exploration – Base Scope

We will perform the five soil test borings designated as A through E on the attached "Proposed Location for Geotechnical Investigation" figure. The borings will be performed as close to the indicated locations as site constraints allow, and the location will be recorded with hand-held, sub-meter GPS equipment. Water depths will be recorded, and boring logs will show approximately elevations relative to MLW.

The borings will be advanced using mud-rotary drilling techniques and split-spoon sampling and Standard Penetration Testing (N values) will be performed at 2½-ft intervals in the top 15 ft and 5-ft intervals thereafter.



Borings will be advanced to 50 ft below the mud line. All borings will be observed by a geotechnical professional who will visually log the soils encountered in the field using the Unified Soil Classification System (ASTM D2487).

Laboratory Testing

Select split-spoon samples will be subjected to laboratory natural moisture content, grain size distribution, and Atterberg limits testing. Laboratory testing will be performed using applicable ASTM standards.

Engineering Report

After completion of the field exploration and laboratory testing, we will prepare a formal engineering report. The report will present our findings, conclusions, and recommendations and will include:

1. Site description;
2. Field testing procedures;
3. Test location plan;
4. Boring logs which describe site soils and illustrate stratification changes, field data, and water levels;
5. Laboratory testing results;
6. Soil parameters correlated from N values (e.g., unit weight, friction angle, undrained shear strength, relative density);
7. Lateral pile analyses parameters (e.g., k, e_{50} , relative density of the soils);
8. Site seismic considerations in accordance with the current International Building Code, including a site classification and site liquefaction analysis; and
9. Recommendations for pile foundations for two piles types and single-pile lateral analyses.

Field Exploration - Provisional Borings

The two provisional borings designated as F and G on the “Proposed Location for Geotechnical Investigation” figure can be performed following completion of the five base scope borings as described above. If the provisional borings are authorized after the equipment has been demobilized from the site, additional remobilization fees will apply.

◆ Excluded Services and Limitations

Without attempting to provide a complete list of all or potential services performed by S&ME that will be excluded from this proposal and not performed by S&ME, the following services are specifically excluded. These services can be performed by S&ME if desired; however, a separate proposal would be required.

- Seismic site-specific response analysis
- Group pile analyses
- Environmental assessment services
- Natural and cultural resources services
- Industrial hygiene services
- Construction-materials testing services
- Special Inspections services



- Preparation or review of plans, specifications, submittals, or other construction documents
- Estimates of quantities
- Project meetings

This proposal is solely intended for the Scope of Services as described above. The Scope of Services may not be modified or amended unless the changes are first agreed to in writing by the Client and S&ME. Use of this proposal and corresponding final report is limited to the above-referenced project and client. No other use is authorized by S&ME, Inc.

◆ Fee and Schedule

We will perform the basic scope of services described above for the fees presented in Table 1. A breakdown of our rates are shown in the attached Cost Outline.

Budget Item	Fee
Five Boring Base Scope	\$32,925.00
Two Boring Provisional Scope	\$4,930.00
Additional drilling footage performed in the same 8-hr work day as Base and/or Provisional Scope	\$0.00
Additional drilling days for work performed outside of the Base or Provisional Scopes	\$4,930.00

We will not perform any additional work or exceed this fee without your prior authorization.

Several weeks lead time is generally necessary for barge mobilization. We anticipate the field work for the five-boring base scope will require three days to complete, weather and access permitting. The provisional borings would require one additional day. Laboratory testing will require one week to complete following the field work. We will endeavor to submit our geotechnical report within two weeks of completion of the lab testing. Verbal updates and preliminary recommendations can be provided throughout our work, as necessary.

◆ Authorization

We understand the Agreement for Marine Geotechnical Services (Agreement) provided in RFP 2019-04 will be used to authorize S&ME's services. S&ME reserves the right to request negotiated, mutually agreeable revisions to the Agreement prior to authorization.



◆ **Closure**

We appreciate the opportunity to submit this proposal and provide you with our professional services. Should you have any questions, please call our office.

Sincerely,

S&ME, Inc.

A handwritten signature in blue ink, appearing to read 'MSU', is written over a faint, larger signature.

Michael S. Ulmer, PE
Principal Engineer/VP

Kyle L. Murrell, PE
Senior Engineer

MSU/KLM/mwl

Attachments – *Health & Safety Protocol Manual (HSPM 19) – Working in, on, or Around Water*
Proposed Location for Geotechnical Investigation figure
Cost Outline
Copy of S&ME's Isle of Palms Business License

Attachments



HSPM 19 – WORKING IN, ON OR AROUND WATER

Revision Date: 6/5/2018

1.0 GENERAL

- 1.1 Due to the inherent dangers when working in, on or around water, S&ME has established a protocol that is to be followed by its employees. Anytime work is performed that requires the use of this protocol workers shall not work alone. If Coast Guard, Federal or State rules or regulations are more stringent than this protocol then such rules and regulations shall apply and supersede this protocol. Prior to working in conditions described in Sections 4.1 of this document, employees shall read this document and be given an opportunity to ask questions.

2.0 DEFINITIONS

- 2.1 *Barge* – An unpowered, flat bottom shallow draft vessel.
- 2.2 *Boat* – A layman's name for a vessel. A vessel is more of an all-inclusive term.
- 2.3 *Bulkhead / seawall* – A retaining wall along a waterfront.
- 2.4 *Employee* – An employee or temporary who is directed in work activities by S&ME, Inc.
- 2.5 *Floating Platform* – Includes the barge or amphibious carrier when in a floating or soft saturated ground condition unable to support personnel or equipment
- 2.6 *In, on or around water* – The circumstances described in 4.3.1.1 through 4.3.1.7.
- 2.7 *Mouth of inlet* – An area denoted by an imaginary line connecting both sides of the inlet on the ocean side of land to an imaginary parallel line one-half mile inland.
- 2.8 *Pier* – A structure built out into the water for use as a landing place, a promenade, or to protect or form a harbor.
- 2.9 *Skiff* – A small open boat.
- 2.10 *Stream* – A flowing body of water.
- 2.11 *Tidal waters* – Waters that are subject to the ebb and flow of the tide.
- 2.12 *Unguarded bridge* – A bridge whose edges are not protected by a guardrail 42" high ($\pm 3"$), with a midrail at 21". The guardrail has to be strong enough to withstand a force of 200 pounds at its highest point.
- 2.13 *Vessel* – Every watercraft or structure, other than a seaplane, used or capable of being used as a means of transportation or habitation on water.
- 2.14 *Watercraft* – Anything used or capable of being used as a means of transportation on water, other than a seaplane.

3.0 NON-S&ME PERSONNEL

- 3.1 Only job-related non-S&ME personnel shall be allowed on S&ME vessels, and only if they are wearing a USCG approved Protective Flotation Device as described in Section 4. Family members and non-job-related personnel are not allowed on S&ME vessels.

4.0 PERSONAL PROTECTIVE AND LIFE SAVING EQUIPMENT

- 4.1 Employees working over or near water, where the danger of drowning exists, shall wear a U.S. Coast Guard approved life jacket or buoyant work vest known as a Protective Flotation Device (PFD). PFDs must be U.S. Coast Guard approved, (Type I, II or III), in good serviceable condition, and of appropriate size for the intended wearer. Anytime S&ME vessels operate in the ocean or in the mouth of an inlet each employee shall wear a PFD light on their PFD and their PFD must have at least 31 square inches of reflective tape on the front and back.
- 4.2 Prior to and after each use, the PFDs shall be inspected for defects, which would alter their strength or buoyancy. Defective units shall not be used.
- 4.3 Minimum Required PFD Usage:

- 4.3.1 The wearing of PFDs is addressed in S&ME's Safety Handbook under the heading Critical Safety Rule Policy. A Critical Safety Rule Policy is one which first time violation of the policy or procedures will result in disciplinary action up to and including termination. Failure to wear a PFD in the following circumstances will be considered a violation of S&ME's Critical Safety Rule Policy anytime an:
 - 4.3.1.1 Employee is in a vessel, regardless of water depth.
 - 4.3.1.1.1 The only exception to this is when the employee is a passenger on a vessel that is for hire for purposes other than work (e.g., charter fishing boat) or used for public transportation (e.g., a ferry).
 - 4.3.1.2 Employee's work causes him/her to be within 10 feet of the edge of a pier.
 - 4.3.1.3 Employee's work causes him/her to be within 10 feet of the edge of a bulkhead.
 - 4.3.1.4 Employee's work causes him/her to be within 10 feet of an embankment that slopes toward the water (water meeting the definition of 4.1 e and f), at more than a 2:1 slope.
 - 4.3.1.5 Employee's work causes him/her to be within six feet of the edge of an unguarded bridge.
 - 4.3.1.6 Employee is working (standing) in water with a depth that could exceed two feet.
 - 4.3.1.7 Employee is working in a stream that has sufficient volume and current to wash the person downstream if knocked unconscious.
- 4.3.2 Requests for variances to the above rules must be addressed in writing to S&ME's Corporate Safety Director.
- 4.4 Throwable Devices
 - 4.4.1 Any boat 16 feet and longer must carry one Type IV (throwable cushion) PFD in addition to those being worn by the boat's occupants.
- 4.5 Life Rings
 - 4.5.1 A U.S. Coast Guard approved 30-inch life ring with at least 90 feet of line attached shall be located in an accessible and immediately available area on every floating platform and when work covered by this protocol is being performed on a pier, bulkhead, embankment or bridge. Ring buoys are to be spaced no further than 200 feet apart.
- 4.6 Lifesaving Skiffs
 - 4.6.1 A lifesaving skiff must be "immediately available" when employees are working over or adjacent to water as defined in 4.3.1.1 through 4.3.1.5. "Immediately available" is defined as:
 - 4.6.1.1 The skiff must be able to retrieve an employee from the water no more than 3 to 4 minutes after he or she entered the water.
 - 4.6.1.2 The skiff must be in the water or capable of being launched by one person.
 - 4.6.1.3 There must be at least one person present and specifically designated to respond to water emergencies and operate the skiff at all times when there are employees above the water.
 - 4.6.1.4 The designated operator must either man the skiff at all times or remain in the immediate area so that the operator can quickly reach the skiff and get underway.

4.6.1.5 The skiff operator may be assigned other tasks provided the other tasks do not interfere with the operator's ability to quickly reach the skiff and get underway.

4.6.1.6 The skiff must be equipped with both a motor and oars.

4.6.1.7 The skiff's operator must be trained in CPR and first aid.

5.0 GENERAL SAFETY

5.1 Floating platforms

5.1.1 Keep walking surface of floating platform clear of slip and trip hazards

5.1.2 Stand clear of cables as spuds are being pulled/lowered

5.1.3 Use sun screen to prevent sunburn

5.1.4 Drink plenty of fluids while working on floating platform

5.1.5 During hot weather, monitor yourself for heat stress

5.1.6 Make sure boat is secured to barge before stepping from boat to barge

5.2 Boats

5.2.1 Remain seated when boat is underway

5.2.2 Do not sit on seat backs

5.2.3 Fill portable tanks off of boat

5.2.4 Never start engine if you can smell fuel vapors

5.2.5 No smoking is permitted on any vessel that is transporting fuel.

5.2.6 Follow aids to navigation

5.2.7 Keep loads low

5.2.8 Alcoholic beverages, opened or unopened, are not permitted on any S&ME vessel

5.2.9 Never exceed the Capacity Plates for load and horsepower. If there is no "U.S. Coast Guard Maximum Capacities" label in the boat, the following formula can be used to determine the maximum number of persons you can carry in calm weather:

5.2.9.1 $\text{People} = (\text{length of boat} \times \text{width}) / 15$

5.2.9.1.1 The length and widths are in feet.

5.2.9.1.2 This formula is applicable only to mono-hull boats less than 20 feet in length

6.0 SAFETY MEETINGS

6.1 Prior to the start of all water-related projects a safety meeting shall be held. This meeting is to include all employees on the job and any third party people who may be working with us. This meeting is to cover the general scope of work, required personal protective equipment (PPE) and an explanation of the anticipated hazards that may occur and what steps will be taken to deal with these hazards. See **Appendix B and C** for examples.

6.2 A safety meeting shall be held every day prior to beginning work. This meeting will review the day's work plan and associated hazards. Third parties will be included in this meeting.

6.3 All parties attending safety meetings shall sign a sign in sheet signifying that they attended the safety meeting. The sign in sheet shall include the date of the meeting, topic of the meeting, the instructors name and signature and the duration of the meeting.

