MINUTES OF THE SPECIAL MEETINGS OF ISLE OF PALMS CITY COUNCIL
JANUARY 9, 1991

A Special Meeting of the Isle of Palms City Council and Department Heads was held at the Building Department on January 9, 1991, at 6:00 p.m. The meeting had been called by Council Member Dan Watson to discuss capital building projects needed by the City. Present were Mayor Bunch, Council Members NesSmith-Picard, Simon, Sottile, Swanson, and Watson; Holden arrived late; Ward and Orvin were absent. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Secretary Geary, Police Chief Arnold, Fire Chief Britton, Public Works Superintendent Parrish, and Building Inspector Haselden.

Mayor Bunch opened the meeting by stating that the department heads wanted to talk about their need for new office buildings. Mr. Haselden told Council that on March 18, 1991, the new flood maps come into effect which will require new buildings to be elevated three to four feet higher which will substantially increase the cost of new construction. Permits must be issued before March 18th in order to build under the current standards. There was extensive discussion about the needs of the Building Department and Police Department. Mr. Haselden suggested that a 6,000 square foot building be put on the property at 13th Avenue and Palm Boulevard which would include his Building Department, a new Police Station, and City Council/Court Room. He suggested that the interior of the building could be finished as we need and by subcontracting the work ourselves, the cost could be kept down.

Mr. Williams suggested the possibility of putting Fire Station #1 on the property currently owned by the Isle of Palms Water Company when we acquire that property, but Chief Britton stated that an exit onto Palm Boulevard (which will be five lanes when the Connector is built) could pose problems for the fire engines coming out into traffic. He said that the current location of Fire Station #1 on J.C. Long Boulevard would be acceptable. It was suggested that we could build this station using the same plans as Fire Station #2. Mr. Williams stated that building both stations at the same time could be more cost effective.

After further discussion, Mr. Watson made a motion to request that Mr. Williams begin right away on conceptual plans for the 6,000 square foot building on 13th and Palm; to check into interest rates on long-term loans; and to study a possible millage increase; Ms. Swanson seconded and then moved to amend the motion that we approach the neighbors of the property immediately to see if there would be any objections to this building; Mr. Watson seconded the amendment. After discussion, both the amendment and the motion passed unanimously.

Mr. Williams than brought up the topic of the revised plans for the

public restrooms on the ocean front. Mr. Cliff Rios, owner of Beach Biz, has contacted Council members and City Hall asking to go ahead with construction since this has been approved for three years. Mr. Williams stated that we could borrow money on future Accommodation Tax income and could proceed with bidding and construction if Council approves. PRC has been contacted that we would like them to build the public restrooms when they put in the park. Accommodation tax revenue is approximately 80% lower than last year due to the decrease in summer tourism, although that will improve in time. Mr. Rios expressed his concern that this project has been delayed and urged Council to proceed with construction before the FEMA deadline. He also indicated that accommodation tax revenues should be able to finance this project. Mr. Williams stated that the cost of this project would be around $135,000 and he showed the final plans.

Discussion was cut short due to the fact that Council was to be at City Hall at 7:00 p.m. Mr. Rios asked to be allowed a time to speak to Council and was advised to give Citizens' Comments at the next City Council meeting.

Mrs. Swanson made the motion to adjourn, Ms. NesSmith-Picard seconded, and motion passed unanimously.

The second portion of the Special City Council Meeting was called to order by Mayor Bunch at 7:05 p.m. at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Sottile, Swanson and Watson. Council Member Simon was excused. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Secretary Geary, and Mr. E. M. "Mickey" Seabrook.

Mr. Seabrook spoke to Council about the Reverse Osmosis treatment process and gave particulars about the plant that his company is designing for the Isle of Palms Water Company. One of the most important concerns is the expensive membranes that are used in the process, the fact that they can be easily destroyed and that their lifetime is only 3 to 5 years. Council asked him to prepare an estimate of what it would cost to enlarge his plans to include the Wild Dunes customers using one plant and piping the water to Wild Dunes as opposed to having two plants on the island. Mr. Seabrook stated he thought he could have those figures within 10 days. They also asked Mr. Seabrook to prepare initial plans showing possible future expansion areas. DHEC has given the Isle of Palms Water Company until April 1st to submit plans for the plant; Mr. Seabrook said he could have plans ready by May 1st including the expansion. Mr. Williams also asked Mr. Seabrook to prepare a statement of his engineering costs for the project.

Mayor Bunch passed out copies of the contract received from The Beach Company for the purchase of the water company asking Council

to keep it confidential. After Mr. Dreyfoos has had a chance to go over the contract, she will call another special meeting, possible early next week.

Mrs. Swanson moved to adjourn, Ms. NesSmith-Picard seconded, motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved:

Carmen R. Bunch, Mayor

ISLE OF PALMS RO SYSTEM
ENGINEERING STATUS

Date	Activity
October 24, 1988	Preliminary Engineering Report approved
June 1, 1989	Division One (tank painting) specifications submitted to SCDHEC
June 1, 1989	Division Two (well pump design and new interconnecting pipeline) plans and specifications submitted to SCDHEC
June 1, 1989	Division Three (RO system) background design information submitted to SCDHEC (plans and specifications not submitted)
June 1, 1989	Applications for NPDES permit for concentrate discharge and RO cleaning system permit made to SCDHEC
September 12, 1989	Coastal Council certification for NPDES permit issued
September 19, 1989	SCDHEC comments on RO submittal issued
October 23, 1989	Coastal Council certification for RO system issued
July 19, 1990	NPDES permit issued by SCDHEC
Summer 1990	Electrical system upgrade, new booster pump installation and partial yard piping construction completed at water plant
November 1990	Contract signed for repairs and painting of elevated tank and one ground storage tank Contract amount to date: $85,850 Engineering: 8% of final contract

ISLE OF PALMS WATER COMPANY
REVERSE OSMOSIS TREATMENT EQUIPMENT
SUMMER 1989

Design RO system flow:	2 modules @ 0.3 MGD each
RO array:	7-3
Finished blended water flow:	0.60 MGD RO flow (78%)
	0.17 MGD well water (22%)
	0.77 MGD total ADF
Design recovery:	75%
Well #1 SDI:	1.5
Well #2 SDI:	4.3
Well water temperature:	35° - 40° C to storage tank

Owner will provide the following items:

1. Untreated well water from 0.27 MG atmospheric storage tank to RO building at minimum head of 10 feet and maximum head of 35 feet
2. Discharge mains for concentrate, neutralized cleaning solution and finished water to 0.5 MG atmospheric storage tank
3. Three phase, 277/480 volt, 4 wire, 60 hertz electrical service and switchgear
4. RO building
5. Blending and booster (high service) pumps

Equipment vendor will supply the following items:

1. Sketch showing proposed layout for two 0.3 MGD modules with room for possible future addition of a third module with accessories and recommended building size
2. FilmTec FT-30 TFC membranes in 8" brackish water elements
3. Recommended RO chemical pretreatment system (components and chemicals)
4. Recommended cleaning system (components and chemicals)
5. Each RO module
   - A. Prefilter pump
   - B. Dual cartridge prefilter (100% standby capacity)
   - C. Pressurizing pump
   - D. RO module system
   - E. Conductivity, flow, pressure, pH and temperature sensing and control equipment for untreated water, permeate and concentrate streams at all critical locations
   - F. Valves, sensors, controllers, sample lines and cocks (temperature variation flow control to be included)
   - G. Minimum permeate discharge head to storage tank: 35 feet

ISLE OF PALMS WATER COMPANY
REVERSE OSMOSIS TREATMENT EQUIPMENT
PAGE TWO

6. Standby pressurizing pump
7. Electrical power requirements, motor control center (autotransformer reduced voltage starting) and control system
8. PC data collection and recording system (continous monitoring) for manual adjustment of valves (digital display and automatic data logging and reporting)
9. Blending control system with mixer, conductivity monitor and control valve (blending pump by owner)
10. Startup and instruction services during and after construction
11. Two-year training and troubleshooting service agreement with owner to include telephone connection for transmittal of monitoring data to factory (unlimited telephone consultation and charge per service trip)
12. One-year material and equipment warranty

8 January 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator

Subject: Public Restroom Project/ Accommodations Tax

It apppears that Cliff Rios, the proprietor of the Beach Biz, will be contacting you individually to discuss the failure of the city to initiate construction of the public restroom facility on Ocean Blvd. In a conversation that I had with him last week he said that he was going to Columbia to speak with legislators (and others) to allege that we have spent Accommodation Tax revenue inappropriately for merchadise and services not strictly in tourism related areas. I told him that I am prepared to dispute that allegation and that I am confident that the City has complied with the letter and the spirit of the Accommodations Tax Act.

Since the restroom project and the accounting of Accommodations Tax revenues are inextricably linked I am providing you with an up to date print out of Acc. Tax expenditures since July 1, 1988, and a separate listing of expenses related to the restroom project. I know what most of these expenses are by sight if you have questions about any of them.

1/8/91

Acc. Tax Expenditures
- Restrooms Project

Date		Amount
10/31/88	Attaway Thompson Jeffers	1,000.00
12/15/88	John Gardner & Associates	1,000.00
2/17/89	John Gardner & Associates	8,052.11
3/3/89	Bert Wurthmann	14,000.00
3/16/89	John Gardner & Associates	3,431.36
3/16/89	Bert Niemyer	400.00
3/28/89	Soil Consultants	1,200.00
4/17/89	John Gardner & Associates	961.04
4/21/89	The Beach Company.	7,524.00
6/14/89	John Gardner & Associates	151.98
9/7/90	John Gardner & Associates	1,500.00
		$39,220.49
	Acc. Tax originally reserved	75,000.00
	Reserved remaining	**$35,779.51**

AVAILABLE FUNDS 12/31/90

Tourism related checking	44,247.57
Tourism related investment	12,551.05
	$56,798.62

ACCOMMODATIONS TAX FUNDS 7/1/88-06/30/89

3473008237

ACC. TAX TOURISM RELATED CHECKING ACCT.

		INCOME	EXPENSES
07/01/88	BEGINNING BALANCE	$6,820.86	
	JULY INT.	$32.10	
07/31/88	DEPOSIT RECEIVED CHK	$68,134.51	
08/03/88	SANI SERVICE SYSTEMS		$1,489.80
08/22/88	CHAS BALLET THEATRE		$125.00
	AUGUST INT.	$267.86	
09/14/88	SANI SERVICE SYSTEMS		$1,050.00
	CHECK PRINTING CHARGE		$66.52
	SEPTEMBER INT.	$264.77	
10/04/88	CAROLINA TIRE		$305.66
10/04/88	BANNER UNIFORM		$1,201.21
10/14/88	HENRY HAY TIRE		$220.79
10/14/88	CAROLINA AUTO		$140.75
10/14/88	C & M AUTOMOTIVE		$257.60
10/14/88	GREEN UPHOSTLERY		$85.00
10/14/88	WRIGHT JOHNSON		$90.57
10/14/88	GENE REED CHEV		$71.40
10/14/88	W. LITCHFIELD (HAND. RAMP REPAIR)		$3,450.00
10/19/88	RADIO COMMUNICATIONS		$198.50
10/19/88	NATIONAL JUDICIAL COLLEGE		$270.00
10/19/88	OFFICE FURNITURE FOR LESS		$129.78
10/31/88	ATTAWAY THOMPSON JEFFERS		$1,000.00
10/31/88	MT PLEASANT RADIO		$1,868.07
10/31/88	DAVE LOW'S EXXON		$63.07
10/31/88	GENERAL DIESEL		$173.74
10/31/88	GULF PRODUCTS DIV		$1,909.76
10/31/88	ELECTRICAL MACHINERY CO		$69.19
10/31/88	SLAGLE'S FIRE EQUIPMENT		$828.92
10/31/88	BANNER UNIFORMS		$186.17
10/31/88	NORMAN ALLEN		$67.95
10/31/88	H & W TRAILER CO.		$275.00
10/31/88	JOHNSON SOLOMAN OIL CO		$474.62
10/31/88	LEASEFIRST		$155.25
10/31/88	NATIONAL CAR RENTAL		$251.42
10/31/88	WRIGHT JOHNSON, INC.		$758.89
10/31/88	BANK ADJUSTMENT		$0.02
10/28/88	DEPOSIT OF RECEIVED CHK	$47,851.13	
	($88,801.50-25,000X 75%)		
	OCTOBER INT.	$264.88	
10/31/88	ENDING OCTOBER BALANCE	**$106,401.46**	

11/01/88	BEGINNING NOV. BALANCE	**$106,401.46**	
11/21/88	WILD DUNES YACHT HARBOR		$124.58
11/21/88	WILD DUNES YACHT HARBOR		$47.45
11/21/88	K-MART		$84.99
11/21/88	NATIONAL CAR RENTAL		$251.42
11/21/88	MARTIN'S PAINT AND BODY		$300.00
11/21/88	HOOK FAST SPECIALTIES		$509.69
11/21/88	BANNER UNIFORMS		$571.46
11/21/88	FRASIER TIRE SERVICE		$154.84
11/28/88	BANNER UNIFORMS		$764.92
11/28/88	BANNER UNIFORMS		$835.24
11/28/88	JOHNSON-SOLOMON OIL		$938.79
11/28/88	WAL-MART		$77.95
11/28/88	LEASEFIRST		$129.52
11/28/88	HUGHES MOTORS INC		$17.76
11/28/88	NAPA AUTO PARTS		$62.95
11/28/88	AMICK EQUIPMENT CO		$12.52
11/28/88	RAY LAMBERT ENTERPRISES		$2,407.77
11/28/88	TOM PARSELL CHEVROLET		$272.70
11/28/88	FRASIER TIRE SERVICE		$841.29
11/28/88	GULF OIL PRODUCTS		$2,320.52
11/29/88	COMAR INDUSTRIES		$25.00
11/29/88	NOVEMBER INTEREST	$393.70	
11/30/88	ENDING NOVEMBER BALANCE	**$96,043.80**	
12/05/88	CLYDE SMITH		$400.00
12/15/88	DUTCH BARN		$787.50
12/15/88	J.E. GARDNER ASS.		$1,000.00
12/27/88	CAROLINA TIRE		$274.44
12/27/88	ELECTRICAL MACHINERY		$158.26
12/27/88	LEASEFIRST		$131.28
12/27/88	H & W TRAILER CO.		$550.00
12/27/88	NATIONAL CAR RENTAL		$251.42
12/27/88	BANNER UNIFORM		$177.72
12/27/88	BANNER UNIFORM		$394.85
12/27/88	JOHNSON SOLOMON OIL CO		$1,039.75
12/27/88	HUGHES MOTORS		$56.77
12/27/88	DIXIE SPECIALTY CO		$53.40
12/27/88	GULF PRODUCTS		$136.71
12/27/88	GULF OIL CO.		$2,028.19
12/27/88	AMICK EQUIPMENT CO.		$846.61
12/27/88	FRASIER TIRE SERVICE		$565.62
12/27/88	FRASIER TIRE SERVICE		$693.99
12/27/88	DEPOSIT	$225.00	
12/27/88	DECEMBER INTEREST	$360.07	
	ENDING DECEMBER BALANCE	**$87,082.36**	

01/01/89	BEGINNING JANUARY BALANCE	**$87,082.36**	
01/26/89	GULF OIL PRODUCTS		$1,552.40
01/26/89	GULF OIL PRODUCTS		$154.19
01/26/89	BANNER UNIFORMS		$821.15
01/26/89	JOHNSON SOLOMON OIL		$610.15
01/26/89	FRASIER TIRE SERVICE		$435.50
01/26/89	BANNER UNIFROMS		$316.90
01/26/89	ELECTRICAL MACHINERY CO.		$182.45
01/26/89	NATIONAL CAR RENTAL		$251.42
01/26/89	LEASEFIRST		$132.07
01/26/89	MARTINS PAINT&BODY		$350.00
01/30/89	ISLAND CELEBRATIONS		$5,000.00
01/31/89	WENGER CORPORATION		$3,178.00
01/31/89	H&W TRAILER CO.		$275.00
01/31/89	DEPOSIT	$28,157.10	
01/31/89	JANUARY INTEREST	$328.72	
01/31/89	ENDING JANUARY BALANCE	**$102,308.95**	
02/17/89	**JOHN GARDNER & ASSOCS**		**$8,052.11**
02/17/89	POST & COURIER		$754.60
02/17/89	FRASIER TIRE SERVICE		$136.91
02/17/89	CLYDE SMITH		$200.00
02/17/89	GULF OIL CO		$1,979.97
02/17/89	RADIO COMMUNICATIONS		$55.00
02/28/89	FEBRUARY INTEREST	$342.95	
03/03/89	**BERTRAM WURTHMANN**		**$14,000.00**
03/10/89	RICHARD WADFORD		$350.00
03/16/89	**JOHN GARDNER & ASSOCS**		**$3,431.36**
03/16/89	**HERBERT NIEMEYER**		**$400.00**
03/16/89	FRAISER TIRE SERVICE		$502.18
03/16/89	AMICK EQUIPMENT CO		$487.10
03/16/89	ARATEX SERVICES		$341.34
03/16/89	LEASEFIRST		$132.07
03/16/89	H & W TRAILER CO		$275.00
03/16/89	JOHNSON-SOLOMON OIL CO		$593.78
03/16/89	GULF OIL CO		$1,985.27
03/16/89	FRASIER TIRE CO.		$372.16
03/16/89	FRASIER TIRE CO		$551.52
03/16/89	K-MART		$69.30
03/16/89	BANNER UNIFORM		$634.36
03/16/89	COUNTY OF CHARLESTON EMS		$11,294.60
03/28/89	**SOIL CONSULTANTS**		**$1,200.00**
03/28/89	POWER BRAKE AND WHEEL		$135.94
03/28/89	GULF PRODUCTS DIVISION		$136.71
03/28/89	SLAGLES' FIRE EQUIP		$135.43
03/28/89	TRI-COUNTY RENTAL		$139.48
03/28/89	AAA RENTAL		$289.00
03/31/89	MARCH INTEREST	**$323.22**	
03/31/89	ENDING MARCH BALANCE	**$54,339.93**	

	BALANCE FORWARD	**$54,339.93**	
04/17/89	LEASEFIRST		$281.84
04/17/89	DAVID BRACHMAN		$71.55
04/17/89	MISSISSIPPI TOOL		$102.35
04/17/89	COMAR INDUSTRIES		$29.40
04/17/89	MOULTRIE NEWS		$72.00
04/17/89	POST & COURIER		$72.00
04/17/89	BIRD SALES		$58.83
04/17/89	ARATEX SERVICES		$481.95
04/17/89	JOHNSON-SOLOMON OIL		$672.40
04/17/89	JOHNSON-SOLOMON OIL		$826.08
04/17/89	HEFFRON INGLE MCDOWELL		$2,000.00
04/17/89	EMCO		$279.49
04/17/89	GULF OIL		$2,146.70
04/17/89	**JOHN GARDNER & ASS**		**$961.04**
04/21/89	GULF OIL		$2,505.31
04/21/89	WAUSAU TILE		$377.34
04/21/89	**THE BEACH CO**		**$7,524.00**
04/28/89	DEPOSIT	$9,654.83	
04/30/89	APRIL INTEREST	$191.72	
04/30/89	APRIL ENDING BALANCE	**$45,724.20**	
05/19/89	LEASEFIRST		$149.77
05/19/89	JOHNSON SOLOMON OIL CO		$696.44
05/19/89	BP OIL CO		$167.16
05/19/89	RADIO COMMUNICATIONS		$181.65
05/19/89	ARATEX SERVICES		$251.37
05/19/89	JOHNSON SOLOMON OIL CO		$674.96
05/19/89	LEASEFIRST		$299.54
05/19/89	H&W TRAILER		$275.00
05/19/89	SLED		$328.42
05/19/89	KEEP AMERICA BEAUTIFUL		$311.76
05/19/89	FRASIER TIRE SERVICE		$432.91
05/19/89	FRASIER TIRE SERVICE		$629.01
05/19/89	FRASIER TIRE SERVICE		$485.91
05/19/89	MISSISIPPI TOOL CO		$311.76
05/19/89	POWER BRAKE & WHEEL		$45.03
05/19/89	MOORE DRUMS		$189.00
05/19/89	ELECTRICAL MACHINERY CO		$648.36
05/23/89	SOUTH CAROLINA NATIONAL		$695.02
05/31/89	MAY INTEREST	$174.96	
05/31/89	ENDING MAY BALANCE	**$39,126.09**	

06/14/89	COMPUTERLAND		$1,092.00
06/14/89	ARATEX SERVICES		$381.78
06/14/89	JOHNSON-SOLOMON OIL		$716.21
06/14/89	**J.E. GARDNER & ASS**		$151.98
06/14/89	HUGHES MOTORS		$139.92
06/14/89	POWER, BRAKE & WHEEL		$73.68
06/14/89	COASTAL OIL CO		$141.75
06/14/89	PURE WATER		$285.68
06/14/89	EASTERN CAROLINA FORD		$1,082.88
06/14/89	FRASIER TIRE CO		$1,934.79
06/15/89	CHARLESTON TRUCK		$99.67
06/19/89	84 LUMBER		$189.00
06/21/89	JOHNSON SOLOMON OIL		$704.64
06/21/89	MOORE DRUM CO		$189.00
06/21/89	NATIONAL CAR RENTAL		$8,948.50
06/21/89	ISLE OF PALMS HARDWARE		$69.88
06/30/89	PARKER JEEP EAGLE		$9,587.15
06/30/89	JOHNSON SOLOMON OIL		$1,019.41
06/30/89	ALLSTATE WATER PURIFICATION		$551.25
06/30/89	PURE WATER		$248.02
06/30/89	ISLAND AIR		$1,688.75
06/30/89	BANNER UNIFORMS		$394.22
06/30/89	ELECTRICAL MACHINERY CO		$9,344.99
06/30/89	JUNE INTEREST	$129.55	
06/30/89	ENDING JUNE BALANCE	**$220.49**	

ACCOMMODATIONS TAX INVESTMENT ACCT.

		2652024986 INCOME	WITHDRAW
07/01/88	BEGINNING BALANCE	**$230,588.68**	
	JULY INT.	$1,407.40	
	INCOME ADJ.	$414.95	
08/01/88	BOND PAYMENT		$59,181.25
	AUGUST INT.	$1,092.69	
	SEPTEMBER INT.	$1,112.04	
10/04/88	TRANSFER TO SET UP TOURISM ACCT.		$73,378.72
	OCTOBER INT.	$845.16	
10/31/88	ENDING OCTOBER BALANCE	**$102,900.95**	
11/30/88	NOVEMBER INTEREST	$661.47	
	ENDING NOVEMBER BALANCE	**$103,562.42**	
12/31/88	DECEMBER INTEREST	$696.40	
	ENDING DECEMBER BALANCE	**$104,258.82**	
01/31/89	JANUARY INTEREST	$723.34	
	ENDING JANUARY BALANCE	**$104,982.16**	
02/28/89	FEBRUARY INTEREST	$682.68	
	ENDING FEBRUARY BALANCE	**$105,664.84**	
03/31/89	MARCH INTEREST	$772.89	
	ENDING MARCH BALANCE	**$106,437.73**	
04/30/89	APRIL INTEREST	$772.30	
	ENDING APRIL BALANCE	**$107,210.03**	
05/31/89	MAY INTEREST	$814.57	
	ENDING MAY BALANCE	**$108,024.60**	
06/30/89	JUNE INTEREST	$786.91	
06/30/89	ENDING JUNE BALANCE	**$108,811.51**	

07/28/89	SUB-TOTAL OF AVAILABLE FUNDS FOR TOURISM RELATED EXPENSES FROM CHECKING & INVESTMENT ACCTS	**$109,032.00**
	REMAINDER RESERVED FOR RESTROOMS	**($39,279.51)**
	TOTAL LEFT FOR ANYTHING ELSE	**$69,752.49**

ACCOMMODATIONS TAX TOURISM PROMOTION ACCT.
3473007122

		INCOME	EXPENSE
10/04/88	OPENING BALANCE	$73,378.72	
10/28/88	DEPOSIT OF RECEIVED CHK ($88,801.50-25,000X 25%)	$15,950.37	
10/31/88	OCTOBER INT.	$187.40	
	ENDING OCTOBER BALANCE	**$89,516.49**	
11/30/88	NOVEMBER INTEREST	$323.36	
11/30/88	CHECK PRINTING CHARGE		$62.36
11/30/88	ENDING NOVEMBER BALANCE	**$89,777.49**	
12/15/88	CHARLESTON TRIDENT CHAMBER OF COMMERCE		$75,000.00
12/31/88	DECEMBER INTEREST	$254.08	
	ENDING DECEMBER BALANCE	**$15,031.57**	
01/31/89	JANUARY INTEREST	$56.28	
01/31/89	DEPOSIT	$9,385.70	
	ENDING JANUARY BALANCE	**$24,473.55**	
02/28/89	FEBRUARY INTEREST	$82.76	
	ENDING FEBRUARY BALANCE	**$24,556.31**	
03/28/89	MOULTRIE NEWS		$455.00
03/28/89	POST & COURIER		$1,022.74
03/31/89	MARCH INTEREST	$91.85	
03/31/89	ENDING MARCH BALANCE	**$23,170.42**	
04/28/89	DEPOSIT	$3,218.27	
04/30/89	APRIL INTEREST	$84.21	
04/30/89	ENDING APRIL BALANCE	**$26,472.90**	
05/31/89	MAY INTEREST	$99.13	
	ENDING MAY BALANCE	**$26,572.03**	
06/30/89	JUNE INTEREST	$96.29	
06/30/89	ENDING JUNE BALANCE	**$26,668.32**	

1/8/91

Accommodations Tax Funds

Tourism Related Checking Acct. 3473008237

		INCOME	EXPENSE
07/01/89	Beginning Balance	$220.49	
07/03/89	Transfer into acct. frm invest. acct.	$40,000.00	
07/11/89	Truck World		$82.95
07/28/89	Deposit	$50,671.82	
07/31/89	Banner Uniforms		$4,423.79
07/31/89	Dorchester Tractor Co.		$131.80
07/31/89	Credit memo	$36.00	
07/31/89	July interest	$210.76	
07/31/89	Smith & Smith Gun Shop		$787.35
07/31/89	Ending July balance	**$85,713.18**	
08/17/89	Southeastern Marine & Tackle		$292.95
08/17/89	Construction Equipment		$753.49
08/17/89	Coastal Oil Co.		$193.56
08/17/89	Aratex		$327.60
08/17/89	Gulf Division/BP Oil		$1,959.04
08/17/89	Johnson-Solomon Oil Co.		$576.84
08/17/89	State Chemical Manufacturing		$75.61
08/17/89	River Services		$1,569.65
08/31/89	August interest	$356.00	
8/31/89	Ending August balance	**$80,320.44**	
9/14/89	Johnson-Solomon Oil Co		$1,306.21
9/14/89	Smith & Smith Gun Shop		$1,637.69
9/14/89	Aratex Services		$327.60
9/14/89	B P Oil Co.		$1,495.80
9/14/89	Atlantic Diesel Systems		$81.65
9/30/89	September interest	$304.40	
9/30/89	Ending September balance	**$75,775.89**	
10/30/89	October interest	$300.16	
10/30/89	Ending October balance	**$76,076.05**	
11/30/89	Deposit	$57,368.74	
11/30/89	November interest	$483.55	
11/30/89	Ending November balance	**$133,928.34**	
12/14/89	Electrical Machinery Co		$37,787.40
12/14/89	Electrical Machinery Co		$520.34
12/14/89	CP Communications		$9,591.78
12/14/89	CP Communications		$1,872.78
12/31/89	December interest	$455.32	
12/31/89	Ending December balance	**$84,611.36**	
1/24/90	Deposit	$7,981.22	
1/31/90	January interest	$323.58	
1/31/90	Ending January balance	**$92,916.16**	

2/28/90	February interest	$314.20	
2/28/90	Ending February balance	**$93,230.36**	
3/31/90	March interest	$349.12	
3/31/90	Ending March balance	**$93,579.48**	
4/30/90	April interest	$339.10	
4/30/90	Ending April balance	**$93,918.58**	
5/31/90	May interest	$351.69	
5/31/90	Ending May balance	**$94,270.27**	
6/30/90	June interest	$341.60	
6/30/90	Ending June balance	**$94,611.87**	
7/13/90	Sani Service		$1,261.59
7/26/90	South Carolina National Bank		$56,524.56
7/30/90	Deposit	$15,473.79	
7/31/90	July interest	$389.23	
7/31/90	Ending July balance	**$52,688.74**	
8/31/90	August interest	$217.48	
8/31/90	Service charge		$0.53
8/31/90	Ending August balance	**$52,905.69**	
9/7/90	Isle of Palms Water Co.		$275.00
9/7/90	**John Gardner & Associates**		$1,500.00
9/7/90	Sani-Service Systems		$580.00
9/7/90	Sani-Service Systems		$580.00
9/30/90	September interest	$205.90	
9/30/90	Service charge		$0.16
9/30/90	Ending September balance	**$50,176.43**	
10/25/90	Deposit	$19,234.23	
10/25/90	Transfer to General Fund		$25,000.00
10/31/90	October interest	$199.19	
10/31/90	Service charge		$0.64
10/31/90	Ending October balance	**$44,609.21**	
11/15/90	Sani-Service System		$720.25
11/30/90	November interest	$177.41	
11/30/90	Service charge		$0.53
11/30/90	Ending November balance	**$44,065.84**	
12/31/90	December interest	$181.89	
12/31/90	Service charge		$0.16
12/31/90	Ending December balance	**$44,247.57**	

Accommodations Tax Investment Acct.

2652024986

		Income	Expense
07/01/89	Beginning Balance	$108,811.51	
07/03/89	Transfer to checking acct.		$40,000.00
07/31/89	July interest	$540.76	
07/31/89	Ending July balance	**$69,352.27**	
08/01/89	Trnsfr to SCN (bond payment)		**$58,177.08**
08/31/89	August interest	$93.99	
08/31/89	Ending August balance	**$11,269.18**	
9/30/89	September interest	$77.69	
9/30/89	Ending September balance	**$11,346.87**	
10/31/89	October interest	$80.64	
10/31/89	Ending October balance	**$11,427.51**	
11/30/89	November interest	$79.11	
11/30/89	Ending November balance	**$11,506.62**	
12/31/89	December interest	$82.08	
12/31/89	Ending December balance	**$11,588.70**	
1/31/90	January interest	$81.39	
1/31/90	Ending January balance	**$11,670.09**	
2/28/90	February interest	$74.75	
2/28/90	Ending February balance	**$11,744.84**	
3/31/90	March interest	$81.17	
3/31/90	Ending March balance	**$11,826.01**	
4/30/90	April interest	$79.84	
4/30/90	Ending April balance	**$11,905.85**	
5/31/90	May interest	$82.52	
5/31/90	Ending May balance	**$11,988.37**	
6/30/90	June interest	$80.74	
6/30/90	Ending June balance	**$12,069.11**	
7/31/90	July interest	$82.28	
7/31/90	Ending July balance	**$12,151.39**	
8/31/90	August interest	$79.80	
8/31/90	Ending August balance	**$12,231.19**	
9/30/90	September interest	$80.56	
9/30/90	Ending September balance	**$12,311.75**	
10/31/90	October interest	$80.90	
10/31/90	October ending balance	**$12,392.65**	
11/30/90	November interest	$79.78	
11/30/90	Ending November balance	**$12,472.43**	
12/31/90	December interest	$78.62	
12/31/90	Ending December balance	**$12,551.05**	

Accommodations Tax Tourism Promotion Acct.

3473007122

		Income	Expense
07/01/89	Beginning Balance	$26,668.32	
07/28/89	Deposit	$16,890.60	
07/31/89	July Interest	$108.01	
07/31/89	Ending July Balance	**$43,666.93**	
08/17/89	August interest	$163.52	
08/31/89	Ending August balance	**$43,830.45**	
9/30/89	September interest	$158.83	
9/30/89	Ending September balance	**$43,989.28**	
10/31/89	October interest	$169.34	
10/31/89	Deposit	$19,122.92	
10/31/89	Ending October balance	**$63,281.54**	
11/30/89	November interest	$229.31	
11/30/89	Ending November balance	**$63,510.85**	
12/31/89	December interest	$237.83	
12/31/89	Ending December balance	**$63,748.68**	
1/31/90	January interest	$240.96	
1/31/90	Deposit	$2,660.40	
1/31/90	Ending January balance	**$66,650.04**	
2/28/90	February interest	$225.38	
2/28/90	Ending February balance	**$66,875.42**	
3/31/90	March interest	$250.43	
3/31/90	Ending March balance	**$67,125.85**	
4/30/90	April interest	$243.24	
4/30/90	Ending April balance	**$67,369.09**	
5/31/90	May interest	$252.27	
5/31/90	Ending May balance	**$67,621.36**	
6/30/90	June interest	$245.03	
6/30/90	Ending June balance	**$67,866.39**	
7/31/90	July interest	$279.29	
7/31/90	Chas. Trident Chamber of Commerce		$50,000.00
7/31/90	Ending July balance	**$18,145.68**	
8/31/90	August interest	$88.24	
8/31/90	Ending August balance	**$18,233.92**	
9/30/90	September interest	$72.83	
9/30/90	Service charge		$0.16
9/30/90	September ending balance	**$18,306.59**	
10/5/90	Chas Trident Chamber of Commerce		$278.00
10/31/90	October interest	$74.82	
10/31/90	Ending October balance	**$18,103.41**	
11/30/90	November interest	$72.31	
11/30/90	Service charge		$0.16
11/30/90	Ending November balance	**$18,175.56**	
12/31/90	December interest	$75.02	
12/31/90	Ending December balance	**$18,250.58**	

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JANUARY 17, 1991

A Special Meeting of the Isle of Palms City Council was held on January 17, 1991, at 5:30 p.m., at City Hall, for the purpose of discussing, in Executive Session, the Beach Company's contract for purchasing the Isle of Palms Water Company and the bond issue. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson; Attorney Dreyfoos and Attorney Youngblood, City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary. Council Member Orvin was absent.

Ms. Swanson moved to go into Executive Session, seconded by Mr.Holden, and passed unanimously.

Coming out of Executive Session the Mayor stated that no action was taken; that the discussions were about amending the contract, about contacting DHEC concerning the sledge beds, and about the island's sewer capacity.

Mr. Ward moved that the meeting be adjourned, seconded by Ms. Swanson, passed unanimously.

Respectfully submitted,

Carmen R. Bunch

Carmen R. Bunch, Mayor

Approved:

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
JANUARY 24, 1991, 7:00 P.M.
EXCHANGE CLUB

The Regular Meeting of the Isle of Palms City Council was held at 7:00 p.m., January 24, 1991, at the Exchange Club. After the Pledge of Allegiance, Mayor Bunch called for a moment of silent prayer remembering Ken Gearhart who passed away on Monday of this week and asking for a speedy end to the War in the Gulf. Roll call was taken: present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson; City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary.

B. SPECIAL PRESENTATION BY COUNCIL OF GOVERNMENTS

Abby Bacon and Fred Phillips of the Berkeley-Charleston-Dorchester Council of Governments, presented to the City the new and updated Neighborhood Atlas, done with the help of Mark Williams, both as a new tool to show the changes and subdivisions of property and also because they have under way a series of studies of what happened in the Hurricane as a part of emergency preparedness planning for the future.

C. READING OF THE JOURNAL OF PREVIOUS MEETINGS

Mr. Sottile made a motion to approve the minutes of the meetings of December 20, 1990; January 2, 1991; January 9, 1991; and January 17, 1991. Ms. NesSmith-Picard seconded and motion passed unanimously.

D. CITIZENS' COMMENTS

1. Cliff Rios - Mr. Rios made a statement about the great progress being made for the restrooms on the front beach. He stressed the importance that this project move along, that the residents be aware that the money for these restrooms will be provided by the tourists through Accommodations Tax, and that the thousands of tourists and residents have the use of a public restroom facility as soon as possible.

2. David Somers - Mr. Somers made a statement about the selection of members for Boards and Committees. He stressed the need for good, honest and efficient government representative and free of conflict of interest in the City which has become increasingly more valuable over the years. He asked Council to select committee members carefully.

3. Joanne Emerick - Ms. Emerick expressed her opposition by which the change of government was achieved. She felt that the means by which some council members campaigned for the change was unethical and maybe illegal. She quoted South Carolina State Code of Ethics, Article 7, Section 8-13-4000 which concerns the use of official position for office for financial gain and states that no public official of public employee shall use his office to obtain financial gain for himself. She served notice on the members of council who actively campaigned for the change of government that a portion of council's constituency were not pleased with the way things were done and the speed with which they were done and that an ethical review of their actions and behavior will continue.

4. Clay Cable - did not attend the meeting.

E. ELECTIONS AND APPOINTMENTS

1. Election of Mayor Pro Tempore. Mayor Bunch passed around slips of paper to Council members for their vote and opened the floor for nominations. Ms.NesSmith-Picard nominated Jimmy Ward; Barry Holden nominated Heath Orvin. Mr. Orvin thanked him but withdrew his name due to his wife's continuing illness and

responsibilities at home. Vote was taken and read by Ms. McDuffie; Mr. Ward was elected unanimously as Mayor Pro Tem.

The Mayor then thanked Mrs. Swanson for the good job she had done last year as Mayor Pro Tem and the assistance she had given the Mayor.

2. Selection of Standing Committees. The Mayor read a City Ordinance which she said gave her authority to name appointments to various boards and commissions despite the change in the form of government. The Mayor also said that without the change in the ordinances, the authority to make these appointments still resided in the office of the Mayor.

Mayor Bunch then presented a list of appointments to various Standing Committee members (see Exhibit A-1). She also asked members of the Committee on Appointments if they had prepared a list of names, but Mr. Sottile, one of the members of the committee, stated that the meeting had broken down so badly that the committee has been unable to come up with a list of appointees. The Mayor then read her list to Council. Mrs. Swanson made a motion to approve the Mayor's list of appointments; Mr. Watson seconded.

Upon discussion of the motion, Mr. Ward questioned whether or not each Council member could submit a list of prospective appointees if the Mayor's slate of appointees is not approved. The Mayor reiterated the position that until the City Ordinance which grants authority to make appointments in the office of the Mayor is changed, that they will all have to be followed. with the change of government, that if the Mayor's slate was not approved by council, then couldn't any member of council then present a slate for voting. The question was then asked of the City's Attorney, Bill Dreyfoos, as well as Attorney Steve Steinert. Mr. Dreyfoos deferred to Mr. Steinert. Ms. NesSmith-Picard moved to suspend the rules of order and allow Mr. Steinert to address the Council; Mr. Holden seconded; motion passed unanimously. Mr. Steinert stated that the Mayor was correct in her interpretation, but it was his opinion that, even under a strong mayor form of government, the Council had to approve the list of appointees and had the right to amend or change the names on the list.

The Mayor then questioned if any of the members of the Committee on Appointments had prepared a list for submittal. Mrs. Swanson said that she had prepared a list of names from the meeting but did not know if it was the same list of names that had been prepared by another member of the committee, Mr. Ward. Mr. Ward stated that he had prepared a list of appointments. At that point, Mr. Simon moved to table consideration of the Mayor's list of appointments, Mr. Watson seconded, motion passed unanimously. Mr. Ward then introduced a list of appointments and stated that it was a list prepared by him. He acknowledged that the committee on appointments had attempted to work together for a consensus in the list of appointees, but that the meeting had fallen apart and he was taking full reponsibility for preparation of the list he was submitting to Council (see Exhibit A-2).

The Mayor then read Jimmy Ward's slate and compared it to her own list. The Mayor had chosen Marge Swanson to be a member of Public Safety because Mrs. Swanson had asked to be there; the committee replaced her name with Dan Watson. The Mayor had placed Jeff Simon on the Engrossed Bills committee because he had served on it last year and with all the changes to be made she felt that we needed continuity on the committee, Mr. Ward's slate replaced Jeff Simon with Marge Swanson.

Mrs. Swanson asked Mr. Ward what his position was about the Mayor being a voting member of all committees. Mr. Ward stated that if it would change, it would change by ordinance at a later date, but at this time the Mayor remains a voting member of all committees.

Mr. Holden asked Mrs. Swanson if she had served on the police committee for two years, she responded yes. The Mayor then stated that during the last administration, Tom Murph had served on the committee for four years, and when she took office, she kept him on it for two years. She felt there was something to be said about continuity and seniority.

Mr. Holden made a motion to accept the slate as presented by Mr. Ward; Mr. Ward seconded. Upon discussion, Mr. Watson said he would vote against the slate if for no other reason than to have Mrs. Swanson's name put back on public safety.

Mr. Simon stated that Mr. Ward had done a commendable job in trying to put the idea of a Committee on Appointments to work and that perhaps if he had not opened the floor to comments from the public, it may have worked. However, he expressed great concern about the choice of chairmen on his slate and the fact that they were the five members of council who campaigned for the change of government hoping that this wasn't an overview of how the new government would run in the future.

Mr. Holden answered that there was no meaningful significance to being a committee chairman and that there was no intent to bias the process with a take-over.

After extensive further discussion, roll call vote was taken on the motion to accept Mr. Ward's nominations: Holden - yes, NesSmith-Picard -yes, Orvin - yes, Simon - no, Sottile - yes, Swanson - no, Ward - yes, Watson - no, Bunch - no. Motion passed 5 to 4.

3. Appointments of Officers. Mrs. Swanson moved to appoint Nellie S. McDuffie as Clerk-Treasurer, Mr. Watson seconded, motion passed unanimously.

Mr. Orvin moved to appoint James Arnold as Chief of Police, Mr. Watson seconded, motion passed unanimously.

Mr. Watson moved to appoint Larry Britton as Chief of Fire Department, Mr. Simon seconded, motion passed unanimously.

Mr. Holden made a motion to defer the appointment of City Attorney and City Judge to Executive Session for the purposes of discussing personnel and contractual matters, Mr. Ward seconded, motion passed unanimously.

4. Appointments to Boards, Committees and Commissions. Mayor Bunch presented her appointments of committee members (see Exhibit B) to Council and read the names aloud. Mr. Watson moved to accept the list, Mr. Ward seconded for discussion purposes.

Mr. Holden made an amendment to the motion to separate those committees with specific terms and those with no terms for voting purposes. After extensive discussion on the number of persons on committees, his amendment was withdrawn.

Mr. Watson made an amendment to the motion to add Jerry Ebling to the Board of Beach Patrol and Control; Mrs. Swanson seconded; amendment passed unanimously. Roll call vote was taken on the motion to approve the list: Holden - no; NesSmith-Picard - no; Orvin - yes; Simon - yes; Sottile - no; Swanson - yes; Ward - yes; Watson - yes; Bunch - yes. Motion passed 6 to 3.

F. REPORTS FROM STANDING COMMITTEES.

1. Ways and Means. Mrs. Swanson presented the minutes from their January 21, 1991, meeting (see Exhibit C). Mr. Ward asked Mr. Williams for an update about the financing and bids for the public restrooms. Mr. Williams stated that the original 1989 bidders had been contacted to return bids on February 6, 1991.