7.0 PILOT AND CREW TRAINING REQUIREMENTS

7.1 All employee motorized vessel crew members shall complete a boating safety class approved by S&ME, prior to riding on a company vessel.

7.2 Only trained, qualified and designated (by corporate safety) employees will be allowed to drive (pilot) a motorized company vessel.

8.0 FLOAT PLAN

- 8.1 Each day before a vessel is used, a float plan (**Appendix D**) must be filed by the pilot with the department manager or other designated person. This rule applies to any vessel, motorized or non-motorized, that during the course of the day will be out of direct line of site of the boat landing.

9.0 REQUIRED EQUIPMENT FOR VESSELS

- 9.1 Fire Extinguishers
- 9.1.1 All boats less than 26 feet in length that have flammable liquids on board are required to have at least one U.S. Coast Guard approved B-1 fire extinguisher.
 - 9.1.2 Barges less than 40 feet in length are required to have at least one U.S. Coast Guard approved fire extinguisher mounted at both ends of the barge.
 - 9.1.3 "Coast Guard approved extinguishers are identified by the following marking on the label: Marine Type USCG Approved, Size... Type..., 162.028/.../", etc.
 - 9.1.4 In order to meet USCG requirements, fire extinguishers must be firmly mounted and readily accessible.
- 9.2 Lights
- 9.2.1 Navigation Lights
 - 9.2.1.1 Navigation lights are to be displayed between sunset and sunrise and other periods of reduced visibility.
 - 9.2.1.2 Power driven vessels less than 39.4 feet in length must display a green light on the starboard (right) side of the bow and a red light on the port (left) side of the bow. These lights may be combined as a single red and green light on the bow (front). A 360° white light is to be located at the highest part of the vessel and must be at least three feet higher than the red and green lights.
 - 9.2.2 Anchor Lights
 - 9.2.2.1 Anchor lights are required between sunset and sunrise for all vessels unless anchored in a designated anchorage area.
 - 9.2.2.2 Anchor lights are to be all-around white, and be visible for two miles.
 - 9.2.2.3 On S&ME's barges, one anchor light will suffice if it can be seen from all directions. If this is not possible, then two or more lights will be required so as to be visible from all directions.
 - 9.2.2.4 Sound Producing Devices
 - 9.2.2.5 Any powered vessel less than 39.4 feet must carry an effective sound-producing device. This device can be a whistle, horn or bell. To be effective, the device must be capable of producing a 4-second blast that is audible for a least one-half mile.
- 9.3 Visual Distress Signals
- 9.3.1 When operating on tidal waters, boats greater than 16 feet in length must have on board USCG approved visual distress signals for day and night use. This could include three specifically for day use and three specifically for night use or three that are a combination day/night use.
- 9.4 Radio/ Telephone
- 9.4.1 Radio

-
- | | | |
|-----|---------|--|
| | 9.4.1.1 | When operating on tidal waters, vessels shall be equipped with a properly functioning VHF-FM transceiver (radio). |
| | 9.4.1.2 | Three VHF marine radio channels are recognized worldwide for safety purposes: |
| | 9.4.1.3 | Channel 16 – Distress, safety and calling (Coast Guard monitored) |
| | 9.4.1.4 | Channel 13 – Inter-ship navigation (bridge to bridge) |
| | 9.4.1.5 | Channel 22 – Communication between Coast Guard and maritime public |
| | 9.4.1.6 | If there is an imminent life-threatening emergency on board any vessel, contact the Coast Guard by transmitting the following message on Channel 16:
<ol style="list-style-type: none"> 1) MAYDAY, MAYDAY, MAYDAY! 2) This is (name of vessel three times) 3) Repeat once more, MAYDAY 4) Report position 5) Report nature of emergency 6) Report kind of assistance needed 7) Report number of people on-board and condition of any injured 8) Description of vessel and seaworthiness 9) Wait for response. If there is none, repeat message |
| | 9.4.2 | Telephone |
| | 9.4.2.1 | When operating on non-tidal waters each vessel shall carry a cellular phone. In case of emergencies, 911 shall be used to summon help. |
| 9.5 | Anchors | |
| | 9.5.1 | All boats must be equipped with an adequate anchor and anchor line of suitable size and length for the boat and locality in which the boat is being used. A general rule of thumb is that the anchor line should be five to seven times the depth of the water. |

10.0 REGISTRATION

- 10.1 All vessels equipped with propulsion machinery must be registered in the state of principal use. Each state has its own size limits and registration criteria; thus it is the Group Leader's responsibility to ensure their vessels are properly registered.

11.0 DISCHARGE/SPILL PREVENTION AND REPORTING

- 11.1 Discharge/Spill Prevention
- | | |
|--------|---|
| 11.1.1 | Steps shall be taken to prevent hydraulic oil, motor oil, gasoline, etc. from leaving S&ME vessels or equipment and entering the water. Some steps include: |
| 11.1.2 | Inspection of equipment and repair of leaks prior to launching the vessel |
| 11.1.3 | Daily inspection of equipment for oil leaks or weak hoses, repair as found |
| 11.1.4 | Using a pump or funnel when transferring fuel from cans to equipment |
| 11.1.5 | Storing fuel cans and oils in areas where they cannot be knocked overboard |
| 11.1.6 | Keeping a "spill kit" (absorbent towels and booms) on floating platforms for oil leaks or hose ruptures |
| 11.1.7 | Motorized vessels shall not be left in the water unattended unless they are equipped with a functioning automatic bilge pump |

11.2 Discharge/Spill Reporting

- 11.2.1 The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste upon or into any navigable waters of the U.S. This prohibition includes any discharge, which causes a film or discoloration of the surface waters. Discharges/spills are to be reported immediately.
- 11.2.2 If a discharge/spill occurs follow the procedures in **Appendix A**

12.0 REPORTING BOATING ACCIDENTS

- 12.1 All boating accidents, which meet the criteria below, must be reported to S&ME's Corporate Safety Director so they can be reported to the proper marine law enforcement authority for the state in which the accident occurred.
 - 12.1.1 When to Report
 - 12.1.1.1 There is damage by or to the vessel that exceeds \$500
 - 12.1.1.2 There is injury or loss of life
 - 12.1.1.3 There is disappearance of any person on board a vessel (under circumstances indicating death or injury)
 - 12.1.2 What to Report
 - 12.1.2.1 Capsizing
 - 12.1.2.2 Falls Overboard
 - 12.1.2.3 Collision
 - 12.1.2.4 Sinking
 - 12.1.2.5 Struck by boat/prop
 - 12.1.2.6 Swamping
 - 12.1.2.7 Flooding
 - 12.1.2.8 Fire
 - 12.1.2.9 Explosion
 - 12.1.2.10 Disappearance (other than theft)
 - 12.1.3 Time Limits for Reporting
 - 12.1.3.1 Immediately to S&ME's Corporate Safety Director (CSD) if there is a loss of life, 48 hours to state agency.
 - 12.1.3.2 Immediately to CSD if there is injury requiring medical treatment beyond first aid, 48 hours to state agency.
 - 12.1.3.3 Immediately to CSD the disappearance of a person from a vessel, 48 hours to state agency.
 - 12.1.3.4 48 hours to CSD if there is damage to vessel or property with no injuries, 10 days to state agency

APPENDIX A

1.0 PURPOSE

- 1.1 This procedure describes the actions to be taken to respond to potential leaks or spills originating from S&ME, Inc. equipment. The types of fluids covered by this plan are diesel fuel, gasoline, motor oil, hydraulic fluid and other petroleum products.

2.0 RESPONSIBILITY

- 2.1 S&ME will immediately act to contain and/or clean up a spill of petroleum or specifically identified material that could impact the environment.

3.0 PREPAREDNESS

- 3.1 All employees who work on the floating platform shall be trained in these procedures and the proper use of oil absorbing material.
- 3.2 Each floating platform is to be equipped with a spill response kit which will consist of at a minimum:
 - 3.2.1 Approximately 140 feet of 3" oil absorbent booms
 - 3.2.2 Sump skimmer pillows
 - 3.2.3 Approximately 60 mat pads
 - 3.2.4 Disposal bags and ties
 - 3.2.5 Labels
 - 3.2.6 Elbow length petroleum resistant gloves
 - 3.2.7 100 feet – polypropylene rope

4.0 PROCEDURE

- 4.1 The Spill Reporting and Response procedures which follow are divided into three classifications:
 - 4.1.1 Small Spills – 1 gallons or less.
 - 4.1.2 Medium Spills - >1 gallon and < 5 gallons
 - 4.1.3 Large Spills - 5 gallons or more.
- 4.2 Small Spill Clean-Up Procedure for spills contained on deck of floating platform
 - 4.2.1 Shut off engine or power source.
 - 4.2.2 Remove potential sources of ignition from the area.
 - 4.2.3 Shut off or close down the source of spill or release.
 - 4.2.4 Direct all bystanders to an upwind position (if possible) as to avoid inhalation of the product's vapors.
 - 4.2.5 Access spill kit
 - 4.2.6 Don proper PPE to minimize exposure and absorption into the skin.
 - 4.2.7 Stop the spill's progression and contain its spreading by using absorbent material from the spill response kit.
 - 4.2.8 If possible, stand upwind and work from this position.
 - 4.2.9 Absorb the product in the entire area by using the absorbent material.
 - 4.2.10 Place all clean-up materials into plastic bags and seal properly. Mark the bags: "Hazardous Materials", and place in a secure, well-ventilated area until it can be disposed.
 - 4.2.11 Do not continue work until clean-up is complete.
 - 4.2.12 If at any time the above procedures cannot be effectively executed, notify the following as soon as possible:

- 4.2.12.1 Project/Site Manager
 - 4.2.12.2 Your Supervisor
 - 4.2.12.3 Emergency Response Personnel (if needed)
 - 4.2.12.4 S&ME's Corporate Director of Safety and the applicable Corporate Safety Professional. (See below for contact numbers)
- 4.3 Medium Spill Clean-Up Procedures for spills contained on deck of floating platform
 - 4.3.1 Shut off engine or power source.
 - 4.3.2 Remove potential sources of ignition from the area.
 - 4.3.3 Shut off or close down the source of spill or release.
 - 4.3.4 Direct all bystanders to an upwind position (if possible) as to avoid inhalation of the product's vapors.
 - 4.3.5 Access spill kit.
 - 4.3.6 Don proper PPE to minimize exposure and absorption into the skin.
 - 4.3.7 Deploy booms around the perimeter of the floating platform deck.
 - 4.3.8 If possible, stand upwind and work from this position.
 - 4.3.9 Absorb the product in the entire area by using the absorbent material in the spill response kit.
 - 4.3.10 Place all clean-up materials into plastic bags and seal properly. Mark the bags: "Hazardous Materials", and place in a secure, well-ventilated area until it can be disposed
 - 4.3.11 Do not continue work until clean-up is complete.
 - 4.3.12 If at any time the above procedures cannot be effectively executed, notify the following as soon as possible:
 - 4.3.12.1 Project/Site Manager
 - 4.3.12.2 Your Supervisor
 - 4.3.12.3 Emergency Response Personnel (if needed)
 - 4.3.12.4 S&ME's Corporate Director of Safety and the applicable Regional Safety Coordinator. (See below for contact numbers)
- 4.4 Large Spill Clean-Up Procedures for spills contained on deck of floating platform or those which have entered the water.
 - 4.4.1 Shut off engine or power source.
 - 4.4.2 Remove potential source of ignition from the area.
 - 4.4.3 Shut off or close down the source of spill or release.
 - 4.4.4 Direct all bystanders to an upwind position (if possible) as to avoid inhalation of the product's vapors.
 - 4.4.5 Access spill kit.
 - 4.4.6 Don proper PPE to minimize exposure and absorption into the skin.
 - 4.4.7 Deploy absorbent booms in the water around the floating platform.
 - 4.4.7.1 In a body of water that has natural current, deploy the booms downstream of the floating platform in a U pattern with the open end of the U being closest to the floating platform.
 - 4.4.7.2 In a body of water that has no natural current, completely surround the floating platform with booms.
 - 4.4.8 Notify the local Emergency Response Personnel (911) and the Site Safety Officer (SSO) and communicate the source of the spill or release, approximate number of gallons involved, injuries, if any, and the current status. Contact Corporate Safety.
 - 4.4.9 Once Emergency Response Personnel have arrived on the scene, follow their directives.

Name	Phone	Office	Coverage Area
Dave Duke	919-353-0012	Raleigh	Director of Safety-All

The above number can be called 24 hours/day, 7days/week

Emergency Contacts

Agency	Phone
Medical / Ambulatory Services	911
Fire Department	911
NCDENR Emergency Response	800-858-0368
National Response Center (Coast Guard)	800-424-8802
US EPA Region IV	404-347-4062



Working In, On or Around Water

Project Name:	Project No.:
Briefing Leader:	Date:

Scope of work : _____

Anticipated Hazards : _____

Weather : _____

Working In, On or Around Water Safety Checklist:

- | | | |
|--|---|---|
| <input type="checkbox"/> Task assignments discussed and understood | <input type="checkbox"/> Vehicle/equipment inspections | <input type="checkbox"/> PFDs available for all personnel |
| <input type="checkbox"/> PPE available and in good working condition | <input type="checkbox"/> Current CPR/First Aid training | <input type="checkbox"/> Sun Screen |

Floating Platform Work Requirements:

- Site reconnaissance of first boring is required before moving the floating platform from the dock or shore. Each additional boring should also be scouted prior to moving the floating platform.
- A minimum of 3 persons are required to move the barge (spud operator, boat captain, and a lookout).
- The amphibious carrier may be moved with 2 persons (operator and lookout).

Tidal Water:

- Discuss tide charts/patterns
- Life-threatening emergencies (Channel 16—U.S. Coast Guard)
 1. **MAYDAY, MAYDAY, MAYDAY**
 2. This is (name of vessel three times)
 3. **MAYDAY**
 4. Report position
 5. Report nature of emergency
 6. Report kind of assistance needed
 7. Report number of people on board and condition of any injured
 8. Description of vessel and seaworthiness
 9. Wait for response. If there is none, repeat message.

Employee Acknowledgement

Printed Name	Signature

APPENDIX C

WORKING AROUND/OVER WATER SAFETY CHECKLIST

1.0 WORKING AROUND/OVER WATER

The following list is of area's that are considered working around water:

An employee's work causes him/her to be within **10 feet** of the edge of an:

- Unprotected pier (no fall protection/handrails),
- Unprotected bulkhead (no fall protection/handrails),
- Embankment that slopes toward the water at more than a 2:1 slope, or
- An employee's work causes him/her to be within **six feet** of the edge of an unprotected bridge (no fall protection/handrails).

Safety Checklist:

- ☐ Life jacket (PFD)
- ☐ Lifesaving skiff (in water)
- ☐ Sun screen
- ☐ Current first aid & CPR training
- ☐ Safety meeting
- ☐ Any additional PPE as required by the job

2.0 WORKING IN WATER

The following list is of area's that are considered working in water:

Employee is working (standing) in:

- Water with a depth that could exceed two feet,
- In a stream that has sufficient volume and current to wash the person downstream if knocked unconscious.

Safety Checklist:

- ☐ Life jacket (PFD)
- ☐ Sun screen
- ☐ Current first aid & CPR training
- ☐ Safety meeting
- ☐ Any additional PPE as required by the job

3.0 WORKING ON WATER

This section is split up between Floating Platforms, Non-motored boats/skiffs, and Motored Vessels.

A. Motorized Vessels

Safety Checklist:

- ☐ Bilge pump or bailer
- ☐ Chart or topography map
- ☐ Cell phone/VHF radio
- ☐ Sound signaling device
- ☐ First aid kit
- ☐ Paddle/oar
- ☐ USCG approved fire extinguisher
- ☐ Life jackets (PFDs)
- ☐ Anchor
- ☐ Water/Ice chest
- ☐ Operational vessel lights (navigational and anchor)
- ☐ Registration
- ☐ Type IV PFD (throwable cushion)
- ☐ Sun screen
- ☐ Current first aid & CPR training
- ☐ Safety meeting
- ☐ Float plan
- ☐ Compass—required if width of bay, sound, or river is greater than 1 mile.

Tidal Water Requirements:

- ☐ VHF radio
- ☐ Visual distress signal (if the vessel is over 16 feet in length)

B. Floating Platform

Safety Checklist:

- ☐ Cell phone/VHF radio
- ☐ First aid kit
- ☐ Two USCG approved fire extinguishers (mounted at each end)
- ☐ 30" Life-ring with 90+ feet of line attached
- ☐ Operational anchor light(s)
- ☐ Water/Ice chest
- ☐ Spill kit
- ☐ Spoils Drum(s)
- ☐ Life jackets (PFDs)
- ☐ Sun screen
- ☐ Lifesaving skiff
- ☐ Current first aid & CPR training
- ☐ Safety meeting
- ☐ Float plan

Tidal Water Requirements:

- ☐ VHF radio

C. Non-motorized Vessels

Safety Checklist:

- ☐ Life jacket (PFD)
- ☐ Cell phone
- ☐ Sunscreen
- ☐ Type IV PFD (throwable cushion)
- ☐ Paddle(s)
- ☐ Current first aid & CPR training
- ☐ Safety meeting
- ☐ Float plan (if applicable)

APPENDIX D

S&ME FLOAT PLAN

IMPORTANT: DON'T FORGET TO CANCEL FLOAT PLAN WHEN YOU RETURN

Boat Captain _____
Name Cell Phone Number

Crew Members _____
Name Cell Phone Number

Name Cell Phone Number

Name Cell Phone Number

Vessel _____
Name Registration Number Length

Power, Inboard - Outboard Hull Color Radio Frequency Monitored

Type/Style Range Maximum Speed

Departure From _____
Place Date/Time Depart

Truck License # Trailer License # Where parked

Destination _____
Place Stops en route Date/Time Return

If overdue, contact _____
Name and phone number or rescue agency near point of departure

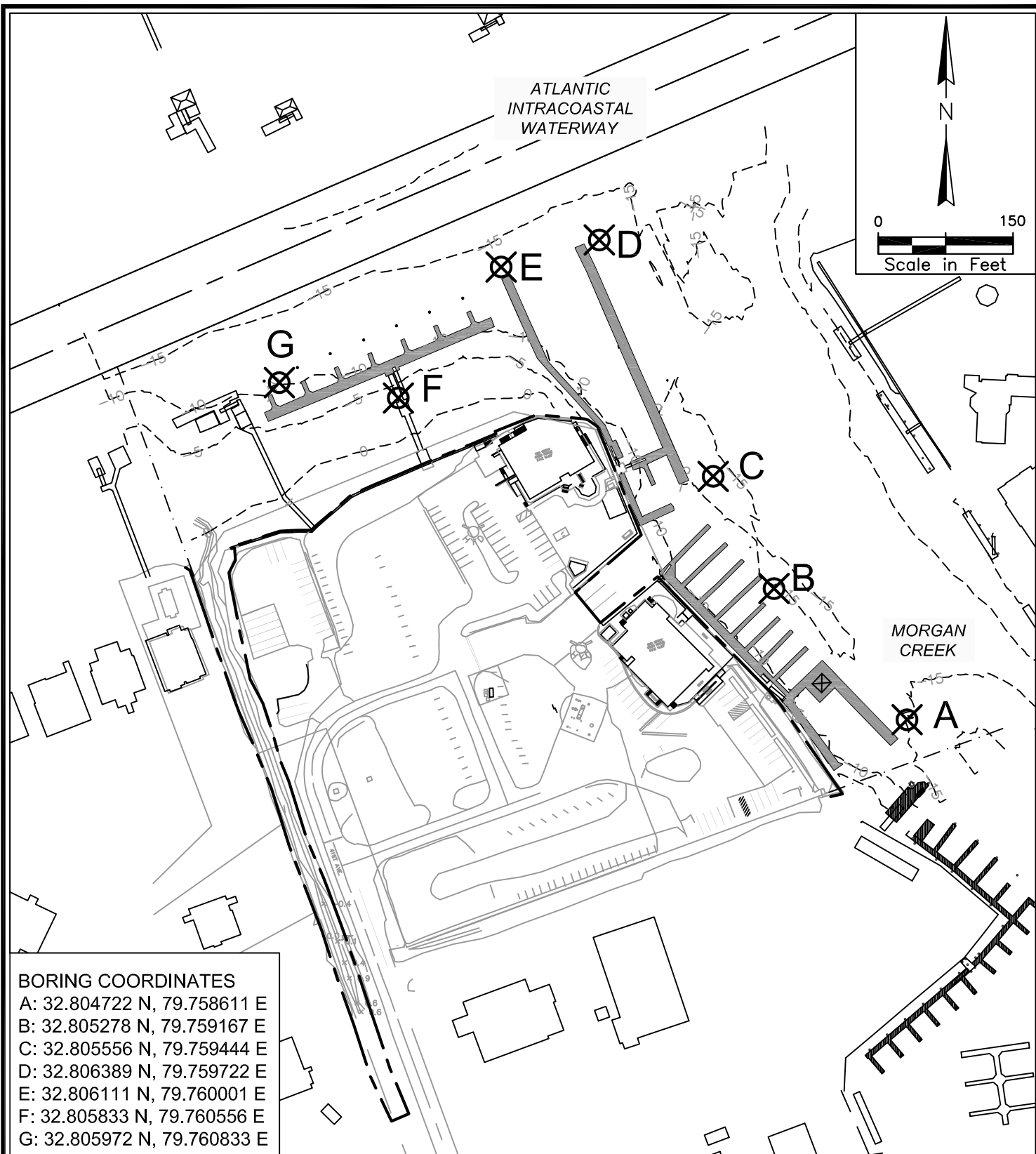
Float Plan Filed With _____
Name Phone Number

If Float Plan has not been cancelled by _____ the person who the
Date and Time
Float Plan was filed with is to call the overdue contact

IMPORTANT: DON'T FORGET TO CANCEL FLOAT PLAN WHEN YOU RETURN

REVISION RECORD

Revision/Review	Date	Remarks	Approval
1.00	2/6/2018	Rebranding release.	DRD
1.01	5/21/2018	Updated format of Appendix B & C.	WEM
1.02	6/5/2018	Added definition for floating platform. Changed “barge” to floating platform throughout program, where applicable, to include the use of the amphibious carrier.	WEM



Notes:

- 1) Borings F and G are Provisional Only
- 2) Final locations and numbers of boreholes may be subject to change

**PROPOSED LOCATIONS FOR
GEOTECHNICAL INVESTIGATION**

Isle of Palms Marina, Isle of Palms, SC
50 41st Avenue, Isle of Palms



June 25, 2019

Cost Outline
IOP Marina Replacement
Isle of Palms, South Carolina
S&ME Proposal No. 14-1900469R

General Information and Assumptions

- Two borings per day
- Base budget for five borings

1 Field Drilling and Testing	Qty	UOM	Rate	Cost
A Small Barge Mobilization (includes crane for barge launch and retrieval)	1	each	\$12,000.00	\$12,000.00
B Small Barge Drilling	3	days	\$4,250.00	\$12,750.00
G Project Professional, E.I.T. (utilities, layout, coordination, boring observation)	40	hours	\$110.00	\$4,400.00
Subtotal:				\$29,150.00

2 Laboratory Testing	Qty	UOM	Rate	Cost
A Moisture Content	4	each	\$15.00	\$60.00
B Grain Size	4	each	\$75.00	\$300.00
C Atterberg Limits	4	each	\$75.00	\$300.00
Subtotal:				\$660.00

3 Engineering Consulting and Reporting	Qty	UOM	Rate	Cost
A Project Professional	20	hours	\$110.00	\$2,200.00
B Project Manager/Senior Engineer	4	hours	\$175.00	\$700.00
C Secretarial Time	2	hours	\$65.00	\$130.00
D CADD Operator	1	hours	\$85.00	\$85.00
Subtotal:				\$3,115.00

Total Opinion of Probable Cost: \$32,925.00

4 Provisional Borings	Qty	UOM	Rate	Cost
B Small Barge Drilling	1	days	\$4,010.00	\$4,010.00
D Support Boat	0	days	\$350.00	\$0.00
E Crew Per Diem, per man	0	days	\$170.00	\$0.00
G Project Professional, E.I.T. (utilities, layout, coordination, hand augers)	8	hours	\$115.00	\$920.00
Total Provisional Budget:				\$4,930.00



BUSINESS AND PROFESSIONAL LICENSE
CITY OF ISLE OF PALMS
P. O. DRAWER 508
ISLE OF PALMS, SC 29451
www.iop.net

No. CU19-00580

FOR

S&ME, INC.