He was in the process of negotiating with 1st Union and other institutions on financing. Mr. Ward requested that we write a letter to all firemen telling them that the name of Fire Station #2 would be the CONNOLLY/LAMPKIN MEMORIAL FIRE STATION.

Ms. NesSmith-Picard made a motion that a financial report be generated of all accounts and of executive and administrative expenses as of January 24, 1991, and refer it to Ways & Means; Mr. Ward seconded. Mr. Watson moved to amend the motion to include a written statement from Ms. NesSmith-Picard as to exactly what information she is requesting; Mrs. Swanson seconded, amendment passed unanimously. Motion passed unanimously.

Mr. Sottile made a motion to approve the expenditure of $1,760 to build the dune walk-over at the end of 41st Avenue; Ms. NesSmith-Picard seconded. Mr. Ward asked about walk-overs at other locations and the Mayor stated that as we get the money, we would like to build walk-overs at all beach access paths. Mr. Watson explained that it was suggested that the handicap access be put at the front beach where handicap parking was located. The Mayor stated that the reason we were doing the 41st access first was because property owners in that location were putting barriers up on that access because they didn't know it was to be open to the public. Ms. NesSmith-Picard made an amendment to the motion that Coastal Council be consulted in the construction of this walk-over so that it would be structurally sound in another hurricane by either breaking away in whole or by not moving at all; Mr. Ward seconded, amendment passed unanimously. Motion passed unanimously.

In the matter of the police/municipal building, Mr. Orvin stated that he had spoken with Mr. & Mrs. Coates who live next to the lot where the new building will be constructed and they requested that for noise purposes the building inspector's office be put on the side of the lot next to them. Mr. Watson made a motion to accept John Gardner's proposal of $24,000 costs to design the new police/municipal building; Mr. Orvin seconded, motion passed unanimously.

Mr. Ward moved that due to the change of government, that the complete City Hall be open to all Council members including all inner offices and files; Mr. Orvin seconded. Mayor Bunch stated that no Council member has ever had a key to the inner offices; some things are personal and confidential and should not be open to everyone. Mr. Williams stated that with the change of government he felt that this was proper. Upon discussion, it was determined that certain files and certain personnel files should be kept locked. One of the concerns of Council was that they needed access to telephones and supplies while at City Hall. After discussion, motion passed 8 to 1.

Mr. Ward stated that he perceives the government operating from now on as follows: Mark Williams, the City Judge and City Attorney work for City Council; everyone else works for and reports to Mark Williams.

Mayor Bunch stated that she felt we should have written job descriptions and an organization chart.

2. Police and Public Safety. Mr. Simon presented the minutes of the January 17, 1991, meeting (see Exhibit D).

3. Public Works. No report. Mr. Ward asked Mark Williams to give us an update on the new building; Mr. Parrish had told him that there was a problem with the foundation. Mr. Williams reported that a stump was found under the foundation and they are working on a solution without having to completely redo the foundation.

Ms. NesSmith-Picard asked about a letter of commendation that was to be written to the Sullivan's Island Fire Department and to Chief Britton about the

fire on the island a couple of months ago. Ms. Geary stated that these letters had been written and a copy would be put in Chief Britton's personnel file.

Mr. Orvin wanted to publicly recognize the fine job being done by Bob Haselden, the City Animal Control Officer. Mr. Ward stated that he had received a letter from Mr. Woody Hill who owns 2400 acres of land on the Edisto River and said that he would be happy for us to transport raccoons to his property; Mr. Ward is checking on the possibility of our being able to do this.

4. Engrossed Bills. Mr. Holden gave a report of their meeting on January 16, 1991. (Exhibit E)

5. Recreation. Mr. Orvin gave a report of their meeting of January 8, 1991. (Exhibit F) There was a short discussion about little league baseball.

G. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment. No report was given; however, copies of the minutes from their January 22, 1991, meeting were distributed to Council (see Exhibit G).

2. Planning Commission. Lee Batchelder, Planning Consultant, gave a report of their meeting of January 9, 1991, (see Exhibit H).

(a) Rezoning request: Request a rezoning from GC-1 to GC-2 for property located at the southeast corner of Carolina Boulevard and Pavilion Drive for a self-storage facility. The Planning & Zoning Commission recommended denial of this request. Mr. Watson moved to ratify the decision of the Planning & Zoning Commission; Mr. Simon seconded. After discussion, the motion was passed with one abstention by Ms. NesSmith-Picard who stated that the applicant is a relative.

(b) Plats received: (1) Plat Showing the Abandonment of the Property Line Between Lots 8 and 9, Tract "D", Block "R", Wild Dunes, City of Isle of Palms, Charleston County, South Carolina. Mr. Ward made a motion to approve the plat; Mr. Watson seconded, and motion passed unanimously.

(2) Plat Showing the Abandonment of the Property Line Between Lots 18 and 19, Tract "D". Block "Q", Wild Dunes, City of Isle of Palms, Charleston County, South Carolina. Mr. Watson made a motion to approve the plat; Mr. Sottile seconded, and motion passed unanimously.

(3) Plat Showing the Resubdivision of Lot 67-70, Block 28, into a 19710 Sq. Ft. Tract and a 1260 Sq. Ft. Tract. Mr. Ward made a motion to approve the plat, Mr. Orvin seconded. Mr. Simon asked the purpose of doing this and Mr. Batchelder said that it was to give both properties access to Ocean Boulevard. Ms. NesSmith-Picard asked if the new subdivision ordinance had any effect on this plat. Mr. Dreyfoos could not answer that question at this time. Mr. Ward withdrew his motion, and Mr. Orvin withdrew his second. Therefore, Ms. NesSmith-Picard made a motion to table this plat until such time as the attorney can get back to us on the question of whether or not it violates the ordinance; Mr. Watson seconded, and motion to table passed unanimously.

3. Building Committee. No report.

4. Beach Patrol & Control Board. No report was given, copies of the minutes were distributed to Council (see Exhibit I).

5. Personnel Committee. No report.

6. Dewees (ad hoc) Committee. No report.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None.

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF.

Mayor Bunch stated that we have not received any petitions, but have received to date 610 letters from property owners and 7 letters from Regimes in Wild Dunes requesting that the City buy the Wild Dunes water utility.

J. BILLS ALREADY IN POSSESSION OF COUNCIL - None.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS.

1. Ordinance 1991-3, An Ordinance to Ban Off-Premises Signs. Mr. Ward made a motion to approve first reading of Ordinance 1991-3 and refer it to the Planning Commission and to Engrossed Bills; Mr. Simon seconded, motion passed unanimously. (see Exhibit J)

2. Ordinance 1991-4, An Ordinance to Limit the Placement of Refuse for Collection. Mr. Ward made a motion to approve first reading of Ordinance 1991-4 and to refer it to the Planning Commission and to Engrossed Bills; Mr. Sottile seconded, motion passed unanimously. (see Exhibit K)

3. Ordinance 1991-5, An Ordinance to Prohibit the Deposition of Grease and Oil. Mr. Ward made a motion to approve first reading of Ordinance 1991-5 and to refer it to the Planning Commission and to Engrossed Bills; Mr. Watson seconded, motion passed unanimously. (see Exhibit L)

Mr. Holden introduced a resolution to convert the Mayor's office to a workroom for City Council and for a Clerk of Court work area stating that there is a shortage of space in City Hall and at this time the Clerk of Court duties take precedence over the Mayor's duties. Mr. Ward seconded the resolution. There was extensive heated discussion on this subject concerning whether the motion was appropriate and questions concerning its purpose.

After heated discussion, roll call vote was taken: Holden - yes, NesSmith-Picard - yes; Orvin - no; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion was defeated 5 to 4.

L. MISCELLANEOUS

The Mayor read several letters to Council, copies of which are attached hereto as Exhibit M:

A letter from PRC stating that lifeguard and restroom facilities were not a priority at this time but they would look forward to meeting with us to discuss our future relationship and this issue. Mrs. Swanson and Mr. Watson asked that the Administrator and Mayor contact Mr. Wiley to set a date for a meeting of Council and PRC. Mr. Ward asked that the meeting be before February 6th which is the date for tuning in bids for the restrooms, and Ms. NesSmith-Picard asked that it be after 5:30 p.m.

A letter from Strom Thurmond thanking the city for adopting a unit stationed in the Middle East, the Mayor stated that there is one nurse on a hospital ship, one Air Force fighter pilot, and she felt that we should support all those from the island who are in the war.

A letter from Sea Isle City, NJ, stating that the winners of their drawing for a free trip to the island have decided that it is too far to come for a weekend, but they express their appreciation for the generous offer.

A letter from Fritz Hollings stating that he would track down any reports on health risks associated with electric power stations and forward it to us.

A letter from Carol McGill offering to donate her services in the selection of colors for the new city buildings.

A letter written to the Exchange Club of Charleston thanking them for the return of $3,000 fair ground rental money to the fire department.

A letter from SCE&G stating that the survey of the island to inspect power lines for possible tree damage has been completed and they are attempting to either remove the trees or cutting back limbs that threaten power lines.

The Mayor announced that Mr. Williams needed to know as soon as possible if anyone wanted to attend the Municipal Association meeting in Columbia on February 13.

Mayor Bunch stated that Mr. Snediker from Mystic Seaport Museum in Connecticut was going to come down sometime next week to pick up the oak trees that were cut down by the Highway Department.

Mr. Ward made a motion to go into Executive Session; Mr. Watson seconded, motion passed unanimously. The Mayor stated that the reason for Executive Session was to discuss contractual matters pertaining to the Water Company and legal and personnel matters.

Coming out of Executive Session, the following action was taken:

1. Mr. Ward made a motion to raise the City Administrator's salary by 15%, netting $43,953, effective immediately; Mr. Watson seconded. Ms. NesSmith-Picard amended the motion to make his salary 10% now and 10% at budget time; Mr. Watson seconded; after discussion, the amendment was defeated 7 to 2. Roll call vote was taken on the original motion: Holden - yes, NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Ward - yes; Watson - yes; Bunch - abstained. Motion passed.

2. Mr. Watson made a motion to accept the proposal of Jones & Frank for the fuel management system in the amount of $58,500; Mr. Orvin seconded, motion passed unanimously.

3. Mr. Watson made a motion that we accept the contract as amended for the purchase of the Water Company; Mr. Ward seconded. Mr. Ward asked to amend the motion that the contract be signed and delivered to Mr. Way tomorrow, Mr. Orvin seconded, amendment passed unanimously. Motion passed unanimously.

4. Mr. Watson made a motion that we approve an expenditure by the Administrator to purchase software and hardware needed, in part, for the new water company, not to exceed $12,000; Mrs. Swanson seconded, motion passed unanimously.

5. Mrs. Swanson made a motion that we select Jeannette Harper as City Judge for another term; Mr. Orvin seconded. Roll call vote was taken: Holden - abstain; NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Ward - no; Watson - yes; Bunch - yes. Motion passed.

Mr. Ward made a motion to adjourn, Mr. Orvin seconded, and the meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 2/28/91.

EXHIBIT A(1)

STANDING COMMITTEES

Ways & Means

Jimmy Ward, Chairman
Dan Watson
Barry Holden

Police & Public Safety

Jeff Simon, Chairman
Marge Swanson
Mike Sottile

Public Works

Marge Swanson, Chairman
Melinda NesSmith-Picard
Heath Orvin

Engrossed Bills

Barry Holden, Chairman
Mike Sottile
Jeff Simon

Recreation

Heath Orvin, Chairman
Jimmy Ward
Dan Watson

Mayor voting member of all committees.

APPOINTMENTS

Clerk-Treasurer.....Nell McDuffie
Chief of Police.....Jim Arnold
Chief of Fire Dept.....Larry Britton
City Attorney.....Bill Dreyfoos
City Judge.....Jeannette Harper

EXHIBIT A(2)

CITY OF ISLE OF PALMS
STANDING COMMITTEES 1991

WAYS AND MEANS COMMITTEE:
Jimmy Ward, Chairman
Dan Watson
Barry Holden

PUBLIC SAFETY COMMITTEE:
Mike Sottile, Chairman
Jeff Simon
~~Marge Swanson~~ DAN WATSON

PUBLIC WORKS COMMITTEE:
Melinda NeSmith-Picard, Chairman
Marge Swanson
Mike Sottile

RECREATION COMMITTEE:
Heath Orvin, Chairman
Jeff Simon
Jimmy Ward

ENGROSSED BILLS:
Barry Holden, Chairman
~~Dan Watson~~ MARGE SWANSON
Melinda NeSmith-Picard

EXHIBIT B

Planning Commission (seven members)

Dr. Arnold Karig	1990
John Stanley	1990 & 1991
Kathryn Carroll	1990
John Gardner	1990
Guy Taylor	1987 & 1991
Jan Wilson	1990
Jerry Spencer	1991

Zoning Board of Adjustment (five members)

Ed Fellabom	1990
Howard Garvin	1988
David Somers	1989
Mary Schall	1989
Betsy Smiley	1990

Code Board of Appeals (four-year term)

George Porcher, architect	1990
Sidney Allison, engineer	1990
David Matthews, contractor	1989
Will Albrecht, building supply	1991
Charles Blair, layperson	1990

submitted by Bldg. Inspec.

Recreation Commission (two-year term)

Sharon Neal	1988 & 1991
Debbie Strickler	1988 & 1991
Joanne Emerick	1990
Thomas Reagan	1991
Berle Beeswick	1991
~~Zac Geraci~~ (Gen rep)	1991
Josh Folsom	

Election Commission (six-year term)

Helen Clarkin	1986
Harry O'Neal	1990
Laura Taylor	1989

Board of Beach Patrol & Control (no term)

Dr. James Smiley	1987
David Matthews	1981 & 1986
Thomas Harper	1981 & 1986
William Sandeford	1981 & 1988
Beverly Ballow	1989
Debby Jeter	1990
Jerry Ebling	1991 -

Advisory Committee - Accommodation Tax (no term)

Henry Finch	1988
Diane Shiver	1988
Buddy Thomas	1989
Nancy VanCott	1989
Dena Wall	1990
Nancy Fiedler (Cultural Affairs)	1989

Personnel Committee

Melinda NesSmith-Picard, Chairman
Dan Watson
Jim Burke, consultant
Bob Stevens

Dewees Committee (no term)

Bill Anderson, advisor	1989
Toby VanBuren, consultant	1989
Skip Shaffer	1990
Dana Beach, advisor	1990

Revitalization & Beautification (no term)

Malcolm Burgis	1990
Don Stone	1990
Trudy Rakar	1990
Martha Lammey	1990

Building Committee

Betsy ~~Committee~~ Smiley	1989
Harry O'Neal	1984
Tom Murph	1986
J. D. Hines	1989
Jack Johnston	1987

Emergency Preparedness (no term)

Jim Burke	1990
Gary Haglund	1990
Tom Murph	1990
Cal Cochrane	1990
Gerald Johnson	1990
Tom Gibbons	1990
Robert Timmons	1990
Nancy VanCott	1990

Recycling Committee (no term)

Joan Olsen	1989
Gunnar Olsen	1989
Andy Parrish	1989
Sue Dowd	1989
Leola Hanbury	1990

EXHIBIT C

The Ways and Means Committee met January 21 at 5:30. Present were Dan Watson, Mayor Bunch, Mark Williams, Chair Marge Swanson and Mike Sottile.

A brief review of the December budget showed overall spending to be about 50% which is where it should be 1/2 way through the budget. The Capital Projects Fund has a total of $1,259,288. Expenditures to come from that:

fire truck	$211,000	(includes radio)
Public Works Building	156,000	
Fire Station #2	300,000	
Fire Station #1	300,000	
Fuel System	58,500	
Office Building	300,000	
Down Payment on front beach restrooms	50,000	
Capital reserve	110,252	thru June 30
	140,000	
TOTAL	$1,625,752	

The fire station plans will be ready to go to bid within three weeks.

A trash collection vehicle was discussed, but no decision was made. It was suggested it be discussed at budget time.

The bill from lawyers Wise and Cole was discussed. It was wondered what happened to the negotiated rate discussed earlier with council.

A DARE grant has been applied for, but no final decision has been made.

Bids on the public restrooms were briefly discussed. It was pointed out that one lender wasn't very interested if accommodations tax funds would be used to pay off the debt.

We started a discussion of the water company, and it was decided that the whole council needed to meet to decide about staffing, etc. It was moved and seconded and passed to meet Tuesday, January 29 at 6:00 p.m.

It was moved and seconded to recommend that Cal Cochran build the beach access walkway on 41st Avenue.

EXHIBIT D

Public Safety Committee Meeting 1-17-91
Present: Councilmembers Swanson, Simon, Mayor Bunch
Councilmembers Holden and Sotille arrived later.

Police Dept.

Chief Arnold highlighted the monthly report for December.

December was a generally quiet month. The department was able to do 200 hours of required training during the month. This eliminates the need for officers to be trained during the busier summer months.

The DARE program is going well, and the dept. has received $200 in contributions from private citizens to support this program.

A brief discussion was held regarding the lack of availability of bullet proof vests for the officers. While the wearing of vests is not required or always necessary it was felt that all officers should have immediate access to one. This discussion was in response to a situation that occurred a few weeks ago.

The annual report will be available in a few days, copies will be in each members box.

Fire Dept.

Chief Britton highlighted the monthly report.

December was also a slow month for the Fire Dept. The majority of activity was in the area of medical calls.

A lengthy discussion was held regarding a location for station #1. There are several possible locations, all with both positive and negative aspects the locations discussed are:

1. Water Co. Property 1300 Palm
2. Current station 1 location
3. J.C. Long cul-de-sac off Palm
4. Impound lot J.C. Long and Pavilion

No action or recommendations were made. Council will need to address this as part of the comprehensive city building need issue.

The plans for station 2 are finished and will go out for bid.

At the request of Chief Britton the committee went into executive session to discuss a personnel matter. No action was taken

After returning to open session a discussion was held with both Chiefs regarding their drug testing policy. Both departments will require drug testing for new employees, those receiving promotions and for cause. The committee requested that Mark Williams update council on the issue of drug testing and that full council address the issue regarding the need for a consistent city policy in this area. The issue is currently at the discression of each dept. head.

EXHIBIT E

Engrossed Bills Committee Meeting
City Hall - Regular Meeting
January 16, 1990-Minutes

The Meeting began approximately five (5) minutes after the time scheduled on the attached agenda. Present were Committee members Jeff Simon, and Melinda NesSmith-Picard who arrived several minutes following the start of the meeting. City attorney Dreyfoos, Committee Chairman Holden, and Councilmember Marge Swanson were also in attendance.

For the First order of business, the minutes, and revised minutes, covering the past four (4) meetings were approved in their final form, upon motion of Councilmember Simon, seconded by Councilmember NesSmith-Picard, and approved unanimously.

As a hearing on the change of Government law suit was scheduled, two days following this meeting, the Chairman noted that the meeting would deal mainly with the other agenda items which have been present for some time in committee.

First discussed was, the Swimming Pool Drainage Report on which no progress had been made. It was mentioned by the committee that an Ordinance may not be the best way to address this anyway. Upon motion by Councilmember NesSmith-Picard, seconded by Councilmember Simon, it was suggested Council entertain a resolution regarding draining swimming pools, properly, (possibly classifying improper drainage as a nuisance), and for the City Attorney to draft one dealing with this. Suggestion was passed unanimously and will be dealt with at the next committee meeting.

As to Matters before the Planning Commission, there was no report made on the general procedures being worked out. The City Attorney noted he had not yet been able to set up a time to meet with Lee Batchelder.

It was noted there was no report on the Fence Ordinance, though the Planning Commission met, and is believed to have discussed it.

It was noted there had been no progress on the Waterfront Zoning, and that the Turtle Nesting Ordinance was presently probably best put in the beach plan. Absent some major change in approach a delay would result. It was suggested the resolution route, and public information channels might be useful in the up-coming Turtle Nesting season, if the delay stretched into that time period. It was suggested to the Chairman that a memo to Lee Batchelder on the concept on the Waterfront Zoning explaining what the committee and the Council at passage were attempting to do conceptuallybe sent, and for comments on some specifics such as the set backs and coverage be requested. Done before the next meeting it would allow us the benefit of the professional planners input in this matter.

As to the Right of Way and Marsh Dumping Ordinances, these were broken into two seperate ordinances. First there was the dumping of oil and other pollutants into ditches, it was modified to include ground, marshes, and streets also as it now reads. A motion to recommend Council pass such resolution made by Councilmember NesSmith-Picard, seconded by Councilmember Simon, was passed unanimously. As to the Right of Way Dumping Ordinance which was previously discussed numerous times. It was voted to accept the current reading. There were some comments about the "Catch Line" title being clarified as well. Motion to recommend Council pass as written by Councilmember NesSmith-Picard, seconded by Councilmember Holden, passed unanimously.

Concerning the matter of Signs, the ban of Off-Premises Signs was discused, and it was noted the current draft by the City Attorney had a three (3) year Grandfathering provision. It was also noted this was viewed as a starting point, Councilmember Simon felt that since three (3) years seem to be most people's outside length of time, a more appropriate "starting point" might be somewhat shorter. Upon motion Councilmember Simon, seconded by Councilmember NesSmith-Picard, it was unanimously recommended that the length of time be changed to eighteen (18) months with recommendation Council pass first reading of such ordinance.

As to the matters of the Sign Ordinance more generally it was noted the City Attorney was still waiting on other jurisdictions ordinances for reference and it would constitute a major revision and much work.

As to New Business, Councilmember NesSmith-Picard voiced concern about Dune walkover tiedowns or rather the need for them in the event of a future storm, and that it would be something to look into in the future.

There were no other Miscellaneous Request or Information given.

Motion to adjourn by Councilmember NesSmith-Picard, seconded by Councilmember Simon, passed unanimously.

DRAFT COPY AS OF: 3/20/91

PASSED AS FINAL MINUTES: 3/20/91

ATTESTED TO:

x _____

Barry C. Holden - Chairman

Engrossed Bills Committee Meeting
6:30 P.M. - January 16, 1991
Regular Monthly Meeting - City Hall

AGENDA

Old Business

1. Minutes of previous meetings - Chairman

2. Introduction/explanation of agenda/schedule

3. Updates & Ordinances Referred
   - A) Swimming Pool Drainage Report - City Attorney
   - B) Matters before Planning Commission
     - i.) General Procedures Report
       - a.) Fence Ordinance
       - b.) Waterfront Zoning
       - c.) Turtle Nesting
   - C) Right of Way/Marsh Dumping
   - D) Signs
     - i.) Off premises - City Attorney
     - ii.) Generally

New Business

4. Proposed ordinances/resolutiuons from councilmembers

5. Miscellaneous Requests/Information

6. Adjourn

EXHIBIT F

Jan. Meeting- 8th 91 - 7:00 P.M.

Present Council members - Don Watson
Mike Sottile
Marge Swanson
Mayor Bunch
Ch. Heath Orvin
Re. Dir. - Stacey Wilson

I. Rec. Programs available Jan & Feb
a. Gymnastics - Mondays - Ages 3 & older.
b. Tae Kwon Do - Wed. & Sat - youth & adult.
c. Tap/Ballet/Jazz - Weds. - ages 2 & older
d. Incredible Creations - Tues. - 6 to 12 yrs.
e. Teenagers - (Senior Citizens) - 1st Wed.
A huge success - rec. dept. sponsors this program- enjoyed by all.
f. Tournaments - Fri. - youth
g. CPR/First Aid - monthly - youth & adult - Scott Taylor instructor.

II Rec. dept looked into the problem of island kids being put into a blind draft in regards to Dixie Youth baseball. This is a hard-ball league for kids over 11 yrs of age. Jimmy Seignous - Mt. Pleasant has held firm - quotes a state rule - IOP would need 4 complete teams - 13 members each.

III South's hot line was held between Dec. 17th

d 18th -with over 250 children called. Many thanks to the "police Santas" who volunteered their time.

III. Christmas Party was held Sat, Dec 15th from 2-3 P.M. Santa Claus was present & there were over 150 children. Also one of our children won a ~~bike~~ bicycle donated by Leola Hanbury which she had won at the Goodbye Hugo celebration.

New Years Celebration held at the Rec. Center Dec-31 with sparkling ~~cider~~ apple juice served at 12 noon to all those present.

IV. 26th Dive dance was held Fri Dec 11th from 7-10 P.M. 5th-8th graders turned out- Our dances are becoming more & more popular, particularly with the "younger" set.

V ~~Over~~ 18,911.35 was donated to the Rec. dept from Goodbye Hugo Party staged by IOP merchants Assn. We also received 2,027.00 from Park & Recreation Development Fund. The money was used to pave the parking lot & installing tennis court lights. Also over 30 trees were planted by Low Country Relief on Rec. Dept property. Thanks to Bob Hooker for his time & effort in the "greening" of Rec Center. Meeting adjourned 8:00 P.M.

Respectfully submitted Hazel Davis

EXHIBIT G

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
JANUARY 22, 1991

The regular monthly meeting of the Zoning Board of Adjustment and Appeals was held on January 22, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present: Howard Garvin, Mary Schall, Betsy Smiley, David Somers, and Building Inspector Ed Haselden.

1. Mr. & Mrs. Cummings of #4 Wills Way asked the Board to appeal the Building Inspector's "interpretation" of Code Section 5-2-19, paragraphs 1, 2, and 3(a)(b)(c)(d). Their house has solid foundation perimeter walls with three louvered openings on the rear of the house. They are contending that the openings on that side of the house are in compliance with the Code Section in allowing flow of water both into and out of the same openings. The Building Inspector interprets the Code to read that there must be openings on at least two sides of the structure and the openings must be built into solid walls, not windows or doors. There was extensive discussion on this matter. Mr. Fellabom gave the Cummings a copy of a letter written to the Board from Rosa B. Hughes, of #3 Wills Way, requesting that the request be denied. (copy attached) Mr. Haselden produced a copy of the Southern Building Code Congress, Section 600.4 - Walls Below Base Flood Elevation; and a copy of a letter he had received from William S. Barr, attorney for the Cummings. (copies attached) It was determined that a "Yes" vote would agree with the Building Inspector's interpretation and administration of the aforementioned sections; and a "No" vote would agree with the Cummings:

Vote being: Garvin - Yes; Schall - Yes; Smiley - Yes; Somers - Yes; and Fellabom - Yes. Request unanimously denied.

2. Calvin C. Bayne requested a 20' set-back variance from Section 5-4-22(5) on the front of his property at 39 - 21st Avenue. Mr. Bayne had not submitted any plans of the proposed house, he merely was asking that he be allowed to locate the house closer to the road and farther away from the marsh which would keep the house in line with neighboring homes. Mr. Fellabom produced copies of two letters the Board had received from Mr. & Mrs. Jerry Spencer of 2100 Waterway Blvd. and from Mr. & Mrs. Julian Brandt of 38 - 21st Avenue, both objecting to the granting of the variance. (copies attached) Mr. Spencer was in attendance at the meeting and showed the Board a survey of his property showing the location of his house which was in compliance with City Code.

Vote being: Garvin - No; Schall - No; Smiley - No; Somers - No; and Fellabom - No. Request unanimously denied.

3. Mr. John Gardner, Architect, represented the City of Isle of Palms in requesting a variance from Section 5-2-19(2) in the construction of Fire Station #2 on 41st Avenue. The Apparatus Room

which housed the fire trucks was in compliance with Code. However, the equipment storage rooms on the same level would require a variance. These rooms are essential to the firemen being able to quickly grab their equipment when going out on a call. It was not feasible to elevate the entire station, because the trucks would not be able to get up and down the ramps quickly and the lot did not provide enough room to make ramps on both sides of the building.

Vote being: Garvin - Yes; Schall - Yes; Smiley - Yes; Somers - No; and Fellabom - Yes. Request was approved.

In accordance with Title I, Chapter 9, Article B, Section 1-9-21, of the City Code, which states that a secretary and chairperson shall be elected at the first meeting of each year, Ed Fellabom was unanimously re-elected chairman of the Board for 1991, and Mary Schall was unanimously re-elected secretary of the Board for 1991.

There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JANUARY 9, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on January 9, 1991, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, John Stanley, Kathryn Carroll, John Gardner and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present. Darlene Smith was absent.

Chairman Taylor called the meeting to order at 5:30 p.m. and stated that he and John Stanley would not vote on any matters at this meeting because they had not been formally reappointed to the Commission. He also asked the Commission to consider changing the order of items on the agenda and allow the rezoning application to be heard first. Without objection this change was made.

Rezoning Application:

1. Request a rezoning from GC-1 to GC-2 for property located at the southeast corner of Carolina Boulevard and Pavilion Drive. Tax Map Series number 568-11-00, parcels 130 and 131.

Mr. Batchelder explained that this property was shown on a plat submitted by the applicant as lots 25 to 35. He explained that the request was to go to a more intensive commercial zoning district to allow a self-storage facility. He explained that the change to GC-2 would eliminate the requirement for off-street parking and setbacks. Mr. Batchelder then stated that it was his understanding that the GC-2 district was intended for the front beach commercial areas where commercial development had occurred which did not utilize setbacks or off-street parking.

Mr. Batchelder then opened the public hearing and asked the applicant to present the application. Ray Swain, the applicant, stated that the self-storage facility was designed to provide adequate access to the facility. He stated that he applied for the rezoning to GC-2 so that he would not be required to meet the strict setback requirements. He stated that he did not want to create a problem with parking and access or a commercial environment like the front beach area although the proposed facility did not meet the GC-1 setback requirements.

Mr. Taylor asked whether applying for variances had been considered. Mr. Swain stated that he was going to apply for variances under GC-1 because of the shape of the lot but felt that he had come up with a good design that would fit in the GC-2 district.

Mr. Batchelder asked if there was anyone else present who wanted to speak in favor of the application. No one replied. Mr. Batchelder then asked if there was anyone present who wanted to speak in opposition to the application. Kenny Mims stated that he lived across the street from the property and was not in favor of eliminating the setback and parking requirements. He stated that this property fronted on a major access road to the beach and that a traffic hazard might be created by this project.
Mr. Batchelder stated that if the property is not rezoned, the proposed design for a self-storage facility could not be implemented without a number of variances. He added that the building

would have to shrink substantially to fit on the site under the existing zoning. Mr. Taylor explained that even under the existing zoning, a more intense use like a restaurant is allowed.

Mr. Swain in rebuttal stated that it was not his desire to put something there that was ugly. He stated that there was a 25 foot area around the property between the street and that it was his desire to landscape this area. He did not think that this project would increase the existing parking and traffic problems in the area. Mr. Batchelder then closed the public hearing.

Mr. Taylor stated that all of the lots (25-35) shown on the plat could be combined, the alley could possibly be abandoned and the self-storage facility could be redesigned to allow the required setbacks.

Mr. Batchelder recommended that the rezoning be denied because it would not be appropriate to rezone this small part of the GC-1 district to GC-2. He stated that the self-storage facility as currently proposed was too much for the property and that maybe by following Mr. Taylor's suggestion a much better solution could be proposed. He also raised concerns about the adequacy of space for circulation around the building and pointed out that additional space would be required for a five foot landscape strip along property lines abutting other commercially zoned property. He also pointed out that a metal storage building would probably not satisfy the building finish requirement in the zoning ordinance. Mr. Batchelder added that the flood zoned requirements would probably require the building to be raised. Mr. Swain replied that the elevation of the property was about 12 feet which would require the building to be raised two feet.

Motion to recommend denial of the rezoning by Mr. Gardner; second by Dr. Karig. Motion for denial approved 4-0.

Minutes of previous meetings:

Mr. Taylor asked if there was a motion to approve the minutes. Dr. Karig requested that the wording on page 4 of the December 5, minutes be changed from a concern about fences to a concern about decks. Motion to approve December 5, minutes with change by Dr. Karig; second by Ms. Wilson. Motion approved 4-0.

Motion to approve December 12, minutes by Ms. Carroll; second by Dr. Karig. Motion approved 4-0.

Plat Submittals:

1. Plat showing the Combination of Lots 25-35, Block "30", Section "A", City of Isle of Palms, Charleston County, S.C. Presently owned by Mrs. L. C. Hazen. Niemeyer.

The Commission deferred action on this submittal.

2. Plat Showing the Abandonment of the Property Line Between Lots 8 and 9, Tract "D", Block "R", Wild Dunes, City of Isle of Palms, Charleston County, S.C. Engineering, Surveying and

Planning Inc.

Bill McKenzie, representing the applicant, stated that these lots were being combined because lot 9 is completely unbuildable with the marsh setback requirement. Motion to approve with zoning of PRD being noted on plat by Ms. Carroll; second by Ms. Wilson. Motion approved 4-0.

3. Plat Showing the Abandonment of the Property Line Between Lots 18 and 19, Tract "D", Block "Q", Wild Dunes, City of Isle of Palms, Charleston County, South Carolina. Engineering, Surveying and Planning Inc.

Mr. McKenzie stated that the situation with these lots was similar to the lots on the previous plat. Motion to approve by Ms. Wilson; second by Ms. Carroll. Motion approved 4-0.

Conditional Use Application:

1. Self storage facility on 11,534 square foot property located at the southeast corner of Carolina Boulevard and Pavilion Drive. The property is zoned GC-1.

Mr. Batchelder recommended denial because the proposed facility did not meet setback and landscaping requirements under GC-1 and did not meet requirements for granting a conditional use permit as outlined in the zoning ordinance. Motion to deny application by Mr. Gardner; second by Dr. Karig. Motion for denial approved 4-0.

Sub-committee Reports:

Mr. Stanley stated that negotiations for the purchase of the water company are underway with closing anticipated in mid-February. Information gathering is underway to consider how to operate the utility and study what type of water production system should be installed. He added that the final draft of the wastewater study has just been received.

No other reports were presented.

Ordinances:

1. Sea Turtle Protection Ordinance, 1990-18.

Mr. Batchelder stated that the people working on this were still waiting to receive additional information and that they hoped to have a revised draft for the Commission in February.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

MINUTES OF THE REGULAR MEETING OF
THE ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
JANUARY 17, 1991

The regular meeting of the Isle of Palms Board of Beach Patrol and control was held on January 17, 1991, at 7:00 p.m., at City Hall. Present were Chairman James Smiley, David Matthews, William Sandeford, Beverly Ballow, Debby Jeter and Jeff Simon.

Dr. Smiley reported to the Board on the beach nourishment project at Dewees Inlet, Wild Dunes. Mr. McKenzie sent a letter saying that they had only put 5,000 cubic yards of sand on the beach of the 10,000 that the Board permitted. They had exhausted their supply of sand on island and decided not to do any further renourishment until a consultant had been called in to recommend some long-term solutions to their problem. They have contracted with George Ortel of Old Dominion University who is in the process of doing that. Wild Dunes will probably be back to the Board requesting some sort of sand bag groin put into the inlet area. They have lost all of the sand originally put out due to the high tides and would like to put the additional 5,000 yards from the permit onto the beach. They would like to get this sand from the BiLo pit if it is certified to be compatible with the sand on the island. Dr. Smiley gave Wild Dunes permission on behalf of the Board.

Permit Applications:

1. Mr. & Mrs. Joe Horst requested a permit for minor beach renourishment and re-vegetation and for a building permit for their property at #1 - 45th Avenue. Mr. Horst passed out a drawing of the dunes in front of his property showing the additional sand and grasses that he proposed to add. After discussion, Mr. Matthews moved to grant the permit to allow the renourishment as proposed on the drawing, Ms. Ballow seconded, motion passed unanimously.

Mr. & Ms. Horst then asked for a permit to build their house into the protection district so as to bring the front of their house in line with their neighbors houses and give them unobstructed view. Mr. Bunch's house next door has been built 15' farther forward than it should be due to a surveyor's error and the house on the other side of the Horst property has also built into the protection zone. neither of these property owners had come before the Board for permits. Mr. Sandeford stated that he had looked at these properties and that the face of the houses were lined up pretty well and that the porches, decks and stairs were into the protection zone. Their was extensive discussion on this permit and the fact that Mr. Bunch's house has not been permitted. The concern of the Board in this case was not the home, but the deck and stairs which would extend further into the protection zone than they normally allow. It was the consensus of the Board that Mr. Bunch will be asked to move his deck and stairs so as to get them out of the protection zone. After further discussion, Dr. Smiley moved that we allow a permit for the Horst's to begin

construction on their house and porch to be in line with adjacent houses, but to either redesign the deck and stairs, and/or wait until a determination is made on the Bunch house before building the deck and stairs; Ms. Ballow seconded; motion passed unanimously.

2. Ken Morgan of Standardbred Housing Development requested a permit to build a house up to the maximum building line at 906 Ocean Boulevard which intrude into the protection district. This property is jointly owned by Buddy Darby of The Beach Co. and ocean Boulevard Properties. Mr. Morgan had wanted to bring the house up to the maximum building line and extend the steps beyond it, but Ed Haselden had told him that the property was controlled by the covenants of Ocean Boulevard Properties. Dr. Smiley stated that the Board was not concerned with the maximum building line, only the protection district. Jeff Simon stated for the record that the maximum building line was enforceable by the covenants under which these properties were sold, and neither the Board nor the City have authority to enforce covenants. However, neighboring property owners can bring suit to have the covenants adhered to. Mr. Morgan understood that and asked to be allowed to encroach into the protection zone approximately 27' which would only extend the stairs over the maximum building line. Mr. Morgan stated that the interpretation of The Beach Co. and Ocean Boulevard Properties is that this would not be in violation of the covenants. He has also received authorization from the Architectural Review Board for the house and location of the house on the property.

After further discussion Mr. Sandeford moved to allow a permit to build some 27' into the protection zone, seconded by Ms. Ballow, motion passed unanimously.

There was a discussion of what action needs to be taken about the Bunch property on 45th Avenue. Dr. Smiley would check with Ed Haselden and report back to the Board.

No further business being brought before the Board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT # J

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-13
First Reading Draft - 1/24/91

AN ORDINANCE TO BAN OFF-PREMISES SIGNS

WHEREAS, City Code Section 5-4-124(c) allows for limited off-premises signs under specified conditions; and

WHEREAS, City Council finds that the proliferation of off-premises signs will adversely affect the aesthetic and residential characteristics of the City; and

WHEREAS, City Council further finds that existing businesses possess adequate opportunity for advertisement through the use of on-premises signs, informational signs provided by the City and promotional materials prepared under the auspices of the City and the Trident Chamber of Commerce with the use of accommodations tax funds; and

WHEREAS, City Council wishes to afford the owners of the few existing off-premises signs within the City with the opportunity to amortize their investments in said signs; and

WHEREAS, City Council is authorized to amend its zoning regulations pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to ban off-premises signs within the City of Isle of Palms.

Section 2. Section 5-4-124 Amended. Section 5-4-124(c) of the City Code is amended, to read as follows:

(c) Off-premises signs. Except as set forth hereinbelow, as of the effective date of this ordinance, off-premises signs shall not be allowed within the City of Isle of Palms:

(1) The City of Isle of Palms may erect off-premises, informational signs, which provide direction to commercial areas within the City.

(2) All off-premises signs existing within the City as of the effective date of this ordinance shall be removed within one and one-half (1 1/2) years of said effective date.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 1/24/91
Public Hearing: _____
Second Reading: _____
Third Reading: _____
Ratification: _____

EXHIBIT K

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-24
First Reading Draft - 1/24/91

AN ORDINANCE TO LIMIT THE PLACEMENT OF REFUSE FOR COLLECTION

WHEREAS, the disposal of refuse for collection by the City Public Works Department is currently regulated in Section 3-2-5 of the City Code; and

WHEREAS, such regulation provides for the deposition of refuse on the public right-of-way pending collection; and

WHEREAS, City Council has received complaints concerning the unsafe, unsanitary and burdensome conditions created when refuse is deposited in front of lots other than the lot from which the refuse was generated; and

WHEREAS, City Council wishes to prevent the recurrence of such adverse situations.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the placement of refuse for collection by the Isle of Palms Public Works Department.

Section 2. Section 3-2-5 Amended. Existing Section 3-2-5 of the City Code is re-numbered as Section 3-2-5(a), entitled "Refuse Requirements." A new Section 3-2-5(b) is hereby created, to read as follows:

(b) Placement of refuse. All refuse placed for collection shall be deposited on the unpaved right-of-way in front of the property from which the refuse was generated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 1/24/91

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT B L

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-35
First Reading Draft - 1/24/91

AN ORDINANCE TO PROHIBIT THE DEPOSITION OF GREASE AND OIL ~~INTO THE MARSH~~

WHEREAS, City Code Section 3-1-8 currently prohibits the drainage or deposition of grease, oil and similar materials onto City streets; and

WHEREAS, City Council believes such prohibition should be extended to the marshes within the jurisdiction of the City.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to prohibit the deposition of grease and oil into the marsh.

Section 2. Section 3-1-8 Amended. Section 3-1-8 of the City Code is hereby amended by adding the words "ditch, marsh or ground" at the end of the section.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 1/24/91

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT M

Miss Readery.

CHARLESTON COUNTY PARK
& RECREATION COMMISSION

January 11, 1991

The Honorable Carmen Bunch
Mayor
City of Isle of Palms
Post Office Box Q
Isle of Palms, SC 29451

Dear Mayor Bunch:

Thank you for your letter of January 7th. I will bring this matter before our Commission at our meeting on January 21st. We will of course be happy to meet with you and the Isle of Palms City Council. I would indicate that previously we have received a similar request from the Town of Folly Beach and our Commission did not feel that we could assist with restroom facilities at this point in the development of the county park system. From a priority standpoint, we are committed to the completion of the acquisition and development of a system of county parks, therefore such areas as extended lifeguard services and restrooms outside of our county parks have a lower priority at this point in time. Once our system of parks is in place, I personally think that the emphasis can shift to such areas, however this would not likely occur in the near future.

We are pleased that the acquisition of the Isle of Palms County Park site has become a reality and we look forward to meeting with you to discuss our future relationship and this issue. Please contact me after the 21st for a meeting time. I look forward to hearing from you then.

Sincerely,

F. Lamarr Wiley
Chairman

FLW/ef
Copy: Members of Isle of Palms
City Council

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
AND WAYS AND MEANS COMMITTEE
JANUARY 31, 1991
CITY HALL

A special meeting of the Isle of Palms City Council and Ways & Means Committee was held at City Hall on January 31, 1991, at 6:00 p.m. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, and Watson. Council Member Ward was absent. Also present were City Administrator Williams, City Attorney Dreyfoos, Bond Attorney Youngblood, and Secretary Geary.

1. Plat Showing the Resbudivision of Lot 67-70, Block 28, into a 19710 Sq. Ft. Tract and a 1260 Sq. Ft. Tract. This plat had been deferred from the regular meeting last week in order for Attorney Dreyfoos to determine whether or not this plat would violate the subdivision and zoning ordinances. It was determined that as long as the property was designated GC-2, the plat did comply with the ordinances. Mr. Watson made a motion to accept the plat as presented; Mr. Sottile seconded. After discussion, Mr. Watson amended his motion to show the designation of GC-2 on the plat; Mr. Sottile seconded. The motion and amendment passed with two abstentions.