Authorized Signature

TYPE OF BUSINESS

8711B

THIS LICENSE EXPIRES

12/31/2019

NOTIFY THE BUSINESS LICENSE INSPECTOR'S OFFICE ON ANY CHANGES IN LOCATION OR OWNERSHIP.

THE ABOVE NAMED CONCERN HAS BEEN LICENSED TO DO BUSINESS IN THE CITY OF ISLE OF PALMS, S.C., SUBJECT TO PROVISIONS

THIS MAY BE DETACHED BUT SHOULD BE RETAINED BY LICENSE

No. CU19-00580

\$ 14,461.25
GROSS REPORTED

LICENSE FEE INFO FOR

\$ 269.80
LICENSEE FEE

S&ME, INC.

03/05/2019

DATE PAID

See Reverse Side For Easy Opening Instructions



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29464-793620



State Accommodations Tax Advisory Committee
Isle of Palms, South Carolina

Application for State Accommodations Tax Funds

Date Received: _____	Total Project Cost: _____
Total Accommodations Tax Funds Requested: _____	
Action Taken By Accom. Tax Advisory Committee: Date Approved _____ Denied _____	
Action Taken By Ways & Means Committee: Date Approved _____ Denied _____	
Action Taken By City Council: Date Approved _____ Denied _____	
Documentation required for payment: _____line item budget, _____invoices, _____Financial Report	

For Office Use Only

A. Project Name: _____Osceola's Muse_____

B. Applicant Organization: _____PURE Theatre_____

1. Mailing Address: _____134 Cannon Street. Charleston, SC 29403_____

Telephone: _____843.723.4444_____ Fax: _____

2. Project Director: _____Sharon Graci_____

Telephone: _____843.723.4444_____ Fax _____

3. Description of Organization, Its Goals and Objectives:

PURE Theatre is a professional theatre company based in Charleston, SC. We produce regional premieres of award winning plays and we develop world premiere plays and musicals, which become a part of both the national and internationally cannon of contemporary theatre. We make three promises to our audiences: We will only tell you stories worth listening to. We will always strive for excellence. We will always give you something to talk about when you leave the theatre. PURE regularly tours productions both locally and regionally.

C. Description and Location of Project/Event:

Osceola's Muse is an interactive theatre event, which will be performed at Battery Gadsden on Sullivan's Island, October 11, 12, 18, & 19 with a special school performance for students at Sullivan's Island Elementary School on October 18th. Sullivan's Island where Osceola is buried. The overgrown remnants of Fort Moultrie batteries give an inkling of the conditions he and his tribe endured while prisoners there. Fables of his bravery and leadership blow on the sea breezes as historians continue to debate the issues of deceit and heroism that framed this important part of South Carolina history. In benefit of the Battery Gadsden Cultural Center, this pivotal historic episode will be dramatized within the Fort

Osceola's Muse is a collaboration between PURE Theatre, visual artist, Jonathan Green, Keepers of the Word, Native American musician Delia Chariker, The Gullah Society, and producer Carol Antman. The story's themes are galvanizing: forced migration, assimilation, racism and cultural misunderstanding. Using artistic license, *Osceola's Muse* will juxtapose authentic history with spectacle to provide an entertaining experience that is historically based and enlightening.

____ Ongoing Event/Annual Need?

*Source of tourist data n/a
(website hits, surveys, ticket sale information, etc.)

E. Financial Analysis

Please Provide Line Item Budget for Event or Project (see attached)

Date for Submission to Isle Of Palms Treasurer of Financial Report for Event or Project _____

If awarded, funds are requested as follows:

(1) Lump Sum(s): \$__8,000__ on _9/30/19_____(date),
\$ _____ on _____(date),
\$ _____ on _____(date).

(2) Payment of Invoices as submitted to City Staff. Invoices should be submitted two weeks prior to due date.

State Accommodations Tax Advisory Committee
Isle of Palms, South Carolina

Application for State Accommodations Tax Funds

Date Received: <u>June 10, 2019</u> Total Project Cost: <u>\$699,020</u>	
Total Accommodations Tax Funds Requested: <u>\$10,000</u>	
Action Taken By Accom. Tax Advisory Committee:	Date Approved _____ Denied _____
Action Taken By Ways & Means Committee:	Date Approved _____ Denied _____
Action Taken By City Council:	Date Approved _____ Denied _____
Documentation required for payment: _____line item budget, _____invoices, _____Financial Report	

For Office Use Only

A. Project Name: LOWVELO bike ride for cancer research

B. Applicant Organization: MUSC Foundation

1. Mailing Address: 18 Bee Street, MSC 450, Charleston, SC 29425

Office Telephone: (843) 792-2677 Fax: _____

2. Project Director: Janet Bolin

Telephone: (843) 666-9480 Fax: CamScanner to Janet@LOWVELO.org
or bolinj@musc.edu

3. Description of Organization, Its Goals and Objectives:

The MUSC Foundation operates under a three-part mission of cutting-edge research, compassionate patient care and world-class education. To accomplish our goals, we rely upon the generous support of thousands of alumni, patients, like-minded citizens and friends of the University, businesses and foundations — donors who share our belief in the paramount importance of better health. As a state institution with limited resources, our excellence as a leader in health care for our state and region is only made possible through philanthropy.

C. Description and Location of Project/Event:

LOWVELO is a grassroots bike ride around the lowcountry with the purpose of raising funds for cancer research at Hollings Cancer Center. Hollings is the only NCI-designated cancer center in South Carolina and we are ranked 24th in the country. Our goals for year one are to raise over \$1M for cancer research and connect with great partners, like yourself, to help us underwrite the event as well as participate.

On November 2, 2019, the inaugural LOWVELO bike ride for cancer research will embark on a one-day ride around the lowcountry starting at Riverfront Park in North Charleston. LOWVELO is a fun ride geared towards all fitness levels age 15 and up to celebrate those who have fought and continue to fight cancer. Three (3) routes of various distances are available including 25, 50 and 100 miles. The 25-mile will start and end at Riverfront Park. The 50 and 100-mile routes will start at Riverfront Park and finish at Shipyard Park. Each route has a minimum fundraising component of which 100% of the rider-raised funds are dedicated to cancer research. Hollings Cancer Center is the designated beneficiary for LOWVELO19. To learn more about Hollings Cancer Center, please visit HollingsCancerCenter.org. To learn more and to sign-up to ride, volunteer or donate to LOWVELO19, please visit LOWVELO.org.

No. Single Event?

Yes, please. Ongoing Event/Annual Need?

1. Date(s): of Event: 11/2/2019 or Project Start: inaugural event planning started 4/16/2018 including event name, branding, communication and we launched the LOWVELO.org website on 11/12/2018 . Completion: 11/2/2019
(NOTE: Planning for 2020 event is underway with plans to announce the 2020 event date during the inaugural event on 11/2/2019.)

2. Impact on Tourism: What percentage of persons benefitting from this project are tourists (**90%**) vs. Isle of Palms residents (**10%**).

*Source of tourist data:

1. **Registered Riders for LOWVELO found under the “Profiles” tab on LOWVELO.org**
2. **Registered Volunteers**
3. **Ticket Sales for Friday night ‘Opening Ceremonies’**
4. **Google Analytics for LOWVELO.org from ‘registration open’ to ‘registration closed’ time period.**

(website hits, surveys, ticket sale information, etc.)

3. If this application is for an ongoing event, what is the percentage increase/decrease in tourist attendance versus the past year’s event?

*Source of tourist data:

1. **Registered Riders for LOWVELO found under the “Profiles” tab on LOWVELO.org**
2. **Registered Volunteers**
3. **Ticket Sales for Friday night ‘Opening Ceremonies’**
4. **Google Analytics for LOWVELO.org from ‘registration open’ to ‘registration closed’ time period.**

(website hits, surveys, ticket sale information, etc.)

D. Funding: Sources of Income for This Event or Project

1. Sponsorships or Fundraising: **Amount \$ 203,450.** From: Boeing, Intertech, Shipyard Park, Coca-Cola Consolidated, Sunbelt Rentals, Thermo Fischer Scientific, TD Bank, Merck Oncology, Alliance Oncology, Avantor/VWR, CMS Roofing, City of North Charleston, Channel 5, ISM Connect, Rack Room Shoes, and more.
2. Entry Fees: Amount **\$ 99.00** From: **Registered Riders for LOWVELO;**
NOTE: Fee is waived at official LOWVELO rider recruitment events and for official partners of the event.
3. Donations: Amount \$ **45,727.90** From: **November 12, 2018 to June 7, 2019;**
NOTE: 100% of rider raised funds through donations are designated for cancer research. Community members are invited to be part of special committees to vote on research projects funded by the money raised by riders of LOWVELO.
4. Accommodations Tax Funds Request: Amount **\$ 10,000**

Date(s) Required: 9/6/2019 Lump Sum: *Lump Sum is welcome or installments Installments: *Installments are welcome
5. Other:
6. Total Budget: **\$699, 020**

E. Financial Analysis

Please Provide Line Item Budget for Event or Project

Date for Submission to Isle Of Palms Treasurer of Financial Report for Event or Project _____

If awarded, funds are requested as follows:

(1) Lump Sum(s): \$ _____ on _____ (date),
\$ _____ on _____ (date),
\$ _____ on _____ (date).

(2) Payment of Invoices as submitted to City Staff. Invoices should be submitted two weeks prior to due date.

CHARLESTON, SC



NOVEMBER 1-2, 2019

SIGN-UP TO HELP END CANCER

NOT JUST ANOTHER RIDE...LOWVELO is an outdoor bike ride around the Lowcountry that will raise money for life-saving cancer research to support everyone in South Carolina. We estimate more than 1,000 riders will participate and over \$1,500,000 will be raised through LOWVELO19, earmarked for cancer research at Hollings Cancer Center, Medical University of South Carolina.

EMBRACE THE COMMITMENT

Every rider commits to fundraising a minimum amount specific to the route selected. Three route options are available to appeal to all levels of cycling strength from approximately 25 to 100 miles. Fundraising commitments range from \$750 to \$1,500 depending on the route selected. 100% of every rider-raised dollar is proudly directed to cancer research at Hollings Cancer Center, Medical University of South Carolina. A one-time registration fee of \$99 is required upon signing up for LOWVELO19 at LOWVELO.org.

REVEL IN THE MOMENT

Join us November 2, 2019, for an exhilarating ride, entertainment and volunteerism.

WHERE THE MONEY GOES

LOWVELO's operating expenses are covered by funding partners so that 100 percent of every dollar raised by LOWVELO riders, virtual riders and volunteers goes to cancer research.

The designated beneficiary of LOWVELO is Hollings Cancer Center at the Medical University of South Carolina (MUSC). The money is designated to support innovative research that will bring better treatments and outcomes for those impacted by cancer.



SCIENCE POWERHOUSE

ABOUT LOWVELO

Established in Charleston, South Carolina, LOWVELO is a grassroots outdoor bike ride that raises money for innovative and life-saving cancer research.

LOWVELO riders include cancer survivors, cycling enthusiasts and anyone interested in having fun for a good cause. Many people ride in honor of a friend or family member who is fighting or has fought the disease. The two-day event, hosted in November, begins with an opening ceremony, dinner and short program on Friday evening for registered LOWVELO riders and their guests. On Saturday morning, riders embark on one of three routes, designed to appeal to cyclists of all levels.

FUNDRAISING GOALS

All routes start and finish at Riverfront Park in North Charleston. Riders may choose from among three specially-designed routes that feature support stations, rest stops, medical aid and cheering sections. All three routes explore Charleston. The 50-mile extends over the Ravenel Bridge through Mount Pleasant, Sullivan's Island and Isle of Palms. The 100-mile continues to the Francis Marion Forest. When arriving back at Riverfront Park, riders will be welcomed by friends, family, food and fun!

25-MILE
ROUTE
FUNDRAISING
GOAL

\$750

50-MILE
ROUTE
FUNDRAISING
GOAL

\$1,250

100-MILE
ROUTE
FUNDRAISING
GOAL

\$1,500



HIGH TIDE CLUB

Riders who raise
\$5,000 or more will earn
membership into the
LOWVELO High Tide Club.

100% OF EVERY RIDER-RAISED DOLLAR
BENEFITS CANCER RESEARCH AT



Hollings Cancer Center
An NCI-Designated Cancer Center

Public Safety Committee
9:00am, Monday, September 16, 2019
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to order

Present: Council Member Ryan Buckhannon (Chair), Council Members Randy Bell and Jimmy Ward

Staff Present: Administrator Desiree Fragoso, Chief Kevin Cornett, Chief Ann Graham, Director Douglas Kerr

2. Approval of Previous Meeting's Minutes

MOTION: Council Member Bell made a motion to approve the minutes of the July 1, 2019 meeting, and Council Member Ward seconded the motion. The minutes were approved unanimously.