2. Since Attorney Youngblood was late arriving, Ms. NesSmith-Picard made a motion to suspend the rules of order and proceed with item 4 on the agenda; Mr. Watson seconded; motion passed unanimously.

Police Chief James Arnold spoke to Council about the immediate need for a police car to replace one that has blown an engine. He reported that there was a car dealer in Augusta, George, who had police cars on his lot which were selling for less that the cars in the State contract. He also said that the City would be needing at least two more cars in the next fiscal year and asked Council to consider ordering them now for delivery in the new fiscal year. After discussion, Mr. Sottile made a motion to approve the purchase of one car immediately; Mr. Watson seconded; motion passed unanimously. Chief Arnold was to ask the dealer in Georgia if he would be able to hold two more cars for us until the new fiscal year begins.

3. Second Reading - Ordinance 1991-1 - General Bond Ordinance. Mr. Youngblood presented to Council the revised Ordinance 1991-1 (se Exhibit A) and went over the changes made. After discussion, Mr. Sottile made a motion to approve second reading of Ordinance 1991-1 and to forego reading the ordinance page by page; Mrs. Swanson seconded; motion passed unanimously.

4. Second Reading - Ordinance 1991-2 - Bond Anticipation Ordinance. Mr. Youngblood asked that second reading of Ordinance 1991-2 be deferred until such time as the city is ready for

financing of the water company. Mr. Watson made a motion to table Ordinance 1991-2; Mrs. Swanson seconded; motion passed unanimously.

5. Architect John Gardner gave a presentation to Council of the preliminary plans for the new police/municipal building on Palm Boulevard and 13th Avenue. There was extensive discussion about the details of the building, whether or not the building will meet the needs of both the Police Department and the Building Department in future years, and the cost of the building including financing and anticipated tax millage. Mr. Williams gave an example that a half million dollars borrowed at 7% for 20 years (see Exhibit B). It was the consensus of Council that we needed this building and that we should move ahead to obtain the building permit before March 18th when the new flood elevations go into effect. Mr. Watson made a motion to allow Mr. Gardner to prepare the final plans of the building and to go to bid; Mrs. Swanson seconded. Roll Call vote: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Watson - yes; Bunch - yes. Motion passed unanimously.

6. Mr. Williams reported on the status of the public restrooms for the front beach. Bids have gone out and are to be returned on February 6, 1991. He has been seeking financing for the restrooms to be paid from the Accommodations Tax account and may be able to secure financing through a conventional mortgage loan. Mr. Williams advised Council that the lenders he had spoken with appeared to be uninterested in financing the project as a general obligation bond issue because of the small sums involved. Council Members began a discussion as to the necessity of using Accommodations Tax revenue for this purpose and whether or not the city should be responsible for providing these facilities. ~~Several council members maintained that Charleston County PRC or the State should provide these facilities rather than the City. Proponents of the restrooms on Council maintained that the Accommodations Tax was created for meeting this type of need~~. Finally, Ms. NesSmith-Picard made a motion to move ahead with the Public Restrooms in order to obtain a building permit before March 18, 1991; Mr. Holden seconded and amended the motion to say that it is the City's intent to have the restrooms ready for the upcoming tourist season; Mr. Sottile seconded. After further discussion, roll call vote was taken: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Watson - no; Bunch - no. Motion was denied with a tie vote.

deleted per 2/28/91 council meeting 18

7. Because of ~~public disapproval~~ council's division over the choice of Standing Committee Chairmen after last week's City Council meeting, Ms. NesSmith-Picard made a motion to allow her to step down as Chairman of the Public Works Committee, but to remain as a committee member, and to allow Mrs. Swanson to become chairman of the committee. The motion ~~was automatically denied as there was no~~ died for lack of a second.

18

18

Mayor Bunch stated that due to the time, the Executive Session to discuss water company personnel would be deferred until another meeting.

Mr. Holden made a motion to adjourn the meeting; it was unanimously seconded and passed, and meeting adjourned at 8:05 p.m.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 2/28/91 with revisions

Fairway Ford
OF AUGUSTA, INC.

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LAST CHANCE TO GET FORD CROWN VICTORIA POLICE CARS. NO NEW VIC'S TILL FEB OF '92.

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- AIR CONDITIONING
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- DUAL ELECTRIC REMOTE MIRRORS
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(82 ITEMS PLUS POWER TRAIN)

NET PRICE FOB AUGUSTA, GEORGIA $ 12,540.00

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6 YEAR 100,000 MILE WARRANTY	$ 145.00

LARRY WILLIAMS
TRUCK & FLEET MGR.

EXHIBIT A

ORDINANCE 1991-1

CITY OF ISLE OF PALMS, SOUTH CAROLINA

GENERAL BOND ORDINANCE

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE REVENUES DERIVED FROM THE OPERATION OF THE SYSTEM AND PLEDGING THE REVENUES TO SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall, for all purposes of this Ordinance and of any ordinance, resolution, certificate, opinion, instrument or other document herein or therein mentioned, have the meanings herein specified, with the definitions to be equally applicable to both the singular and plural forms of any of the terms herein defined and vice versa. The term:

"A Bonds of 1991" shall mean the $1,185,601.88 Water and Sewer System Revenue Bonds, Series 1991 A, dated as of the date of their delivery.

"Act" shall mean, collectively, Title 6, Chapter 21, and Title 6, Chapter 17, Code of Laws of South Carolina, 1976, and all other statutory authorizations, now or hereinafter enacted, authorizing and enabling the City to provide for the issuance of the Bonds.

"Annual Budget" shall mean the annual budget required by Section 7.8 hereof and adopted in conformance therewith.

"Bondholders" or the term "Holders" or any similar term shall mean the registered owner or owners of any Outstanding Bond or Bonds.

"Bond" or "Bonds" shall mean any Bond, some of the Bonds or all of the Bonds issued under and pursuant to Article III hereof.

"Bond Redemption Account" shall mean the account by that name created in the Debt Service Fund.

"Bond Year" shall mean the period from March 1 in any year to and including the last day of February in the following year.

"Books of Registry" shall mean the registration books maintained by the Trustee as bond registrar in accordance with Section 4.3 hereof.

"Capital Improvements Fund" shall mean the fund of that name established pursuant to Section 6.8 of the Ordinance.

"City" shall mean the City of Isle of Palms, South Carolina.

"Construction Fund" shall mean any fund established with and maintained by the Custodian named by ordinance or resolution of the Council, and derived from certain of the proceeds of the sale of the Bonds and intended to defray the cost of all or a portion of any Project and to pay all Costs of Acquisition and Construction in connection therewith, as established in a Supplemental Ordinance authorizing the issuance of any Series of Bonds.

"Consulting Engineer" shall mean the engineer or engineering firm or corporation having a favorable reputation for skill and experience in the construction and operation of water treatment systems or sewage disposal and treatment systems, employed by the City to perform and carry out the duties imposed by this Ordinance, and who or which is not a full-time employee of the City.

"Cost of Acquisition and Construction" shall mean, to the extent permitted by the Act, all costs of acquiring, reconstructing, replacing, extending, repairing, bettering, equipping, developing, embellishing or otherwise improving the System, including the Costs of Issuance and capitalized interest on Bonds. Cost of Acquisition and Construction shall include the payment of amounts due on bond anticipation notes, the proceeds of which were used for Cost of Acquisition and Construction.

"Cost of Issuance" shall mean all items of expense, directly or indirectly payable or reimbursable by or to the City and related to the authorization, sale and issuance of Bonds including, but not limited to, printing costs, costs of preparation and reproduction of documents, filing and recording fees, initial fees and charges of any Trustee or Custodian, legal fees and charges, auditing and accounting fees and charges, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of Bonds, costs and expenses of refunding, premiums for insurance of the payment of Bonds, financing charges, accrued interest with respect to the initial investment of proceeds of Bonds and any other costs, charges or fees in connection with the original issuance of Bonds.

"Council" shall mean the City Council of the City of Isle of Palms, South Carolina.

"Custodian" shall mean any bank or trust company or national banking association or national association selected by the City as a depositary of moneys or securities held in the Construction Fund, the Revenue Fund, the Capital Improvements Fund, the Operation and Maintenance Fund or the Rebate Fund.

"Debt Service Fund" shall mean the fund of that name established pursuant to Section 6.6 of the Ordinance.

"Debt Service" shall mean, with respect to the Bonds and with respect to any particular Bond Year, the aggregate of the amounts to be paid or set aside (or estimated to be required to be paid or set aside) in the Debt Service Fund in such Bond Year for the payment of the principal of, redemption premium, if any, and interest (to the extent not capitalized) on the Bonds or such Series of Bonds. With respect to Bonds that bear interest at a variable rate, Debt Service shall be calculated based on the rate of interest that such Bonds would bear if such Bonds bore interest at a fixed rate, as certified to the Trustee and the Council by the Financial Advisor.

"Debt Service Reserve Fund" shall mean the fund of that name established pursuant to Section 6.7 of the Ordinance.

"Default" or "Event of Default" shall mean any of those defaults specified in and defined by Article X hereof.

"Expenses of Operating and Maintaining the System" shall mean the current expenses, paid or accrued, of operation, maintenance and current repair of the System, as calculated in accordance with sound accounting practice, and shall include, without limiting the generality of the foregoing, salaries, wages, employee benefits, cost of materials and supplies, cost of routine repairs, renewals, replacements and alterations occurring in the usual course of business, cost of billings and collections, cost of insurance, costs of audits, taxes, if any, and a properly allocable share of City administrative and overhead expenses. Expenses of Operating and Maintaining the System shall not include any allowance for depreciation or renewals or replacements of capital assets of the System.

"Financial Advisor" shall mean the person, firm or corporation having experience in the field of rendering financial advice to governmental bodies, designated as such from time to time by the City.

"Fiscal Year" shall mean the fiscal year for the System as determined by the Council, initially being the period from July 1 in any year to and including June 30 in the following year.

"Government Obligations" shall mean non-callable bonds, notes or direct obligations and general obligations of the United States.

"Interest Account" shall mean the account by that name created in the Debt Service Fund.

"Investment Securities" shall mean any of the following, if and to the extent that the same are at the time legal for investment of funds of the City:

(i) direct obligations of (including obligations issued or held in book entry form on the books of) the Department of Treasury of the United States of America;

(ii) obligations of any of the following federal agencies, which obligations represent full faith and credit of the United States of America, including: Export - Import Bank, Farmers Home Administration, General Services Administration, U. S. Maritime Administration, Small Business Administration, Government National Mortgage Association (GNMA), U. S. Department of Housing & Urban Development (PHA's) and Federal Housing Administration;

(iii) bonds, notes or other evidences of indebtedness rated "AAA" by Standard & Poor's Corporation and "Aaa" by Moody's Investor Services issued by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation with remaining maturities not exceeding three years;

(iv) U. S. dollar denominated deposit accounts, federal funds and banker's acceptances with domestic commercial banks which have a rating on their short term certificates of deposit on the date of purchase of "A-1" or "A-1+" by Standard & Poor's and "P-1" by Moody's and maturing no more than 360 days after the date of purchase. Ratings on holding companies are not considered as the rating of the bank;

(v) commercial paper which is rated at the time of purchase in the single highest classification, "A-1+" by Standard & Poor's and "P-1" by Moody's Investor Services and which matures not more than 270 days after the date of purchase;

(vi) investments in a money market fund rated "AAAm" or "AAAm--G" or better by Standard & Poor's Corporation;

(vii) investment agreements approved in writing by AMBAC Indemnity (as defined in the First Supplemental Ordinance) with notice to Standard & Poor's Corporation;

(viii) other form of investments approved in writing by AMBAC Indemnity with notice to Standard & Poor's Corporation; and

(ix) the South Carolina Pooled Investment Fund established pursuant to the provisions of Chapter 6, Title 6, Code of Laws of South Carolina 1976, as amended.

The value of the above investments shall be determined as provided in "Value" below.

"Value", which shall be determined as of the end of each month, means that the value of any investments shall be calculated as follows:

(a) as to investments the bid and asked prices of which are published on a regular basis in The Wall Street Journal (or, if not there, then in The New York Times): the average of the bid and asked prices for such investments so published on or most recently prior to such time of determination;

(b) as to investments the bid and asked prices of which are not published on a regular basis in The Wall Street Journal or The New York Times: the average bid price at such time of determination for such investments by any two nationally recognized government securities dealers (selected by the Trustee in its absolute discretion) at the time making a market in such investments or the bid price published by a nationally recognized pricing service;

(c) as to certificates of deposit and bankers acceptances: the face amount thereof, plus accrued interest; and

(d) as to any investment not specified above: the value thereof established by prior agreement between the City, the Trustee and AMBAC Indemnity.

"Junior Bonds" shall mean either (i) bonds secured by a pledge of Revenues junior and subordinate in all respects to the pledge securing the Bonds or (ii) any other form of indebtedness, including lease purchase obligations secured by sums available in the Revenue Fund after provision has been made for all payments required to be made with respect to the Bonds.

"Maximum Debt Service" shall mean the highest principal and interest requirements on the Bonds then Outstanding during any Bond Year. With respect to Bonds that bear interest at a variable rate, for purposes of determining maximum annual debt service requirements for complying with the rate covenant (Section 7.1) and the test for issuance of additional bonds (Section 3.3(D)), such Bonds shall be assumed to bear interest at a fixed rate equal to the highest variable rate borne over the preceding 24 months by outstanding variable rate debt (issued under the Ordinance) or, if no such variable rate debt is at the time Outstanding under the Ordinance, by variable rate debt for which the interest rate is computed by reference to the appropriate index published in The

Bond Buyer or, if such an index does not exist, to an index comparable to that to be utilized in determining the interest rate for the Bonds then proposed to be issued.

"Net Revenues" shall mean the Revenues of the System after deducting the Expenses of Operating and Maintaining the System.

"Operation and Maintenance Fund" shall mean the fund of that name established pursuant to Section 6.5 of the Ordinance.

"Ordinance" shall mean this ordinance as from time to time amended or supplemented by one or more Supplemental Ordinances.

"Outstanding" when used with respect to any Bond shall have the construction given to such word in Article XII hereof; i.e., a Bond shall not be Outstanding if such Bond is not, or would not be, at the time, deemed to be Outstanding by reason of the operation and effect of said Article XII.

"Paying Agent" shall mean for each series of Bonds the respective paying agent or paying agents appointed pursuant to the proceedings authorizing such Bonds.

"Principal Account" shall mean the account by that name created within the Debt Service Fund.

"Project" shall mean any work, undertaking or project which the City is or may hereafter be authorized to construct or acquire and from which the City has derived or will derive Revenues for which Bonds are issued hereunder and such Project shall constitute a part of the System.

"Rebate Fund" shall mean the fund of that name established pursuant to Section 6.10 of the Ordinance.

"Record Date" shall mean with respect to any Series of Bonds the fifteenth (15th) day (whether or not a business day) of the calendar month immediately preceding an interest payment date or such other day as may be provided in the Supplemental Ordinance authorizing the issuance of such Series of Bonds.

"Reserve Fund Requirement" shall mean the lesser of Maximum Debt Service on the Bonds or an amount equal to 10% of the proceeds of each respective issue or Series of Bonds at the time of their issuance. Variable rate Bonds shall, for purposes of computing the Reserve Fund Requirement, be computed in the same manner as that utilized for determining Maximum Debt Service as defined above.

"Revenue Fund" shall mean the fund of that name established pursuant to Section 6.4 of the Ordinance.

"Revenues" shall mean all receipts, income, revenues, fees and other charges to be levied and collected in connection with, and all other income and receipts of whatever kind or character derived by the City from the operation of the System, including interest earnings and other earnings or investments, computed in accordance with generally accepted accounting practices excluding the proceeds of any grants or debt, contributions in aid of construction, gains or losses on extinguishment of debt, and extraordinary items.

"Securities Depositories" shall mean the Depository Trust Company, 711 Stewart Avenue, Garden City, New York 11530, Fax-(516) 227-4039 or 4190; Midwest Securities Trust Company, Capital Structures-Call Notification, 440 South LaSalle Street, Chicago, Illinois 60605, Fax-(312) 663-2343; Philadelphia Depository Trust Company, Reorganization Division, 1900 Market Street, Philadelphia, Pennsylvania 19103, Attention: Bond Department, Dex-(215) 496-5058; or to such other addresses and/or such other securities depositories as the City may designate.

"Serial Bonds" shall mean Bonds which are not Term Bonds.

"Series" or "Series of Bonds" or "Bonds of Series" shall mean all Bonds designated as being of the same series issued and delivered on original issuance in a simultaneous transaction, and any Bonds thereafter delivered in lieu thereof or in substitution therefor pursuant to the Ordinance.

"Special Facilities" shall mean any future extensions or additions to the System, the revenues and expenses resulting from the operation of which can be segregated from the revenues and expenses of the System and which the City shall designate as such by ordinance.

"State" shall mean the State of South Carolina.

"Supplemental Ordinance" shall mean any ordinance by the City providing for the issuance of Bonds and any ordinance enacted by the Council pursuant to and in compliance with the provisions of Article IX hereof amending or supplementing the provisions of the Ordinance.

"System" shall mean the existing water and sewer system of the Isle of Palms Water Company, to be acquired with proceeds of the first Series of Bonds to be issued hereunder, as the same is now constituted, all properties, real and personal, and matters and things used or useful in the maintenance, operation or functioning thereof, all apparatus and equipment used in connection therewith, and all replacements, enlargements, improvements, extensions,

additions, and betterments that may be made thereto at any time hereafter and any other public utility system (excluding Special Facilities, solid waste facilities and resource recovery facilities) with which the System may hereafter be combined pursuant to ordinance of Council.

"Term Bond" shall mean any Bond designated by the Supplemental Ordinance providing for its issuance as being subject to retirement or redemption from moneys credited to the Bond Redemption Account in the Debt Service Fund as sinking fund installments.

"Test Period" shall mean that period defined in Section 3.3 hereof.

"Trustee" shall mean the bank designated in the supplemental ordinance providing for the initial Series of Bonds, and any successor Trustee appointed in accordance with Section 8.1 hereof.

ARTICLE II

FINDINGS AND DETERMINATIONS

Section 2.1. Findings and Determinations. The Council hereby finds and determines:

A. The City is an incorporated municipality located in Charleston County, State of South Carolina and as such has all powers granted to municipalities by the Constitution and the general law of this State.

B. In the exercise of the powers vested in it by the Constitution and statutes of the State of South Carolina, and proceeding in conformity with the provisions thereof, the City proposes to acquire the existing waterworks system and sewer system of the Isle of Palms Water Company which shall hereafter be designated and known as the Water and Sewer System of the City of Isle of Palms (the "System"). The System shall be operated on the same fiscal year basis as the City, which presently commences on July 1 of each year and ends on June 30 of the following year.

C. The System shall be operated and administered under the direction of the Council, and shall furnish water and sewer service throughout the City and in certain territory adjacent thereto.

D. After due investigation, the period of usefulness of the System is not less than forty (40) years from the date of enactment of this General Bond Ordinance.

E. By the enactment of this General Bond Ordinance, the City intends to provide for the issuance of the revenue bonds at the time and on the terms and conditions set forth in the Ordinance and Supplemental Ordinances hereto.

ARTICLE III

AUTHORIZATION AND ISSUANCE OF BONDS

Section 3.1. Authorization of Bonds. There is hereby authorized to be issued Bonds of the City to be known as "City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bonds", which Bonds may be issued pursuant to the Ordinance and in accordance with the terms, conditions and limitations set forth herein, in Series, in such amounts and from time to time as the City may deem to be necessary or advisable for any corporate purpose of the City for which Bonds may be issued under the Ordinance and the Act.

Section 3.2. General Provisions For Issuance of Bonds. (a) The Bonds shall be issued in Series by means of Supplemental Ordinances enacted by the Council in accordance with the provisions of this Article and Article IX hereof. Each Supplemental Ordinance shall designate the Bonds provided for thereby by an appropriate Series designation and by such further particular designations, if any, as the City deems appropriate, and shall, unless or except as is otherwise set forth herein, also specify: (i) the authorized principal amount of such Series of Bonds; (ii) the purpose or purposes for which the Bonds of such Series are being issued, which shall be one or more of the purposes set forth in Sections 3.3 or 3.4 hereof; (iii) if the Bonds of the Series are being issued for a purpose specified in Section 3.3 hereof, the Project for which such Bonds are being issued; (iv) an estimate of the Costs of Acquisition and Construction for any Project to be financed by such Series of Bonds, and, in the event of the acquisition by purchase or condemnation of any facilities already constructed, a determination of what repairs, replacements, additions and betterments will be necessary in order that such facilities may be effective for their purpose and an estimate of the cost required therefor; (v) the date or dates of the Bonds of the Series; (vi) the maturity date or dates of the Bonds of the Series and the sinking fund installment amounts and due dates for the Term Bonds of the Series, if any; (vii) the interest rate or rates of the Bonds of such Series, or the manner of determining such rate or rates, the initial interest payment date therefor, and the subsequent interest payment dates; (viii) the denominations of, and manner of numbering and lettering, the Bonds of such Series; (ix) the redemption premium or premiums, if any, or the redemption price or prices to be paid upon the redemption of the Bonds of such Series, the period or periods, if any, during which such premiums or prices shall be payable, and the terms and conditions, if any,

of such redemption; (x) the place or places of payment of the Bonds of the Series and interest thereon, and the Paying Agents therefor; (xi) the provisions for the sale or other disposition of the Bonds of the Series and the use, application and investment, if any, of the proceeds of such sale or other disposition, which use, application and investment shall not be inconsistent or in conflict with the provisions hereof; (xii) any other provisions which may be required to be inserted therein by other provisions of the Ordinance; and (xiii) any other necessary or desirable provisions not inconsistent or in conflict with the provisions of the Ordinance.

(b) Bonds of a Series may be executed and delivered to the Trustee by the City and authenticated and delivered by the Trustee to the City or upon its order upon compliance with Section 3.3 or 3.4 hereof.

Section 3.3. Conditions for the Issuance of Bonds under the Ordinance Other than Refunding Bonds.

Anytime and from time to time, one or more Series of Bonds (exclusive of refunding Bonds) may be issued for such purposes as may be permitted by the Act upon compliance with the provisions of Section 3.2 hereof and this Section in such principal amounts as may be determined by the Council for the purpose of paying all or part of the Costs of Acquisition and Construction of one or more Projects authorized to be financed under the Act with Bonds.

Bonds issued upon compliance with this Section and Section 3.2 hereof shall be issued on a parity in all respects inter sese, notwithstanding, that they may be in different form, and bear different dates, interest rates, number, date of issuance or date of execution; and in all such instances, the pledge of Net Revenues made thereunder, and the covenants and remedies hereby granted shall be applicable and available to the Holders of the Bonds.

A. There shall be filed with the City a certificate of the Trustee stating (i) either (a) that no Default exists in the payment of the principal of, premium, if any, or interest on any Bonds or Junior Bonds, and all mandatory sinking fund redemptions, if any, required to have been made shall have been made, or (b) that the application of the proceeds of sale of the Series of Bonds to be issued as required by the Supplemental Ordinance authorizing their issuance will cure any such Default or permit such redemptions; and (ii) either (a) that to the knowledge of the Trustee, the City is not in Default under the terms and provisions of the Ordinance in any manner properly within the purview of the Trustee, or (b) setting forth the circumstances of each such Default known to the Trustee.

B. There shall be filed with the Trustee a certificate of the City Manager or other chief administrative official of the City stating (i) either (a) that no Default exists in the payment of the principal of, premium, if any, or interest on any Bonds or Junior Bonds and all mandatory sinking fund redemptions, if any, required to have been made shall have been made, or (b) that the application of the proceeds of sale of the Series of Bonds to be issued as required by the Supplemental Ordinance authorizing their issuance will cure any such Default or permit such redemptions; and (ii) either (a) that to the best of his knowledge, the City is not in Default in the performance of any other of its covenants and agreements contained in the Ordinance, or (b) setting forth the circumstances of each such Default known to him.

C. If a certificate filed pursuant to part (A) or (B) of this Section should disclose a Default or Defaults hereunder, there shall be filed with the Trustee an opinion of counsel of recognized standing in the field of municipal bond law and satisfactory to the Trustee that, in the case of any Default disclosed in a certificate filed pursuant to part (A) or (B) of this Section, each such Default does not deprive the Bondholders of the security afforded by the Ordinance in any material aspect.

D. For the issuance of Bonds to finance the Cost of Acquisition and Construction, or a portion thereof, of any Projects, there shall be filed with the Trustee a report, based on the most recent audit of the System, from an independent certified public accountant stating that the amount of the Net Revenues of the System for any consecutive twelve (12) month period out of the last twenty-four (24) month period (the "Test Period") is not less than one hundred twenty-five percent (125%) of the Maximum Debt Service for any succeeding Bond Year of Bonds then Outstanding and the Bonds then proposed to be issued, provided the amount of Net Revenues for such Bond Year may be adjusted by adding the following:

(1) in case the rates and charges for the services furnished by the System shall have been revised and such revised rates and charges shall have gone into effect prior to the delivery of the Bonds proposed to be issued, the additional amount of Net Revenues which would have been realized during the Test Period if such rates and charges had been in effect during such Test Period as certified to the Trustee by an independent certified public accountant, and

(2) in case an existing sewer system, existing water system, or any other public utility system is to be acquired and combined or made a part of the System from the proceeds of the Bonds proposed to be issued, the additional amount of Net Revenues which would have been realized during the Test Period if such existing system or systems to be acquired had been a part of the System during such Test Period (which computation

of the additional amount of Net Revenues shall be based upon the method of computing Net Revenues under the Ordinance and approved by the Consulting Engineer);

provided further, that with respect to (i) the initial Series of Bonds issued hereunder to acquire the Water and Sewer Systems of the Isle of Palms Water Company and (ii) the subsequent series of Bonds issued to provide the reverse osmosis treatment system required under that certain Amendment to Consent Order 88-32-WS dated May 16, 1990, the City shall not be required to meet such earnings test but shall be required to comply fully with the rate covenant set forth in Section 7.1 hereof.

E. Such Bonds shall be issued to secure funds to defray the cost of acquiring, improving, extending, enlarging, or repairing the System, some part thereof, including any acquisition of any system which shall be combined with or consolidated into the System pursuant to law; or to refund Bonds, Junior Bonds, or any notes, bonds, or other obligations issued to finance or to aid in financing the acquisition, construction, improvement, enlargement or repair of the System or another enterprise combined with the System.

F. There shall be on deposit in the Debt Service Reserve Fund cash and securities or an insurance policy, surety bond or letter of credit, as provided in Section 6.7 hereof (inclusive of any proceeds of such Bonds to be deposited in the Debt Service Reserve Fund) having an aggregate value not less than the Reserve Fund Requirement with respect to all Bonds to be then Outstanding and the Bonds then proposed to be issued.

Section 3.4. Refunding Bonds. Without complying with the provisions of Section 3.3 hereof except as otherwise provided herein, the City by means of a Supplemental Ordinance adopted in compliance with the provisions of the Act and any other statutory provisions authorizing the issuance of revenue refunding bonds, including advance refunding bonds, may issue hereunder refunding Bonds as follows:

A. Bonds may be issued for the purpose of refunding (including by purchase) at any time within one year prior to maturity or prior to any sinking fund installment due date, the Bonds maturing on such date (or an amount of Bonds subject to redemption from such sinking fund installments not in excess of the amount of Bonds required to be redeemed on such due date) for the payment of which sufficient Revenues are not available. Any Bonds issued for such purpose shall mature (or sinking fund installments therefor shall commence) not earlier than the latest stated maturity of any Bond not then refunded to be Outstanding after such refunding.

B. Bonds may be issued at any time for the purpose of refunding (including by purchase) Bonds, including amounts to pay principal, redemption premium and interest to the date of redemption (or purchase) of the refunded Bonds and the Costs of Issuance; provided that (i) the Debt Service on all Bonds not then to be refunded and such refunding Bonds shall not be greater than would have been the Debt Service of all Bonds not then refunded and the Bonds to be refunded or (ii) the requirements of parts (A),(B),(C),(D) and (F) of Section 3.3 hereof are met with respect to the refunding Series.

Section 3.5. Junior Bonds. The City may at any time issue Junior Bonds in such amount as it may from time to time determine, payable from the Revenues, provided that such Junior Bonds are issued to secure funds to defray the cost of improving, extending, enlarging, or repairing the System, some part thereof, including the acquisition of any system which may be combined with or consolidated into the System pursuant to law, or to refund Bonds, Junior Bonds, or any notes, bonds, or other obligations issued to finance or to aid in financing the acquisition, construction, or improvement of the System, and provided further that the pledge of revenues securing Junior Bonds shall at all times be subordinate and inferior to the pledge securing the Bonds.

Section 3.6. Special Facilities Bonds. The City shall also have the right to issue, from time to time, Special Facilities Bonds to defray the costs of acquiring or constructing Special Facilities subject to the following conditions:

A. The City shall determine that the receipts, income, revenues and other charges to be levied and collected in connection with the Special Facilities shall be at least equal to: (1) the estimated costs of operating and maintaining such Special Facilities; (2) the principal and interest requirements of the Special Facilities Bonds; (3) the amounts to be deposited in any reserve funds; and (4) any other costs and expenses relating to such Special Facilities.

B. The receipts, income, revenues, fees and other charges derived from the operation of the Special Facilities shall be segregated from the Revenues of the System.

C. The debt service payments and other costs and expenses related to such Special Facilities shall not be paid from Revenues of the System.

D. The issuance of Special Facilities Bonds shall not have a detrimental effect on the System or impair the security afforded to the Bondholders.

ARTICLE IV

THE BONDS

Section 4.1. Execution. Unless or except as is otherwise set forth in the Supplemental Ordinance providing for the issuance of a Series of Bonds, the Bonds shall be executed on behalf of the City by the Mayor of the City by his or her manual or facsimile signature and the corporate seal of the City or a facsimile thereof shall be impressed or reproduced thereon and attested by the Clerk-Treasurer of the City by his or her manual or facsimile signature.

In case any officer whose signature or facsimile signature shall appear on the Bonds shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, as if he had remained in office until delivery.

Section 4.2. Authentication. Upon compliance with the provisions of Section 3.3, 3.4, 3.5 or 3.6 hereof, and upon the order of the City, the Trustee shall authenticate Bonds authorized to be issued hereunder. Only such Bonds as shall have endorsed thereon a certificate of authentication, substantially in the form set forth in Article XIII, duly executed manually by the Trustee shall be entitled to any right or benefit under the Ordinance. No Bond shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been duly executed by the Trustee, and such executed certificate of the Trustee upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered. The Trustee's certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer of the Trustee, but it shall not be necessary that the same person sign the certificate of authentication on all of the Bonds issued hereunder or on all of the Bonds of a particular Series.

Section 4.3. Registration and Transfer of Bonds; Persons Treated as Holders. Each Bond shall be fully registered and transferable only upon the Books of Registry of the City, which shall be kept for that purpose at the principal corporate trust office of the Trustee in Charleston or Columbia, South Carolina, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the Trustee, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any Bond, the City shall issue, subject to the provisions of Section 4.6 hereof, in the name of the transferee, a new Bond or Bonds of the same series and of the same aggregate principal amount, interest rate and maturity as the unpaid principal amount of the surrendered Bond.

Any Bondholder requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of or on account of the principal, redemption premium, if any, and interest on any Bond shall be made only to or upon the order of the Holder thereof, or his duly authorized attorney, and neither the City nor the Trustee, shall be affected by any notice to the contrary, but such registration may be changed as herein provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Section 4.4. Form of Bonds; Denominations; Medium of Payment. Unless or except as is otherwise provided in the Supplemental Ordinance authorizing their issuance, the Bonds: (a) shall be in fully registered form without coupons; (b) shall be issued in denominations of $5,000, or any integral multiple thereof, provided that, upon partial redemption of a Bond requiring surrender thereof and the issuance of a new Bond, such new Bond may be in the denomination of the unredeemed balance; and (c) shall be payable with respect to principal, interest, and premium, if any, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 4.5. Numbers, Date, and Payment Provisions. The Bonds shall be numbered and designated in such manner as the City, with the concurrence of the Trustee, shall determine. Each Bond of a Series shall bear interest from the interest payment date immediately preceding the date of its authentication, unless authentication shall be upon an interest payment date, in which case, it shall bear interest from its authentication, or unless authentication shall precede the first interest payment date for such Bond, in which case it shall bear interest from the date of its delivery, or as otherwise provided in the Supplemental Ordinance authorizing its issuance, provided, however, that if the date of authentication of any Bond of any Series is after a Record Date and before the corresponding interest payment date therefor, such Bond shall bear interest from such succeeding interest payment date; notwithstanding the foregoing, if at the time of authentication of any Bond any interest on such Bond is in default, such Bond shall bear interest from the date to which interest on such Bond has been paid or if no interest has been paid, such Bond shall bear interest from the date of delivery thereof.

Section 4.6. Exchange of Bonds. Bonds, upon surrender thereof at the principal corporate trust office of the Trustee in Charleston or Columbia, South Carolina, with a written instrument of transfer satisfactory to the Trustee, duly executed by the Bondholder or his duly authorized attorney, may, at the option of

the Bondholder thereof, and upon payment by such Bondholder of any charges which the Trustee may make as provided in Section 4.7, be exchanged for a principal amount of Bonds of any other authorized denomination equal to the unpaid principal amount of surrendered Bonds.

Section 4.7. Regulations with Respect to Exchanges and Transfer. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the City shall execute and the Trustee shall authenticate and deliver Bonds in accordance with the provisions of the Ordinance. All Bonds surrendered in any such exchanges or transfers shall forthwith be canceled by the Trustee. There shall be no charge to the Bondholder for such exchange or transfer of Bonds except that the Trustee may make a charge sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or transfer. Neither the City nor the Trustee shall be required (a) to exchange or transfer Bonds (i) from the Record Date to the succeeding interest payment date or (ii) for a period of fifteen (15) days following any selection of Bonds to be redeemed or thereafter until after the first publication or mailing of any notice of redemption, or (b) to transfer any Bonds called for redemption.

Section 4.8. Temporary Bonds. Any Series of Bonds may be initially issued in temporary form, exchangeable for definitive Bonds to be delivered as soon as practicable and subject to the agreement of the City and the purchaser. The temporary Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City, shall be without coupons, and may contain such reference to any of the provisions of the Ordinance as may be appropriate. Every temporary Bond shall be executed by the City upon the same conditions and in substantially the same manner as the definitive Bonds. If the City issues temporary Bonds, it will execute and furnish definitive Bonds without delay, and thereupon the temporary Bonds shall be surrendered for cancellation at the principal office of the Trustee and the Trustee shall deliver and exchange for such temporary Bonds an equal, aggregate principal amount of definitive Bonds of like aggregate principal amount and in authorized denominations of the same Series, maturity or maturities and interest rate or rates. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under the Ordinance as definitive Bonds under the Ordinance.

Section 4.9. Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the Holder, the City shall execute and the Trustee shall authenticate and deliver at the principal office of the Trustee, or send by registered mail to the Holder thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and

effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the City and the Trustee evidence or proof satisfactory to the City and the Trustee of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity as may be required by the laws of the State of South Carolina or such greater amount as may be required by the City and the Trustee. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under the Ordinance or any Supplemental Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder. Neither the City nor the Trustee nor any Paying Agent shall be required to treat both the original Bond and any duplicate Bond as being Outstanding for the purpose of determining the principal amount of Bonds which may be issued hereunder or for the purpose of determining any percentage of Bonds Outstanding hereunder, but both the original and duplicate Bond shall be treated as one and the same.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

Section 4.10. Bonds Exempt from South Carolina Taxes. As prescribed by Section 12-1-60 of the Code of Laws of South Carolina, 1976, the Bonds and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments of the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes. The provisions of this Section shall be deemed a part of the contract inuring to the benefit of all Holders or beneficiaries of the Bonds.

ARTICLE V

REDEMPTION OF BONDS

Section 5.1. Redemption of Bonds. The Bonds of a Series shall be subject to redemption prior to their stated maturities upon such terms and conditions and at such dates and redemption price or prices or premium or premiums as shall be set forth in the Supplemental Ordinance providing for the issuance of such Bonds, and upon the further terms and conditions as are hereinafter set forth.

Section 5.2. Selection of Bonds for Redemption. In the event of the redemption at any time of only part of the Bonds of a Series, the Bonds to be redeemed shall be redeemed in such order as is set forth in the Supplemental Ordinance providing for the issuance of such Bonds. Unless otherwise provided by Supplemental Ordinance, if less than all of the Bonds of like maturity of any Series shall be called for prior redemption, the particular Bonds or portions of Bonds to be redeemed shall be selected at random by the Trustee in such manner as the Trustee in its discretion may deem fair and appropriate; provided, however, that the portion of any Bond of a denomination of more than $5,000 to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof, and that, in selecting portions of such Bonds for redemption, the Trustee shall treat each such Bond as representing that number of Bonds of $5,000 denomination which is obtained by dividing the principal amount of such Bond by $5,000.

Section 5.3. Notice of Redemption. Unless or except as otherwise provided in the Supplemental Ordinance authorizing their issuance, the provisions of this Section 5.3 apply to each Series of Bonds.

In the event any of the Bonds or portions thereof are called for redemption, the Trustee shall give notice, in the name of the City, of redemption of Bonds by first-class mail, postage prepaid, to the registered owner thereof as shown on the Books of Registry of the City and to such Securities Depositories as the City may designate not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for the redemption thereof. Such notice of redemption shall state: (i) the title of such Bonds to be redeemed, CUSIP numbers, date of issue, the series designation (if any) thereof, the redemption date, the place or places of redemption and the redemption price or redemption premium, if any, payable upon such redemption; (ii) if less than all such Bonds of a particular Series are to be redeemed, the distinctive number of such Bonds to be redeemed; (iii) that the interest on such Bonds designated for redemption in such notice shall cease to accrue from and after such redemption date; and (iv) that on such date there will become due and payable on each such Bond the principal amount thereof to be redeemed at the then

applicable redemption price or redemption premium, if any, and the interest accrued on such principal amount to the redemption date.

Failure duly to give such notice by mailing, or any defect in the notice, to the Holder of any such Bond designated for redemption shall not affect the validity of any proceedings for the redemption of any other Bonds. All Bonds or portions thereof so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption are on deposit with the Trustee, and such Bonds shall not be deemed to be Outstanding under the provisions of the Ordinance.

Section 5.4. Partial Redemption of Bond. In the event that only part of the principal sum of a Bond shall be called for redemption or prepaid, payment of the amount to be redeemed or prepaid shall be made only upon surrender of such Bond to the Trustee. Upon surrender of such Bond, the City shall execute and the Trustee shall authenticate and deliver to the Holder thereof, at the principal office of the Trustee, or send to such Holder by registered mail at his request, risk and expense, a new fully executed Bond or Bonds, of authorized principal sums equal in aggregate principal amount to, and of the same Series, maturity and interest rate as, the unredeemed portion of the Bond surrendered.

Section 5.5. Effect of Redemption. If a Bond is subject by its terms to redemption prior to its stated maturity and has been duly called for redemption and notice of the redemption thereof has been duly given as hereinbefore provided and if moneys for the payment of such Bond at the then applicable redemption price or together with the then applicable redemption premium, if any, and the interest to accrue to the redemption date on such Bond are held for the purpose of such payment by the Trustee for the series of Bonds of which such Bond is one, then such Bond so called for redemption shall, on the redemption date designated in such notice, become due and payable, and interest on the Bond so called for redemption shall cease to accrue.

Section 5.6. Cancellation. All Bonds which have been redeemed shall be canceled and either maintained or destroyed by the Trustee and shall not be reissued. A counterpart of the certificate of destruction evidencing such destruction shall be furnished by the Trustee to the City upon the request of the City Manager.

ARTICLE VI

ESTABLISHMENT OF FUNDS; SECURITY FOR AND PAYMENT OF THE BONDS; INVESTMENT OF MONEYS

Section 6.1. Listing of Funds and Accounts. The following are the funds and accounts created and established by the Ordinance:

(i) Revenue Fund to be held by the City.

(ii) Operation and Maintenance Fund to be held by the City.

(iii) Debt Service Fund to be held by the Trustee, including an Interest Account, Bond Redemption Account and Principal Account.

(iv) Debt Service Reserve Fund to be held by the Trustee.

(v) Capital Improvements Fund to be held by the City.

(vi) Rebate Fund to be held by the City.

(vii) Construction Fund to be held by a Custodian designated by resolution or ordinance of the Council.

One or more accounts may, by direction of the City or by the terms of a Supplemental Ordinance, be established with any of the above funds. It is intended by the Ordinance that the funds referred to in this Article (other than the Construction Fund) shall remain in existence for so long a time as any sum remains due and payable by way of principal of and interest on the Bonds, and that deposits and withdrawals therefrom be made in the manner herein prescribed and in the order of priority hereinafter set forth in this Article VI.

Section 6.2. Security for and Payment of the Bonds. The Bonds, together with the interest thereon, shall be payable solely from and secured equally and ratably by a lien upon the Net Revenues of the System. The Revenues shall be and hereby are irrevocably pledged to the payment of the principal of and interest on the Bonds after adequate provision for Expenses of Operating and Maintaining the System. This provision of this Section 6.2 shall not preclude the issuance of Junior Bonds, if such Junior Bonds be issued in conformity with the provisions of Article 3.5 hereof, but the pledge herein made shall preclude the issuance of bonds payable from or secured by a pledge or lien on Revenues superior to that herein made to secure the Bonds.

The Bonds, and the interest thereon, shall not be a debt of the City, nor a charge, lien or encumbrance, legal or equitable, upon any property of the City or upon any income, receipts or revenues of the City other than such of the Net Revenues of the System as are hereby pledged to the payment thereof. No recourse shall be had for the payment of the Bonds, or the interest thereon, or any part thereof, against the general fund of the City, nor shall the credit or taxing powers of the City be deemed to be pledged to the payment of the principal of and interest on the Bonds. The full faith, credit and taxing powers of the City are not pledged to the payment of the principal of and interest on the Bonds.

Section 6.3. Provision for Operation and Maintenance. The City hereby covenants and agrees with the Holders of the Bonds that, so long as any of the Bonds remain Outstanding and unpaid, adequate provision shall be made for the cost of operation and maintenance of the System, and the Revenues derived from the System shall be first used to pay the cost and Expenses of Operating and Maintaining the System.

Other than the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund, the designation and establishment of the various funds in and by this Ordinance shall not be construed to require the establishment of any completely independent, self-balancing funds as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of the Revenues and assets of the System for certain purposes and to establish certain priorities for application of such Revenues and assets as herein provided.

Other than the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund, the cash required to be accounted for in each of the foregoing funds established herein may be deposited in a single bank account, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the cash in and deposit therein for the various purposes of such funds as provided herein.

Section 6.4. Revenue Fund. There is hereby established a Revenue Fund to be maintained in trust by the City and into which shall be deposited all Revenues. Moneys in the Revenue Fund shall be made use of only in the manner specified in this Article VI and in the order of priority according to items (ii) through (v) of Section 6.1 hereof. The City may invest moneys held in the Revenue Fund, from time to time, in Investment Securities; provided, however, that the City shall make available to the Trustee funds in the Revenue Fund on the 20th day of each month sufficient to make all transfers required to be made from the Revenue Fund by this Article VI.

So long as the City maintains proper accounting records for receipts and disbursements for the Revenue Fund, the Revenue Fund may be used for the purposes of the Operation and Maintenance Fund.

The covenants and agreements herein set forth to be performed by the City shall be for the equal and proportionate benefit, security and protection of all Holders of the Bonds without preference, priority or distinction as to payment or security or otherwise (except as to maturity) of any of the Bonds for any reason or cause whatsoever, except as expressly provided herein or in the Bonds, and, except as aforesaid, all Bonds shall rank pari passu and shall be secured equally and ratably hereunder without discrimination or preference whatsoever.

Section 6.5. Operation and Maintenance Fund. There is hereby established an Operation and Maintenance Fund to be maintained by the City in order to provide for the payment of all Expenses of Operating and Maintaining the System.

Provision shall be made first for the transfers required to be made into the Operation and Maintenance Fund. There shall be transferred from the Revenue Fund by the City into the Operation and Maintenance Fund, a sum sufficient to provide for the Expenses of Operating and Maintaining the System for the ensuing month in accordance with the Annual Budget. Withdrawals from the Operation and Maintenance Fund shall be made as required by the City from time to time in accordance, as nearly as may be practicable, with the Annual Budget.

So long as the City maintains proper accounting records for receipts and disbursements for the Revenue Fund, the Revenue Fund may be used for the purposes of the Operation and Maintenance Fund.

Section 6.6. Debt Service Fund. There is hereby established a special fund of the City to be designated as "City of Isle of Palms, Water and Sewer System Debt Service Fund" (the "Debt Service Fund"). The Debt Service Fund shall be kept on deposit with the Trustee, and withdrawals therefrom shall be made for the purposes provided in the Ordinance or any Supplemental Ordinance.

The Debt Service Fund is intended to provide for the payment of the principal of, redemption premium, if any, and interest on each Series of Bonds as the same respectively fall due. Payments into this fund shall be made in the manner prescribed by the Ordinance and all moneys in the Debt Service Fund shall be used solely to pay the principal of, redemption premium, if any, and interest on each Series of Bonds, and for no other purpose, and withdrawals therefrom shall be made only to effect payment of the principal of, redemption premium, if any, and interest on each Series of Bonds. Earnings on investments in the Debt Service Fund,

including the accounts therein, shall be transferred by the Trustee to the City for deposit to the Revenue Fund.

Not later than the 20th day of the month following the month in which each Series of Bonds are delivered to the initial purchasers thereof, and not later than the 20th day of each month thereafter, there shall be paid into the Debt Service Fund from the moneys remaining in the Revenue Fund, the amounts hereinafter set forth.

(a) There is hereby created, for the purpose of paying the interest on each Series of Bonds as the same becomes due and payable, an Interest Account in the Debt Service Fund. Not later than the 20th day of the month following the month in which each Series of Bonds are delivered to the initial purchasers thereof, and not later than the 20th day of each month thereafter, the Trustee shall pay into the Debt Service Fund for credit to the Interest Account an amount (until the moneys on deposit therein equal the amount needed) such that, if the same amount is credited to the Interest Account not later than the 20th day of each calendar month preceding the next date upon which an installment of interest falls due on each Series of Bonds, the aggregate of the amounts so paid and credited to the Interest Account would on such date be equal to the installment of interest then falling due on each Series of Bonds then Outstanding. In making any of the credits to the Interest Account required by this paragraph (a), consideration shall be given to and allowance made for accrued interest received upon delivery of each Series of Bonds to the initial purchasers and for any other credits otherwise made to such Account.

(b) There is hereby created, for the purpose of paying the principal of the Serial Bonds as they mature, a Principal Account in the Debt Service Fund. Not later than the 20th day of the twelfth month prior to each date upon which an installment of principal of each Series of Bonds falls due, and on or before the 20th day of each calendar month thereafter, the Trustee shall pay into the Debt Service Fund to the credit of the Principal Account an amount (until the moneys on deposit therein equal the amount needed) such that, if the same amount were credited to the Principal Account on or before the 20th day of each succeeding month thereafter and prior to the next date upon which an installment of principal falls due on each Series of Bonds, the aggregate of the amounts so paid and credited to the Principal Account would on such date be equal to the installment of principal then falling due.

(c) There is hereby created, in order to meet the specified sinking fund installment requirements of Term Bonds and to otherwise retire Bonds prior to maturity, a Bond Redemption Account in the Debt Service Fund. Not later than the 20th day of the twelfth (12th) month prior to the date upon which a sinking

fund installment of Term Bonds of each Series falls due, and on or before the 20th day of each succeeding month thereafter, the Trustee shall pay into the Debt Service Fund to the credit of the Bond Redemption Account an amount such that, if the same amount were so credited to the Bond Redemption Account on the 20th day of each month thereafter and prior to the next date upon which a sinking fund installment falls due on the Term Bonds of such Series, the aggregate of the amount so credited to the Bond Redemption Account for the purpose of retiring the Term Bonds of such Series would on such latter date be equal to the amount (excluding accrued interest) required to redeem the principal amount of such Term Bonds required by the sinking fund installment then falling due on the Term Bonds of such Series. The Trustee shall apply the moneys credited to the Bond Redemption Account as sinking fund installments to the retirement of the Term Bonds of each Series by redemption in accordance with the Supplemental Ordinance providing for the issuance of such Series of Bonds, without further authorization or direction, on each date upon which a sinking fund installment is due with respect to the Term Bonds of such Series. The Trustee shall keep and retain accurate records of application of each deposit of funds under this paragraph. The Trustee shall give notice of all such redemptions in the name and on the behalf of the City in accordance with the provisions of Article V hereof.

(d) If, on the dates when the payments required by paragraphs (a), (b) and (c) of this Section are to be made, the aggregate of (i) the payments required by said paragraphs (a), (b) and (c); (ii) previous monthly payments; and (iii) the remaining payments to be made prior to the succeeding date on which principal or interest, or both, as the case may be, will be due and payable, will be less than the sum required to effect the payment of the succeeding installment of principal or interest, or both, as the case may be, a sum, derived from Revenues of the System, moneys in the Debt Service Reserve Fund or bond insurance payments, if any, equal to such deficiency shall be added to the payment to be made pursuant to said paragraphs (a), (b) and (c).

Moneys in the Debt Service Fund shall be used and applied solely to the payment of the interest on and the retirement of the principal of and redemption premium, if any, on the Bonds and shall be used and applied in accordance with the provisions of this Section and the Ordinance. The moneys paid into the Debt Service Fund shall be held by the Trustee in trust solely for the purpose of paying the interest on and the retirement of the principal of and redemption premium, if any, on the Bonds and withdrawals from said Fund shall be made by the Trustee in order to transfer such moneys to the Paying Agent for the Bonds. Such withdrawals shall be made so that the necessary moneys shall be available to the Paying Agent not later than one (1) business day prior to the day on which principal or interest or both, and redemption premium, if any, as the case may be, are payable on the Bonds.

Section 6.7. Debt Service Reserve Fund. There is hereby established a special fund of the City to be designated as "City of Isle of Palms, Water and Sewer System Debt Service Reserve Fund" (the "Debt Service Reserve Fund"). The Debt Service Reserve Fund shall be kept on deposit with the Trustee, and withdrawals therefrom shall be made for the purposes provided in the Ordinance.

Moneys in the Debt Service Reserve Fund shall be used for the following purposes, and for no other:

(i) To prevent a Default in the payment of the principal of or interest on each Series of Bonds, by reason of the fact that moneys in the Debt Service Fund are insufficient for such purposes.

(ii) To pay the principal of, interest on, and redemption premium, if any, of the Bonds in the event that all Outstanding Bonds be redeemed as a whole.

(iii) To effect partial redemption of the Bonds, provided that such redemption be undertaken in accordance with the provisions of the Ordinance permitting a partial redemption of Bonds and the balance remaining in the Debt Service Reserve Fund following such partial redemption shall not be less than the Reserve Fund Requirement.

(iv) To effect the retirement of Bonds through purchase under the conditions herein prescribed.

Whenever the market value of the cash and securities in the Debt Service Reserve Fund shall exceed the Reserve Fund Requirement, such excess may be used at the direction of the City either (i) to repurchase and retire Bonds at prices not exceeding the call price first to become available or then prevailing or (ii) transferred to the Revenue Fund. Purchases of Bonds shall be effected by the City through the Trustee, and whenever Bonds shall have been purchased pursuant to this authorization, it shall be the duty of the Trustee to cancel and destroy such Bonds and to deliver certificates evidencing such act to the City.

If the aggregate of all amounts deposited or to be deposited into the Debt Service Reserve Fund to meet the Reserve Fund Requirement will exceed the Maximum Debt Service on all Bonds then Outstanding at the time of the issuance of any Series of Bonds, the amount of the Reserve Fund Requirement may be reduced so that such aggregate amount shall equal the Maximum Debt Service on all Bonds then Outstanding.

In lieu of the deposit of moneys into the Debt Service Reserve Fund, the City may cause to be so credited a surety bond or an insurance policy payable to the Trustee for the benefit of the Holders of the Bonds or a letter of credit in an amount which

together with other moneys on deposit in the Debt Service Reserve Fund are equal to the Reserve Fund Requirement on the Bonds. The surety bond, insurance policy or letter of credit shall be payable (upon the giving of notice as required thereunder) on any interest payment date on which moneys will be required to be withdrawn from the Debt Service Reserve Fund and applied to the payment of the principal of or interest on any Bonds and such payments cannot be made by amounts credited to the Debt Service Fund. The insurer providing such surety bond or insurance policy shall be an insurer whose municipal bond insurance policies insuring the payment, when due, of the principal of and interest on municipal bond issues results in such issues being rated in the highest rating category by Moody's Investors Service, or its successors. The letter of credit issuer shall be a bank or trust company which is rated not lower than the second highest rating category by Moody's Investors Service, or its successors, and the letter of credit itself shall be rated in the highest category of either such rating agency. The insurance policy, surety bond or letter of credit must extend for the life of the Bonds and must be unconditional and irrevocable. If a disbursement is made pursuant to a surety bond, an insurance policy or a letter of credit provided pursuant to this paragraph, the City shall be obligated either (i) to reinstate the maximum limits of such surety bond, insurance policy or letter of credit, or (ii) to deposit into the Debt Service Reserve Fund funds in the amount of the disbursement made under such surety bond, insurance policy or letter of credit, or a combination of such alternatives, as shall provide that the amount credited equals the Reserve Fund Requirement on the Bonds within a time period not longer than one (1) year. The Trustee shall receive such opinions, including legal opinions, certificates and other documentation, as the Trustee shall request, prior to receipt of such surety bond, letter of credit or insurance policy by the Trustee.

If the issuer of a surety bond, insurance policy or letter of credit on deposit in the Debt Service Reserve Fund shall cease to have a rating described in the immediately preceding paragraph, the City shall use reasonable efforts to replace such surety bond, insurance policy or letter of credit with one of similar quality or shall deposit Revenues in the Debt Service Reserve Fund in lieu of replacing such surety bond, insurance policy or letter of credit with another.

If the City obtains a surety bond, insurance policy or letter of credit after the deposit of moneys to the Debt Service Reserve Fund, excess moneys shall be transferred to the Construction Fund, or if one does not exist, to the Revenue Fund.

Whenever the aggregate value of cash and securities in the Debt Service Reserve Fund shall be less than the Reserve Fund Requirement, there shall be deposited in the Debt Service Reserve Fund that amount which, together with equal, successive, monthly deposits in the same amount, will restore the value of cash and

securities in the Debt Service Reserve Fund to the Reserve Fund Requirement during the succeeding twelve (12) months.

Investment Securities in the Debt Service Reserve Fund shall mature within five (5) years of the date of investment thereof.

Section 6.8. Capital Improvements Fund. There is hereby established a Capital Improvements Fund. The Capital Improvements Fund shall be maintained by the City.

The City shall deposit from time to time into the Capital Improvements Fund, an amount determined in the Annual Budget prepared for the System. Moneys in the Capital Improvements Fund shall be used solely for the purpose of restoring or replacing depreciated or obsolete properties of the System, paying the cost of improvements, betterments and extensions to the System, other than those necessary to maintain the System in good repair and working order, and for the payment of extraordinary maintenance and repairs, provided, however, if necessary, moneys in the Capital Improvements Fund may be used to fund any deficiency in the Debt Service Fund or Debt Service Reserve Fund and used for any of the purposes for which such Funds were established.

Section 6.9. Application of Remaining Revenues. Any surplus Revenues remaining in the Revenue Fund after the above required payments have been made may be disposed of by the Council as it may determine from time to time to be for any purposes lawful.

Section 6.10. Rebate Fund. There is hereby established a special fund of the City to be held by the City, designated as "City of Isle of Palms, Water and Sewer System Rebate Fund" (the "Rebate Fund"). The Rebate Fund and the amounts deposited therein shall not be subject to a security interest, pledge, assignment, lien or charge in favor of the City or any Holder of a Bond.

The City shall deposit in the Rebate Fund within 60 days after the end of any Bond Year an amount such that the amount held in the Rebate Fund after deposit is equal to cumulative rebate amount. The amount deposited in the Rebate Fund shall be made from the Revenues of the System to the extent moneys are available.

In the event that on the first day of any Bond Year the amount on deposit in the Rebate Fund exceeds the amount necessary, the City shall withdraw such excess amount and deposit it in the Revenue Fund.

The City shall pay to the United States out of amounts in the Rebate Fund, (i) not less frequently than once each five (5) years after the date of original issuance of the Bonds, an amount such that, together with prior amounts paid to the United States,

the total paid to the United States is equal to 90% of the amount due with respect to the Bonds as of the date of such payments, and (ii) not later than thirty (30) days after the date on which all Bonds have been paid in full, all of the amount due as of the date of payment.

Section 6.11. Establishment of Construction Fund. There shall be established a Construction Fund with respect to each Series of Bonds (other than for Bonds issued pursuant to Section 3.4 hereof in the Supplemental Ordinance providing for their issuance, the moneys which shall be used to defray the cost of the Project and to pay any Costs of Acquisition and Construction with respect to the facilities so financed.

Section 6.12. Deposits Into Construction Fund. On the occasion of the delivery of any Series of Bonds, the proceeds therefrom shall be paid into the Construction Fund established for such Series as set forth in a Supplemental Ordinance authorizing their issue.

Section 6.13. Withdrawals from Construction Fund. Withdrawals from the Construction Fund shall not be made except as provided in the Supplemental Ordinance establishing such Construction Fund.

Section 6.14. Investment of Funds. Moneys held for the credit of the Debt Service Fund shall be invested, to the fullest extent practicable and reasonable, in Investment Securities which shall mature prior to the respective dates when the moneys held for the credit of such Fund will be required for the purpose intended. Moneys in any other funds established by the Ordinance shall be invested, to the fullest extent practicable, in Investment Securities, maturing at such times and in such amounts as shall be required to provide moneys to make the payments required to be made from such funds. Investment instructions shall be given to the Trustee by the City Manager or his or her designee.

The Trustee or other depositary shall evaluate on a quarterly basis Investment Securities in the various funds established by this Ordinance and forward such evaluation to the City. If as a result of such evaluation, there is a shortage in the amount or amounts to be deposited in such fund or funds, the City shall replenish such funds to the required levels within twelve (12) months of such shortage.

The value of Investment Securities shall be determined by the Trustee or other depositary at market value.

Except interest earnings in the Construction Fund, and the Rebate Fund all interest earnings when realized shall be deposited or transferred to the Revenue Fund. Expenses of purchase, safekeeping, sale and redemption and all other expenses

attributable to such investments shall be operating expenses of the System.

ARTICLE VII

COVENANTS

Section 7.1. Rates and Charges. The City covenants and agrees to operate the System in an efficient and economical manner and establish, levy, maintain, revise and collect such fees, rates and other charges for the use of the services and facilities furnished by the System as may be necessary or proper, which fees, rates, and other charges, together with other Revenues and other available moneys, shall at all times be at least sufficient after making due and reasonable allowances for contingencies and for a margin of error in estimates to provide an amount not less than (a) the amount required to be deposited into the Operation and Maintenance Fund for the then current Fiscal Year; (b) one hundred twenty-five percent (125%) of the amounts required to be deposited into the Debt Service Fund for the then current Fiscal Year; (c) the amount required to be deposited into the Debt Service Reserve Fund; (d) the amount required to be deposited into the Capital Improvements Fund for the then current Fiscal Year; (e) the amount required to provide for the payment of any Junior Bonds for the then current Fiscal Year; and (f) the amount necessary to comply in all respects with the terms of the Ordinance or any other contract or agreement with the Holder of a Bond.

Section 7.2. To Pay Principal, Premium, and Interest on the Bonds. The City shall punctually pay, or cause to be paid, out of the Net Revenues pledged to such payment in Article VI hereof, the principal of, redemption premium, if any, and the interest on each and every Bond issued under the provisions of the Ordinance, at the place, on the dates and in the manner provided herein.

Section 7.3. Operation of System. The City shall at all times operate the System properly and in an efficient and economical manner and will maintain, preserve and keep the same with the appurtenances and every part and parcel thereof in good repair, working order and condition, and shall from time to time make all necessary and proper repairs and replacements so that at all times the operation of the System may be properly and advantageously conducted.

Section 7.4. Records, Accounts and Audits. The City will keep proper books of records and accounts (separate from all other records and accounts), in which complete and correct entries shall be made of all transactions relating to the System. A complete financial statement of the System shall be prepared within 180 days after the end of each Fiscal Year and shall be prepared in accordance with generally accepted accounting principles and

audited by an independent certified public accountant. The City will cause to be furnished to any Holder of any of the Bonds, who make written request therefor, a copy of such statement. Such records shall be kept in accordance with the standards from time to time prescribed by the Governmental Accounting Standards Board or its successor. The City will cause to be furnished to any Holder of any of the Bonds, who make written request therefor, copies of financial statements certified by an independent certified public accountant. The Trustee shall not be responsible for obtaining audits of the City.

Section 7.5. Sale, Lease or Other Encumbrances. The City will not issue any bonds, notes, certificates or other obligations or evidences of indebtedness other than the Bonds or obligations authorized or permitted hereby secured by a pledge of the Revenues, and it will not create or cause to be created any lien or charge on said Revenues other than the liens and charges created or permitted to be created hereby, and no part of the System will be sold, mortgaged, leased or otherwise disposed of or encumbered; provided, however, the City may from time to time permanently abandon the use of, sell, trade or lease any property forming a part of the System, but only if there shall be filed with the Clerk-Treasurer of the City and the Trustee prior to such abandonment, sale or lease a certificate, signed by the City Manager or Mayor of the City and in the case of (b) below approved by the Consulting Engineer, stating:

(a) that the City is not then in default in the performance of any of the covenants, conditions, agreements or provisions contained in the Ordinance, and

(b) that the Net Revenues for the preceding Fiscal Year, after giving effect to such abandonment, sale or lease and any replacement and after adjustment to reflect the moneys which would have been received if the rate schedule in effect on the date of such certificate had been in effect throughout such Fiscal Year, are not less than one hundred twenty-five percent (125%) of the Debt Service for any Fiscal Year thereafter. Amounts received from any such sale or disposition shall be deposited in the Revenue Fund, to be applied as are other moneys in that fund, provided, however, the certificate referred to herein shall not be required if the Consulting Engineer certifies that such property is no longer necessary or useful or profitable in the operation of the System, or necessary to produce or maintain the Revenues thereof, or which is to be or has been replaced by other property so as not to impair the operation of the System.

Section 7.6. Insurance. The City shall make provision to maintain adequate insurance on the works, plants, facilities and properties comprising the System against the risks, accidents or casualties, of the kinds and in at least the amounts which are usually and customarily carried on similar plants, properties and

systems which are owned and operated by a public or municipal corporation, including without limiting the generality of the foregoing, fire, extended coverage, general liability and workmen's compensation, and also all additional insurance covering such risks as may be deemed necessary or desirable by the City or recommended by a competent independent engineer or other advisor employed for the purpose of making such recommendations. The Trustee shall not be responsible for maintaining such insurance policies or copies thereof.

Section 7.7. No Free Service. The City covenants that no free service will be furnished by the System to the City or to any agency, instrumentality or person. The reasonable costs and value of any services of the System rendered to the City through the operation of the System shall be charged against the City and shall be paid as the service accrues from the current funds and such funds, when so paid, shall be accounted for in the same manner as other Revenues of the System.

Section 7.8. Annual Budget. Prior to the beginning of each Fiscal Year, the City shall prepare an annual budget for the ensuing Fiscal Year which shall set forth in reasonable detail the estimated Revenues and operation and maintenance expenses, payments to the Capital Improvements Fund and other expenditures of the System for such Fiscal Year. Following the end of each fiscal quarter and at such other times as the City shall determine, the City shall review its estimates set forth in the annual budget for such Fiscal Year, and in the event such estimates do not substantially correspond with actual Revenues, operation and maintenance expenses or other requirements, or if there are at any time during any such Fiscal Year extraordinary receipts or payments of unusual costs, the City shall prepare an amended annual budget for the remainder of such Fiscal Year. The City also may at any time adopt an amended annual budget for the remainder of the then current Fiscal Year.

Section 7.9. Consolidation of Political Subdivisions. The City may not combine with one or more political subdivions (as defined under the laws of the State) to form a consolidated or merged political subdivision unless such consolidated or merged political subdivision shall assume in writing the payment of Bonds issued hereunder and the payment of any other obligations of the City incurred under that certain Contract dated January 24, 1991 between the City and the Isle of Palms Water Company.

ARTICLE VIII

TRUSTEE, CUSTODIANS

Section 8.1. Trustee. In the supplemental ordinance providing for the issuance of the initial Series of Bonds, Council shall designate the Trustee.

Prior to the delivery of the initial Series of Bonds, the Trustee shall signify its acceptance of the powers, duties and obligations conferred and imposed upon it by the Ordinance by executing and delivering to the City a written instrument of acceptance.

The Trustee shall (a) prior to the occurrence of an Event of Default as set forth in Article X hereof, and after the curing of all Events of Default which may have occurred, perform such duties and obligations as are specifically set forth in the Ordinance, and no implied covenants or obligations shall be read into the Ordinance against the Trustee, and (b) during the existence of any Event of Default (which has not been cured or waived) exercise the rights and powers vested in it by the Ordinance and use the same degree of care and skill in their exercise, as a prudent man would exercise or use under the circumstances in the conduct of his own affairs.

No provisions of the Ordinance shall be construed to relieve the Trustee from liability for its own negligence, intentionally wrongful action or failure to act.

At all times, (1) the Trustee shall not be liable for any error of judgment made in good faith by an officer or employee of the Trustee unless it shall be proved that the Trustee was negligent in ascertaining the pertinent facts; (2) the Trustee shall not be liable with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of the Holders of not less than a majority (or such lesser percentage as is specifically required or permitted by this Ordinance) in the aggregate principal amount of the Bonds at the time Outstanding relating to the time, method and place of conducting a proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee under the Ordinance; (3) in the administration of the trusts of this Ordinance, the Trustee may execute any of the trusts or powers hereof directly or through its agents or attorneys. The Trustee may consult with counsel and the opinion or advice of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance with the opinion of such counsel.

The Trustee may rely upon the authenticity of, and the truth of the statements and the correctness of the opinions

expressed in, and shall be protected in acting upon any notice, resolution, request, consent order, certificate, report, opinion, note, or other paper or document furnished to it pursuant to any provision of this Ordinance, believed by it to be genuine and to have been signed and presented by the proper party.

The Trustee shall not be required to take notice or be deemed to have notice or actual knowledge of any event of default specified in Article X hereof other than a payment default unless the Trustee shall receive from the City or the Holder of any Bond written notice stating that an Event of Default hereunder has occurred and specifying the same, and, in the absence of such notice, the Trustee may conclusively assume that there is no such Event of Default.

The Trustee shall be entitled to payment of and reimbursement by the City for reasonable fees for its services rendered hereunder and all advances and counsel fees reasonably and necessarily made or incurred by the Trustee in connection with such services.

The Trustee shall not, in any event, be required to take, defend, or appear in any legal action or proceeding hereunder or to exercise any of the trusts or powers hereof unless it shall first be adequately indemnified to its satisfaction against the costs, expenses, and liabilities which may be incurred thereby. Every provision of the Ordinance relating to the conduct or affecting the liability of or affording protection to the Trustee shall be subject to the provisions hereof.

Section 8.2. Resignation of Trustee. The Trustee may resign at any time by giving 30 days written notice to the City and by giving notice to the Holders of the Bonds by publication of such resignation. Such notice shall be published at least once in a financial journal of general circulation published on each business day in each calendar week in the City of New York, New York. No resignation will become effective until a successor Trustee has been appointed and accepts such appointment as provided below. Upon receiving notice of resignation, the City shall promptly appoint such successor Trustee by an instrument in writing executed by order of its Council. In the event a successor Trustee has not been appointed within 60 days of the date notice of resignation is given, the Trustee, at the City's expense, may apply to any court of competent jurisdiction for the appointment of a successor Trustee to act until such time as a successor is appointed as provided in this Section.

The Holders of a majority in aggregate principal amount of the Bonds at the time outstanding may, upon 30 days written notice to the Trustee and the City, remove the Trustee and appoint a successor Trustee by instrument or instruments in writing signed by such Holders of the Bonds.

Unless otherwise ordered by a court or regulatory body having competent jurisdiction, or unless required by law, any successor Trustee shall, if there is such an institution willing, qualified and able to accept the trust upon reasonable or customary terms, be (i) a bank, or a wholly owned subsidiary of a bank holding company, having a combined capital, surplus and undivided profits of at least $50,000,000, or (ii) a trust company having at least $100,000,000 of trust assets under management and a combined capital, surplus and undivided profits of at least $50,000,000 and, in each case, being qualified to do, and doing, trust business in the State.

Any successor Trustee appointed as provided in this section, shall execute, acknowledge and deliver to the City and its predecessor Trustee an instrument accepting such appointment hereunder, and thereupon the resignation or removal of the predecessor Trustee shall become effective and such successor Trustee, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor of the trust hereunder. Upon the request of any such successor Trustee, the City shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor Trustee all such rights, powers and duties. Upon acceptance of appointment by a successor Trustee, the City shall notify the registered owner of each Bond then Outstanding by first-class mail, postage prepaid.

The predecessor Trustee shall execute any and all documents necessary or appropriate to convey all interest it may have to the successor Trustee. The predecessor Trustee shall promptly transfer all funds to the successor Trustee and deliver all records relating to the trust or copies thereof and communicate all material information it may have obtained concerning the trust to the successor Trustee.

Any corporation or association into which the Trustee may be merged or with which it may be consolidated, or any corporation or association resulting from any merger, or any corporation or association succeeding to the business of the Trustee, shall be the successor of the Trustee hereunder without the execution or filing of any paper or any further act on the part of any of the parties hereto.

Each, every and all funds and accounts held by the Trustee shall be impressed with a trust for the benefit of the Holders of the Bonds, under the provisions of this Ordinance and of the Act.

Section 8.3. Removal of Trustee. Upon 30 days' written notice, the City, at its sole discretion, may remove the Trustee for cause. The removal of the Trustee under Section 8.3 hereof

shall not be effective until a successor Trustee has been appointed and has accepted the duties of Trustee.

Section 8.4. Custodians. The Revenue Fund, the Operation and Maintenance Fund, the Capital Improvements Fund, the Rebate Fund, the Construction Fund or any one or more of such funds, shall at the option of the City be held by a bank, a trust company, a national banking association or a national association as Custodian under the Ordinance or a Supplemental Ordinance.

Section 8.5. Duties and Obligations of Custodians. The recitals of fact made in the Ordinance and in the Bonds shall be taken as statements of the City, and no Custodian shall be deemed to have made any representation as to the correctness of the same. Nor shall any Custodian be deemed to have made any representation whatsoever as to the validity or sufficiency of the Ordinance or of the Bonds issued hereunder. Nor shall any Custodian be under any responsibility or duty with respect to the issuance of the Bonds or the application of the proceeds thereof, except to the extent provided for herein. Nor shall any Custodian be under any obligation or duty to perform any act which would involve it in expense or liability or to institute or defend any suit in response to the Ordinance, or to the Bonds issued hereunder, or to advance any of its own moneys, unless properly indemnified to its satisfaction. Nor shall any Custodian be liable in connection with the performance of its duties hereunder, except for its own negligence or default.

Section 8.6. Custodians Protected in Relying upon Resolutions, etc. All Custodians shall at all times be protected in acting upon any notice, resolution, request, consent, order, certificate, statement, opinion, bond, or other paper or document believed to be genuine and to have been signed by the proper party or parties.

ARTICLE IX

AMENDMENTS OR SUPPLEMENTS TO THE ORDINANCE

Section 9.1. Amendments or Supplements to the Ordinance. The City shall not amend the Ordinance except in accordance with the provisions of this Article.

A. The City may, from time to time and without the consent of any Holder of the Bonds enact an ordinance amendatory hereof or supplemental thereto (1) for the purpose of providing for the issuance of Bonds pursuant to the provisions of Article III hereof, or (2) (a) making any amendments or modifications hereto which may be required to permit the Ordinance to be qualified under the Trust Indenture Act of 1939, as amended; (b) making any modification or amendment to this Ordinance not inconsistent

herewith required for the correction of language or to cure any ambiguity or defective provisions, omission, mistake or manifest error herein contained; (c) making any amendments or supplements hereto to grant to or confer upon the Bondholders additional rights, remedies, power and authority, or to grant to or confer upon any Bondholders committee or trustee for the Bondholders any additional rights, power or authority; or (d) to add to the security of the Holders of the Bonds.

B. From time to time the Holders of sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds then Outstanding, by an instrument or instruments in writing signed by such Holders and filed with the City and the Trustee, shall have power to assent to and authorize any modification or amendment to the provisions of the Ordinance that may be proposed by the City or of the rights and obligations of the City and of the Holders of Bonds issued hereunder; and any action herein authorized to be taken with the assent and authority given as aforesaid of the Holders of sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds at the time Outstanding shall be effective and binding upon all of the Holders of Bonds issued hereunder; and any action herein authorized to be taken with the assent and authority given as aforesaid of the Holders of sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds at the time Outstanding shall be effective and binding upon all of the Holders of Bonds Outstanding and upon the City as fully as though such action were specifically and expressly authorized by the terms of the Ordinance; provided always, that without the consent of the Holder of each Bond affected thereby, no such modification shall be made which will (1) extend the time of payment of principal of or the interest on any Bond, or reduce the principal amount thereof or the rate of interest thereon or the premium payable upon the redemption thereof, or (2) give to any Bond or Bonds any preference over any other Bond or Bonds, or (3) authorize the creation of any pledge prior to or, except as provided herein for the issuance of Series of Bonds, on a parity with the pledge afforded by the Ordinance, or (4) reduce the percentage in principal amount of the Bonds required to assent to or authorize any such modification to the Ordinance. For the purpose of computations required by this paragraph, Bonds directly or indirectly owned or controlled by the City shall be disregarded.

Any modification or amendment or supplement to the provisions of this Ordinance or of any Supplemental Ordinance supplemental hereto shall be set forth in an ordinance to be enacted by the City.

ARTICLE X

EVENTS OF DEFAULT

Section 10.1. Events of Default. With respect to the Bonds, the following shall constitute "Events of Default":

A. If payment of the principal of any Bond, whether at maturity or by proceedings for redemption, by declaration as provided in Article XI hereof, or otherwise, is not made by the City after the same has become due and payable; or

B. If payment of any installment of interest on any Bond is not made by the City as the same becomes due and payable; or

C. If the City shall fail or refuse to comply with the essential provisions of the Act, or shall fail in the due and punctual performance of any of the covenants, conditions, agreements and provisions contained in the Bonds or in this Ordinance or in any ordinance supplemental hereto on the part of the City to be performed, and such failure continues for thirty (30) days after written notice specifying such failure and requiring the same to be remedied has been given to the City by the Trustee, the Bond Insurer, or the Holders of not less than twenty percent (20%) in principal amount of the Bonds then Outstanding or any trustee or committee therefor; or

D. If any proceedings are instituted, with the consent or acquiescence of the City, for the purpose of effecting a composition between the City and its creditors and if the claim of such creditors is in any circumstance payable from any of the Revenues or any other moneys pledged and charged in this Ordinance or any ordinance supplemental hereto for the payment of the Bonds, or any such proceedings are instituted for the purpose of adjusting the claims of such creditors, pursuant to any Federal or State statute now or hereafter enacted; or

E. If an order or decree is entered (1) with the consent or acquiescence of the City, appointing a receiver or receivers of the System or any of the facilities thereof; or (2) without the consent or acquiescence of the City, appointing a receiver or receivers of the System or any of the facilities thereof and if, in either case, such order or decree having been entered is not vacated or discharged or stayed on appeal within sixty (60) days after the entry thereof; or

F. If, under the provisions of any law for the relief or aid of debtors, any court of competent jurisdiction assumes custody or control of the System or any of the facilities thereof, and such custody or control is not terminated within ninety (90) days from the date of assumption of such custody or control; or

G. If the City is for any reason rendered incapable of fulfilling its obligations hereunder in any material respect.

Subject to the provisions, limitations and conditions of Sections 11.1 and 11.2 of Article XI hereof, insofar as the remedies provided in said provisions are concerned, nothing in Section 11.3 of Article XI hereof or in this Article, and particularly nothing in paragraph C of this Article, shall prohibit or limit, or be construed as prohibiting or limiting any Holder of a Bond from enforcing the duties of the City, or any of the officers thereof, under any provisions of the Ordinance (including, without limiting the generality of the foregoing, the duties imposed by or referred to in Section 11.3 of Article XI hereof) by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction, even though the failure of the City or any of the officers thereof to perform any such duty may not then constitute an "Event of Default" as defined in this Article.

ARTICLE XI

REMEDIES UPON EVENT OF DEFAULT

Section 11.1. Declaration of Principal and Interest as Due. Upon the occurrence of an Event of Default, and at any time thereafter while such Event of Default continues, then and in each and every case the Trustee in its own name and as trustee of an express trust, on behalf and for the benefit and protection of the Holders of all Outstanding Bonds, may proceed, and upon the written request of the Holders of not less than twenty-five percent (25%) in principal amount of the Bonds then Outstanding, shall proceed to declare the principal of all Bonds then Outstanding, together with all accrued and unpaid interest thereon, if not already due, to be due and payable immediately, and upon any such declaration the same shall become and be due and payable immediately, anything contained in the Ordinance or any Supplemental Ordinance hereto or in any of the Bonds to the contrary notwithstanding. This provision is also subject, however, to the condition that, if at any time after the principal of the Bonds, together with the accrued and unpaid interest thereon and other moneys secured hereby, have been so declared due and payable and before any further action has been taken (other than the making of the above declaration), the principal amount of all Bonds which have matured either according to the maturity date or dates otherwise specified therein (except as a result of such declaration) and all arrears of interest upon all Bonds, except interest accrued but not yet due on said Bonds, have been paid or caused to be paid, and all other Events of Default, if any, which have occurred have been remedied, cured or secured, then and in each and every such case the Holders of twenty-five percent (25%) in principal amount of the Bonds then Outstanding, by notice in writing delivered to the Trustee and the

City, may waive such Default and its consequences and rescind and annul such declaration. No such waiver or rescission or annulment shall extend to or affect any subsequent default or impair or exhaust any right or power related to such subsequent Default.

Section 11.2 Appointment of a Receiver. Upon the occurrence of an Event of Default described in paragraphs A and B of Article X hereof, and at any time thereafter while such default continues, any court of competent jurisdiction may appoint a receiver; provided, however, if application is made by the Trustee or the Holders of not less than twenty-five percent (25%) in principal amount of the Bonds then Outstanding or any trustee therefor, such court shall appoint a receiver. Any receiver so appointed shall (a) enter into and upon and take possession of the System, to the exclusion of the City if such court so directs; (b) have, hold, use, operate, manage and control the System as such receiver may deem best; and (c) exercise all rights and powers of the City with respect to the System as the City itself may do. In addition, the receiver shall (a) maintain, restore and insure the System and from time to time make all necessary and proper repairs to the System as such receiver may deem expedient; (b) establish, levy, maintain and collect such fees, tolls, rentals and other charges in connection with the System as such receiver may deem necessary or proper and reasonable; and (c) collect and receive all revenues, deposit such revenues in a separate account and apply such revenues so collected and received in such manner as the court shall direct.

Notwithstanding anything contained in this Ordinance or the Act, such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any assets of whatever kind or character of the City and useful to the System.

Section 11.3. Suits at Law or in Equity and Mandamus. In case any one or more of the Events of Default shall happen and be continuing, then and in every such case, but subject to the provisions, limitations and conditions of Sections 11.1 and 11.2 of this Article so far as the remedies provided in said provisions are concerned, the Holder of any Bond at the time Outstanding, or Trustee therefor, may, for the equal benefit and protection of all Holders of the Bonds similarly situated,

(a) by mandamus or other suit, action or proceedings at law or in the equity, enforce such Bondholder's right against the City and require and compel the City to perform and carry out its duties and obligations under the Act and this Ordinance, and to perform and carry out its covenants and agreements with the Bondholders;

(b) by action or suit in equity require the City to account as if such City were the trustee of an express trust;

(c) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the Bondholders; or

(d) bring suit upon the Bonds.

Section 11.4. Remedies Not Exclusive; Effect of Waiver of Default; Effect of Abandonment of Proceedings or Adverse Determination. The Holders from time to time of the Bonds shall be entitled to all the remedies and benefits of the Ordinance as are and as shall be provided by law, and, subject to the provisions of Sections 11.1 and 11.2 of this Article, nothing herein shall be construed to limit the rights or remedies of any such Holders under any applicable statute that may now exist or be enacted thereafter. No remedy conferred by the Act and this Article upon any Holder of any Bond is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred by the Act and this Article or by any other law now or hereafter existing. Every substantive right and remedy conferred upon the Holders of the Bonds may be enforced and exercised from time to time and as often as may be deemed expedient.

No waiver of any default or breach of duty or contract by any Holder of any Bond shall extend to or affect any subsequent default or breach of duty or contract, or shall impair any rights or remedies thereon. No delay or omission of any Holder of a Bond to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein.

In case any suit, action or proceeding to enforce any right or exercise any remedy shall be brought or taken and then discontinued or abandoned, or shall be determined adversely to Holders of the Bonds then and in every such case, the City and such Holders shall be restored to their former positions and rights and remedies as if no suit, action or proceeding had been brought or taken.

Section 11.5. Restrictions on Bondholder's Action.

1. No Holder of any Bond shall have any right to institute any suit, action or proceeding at law or in equity for the enforcement of any provision of this Ordinance or the execution of any trust under this Ordinance or for any remedy under the Ordinance unless such Holder shall have previously given to the Trustee written notice of the happening of an Event of Default and the Holders of at least twenty-five percent (25%) in principal amount of the Bonds then Outstanding shall have filed a written request with the Trustee and shall have offered the Trustee reasonable opportunity, either to exercise the powers granted in

the Ordinance or by the laws of the State or to institute such action, suit or proceeding in its own name, and unless such Holders shall have offered to the Trustee adequate security and indemnity against the costs, fees (including reasonable attorneys' fees), expenses and liabilities to be incurred therein or thereby, and the Trustee shall have refused to comply with such request for a period of 60 days after receipt by it of such notice, request an offer of indemnity, it being understood and intended that no one or more Holders of Bonds shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the pledge created by the Ordinance, or to enforce any right under the Ordinance, except in the manner therein provided; and that all proceedings at law or in equity to enforce any provision of the Ordinance shall be instituted, had and maintained in the manner provided in this Ordinance and for the equal benefit of all Holders of the Outstanding Bonds.

2. Nothing in the Ordinance or in the Bonds contained shall affect or impair the obligation of the City, which is absolute and unconditional, to pay at the respective dates of maturity and places therein expressed the principal of (and redemption premium, if any) and interest on the Bonds to the respective Holders thereof, or affect or impair the right of action, which is also absolute and unconditional, of any Holder to enforce such payment of his Bond.

Section 11.6. Application of Revenues and Other Moneys After Default. During the continuance of an Event of Default, all moneys received by the Trustee pursuant to any right given or action taken under the provisions of this Article shall, after payment of the costs and expenses of the proceedings resulting in the collection of such moneys and of the fees, expenses and advances incurred or made by the Trustee with respect thereto, be deposited in the Debt Service Fund, and all amounts held by the Trustee hereunder shall be applied as follows:

(a) Unless the principal of all Outstanding Bonds shall have become or have been declared due and payable:

First: To the payment to the persons entitled thereto of all installments of interest then due on the Bonds in the order of maturity of such installments, and, if the amount available shall not be sufficient to pay in full any installment or installments maturing on the same date, then to the payment thereof ratably, according to the amounts due thereon to the person entitled thereto, without any discrimination or preference; and

Second: To the payment to the persons entitled thereto of the unpaid principal amounts or redemption premium, if any, of any Bonds which shall have become due (other than Bonds previously called for redemption in accordance with the

provisions hereof), whether at maturity or by call for redemption, in the order of their due dates, and if the amounts available shall not be sufficient to pay in full all the Bonds due on any date, then to the payment thereof ratably, according to the principal amounts or redemption premium, if any, due on such date, to the persons entitled thereto, without any discrimination or preference.

(b) If the principal amounts of all Outstanding Bonds shall have become or have been declared due and payable, to the payment of the principal amounts and interest then due and unpaid upon the Bonds without preference or priority of principal over interest or of interest over principal, of any installment of interest over any other installment of interest, or of any Bond over any other Bond, ratably, according to the amounts due respectively for principal amounts and interest, to the persons entitled thereto without any discrimination or preference.

(c) If the principal amounts of all Outstanding Bonds shall have been declared due and payable, and if such declaration shall thereafter have been rescinded and annulled under the provisions of this Article, then, subject to the provisions of paragraph (b) of this Section in the event that the principal amounts of all Outstanding Bonds shall later become due or be declared due and payable, the moneys shall be applied in accordance with the provisions of paragraph (a) of this Section.

Whenever moneys are to be applied by the Trustee pursuant to the provisions of this Section, such moneys shall be applied by it at such times, and from time to time, as the Trustee shall determine, having due regard for the amount of such moneys available for application and the likelihood of additional moneys becoming available for such application in the future. Whenever the Trustee shall apply such moneys, it shall fix the date (which shall be a Bond payment date unless it shall deem another date more suitable) upon which such application is to be made and upon such date interest on the principal amounts to be paid on such dates shall cease to accrue. The Trustee shall give such notice as it may deem appropriate of the deposit with it of any such moneys and of the fixing of any such date, and shall not be required to make payment to the Holder of any Bond until such Bond shall be presented to the Trustee for appropriate endorsement of any partial payment or for cancellation if fully paid.