3. Citizen's Comments

Howard Hough, "Beach Santa" of Moncks Corner reported on the vast numbers of cigarette butts and cigar tips that he has collected on the island and off the beach this year. He expressed concern that these end up in the waterways when not properly disposed.

Kelly Thorvalson of the South Carolina Aquarium shared research regarding cigarette litter and its effects on marine life. She encouraged the Committee members to support a smoking ban on the beach.

Susan Page, 5 Forest Trail Court 1, spoke about Ordinance 2019-16, noting she understood why some citizens were upset about its intent. She hoped the wording could be made clearer so its intent was better understood. She thanked the Committee for continuing to work on this matter.

George Page, 5 Forest Trail Court 1, also speaking about Ordinance 2019-16, expressed concern that there seemed to have been no communication between the Committee and the person who wrote the ordinance. He was also frustrated at how long the process is taking. He also asked if someone could look at the tree blocking the view at the intersection of Hartnett and 34th.

Stan Harris, 801 Ocean Boulevard, commended the police department for the work they did in educating people how to properly park along Palm Boulevard this summer. He said he supports the idea of making the parking rules applicable 24/7. He also asked about the policy regarding securing the island during a storm, noting that many people had left the island but that non-residents were still coming to the island in the days leading up to the storm.

Eddie Shepherd, 4 20th Avenue asked for feedback on the crosswalk at 20th Avenue. He also asked about the policy and rules regarding driving a golf cart after dark. Council Member Buckhannon said only low-speed vehicles can be driven at night, not golf carts.

Bill Campbell, 34 42nd Avenue, asked how responsible citizens should react to open disregard for the laws of the island.

4. Old Business

A. Consideration of Ordinance 2019-16 – an ordinance to establish new standards for dilapidated structures

Administrator Fragoso reviewed this history of Ordinance 2019-16 up to today. She said that in an attempt to speed up the process of putting this ordinance before City Council as requested by the Committee. The redline version of the ordinance was presented to City Council last month for First Reading, but no action was taken and it was deferred back to the Public Safety Committee for more review and recommendations. Council Member Bell said she shared Mr. & Mrs. Page's frustration at the length of the process in getting this to approval and said he would be open to have a special meeting of the City Council to discuss this ordinance.

Director Kerr said the ordinance was drafted using the International Property Maintenance Code, coming from the issue of just one house on the island. Once passed, it would only pertain to less than 5 houses on the island. Committee members agreed that the language could be made broader so that the public did not perceive it as the City government's attempt to create an HOA for the island. Committee members also expressed the need for City officials to have the tools they need to act on such properties as needed. Director Kerr said that no matter how the ordinance is written it will always be perceived as overreach.

Council Member Buckhannon encouraged the Committee to reach out to staff about their specific wording concerns in the ordinance so that another draft could come to the Committee before the October City Council meeting. Administrator Fragoso wondered if there were any civil matters the neighbors could work on regarding dilapidated structures in their neighborhoods. She expressed concern that any ordinance might not yield the desired results for the property in question. Council Member Buckhannon wondered if smaller neighborhoods were allowed to create their own HOAs to deal with such issues. The Committee instructed staff to look into the process for who a neighborhood may be able to establish their own HOA.

B. Update on crosswalks from 41st Avenue to the 2nd Wild Dunes gate

Administrator Fragoso reported that DOT said crosswalks need to be connected to a sidewalk or an ADA-compliant pad and if the City opts to install sidewalks to accommodate the desired crosswalks, the City will be responsible for the maintenance of the same. Council Member Ward asked about a crosswalk at 20th Avenue, and Administrator Fragoso said that DOT will not put one there as there is one at 21st Avenue and they must be a minimum distance between them. Administrator Fragoso said she will reach out to Stantec to see if they have any other options to increase safety in that area and address the neighbors' concerns. She added that the no parking buffers created by the crosswalk at 21st Avenue seem to be successful.

C. Discussion of beach patrol officers

Chief Cornett next year he intends to fill all 10 budget positions for Beach Safety Officers so that 5 can be assigned to the beach. He believes a visible police presence on the beach will be helpful.

D. Update on SCDOT encroachment permit for Palm Boulevard golf cart path

Administrator Fragoso said there is no update on this project, noting that it is being worked on, but it is not in the current budget.

E. Discussion of implementing the 4' off the pavement rule on Palm Boulevard between 42nd and 57th avenues

Administrator Fragoso said that implementing the 4' off the pavement rule in that area will eliminate parking, thereby creating a funding issue as it will limit public access to the beach. Council Member Buckhannon expressed concern about construction workers parking there when it explicitly says it is for beach parking. Administrator Fragoso recommended addressing this issue along with others that may surface during the annual after-action meeting conducted by staff to evaluate the parking changes, what worked and what may need to change. She said she will bring a proposal and staff recommendations to the Committee the following month. She also pointed out that any changes made to the parking plan will create a labor-intensive chain reaction of changes needing to be made (i.e., SCDOT encroachment permit, updating the parking map, new signage, amending the ordinance, etc.) Citizen Jim Smiley spoke briefly about safety concerns to citizens in the 43-46th avenues area as a result of cars parked in the public right of way too close to the pavement.

5. New Business

A. Discussion of changing the hours when parking is regulated along the public rights-of-way

Council Member Buckhannon said this issue is being discussed in the Planning Commission as an option to help with issues surrounding short-term rentals. Administrator Fragoso said this change may also bring about the need for new signage since the existing signs include the times of enforcement. Council Member Buckhannon suggested a City Council Special Meeting to discuss parking as a larger issue. Administrator Fragoso said the issue will also be discussed more in-depth at the after-season department head meeting.

B. Consideration of a smoking ban on the beach, beach access paths, public outdoor spaces and City building and facilities

Administrator Fragoso said this issue is before the Public Safety Committee at the request of the Public Works Committee to consider the enforcement of such a ban. She added that all of the recommendations of the Public Works Committee are in the draft ordinance presented to the Committee. She said many coastal communities around the country have instituted such a ban and that Sullivan's Island is working on a similar initiative. She pointed out that infractions of a smoking ban carry civil, not criminal, fines. Chief Cornett pointed out that ticketing people for

smoking would be much like ticketing people for littering – the officer has to see the infraction to ticket for it, and people generally behave in the presence of an officer. Administrator Fragoso said, that if it is approved by Council, it may be beneficial to work with Sullivan’s Island to simultaneously promote and launch the smoking ban on both islands. She noted there will need to be an educational campaign as well as new signage when it goes into effect.

C. Consideration of the refurbishment of Tower 1002 in the amount of \$600,000
[FY20 Budget Capital Projects - \$300,000; Muni ATAX - \$150,000; State ATAX - \$150,000]

Chief Graham requested approval to spend \$600,000 for the refurbishment of the 2003 95’ Tower (truck) 1002. This figure is lower than originally budgeted after she decided some of the items to be refurbished were not necessary at this time. She said a pre-construction meeting will be in October. The truck will be driven to Florida in December by IOP personnel for the refurbishment, and it is expected to be ready in June.

MOTION: Council Member Bell made a motion to approve the expenditure, and Council Member Ward seconded the motion. The motion passed unanimously.

D. Consideration of a mutual aid agreement with Charleston County Sheriff’s Office

Chief Cornett suggested City Council send a resolution supporting mutual aid along with the signed agreement.

MOTION: Council Member Bell made a motion to approve, and Council Member Ward seconded the motion. The motion passed unanimously.

E. Discussion of a potential ordinance for failure to stop on police command

Chief Cornett noted the City has no ordinance that allows a person to be ticketed for failing to stop at an officer’s command. He said he can secure wording for such an ordinance from other communities who already have this in place.

MOTION: Council Member Ward made a motion to approve the drafting of an ordinance for failure to stop on police command. Council Member Bell seconded the motion. The motion passed unanimously.

F. Consideration of the replacement of four patrol vehicles
[FY20 Budget – Capital Projects - \$44,000; Muni ATAX - \$88,000; State ATAX - \$88,000]

Chief Cornett requested approval to purchase 4 Ford F150 police responder trucks instead of the 5 cars originally planned as they will better diversify the fleet of police vehicles and provide for a variety of uses, including towing boats and responding to emergencies on the beach.

MOTION: Council Member Ward made a motion to approve the purchase of 4 Ford F150 police responder vehicles, and Council Member Bell seconded the motion. The motion passed unanimously.

6. Department Reports

A. Fire Department – Chief Graham

Chief Graham reviewed the report sent to the Committee in their packets.

B. Police Department – Chief Cornett

Chief Cornett noted that tickets for traffic and criminal violations are down, but he expects those numbers to increase now that the newer officers are out of FTO. When asked about an increase in drug-related arrests, Chief Cornett said there seems to be an increased presence of people on the island who bring drug-related crime with them. He stressed that this sort of behavior expected in a “party environment,” but that the Isle of Palms is still a very safe city. He said he will break down data surrounding drug-related offenses in future reports. He also said that he and Chief Graham will combine their data on Narcan usage.

In a brief discussion about golf cart regulation, Chief Cornett said he would like to be able to track golf cart ownership through the police department in the future. Committee members expressed concern that renters do not know the rules regarding golf cart usage. Chief Cornett spoke briefly about the differences in the laws regarding golf carts and low-speed vehicles.

Lastly, he shared preliminary renderings of a new patch for the police department as requested by the officers. He said it is still in discussions and he will bring a more final version to the Committee at a later date.

7. Miscellaneous Business

The next meeting of the Public Safety Committee will be at 9:00am on Monday, October 7, 2019 in City Hall.

8. Executive Session – none needed.

9. Adjournment

Council Member Bell made a motion to adjourn. The meeting was adjourned at 11:01am.

Respectfully submitted,

Nicole DeNeane
City Clerk

Office of the Sheriff



County of Charleston

Sheriff J. Al Cannon, Jr.

July 29, 2019

Chief Kevin Cornett
Isle of Palms Police Department
30 JC Long Blvd
Isle of Palms SC 29451

Dear Chief Cornett:

Enclosed are two original Law Enforcement Mutual Aid Agreements between Isle of Palms Police Department and the Charleston County Sheriff's Office signed by Sheriff Cannon.

Please sign both copies, return one to CCSO and keep the other for your files.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan P. Singleton".

Susan P Singleton
Executive Secretary
to the Sheriff

Enclosures

Administrative Office

3691 Leeds Avenue
N. Charleston, SC 29405
~ Sheriff ~
Voice (843) 554-2230
Fax (843) 554-2243

Law Enforcement Division

3691 Leeds Avenue
N. Charleston, SC 29405
~ Patrol ~
Voice (843) 202-1700
Fax (843) 554-2234

Al Cannon Detention Center

3841 Leeds Avenue
N. Charleston, SC 29405
Voice (843) 529-7300
Fax (843) 529-7406

Judicial Center

100 Broad Street, Suite 381
Charleston, SC 29401
Voice (843) 958-2100
Fax (843) 958-2128

LAW ENFORCEMENT MUTUAL AID AGREEMENT

This agreement is made and entered into this _____ day of _____, 2019 by and between the **CHARLESTON COUNTY SHERIFF'S OFFICE** and the **CITY OF ISLE OF PALMS, SOUTH CAROLINA**.