Whenever all Bonds and interest thereon have been paid under the provisions of this Section and all expenses and charges of the Trustee have been paid, any balance remaining shall be paid to the person entitled to receive the same; if no other person shall be entitled thereto, then the balance shall be paid to the City or as a court of competent jurisdiction may direct.

ARTICLE XII

DEFEASANCE

Section 12.1 Defeasance. The obligations of the City under the Ordinance and the liens, pledges, charges, trusts and the covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to any Bond and, unless or except as otherwise provided in the Supplemental Ordinance providing for the issuance of any Series of Bonds, such Bond or Series of Bonds shall no longer be deemed to be Outstanding hereunder when:

(a) such Bond or Series of Bonds shall have been purchased by the City and surrendered to the City for cancellation or otherwise surrendered to the City or the Trustee, and is canceled or subject to cancellation by the City or Trustee, or

(b) payment of the principal of, redemption premium, if any, and interest on such Bond or Series of Bonds, either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with the Trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment, and all necessary and proper fees, compensation and expenses of the Paying Agent. At such time as a Bond or Series of Bonds shall no longer be deemed to be Outstanding hereunder, as aforesaid, such Bond or Series of Bonds shall cease to draw interest from the due date thereof, and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

Any moneys so deposited with the Trustee as provided in this Article may at the direction of the City also be invested and reinvested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from all Government Obligations in the hands of such Trustee which is not required for the payment of the Bonds or Series of Bonds and interest thereon with respect to which such moneys shall have been so deposited, shall be treated as Revenues of the System.

Notwithstanding any provision hereof which may be contrary to the provisions of this Article, all moneys or Government Obligations set aside and held in trust pursuant to the provisions of this Article for the payment of Bonds or Series of Bonds shall be applied to and used solely for the payment of the particular Bonds or Series of Bonds with respect to which such moneys and Government Obligations have been so set aside in trust.

Any provision hereof to the contrary notwithstanding, if moneys or Government Obligations have been deposited or set aside with the Trustee pursuant to this Article for the payment of the Bonds and such Bonds shall not have in fact been actually paid in full, no amendment to the provisions of this Article shall be made without the consent of the Bondholder of each Bond or Series of Bonds affected thereby.

ARTICLE XIII

FORM OF BONDS

Section 13.1. Form of Bonds. Except or unless as may otherwise be provided in the Supplemental Ordinance providing for their issuance, the Bonds, Trustee's Certificate of Authentication, registration provisions and assignment provisions, shall be in substantially the forms set forth in this Section, with necessary or appropriate variations, omissions and insertions as are incidental to their Series, numbers, denominations, maturities, interest rate or rates, paying agencies, registration provisions, redemption provisions and other details thereof and their form or as are otherwise permitted or required by law or by the Ordinance.

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES ____

ORIGINAL ISSUE DATE	MATURITY DATE	INTEREST RATE	CUSIP
		%	

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

The City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the Registered Holder (named above), or registered assigns, but solely from the revenues hereinafter mentioned and not otherwise, the Principal Amount shown above on the Maturity Date shown above (unless the within Bond shall be subject to prior redemption and

shall have been duly called for previous redemption and payment of redemption price made or provided for), upon presentation and surrender of this Bond at the principal office of the _____, in _____, South Carolina (the "Paying Agent"), and to pay interest, but solely from the revenues hereinafter mentioned and not otherwise, on such principal amount from the date hereof at the Interest Rate per annum shown above until the City's obligation with respect to the payment of such principal sum shall be discharged. Interest on this Bond is payable semiannually on _____ 1 and _____ 1 of each year commencing _____ 1, ____, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by the _____, in _____, South Carolina, as registrar (the "Trustee") at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal, redemption premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

The terms and provisions of this Bond are continued on the reverse side hereof and such continued terms and provisions shall for all purposes have the same effect as though fully set forth at this place.

Under the laws of the State of South Carolina, the principal of and interest on this Bond are exempt from any and all State, City, municipal and other taxation whatsoever under the laws of the State of South Carolina, except for inheritance, estate or transfer taxes.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance (hereinafter defined).

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Trustee.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 21, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE). THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE, INCLUDING INTEREST THEREON, ARE PAYABLE SOLELY FROM THE NET REVENUES HERETOFORE MENTIONED WHICH ARE PLEDGED TO THE PAYMENT THEREOF AND THE CITY IS UNDER NO OBLIGATION TO PAY THE SAME EXCEPT FROM SUCH NET REVENUES. THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

IN WITNESS WHEREOF, the City of Isle of Palms, South Carolina, has caused this Bond to be executed in its name by the facsimile signature of the Mayor of the City and attested by the facsimile signature of the Clerk-Treasurer of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: (Exhibit)
Mayor

(SEAL)

ATTEST:

(Exhibit)
Clerk-Treasurer

(REVERSE SIDE OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES ____

This Bond is one of an authorized series of Bonds of the aggregate principal amount of _____ Dollars ($_____) of like date of original issue, tenor and effect, except as to number, date of maturity, principal amount, registered holder, redemption provisions and rate of interest, issued by the City for the purpose of making certain improvements, enlargements and extensions to the City's water and sewer system (the "System"). This Bond and the series of Bonds of which it is one are authorized to be issued and are issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Title 6, Chapter 21, of the Code of Laws of South Carolina, 1976, as amended (collectively the "Act"). This Bond and the series of Bonds of which it is one are also authorized to be issued and are issued under and pursuant to a General Bond Ordinance and a First Supplemental Ordinance of the City Council of the City duly enacted on _____, ____ (collectively, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series herewith which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which this Bond is issued upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the series of Bonds of which it is one and the interest thereon are special obligations of the City payable solely from, and secured equally and ratably by a pledge of and lien upon, the Revenues (as defined in the Bond Ordinance) derived by the City from the System after adequate provision for operation and maintenance expenses (defined in the Bond Ordinance as Net Revenues), and on a parity with any Series of Bonds (as defined in the Bond Ordinance) hereafter issued under the Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

The Bonds maturing on or prior to _____ 1, ____, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after _____ 1, ____, shall be subject to redemption prior to maturity, at the option of the City, on and after _____ 1, ____, as a whole at any time, or in part from time to time on any _____ 1 or _____ 1 by lot, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount redeemed, as set forth below, together, in each such case, with the interest accrued on such principal amount to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Prices

provided, however, that the City further reserves the right to redeem the Bonds of the series of which this Bond is one maturing on _____ 1, ____, prior to the maturity thereof, in part by lot on any interest payment date (but in any event on each _____ 1) on or after _____ 1, ____, from amounts credited to the Bond Redemption Account in the Debt Service Fund (as provided for in the Bond Ordinance) as sinking fund installments, upon payment of the principal amount of such Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption; provided, further, that the City further reserves the right to redeem the Bonds of the series of which this Bond is one maturing on or after _____ 1, _____, prior to the maturity thereof, in part by lot on any interest payment date (but in any event on each _____ 1) on or after _____ 1, _____, from amounts credited to the Bond Redemption Account in the Debt Service Fund (as provided for in the Bond Ordinance) as sinking fund installments, upon payment of the principal amount of such Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption.

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot. In the event this Bond is redeemable, as aforesaid, and shall be called for redemption, notice of the redemption hereof, describing this Bond and specifying the redemption date and the premium payable upon such redemption, shall be given by the Trustee by first class mail, postage prepaid, to the registered owner thereof not less than thirty (30) days and not more than sixty (60) days prior to the redemption date at the last address appearing upon the registration books of the City. If this Bond be redeemable and shall have been duly called for redemption and notice of the redemption hereof mailed as aforesaid, and if on or before the date fixed for such redemption, payment hereof shall be duly made or provided for, interest hereon shall cease to accrue from and after the redemption date hereof.

The Bonds maturing in the year _____ shall be retired by sinking fund installments which shall be accumulated in the Bond Redemption Account in the Debt Service Fund in amounts sufficient to redeem on _____ 1 of each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the principal amount of such Bonds specified for each of the years shown below:

Year	Principal Amount

The Bonds maturing in the year _____ shall be retired by sinking fund installments which shall be accumulated in the Bond each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the principal amount of such Bonds specified for each of the years shown below:

Year	Principal Amount

This Bond is transferable, as provided in the Bond Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, rate of interest and

maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption premium, if any, hereof and interest due hereon and for all other purposes.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of this Bond or of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City with the written consent of the holders of at least sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds then outstanding under the Bond Ordinance (including the Bond of the series of which this Bond is one); provided, that no such amendment or modification shall permit a change in the date of maturity of any installment of principal hereof or date of optional or mandatory redemption of any Bond or the date of payment of interest thereon or a reduction in the principal amount or redemption price thereof or rate of interest thereon without the consent of the holder of each such Bond affected thereby, or shall reduce the percentage of the principal amount of Bonds, the consent of the holders of which is required by the Bond Ordinance to effect such an amendment or modification.

(FORM OF TRUSTEE'S CERTIFICATE OF AUTHENTICATION)

This Bond is one of the Bonds described in the within-mentioned Ordinance of City of Isle of Palms, South Carolina.

_____ BANK, Trustee

Dated:_____

By:_____
Authorized Officer

ARTICLE XIV

MISCELLANEOUS

Section 14.1. Benefits of Ordinance Limited to the City, the Trustee and Holders of the Bonds. With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from the Ordinance or the Bonds is intended or should be construed to confer upon or give to any person other than the City, the Trustee and the Holders of the Bonds, any legal or equitable right, remedy or claim under or by

reason of or in respect to the Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. The Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City, the Trustee and the Holders from time to time of the Bonds as herein and therein provided.

Section 14.2. Ordinance Binding Upon Successors or Assigns of the City. All the terms, provisions, conditions, covenants, warranties and agreements contained in the Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the Trustee, its successors or substitutes in trust and assigns, and the Holders of the Bonds.

Section 14.3. No Personal Liability. No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the City contained in this Ordinance or the Bonds, against any member of the City, any officer or employee, as such, in his or her individual capacity, past, present or future, of the City, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that the Ordinance and the Bonds are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such past, present or future, of the City, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the City and the Trustee or the Bondholder or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the adoption of this Ordinance and the execution of the Bonds, and as a condition of, and as a part of the consideration for, the adoption of the Ordinance and the execution of the Bonds, expressly waived and released. The immunity of members, officers and employees of the City under the provisions contained in this Section 14.3 shall survive the completion of the Project and the termination of the Ordinance.

Section 14.4. Effect of Saturdays, Sundays and Legal Holidays. Whenever the Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first business day occurring thereafter. Whenever in the Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the succeeding business day.

Section 14.5. Partial Invalidity. If any one or more of the covenants or agreements or portions thereof provided in the Ordinance on the part of the City or the Trustee or any Paying Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreements and portions thereof provided in the Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of the Ordinance or of the Bonds, but the Holders of the Bonds shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

If any provisions of the Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because of conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 14.6. Law and Place of Enforcement of the Ordinance. The Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of the Ordinance shall be instituted in a court of competent jurisdiction in said State.

Section 14.7. Effect of Article and Section Headings and Table of Contents. The headings or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of the Ordinance.

Section 14.8. Repeal of Inconsistent Ordinances and Resolutions. All ordinances and resolutions of the City, and any part of any ordinance or resolution, inconsistent with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 14.9. Effectiveness of this Ordinance. This Ordinance shall become effective upon its enactment; provided, however, that it shall not be necessary for the City to establish the funds and accounts created in Article VI hereof prior to the issuance of any Bonds.

Section 14.10. Notices. All notices, certificates, or other communications hereunder or under the Ordinance shall be sufficiently given and shall be deemed given when mailed by

registered mail, postage prepaid, or given when dispatched by telegram addressed as follows:

If to the City:

City of Isle of Palms
Attention: City Manager
1301 Palm Boulevard
P. O. Drawer Q
Isle of Palms, South Carolina 29451

If to the Trustee:

_____ Bank
Attention: Trust Department

_____, South Carolina 29___

The City and the Trustee may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 14.11. Codification. This Ordinance shall be forthwith codified in the Code of City Ordinances in the manner required by law and the name shall be indexed under the general heading "General Bond Ordinance Water and Sewer System Revenue Bonds."

Enacted by the City Council of the City of Isle of Palms, South Carolina, this 31st day of January, 1991.

CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk-Treasurer

Date of First Reading: January 2, 1991

Date of Second Reading: January 31, 1991

EXHIBIT B

Borrowing and Millage

One 1990 mill= $28,070

Principal Borrowed at 7% for 20 years	Ann. Debt Service (1) Mil	Mil increase	$'s on $100,000 house
$300,000	$28,096.36/$28,070	1	$4.00
$500,000	$46,827.28/$28,070	1.67	$6.68
$700,000	$65,558.20/$28,070	2.33	$9.32

Principal Borrowed at 7% for 20 years	Ann. Debt Service (1) Mil	Mil increase	$'s on $100,000 house
$300,000	$29,195.68/$28,070	1.04	$4.16
$500,000	$48,659.46/$28,070	1.73	$6.92
$700,000	$68,123.24/$28,070	2.43	$9.72

STROM THURMOND
SOUTH CAROLINA
COMMITTEES

ARMED SERVICES
JUDICIARY
VETERANS' AFFAIRS
LABOR AND HUMAN RESOURCES

United States Senate

WASHINGTON, DC 20510-4001

Miss Readery

January 14, 1991

Mayor Carmen R. Bunch
P.O. Drawer Q
Isle of Palms, South Carolina 29451

Dear Carmen:

I would like to take this opportunity to congratulate you and the entire city of Isle of Palms, South Carolina, on your plan to adopt a Persian Gulf unit of our Armed Forces.

I would greatly appreciate it if would convey to the citizens of Isle of Palms my thanks as well as my pride in their patriotism and generosity.

Again, congratulations on your swift action. The men and women of our Armed Forces are grateful for you and the people of Isle of Palms, I am sure. Please do not hesitate to contact me whenever I can be of assistance to you as your United States Senator.

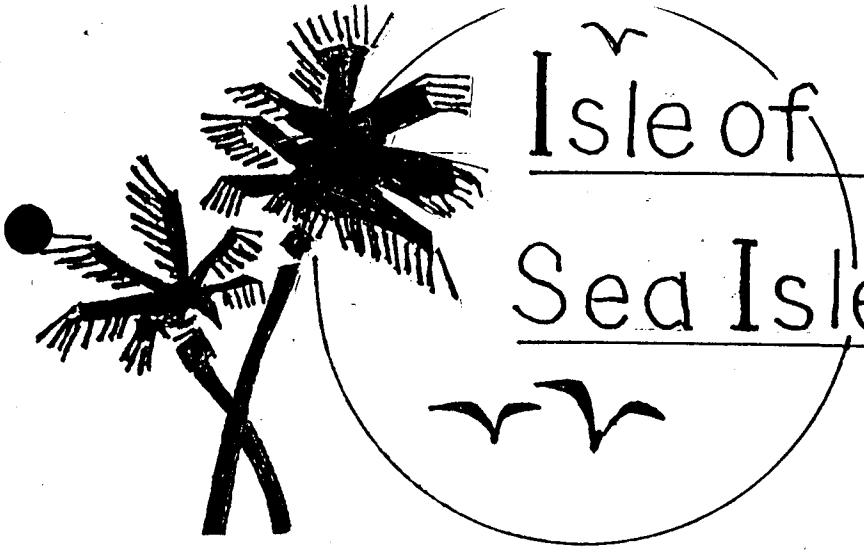
With kindest regards and best wishes,

Sincerely,

Strom

Strom Thurmond

ST/hw



Isle of Palms Fund

Sea Isle City, N.J.

P.O. Box 95
Sea Isle City, NJ 08243

January 21, 1991

Mayor Carmen R. Bunch
P.O. Drawer Q
Isle of Palms, SC 29451

Dear Mayor Bunch:

The couple who won the prize of a trip to the Isle of Palms in the drawing held during the fashion show last summer have decided that it is too far to drive to Isle of Palms for just a weekend. Since they do not live here, we are trying to arrange a weekend visit in Sea Isle City as a substitute prize.

We want to express our appreciation to you and to the management of the Sea Cabins Condominium for the generous offer.

A few of our residents have been stopping off at the Isle of Palms en route to Florida and report that conditions are much improved and that the city seems to have put Hurricane Hugo behind and that it is getting back to normal. That is certainly good news.

Thank you again for your efforts in getting the reservations for us. We hope that we did not cause you too much trouble during these busy times for you as mayor of Isle of Palms.

Sincerely,

Irene Jameson

Irene Jameson
Chairperson

ERNEST F. HOLLINGS
SOUTH CAROLINA

OFFICES:
1835 ASSEMBLY STREET
COLUMBIA, SC 29201
803-765-5731

103 FEDERAL BUILDING
SPARTANBURG, SC 29301
803-585-3702

126 FEDERAL BUILDING
GREENVILLE, SC 29603
803-233-5366

112 CUSTOM HOUSE
200 EAST BAY STREET
CHARLESTON, SC 29401
803-724-4525

United States Senate

125 RUSSELL OFFICE BUILDING
WASHINGTON, DC 20510-4002
202-224-6121

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION: CHAIRMAN
APPROPRIATIONS
COMMERCE, JUSTICE, STATE AND THE JUDICIARY: CHAIRMAN
DEFENSE
LABOR, HEALTH AND HUMAN SERVICES, EDUCATION
ENERGY AND WATER DEVELOPMENT
INTERIOR
BUDGET
INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE
OFFICE OF TECHNOLOGY ASSESSMENT
NATIONAL OCEAN POLICY STUDY

January 10, 1991

Honorable Carmen R. Bunch
City of Isle of Palms
P. O. Drawer Q
Isle of Palms, SC 29451

Dear Carmen:

I'm not aware of any recent report on health risks associated with electric power stations and high voltage power lines. I'll track it down and, if there is one, will get it to you as soon as possible.

With kindest regards, I am

Sincerely,

Ernest F. Hollings

EFH/lsm

carol mcgill
interiors

January 10, 1991

Carmen Bunch, Mayor
City of Isle of Palms
Isle of Palms, SC 29451

Dear Carmen,

This is to confirm our conversation at the Commerce Association meeting. When the need arises for color selections for painting the City Buildings on the Isle of Palms, Carol McGill Interiors will donate their time ($75.00 per hour) in performing this service.

I hope this will be beneficial to the City. Please call me when you are ready to put us to work!

Sincerely,

Carol

Carol McGill
Allied ASID

P.O. Box 547 · Isle of Palms · South Carolina 29451 · (803) 886-4155
commercial · residential · resort

CITY OF
ISLE
OF
PALMS South Carolina

Mayor:
Carmen R. Bunch

City Council
P. William Calhou
Leo B. McDonald
Thomas Murph
Harry S. O'Neal
Heath Orvin
Elizabeth Smiley
Margery Swanson
James Ward

January 15, 1991

Exchange Club of Charleston
P. O. Box 30463
Charleston, SC 29417-0463

Gentlemen:

On behalf of the citizens of the Isle of Palms, I would like to thank you for mailing to the City your check #2179, in the amount of $3,000, payable to the Isle of Palms Voluntary Fire Dept.

The check was given to Chief Laurent Britton to be included with funds they are raising for fire station #2. We all appreciate your returning the Fair Ground rental money to the fire department.

Sincerely,

Carmen R. Bunch
Mayor

CRB:jmg
cc: John Stanley
Isle of Palms Exchange Club

SCE&G
A SCANA Company

South Carolina Electric & Gas Company
P.O. Box 760
Charleston, SC 29402
(803) 745-6434

P. V. Fant
General Manager
Metro Charleston

December 31, 1990

The Honorable Carmen R. Bunch
Mayor, Isle of Palms
Post Office Drawer Q
Isle of Palms, SC 29451

Dear Mayor Bunch:

As a follow up to Mr. Bullwinkel's memo of October 17, 1990, in reference to inspecting our lines on the Isle of Palms for possible tree damage, the inspection has been completed.

As you know, evaluating possible damage to power lines from trees is not an exact science. Once we believe a tree poses a potential threat we either attempt to trim the tree back or remove the tree. Tree removal is only recommended in extreme circumstances or clearly when the tree is dead or dying. No action is taken without the proper approval from either the municipality or the owner.

In the cases we identified on the Isle of Palms, all conditions which appeared to pose imminent high potential damage were dealt with as a matter of course. Other conditions will continue to be monitored and at some appropriate time corrective action may be warranted.

Even though we feel good about the action taken and the inspection results, problems from trees will still occur. Hopefully we have significantly reduced the probability however.

I trust that you have had a good holiday and look forward to working with you in the new year.

Sincerely,

Paul V. Fant

slb

c: G. J. Bullwinkel, Jr.
M. T. Seidler

SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
February 11, 1991, 6:00 p.m., City Hall

A special meeting of the Isle of Palms City Council was held on February 11, 1991, at 6:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Watson, City Administrator Williams, Clerk-Treasurer McDuffie, Attorney Youngblood, and Secretary Geary. Council Members Ward and Orvin arrived late.

1. Third Reading - Ordinance 1991-1 - General Bond Ordinance. Ms. NesSmith-Picard moved that we accept third reading and ratify Ordinance 1991-1; Mrs. Swanson seconded; motion passed unanimously.

2. Second Reading - Ordinance 1991-2 - Bond Anticipation Note. (Exhibit A) Mr. Youngblood reminded Council that this ordinance was to provide the City sufficient funds to do some things that have to be done immediately, such as contacting banks for financing. The dollar amount of this note is $475,000, a one year borrowing note which will be put out to five banks and awarded to the one with the lowest interest rate. Mr. Williams reported that the amount was increased to include $55,000 to repair the third water tank which is leaking. Because of the fact that the purchase of the water company is scheduled for February 20, Mayor Bunch asked for a motion to suspend third reading in order to ratify this ordinance tonight. Mr. Sottile moved that we accept second reading and ratify Ordinance 1991-2; Mr. Watson seconded; motion passed unanimously.

3. First Reading - Ordinance 1991-7 - A First Supplemental Ordinance Providing for the Issuance and Sale of a City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bond, Series 1991A, in the Principal Amount of $1,185,601.88 and Other Matters Relating Thereto. (Exhibit B) Mr. Youngblood stated to Council that this ordinance provides for the first bond issued under the General Bond Ordinance. This bond will be purchased by the Isle of Palms Water Company and ties into the purchase contract. This bond is to be delivered on February 20 in payment of the purchase price of the acquisition of the system. After discussion, Mr. Sottile moved to accept first reading of Ordinance 1991-7; Mr. Watson seconded; motion passed unanimously.

4. Public Restroom Bids. Mr. Williams passed out to Council copies of the bid tabulation for the public restrooms. Mr. Ward moved that Council table action on accepting any bid until the financing packages have been returned to Mr. Williams; Mr. Sottile seconded; motion passed 7 to 1.

5. Water Company Business. Mr. Williams reported on the software that the City needs to run the water company. Council had approved $12,000 expenditure for the software; the proposal that Mr. Williams has received to include future needs is $30,669, such as hand-held computer meter readers at a cost of $6,300, centralized collection software at $3,300, and hardware at $3,420, which we

would need at a later date. Mr. Williams stated that he needs to be ready for payroll by March 7, and suggested that Council move on the payroll and accounting packages and water billing right away. He also suggested that we lease purchase the equipment so that payments could be spread out over a period of two or three years. Mayor Bunch asked Mr. Williams to prepare a statement for Council to study this week so that we could make a decision at next Monday's meeting. After discussion, it was decided that Mr. Williams could go ahead and order the software and forms that are needed immediately which would cost under the $12,000 already approved, and then Council could study the proposal for next week.

Since Executive Session was not on the agenda, Mayor Bunch asked for a motion to suspend the rules of order in order to go into Executive Session; Mr. Watson so moved; Mr. Ward seconded; motion passed unanimously.

Coming out of Executive Session the Mayor stated that no action was taken. There was a discussion about personnel for the water company.

Mr. Ward moved that the meeting be adjourned; Mrs. Swanson seconded, motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by Council on 2/28/91

EXHIBIT - H

STATE OF SOUTH CAROLINA)
)
CITY OF ISLE OF PALMS)

CERTIFIED COPY OF
ORDINANCE NO. 1991-2

I, the undersigned being duly qualified and acting Clerk-Treasurer of the City of Isle of Palms, South Carolina (the "City"), do hereby certify that attached hereto is a copy of Ordinance No. 1991-2 authorizing the issuance of a $475,000 Water and Sewer System Revenue Bond Anticipation Note, 1991 of the City enacted by the City Council at a meeting duly called and held on February 11, 1991, at which a quorum was present and acting throughout, which Ordinance has been compared by me with the original thereof; that such copy is a true, correct and complete copy thereof; and that such ordinance has been duly enacted, including the required number of readings, and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand this 11th day of February, 1991.

Clerk-Treasurer, City of Isle of Palms, South Carolina

(SEAL)

ORDINANCE NO. 1991-2

AUTHORIZING THE ISSUANCE OF A WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, 1991, IN THE PRINCIPAL AMOUNT OF $475,000 FOR THE PURPOSE OF DEFRAYING A PORTION OF THE COST OF ACQUIRING AND OPERATING THE WATER AND SEWER FACILITIES OF THE ISLE OF PALMS WATER COMPANY; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "City"), hereby finds and determines:

(a) By Ordinance No. 1990-17, a referendum was duly held on Tuesday, November 27, 1990, on the following questions:

1. Shall the City of Isle of Palms be authorized to provide public water and public sewer service, as permitted under State law? Yes _____ No _____

2. Shall the City of Isle of Palms purchase the water and sewer service facilities of the Isle of Palms Water Company? Yes _____ No _____

Notice of such referendum was duly published on September 26, 1990, and again on October 24, 1990.

(b) By a vote of 487 to 102, the voters approved the referendum question authorizing the City of Isle of Palms to provide public water and sewer service.

(c) By a vote of 478 to 133, the voters approved the referendum question authorizing purchase by the City of Isle of Palms of the water and sewer service facilities of the Isle of Palms Water Company.

(d) The City has concluded negotiations with the Isle of Palms Water Company and will, by separate ordinance, authorize the issuance of long-term revenue bonds to effect such acquisition.

(e) Prior to the issuance of such revenue bonds, it is necessary that the City issue a Bond Anticipation Note in order to defray certain of the costs of acquiring and operating such facilities. Such Bond Anticipation Note (the "1991 BAN") will be issued pursuant to Title 11, Chapter 17 of the Code of Laws of South Carolina 1976, as amended (the "Code").

Section 2. There is hereby authorized to be issued for the purpose of defraying a portion of the cost of acquiring and

operating the water and sewer facilities of the Isle of Palms Water Company, a $475,000 water and sewer system revenue bond anticipation note of the City to be designated "$475,000 Water and Sewer System Revenue Bond Anticipation Note, 1991, of the City of Isle of Palms, South Carolina" (the "1991 BAN"). Requests for proposals shall be solicited from South Carolina National Bank, NCNB National Bank of South Carolina, Citizens and Southern National Bank, First Union National Bank and National Bank of South Carolina. The 1991 BAN shall be awarded to the bidder offering the lowest net interest cost to the City. The 1991 BAN shall be in fully registered form; shall be dated as of the date of its delivery; shall be in the denomination of $475,000; shall not be subject to redemption prior to its stated maturity; shall mature not later than one (1) year from the date of its delivery; shall bear interest from the date thereof at the rate stated in the winning bid; and shall be payable to the winning bidder in Charleston, South Carolina.

Section 3. The City Administrator is hereby authorized to award the 1991 BAN to the bank offering the lowest net interest cost to the City.

Section 4. The proceeds of the 1991 BAN shall be used to defray a portion of the cost of acquiring and operating the water and sewer facilities of the Isle of Palms Water Company.

Section 5. The 1991 BAN shall be in substantially the following form:

(FORM OF BOND ANTICIPATION NOTE)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
ANTICIPATION NOTE, SERIES 1991

$475,000

KNOW ALL MEN BY THESE PRESENTS, the City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay upon the order of _____ _____ Bank, in Charleston, South Carolina (the "Bank"), or its registered assigns, the principal sum of Four Hundred Seventy-Five Thousand Dollars ($475,000) on February ___, 1992, and to pay interest on said principal sum from the date of this Note at the rate of _____ percent (____%) per annum payable at maturity of this Note. Both principal of and interest on this Note are payable at the principal office of the Bank, in Charleston, South Carolina, in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

This Note shall not be subject to redemption prior to maturity.

This Note is issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended, and Ordinance No. 1991-2, duly adopted by the City Council on February 11, 1991, in anticipation of the issuance of water and sewer system revenue bonds to be issued by the City pursuant to a General Bond Ordinance enacted by the City on or before the date of delivery of this Note, and is payable, both as to principal and interest, from the proceeds of the aforesaid revenue bonds and from the revenues derived by the City from the operation of the water and sewer system when acquired.

This Note is a special obligation of the City and there is hereby pledged to the payment of the principal hereof and interest heron the proceeds of the revenue bonds and the aforesaid revenues. The City at its option may also utilize any other funds available therefor for the payment of the principal and interest on this Note. The full faith, credit and taxing powers of the City shall not be pledged to the payment of the principal of and interest on this Note.

This Note and the interest heron are exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, and whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Note exist, have happened and have been performed in regular and due time, form and manner as required by law.

IN WITNESS WHEREOF, THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, has caused this Note to be signed with the manual signature of the Mayor, attested by the manual signature of the Clerk-Treasurer of the City under the seal of the City and this Note to be dated the _____ day of February, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

(SEAL)

By: (Exhibit)
Mayor

ATTEST:

By: (Exhibit)
Clerk-Treasurer

Section 6. The Council hereby ratifies, confirms and approves the action taken by the City Administrator with respect to the sale of the 1991 BAN to the Bank.

Section 7. The Council hereby authorizes the Mayor, Clerk-Treasurer, City Administrator and City Attorney to execute such documents and instruments as may be necessary to effect the issuance of the 1991 BAN.

Section 8. The Council hereby designates the 1991 BAN as a "qualified tax-exempt obligation" as defined in Section 265 of the Internal Revenue Code of 1986, as amended.

Section 9. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the 1991 BAN are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 10. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

Adopted this 11th day of February, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

_____
Mayor

(SEAL)

ATTEST:

_____
Clerk-Treasurer

Date of First Reading: January 2, 1991
Date of Second Reading: February 11, 1991

Approved:

_____
City Attorney

EXHIBIT - B

CITY OF ISLE OF PALMS, SOUTH CAROLINA

FIRST SUPPLEMENTAL ORDINANCE

A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A CITY OF ISLE OF PALMS, SOUTH CAROLINA, WATER AND SEWER SYSTEM REVENUE BOND, SERIES 1991A, IN THE PRINCIPAL AMOUNT OF $1,185,601.88 AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED by the City Council of the City of Isle of Palms, South Carolina (the "City"):

Section 1. Definitions. The terms in this Section 1 and all words and terms defined in the General Bond Ordinance enacted by the Council on January 31, 1991 (said Ordinance as from time to time amended or supplemented by Supplemental Ordinances being defined in said Ordinance as the "Ordinance") (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Supplemental Ordinance have the respective meanings given to them in the Ordinance and in Section 1.

"Project" shall mean the acquisition of the existing water and sewer system of the Isle of Palms Water Company.

"Series 1991A Bond" shall mean the City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bond, Series 1991A, in the principal amount of $1,185,601.88 authorized to be issued hereunder.

Section 2. Authorization of Series 1991A Bond, Maturities, Interest Rates and Payment Provisions. (a) There is hereby authorized to be issued a Series of Bonds designated "City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bonds, Series 1991A (the "Series 1991A Bond"), in the principal amount of $1,185,601.88 for the purpose of defraying the Cost of Acquisition of the Project. The Series 1991A Bond shall mature and bear interest at the rate of 9% per annum as provided in the Bond Amortization Schedule set forth and incorporated herein as Exhibit A.

(b) The Series 1991A Bond shall originally be dated as of the date of its delivery, to be evidenced by the Certificate of Delivery endorsed thereon, and shall be issued as a fully registered Bond payable to the Isle of Palms Water Company.

(c) Principal of the Series 1991A Bond shall be payable at the principal corporate trust office of the Trustee, in the City of Charlotte, North Carolina. Interest on the Series 1991A Bond shall be payable August 20, 1991, and semiannually thereafter on

February 20 and August 20 of each year, in each case to the Holder as of the immediately preceding Record Date, such interest to be paid by the Trustee by check or draft mailed to each Holder at the address as it appears on the Books of Registry maintained at the principal corporate trust office of the Trustee, in the City of Charlotte, North Carolina.

(d) The Series 1991A Bond, the Certificate of Authentication thereon and the assignment provisions pertaining thereto shall be in substantially the form set forth in the General Bond Ordinance, with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by the Ordinance, including this Supplemental Ordinance.

Section 3. No Redemption. The Series 1991A Bond shall not be subject to redemption prior to maturity.

Section 4. Certain Findings and Determinations. The City hereby finds and determines:

(a) This Supplemental Ordinance supplements the Ordinance, constitutes and is a "Supplemental Ordinance" within the meaning of such quoted term as defined and used in the Ordinance, and is enacted under and pursuant to the Ordinance.

(b) The Series 1991A Bond constitutes and is a "Bond" within the meaning of the quoted word as defined and used in the Ordinance.

(c) The Revenues pledged under the Ordinance are not encumbered by any lien and charge thereon or pledge thereof, other than the lien and charge thereon and pledge thereof created by the General Bond Ordinance and by this First Supplemental Ordinance for payment and security of the Bonds.

(d) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute such Event of Default.

(e) The period of usefulness of the System is in excess of forty (40) years.

Section 5. Designation of Trustee of Debt Service Fund and Debt Service Reserve Fund and Designation of Paying Agent. The Council hereby designates the First Union National Bank as Trustee of the Debt Service Fund and the Debt Service Reserve Fund. The Council hereby further designates the First Union National Bank as Paying Agent for the Series 1991A Bond.

Section 6. Sale and Issuance of Series 1991A Bond. (a) The City hereby finds and determines that the Purchase Contract dated January 24, 1991 submitted by The Isle of Palms Water Company (the "Purchaser") for the purchase of the Series 1991A Bond is fair and reasonable and in the best interest of the City; that the Series 1991A Bond shall be sold to the Purchaser at a purchase price of $1,185,601.88 and upon the terms and conditions set forth in said Purchase Contract and upon the basis of the representations therein set forth, and that all conditions precedent to or concurrent with the acceptance of the Purchase Contract by the City have been met. The City hereby accepts the Purchase Contract and authorizes and directs the Mayor of the City to execute the Purchase Contract, in substantially the form of Exhibit B attached hereto, and deliver the same to the Purchaser.

(b) A copy of this Supplemental Ordinance shall be filed with the minutes of this meeting.

(c) The City hereby authorizes and directs the City Administrator to carry out or cause to be carried out all obligations of the City under the aforesaid Purchase Contract and to perform such other actions as he shall consider necessary or advisable in connection with the issuance, sale and delivery of the Series 1991A Bond.

(d) Such persons as the City Administrator shall designate may exercise the foregoing powers and duties of the City Administrator in lieu thereof.

(e) The City hereby authorizes the use of the Ordinance (including this Supplemental Ordinance) and the information contained therein in connection with the sale of the Series 1991A Bond to the Purchaser.

Section 7. Payment of Purchase Price. The Series 1991A Bond shall be delivered, together with the sum of $127,000, in payment of the purchase price of the Project. Such delivery shall occur on February 20, 1991 or on such later date as shall be mutually agreed upon by the City Administrator and the Purchaser.

Section 8. Estimate of Cost of Required Additions and Betterments. Pursuant to that certain Amendment to Consent Order 88-32-WS dated May 16, 1990, the City, as successor to the Isle of Palms Water Company, will be required to provide a reverse osmosis or other treatment system. The present estimated cost of such system is $1,700,000.

Section 9. Parties Interested Herein. Nothing in this Supplemental Ordinance or the Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the City, the Trustee, the Paying Agent, if any, and the registered owner of the Series 1991A Bond,

any right, remedy or claim under or by reason of this Supplemental Ordinance or the Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Supplemental Ordinance or the Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Trustee, the Paying Agent, if any, and the registered owner of the Series 1991A Bond.

Section 10. Bonds Designated Qualified Tax-Exempt Obligations. The City covenants that, in accordance with the provisions of the Internal Revenue Code of 1986 (the "Code"), the Series 1991A Bond is designated as a "qualified tax-exempt obligation" as defined in the Code. The City and all subordinate entities thereof do not anticipate to issue more than $10,000,000 in tax-exempt bonds or other tax-exempt obligations in 1991 other than private activity bonds except for qualified 501(c)(3) bonds. The City represents that the sum of all tax-exempt obligations (other than private activity bonds) issued by the City and all subordinate entities thereof during calendar year 1991 is not reasonably expected to exceed $10,000,000.

Section 11. Further Actions. The Mayor, City Administrator, Clerk/Treasurer and City Attorney are hereby authorized and directed to take any and all such further actions as shall be deemed necessary or desirable in order to effectuate issuance of the Series 1991A Bond pursuant to the Purchase Contract and to carry out the intentions of this Supplemental Ordinance.

Section 12. Section Headings. The headings and titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Supplemental Ordinance.

Section 13. Notices. All notices, certificates or other communications hereunder or under the Ordinance shall be sufficiently given and shall be deemed given when mailed by registered mail, postage prepaid, or given when dispatched by telegram addressed as follows:

If to the City:

City of Isle of Palms
Attention: City Administrator
1301 Palm Boulevard
P. O. Drawer Q
Isle of Palms, SC 29451

If to the Trustee:

First Union National Bank
Attention:

Charlotte, NC

The City, the Trustee and any Custodian and may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 14. Effective Date. This Supplemental Ordinance shall become effective upon second reading.

Enacted by the City Council of the City of Isle of Palms, South Carolina, this 18th day of February, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

Attest:

_____
Clerk

Date of First Reading: February 11, 1991

Date of Second Reading: February 18, 1991

EXHIBIT B

PURCHASE CONTRACT

EXHIBIT C

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES 1991A

ORIGINAL ISSUE DATE	MATURITY DATE	INTEREST RATE
February 20, 1991	February 20, 2011	9%

REGISTERED HOLDER: ISLE OF PALMS WATER COMPANY

PRINCIPAL AMOUNT: ONE MILLION ONE HUNDRED EIGHTY-FIVE THOUSAND SIX HUNDRED ONE AND 88/100 DOLLARS ($1,185,601.88)

The City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the Registered Holder (named above), or registered assigns, but solely from the revenues hereinafter mentioned and not otherwise, the Principal Amount shown above in accordance with the amortization schedule attached hereto and incorporated herein, with final payment being made upon presentation and surrender of this Bond at the principal office of First Union National Bank, in Charlotte, North Carolina (the "Paying Agent"), and to pay interest, but solely from the revenues hereinafter mentioned and not otherwise, on such principal amount from the date hereof at the Interest Rate per annum shown above until the City's obligation with respect to the payment of such principal sum shall be discharged. Interest on this Bond is payable semiannually on February 20 and August 20 of each year commencing August 20, 1991, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by First Union National Bank, in Charlotte, North Carolina, as registrar (the "Trustee") at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

The terms and provisions of this Bond are continued on the reverse side hereof and such continued terms and provisions

shall for all purposes have the same effect as though fully set forth at this place.

Under the laws of the State of South Carolina, the principal of and interest on this Bond are exempt from any and all State, City, municipal and other taxation whatsoever under the laws of the State of South Carolina, except for inheritance, estate or transfer taxes.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance (hereinafter defined).

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Trustee.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 21, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE). THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE, INCLUDING INTEREST THEREON, ARE PAYABLE SOLELY FROM THE NET REVENUES HERETOFORE MENTIONED WHICH ARE PLEDGED TO THE PAYMENT THEREOF AND THE CITY IS UNDER NO OBLIGATION TO PAY THE SAME EXCEPT FROM SUCH NET REVENUES. THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

IN WITNESS WHEREOF, the City of Isle of Palms, South Carolina, has caused this Bond to be executed in its name by the facsimile signature of the Mayor of the City and attested by the facsimile signature of the Clerk-Treasurer of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: (Exhibit)
Mayor

(SEAL)

ATTEST:

(Exhibit)
Clerk-Treasurer

(REVERSE SIDE OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES 1991A

This Bond constitutes an authorized series of Bonds in the principal amount of One Million One Hundred Eighty-Five Thousand Six Hundred One and 88/100 Dollars ($1,185,601.88) issued by the City for the purpose of acquiring the water and sewer system (the "System") of the Isle of Palms Water Company. This Bond is authorized to be issued and is issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Title 6, Chapter 21, of the Code of Laws of South Carolina, 1976, as amended (collectively the "Act"). This Bond is also authorized to be issued and are issued under and pursuant to a General Bond Ordinance and a First Supplemental Ordinance of the City Council of the City duly enacted on February 18, 1991 (collectively, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series herewith which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and

remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which this Bond is issued upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the interest thereon are special obligations of the City payable solely from, and secured equally and ratably by a pledge of and lien upon, the Revenues (as defined in the Bond Ordinance) derived by the City from the System after adequate provision for operation and maintenance expenses (defined in the Bond Ordinance as Net Revenues), and on a parity with any Series of Bonds (as defined in the Bond Ordinance) hereafter issued under the Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

The Bond is not subject to redemption prior to maturity.

This Bond is transferable, as provided in the Bond Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner in person or by its duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, rate of interest and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of this Bond or of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City with the written consent of the requisite percentage of holders of Bonds outstanding under the Bond Ordinance; provided, that no such amendment or modification shall permit a change in the date of maturity of any

installment of principal hereof or the date of payment of interest thereon or a reduction in the principal amount thereof or rate of interest thereon without the consent of the holder of this Bond, or shall reduce the percentage of the principal amount of Bonds, the consent of the holders of which is required by the Bond Ordinance to effect such an amendment or modification.

(FORM OF TRUSTEE'S CERTIFICATE OF AUTHENTICATION)

This Bond is the Bond described in the within-mentioned Ordinance of City of Isle of Palms, South Carolina.

FIRST UNION NATIONAL BANK, Trustee

Dated:_____

By:_____
Authorized Officer

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
FEBRUARY 18, 1991, 6:00 P.M.
CITY HALL

A Special Meeting of the Isle of Palms City Council was held on February 18, 1991, at City Hall, at 6:00 p.m. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward, and Watson. Also present were City Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary.

1. Second Reading and Ratification - Ordinance 1991-7 - First Supplemental Bond Ordinance for 1991. (Exhibit A)

Mr. Ward made a motion to accept second reading and suspend the rules of order and not read the ordinance word for word; Mrs. Swanson seconded; motion passed unanimously. Mr. Ward then moved to ratify the ordinance; Mr. Orvin seconded; motion passed unanimously.

2. Public Restrooms.

Mr. Ward made a motion to table discussion on the bids until council meets with PRC; Mr. Orvin seconded. Roll Call vote was taken: Holden - no; NesSmith-Picard - no; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion was defeated 6 to 3. Mr. Holden then moved to postpone consideration of this matter until after the meeting with PRC tomorrow; Ms. NesSmith-Picard seconded. There was extensive discussion on the issue of who should build, finance, and maintain these restrooms.

Mr. Ward stressed the need for public restrooms on the island beachfront and stated that the deadline of March 18th is only one month away after which time the cost of building would increase substantially as the flood elevation would be higher.

There was no question among council members that the island needs the restrooms not only for daily visitors to the beach, but also to keep the public away from the dunes and homes. The question is who will pay for them.

Mr. Watson stated that if we use accommodation tax funds to build and maintain the restrooms, then we are indirectly forcing the residents to bear that cost because there will be other tourist related costs that normally come out of accommodation tax funds (such as additional police, fire and public works services) that would have to come out of other monies of the City.

Mrs. Swanson agreed with Mr. Watson and stated that she did not want the residents of the island to have to pay for the restrooms.

Mr. Simon stated that he felt that council should vote for or against the restrooms today so that when we meet with PRC tomorrow, we can tell them what we intend or don't intend to do.

Mr. Orvin stated that there are still two options left in asking for help for the restrooms - one is PRC who we are meeting with tomorrow night and the other is the Charleston County Accommodations Tax Advisory Group and Helen Clarkin is attempting to set up a meeting of that group with council.

Mr. Sottile strongly feels that Charleston County should build and maintain these restrooms, but has been told that they will not help us and he doesn't want the residents to have to bear this cost.

Mayor Bunch asked council to think about giving or leasing the land to PRC on condition that they build the restrooms and not use the land for anything else,

giving them the plans and the $56,000 already set aside for the restrooms, and let them build and maintain them.

Mr. Watson moved to amend Mr. Holden's motion that we request PRC to build the public restrooms on front beach as soon as possible as we have no intention of doing so, but we will support PRC with their efforts; Mr. Simon seconded. Upon discussion, Mr. Sottile stated that from talking with PRC, they were not going to take over this project, and he felt that council should not go into the meeting with a hostile attitude making demands but should go into the meeting with a consensus to put on the table and discuss it.

After further discussion, roll call vote was taken on the amendment: Holden - no; NesSmith-Picard - no; Orvin - yes; Simon - yes; Sottile - no; Swanson - yes; Ward - no; Watson - yes; Bunch - yes; Amendment was passed 5-4.

Roll call vote was taken on the original motion with amendment: Holden - no; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no, Ward - yes; Watson - no; Bunch - no. Motion was defeated 5-4.

Mr. Orvin made a motion to have the City of Isle of Palms build the restrooms; Mr. Watson seconded. Mr. Ward amended the motion to state that the restrooms would be paid for by accommodations tax funds only; Mr. Simon seconded. Upon discussion, Ms. NesSmith-Picard stated that the residents should not pay for the restrooms; those who would benefit from the restrooms would be the visitors to the island; and the restrooms should be paid for by accommodations tax funds. The restrooms would also attract the tourists to the commercial front beach area and not residential beach areas. She stated that city, county and state should be revenue sharing for these types of tourist services and that through state legislation is where the problem should be addressed.

Mr. Holden stressed the need for the public restrooms and felt that in the long run, it would be to the benefit of the residents to have the City build them. The State has decided to tax the tourists who are wealthy enough to stay in rooms to pay for benefits for all tourists. Our decision is whether or not we are going to promote tourism with the money. He stated that the restrooms would benefit the residents by turning the commercial area into a place where people go to when coming onto the island. We want to be a player in the redevelopment of this beach front, so that when people come off that Connector they don't start heading into the residential areas of the island. He stated that if tourists weren't staying in the homes, we would have permanent residents who would also need police, fire and public works services. He believes that we would be doing the residents a service by putting the restrooms up now.

Mayor Bunch stated that one of the problems is that we do not have the money from accommodations tax this year because of Hurricane Hugo; that the restrooms should have been build long ago when the City did have the money. Now we are short on this money and we have to put our priorities in order.

Roll call vote on the amendment: Holden - yes; NesSmith-Picard - yes; Orvin - no; Simon - no; Sottile - no; Swanson - no; Ward - yes; Watson - no; Bunch - no. Amendment was defeated 6-3.

Roll call vote on the original motion: Holden - yes; NesSmith-Picard - yes; Orvin - no; Simon - no; Sottile - no; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion was defeated 6-3.

Mr. Ward called for a five minute recess; unanimously approved.

3. Fire Station Bids.

Mr. Williams passed out a bid sheet on the two fire stations (Exhibit B) and discussed the bids and alternates. After discussion, Mr. Ward made a motion to

accept the bid of Descon, the low bidder, including all alternates; Mr. Orvin seconded.

Roll call vote was taken: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Ward - yes; Watson - yes; Bunch - yes. Motion passed 9-0.

Upon discussion, Mr. Ward requested that all council members go to the parking lot and look at the current site of the fire station #1 and decide where the new fire station could be located other than the current site, because of the inconvenience to Mr. & Mrs. Wall's property.

Mayor Bunch stated that she would like to have a traffic engineer study the site for the best ingress and egress of the fire station and parking lot.

4. Water Company Business.

Mr. Williams stated that the closing on the Water Company would be on Wednesday, February 20, at 10:00 a.m., at the McNair Law Firm. There are two minor problems that should be taken care of without preventing closing from taking place: (1) the generator set that provides standby power at the waste treatment plant was "Hugo-ed" and never replaced, but is a required item by DHEC regulation; so under the contract which states that all equipment will be in operable condition, this isn't; (2) there are a couple of fuel spills on the grounds of the water company which will require some analysis and clean-up; the contract states that the owner is liable for up to $5,000 on these types of incidents, and we have no reason to believe that it would cost more than that.

Mr. Williams discussed his proposal for computer hardware and software that he would like to purchase (Exhibit C). Mr. Watson made a motion to authorize the expenditure by Mr. Williams up to an additional $15,000 for computer ware needed for the administration of the water company after closing; Mrs. Swanson seconded. Mr. Ward amended the motion to state it be authorized at closing and not after, Mrs. Swanson seconded. Motion and amendment passed unanimously.

5. Miscellaneous Business.

A. Concerning Dewees Island, Mayor Bunch stated that DHEC had approved the permit for wastewater. Mr. Chandler, environmental attorney, said that we could still appeal and suggested a joint appeal with Dana Beach, the Sierra Club, etc., to minimize our costs to about $1,500. The appeal must be made before March 1. She said it would be a shame with all of the efforts we are making on our island in wastewater to allow Dewees to use the same drainfield. They would have 82 septic tanks going into one drainfield; this has not proven effective any place else on an erosional island.

Mr. Holden expressed his disapproval of having miscellaneous items on the agenda because he had no time to prepare for the topic. The Mayor stated that miscellaneous is put on an agenda because things come up unexpectedly that need immediate attention.

Mr. Watson made a motion to authorize the Mayor to expend a sum not to exceed $2,000 toward this effort; Mr. Orvin seconded. After further discussion, motion passed with two abstentions.

B. The Governor's Office advised the Mayor that there is a Recycling Grant being made available and we could possible get up to $200,000. She has given the paperwork to Linda Tucker at Council of Governments to study and see if it would be worth while for the City to apply.

C. The Mayor stated that she had attended a meeting today of the Executive Committee of the Council of Governments and had a list for Council members of the Status of Active Local Assistance Projects. (Exhibit D)

D. The Mayor received a certified letter from FEMA stating that they had to receive by March 15 our updated ordinances adopting the flood plain management measures in accordance with their regulations. Mr. Williams is working on this.

E. The Mayor brought up the issue of appointing a City Attorney stating that by ordinance it should have been done at the first meeting in January. She felt that it would be embarrassing to be discussing names of attorneys at the regular meeting next week where they would be in attendance.

Mr. Ward made a motion that we retain the services of Wise & Cole this year; Mr. Sottile seconded. Mr. Ward stated that we legally do not have a City Attorney, but we have attorneys who work for the City. We need attorneys who will represent the entire City and the entire Council.

Mr. Holden again expressed his concern about surprise items not on the agenda; that he has some information on billing that should be presented to Council, and should be discussed in Executive Session.

Mr. Orvin moved that Council go into Executive Session to discuss this matter; Mrs. Swanson seconded, motion passed unanimously,

Coming out of Executive Session, Mr. Orvin moved to postpone Councilman Ward's motion on City Attorney until a special meeting sometime before the next regular council meeting; Mr. Holden seconded. Motion passed unanimously.

Mrs. Swanson moved to adjourn; Ms. NesSmith-Picard seconded, meeting was adjourned unanimously.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 2/28/91.

EXHIBIT A

1991-7

CITY OF ISLE OF PALMS, SOUTH CAROLINA

FIRST SUPPLEMENTAL ORDINANCE

A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A CITY OF ISLE OF PALMS, SOUTH CAROLINA, WATER AND SEWER SYSTEM REVENUE BOND, SERIES 1991A, IN THE PRINCIPAL AMOUNT OF $1,185,601.88 AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED by the City Council of the City of Isle of Palms, South Carolina (the "City"):

Section 1. Definitions. The terms in this Section 1 and all words and terms defined in the General Bond Ordinance enacted by the Council on January 31, 1991 (said Ordinance as from time to time amended or supplemented by Supplemental Ordinances being defined in said Ordinance as the "Ordinance") (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Supplemental Ordinance have the respective meanings given to them in the Ordinance and in Section 1.

"Project" shall mean the acquisition of the existing water and sewer system of the Isle of Palms Water Company.

"Series 1991A Bond" shall mean the City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bond, Series 1991A, in the principal amount of $1,185,601.88 authorized to be issued hereunder.

Section 2. Authorization of Series 1991A Bond, Maturities, Interest Rates and Payment Provisions. (a) There is hereby authorized to be issued a Series of Bonds designated "City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bonds, Series 1991A (the "Series 1991A Bond"), in the principal amount of $1,185,601.88 for the purpose of defraying the Cost of Acquisition of the Project. The Series 1991A Bond shall mature and bear interest at the rate of 9% per annum as provided in the Bond Amortization Schedule set forth and incorporated herein as Exhibit A.

(b) The Series 1991A Bond shall originally be dated as of the date of its delivery, to be evidenced by the Certificate of Delivery endorsed thereon, and shall be issued as a fully registered Bond payable to the Isle of Palms Water Company.

(c) Principal of the Series 1991A Bond shall be payable at the principal corporate trust office of the Trustee, in the City of Charlotte, North Carolina. Interest on the Series 1991A Bond shall be payable August 20, 1991, and semiannually thereafter on

February 20 and August 20 of each year, in each case to the Holder as of the immediately preceding Record Date, such interest to be paid by the Trustee by check or draft mailed to each Holder at the address as it appears on the Books of Registry maintained at the principal corporate trust office of the Trustee, in the City of Charlotte, North Carolina.

(d) The Series 1991A Bond, the Certificate of Authentication thereon and the assignment provisions pertaining thereto shall be in substantially the form set forth in the General Bond Ordinance, with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by the Ordinance, including this Supplemental Ordinance.

Section 3. No Redemption. The Series 1991A Bond shall not be subject to redemption prior to maturity.

Section 4. Certain Findings and Determinations. The City hereby finds and determines:

(a) This Supplemental Ordinance supplements the Ordinance, constitutes and is a "Supplemental Ordinance" within the meaning of such quoted term as defined and used in the Ordinance, and is enacted under and pursuant to the Ordinance.

(b) The Series 1991A Bond constitutes and is a "Bond" within the meaning of the quoted word as defined and used in the Ordinance.

(c) The Revenues pledged under the Ordinance are not encumbered by any lien and charge thereon or pledge thereof, other than the lien and charge thereon and pledge thereof created by the General Bond Ordinance and by this First Supplemental Ordinance for payment and security of the Bonds.

(d) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute such Event of Default.

(e) The period of usefulness of the System is in excess of forty (40) years.

Section 5. Designation of Trustee of Debt Service Fund and Debt Service Reserve Fund and Designation of Paying Agent. The Council hereby designates the First Union National Bank as Trustee of the Debt Service Fund and the Debt Service Reserve Fund. The Council hereby further designates the First Union National Bank as Paying Agent for the Series 1991A Bond.

Section 6. Sale and Issuance of Series 1991A Bond. (a) The City hereby finds and determines that the Purchase Contract dated January 24, 1991 submitted by The Isle of Palms Water Company (the "Purchaser") for the purchase of the Series 1991A Bond is fair and reasonable and in the best interest of the City; that the Series 1991A Bond shall be sold to the Purchaser at a purchase price of $1,185,601.88 and upon the terms and conditions set forth in said Purchase Contract and upon the basis of the representations therein set forth, and that all conditions precedent to or concurrent with the acceptance of the Purchase Contract by the City have been met. The City hereby accepts the Purchase Contract and authorizes and directs the Mayor of the City to execute the Purchase Contract, in substantially the form of Exhibit B attached hereto, and deliver the same to the Purchaser.

(b) A copy of this Supplemental Ordinance shall be filed with the minutes of this meeting.

(c) The City hereby authorizes and directs the City Administrator to carry out or cause to be carried out all obligations of the City under the aforesaid Purchase Contract and to perform such other actions as he shall consider necessary or advisable in connection with the issuance, sale and delivery of the Series 1991A Bond.

(d) Such persons as the City Administrator shall designate may exercise the foregoing powers and duties of the City Administrator in lieu thereof.

(e) The City hereby authorizes the use of the Ordinance (including this Supplemental Ordinance) and the information contained therein in connection with the sale of the Series 1991A Bond to the Purchaser.

Section 7. Payment of Purchase Price. The Series 1991A Bond shall be delivered, together with the sum of $127,000, in payment of the purchase price of the Project. Such delivery shall occur on February 20, 1991 or on such later date as shall be mutually agreed upon by the City Administrator and the Purchaser.

Section 8. Estimate of Cost of Required Additions and Betterments. Pursuant to that certain Amendment to Consent Order 88-32-WS dated May 16, 1990, the City, as successor to the Isle of Palms Water Company, will be required to provide a reverse osmosis or other treatment system. The present estimated cost of such system is $1,700,000.

Section 9. Parties Interested Herein. Nothing in this Supplemental Ordinance or the Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the City, the Trustee, the Paying Agent, if any, and the registered owner of the Series 1991A Bond,

any right, remedy or claim under or by reason of this Supplemental Ordinance or the Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Supplemental Ordinance or the Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Trustee, the Paying Agent, if any, and the registered owner of the Series 1991A Bond.

Section 10. Bonds Designated Qualified Tax-Exempt Obligations. The City covenants that, in accordance with the provisions of the Internal Revenue Code of 1986 (the "Code"), the Series 1991A Bond is designated as a "qualified tax-exempt obligation" as defined in the Code. The City and all subordinate entities thereof do not anticipate to issue more than $10,000,000 in tax-exempt bonds or other tax-exempt obligations in 1991 other than private activity bonds except for qualified 501(c)(3) bonds. The City represents that the sum of all tax-exempt obligations (other than private activity bonds) issued by the City and all subordinate entities thereof during calendar year 1991 is not reasonably expected to exceed $10,000,000.

Section 11. Further Actions. The Mayor, City Administrator, Clerk/Treasurer and City Attorney are hereby authorized and directed to take any and all such further actions as shall be deemed necessary or desirable in order to effectuate issuance of the Series 1991A Bond pursuant to the Purchase Contract and to carry out the intentions of this Supplemental Ordinance.

Section 12. Section Headings. The headings and titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Supplemental Ordinance.

Section 13. Notices. All notices, certificates or other communications hereunder or under the Ordinance shall be sufficiently given and shall be deemed given when mailed by registered mail, postage prepaid, or given when dispatched by telegram addressed as follows:

If to the City:

City of Isle of Palms
Attention: City Administrator
1301 Palm Boulevard
P. O. Drawer Q
Isle of Palms, SC 29451

If to the Trustee:

First Union National Bank
Attention:

Charlotte, NC

The City, the Trustee and any Custodian and may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 14. Effective Date. This Supplemental Ordinance shall become effective upon second reading.

Enacted by the City Council of the City of Isle of Palms, South Carolina, this 18th day of February, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

Attest:

_____
Clerk

Date of First Reading: February 11, 1991

Date of Second Reading: February 18, 1991

EXHIBIT A

BOND AMORTIZATION SCHEDULE

EXHIBIT B

PURCHASE CONTRACT

EXHIBIT C

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES 1991A

ORIGINAL ISSUE DATE	MATURITY DATE	INTEREST RATE
February 20, 1991	February 20, 2011	9%

REGISTERED HOLDER: ISLE OF PALMS WATER COMPANY

PRINCIPAL AMOUNT: ONE MILLION ONE HUNDRED EIGHTY-FIVE THOUSAND SIX HUNDRED ONE AND 88/100 DOLLARS ($1,185,601.88)

The City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the Registered Holder (named above), or registered assigns, but solely from the revenues hereinafter mentioned and not otherwise, the Principal Amount shown above in accordance with the amortization schedule attached hereto and incorporated herein, with final payment being made upon presentation and surrender of this Bond at the principal office of First Union National Bank, in Charlotte, North Carolina (the "Paying Agent"), and to pay interest, but solely from the revenues hereinafter mentioned and not otherwise, on such principal amount from the date hereof at the Interest Rate per annum shown above until the City's obligation with respect to the payment of such principal sum shall be discharged. Interest on this Bond is payable semiannually on February 20 and August 20 of each year commencing August 20, 1991, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by First Union National Bank, in Charlotte, North Carolina, as registrar (the "Trustee") at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

The terms and provisions of this Bond are continued on the reverse side hereof and such continued terms and provisions

shall for all purposes have the same effect as though fully set forth at this place.

Under the laws of the State of South Carolina, the principal of and interest on this Bond are exempt from any and all State, City, municipal and other taxation whatsoever under the laws of the State of South Carolina, except for inheritance, estate or transfer taxes.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance (hereinafter defined).

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Trustee.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 21, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE). THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE, INCLUDING INTEREST THEREON, ARE PAYABLE SOLELY FROM THE NET REVENUES HERETOFORE MENTIONED WHICH ARE PLEDGED TO THE PAYMENT THEREOF AND THE CITY IS UNDER NO OBLIGATION TO PAY THE SAME EXCEPT FROM SUCH NET REVENUES. THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

IN WITNESS WHEREOF, the City of Isle of Palms, South Carolina, has caused this Bond to be executed in its name by the facsimile signature of the Mayor of the City and attested by the facsimile signature of the Clerk-Treasurer of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: (Exhibit)
Mayor

(SEAL)

ATTEST:

(Exhibit)
Clerk-Treasurer

(REVERSE SIDE OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES 1991A

This Bond constitutes an authorized series of Bonds in the principal amount of One Million One Hundred Eighty-Five Thousand Six Hundred One and 88/100 Dollars ($1,185,601.88) issued by the City for the purpose of acquiring the water and sewer system (the "System") of the Isle of Palms Water Company. This Bond is authorized to be issued and is issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Title 6, Chapter 21, of the Code of Laws of South Carolina, 1976, as amended (collectively the "Act"). This Bond is also authorized to be issued and are issued under and pursuant to a General Bond Ordinance and a First Supplemental Ordinance of the City Council of the City duly enacted on February 18, 1991 (collectively, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series herewith which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and

remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which this Bond is issued upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the interest thereon are special obligations of the City payable solely from, and secured equally and ratably by a pledge of and lien upon, the Revenues (as defined in the Bond Ordinance) derived by the City from the System after adequate provision for operation and maintenance expenses (defined in the Bond Ordinance as Net Revenues), and on a parity with any Series of Bonds (as defined in the Bond Ordinance) hereafter issued under the Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

The Bond is not subject to redemption prior to maturity.

This Bond is transferable, as provided in the Bond Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner in person or by its duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, rate of interest and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of this Bond or of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City with the written consent of the requisite percentage of holders of Bonds outstanding under the Bond Ordinance; provided, that no such amendment or modification shall permit a change in the date of maturity of any

installment of principal hereof or the date of payment of interest thereon or a reduction in the principal amount thereof or rate of interest thereon without the consent of the holder of this Bond, or shall reduce the percentage of the principal amount of Bonds, the consent of the holders of which is required by the Bond Ordinance to effect such an amendment or modification.

(FORM OF TRUSTEE'S CERTIFICATE OF AUTHENTICATION)

This Bond is the Bond described in the within-mentioned Ordinance of City of Isle of Palms, South Carolina.

FIRST UNION NATIONAL BANK, Trustee

Dated:_____

By:_____
Authorized Officer

EXHIBIT B

BID TABULATION FORM

Date: February 12, 1991
4:00 PM

Architect: J.E. Gardner & Associates, Inc.
401B West Coleman Boulevard
Mt. Pleasant, South Carolina

Project: Fire Stations #2 and #1
Isle of Palms, South Carolina

CONTRACTOR	STATION #2 BASE BID AMOUNT	ALTERNATE #1 CERAMIC TILE	ALTERNATE #2 METAL ROOFING	ALTERNATE #3 GENERATOR	ALTERNATE #4 REAR PARKING	FIRE STATION #1 BASE BID AMOUNT	ALTERNATE #1 GENERATOR	COMBINATION BID STATIONS #2 & #1	COST OF PERFORMAN BOND PER THOUSAND	
Ball Corporation										
Brantley Const.	315,537	6,641	14,368	13,461	2,977	312,990	13,461	624,527	14.40/1000	8,993.18
Complete Building	310,563	7,392	10,025	18,887	7,862	308,021	18,887	602,385	20/1000	12,047.00
Dawson	299,303	5,630	13,500	13,750	8,736	294,254	13,750	593,053	14.40/1000 -500,000 8.70/1000 - 2,000,000	8,009.00
Descon	281,134	7,840	20,440	13,240	5,340	282,440	13,240	557,440	25/1000	13,936.00
Harbourtowne	398,358	5,919	13,445	12,564	6,537	427,533	13,500	797,000	14/1000	11,158.00
Hass	312,000	7,500	12,500	13,000	4,500	307,000	13,000	595,000	20/1000	11,900.00
Infinger & Assts.	332,880	6,750	14,000	12,650	6,550	326,000	12,650	648,790	14.40/1000	9,342.57
Nivens Engineering	344,405	8,224	17,715	13,148	8,510	340,322	13,148	674,722	15/1000	10,120.00
Powell & Wood	369,917	4,974	13,347	12,650	6,831	354,917	12,650	----------	2/1000	
Professional Const.	329,000	6,400	17,100	12,600	6,700	326,000	12,600	642,000	20/1000	12,840.00

EXHIBIT C

15 February 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator

Subject: Computer Upgrades

As we have previously discussed there are a number of computer software and hardware upgrades we need to make to incorporate the operation of the water utility into our business operations. Council has already authorized an expenditure of $12,000 and I have placed an order for the following:

Software:

Water Billing	$2,650.00
Payroll	$1,750.00
Budgetary Accounting	$1,750.00
Accounts Payable	$1,500.00

Hardware:

Everex 386/25mhz (file server)	$3,420.00
Everex Tape Back-up	$1,275.00
	$12,345.00

These improvements are predicated on using the file server piece of hardware in a Novell network. This way we can have two terminals on the system operating in City Hall, one across the street at the water department office, and one for the Building Dept. if they locate across 13th Ave from City Hall. Also, because we will be abandoning our relationship with our current programmer, we should replace the Business License software as well. Also contemplated in this upgrade is acquisition of three hand-held meter reading devices. These are used to download account information for meter reading in the field; readings are entered into these hand-held computers and then up-loaded to the water billing software in a batch. This cuts down considerably on keying errors and misreads (the hand-held computer will warn you if a reading is out of range). The additional items needed are as follows:

Hardware:

IBM Clone (Building Dept.)	$1,300.00
(3) MSI hand-held meter readers	$6,300.00
Novell ELS1 Network	$1,225.00
(3) Network cards	$1,440.00
(2) Hubs between buildings	$ 960.00
Cabling and Connectors	100.00
	$10,025.00

Software:

Network Assistant	260.00
Business License module	$1,500.00
	$1,760.00

Total	**$11,785.00**

Ultimately, we also should acquire the Centralized Collections software and receipt printers so that any money taken in at the water dept., building dept, or City Hall will generate a computer receipt and automatically post to the General Ledger. This will eliminate a lot of extra manual receipt writing and keying work-- especially since we will soon be dealing with a couple of thousand water bill payments (possibly every month.) The hardware would consist of three (3) receipt printers and cash draws for $2997.00 and software for $3,000.00. These options should be acted on once the Building Dept. is located across the street from City Hall (and is therefore within the operating range of the computer network.

I would recommend that the additional $11,785.00 be authorized for me to complete the network configuration of this system. We may be able to get as much as $1,500 for our old equipment, but I will not know that for sure until it has been replaced and can be sold. Also, we still have the option to lease-purchase the total package of software and hardware together; all of these upgrades are a result of our acquiring the water company, and will therefore be an operating expense of the system.

EXHIBIT D

STATUS OF ACTIVE LOCAL ASSISTANCE PROJECTS

Meeting of 2/18/91 Executive Committee of COGs. Copy to Mr. Gantt, Council members

	Local Government	Type of Grant/Loan	Amount	Activity	Status - 2/18/91	County
1.	Berkeley County	PRT grant	$25,000	Huger Community Center	Pending	Berkeley
2.	Berkeley County	IFP grant	$100,000	Sewer and Water	Admin/Eng Contracts	Berkeley
3.	Berkeley County	CD grant	$250,000	Sewer Extension	Admin/Eng Contracts	Berkeley
4.	Berkeley County	EDA grant	$644,850	Intrastructure Extension	Part under design, part under construction	Berkeley
5.		ED grant	$250,000			
6.	Berkeley County	IFP grant	$100,000	Sewer Connection	Acquisition	Berkeley
7.	Berkeley County	CD grant	$350,000	Sewer Extension	Acquisition	Berkeley
8.	St. Stephen	CD grant	$350,000	Sewer Extension	Acquisition	Berkeley
	BERKELEY COUNTY APPROVED		$2,044,850			
	BERKELEY COUNTY PENDING		25,000			
	TOTAL		$2,069,850			
9.	Ravenel	CD grant	$500,000	Water Distribution	Additional line work under consideration	Charleston
10.	Lincolnville	CD grant	$500,000	Sewer Collection	Complete except for connection to North Chas. lateral lines	Charleston
11.	Hollywood	CD grant	$186,250	Water Distribution	Additional line work under consideration	Charleston
12.	Charleston County	ED grant	$500,000	Water and Sewer	Engineering design	Charleston
13.	Mt. Pleasant Water & Sewer Commission	EDA grant	$1,629,000			
14.	Hollywood	HP grant	$215,000	Housing Rehabilitation	50% completed	Charleston
15.	Mt. Pleasant	ED grant	$250,000	Water and Sewer	Initial stages	Charleston
16.	Mt. Pleasant	Coor Cncl grant	$250,000	Road	Pending	Charleston
17.	Isle of Palms	Pub Safety grant	$35,000	Bike Path	Pending	Charleston
18.	Isle of Palms	CD grant	$30,000	Sewer Study	80% completed	Charleston
19.	Boy Scouts of America	Exchg Club	$37,500	Rehabilitation (Clubhouse)	Pending	Charleston
20.	Charleston County	JEDA Loan	$500,000	IMR Industries	Closing pending	Charleston
21.	Isle of Palms	JEDA Loan	$43,500	Island Clipper	Closed dist loan proceeds	Charleston
22.	Isle of Palms	JEDA Loan	$350,000	Isle of Palms Marina	Environmental Review	Charleston
23.	Isle of Palms	JEDA Loan	$92,680	Island Air	Application pending	Charleston

25.	McClellanville	EDA grant BCB grant	$330,820 $40,000	Building	Under design	Charleston
26.	McClellanville	FEMA grant	$72,000	Sidewalks	Project bid, contract award pending	Charleston
27.	Hollywood	FmHA grant FmHA loan	$2,118,300 $461,100	Sewer Extensions	Initial Stages	Charleston
28.	Lincolnville	State Archives	$20,000	Records Management	Pending	Charleston
	CHARLESTON COUNTY APPROVED CHARLESTON COUNTY PENDING TOTAL		$7,375,970 785,180 $8,161,150			
29.	Dorchester County	ED grant	$250,000	Sewer and Water	Grant award, project pending	Dorchester
30.	Ridgeville	EDA grant BCB grant	$2,500 $1,000	Mini TA	Water System Study	Dorchester
31.	Dorchester County	EDA grant	$2,500	Mini TA	ED study	Dorchester
32.	St. George	JEDA Loan	$500,000	LG Industries	Loan proceeds disbursed	Dorchester
33.	Dorchester County	CD grant	$339,683	Brownsville Sewer Ext.	Under Construction	Dorchester
34.	Ridgeville	CD grant	$350,000	Well & Tower	95% complete	Dorchester
35.	Dorchester County	IFP grant	$100,000	Septic Tanks/Plumbing Impts	Homes being rehabbed	Dorchester
36.	Summerville	CD grant	$319,160	Sewer Extension/Germantown	Design Complete	Dorchester
	DORCHESTER COUNTY APPROVED DORCHESTER COUNTY PENDING TOTAL		$1,864,843 -0- $1,864,843			
37.	Charleston County	CD grant	$50,000	Planning	Initial Stages	Ber/Chas/Dor
38.	Charleston County	CD grant	$150,000	Transitional Housing	Pending	Ber/Chas/Dor
39.	Charleston County	SCBCB grant	$125,000	Revolving Loan	Pending	Ber/Chas/Dor
40.	BCD COG	EDA grant	$375,000	Revolving Loan	Initial Stages	Ber/Chas/Dor
41.	BCD RDC	HUD grant	$516,075	Acqusition and Rehab of Homeless Housing	Initial Stages	Ber/Chas/Dor
	TOTAL REGIONAL APPROVED TOTAL REGIONAL PENDING TOTAL		$941,075 $275,000 $1,216,075			

IFP = Indoor Facilities Program
CD = Community Development
EDA = Economic Development Administration
ED = Economic Development
HP = Housing Preservation
Coor Cncl = Coordinating Council
SCBCB = SC Budget and Control Board
Pub Safety = Division of Public Safety
JEDA = Jobs and Economic Development Authority
FEMA = Federal Emergency Management Agency
FmHA = Farmers Home Administration

GRAND TOTAL APPROVED	$12,226,738
GRAND TOTAL PENDING	$1,085,180
2/18/91 GRAND TOTAL	$13,311,918

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
FEBRUARY 25, 1991
CITY HALL

A special meeting of the Isle of Palms City Council was held on Monday, February 25, 1991, at 6:30 p.m., at City Hall. Present were Mayor Bunch, council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward, and Watson. Also present were City Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary.

The Mayor called the meeting to order and asked for a motion to suspend the rules of order to move items 1, 3, and 4, of the Agenda to Executive Session; Mr. Sottile so moved; Mrs. Swanson seconded; and motion passed 8 to 1.

1. Mr. Williams reported to Council that he had been in contact with PRT about exchanging two acres, more or less, of the deed restricted property of one parking lot for the same amount of property of the unencumbered parking lot in order to site fire station #1 on the parking lot where the impounding area currently is located. The deed restriction would then be taken off of the property where the fire station would be located and put onto the other property. PRT has given Mr. Williams verbal authorization to go ahead with the exchange of property and to obtain a building permit and begin construction.

Mr. Ward made a motion to approve the City Administrator to go through with the trade for like kind of property across the street for the unencumbered lot; Mr. Orvin seconded.

Upon discussion Mr. Williams stated that it was his intent to save as much of the property along Ocean Boulevard and the two acres of restricted property will be behind the Ocean Boulevard strip. The new site is on J.C. Long and Pavilion and the fire station could front either. He felt that costs to effect this exchange would be $500 or less.

Chief Britton thanked Council for going ahead with the fire stations. He stated that the site for station #1 is very acceptable and gives the department good access to the area which has many calls during the summer tourist season.

Mr. Ward expressed his appreciation to Council for moving the site of the station away from the Walls property. Mr. Sottile also thanked Charlie Way and The Beach Company for trying to help the City by making some properties available to the City (for a price) to be used for a fire station. Mr. Orvin expressed his appreciation to Chief Britton and the whole fire department for a good job well done and for being patient and keeping morale up while being housed in tents and trailers.

Vote was taken on the motion to approve the site and was passed unanimously.

Mrs. Swanson made a motion to suspend the rules of order and procedure to allow the Ways & Means chairman to bring up some issues discussed earlier this evening; Mr. Sottile seconded; motion passed 7-2.

2. Mr. Ward stated that the engineers at Thomas & Hutton has appraised the Wild Dunes water and sewer utility at $2.4 million. Utilities, Inc., the owner of the utility, had given a value of $4.7 million.
Mr. Watson made a motion that Council allow Mr. Williams to enter into negotiations with the owners of the Wild Dunes utilities for the purpose of discussion but with the intent of purchasing the system; Mr. Orvin seconded.

Mr. Ward urged Council to move forward as quickly as possible to purchase this system and give the residents of Wild Dunes good service at a price they can afford. Mrs. Swanson expressed concern in telling the residents of Wild Dunes that we would be able to substantially lower their rates. Mr. Williams said that we should have the results of the rate study fairly soon. Mayor Bunch was concerned that we openly advertise that we are pursuing the purchase of the system because we may have to condemn the property in order to obtain it. It was the consensus of Council that purchasing this utility would help unify the island. Ms. Geary reported that we have received 700 letters from property owners in Wild Dunes urging us to proceed in this matter, representing 771 properties, plus letters for 7 regimes. After further discussion, Mr. Watson and Mr. Orvin withdrew their motion and second.

Mr. Ward made a motion that the City Council give the City Administrator permission to enter into negotiations to buy the Wild Dunes utilities at a price not to exceed the appraised value as soon as possible; Mr. Sottile seconded. Motion passed 8 in favor, with one abstention.

3. Mr. Ward made a motion to issue $600,000 in general obligation bonds; $350,000 to be used for construction of the police/building department building and $250,000 to go into the capital projects fund reserve; Mr. Orvin seconded. Upon discussion, Mrs. Swanson asked for a run down of where the existing funds has gone before voting on this. Mr. Williams stated that we could bring this up again at Thursday's meeting. Mr. Ward and Mr. Orvin withdrew their motion and second.

Mr. Ward also asked Council to think about extending City Hall out toward the current police station twelve feet in order to have an office for the new Finance Director. This would be discussed further at the regular meeting on Thursday.

Mr. Orvin made a motion to go into Executive Session for the purpose of discussing contractual, personnel and salary matters; Mr. Ward seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no vote was taken, discussion was held on contractual matters and personnel matters and discussion on the City Attorney.

Mr. Watson made a motion to appoint Bill Dreyfoos as City Attorney; Mrs. Swanson seconded. Upon discussion, Mr. Ward stated that we were making a mistake to rush into voting on an attorney that is not approved by the entire Council. Mr. Holden stated that Mr. Dreyfoos would continue as City Attorney until someone is chosen to replace him. Roll call vote was taken: Holden - no; NesSmith-Picard - no; Orvin - no; Simon - abstained; Sottile - no; Swanson - yes; Ward - no; Watson - yes; Bunch - yes. Motion was defeated 5 to 3 with one abstention.

Mr. Orvin made a motion to nominate Dickie Hopkins as City Attorney; Mr. Ward seconded. After discussion, Mr. Ward moved to amend the motion to approve at a salary of $75/hour; Mr. Watson seconded. The amendment was passed unanimously. Roll call vote on the motion: Holden - no; NesSmith-Picard - no; Orvin - yes; Simon - yes; Sottile - abstained; Swanson - no; Ward - yes; Watson - yes; Bunch - no. Vote was tied 4-4 with one abstention; therefore defeated.

Mr. Holden moved to adjourn; Mr. Ward seconded; meeting was adjourned.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council: 3/11/91

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
FEBRUARY 28, 1991, 7:00 P.M.
EXCHANGE CLUB

The Regular Meeting of the Isle of Palms City Council was held at 7:00 p.m., on February 28, 1991, at the Exchange Club. After the Pledge of Allegiance, Minister Joyce Eblen gave the invocation. Roll call was taken: present were Mayor Bunch, council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson; City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary.

The Mayor asked for a motion to suspend the rules of order to allow for the reading of a proclamation; Mr. Watson so moved; seconded by Ms. Swanson; and passed unanimously. The Mayor read a proclamation declaring the month of March as "Red Cross Month" and presented the proclamation to Anne Moye, island resident and long time Red Cross volunteer. (Exhibit A)

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. January 24, 1991 - Regular City Council Meeting. Motion was made and seconded to accept the minutes as presented; Ms. Swanson corrected page 2, second paragraph from bottom, line 6 - change "Ward's commissions" to "Board's and commissions". Ms. NesSmith-Picard recommended a number of changes be made to the minutes and passed a marked-up copy to the secretary; motion was amended to approve as corrected by Mr. Sottile, seconded by Mr. Simon, and motion passed unanimously.

2. January 31, 1991 - Special City Council Meeting. Motion was made and seconded to accept the minutes as presented; Ms. NesSmith-Picard corrected page 2, paragraph 6, lines 11-14 to delete two sentences; paragraph 7, line 1, change "public disapproval" to "council's division"; and paragraph 7, change the last sentence to read "The motion died for lack of a second". Motion to approve as corrected passed unanimously.

3. February 11, 1991 - Special City Council Meeting. Motion was made to approve as presented, seconded and passed unanimously.

4. February 18, 1991 - Special City Council Meeting. Motion was made to approve as presented; seconded, and Mr. Holden asked for the addition of the word "not" on page 4, paragraph 5, line 1, to state "surprise items 'not' on the agenda"; motion to approve with one correction passed unanimously.

5. February 25, 1991 - Special City Council Meeting. Since all of council had not had time to review these minutes, it was decided to defer approval to the next meeting.

C. CITIZENS' COMMENTS.

1. Louise Sawyer. Ms. Sawyer introduced Don Thompson who spoke on behalf of the residents of Goat Island. Mr. Thompson asked Council to help the residents of Goat Island establish channels of communication (perhaps in the form of an ad hoc committee) within the entire county to address their problems of parking and access to boat ramps. Mr. Orvin made a motion to suspend the rule of order so that Council could ask Mr. Thompson questions; Mr. Sottile seconded; motion passed unanimously. Mr. Orvin asked Mr. Thompson to tell Council what their specific problems are. Mr. Thompson responded that until recently, the Goat Island residents were permitted to park their cars in the Wild Dunes parking area near the Tradewinds Restaurant at no cost, but with the upcoming summer season, Wild Dunes has asked them to find other facilities, which they are doing piecemeal. What they would like is to find a permanent solution to this problem. Mr. Sottile asked how many residents travel back and forth. Mr. Thompson stated that there were 15 residents at the present time, but that there are some 48 lots on the island. Mr. Ward asked, due to the time limit, that Council defer further

discussion on this matter until later in the meeting; and Mr. Orvin asked Council to give these residents every consideration in helping them solve their problems.

2. Judy Coates. Mrs. Coates expressed her concerns about the new police/municipal building which is to be constructed across from her property on 13th and Palm. She stated that although they had been in favor of this project as opposed to having a police/fire station on that property, they were unaware that there would be a court room/council chambers on the property that would facilitate extensive parking in their area, and they were afraid that cars would be parking all over Oak Harbor and 13th Avenue as there was insufficient parking behind the proposed building. Mrs. Coates did praise Architech John Gardner for his sensitivity in designs that preserved trees on this property. Mrs. Coates suggested that Council consider building the court room/council chambers in the location where fire station #1 is currently located on the public parking lot. Mrs. Coates also asked to be invited to any Building Committee meetings.

3. Jim Coates. Mr. Coates reiterated his wife's comments. He expressed his approval with Mr. Gardner's plans in preserving trees on the property and also expressed his concern about having the court room/council chamber next to residential property because of the extensive parking required by such uses.

D. REPORTS FROM STANDING COMMITTEES.

1. Ways and Means. Chairman Ward summarized the minutes from two meetings of February 7 and February 28, 1991. (Exhibit B)

Ms. NesSmith-Picard presented to Council a memorandum stating in writing the information she requested at the January 24th meeting on the financial status of the City as of the date of the change of form of government and requesting this information be available at the March 28th meeting of Council. (Exhibit C)

Mr. Ward made a motion for City Council to authorize the City Administrator to hire a City finance director; Mr. Watson seconded. Upon discussion, Mr. Ward stated that with the acquisition of the water company, there would be extensive additional workload on Ms. McDuffie, who is doing an excellent job, and stated the need for this position to give the Clerk-Treasurer the help she would need. After further discussion, motion passed unanimously.

Mr. Ward made a motion for City Council to authorize the City Administrator to go out to bids to build an addition on the north side of City Hall, approximate size 14' X 24', to house the finance director; Mr. Watson seconded. Upon discussion, Mr. Ward stated that the approximate cost was estimated at $10,000-$12,000. Mr. Ward amended the motion to delete going out to bids; Mr. Orvin seconded. After discussion, motion and amendment passed unanimously.

Mr. Ward made a motion for City Council to approve the expenditure of placement and maintenance of rental portalets on the front beach for the summer season with costs to be paid for from Accommodation Tax funds; Mr. Watson seconded. After discussion, Mr. Simon made a motion to amend the motion to state that the money would come out of Accommodation Tax funds already set aside for public restrooms; Mrs. Swanson seconded. After further discussion, Mr. Ward amended the motion to state that the portalets be placed before Easter; Ms. NesSmith-Picard seconded. Mr. Ward's amendment was passed 5-4. Mr. Simon's amendment was passed unanimously. Original motion passed unanimously.

Mr. Ward made a motion for City Council authorize the City Administrator to obtain a building permit for the public restroom facility prior to March 18th; Mr. Sottile seconded; motion passed unanimously.

Mr. Ward made a motion to increase the salary of the Clerk-Treasurer by ten percent (10%) effective immediately; Mr. Watson seconded. Upon discussion, Mr. Ward stated that this was long overdue, that revenues of the water company would

offset this increase and that Ms. McDuffie should be recognized by an increase. Motion passed unanimously.

Mr. Watson made a motion to authorize the City Administrator to proceed with issuing general obligation bonds in the amount of $600,000 with the intent of using it for capital projects; Mr. Ward seconded. Upon discussion, Mr. Ward stated that $250,000 was to be kept as reserve in the capital projects fund with the rest to be used for building the police/municipal buildings. Mr. Watson stated that this figure was determined from capital needs as shown in a memo to Council from Mr. Williams (Exhibit D). After discussion as to the need for this large an amount, Mr. Watson amended his motion to decrease the amount to $525,000; Mr. Simon seconded. After further discussion, this amendment and second were withdrawn. Mr. Watson then amended the motion to decrease the amount to $485,000; Mr. Ward seconded. After further discussion, amendment and second were withdrawn. Mr. Watson then amended the motion to decrease the amount to $500,000; Ms. Swanson seconded. Roll call vote was taken on this amendment: Holden - yes; NesSmith-Picard - no; Orvin - yes; Simon - no; Sottile - no; Swanson - yes; Ward - no; Watson - yes; Bunch - no. Amendment was defeated 5-4. Roll call vote was taken on the original motion: Holden - no; NesSmith-Picard - no; Orvin - yes; Simon - yes; Sottile - yes; Swanson - no; Ward - yes; Watson - yes; Bunch - yes. Motion passed 6-3.