WHEREAS, the Law Enforcement Assistance and Support Act, S.C. Code Ann. §23-20-10, et seq., provides for agreements to be entered into on behalf of a law enforcement agency in this State for the purpose of providing the proper and prudent exercise of public safety functions across jurisdictional lines, including, but not limited to, multijurisdictional task forces, criminal investigations, patrol services, crowd control, traffic control and safety, and other emergency service situations. Such agreements must not be permitted for the sole purpose of speed enforcement; and

WHEREAS, a mutual aid agreement entered into on behalf of a law enforcement authority must be approved by the appropriate governing body of each concerned county, incorporated municipality, or other political subdivision of this State, except that a County Sheriff, as an elected official whose office was created by the Constitution and general law of this State, is not required to seek approval from the Sheriff's governing body in order to participate in said mutual aid agreements; and

WHEREAS, the Charleston County Sheriff's Office and the City of Isle of Palms desire to enter into such an agreement for all proper purposes provided for in the Law Enforcement Assistance and Support Act; and

WHEREAS, the purpose of this Agreement is to define the scope of such mutual aid and the responsibilities of the parties; and

WHEREAS, during these activities, it is possible that law enforcement officers will respond to, become involved with, and/or deal with emergency situations, civil disorder, arrests, natural or manmade disasters, pursuits of criminal suspects, location of missing persons, criminal investigations, and/or any other matter typically handled by law enforcement, and the requesting agency desires replying agency's officers to have lawful authority and jurisdiction to respond to, become involved with, and/or deal with these or any other situations which may arise during the presence of replying agency's officers in the requesting agency's jurisdiction.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, it is the intent of the parties to share jurisdiction under this written agreement to the fullest extent permitted under South Carolina law and it is further agreed as follows:

1. VESTING OF AUTHORITY AND JURISDICTION

To the fullest extent permitted by the S.C. Constitution and the statutory and common law of this State, officers acting pursuant to this agreement shall be vested with authority, jurisdiction, rights, immunities, and privileges outside his resident jurisdiction for the purpose of investigation, arrest, or any other law enforcement activity for which the agreement is drawn. This agreement is in no way intended to affect any other multi-jurisdictional agreement(s) which may exist between the agencies. However, local ordinances adopted by a participating party shall not be deemed extended into areas of operation that are located outside the geopolitical territorial limits of that party.

2. PRIMARY RESPONSIBILITY

It is agreed and understood that the primary responsibility of the parties to this Agreement is to provide law enforcement services within the boundaries of their respective jurisdictions. Therefore, it is agreed that the law enforcement agency whose assistance is requested shall be the sole judge as to whether or not it can respond and to what extent it can comply with the request for assistance from the other agency.

3. PROCEDURE FOR REQUESTING LAW ENFORCEMENT ASSISTANCE

A request for assistance may be made by any agency head or on-duty supervisor as deemed prudent and necessary. Replying officers shall acknowledge their response to render aid as requested, and exert their best efforts to cooperate with and aid the requesting officer or agency. Replying officers shall report to the officer in charge of the requesting agency and shall be subject to the lawful orders and commands of that officer. Requests for aid and assistance pursuant to this agreement may be made by radio, telephone, fax, email, or in a written memorandum.

4. EQUIPMENT, FACILITIES, AND COMMUNICATIONS

Each party shall be responsible for the maintenance of its own equipment and shall supply necessary equipment for its law enforcement officers. The requesting agency will provide necessary facilities for law enforcement operations and will designate its location at the time assistance is requested unless otherwise agreed to by the Parties. Radio communications shall be on a mutually agreed channel, as may vary upon the specific operation or incident, and in accordance with established dispatch protocols.

5. PERSONNEL, COSTS AND RECORDS

Except as otherwise agreed between the parties in writing, each party shall maintain control over its personnel. Except as otherwise agreed between the parties in writing, each party shall bear its own costs incurred in the performance of its obligations hereunder, and shall keep its own personnel and other usual records as to its assigned officers.

6. COMPENSATION

This Agreement shall in no manner affect or reduce the compensation, pension, or retirement rights of any responding or assisting officer. These officers' compensation and benefits shall continue to be paid by the agency where they are permanently employed.

7. INSURANCE

Each party shall maintain such insurance coverage for general liability, workers' compensation, and other such coverage as may be required by law or deemed advisable by individual parties.

8. EMPLOYMENT STATUS

Nothing herein shall be construed or interpreted to imply that the law enforcement officers temporarily transferred in accordance with this Agreement shall be the employees of the law enforcement agency requesting such assistance.

9. MODIFICATION OR AMENDMENT

This agreement shall not be modified, amended, or changed in any manner except upon express written consent of the parties to this agreement.

10. FREEDOM OF INFORMATION ACT

Each party is responsible for compliance with the South Carolina Freedom of Information Act as may pertain to requests for records and materials in the respective law enforcement agency's control.

11. SEVERABILITY

Should any provision of this agreement be found to be unenforceable by any court or other competent authority, then the rest shall remain in full force and effect.

12. AMENDMENTS AND BINDING SUCCESSORS IN OFFICE

This agreement may be amended or modified only by written agreement of both parties. Each party agrees that any and all successors in interest to their office will be similarly bound by the terms of this agreement without necessitating execution of any amendment.

13. NO INDEMNIFICATION OR THIRD PARTY RIGHTS

The parties shall be solely responsible for the acts and omissions of their respective employees, officers, and officials, and for any claims, lawsuits and payment of damages that arise from activities of its assigned officers. No right of indemnification is created by this agreement and the parties expressly disclaim such. The provisions of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any party or entity not a party to this agreement.

14. TERMINATION

This agreement may be terminated at any time upon thirty (30) days written notice to the other party to this agreement.

15. TERM AND RENEWAL

This agreement is effective as to each party at the date and time of signing and will automatically renew each anniversary date, year to year and term to term unless a party exercises its right to terminate as provided herein.

IN WITNESS WHEREOF, these parties have set their hands and seals at the date set forth above.

**CHARLESTON COUNTY
SHERIFF'S OFFICE**



Sheriff J. Al Cannon, Jr.

Date: 7/26/2019

CITY OF ISLE OF PALMS

Kevin Cornett
Chief of Police

Date: _____

Approved:

Desirée Fragoso
City Administrator

Date: _____

*Attach copy of Council resolution
approving Agreement

PUBLIC WORKS COMMITTEE
5:00pm, Thursday, September 19, 2019
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to Order

Present: Council Member Rice (chair), Council Member Kinghorn, Council Member Smith

Staff Present: Administrator Fragoso, Director Pitts, Assistant Director Acero

2. Minutes

MOTION: Council Member Smith made a motion to approve the minutes of the August 7, 2019 meeting, and Council Member Kinghorn seconded the motion. The minutes passed unanimously.

3. Citizen's Committee

4. Department Reports for August 2019 – Director Pitts

Director Pitts reported that garbage and debris collection are up from this time last year. He also reported a radiator issue with one of the trucks, but despite that expense, the department remains within budget. Assistant Director Acero gave the facilities maintenance report. Council Member Rice asked if the areas of 53rd-57th avenues were covered under the Phase II drainage project, and Administrator Fragoso said this had been part of Phase I. However, the drainage issue at that spot now is as a result of human error and not an error within the system. She said the City has been working with Dominion Energy and other to find a permanent solution.

5. Old Business

A. Update on Phase III Drainage project and small internal projects

Administrator Fragoso reported staff is working with the attorneys on the contracts to include language that the "City is committing to 30% of the design before it goes to permitting." She believes this should be completed by tomorrow.

B. Update on trial use of trash cans with lids on the beach

Director Pitts shared the story of having to remove the test can from the beach just prior to the storm. He reported that it took about 5 hours to remove all the public trash cans from the beach prior to the storm, but this particular can was full of water and took 4 people and a tow dolly to move. The lidded cans would be more labor intensive to move and would require being taken off the beach long before a storm hit the island. He suggested these cans may be better used in places off the beach.

6. New Business

A. Request from the Isle of Palms Water & Sewer Commission for approval of a \$16M bond for the decommissioning of the Wild Dunes Waste Water Treatment Plant and the consolidation and expansion of the Forest Trail Waste Water Treatment Plant

Administrator Fragoso introduced General Manager Chris Jordan, Special Projects Administrator Bill Jenkins, Commissioner Curtis Helfrich, and Attorney Bill Youngblood of the Water & Sewer Commission to the Committee members. She stated this is the 9th bond approval request from the Water & Sewer Commission, adding that their approval of the bond request will not affect the City's finances in any way.

Mr. Jordan stated these monies, if approved, will be used to decommission the waste water treatment plant in Wild Dunes as it is old and requiring significant maintenance and expand the waste water treatment plant at Forest Trail so that over time it will be able to accommodate the needs of an island fully on sewer. The Wild Dunes plant will become a below ground pump station; current tanks and equipment will be demolished. There is no current plan for the rest of that property. Commissioners discussed the project timeline with Mr. Jordan and Mr. Youngblood who agreed it is a 3-4 year process. Council Member Kinghorn recommended the Water & Sewer Commission becoming part of the City government where it could be administered as a City department. He also expressed concern that there is still no signed and finalized MOU with the Water & Sewer Commission.

MOTION: Council Member Kinghorn made a motion to defer further discussion of this request until the next meeting. Council Member Rice seconded the motion.

Council Member Kinghorn said there are many questions that need to be answered and they may not even have the knowledge to ask the right questions yet. Council Member Rice expressed concern about the vacancies and changes that have occurred in recent months at the Water & Sewer Commission. Administrator Fragoso reported the Personnel Committee would be interviewing interested candidates for those vacancies next week. Council Member Kinghorn requested the Committee discuss this issue further in Executive Session.

VOTE: The motion passed unanimously.

B. Discussion of Front Beach beautification

Administrator Fragoso spoke highly of the work already done by Assistant Director Asero at the Front Beach. They have met with a landscape company to discuss a phased-in approach for Front Beach improvements. Administrator Fragoso plans to speak to The Beach Company to enlist their involvement in the project as well. Assistant Director Asero said there are many areas to look at for improvement, including irrigation, landscaping, and lighting. Administrator Fragoso said she hopes the space will become a place of pride for the residents, one in which they can gather and enjoy the area.

C. Update on Hurricane Dorian debris removal

Director Pitts gave an overview of how the removal of storm debris has been handled to date. He believes the debris will be completely picked up by the middle of next week. Committee members thanked Public Works for all their hard work and effort.

7. Miscellaneous Business

The next meeting of the Public Works Committee will be on Thursday, October 3, 2019 at 8:00am in Council Chambers.

8. Executive Session

MOTION: Council Member Rice made a motion to move into Executive Session to discuss contractual matters related to the Water & Sewer Commission's bond approval request. Council Member Kinghorn seconded the motion. The Committee moved into Executive Session at 5:53pm.

The meeting was adjourned at 6:05pm. No decisions were made during Executive Session.

Respectfully submitted,

Nicole DeNeane
City Clerk

PERSONNEL COMMITTEE MEETING
4:30pm, Monday, September 16, 2019
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC
MINUTES

1. Call to Order

Present: Council Member John Moyer (Chair), Council Member Sandy Ferencz, Council Member Carol Rice

Staff Present: Administrator Fragoso, HR Officer DeGroot

2. Approval of previous meeting's minutes

MOTION: Council Member Ferencz made a motion to approve the minutes of the August 6, 2019 meeting, and Council Member Rice seconded the motion. The minutes were approved unanimously.

3. Citizen's Comments - none

4. Old Business

A. Status of hiring Assistant City Administrator

Administrator Fragoso reported that the first round of interviews was conducted three weeks ago, and the second round is taking place this week. There will be 2-3 candidates to return for this round of interviews with the Administrator, City Hall staff, and department heads. The process has been delayed by two weeks due to the hurricane, but she hopes to have this person in place mid-to-late October.

B. Update on the annual Employee Appreciation Event

The event is scheduled for Friday, October 18 at 11am. HR Officer DeGroot said the planning is coming together nicely and the committee would like to extend the ending time by 30 minutes to allow for games and fun. Administrator Fragoso said one application has been received for the Leola Hanbury Award to date. She has continued to advertise the request for applications and will present the nominations received to the Committee next month for consideration.

C. Consideration of applications of the Isle of Palms Water & Sewer Commission Vacancies

Administrator Fragoso reported that 4 people have applied for the two vacancies on the Water & Sewer Commission. Committee members would like more input from Chairman Dana Love of the Water & Sewer Commission as to the qualifications and expectations

for possible new commissioners. Committee members briefly discussed possible questions to be asked of candidates during the interview process.

D. Update on City Council orientation and training handbook

Administrator Fragoso pointed to the suggested table of contents for a training guide supplied in the meeting packet. She reported that she recently met with a MASC representative who shared the many ways they could help with training and training materials. Council Member Ferencz said she would like to see more clarity about the responsibilities of committee chairpersons and committee members. Administrator Fragoso said she intends to attach the parts of the City code that detail the responsibilities of each committee to the training guide.

E. Consideration City Administrator Employment Agreement

MOTION: Council Member Moye made a motion to suspend the rules of order and move the discussion of the City Administrator's Employment Agreement to Executive Session. Council Member Rice seconded the motion. The motion passed unanimously.