2. Police and Public Safety. Chairman Sottile reported from the minutes of the meeting of February 21, 1991. (Exhibit E)

Mr. Sottile made a motion that Council go forward and order two new police vehicles at a savings of $3,000 and pay for them in July; Mr. Watson seconded. Mr. Sottile referred to a memorandum from Mark Williams (Exhibit F) recommending the purchase of two vehicles to be paid for now. Upon discussion, Mr. Holden moved to suspend the rules of order and allow Chief Arnold to speak to Council; Mr. Ward seconded; motion passed unanimously. Chief Arnold expressed his need to replace two police cars and his desire to get on a routine cycle of purchasing two new vehicles each year. After further discussion, motion and second were withdrawn. Mr. Sottile made a motion that we purchase the police cars now and pay for them out of capital funds; Mr. Watson seconded; motion passed 8-1.

Mr. Ward made a motion the City construct an 8' high, concrete wall twenty back from the property line on City property, between the Coates property and the new police/municipal building; Ms. NesSmith-Picard seconded for the sake of discussion. After discussion as to the design and cost of the fence and the Coates' approval of such a fence, the motion and second were withdrawn. Mr. Ward moved to put this item on the agenda for the next (special) meeting and that we invite Mr. & Mrs. Coates to attend; Mr. Holden seconded, motion passed unanimously.

Since the residents of Goat Island had been waiting patiently, Mr. Orvin made a motion to suspend the rules of order to allow a discussion with the residents of Goat Island and their problems; Mr. Ward seconded, motion passed unanimously. Mr. Orvin stated that a piece of property, near the beginning of the golf course and the old sewage lifting tanks, is owned by Charlie Way of The Beach Company and perhaps this property could be rented for a period of years for use by Goat Island residents to park their vehicles. Ms. Sawyer also suggested that a boat ramp and parking area could be placed under the Connector like Wappoo Cut. Ms. Sawyer stated that the residents were currently renting space from Carroll Realty and were looking for a permanent solution to this problem. It was the consensus of Council and the residents that a joint effort would be best for solving this matter. Mr. Ward made a motion to appoint an ad hoc committee composing of a selection of Goat Island residents and the entire City Council to address this problem; Mr. Orvin seconded. Ms. NesSmith-Picard recommended that the following be considered and looked into: (1) sharing existing boat ramp facilities with Dewees residents, (2) contact Isle of Palms rsidents on Waterway Blvd. for possible temporary use of private docks, (3) requesting Highway Department to

build a boat ramp adjacent to the Connector, and (4) City obtaining rights-of-way for public use. After further discussion, Mr. Ward amended his motion to have the committee composed of Mr. Orvin, Mr. Ward, Mayor Bunch, and a representative from County Council; Mr. Holden seconded. Motion with amendment passed unanimously.

Mr. Watson made a motion to request the City Attorney to draft a resolution requesting the Highway Department provide for a boat ramp and parking underneath or alongside the Connector with the intent of providing for a long-term solution; Mrs. Swanson seconded; motion passed unanimously.

3. Public Works. Chairman NesSmith-Picard gave a brief report from the minutes of the meeting of February 20, 1991. (Exhibit G).

Ms. NesSmith-Picard asked for a status on the construction of the Public Works Building. Mr. Williams stated that there had been some problems which have been resolved and if the weather holds out between now and April 15, the building should be completed as scheduled.

Ms. NesSmith-Picard asked about the fuel management system. Mr. Williams stated that the bid had already been awarded and that they were waiting for enough completion of the Public Works Building to house some of the monitoring equipment that will be installed along with the fuel system. This project will replace the area where the garbage trucks are now being parked.

Mr. Ward asked about the Public Works trailer after the new building is completed because that is the site for the dog kennels. Mr. Williams stated that it would be sold.

4. Engrossed Bills. Chairman Holden reported from the minutes of the meeting of February 20, 1991. (Exhibit H)

5. Recreation. Chairman Orvin reported from the minutes of the meeting of February 12, 1991. (Exhibit I)

Mr. Orvin presented a copy of a letter to be placed in the record from Wild Dunes authorizing the use of the Grand Pavilion pools for the use of the department's day camp program this summer. (Exhibit J)

There was a short discussion about the legality having a "Weenie Wagon" at the Recreation Center during softball games and other recreation programs.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment. There were no variance requests this month and consequently no meeting.

2. Planning Commission. Planning Consultant Lee Batchelder reported from the minutes of the meeting of February 13, 1991. (Exhibit K).

Plat Received: A Plat Showing a Re-Survey and the Abandonment of the Back Property Line of Lot A-2, Section A, Situate as Shown in the city of Isle of palms, Charleston County, South Carolina. Presently Owned by Ray Passailaigue and Stacy Passailaigue. Charles F. Dawley, Jr., Surveyor.

Mr. Batchelder stated that the Commission recommended approval of the plat and handed the secretary a letter from the Passailaigue's attorney verifying title to the property which was to be attached to the minutes. (Exhibit L)

Mr. Ward made a motion to approve the plat as submitted; Mr. Orvin seconded. After discussion, Ms. Swanson amended the motion to approve on the condition that

the marsh setback line be added to the plat; Ms. NesSmith-Picard seconded; amendment passed unanimously. Motion with amendment passed unanimously.

Ms. Nessmith-Picard made a motion that in the future all plats be accompanied with a cover sheet that briefly describes the purpose of the plat and what approvals have been obtained; Mr. Ward seconded, motion passed unanimously.

3. Building Committee. No meeting.

4. Beach Patrol and Control Board. No report. Minutes from the February 21, 1991 meeting are attached as Exhibit M.

5. Personnel Committee. No meeting.

6. Dewees (ad hoc) Committee. No report was given. Minutes from the February 26, 1991 meeting are attached as Exhibit N.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None.

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None.

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Second Reading - Ordinance 1991-3 - An Ordinance to Ban Off-Premises Signs. (Exhibit O) Mr. Williams read the ordinance. Mr. Ward made a motion to approve second reading of Ordinance 1991-3; Ms. Swanson seconded. Upon discussion, the motion and second were withdrawn and Mr. Ward moved that the ordinance be referred back to Engrossed Bills for revision; Mr. Orvin seconded. Motion passed unanimously.

2. Second Reading - Ordinance 1991-4 - An Ordinance to Limit the Placement of Refuse for Collection. (Exhibit P) Mr. Williams read the ordinance. Mr. Ward made a motion to approve second reading of Ordinance 1991-4; Ms. Swanson seconded; motion passed unanimously.

3. Second Reading - Ordinance 1991-5 - An Ordinance to Prohibit the Deposition of Grease and Oil Into the Marsh. (Exhibit Q) Mr. Williams read the ordinance. Mr. Ward made a motion to approve second reading of Ordinance 1991-5; Ms. Nessmith-Picard seconded. Upon discussion, Mayor Bunch suggested that animal waste and washing machine water be specifically added to the ordinance. After discussion, Mr. Watson moved to amend the motion to refer the ordinance back to Engrossed Bills for additions; Ms. NesSmith-Picard seconded. After further discussion, amendment and second were withdrawn. The motion was then passed with the additions stated by unanimous vote.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS.

1. First Reading - Ordinance 1991-8 - An Ordinance to Amend the Process for Approving Conditional Uses. (Exhibit R) Ms. Swanson moved to approve first reading of Ordinance 1991-8; Ms. Nessmith-Picard seconded; motion passed unanimously.

2. First Reading - Ordinance 1991-9 - An Ordinance to Adopt the New FEMA Flood Maps. (Exhibit S) Mr. Ward moved to approve first reading of Ordinance 1991-9; Mr. Watson seconded, motion passed unanimously.

Mayor Bunch announced that there would be a special meeting on Monday, March 11, 1991, at 6:00 p.m., at City Hall, for the second reading and ratification of this ordinance because it has to be in Washington by March 18th. Also on the agenda would be the discussion of the wall beside the new police/municipal meeting including Mr. & Mrs. Coates.

3. First Reading - Ordinance 1991-10 - An Ordinance to Repeal Provisions Regarding Personnel Administration. (Exhibit T) Mr. Watson moved to approve first reading of Ordinance 1991-10; Mr. Ward seconded; motion passed unanimously.

L. MISCELLANEOUS BUSINESS

1. Employee Handbook. Council Members requested that revisions to the Handbook be given to Mr. Williams individually as soon as possible.

2. Architect's Fee. Mr. Williams reported that after his memo to Council, he had gotten Mr. Gardner to reduce his fees on Fire Station #1 by half.

3. Mr. Sottile reported to Council that Storer Cable will broadcast council meetings on their C-Span channel free of charge. He felt that this could generate more citizen involvement and make them more aware of what is going on; in addition to making council members come to meeting more prepared. Storer Cable will tape for us on a three-month trial basis and after that it would be us to council to tape the meetings and send the tapes to the cable company for broadcast. Mr. Sottile made a motion to air council meetings beginning at the March meeting for a three month trial basis; Mr. Watson seconded. After discussion, motion passed unanimously.

There being no further business to come before the council, Mr. Watson moved to adjourn the meeting; Mr. Ward seconded, and motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by Council on: 3/28/91

P R O C L A M A T I O N

WHEREAS, the Carolina Lowcountry Chapter of the American Red Cross, having been chartered in 1910, has perpetually kept faith with the high principles set down by the founder of the International Red Cross, Henri Dunant, and the American Red Cross Nurse, Clara Barton; and

WHEREAS, the Carolina Lowcountry Chapter of the American Red Cross has continued to serve citizens of the Lowcountry regardless of race, creed, color, religion, sex, or age in times of disaster and need as most recently demonstrated after Hurricane Hugo; and

WHEREAS, the Carolina Lowcountry Chapter of the American Red Cross now serves more than 500,000 people through Disaster Services, Safety Programs, Service to Military Families, Home Health, Senior Volunteer Programs and the Blood Program; and

WHEREAS, the Carolina Lowcountry Chapter of the American Red Cross is playing a continuously increased role in the lives of our military families whose husbands, sons and fathers are serving our country in the Persian Gulf.

NOW, THEREFORE, I, Carmen R. Bunch, as Mayor of the City of Isle of Palms, South Carolina, do hereby designate the month of March or 1991 as

" R E D C R O S S M O N T H "

in the City of Isle of Palms, South Carolina, and urge the volunteers, staff and supporters of the Red Cross to rededicate themselves to the mission established by its founders, and set a new agenda for service to the community.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed hereto on this 28th day of February, 1991.

Carmen R. Bunch, Mayor
City of Isle of Palms, SC

Seal:



CITY OF ISLE OF PALMS
SPECIAL WAYS & MEANS COMMITTEE MEETING
FEBRUARY 7, 1991

THE MEETING WAS CALLED TO ORDER AT 7:00 PM BY CHAIRMAN JIMMY WARD. IN ATTENDANCE WERE MAYOR BUNCH, COUNCILMEMBERS WATSON, HOLDEN, SWANSON AND SOTTILE. ALSO IN ATTENDANCE WER CITY ADMINISTRATOR MARK WILLIAMS AND CITY AUDITOR BUTCH RUDDY, CPA.

MR WARD OPENED THE MEETING WITH A DISCUSSION ABOUT THE NEED TO CREATE AND HIRE A CITY FINANCE DIRECTOR. MR WILLIAMS EXPRESSED CONCERNS ABOUT THE INCREASING STRAIN BECAUSE OF THE TREMENDOUS WORKLOAD BEING PLACED UPON NELL MCDUFFIE. THIS WORKLOAD WILL EVEN FURTHER INCREASE AFTER THE CITY ACQUIRES THE ISLE OF PALMS WATER COMPANY. MR WATSON MADE A MOTION TO RECOMMEND TO FULL COUNCIL TO AUTHORIZE THE CITY ADMINISTRATOR TO HIRE A FULL TIME CITY FINANCE DIRECTOR. SECOND BY MR HOLDEN. AFTER FURTHER DISCUSSION, THE QUESTION WAS CALLED FOR A VOTE. MOTION PASSED.

MR WATSON THEN MOVED TO AS PART OF THE ORGANIZATIONAL CHANGES PROPOSED FOR THE FINANCE DEPARTMENT TO RECOMMEND TO FULL COUNCIL TO RAISE THE SALARY OF THE CITY CLERK. SECOND BY MAYOR BUNCH. THE QUESTION WAS CALLED FOR A VOTE. MOTION PASSED.

MR WILLIAMS UPDATED THE COMMITTEE MEMBERS ON SEVERAL OTHER MATTERS.

1. RECOMMEND THAT THE BOND ANTICIPATION NOTE BE FOR $420K INSTEAD OF $300K.
2. RECOMMEND THAT THE NEW COMPUTER SYSTEM BE ACQUIRED BY LEASE PURCHASE INSTEAD OF BY CASH.
3. TWO OF THE WATER COMPANY'S WATER TANKS ARE BEING SERVICED NOW. RECOMMEND THAT THE THIRD TANK BE SERVICED NOW OR IT WILL PROBABLY BE A MATTER OF "PAY ME NOW OR PAY ME LATER".

A DISCUSSION WAS HELD ABOUT PUBLIC RESTROOM BIDS. LOW BID WAS $150000 WITH ALTERNATES TOTALING $11250. THE CITY MUST APPLY FOR THE BUILDING PERMIT BY MARCH 17, 1991.

MR WATSON MADE A MOTION TO RECOMMEND TO FULL COUNCIL THE AUTORIZATION OF UP TO $3000 TO BE SPENT FOR A PROPERTY ENVIRONMENTAL STUDY TO BE DONE ON THE PROPERTY AROUND THE WATER COMPANY TANKS. SECOND BY COUNCILMEMBER HOLDEN. AFTER A DISCUSSION WAS HELD, THE QUESTION WAS CALLED FOR A VOTE. MOTION PASSED.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 8:57 PM.

RESPECTFULLY SUBMITTED:

JIMMY WARD, CHAIRMAN

EXHIBIT C

February 28, 1991

MEMORANDUM

From: Melinda NesSmith-Picard, Council Member
To: Jimmy Ward, Ways and Means Committee Chairman

SUBJ: CONTENT OF ISLE OF PALMS FINANCIAL REPORT

1. During the regular Council meeting of 24 Jan 91, I requested and the motion carried that a financial statement or status report be generated that reflects the current balances (as of 24 Jan 91) of all budgetary line items. The purpose of this report is to document the budgetary status of the City at the transition point of changing from the Mayor-Council to the Council form of government.

2. Specifically this report should include the following information:

a) Percent of budget year that had elapsed as of 24 Jan 91

b) Total dollar Amount Expended for each budgetary line item as of 24 Jan 91

c) Budgeted dollar Amount for each line item

d) Percentage expended for each line item (calculated by dividing Amount Expended by Budgeted Amount)

e) Itemized expenditure listings for, as a minimum, all Miscellaneous line items, Professional Fees/Services, Discretionary Fund, Capital Projects Fund, and all unbudgeted expenditures. This listing shall identify date of expenditure, payee, dollar amount, and reason for expenditure (if not apparent).

3. The generation of this report was approved by Council on 24 Jan 91 and referred to the Ways and Means Committee. I request that this report be compiled before the March 1991 regularly scheduled Council meeting. If I can be of any assistance, please contact me at 886-6645 or pager 569-9428.

Melinda NesSmith-Picard

Melinda NesSmith-Picard
Isle of Palms
City Council Member

Copy to:
City Administrator
Council Members
Mayor

EXHIBIT D

27 February 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator MW

Subject: Capital Needs

Attached is my estimate of expenses for our various projects either planned or now underway. I am confident that there will be additional costs for all of these projects that are not now known but which will show themselves at some point along the way. As with most projects of this nature a 10% contingency is added in. I think there should be some factor added to the total to account for the inevitable unanticipated expenses.

An example of some of the costs not known now are tap-in fees for utilities and any pipe-laying needed. If you have questions about any of this information please let me know.

Capital Projects

Capital Projects Fund Bal	1/31/91	**$1,261,911.63**	
Payments/Encumbrances			
General Fund Transfer (balance)	6/28/90		($110,252.00)
Fire Truck	7/26/90	Carolina Firemasters	($204,317.00)
Public Works Building	10/25/90	Descon	($157,530.00)
Pub Works Construction Admin.	10/25/90	Cummings & McCrady	($10,000.00)
Dog Kennels *	10/25/90	By subcontract	($14,500.00)
Fuel system	1/24/91	Jones & Frank	($58,483.00)
Police Car	1/31/91	Fairway Ford	($12,740.00)
Architect/Police Building	2/13/91	John Gardner	($3,000.00)
41st Ave Dune walkover	2/13/91	Water Systems of Ch	($1,760.00)
Fire Stations 1&2	2/18/91	Descon	($631,476.00)
Fire Station 1 sitework *	2/18/91	By Subcontract	($16,000.00)
Descon Corp/Public Works	2/21/91		($18,922.00)
Architect/Fire Stations	2/21/91	John Gardner	($1,641.74)
Architect/Police building	2/21/91	John Gardner	($10,000.00)
Police/Building Dept. *	?		($350,000.00)
Cash reserves	?		($250,000.00)
Expansion of City Hall	?	By subcontract	($12,000.00)
		($600,710.11)	
FEMA Assistance/Fire Station		$116,525.00	
Capital needs deficit		**($484,185.11)**	

* estimates

PUBLIC SAFETY COMMITTEE MEETING
FEBRUARY 21, 1991 AT 5:30 P.M.

PRESENT: Committee Members: Simon, Watson, Mayor Bunch
Also Present: Council Members Holden, Swanson, Ward and Administrator Williams.

FIRE DEPARTMENT:

Chief Britton highlighted the monthly report for January.

January was a relatively slow month.

A check was presented to the Committee in the amount of $20,785.45, which represented the proceeds from the Beach Boys Concert, Raise the Roof Party and other donations for Fire Station #2.

Preplanned fire inspections are being set up for commercial buildings. Front beach commercial buildings to which the fire department does not have access will be required to have sprinkler systems.

Location of Fire Station #1 was discussed in length. There are several possible locations; however, the Committee made no recommendations at this time. The Committee will address this further with full Council.

There is a possibility that an EMS unit will be stationed at Fire Station #1. The Committee authorized the City to notify Charleston County that if a location is needed for EMS unit on the Isle of Palms, Fire Station #1 is available.

POLICE DEPARTMENT:

Chief Arnold highlighted the monthly report.

The Police Department answered a total of 1,120 calls for the month. 17 arrests resulted in 26 charges.

Police officers received 100 hours of mandatory training for the month.

Chief Arnold wrote and submitted two Law Enforcement Grants to the Governor's office; one Grant for Crime Prevention and the other for DARE.

Mayor Bunch and Chief Arnold testified before the S.C. State Senate Judicial Committee in Columbia to introduce a Bill to provide Law Enforcement Authority over waters in Breach Inlet.

Chief Arnold also participated in Crime Prevention lecture to Senior Citizens with approximately 60 in attendance. There was an all Island Crime Prevention Meeting at the Exchange Club with Hubert Harrell, Speaker. David Fox led the meeting and informed residents that there are now 35 neighborhood captains on the island.

Chief Arnold advised the Committee that we need to replace 2 police cars. We could go forward and place the order now and would not have to actually pay until July. This would result in a $3,000 savings. The Committee will present this recommendation to full Council for their approval.

Respectfully submitted,

Michael Sottile, Chairman
Public Safety Committee

EXHIBIT F

28 February 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator

Subject: Police Cars

As you know the Police Chief has advised the Public Safety Committee and Council that he has a need to replace a total of three police cars. City Council has already authorized the purchase of one car-- that one has been been delivered and is now in service. This car was bought for $12,740-- a price that is even better than the current state contract price for police cars of $12,920 and comes better equipped according to the Chief. Also the state contract vehicle is a Chevrolet Caprice and the other is a Ford Crown Victoria-- a model which seems to give us better service than the Caprice. The state contract will expire around March 15 and will not be in force again until November '91.

There has been some discussion about acquiring the two other vehicles the department needs for the next budget year. Obviously, a dealer will not be in a position to hold off payment for two new cars until July 1, but what we can do is execute a lease-purchase with Ford Motor Credit now, and then pay-off the lease during the next fiscal year when funds are available.

Otherwise my recommendation would be to go ahead and acquire the other two vehicles from Fairway Ford (which has four un-sold cars left) and pay for them from the Capital Projects Fund. This approach will mean that we must revise the memo I sent you recently about the City's capital needs, but it will satisfy the need as well as take advantage of availability.

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
5:30 P.M., FEBRUARY 20, 1991

The meeting was called to order at 5:45 p.m. This was the first meeting for 1991 Committee Members. 1991 Public Works Committee members are: Council Member Melinda NesSmith-Picard (Chairman), Mayor Carmen Bunch, Council Member Mike Sottile, and Council Member Marge Swanson. Andy "Sarge" Parrish, Public Works Department Head, is a non-voting member of the Committee.

All Committee members were present. Council Member Barry Holden was in the audience with citizens Dena Wall and Wes Wall.

Chairman NesSmith-Picard explained procedure for Committee meetings. Robert's Rules of Procedure will be used, however, rules of order will be suspended as required to allow informal discussion between Committee members and to allow input by audience. Each meeting will open with "Sarge" giving a report of current Public Works projects and problems. Old Business, New Business, and Citizen Comments will be addressed after the Public Works Status Report.

Public Works Status Report

Sarge gave the following Public Works Status Report.

1) Christmas Trees. Christmas trees that were placed along the dunes for erosion control on Sullivan's Island have been washing up at Breach Inlet. This problem has not occurred with the Christmas trees set out on Isle of Palms, because they were placed above the high tide level and behind the sand fences. Trees are placed on Isle of Palms along the dune line at 5th Ave., 25th Ave., 45th Ave., 52nd Ave., 53rd Ave. and 55th Ave. This method of reusing has been successful because the trees enhance the sand fence's capability of trapping sand which in turn rebuilds the dunes more quickly.

2) Truck Maintenance. All of the Public Works trucks were flooded with salt water during Hurricane Hugo. Consequently, some of the Public Works trucks have had corroded starters and brake boosters that were replaced. Insurance covered the part of the replacement cost of one truck's transmission.

3) Solid Waste User Fee. The State Legislature may soon pass a bill (S1182) to impose a solid waste user fee for all municipalities. If passed, each municipality will be charged $5 per ton of waste that is put in landfills.

Currently, 40 tons each week is taken to the landfill. This equals $200 per week, however, the yearly total would be higher since this time of year is the slow season for Isle of Palms. Therefore, it is estimated that if the bill passes, it will cost the City about $10,000 per year to dispose of garbage and trash.

4) Piping for Open Swales (Ditches). Sarge has invited residents who are interested in having the open swales in front of their property to pay for the pipe. The labor for installation of the pipe will be provided for free by the County. Piping of the swales will alleviate some of the problems with mosquitoes and improve drainage. 244 Forest Trail, 246 Forest Trail, 3 Lauden St., 5 Lauden St., 17 23rd Ave., and 219 Forest Trail have thus far expressed an interest. Any other residents who are interested in having drainage piping installed should contact Sarge.

5) Cleaning of Ditches. County cleans out the ditches on the island twice each year. Cleaning is underway and should be complete in March.

6) Garbage Pickup. Some residents have complained about the garbage not being picked up. Sarge has investigated each complaint and found that the garbage is not being placed streetside by 7:30 a.m. as required by city ordinance. Public Works does provide special service to the elderly, people in the hospital, or physically unable to put the cans out. Currently, there are approximately 12 individuals who receive special garbage pickup service.

7) Dog Tags. To date, only 19 dogs are registered on Isle of Palms. There is $25 fine for dogs that run loose and are not registered. There was some discussion about dog tags being available to the general public outside the 8:00-5:00 p.m. hours of City Hall. No action was taken.

8) Recycling. Sarge encouraged Council to cooperate and participate with the County to reduce the amount of garbage that goes to the county landfill. Within the next three to four years, Sarge thinks an ordinance will be needed to restrict some items from disposal with household garbage. Some examples are oil, oil filters, and household batteries. Sarge said the County may set up Recycling dumpsters on Sullivan's Island at Breach Inlet for inter-island use. For the Isle of Palms, Sarge wants to continue the curbside recycling program. In the future, separate containers for cans/papers need to be provided. Mayor Bunch stated that the Governor's Office will give out recycling grants totaling $1,600,000. A recipient municipality may qualify for up to $200,000 with a 25% match. Council of Governments is in the preparing a grant application for the City. 520 pounds

of aluminum cans were picked up curbside in February. There was a brief discussion concerning combining the aluminum can recycling efforts of the City and the Volunteer Firefighters to track citizen participation.

9) Pay Raise for Public Works Employees. Sarge wants consideration to be given to a pay raise for Public Works employees. The basis for the request is that their wages are the lowest in the City and that they, along with other City employees, did not receive a COLA, Cost of Living Adjustment last year.

New Business

Committee members inquired about the following:

1) Construction of Public Works Building. Sarge is dissatisfied with the progress of DESCON Co.'s construction of the Public Works Building. Erection of the structure has still not begun.

2) Gas Tank Automated Metering System. Sarge was unaware that Council approved the purchase of an automated fuel dispensing system. No one knew if the system was out for bid yet.

Old Business

None.

Citizen Comments

1) Location of Fire Station #1. Although this subject falls under the purview of the Police and Public Safety Committee, the Public Works Committee members wanted to hear, as a matter of information only, the comments of Dena and Wes Wall. Dena and Wes Wall requested that Fire Station #1 be moved to another site. If that is not possible, they would prefer its relocation on the proposed site, as far away as possible, from their building. There was some discussion about shifting the Fire Station behind the Water Company Office. No action was taken.

Meeting was adjourned at approximately 6:45 p.m.

DRAFT COPY AS OF: 02/25/91

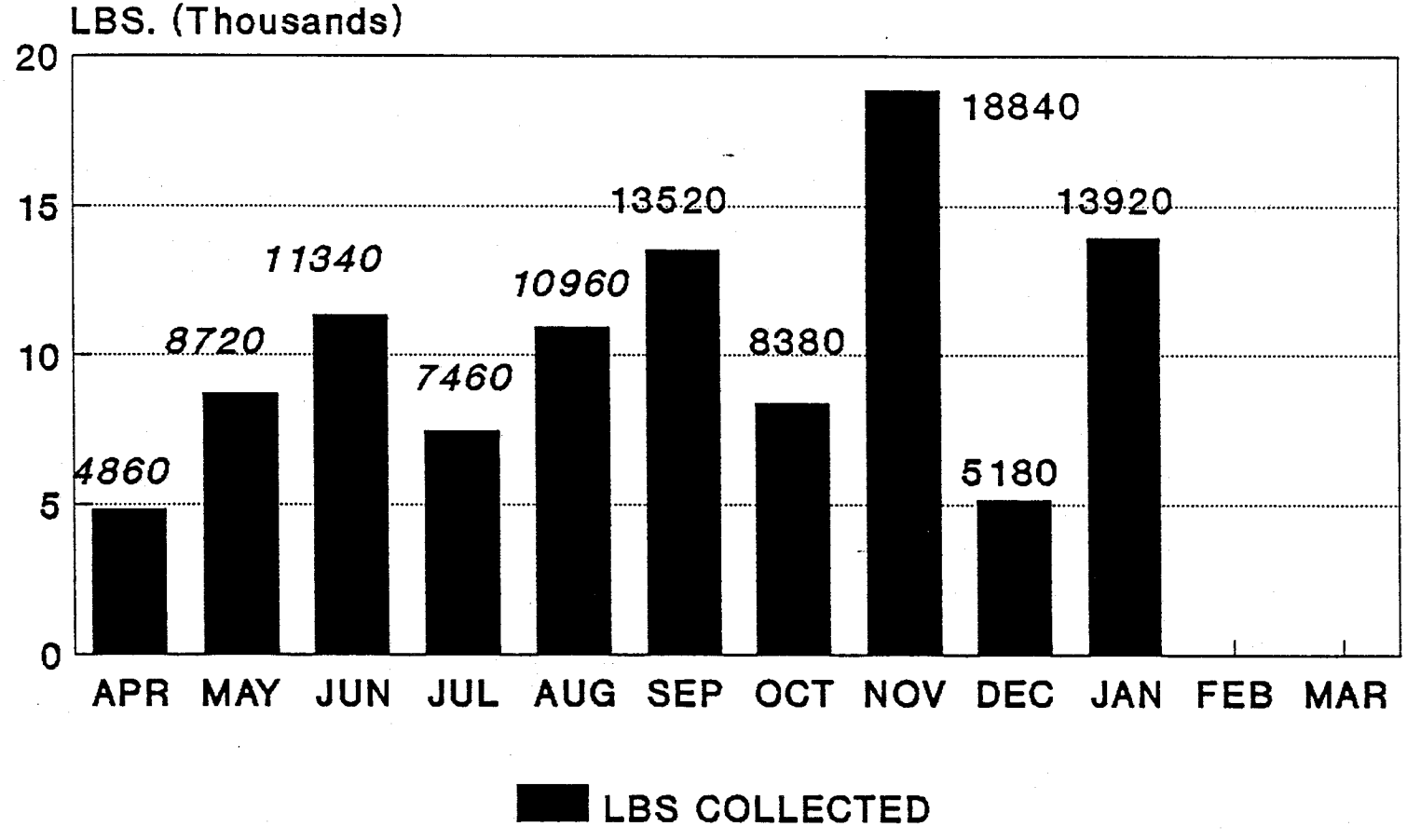
PASSED AS FINAL MINUTES: 03/18/91

ATTESTED TO:

x Melinda NesSmith-Picard

Melinda NesSmith-Picard, Chairman

NEWSPAPER RECYCLING
ISLE OF PALMS 1990-91



ALUMINUM CAN RECYCLING
ISLE OF PALMS 1990-91

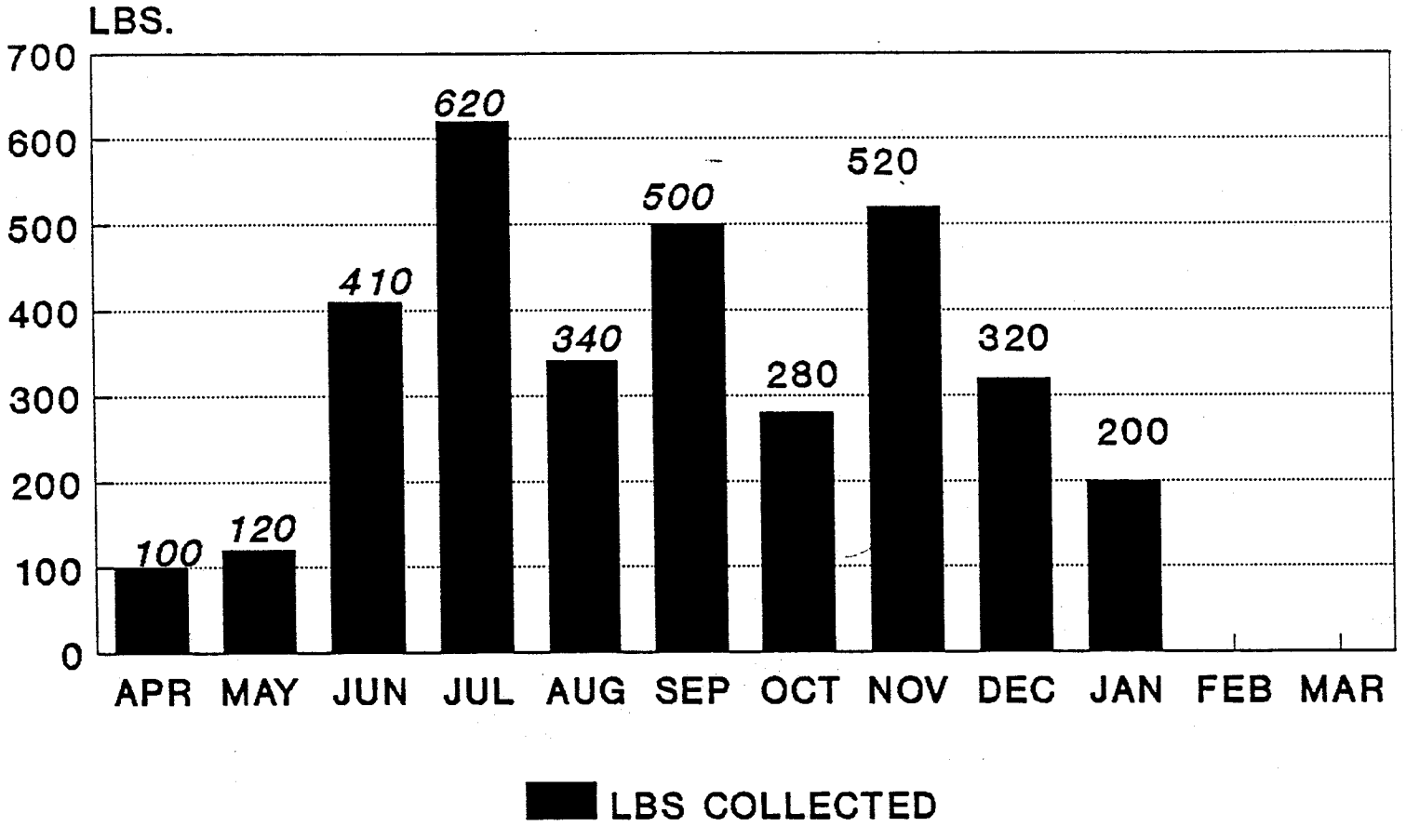


EXHIBIT H

Engrossed Bills Committee Meeting
City Hall - Regular Meeting
February 20, 1991 - Minutes

The Meeting began at the time scheduled on the attached agenda. Present were Committeemembers Swanson, NesSmith-Picard and Mayor Bunch. Also present were City attoney Dreyfoos, Committee Chairman Holden, and Councilmembers Simon and Sottile.

For the first order of business, approval of the minutes of the previous meeting was unanimously defered until they could be retyped into more easily readable form as the printout of them did not copy well.

Introducing the agenda the chairman noted that no form of government issues were included as they would be covered at special meetings later and that there was little need to update Councilmember Swanson as a new member since she had been present at most previous committee meetings anyway.

A suggestion Councilmember Simon had regarding Council rather than the Planning Commission approving Conditional Uses was unanimously moved to the start of the meeting for consideration. City attorney Dreyfoos having discussed this matter with City Administrator Williams had drafted previously a proposed ordinance 1991-8 which would allow for this procedure. The ordinance also refined some of the existing procedures. City Attorney Dreyfoos noted some technical points of State Law existed which may require some modification to the draft but that if the concept was desired he could check and modify as necessary. Following detailed explanation by the City attorney a motion to reccommend Council approve first reading at its next regular meeting made by Councilmember Swanson seconded by Councilmember NesSmith-Picard passed unanimously.

Next the Swimming Pool drainage resolution was discussed. No action was taken on this matter with such being planned for reconsideration more toward swimming season if needed. Information dissemination via the building inspector and emergency preparedness literature was seen as useful by several as well.

As to matters before the Planning Commission, it was noted no activity had occured on the Waterfront Zoning Ordinance as the original map had not been found and Lee Batchelder had not been contacted due to this. As to the general procedure the City Attorney noted he had talked to Lee and he believed that council would henceforth received written comments on matters such.

It was noted that the Fence Ordinance was still in the Planning Commissions hands and was being actively considered by them once more since significant comments were apparently received at the public hearing.

As to the Turtle Nesting Ordinance it was noted that the Coastal council had submitted a copy of an ordinance from Vero Beach Florida in response to

thePlanning Commission's request for help. Committeemember Swanson noted her frustration that it appeared the ordinance would not be in place this season even though it had been introduced long ago. Councilmember Holden noted his disapointment with what the Coastal Council had sent over. Councilmember Swanson noted her desire to look into this further and if she could resolve some of the questions which remained to present it at the next regular meeting. The Committee generally reaffirmed its support for some ordinance which makes logistical sense (if experts could be found to agree what that is). It was mentioned that some other avenues for such expert help did still exist and Committeemember Swanson would explore them. Problems with passing second reading before final language was decided on were mentioned as unanimous consent would be needed to amend such. (Mayor Bunch had to leave to go to a previous engagement midway through this discussion.) Councilmember Swanson moved to bring second reading before full council at the next meeting if she could complete her research and work. Such was passed unanimously.

Ordinance 1991-3 was discussed and it was moved that it be recommended for second reading at the next council meeting with direction to the Planning Commission to have a public hearing at its March meeting if it has not yet had one. Amended to the motion was a recommendation that the length of time for "grandfathered" signs being brought into compliance be extended from 18 to 24 months. The amendment was offered by Committeemember Swanson seconded by Committeemember Holden and passed unanimously as did the motion.

Committeemember NesSmith-Picard discussed a need she perceived regarding Dune Walkovers during storms. She felt it was best that standards be created that either 1.) provide assurance Dune Walkovers will not become projectiles or if the do, 2.) they break up into small pieces. She is continuing work on this matter. A discussion which drew no conclusions regarding the advisabilty of a policy of encouraging private dune walkovers as opposed to banning them ensued as well.

A memo the administrator wrote to Council regarding the clearing of lots was discussed. This has been a persistent problem for him. It was noted that one problem was our process being cumbersome and he lacked the staff to utilize it and the resources to follow throught even when it has been followed. The committee noted that planned staff additions might free up enogh staff to try this process and see if people comply as they see the process moving forward.

As to new ordinances 1991-9 which refers to the newly effective flood maps for FEMA purposes was brought up by the City attorney. Upon motion by Committeemember Swanson seconded by Committeemember Holden and passed unanimously it was reccommended that first reading be passed at the next regular council meeting.

1991-10 which in substance moves the personnel manual out of the code was discussed next. This was introduce at the request of the City administrator. Committeemember Swanson made a motion to reccommend first reading at the next regular council meeting, seconded by Committeemember NesSmith-Picard, passed unanimously.

No changes were reccommended for 1991-4, an ordiance to limit the placement of refuse for collection and 1991-5, and ordinance to prohibit the deposition of grease and oil which are scheduled for second reading at the next council meeting were reccommended.

Motion to adjourn made by councilmember Swanson seconded by NesSmith-Picard passed unanimously.

Draft as of 3/20/91

Passed as of 3/20/91

Barry Holden - chairman

Engrossed Bills Committee Meeting
6:30 P.M. - February 20, 1991
Regular Monthly Meeting - City Hall

AGENDA

Old Business

1. Minutes of previous meeting - Chairman

2. Introduction/Agenda/New Member updates

3. Updates & Ordinance Referred
   - A) Swimming Pool Resolution
   - B) General Planning Commission Report & Maters
     - 1) Waterfront Zoning
     - 2) Other
   - C) Fences
   - D) Turtle Nesting
   - E) Signs
     - 1) Length of time in Off Premises
     - 2) General Revision
   - F) Dune Walk Overs
   - G) Lot Clearing Mark's Memo

4) Proposed

5) Miscellanous

6) Adjourn

Feb Meeting - 7:30 Feb 12th

New Comm. members - Jeff Simon
Jimmy Ward
Also present Mike Lottville, Mayor Bunch, Rec. Dir. Stacey Wilson, & Ch. Heath Orvin.

I. Stacey presented the Rec. Dept report - with the latest programs, tournaments, league schedules etc. Encourage all citizens to check local paper & radio stations for the latest news from the Rec Center. Also Stacey puts out a monthly calendar with all upcoming events, as well as color coded announcements of big events such as the 28th Rec. Dance & Valentine's Day Dance.

II. We just recieved a new VCR - & a table top checkerboard game through donations from the police dept. Thank-you IOP Police Dept & Chief Brock. Also we purchased a new video game - Xenophobe that can be played by 2 people at a time.

III. Discussion was held on the condition of grounds & Gym - as the fields are being groomed for the upcoming baseball & softball season. Many thanks to Stephanie (Hargrave)? our Maintenance Dir. for a job well done.

V. Keenagers (Senior Citizens) are looking into the possibility of going on a DART cruise for their field trip - Ch. Orvin stated he would contact Joe Riley, Sr. in regards to the use of his yacht.

VI. Stacey said plans are being made now in regards to our 8 week summer camp program - last year was a huge success with 30 kids per 1 week session at $45 per head. Discussion was held about taking the kids on a weekly field trip, thus taking them swimming, Stacey stated that Randy Chamberlain had turned her down at Wild Dunes pool. However, Ch. Orvin contacted Wild Dunes Pres. Noel Thorne and he was more than kind to say yes - even use the beach-front pool so kids come swim & enjoy the beach

VII Other biz. discussed -

a. acquiring a "weenie wagon" to sell concessions during games to make money for the Rec. Center.

b. Plans being made for an island family dance at the Rec Center.

c. Thanks to the Mo Maris for providing us with a bus & driver for upcoming summer camp - please register your kids early as space is limited per session with each week having a different theme - pet week, nature week, etc.

d. Still the question of Dixie Youth baseball

and what could be done to help our kids when they get into the Mt. Pleasant league.

III. Many thanks to Stacey & her staff who do such a super job each day at the Rec. Center. Our complex is a sense of pride for the whole community & we appreciate a job well done by our Rec. Dept.

Respectfully submitted,
Heath Owen

Meeting adjourned @ 8:30 P.M.

EXHIBIT J

Wild Dunes®
Charleston's island resort.

February 20, 1991

Mr. Heath Orvin
P.O. Drawer Q
City Hall
Isle of Palms, SC 29451

Dear Mr. Orvin:

Wild Dunes Associates is happy to offer the Grand Pavilion pools for the use of the Isle of Palms Recreation Department's day camp program this summer. I think you will find the Grand Pavilion one of the premier beach front facilities on the East Coast. The Grand Pavilion has restrooms, showers and changing rooms located on the boardwalk and a snack bar with a beach front view.

If you will have Stacey Wilson contact me with the details of number of children and confirmation of dates, I will be happy to reserve one or two of the pools for the day camp sessions this summer. I imagine that you would be transporting the children to the pool by vehicles so we will also need to discuss drop-off points and parking of the vehicles. Please be aware that Wild Dunes Associates does not provide life guard services at the Grand Pavilion pools therefore I would request that the counselors that you assign to the day camp have proper water safety training.

We are looking forward to sharing the facilities with the Recreation Department for the summer program.

Sincerely,

Pat Adkinson

Patricia A. Adkinson
Director, Club Operations

cc: Noel D. Thorn

EXHIBIT K

MINUTES OF THE ISLE OF PALMS PLANNING & ZONING COMMISSION
REGULAR MEETING
FEBRUARY 13, 1991

The Isle of Palms Planning & Zoning Commission met at City Hall on February 13, 1991, at 5:30 p.m. Members attending included Jerry Spencer, Arnold Karig, Kathryn Carroll, Jan Wilson, John Stanley, John Gardner, and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m. and recommended that the Commission first elect the Chairman and Vice-Chairman for 1991.