5. New Business

A. Consideration of Ordinance 2019-17 – An ordinance to provide clarity to the rules of procedure during public meetings

Administrator Fragoso stated this ordinance was developed at the request of the Mayor, passed First Reading at the August City Council meeting, and has been referred back to the Committee for changes and recommendation. Council Member Rice expressed deep concerns about this ordinance, stating that it felt like overreach and would discourage people from speaking up at Council and committee meetings. She felt the issue of maintaining order in the meeting could be part of the new training guidelines for City Council. Council members Moye and Ferencz supported the idea of creating a time limit in which people could speak. Council Member Moye added his support of allowing Council or a committee the flexibility to alter the rules as they deemed necessary to the situation. The Committee did not support the idea of the stoplight timer to regulate the speaking time. Council Member Moye asked about a digital timer that could be used by the Mayor to track time.

6. Miscellaneous business

There will be a special meeting on Monday, September 23 at 8:30am to speak with Chairman Love about the qualifications for new commissioners, and also at 4:30pm that same day to begin the interview process.

The next regular meeting is on Tuesday, October 8 at 8:30am.

7. Executive Session

Council Member Moye made a motion to move into Executive Session to discuss contractual arrangements with regards to the City Administrator Employment Agreement.

8. Adjournment

The Committee returned from Executive Session. No decisions were made, and no votes were taken. The meeting was adjourned at 5:48.

Respectfully submitted,

Nicole DeNeane
City Clerk

REAL PROPERTY COMMITTEE
9:00am, Wednesday, September 18, 2019
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to order

Present: Council Member Bell (Chair), Council Member Ferencz, Council Member Ward

Staff Present: Administrator Fragoso, Director Kerr

2. Approval of Previous Meeting's Minutes

MOTION: Council Member Ferencz made a motion to approve the minutes of the July 3, 2019 meeting, and Council Member Ward seconded the motion. The minutes passed unanimously.

3. Citizens' Comments – none

4. Comments from Marina Tenants – none

5. Old Business

A. Status of marina docks rehabilitation project and permitting process

Mr. Kirby Marshall reported the regulatory permits for the project have been submitted to the Army Corps of Engineers and OCRM. No public comments have been received at this point. He said the permitting process is moving along smoothly and the design process is ongoing.

B. Status of the Tidal Wave Watersports dock permitting process

Mr. Marshall reported that the request for variance to leave the dock as it is has been verbally denied by the Corps. However, the move that needs to be made is one involving only carpentry work. He said they have worked a deal with the Corps "to transfer the existing permit for that dock into the City's name, apply for an amendment of permit to permit the dock in its current configuration but pulled back a few feet to get it out of the channel and to include the new future ADA gangway." No public notice will be required. He noted the OCRM process for this project is "stickier." OCRM has suggested the City apply for "an amendment to the existing permit just to pull the dock back" and not include the new gangway, which enables the City to move forward with pulling the dock back. The gangway will be addressed with OCRM after the dock has been pulled back. Administrator Fragoso pointed out that dealing with both State and Federal agencies may make this a longer process and does not expect it to be completed before Christmas.

MOTION: Council Member Bell made a motion to suspend the rules of order and move Item D under New Business to this point in the meeting as it involved Mr.

Marshall. Council Member Ferencz seconded the motion. The motion passed unanimously.

6. D. Consideration of proposal from S&ME, Inc. in the amount of \$32,925 for the geotechnical investigation for the Isle of Palms Marina dock replacement project [FY20 Budget: Marina Fund - \$147,000]

Administrator Fragoso stated City Staff and ATM evaluated the proposals received for this project and would like to make a recommendation for S&ME to go forward with the geotechnical investigation. Council Member Ferencz pointed out to Mr. Marshall that the incorrect picture was used in the proposal. He agreed, but noted the boring locations are still the same.

MOTION: Council Member Bell made a motion to approve the recommendation, and Council Member Ferencz second the motion. The motion passed unanimously.

C. Status of Public Safety Building rehabilitation project

Administrator Fragoso said drawings are in the final stages and all is going according to plan minus the two-week delay caused by Hurricane Dorian. She will have more updated information for City Council next week.

D. Update on marina restaurant RFP process from Jon Chalfie of Lee & Associates

Administrator Fragoso reported that the three proposals received were opened on August 30. She suggested a meeting on September 26 with City Council and all the bidders so they may give complete presentations of their proposals. When asked why more people did not bid on the project, Mr. Chalfie said there is a lot of money at stake and this sort of investment is “not for the faint of heart.” Council Member Bell expressed the need to move quickly on the process of getting full Council and public input. The need for an RFP that includes all of the marina site was briefly discussed. Mr. Chalfie reported he has begun creating financial models so the Committee can do lease comparisons and projections from those who answered the RFP.

E. Status of Request for Information for municipal parking lot alternate uses

Administrator Fragoso reported she will begin working on an RFI to get ideas for the parking lot. She noted there are restrictions and covenants on the lot that will require the site to continue to provide public parking for beach access no matter what is done with the property.

6. New Business

A. Discussion of proposed development at 1100 Palm Boulevard

A lengthy discussion between Committee members, City staff, builder, and the property owner ensued about the possibility of a boutique hotel at 1100 Palm Boulevard. Administrator Fragoso pointed out that a project such as this would require a definition of “boutique hotel” and a zoning change to make this an allowable use within the zoning district. She noted this is a unique opportunity for economic development on the island. A considerable part of the

conversation was spent discussing the parking requirements for the facility and what options for parking may or may not exist that will accommodate what is required of the builders and owner. Director Kerr and Council Member Ward stated that the first and biggest question that needed to be answered is if City Council would be willing to change the zoning to allow for the development. Administrator Fragoso pointed out that changing the zoning in this area from GC1 to GC3 will actually restrict similar development on other parts of the island. She also said parking options could be discussed in more depth on a staff level. Discussion also ensued about the timeline for approving the project and if that could be done before year's end. Council Member Ferencz said it would be vital to get the proper information out to educate the public on this development.

B. Consideration of Ordinance 2019-17 – An ordinance to provide clarity to the rules of procedure during public meetings

Administrator Fragoso stated this ordinance was developed at the request of the Mayor, passed First Reading at the August City Council meeting, and has been referred back to the Committee for changes and recommendation. Council Member Bell suggested a clearer definition of "Citizen's Comments." Administrator Fragoso reported the City Attorney said who addresses City Council should not be limited. After several concerns and options were discussed, Committee members agreed that Citizen's Comments should be limited to those items on that meeting's agenda. Council Member Ward indicated he would recommend an amendment to the ordinance reflecting their recommendation.

C. Discussion of potential projects for Charleston County Greenbelt Funding Program

Administrator Fragoso reported that the available greenbelt monies allocated for the City comes to \$103,613. She said staff will begin working on a list of project ideas which will be presented to the Committee next month for consideration. The deadline for project submission is at the end of February.

7. Miscellaneous Business

The next Committee meeting will be Wednesday, October 2, 2019 at 9:00am in Council Chambers.

8. Executive Session – none needed

9. Adjournment

Council Member Ferencz made a motion to adjourn and Council Member Ward seconded the motion. The meeting was adjourned at 10:40am.

Respectfully submitted,

Nicole DeNeane
City Clerk

ATAX Committee
11:00am, Tuesday, September 17, 2019
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to Order

Present: David Nelson, Susan Haynie, Rusty Williamson, Sally Muhlig

Absent: Malcolm Burgis, Margaret Miller, Julise Spell

Staff Present: Administrator Fragoso, Treasurer Suggs

2. Approval of Previous Meeting's Minutes

MOTION: Ms. Haynie made a motion to approve the minutes of the May 22, 2019 meeting, and Ms. Muhlig seconded the motion. The minutes passed unanimously.

3. Citizen's Comments – none

4. Financial Statements – Debbie Suggs

Treasurer Suggs gave a final (unaudited) overview of the end-of-year expenses of ATAX monies used during FY19. Some of the items covered in part or full by ATAX monies included beachfront expenses, the final debt payment on the Marina, fireworks display, repairs to the tennis courts, the City's website, salaries and benefits of one police officer and four firefighters, and three sponsorships.

Discussion ensued about the \$600,000 paid to the CVB from ATAX monies.

Administrator Fragoso and Treasurer Scruggs reminded the Committee that it is required by State law that 30% of ATAX monies be paid to a qualifying organization to promote tourism for the Isle of Palms. Administrator Fragoso said there has been discussion among Council about creating an internal committee to provide that function for the City. Mr. Williamson said he believes there should be more focus on protecting the beach and the island's infrastructure and not advertising. Mr. Nelson suggested having someone from the CVB come speak to the Committee at the next meeting.

Treasurer Suggs then reviewed the FY20 year-to-date report, stating the fund balance for ATAX monies is currently \$1.7 million. She also reported these monies are kept in an interest-bearing account along with other City monies. She pointed out that FY20's expenses will include \$1 million going towards the renovations at the Police and Fire departments. Treasurer Suggs shared that the City has made an attempt to reduce the amount of transfers from ATAX to cover operational expenses like salaries and benefits.

Treasurer Suggs shared a spreadsheet detailing fund balances for ATAX monies from FY14 through FY19 as well as forecasted balances through 2024. She pointed out that the fund balance is expected to be lower at the end of FY20 due to the monies paid out for the renovations, but it is expected to be rebound and be higher over time.

5. Old Business – none

6. New Business

A. Sponsorship request from Pure Theater in the amount of \$8,000

Sharon Graci of Pure Theater came before the Committee requesting a sponsorship of \$8,000 to help fund four interactive performances of “Osceola’s Muse” to be held in October on Sullivan’s Island.

MOTION: Mr. Williamson made a motion to approve Ms. Graci’s request, and Ms. Haynie seconded the motion. The motion passed unanimously.

B. Sponsorship request for LOWVELO in the amount of \$10,000

Shannon Rice came before the Committee requesting a sponsorship of \$10,000 to help fund operating and administrative expenses occurred in support of a fundraising bicycle ride. Monies requested from ATAX would allow all monies raised by the riders to benefit cancer research at the Hollings Cancer Center. Administrator Fragoso reported that this event has been approved by City Council as a City-sponsored event.

MOTION: Mr. Nelson made a motion to award \$5,000 to the LOWVELO fundraising request. Ms. Muhlig seconded the motion. The motion passed unanimously.

7. Miscellaneous

The date of the next meeting will be Wednesday, October 9 at 11am. Administrator Fragoso said she will ask Perrin Lawson from the CVB to attend the meeting.

8. Adjournment

The meeting was adjourned at 11:36am.

Respectfully submitted,

Nicole DeNeane
City Clerk

Planning Commission
Wednesday, September 11, 2019
4:30pm, 2nd Floor Conference Room
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to Order

Present: Richard Ferencz, William Mills, Vince DiGangi, Phillip Pounds, Ron Denton, Lewis Gregory, and Douglas Kerr, Director of Planning

Absent: Lisa Safford

Staff Present: Administrator Desiree Fragoso, Chief Kevin Cornett

2. Public Comments -- none

3. Minutes

MOTION: Mr. Mills made a motion to approve the minutes of the August 14, 2019 meeting, and Mr. Pounds seconded the motion.

VOTE: The minutes passed unanimously.

4. Discussion of Short-Term Rentals

Chief Cornett shared with the Commissioners the process of how police officers respond to noise complaints, detailing what the officers can and cannot do once they are on scene. The discussion of what can and often does happen with tickets issued by the police led to Mr. Kerr pointing out that the current trigger of losing a business license (3 convictions) may need to be changed to an appropriate number of founded complaints.

Chief Cornett also reported that after visiting with the island property management companies he discovered they were not being informed of complaints regarding their short-term rentals in a timely manner. A new process informing both the property owner and the property manager has now been put in place. He shared there are not as many complaints regarding short-term rentals as people may think but that a recent incident revealed vulnerabilities in the laws and procedures that need to be addressed.

The Commission reached a consensus on the following concepts: requiring a local owner's representative that can always be physically on-site within thirty minutes, reducing maximum daytime occupancy down from 40 to twice the nightly occupancy; to initiate rental license revocation after five founded complaints in a calendar year, to

ensure managers and owners are aware of every founded complaint as quickly as reasonable, and to improve record keeping on complaints, citations and convictions.

The Commission did not reach consensus but agreed to continue discussing the merits of the following concepts: establishing a minimum length stay, establishing areas where short term rentals are either not allowed or otherwise limited, and requiring a self-inspection of the safety and compliance of each rental unit.

Commissioners briefly discussed the merits of putting together all recommendations into one ordinance or creating several smaller ordinances so that Council can deal with them faster. They then reviewed a list of proposed action items provided by staff for consideration. Following their discussion, Mr. Kerr said the list will again be modified to reflect their requested changes and presented as a draft ordinance at the October meeting.

5. Update on Drainage Projects

Mr. Kerr reported that City Council authorized the final design and permitting for the smaller drainage projects. He expects these items will be completed by the end of the fiscal year.

6. Update on MOU with the Water & Sewer Commission.

Mr. Kerr stated he will send the Commissioners an update on the situation with the Water & Sewer Commission in an email after he gets those details from Administrator Fragoso.

7. Adjournment – off record at 6:25pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2019-17

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE A. - RULES OF ORDER AND PROCEDURE.

WHEREAS, the Isle of Palms Council is empowered with the authority to make amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, The Isle of Palms Council believes it necessary to make amendments to ensure orderly meetings for the Council and the citizens of the City of Isle of Palms;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 3, Article A, to provide clarity on the rules of procedure during public meetings.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE A. - RULES OF ORDER AND PROCEDURE SHALL BE AMENDED TO READ AS FOLLOWS

Sec. 1-3-10. - Order of business.

(A) *Regular meetings.*

(1) The order of proceedings of the City Council shall be as follows:

- (a) The minutes of the previous Council meeting shall be presented by the City Clerk.
- (b) Citizen comments.
- (c) Reports from standing committees.
- (d) Reports from city officers, boards and commissions.
- (e) Reports from special or joint committees.
- (f) Petitions received, referred or disposed of.
- (g) Introduction of new bills or resolutions.
- (h) Miscellaneous business.

(2) The order of proceeding in subsection (A)(1) of this section shall be governed as follows:

- (a) *Reading of the minutes of the past council meeting by the City Clerk.* Unless a motion to approve the minutes as published is passed by a majority of those members present, the minutes of all meetings which have not been approved shall

be read in their entirety, excluding appendices, corrected, if necessary, and approved by a majority vote.

- (b) *Citizen comments.* Members of the public who want to address the City Council at a City Council meeting shall sign up before the start of the meeting identifying themselves by providing name and address and shall be allowed the floor in the order of requests received. The individual requesting to speak should furnish the City Clerk with a written copy of the comments to be made to Council. Speakers shall limit their remarks to no more than three (3) minutes. Public participation during Citizen Comments shall be limited to no more than thirty (30) minutes in total unless extended for a time certain by the Mayor or by a majority vote of the City Council. If there are more speakers signed up to address the City Council than time will allow, citizens may provide a written copy of the comments to be included in the public record. Public participation during Citizen Comments shall be conducted in accordance with Sec. 1.3.13.
 - (c) *Reports from standing committees.* This should include only the standing committees of Council in the order listed in section 1-3-31. All reports from standing committees shall be submitted, in writing, to the City Clerk prior to the start of the meeting.
 - (d) *Reports from City officers, boards and commissions.* All reports should be submitted, in writing, to the City Clerk prior to the start of the meeting.
 - (e) *Reports from special or joint committees.* This shall include only those special or joint committees appointed by the Mayor and Council. All reports should be submitted in writing prior to the start of the meeting.
 - (f) *Petitions received, etc.* Petitions received, referred, or disposed of, this is to include all petitions, letters of request, etc., which have been proposed to Council. If a petition previously received by Council has been referred, the report on that petition shall be made here. When action has been taken on a petition, the disposition shall be reported here. All petitions and requests shall be submitted, in writing, one (1) week prior to the date of the Council meeting at which time the proposed action is requested. All reports on petitions and requests shall be submitted, in writing, prior to the start of the meeting.
 - (g) *Introduction of new bills or resolutions.* All new bills and resolutions shall be in a form approved by the Council and read.
 - (h) *Miscellaneous business.* Miscellaneous business shall include any matter that is not included in any of the other orders. All subjects/matters to be included here must be submitted to the City Clerk for inclusion on the agenda.
- (B) *Special meetings.* The order of proceeding for a special meeting shall be that order as published on the agenda for that special meeting. No items may be added.

(Code 1994, § 1-3-10; Ord. No. 1994-4, § 4, 4-26-1994)

Sec. 1-3-11. - Duty to attend meetings.

It shall be the duty of the Mayor and Councilmembers to attend all regular meetings of the City Council and, when notified, to attend all special meetings of the City Council called pursuant to this chapter. The Mayor and Councilmembers shall notify the City Clerk of a reason for the absence, at least twenty-four (24) hours in advance of the excused absence, so that Council can act upon same at the scheduled meeting. Consideration will be made for unexpected emergency.

(Code 1994, § 1-3-11; Ord. No. 1981-9, 11-11-1981)

Sec. 1-3-12. - Addressing the Council.

No member of Council or member of the public shall speak at a Council meeting until recognized by the Mayor or presiding member. Remarks shall be limited to the question or subject under consideration. Disrespectful or personal remarks shall not be permitted and the chair may order that the person making such remarks be removed from the Council chambers.

Sec. 1.3.13. Public Participation

(a) Speakers shall limit their remarks to no more than three (3) minutes unless additional time is granted by the Mayor or by a majority vote of the City Council.

(b) A timer shall be used to notify speakers when the allotted time has expired. Speakers will be informed when their allotted time has expired. Upon the expiration of the allotted time, speakers shall stop speaking and leave the podium unless additional time is granted.

(c) Public participation during Public Comments shall be limited to no more than thirty (30) minutes in total unless extended for a time certain by the Mayor or by a majority vote of the City Council. If there are more speakers signed up to address the City Council than time will allow, citizens may provide a written copy of the comments to be included in the public record.

(d) Groups of speakers should, whenever possible, consolidate their comments and avoid repetition through the use of representative speakers.

(e) Speakers shall focus and limit their remarks directly to the matter then under discussion.

(f) Speakers shall address their remarks to the City Council as a whole and not to any individual Council members.

(g) Speakers shall not ask questions of individual Council members or a member of the City staff without first obtaining permission from the Mayor.

(h) Speakers shall refrain from harassing or directing threats or personal attacks at Council members, staff, other speakers or members of the audience.

(i) Council members may, but need not, ask questions of speakers at the conclusion of their comments.

(j) Members of the audience shall maintain decorum and refrain from noisy outbursts or other distracting actions such as applauding, cheering, or booing during or at the conclusion of any remarks made by any speaker, staff member or Council members.

(Code 1994, § 1-3-12; Ord. No. 1981-9, 11-11-1981; Ord. No. 1994-4, § 5, 4-26-1994)

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2019-17

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE A. - RULES OF ORDER AND PROCEDURE.

WHEREAS, the Isle of Palms Council is empowered with the authority to make amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, The Isle of Palms Council believes it necessary to make amendments to ensure orderly meetings for the Council and the citizens of the City of Isle of Palms;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 3, Article A, to provide clarity on the rules of procedure during public meetings.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE A. - RULES OF ORDER AND PROCEDURE SHALL BE AMENDED TO READ AS FOLLOWS

Sec. 1-3-10. - Order of business.

(A) *Regular meetings.*

- (1) The order of proceedings of the City Council shall be as follows:
 - (a) The minutes of the previous Council meeting shall be presented by the City Clerk.
 - (b) Citizen comments.
 - (c) Reports from standing committees.
 - (d) Reports from city officers, boards and commissions.
 - (e) Reports from special or joint committees.
 - (f) Petitions received, referred or disposed of.
 - (g) Introduction of new bills or resolutions.
 - (h) Miscellaneous business.
- (2) The order of proceeding in subsection (A)(1) of this section shall be governed as follows:
 - (a) *Reading of the minutes of the past council meeting by the City Clerk.* Unless a motion to approve the minutes as published is passed by a majority of those members present, the minutes of all meetings which have not been approved shall

be read in their entirety, excluding appendices, corrected, if necessary, and approved by a majority vote.

- (b) *Citizen comments.* Members of the public who want to address the City Council at a City Council meeting shall sign up before the start of the meeting identifying themselves by providing name and address. Persons wishing to speak before City Council shall so notify the City Clerk at least thirty (30) minutes prior to the start of the meeting and shall be allowed the floor in the order of requests received. The individual requesting to speak should furnish the City Clerk with a written copy of the comments to be made to Council. Speakers shall limit their remarks to no more than three (3) minutes. Public participation during Citizen Comments shall be limited to no more than ~~The thirty (30) minutes in total unless extended for a time certain by the Mayor or by a majority vote of the City Council. If there are more speakers signed up to address the City Council than time will allow, citizens may provide a written copy of the comments to be included in the public record. Public participation during Citizen Comments shall be conducted in accordance with Sec. 1.3.13. allowed shall be divided equally among those wishing to speak.~~
 - (c) *Reports from standing committees.* This should include only the standing committees of Council in the order listed in section 1-3-31. All reports from standing committees shall be submitted, in writing, to the City Clerk prior to the start of the meeting.
 - (d) *Reports from City officers, boards and commissions.* All reports should be submitted, in writing, to the City Clerk prior to the start of the meeting.
 - (e) *Reports from special or joint committees.* This shall include only those special or joint committees appointed by the Mayor and Council. All reports should be submitted in writing prior to the start of the meeting.
 - (f) *Petitions received, etc.* Petitions received, referred, or disposed of, this is to include all petitions, letters of request, etc., which have been proposed to Council. If a petition previously received by Council has been referred, the report on that petition shall be made here. When action has been taken on a petition, the disposition shall be reported here. All petitions and requests shall be submitted, in writing, one (1) week prior to the date of the Council meeting at which time the proposed action is requested. All reports on petitions and requests shall be submitted, in writing, prior to the start of the meeting.
 - (g) *Introduction of new bills or resolutions.* All new bills and resolutions shall be in a form approved by the Council and read.
 - (h) *Miscellaneous business.* Miscellaneous business shall include any matter that is not included in any of the other orders. All subjects/matters to be included here must be submitted to the City Clerk for inclusion on the agenda.
- (B) *Special meetings.* The order of proceeding for a special meeting shall be that order as published on the agenda for that special meeting. No items may be added.

(Code 1994, § 1-3-10; Ord. No. 1994-4, § 4, 4-26-1994)

Sec. 1-3-11. - Duty to attend meetings.

It shall be the duty of the Mayor and Councilmembers to attend all regular meetings of the City Council and, when notified, to attend all special meetings of the City Council called pursuant to this chapter. The Mayor and Councilmembers shall notify the City Clerk of a reason for the absence, at least twenty-four (24) hours in advance of the excused absence, so that Council can act upon same at the scheduled meeting. Consideration will be made for unexpected emergency.

(Code 1994, § 1-3-11; Ord. No. 1981-9, 11-11-1981)

Sec. 1-3-12. - Addressing the Council.

No member of Council or member of the public shall speak at a Council meeting until recognized by the Mayor or presiding member. Remarks shall be limited to the question or subject under consideration. Disrespectful or personal remarks shall not be permitted and the chair may order that the person making such remarks be removed from the Council chambers.

Sec. 1.3.13. Public Participation

(a) Speakers shall limit their remarks to no more than three (3) minutes unless additional time is granted by the Mayor or by a majority vote of the City Council.

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(b) A timer shall be used to notify speakers when the allotted time has expired. Speakers will be informed when their allotted time has expired. Upon the expiration of the allotted time, speakers shall stop speaking and leave the podium unless additional time is granted.

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(c) Public participation during Public Comments shall be limited to no more than thirty (30) minutes in total unless extended for a time certain by the Mayor or by a majority vote of the City Council. If there are more speakers signed up to address the City Council than time will allow, citizens may provide a written copy of the comments to be included in the public record.

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(d) Groups of speakers should, whenever possible, consolidate their comments and avoid repetition through the use of representative speakers.

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(e) Speakers shall focus and limit their remarks directly to the matter then under discussion.

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(f) Speakers shall address their remarks to the City Council as a whole and not to any individual Council members.

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(g) Speakers shall not ask questions of individual Council members or a member of the City staff without first obtaining permission from the Mayor.

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(h) Speakers shall refrain from harassing or directing threats or personal attacks at Council members, staff, other speakers or members of the audience.

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(i) Council members may, but need not, ask questions of speakers at the conclusion of their comments.

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(j) Members of the audience shall maintain decorum and refrain from noisy outbursts or other distracting actions such as applauding, cheering, or booing during or at the conclusion of any remarks made by any speaker, staff member or Council members.

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(Code 1994, § 1-3-12; Ord. No. 1981-9, 11-11-1981; Ord. No. 1994-4, § 5, 4-26-1994)

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____