Mr. Batchelder asked for nominations for Chairman. Mr. Stanley was nominated by Dr. Karig and seconded by Ms. Carroll. Mr. Taylor was nominated by Mr. Stanley and seconded by Mr. Gardner. Ballots were cast and Mr. Taylor was elected Chairman.

Chairman Taylor then asked for nominations for Vice-Chairman. Mr. Stanley was nominated by Ms. Wilson and seconded by Ms. Carroll. Motion to elect Mr. Stanley by acclamation approved.

PUBLIC HEARING:

A revised ordinance to regulate the height and location of fences on all property on the Isle of Palms. Ordinance 1990-15.

Mr. Batchelder explained that this ordinance was first presented to the Planning & Zoning Commission last November and a public hearing was held. He stated that the Commission members were concerned about encouraging the use of chain link fencing as prescribed in that draft of the ordinance. He said the Commission requested that he revise the proposed ordinance taking the concerns of the Commission into account.

Mr. Batchelder stated that the revised ordinance being presented tonight limited the height of fences in residential zoning districts to four feet within the required frontyards, rearyards and sideyards. Within the zoning envelope, which is the area defined by the required setbacks where structures may be built, fences could be as high as six feet.

Mr. Batchelder stated that in non-residential zones fences would be allowed to be as high as eight feet. He stated that this was to conform to existing requirements of the zoning ordinance which require eight foot high fences to separate various types of uses. Mr. Batchelder went on to state that the ordinance also prohibited the use of heavy timbers or masonry fences in V-Zone flood zones to prevent debris loading hazards during flooding conditions. Mr. Batchelder stated that there was also an exemption to allow fences around pools to be six feet in height as required by building codes.

Mr. Batchelder passed our a diagram showing how the proposed ordinance would restrict the height of fences on a typical residential lot. he then opened the public hearing and asked if anyone would like to speak out on this proposal.

Betty Mathis stated that she was opposed to the ordinance because it would not allow six foot fences in backyards. She was concerned about this because her property backs up to non-residential property and she felt that she needed a fence taller than four feet to provide privacy.

Mayor Bunch asked whether this ordinance would negate existing private restrictive covenants which might prohibit fences. Mr. Batchelder stated that this would not affect private restrictive covenants.

Tanya Sprague was opposed to not being allowed to have a six foot fence in her backyard to provide privacy.

Councilmember Swanson concurred with the previous comments and thought that the ordinance should be revised to accommodate taller fences in situations where property abuts commercial or other non-residential uses.

Chairman Taylor explained the procedure for adopting this ordinance and requested that this matter be deferred to give members additional time to review. The Commission concurred with this request.

MINUTES OF PREVIOUS MEETING:

Mr. Gardner motioned to approve the minutes, seconded by Ms. Carroll, motion approved 7-0.

PLAT SUBMITTALS:

Plat Showing A Resurvey and the Abandonment of the Back Property Line of Lot A-2, Section A, Situate as Shown in the City of Isle of Palms, Charleston County, South Carolina. Presently Owned by Roy Passailaigue and Stacy Passailaigue. Charles F. Dawley, Jr., Surveyor.

Ray Passailaigue explained that there was a road along the back of the property that was abandoned by The Beach Company many years ago. He stated he wanted to abandon the property line to allow him to build closer to the marsh.

Ms. Carroll stated that she reviewed the tax maps and questioned whether Ms. Hasslemeyer ever owned the abandoned road. Mr. Passailaigue read a document from 1946 which abandoned the right-of-way. He further explained that he has a quit-claim deed to this abandoned right-of-way adjoining his land.

Mr. Taylor questioned why the critical line on the plat was a straight line. Mr. Passailaigue stated that he did have a dock permit from Coastal Council.

Mr. Batchelder stated that this was one of the first plats to be submitted under the newly adopted subdivision ordinance which required specific information on plats before approval. He said this plat needed the following information: note the zoning classification of SR-1, Tax Map Series and parcel number, delineation of the marsh setback line under Section 5-4-18 of the zoning ordinance, flood hazard zone, and certification of the critical line from Coastal Council. He recommended approval with these conditions.

Mr. Spencer raised a concern about a house being allowed to be constructed on this lot which would be closer to the marsh thereby adversely affecting views from adjacent houses. Mr. Passailaigue stated that one of the adjacent property owners was aware of this application. Mr. Stanley questioned whether the Beach Company still owned the right-of-way. Chairman Taylor recommended that an additional requirement for a letter from the closing attorney verifying ownership be attached to the revised plat. Motion to approve with conditions stated by Mr. Batchelder and Chairman Taylor by Ms. Wilson; seconded by Mr. Spencer; motion approved 7-0.

CONDITIONAL USE APPLICATION:

Chairman Taylor asked the applicants to present their application.

Reverend Ricard, Executive Director of Lutheran Conference and Retreat Centers of South Carolina, introduced Herb Loadholt and Paul Briggs, the architect for the project, and explained that they are in the preliminary stages and want to find out if they can expand before proceeding with detailed drawings.

Mr. Briggs reviewed the project which includes eleven new dorm rooms with accessory living, meeting and eating rooms and 27 new parking spaces. The total number of rooms would be 36 and the total number of parking spaces would be 58. He stated that a pool would replace the existing tennis courts. He said the facility has become more of an adult center and less youth oriented. He said he wanted to know if they could expand the existing facility. He said he felt there was ample parking provided.

Reverend Richard stated that they cater to groups who desire a retreat setting and this will continue. He said they currently have more demand than facilities can accommodate.

Chairman Taylor asked what screening existed. Mr. Briggs stated that there wan an existing fence. He said they had not considered fence improvements in detail bur would be willing to make improvements.

Chairman Taylor asked for public comment. Pat Ross said she strongly objected to this type of use being allowed to expand. She said there had been many young people there in the past. Tanya Sprague objected to expansion of this facility across the back of her property. She did not see enough activity at the center to support expansion.

18 Morrow
Hugh ~~Morrel~~, who lives across 21st Avenue, was concerned about the impact of a pool on residents located immediately across 21st Avenue. Mr. Briggs stated that inclusion of the pool was not definite at this time. Dee Stanford objected to expansion because of noise generated by users of the facility during the summer. Andy Shepard stated the noise and light impacts from this were very bad and he was opposed to the expansion.

Debbie Jeter stated she was impacted by the existing facility and objected to expansion of what she saw as more of a motel than a place of worship. She said this expansion would adversely affect her. She acknowledged the hospitality of the Center toward the City after the hurricane, bur thought the concerns of the immediate neighbors should be considered.

Councilmember Swanson requested an explanation of the current zoning and conditional use criteria. Mr. Batchelder stated that the property was zoned SR-1 and reviewed the criteria listed in the zoning ordinance under Section 5-4-15 Conditional Uses.

Chairman Taylor said the Center was constructed in the late 1970's under a conditional use permit. Mr. Gardner presented the minutes from the April 12, 1978, Isle of Palms City Council meeting where the conditional use permit was reviewed. Chairman Taylor reviewed the minutes.

Mr. Batchelder stated that parking requirements for the proposed facility were met. He stated that requirements for bufferyards and tree protection were not being met under the current proposal. He also stated that the Commission could condition the approval by restricting the location or even prohibiting a pool.

Chairman Taylor suggested that the applicants revise the proposal and resubmit. The applicants concurred.

ORDINANCES:

1. Consider recommendation to amend the zoning ordinance to prohibit the construction of decks within required frontyards, sideyards and rearyards.

Mr. Batchelder stated that this ordinance was proposed in response to concerns voiced by the Commission.

The Commission discussed the proposal and recommended that the entire Section 54-4-14 be repealed and requested that Mr. Batchelder revise the ordinance for the next meeting.

2. Sea Turtle Protection Ordinance. 1990-18.

Chairman Taylor referred to the ordinance sent to the City by the Coastal Council and suggested that the members review this for the next meeting. Councilmember Swanson expressed concern about not having an ordinance before turtle season begins.

SUB-COMMITTEE REPORTS:

No reports were presented.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lee E. Batchelder
Planning Consultant

EXHIBIT L

Law Offices of
Michael J. Burkett
925 Wappoo Road, Suite C
Charleston, South Carolina 29407
(803) 766-4196
Fax (803) 571-5982

February 22, 1991

Mr. Ray Passailaigue
2191 Highway 17 North
Mt. Pleasant, S. C. 29464

Re: Lot A-2, Isle of Palms
Charleston County, South Carolina

Dear Ray:

At your request I have reviewed the title regarding the property lying behind the above lot and the waters of Hamlin Creek, which property was formerly known as, and shown on the recorded plats as, Georgia Ave. As per your request the review is limited to ownership and no check of the public records has been made to determine recent claims or liens that may be against the property.

This area was owned by the Isle of Palms Development Company (IPDC) at the time this subdivision was filed. The IPDC was a South Carolina corporation that ceased to function as a corporation during the depression years. The Beach Co., another South Carolina corporation, eventually succeeded to the title of most of the Island properties owned by IPDC except for a few designated lots lying between about 5th and 10th avenues on Palm Blvd. on both sides of the street.

The South Carolina Legislature allowed the closure of Georgia Avenue in the early 1950's by a joint resolution Bill No. 648, copy attached. Subsequent thereto the owners of the abutting properties consented to the closing by instrument dated December 31, 1954, and recorded in the RMC Office for Charleston County in Book G-58, Page 531, copy attached.

It has been the law for as long as I can remember that upon the closing of a right of way the property owners on either side of the right of way split it between them. Therefore upon

the closing of Georgia Avenue your predecessor in title owning the lot at that time, Henry J. Hasselmeyer, Jr. and Naomi K. Hasselmeyer, acquired title to at least one half of the street and probably all of it, if the actual land did not in fact extend beyond the other side of the right of way.

Your immediate predecessor in title, Malcolm J. Smiley, must have felt that there was sufficient land behind this lot at the time the street was closed to raise a question as to possible ownership in the Beach Co. He secured a quit claim deed from the Beach Co. dated November 21, 1988, recorded Book Y-179, Page 775, and that deed would clear any technical problems with regard to any private ownership of the land.

The State having already relinquished any interest in the lowland by a 1951 joint resolution No. 425, copy attached, all public and private rights, save those of the lot owner have been removed.

All of the above may be unnecessary information as Henry O. Hasselmeyer and Naomi K. Hasselmeyer purchased this property in 1946 from T. J. Strickland and Ms. Hasselmeyer sold to Mr. Smiley in 1989. The longest statue of limitation we have regarding real property is forty years. By the property being in their name for over forty years their title could not be contested and that title was legally capable of being conveyed.

By reason of the above, it is my opinion that Ray Passailaigue and Stacy Passailaigue by virtue of a deed of conveyance from Malcolm J. Smiley dated May 2, 1990, and recorded in Book Y-192, Page 890, records said RMC Office, own in fee simple that certain lot of land above described as it extends from the right of way of Palm Blvd. to the high water mark of the waters of Hamlin Creek.

Please let me know if I can be of further assistance. Thank you and with best wishes, ~~I remain~~,

Sincerely,

Michael J. Burkett

"PROVIDED, FURTHER, that the limitations imposed by this Section shall not apply to the Charleston School District, comprised within the present limits of the City of Charleston, such school district being hereby expressly authorized to vote bonds to an amount not exceeding one millon ($1,000,000.00) dollars, the proceeds of such bonds to be applied solely to the erection and maintenance of school buildings in said district, under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said school district, as provided in the Constitution, upon the question of bonded indebtedness."

SECTION 2: Submission to electors.—That the question of the adoption of this Amendment to the State Constitution shall be submitted to the qualified electors of this State at the next general election for members of the House of Representatives of this State, and there shall be furnished at the voting places in this State a sufficient number of ballots with the following words plainly written or printed thereon: "An Amendment to Article X, Section 5, of the Constitution of South Carolina, 1895, by striking out the two Provisos in said Section relating to the issuance of bonds by the Charleston School District, so that the general provisions of said Section shall apply thereto. Yes - No." Those voting in favor of the said amendment shall erase the word "No"; those voting against the said amendment shall erase the word "Yes".

SECTION 3: Time effective.—This Resolution shall take effect upon its approval by the Governor.

Approved the 15th day of March, 1946

(R597, S986, H1310)

No. 648

AN ACT To Authorize The Beach Company To Abandon And Close To Public Use Georgia Avenue And A Portion Of Palm Boulevard As Shown On Certain Plats Of The Isle Of Palms Recorded In The R.M.C. Office For Charleston County, With The Consent Of The Owners Of The Property Abutting On The Said Streets So As To Be Abandoned And Closed To Public Use.

BE IT ENACTED by the General Assembly of the State of South Carolina:

SECTION 1: Abandon and close to public use Georgia Avenue, Isle of Palms.—That the Beach Company be, and it is hereby, authorized and empowered, upon the consent of the owners of the abutting property, to abandon and close to public use the street or way shown as Georgia Avenue on a Plan Showing Property of Isle of Palms Development Company, by W. W. Fuller, Eng., dated February, 1914, and recorded in the R.M.C. Office for Charleston County in Plat Book C, page 59, and also on a plat of Part of the Isle of Palms made for Santo Sottile by Richard C. Rhett, dated July, 1932, and recorded in the R.M.C. Office for Charleston County in Plat Book F, page 158.

SECTION 2: Abandon and close to public use portion of Palm Boulevard, Isle of Palms.—That the Beach Company be, and it is hereby, authorized and empowered, upon the consent of the owners of the abutting property, to abandon and close to public use, the northernmost forty (40) feet of the street or way shown as Palm Boulevard (also sometimes known and shown as the Palm Way and Charleston Boulevard on other plats recorded in the R.M.C. Office for Charleston County) on a Plat of the Isle of Palms by Dawson Engineering Company, dated April 9, 1914, and recorded in the R.M.C. Office for Charleston County in Plat Book C, pages 95-96, and also on a Plan Showing Property of Isle of Palms Development Company, by W. W. Fuller, Eng., dated February, 1914, and recorded in the R.M.C. Office for Charleston County in Plat Book C, page 59, and also on a Plat of part of the Isle of Palms made for Santo Sottile by Richard C. Rhett, dated July, 1932, and recorded in the R.M.C.Office for Charleston County in Plat Book F, page 158, throughout so much of the length of the said Palm Boulevard as lies between the street shown as Winding Way on the plat of Section A of the Isle of Palms by Rex G. Fuller, dated December,1926, and recorded in the R.M.C. Office for Charleston County in Plat Book E, page 47, on the west, and the street shown as Harbor Oaks Drive on the Plat of Part of Section A, Isle of Palms, by Rex G. Fuller, dated August, 1928, and recorded in the R.M.C. Office for Charleston County in Plat Book E, page 96, on the east, so that the said Palm Boulevard, between the said Winding Way and Harbor Oaks Drive, shall have a width of sixty (60) feet instead of a width of one hundred (100) feet as at present shown on the mentioned plats recorded in the R.M.C. Office for Charleston County.

SECTION 3: Repeal.—All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

WHEREAS, by Act of the Legislature of South Carolina approved on March 14, 1946 (Acts and Joint Resolutions, S.C. 1946, page 1111), The Beach Co. was authorized and empowered, upon the request and petition of a majority of the abutting property owners, to abandon and close to public use a street or way shown as Georgia Avenue on a plat showing property of Isle of Palms Development Co., by W. W. Fuller, Engineer, February 1914, and recorded in the R.M.C. Office for Charleston County in Plat Book C, page 59, and also on a plat of the Isle of Palms, made for Babto Sottile by Richard C. Rhett, dated July 1932, and recorded in the R.M.C. Office for Charleston County in Plat Book F, page 158; and

WHEREAS, we the undersigned, are either owners in fee simple or have an interest in and to the property butting of the aforesaid Georgia Avenue; and

WHEREAS, it is our desire to comply with the aforementioned Act of the Legislature and thereby enable The Beach Co. to close to the public use the street or way known as Georgia Avenue, NOW, THEREFORE,

We, the undersigned, do hereby join with The Beach Co. and with each other in this instrument for the express purpose of complying with the requirements of the aforementioned statute passed by the South Carolina Legislature in 1946 to close forever to public use the street or way on the Isle of Palms formerly known as Georgia Avenue, as appears on the aforementioned plats.

IN WITNESS WHEREOF we have hereunto set our hands and seals, this 31st day of December, 1954.

THE BEACH CO. (L.S.)

By _____ President

In the presence of:

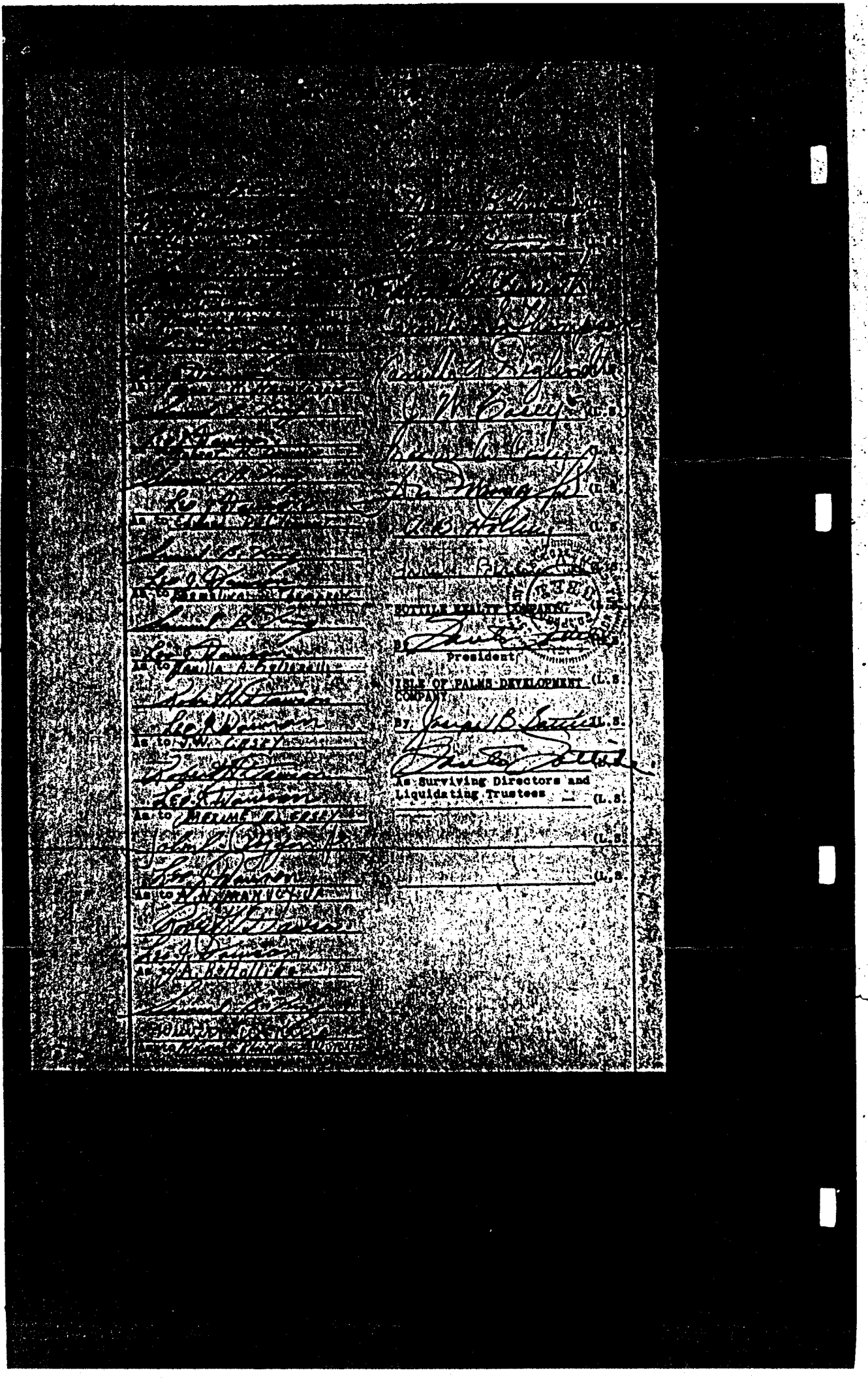
_____

_____

As to The Beach Co.

_____ (L.S.)

_____ (L.S.)



BOTTLE REALTY COMPANY

By _____
President

ISLE OF PALMS DEVELOPMENT COMPANY

By _____

As Surviving Directors and Liquidating Trustees

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

PERSONALLY appeared before me Mary Scott who being duly sworn, says that she saw the within named The Beach Co., by A. O. Long, its President, sign, seal, and as the act and deed of said corporation deliver the within written instrument, and that she with James F. Bremer witnessed the execution thereof.

Mary Scott

Sworn to and subscribed before me this 7th day of January 1956.

James H. Palmer (L.S.)
Notary Public for South Carolina

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

PERSONALLY appeared before me Samuel B. King, who being duly sworn, says that he saw the within named Leonie DeA. Dawson, Henry D. Hasselmeyer, Jr., Naomi K. Hasselmeyer, Robert H. Dawson, Edward D. Clement, Carmelina S. Thompson, and Camilla A. Figliorelli, sign, seal, and as their act and deed deliver the within written instrument, and that he with Leo J. Dawson witnessed the execution thereof.

Samuel B. King

Sworn to and subscribed before me this 7th day of January 1956.

James H. Bremer (L.S.)
Notary Public for South Carolina

PART II
LOCAL AND TEMPORARY

(R85, S42)

No. 424

A Joint Resolution Appropriating Out Of The General Fund Of The State Of South Carolina The Sum Of One Hundred Thousand ($100,000.00) Dollars To The State Budget And Control Board, Finance Division, Civil Contingent Fund, For The Remainder Of The Fiscal Year 1950-51.

Be it enacted by the General Assembly of the State of South Carolina:

Section 1. Appropriation for civil contingent fund, finance division, State Budget and Control Board.—There is hereby appropriated out of the general fund of the State of South Carolina the sum of one hundred thousand ($100,000.00) dollars to the State Budget and Control Board, finance division, civil contingent fund, for the remainder of the fiscal year 1950-51.

Section 2. Time effective.—This resolution shall take effect upon its approval by the Governor.

Approved the 7th day of March, 1951.

(R544, H1438)

No. 425

An Act To Grant Certain Tidelands Lying Between Low Water Mark And High Water On Hamlin Creek And Intracoastal Waterway Unto The Owners Of The Adjacent Highlands.

Whereas, the title to the tidelands lying between low water mark and high water mark, hereinafter described, is vested in the State of South Carolina; and

Whereas, it is in the public interest for the tidelands to belong to the owners of the adjacent highlands so as to permit and encourage the reclamation, improvement, and development of the tidelands for useful purposes; and

Whereas, the State of South Carolina has no need or use for the tidelands, and desires that the same be reclaimed, improved and developed. Now, Therefore

Be it enacted by the General Assembly of the State of South Carolina:

Section 1. Definitions.—When used in this act the following words and terms shall have the following meanings:

(a) "tideland"—that land lying between "low water mark" and "high water mark" as herein defined;

(b) "low water mark"—that line on the shore which marks the edge of the waters at the lowest point of the ordinary tide;

(c) "high water mark"—that line on the shore which is reached by the limit of flux of the usual tide and which marks the boundary line between privately owned and publicly owned land;

(d) "highland"—that land lying above and adjacent to "tidelands" as herein defined.

Section 2. State grants certain tidelands to owners of adjacent highlands.—The State of South Carolina hereby grants all tidelands as herein defined, not heretofore granted, on Hamlin Creek and Intracoastal Waterway, lying between Breach Inlet and a line commencing at the mouth of Morgan Creek where it enters the Intracoastal Waterway, said line thence extending in a southerly direction to a point identified on the map hereinafter referred to as the north arrowhead of the 2300-foot dimension line on the Isle of Palms, unto the present owners of the adjacent highlands, their heirs, successors and assigns, forever, so that the owners of the adjacent highlands shall be, and they are hereby, severally and respectively vested with title in fee simple to all such tidelands, not heretofore granted, lying within the extensions of the boundaries of their properties to low water mark on said Hamlin Creek and Intracoastal Waterway, between Breach Inlet and said dimension line.

Section 3. Granted lands included on recorded map.—The lands hereby granted are included within the area shown on a Map of Isle of Palms, Charleston County, S.C., made by John B. Dotterer, Civil Engineer, dated July, 1944, and recorded in the R.M.C. Office for Charleston County, South Carolina, in Plat Book H, page 59.

Section 4. Repeal.—All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 5. Time effective.—This act shall take effect immediately upon its approval by the Governor.

Approved the 31st day of July, 1951.

EXHIBIT M

MINUTES OF THE REGULAR MEETING OF
THE ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
FEBRUARY 21, 1991

The regular meeting of the Isle of Palms Board of Beach Patrol and Control was held on February 21, 1991, at 7:00 p.m., at city Hall. Present were Chairman Smiley, David Matthews, William Sandeford, Beverly Ballow, Debby Jeter, Thomas Harper and Council Member Jeff Simon.

Dr. Smiley reported that the new member appointed to the Board, Jerry Ebling, has submitted a letter of resignation (Exhibit A).

Permit Applications:

1. Ken Hancuff - 905 Ocean Boulevard - requested a permit (Exhibit B) to locate a house ten feet into the protection zone to place the house at the 150' maximum building line and put it in line with other houses on the beachfront. Mr. Matthews moved to approve this request; Ms. Ballow seconded. Dr. Smiley stated that this request was similar to the request last month for 906 Ocean Boulevard, siting the house as far forward as possible using the restrictive covenants and plat restrictions so that the house at 906 Ocean Blvd. was permitted by this Board to be constructed up to the maximum building line for the subdivision. After discussion, motion to approve the permit request was passed unanimously.

2. John Gardner, architect for the owner - proposed restaurant at 1012 Ocean Boulevard - requested a permit (Exhibit C) to allow a portion of the restaurant to be constructed 22 feet into the protection zone. Mr. Gardner stated that there would only be one or two feet of the building extending into the protection zone and the remaining footage would be a wooden staircase which would lead onto a beach access boardwalk to be applied for at a future date. The restaurant would be situated 45' from the street per fire department requirements. Mr. Sandeford moved to approve this request; Mr. Matthews seconded. After discussion, motion to approve the permit was passed unanimously.

3. Wild Dunes requested (Exhibit D) to make a presentation on erosion control. Chris Jones and Sam Flagler, of Applied Technology and Management, presented a renourishment project along the 17th and 18th fairways of the golf course along Dewees Inlet. Mr. Jones showed pictures and a chart of the area stating that the intent is to scrape sand from the area protruding into the inlet and move it to the area along the fairways, placing sandbag groins to help prevent further erosion of the shoals. The premise being that as the protrusion accretes, the waves going around it cause erosion on the beach of the inlet. This process will naturally reverse itself in a cycle of three to five years; but meantime to avoid further erosion along the golf course, scraping of the protrusion and renourishment along the inlet will help to slow the current process of erosion until the process reverses itself naturally. There was extensive discussion on this matter. The

consensus was that this project should be presented to Coastal Council and the Corps of Engineers for a decision before the Board could make any kind of decision on issuing a permit. Dr. Smiley asked Bill McKenzie to prepare a detailed statement in writing for the Board to review and then come back for the Board's regular meeting in April after they had approached Coastal Council.

4. Dr. Smiley showed the Board a copy of a letter (Exhibit E) that he had received written to Perry Lenardis of #1 - 51st Avenue from Coastal Council which states that because of evidence showing that the revetment has not been enlarged or strengthened, they would take no further action on the matter. Mr. Sandeford expressed his concern about this saying that he had pictures and witnesses who could prove that the revetment had been enlarged. It was generally felt that someone from the Board should attend these hearings at Coastal Council. Dr. Smiley stated that he had asked Chris Brooks to attend our March meeting to discuss the beach management plan and we should bring this up at that time.

5. Concerning the Bunch/Horst properties at 44th & 45th Avenues, Dr. Smiley reported that he had asked Ed Haselden to take a look at both properties and surveys. It appears that one of the surveys is wrong as there is a difference of 40' in the protection zone, but no one can determine which one. Dr. Smiley suggested that Mr. Horst have his property re-surveyed which may show that he would not need a permit after all. If the Bunch survey is correct, then the Board would have to issue to permit for Horst. (Exhibit F) There was discussion on the mean high water line and what could be done to make things easier for the Board to make decisions.

6. Mr. Sandeford passed out to the Board paperwork from Coastal Council pertaining to the beach management plan and guidelines for developing our local plan.

No further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

MINUTES OF THE MEETING OF THE DEWEES (AD HOC) COMMITTEE FEBRUARY 26, 1991, 7:00 P.M.

There was a meeting of the Isle of Palms Dewees (Ad Hoc) Committee on February 26, 1991, at 7:00 p.m., at the Isle of Palms City Hall. Members present were Chairman Shaffer, Mayor Bunch, VanBuren, and Jane Lareau of the South Carolina Coastal Conservation League (SCCCL). Absent were Anderson and Chandler.

The meeting was called to order at 7:05 p.m. by Chairman Skipper Shaffer. The Chairman requested Mayor Bunch to brief the committee on the permit from DHEC to allow Dewees Island development to proceed with their waste water disposal system as described in the permit.

Mayor Bunch advised the committee that she had requested City Council to authorize funds to appeal subject permit. Council authorized an expenditure not to exceed $2,000. The committee agreed that the City of Isle of Palms, with the Isle of Palms Dewees (Ad Hoc) Committee, should appeal the permit. Jane Lareau, who was representing Dana Beach of the SCCCL, advised that she was calling all the board members of the league to ascertain if the league should join with the City in subject appeal. Mayor Bunch advised the committee that it was her understanding from talks with Dana Beach that the SCCCL would act as intervenors in the case.

Jane Lareau then gave members of the committee some letters from DHEC dated October 19, 1990, and February 12, 1991, as well as compiled information on the land application permit. She advised members that it is her understanding that Coastal Council feels that the permit approved by DHEC should have been renewed and that perhaps Coastal Council will hold a hearing on this issue before certifying DHEC's permit.

There will be a SCCCL Management Committee meeting at Hilton Head on March 14 and Ms. Lareau requested support from the City of Isle of Palms. Chairman Shaffer advised that he would attend. Toby VanBuren stated that he would like to attend but could not afford to miss a work day, and would give his statement to someone else to read for him. Mayor Bunch advised that she would attend with the Chairman.

The meeting adjourned at 8:05 p.m.

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-3
Second Reading Draft - 2/28/91

AN ORDINANCE TO BAN OFF-PREMISES SIGNS

WHEREAS, City Code Section 5-4-124(c) allows for limited off-premises signs under specified conditions; and

WHEREAS, City Council finds that the proliferation of off-premises signs will adversely affect the aesthetic and residential characteristics of the City; and

WHEREAS, City Council further finds that existing businesses possess adequate opportunity for advertisement through the use of on-premises signs, informational signs provided by the City and promotional materials prepared under the auspices of the City and the Trident Chamber of Commerce with the use of accommodations tax funds; and

WHEREAS, City Council wishes to afford the owners of the few existing off-premises signs within the City with the opportunity to amortize their investments in said signs; and

WHEREAS, City Council is authorized to amend its zoning regulations pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to ban off-premises signs within the City of Isle of Palms.

Section 2. Section 5-4-124 Amended. Section 5-4-124(c) of the City Code is amended, to read as follows:

(c) Off-premises signs. Except as set forth hereinbelow, as of the effective date of this ordinance, off-premises signs shall not be allowed within the City of Isle of Palms:

(1) The City of Isle of Palms may erect off-premises, informational signs, which provide direction to commercial areas within the City.

(2) All off-premises signs existing within the City as of the effective date of this ordinance shall be removed within one and one-half (1 1/2) years of said effective date.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____
Public Hearing: _____
Second Reading: 2/28/91
Third Reading: _____
Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-4
Second Reading Draft - 2/28/91

AN ORDINANCE TO LIMIT THE PLACEMENT OF REFUSE FOR COLLECTION

WHEREAS, the disposal of refuse for collection by the City Public Works Department is currently regulated in Section 3-2-5 of the City Code; and

WHEREAS, such regulation provides for the deposition of refuse on the public right-of-way pending collection; and

WHEREAS, City Council has received complaints concerning the unsafe, unsanitary and burdensome conditions created when refuse is deposited in front of lots other than the lot from which the refuse was generated; and

WHEREAS, City Council wishes to prevent the recurrence of such adverse situations.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the placement of refuse for collection by the Isle of Palms Public Works Department.

Section 2. Section 3-2-5 Amended. Existing Section 3-2-5 of the City Code is re-numbered as Section 3-2-5(a), entitled "Refuse Requirements." A new Section 3-2-5(b) is hereby created, to read as follows:

(b) Placement of refuse. All refuse placed for collection shall be deposited on the unpaved right-of-way in front of the property from which the refuse was generated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-5
Second Reading Draft - 2/28/91

AN ORDINANCE TO PROHIBIT THE DEPOSITION OF GREASE AND OIL INTO THE MARSH

WHEREAS, City Code Section 3-1-8 currently prohibits the drainage or deposition of grease, oil and similar materials onto City streets; and

WHEREAS, City Council believes such prohibition should be extended to the marshes within the jurisdiction of the City.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to prohibit the deposition of grease and oil into the marsh.

Section 2. Section 3-1-8 Amended. Section 3-1-8 of the City Code is hereby amended by adding the words "ditch, marsh or ground" at the end of the section.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-8
First Reading Draft - 2/28/91

AN ORDINANCE TO AMEND THE PROCESS FOR APPROVING CONDITIONAL USES

WHEREAS, Section 5-4-15 of the Isle of Palms City Code provides a procedure by which the Planning Commission may approve conditional zoning uses pursuant to specified criteria; and

WHEREAS, City Council believes that the Planning Commission should review and make recommendations concerning the approval of conditional uses, and that the decision to approve should be made by City Council; and

WHEREAS, City Council is authorized to amend the City's zoning ordinance pursuant to Sections 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the process for approving conditional uses under the City's zoning ordinance.

Section 2. Section 5-4-15 Amended. Section 5-4-15 of the City Code is amended as follows:

(a) The first sentence of subsection (a) is revised to read as follows:

> Conditional uses, as defined by this chapter, may be permitted by City Council, provided that:

(b) Three new sentences are added to the beginning of subsection (b), to read as follows:

> An applicant for conditional use shall file his application with the City Administrator, who shall forward the application to the Planning Commission. The Planning Commission shall review the application, make a record of its recommendation regarding approval, and

forward its recommendation to City Council. If the application is submitted fifteen or more days prior to the next regularly scheduled Planning Commission meeting, the Commission shall review the application at its next regular meeting; if submitted less than fifteen days prior to the next Commission meeting, the Commission shall review the application no later than its following regular meeting.

(c) The following sentence is added at the end of subsection (b), to read as follows:

Written notice of both Planning Commission and City Council meetings shall be provided to the owners of abutting properties when review of a conditional use application is listed as an agenda item.

(d) In subsection (c), the word "commission" is deleted and replaced by the words "City Council".

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Public Hearing: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-9
First Reading Draft - 2/28/91

AN ORDINANCE TO ADOPT THE NEW FEMA FLOOD MAPS

WHEREAS, the City of Isle of Palms has adopted the current FEMA flood hazard maps in Section 5-2-7 of the City Code; and

WHEREAS, FEMA has prepared a new set of flood maps, which will supersede the existing maps and will be effective as of March 18, 1991; and

WHEREAS, City Council wishes to adopt said new flood maps for the City of Isle of Palms, to be effective as of March 18, 1991.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to adopt the new FEMA flood hazard maps.

Section 2. Section 5-2-7 Amended. Section 5-2-7 of the City Code is amended by deleting the date "October 17, 1986" and replacing it with the date "March 18, 1991".

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective as of March 18, 1991.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-10
First Reading Draft - 2/28/91

AN ORDINANCE TO REPEAL PROVISIONS REGARDING PERSONNEL ADMINISTRATION

WHEREAS, in 1989, the City of Isle of Palms adopted a personnel manual which sets forth the parameters and limitations of employment with the City; and

WHEREAS, City Council finds that the provisions of said personnel manual may conflict with some provisions of Title I, Chapter 6 of the City Code, most of which were adopted in 1979; and

WHEREAS, City Council is advised that the rights of the City and its employees are best protected through the continued use of its personnel manual, and the elimination of potentially conflicting provisions of the City Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to repeal provisions of the City Code regarding personnel administration.

Section 2. Sections Repealed. The following sections of the City Code are hereby repealed:

Sec. 1-6-1	Sec. 1-6-8
1-6-2	1-6-9
1-6-3	1-6-10
1-6-4	1-6-11
1-6-5	1-6-12
1-6-6	1-6-13
1-6-7	

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding

shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
MARCH 11, 1991, 6:00 P.M.
CITY HALL

A Special Meeting of the Isle of Palms City Council was held on March 11, 1991, at 6:00 p.m. at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, Watson and Council Member Orvin arrived late. Also present were Clerk-Treasurer McDuffie and Secretary Geary. City Administrator Williams arrived late.

Mayor Bunch called the meeting to order and asked Council if they had all received the Revised Order of Meeting.

1. Approval of Minutes - Special City Council Meeting of February 25, 1991. Mr. Watson moved to accept the minutes as written; Mr. Simon seconded; motion passed unanimously.

Mrs. Swanson moved to suspend the rules of order and procedure and continue with the items on the agenda until Mr. & Mrs. Coates arrive; Mr. Sottile seconded; motion passed unanimously.

3. First Reading - Ordinance 1991-12 - An Ordinance to Adopt Regulations Concerning the Use of Water by Customers of the City of Isle of Palms Water and Sewer Department During Times of Moderate, Severe or Extreme Drought. (Exhibit A) Mr. Sottile made a motion to accept first reading of Ordinance 1991-12 and refer to Engrossed Bills; Mrs. Swanson seconded; motion passed unanimously.

4. Second Reading and Ratification - Ordinance 1991-9 - An Ordinance to Adopt the New FEMA Flood Maps. (Exhibit B) Secretary Geary read the ordinance. Mrs. Swanson made a motion to accept second reading of Ordinance 1991-9; Mr. Simon seconded. After discussion, Mr. Watson moved to suspend the rules of order and procedure to forego third reading and ratify Ordinance 1991-9 at this time; Mr. Simon seconded. Motion and ratification were passed unanimously.

5. Telephone Company Right of Way Across City Property. Mr. Williams reported that Southern Bell had written to request the City to grant them an easement across City property in order to lay fiber optic telephone cable coming off the access ramp of the Isle of Palms Connector to cross our property and connect at Palm Boulevard. (Exhibit C) The purpose of this cable is to provide backup facilities to the islands in case the submarine cable is cut as has happened in the past. Mr. Williams had told Southern Bell that this would not be possible, but an alternative would be to lay the cable along the rear property line of City Hall onto 13th Avenue and then to Palm Boulevard. There was discussion as to what restrictions would be put on Southern Bell about replanting whatever they dig up, going around trees, being able to build over the cable, etc. Council requested that Mr. Williams have something in writing from Southern Bell to be presented at the regular meeting of March 28, 1991.

2. Upon the arrival of Mr. & Mrs. Coates, Mr. & Mrs. Combs, Mr. & Mrs. Glave and Mr. & Mrs. Lubelsky of the Oak Harbor neighborhood, discussion began concerning the new police municipal complex planned for the 13th Avenue and Palm Boulevard property.

Mrs. Coates stated that her biggest concern was that the City would not be able to provide enough off-street parking during times of City Council meetings and Court proceedings. She stated that 13th Avenue and Oak Harbor should not have to take up the slack in parking and requested that no parking be allowed in their residential area during the times of meetings.

Mr. Combs presented to Council a petition (Exhibit D) requesting Council to put the Council and Court Chambers on the municipal parking lot and requesting that no additional trees be city down behind City Hall to make more parking spaces.

Mr. Glave spoke about concerns of rainwater run-off from the parking lot to his property at 13th and Oak Harbor which already has a drainage problem especially since the electrical substation has been enlarged. It was suggested that SCE&G be contacted to address the problem of drainage from the substation.

Mr. Ward asked about the status of the building project; Mr. Williams stated that bids were due in City Hall on March 12, 1991, at 4:00 p.m. Then if Council approved any of the bids, construction would begin within 30 days.

There was discussion about closing off Oak Harbor or 13th Avenue. One of the concerns was whether or not the fire trucks and police vehicles would have sufficient access to protect the homes in that area. It was also suggested that signs could be posted banning parking along Oak Harbor and 13th Avenue and resident stickers be issued with parking permits for their guests.

Mr. Ward asked about using the current plans and constructing the building on the parking lot. Mr. Williams stated that it could be done, but the fire district regulations would require certain changes in construction which could be costly.

Mr. Ward asked how many parking spaces are provided for the building. Mr. Williams stated that there were 27 parking spaces provided for around the building and that spill-over parking would be on City property around City Hall, at the location of the present police trailer, and across the street at the Water Company. Police Chief Arnold stated that there are usually 6 to 8 cars parked at the police station on a regular basis. Mr. Haselden stated that the Building Department personnel would be parking on the old police trailer lot.

Mr. Ward made a motion to direct Mr. Williams to make arrangements with the Highway Department to take 13th Avenue, Oak Harbor and 11th Avenue out of the State maintenance program and be turned over to the City; Mr. Orvin seconded. After discussion, both the motion and second were withdrawn. However, Mr. Ward requested that Mr. Williams contact the Highway Department requesting permission to close off one of the streets and/or to place "No Parking" signs on the roads and report back to Council at the March 28th meeting.

Mr. Ward made a motion that Council not approve any access from the municipal complex to Oak Harbor Boulevard directly off City property; Mr. Sottile seconded. Mr. Haselden and Chief Arnold stated that this had already been taken off the plans. Motion and second were withdrawn.

Mr. Ward made a motion that Council authorize Mr. Williams to look into buying additional resident stickers for people who live on Oak Harbor, 13th Avenue and 11th Avenue; Mr. Sottile seconded. After discussion Mr. Ward amended his motion to change the word "buying" to "provide"; Mrs. Swanson seconded. Motion passed unanimously.

Mr. Ward made a motion to approve construction of a concrete wall on the 13th Avenue property closest to the Coates home, 20' set back onto our property, and 8' high; Mr. Holden seconded. There was lengthy discussion of the type and appearance of a wall at this site and the fact that we had no actual proposals of costs, design, etc. Ms. NesSmith-Picard made a motion that Council postpone Mr. Ward's motion until the March 28th meeting in order to allow Mr. Williams to obtain proposals on costs of the fence, or a berm and fence, and type of materials to be used; Mrs. Swanson seconded. After further discussion, motion to postpone was passed by a vote of 7-2.

Mr. Holden made a motion that the Public Safety Committee meet with the fire chief and police chief along with the residents to discuss the closing of the streets, which meeting to be held before the March 28th regular Council meeting; Mr. Ward seconded. Motion passed unanimously. Mr. Sottile stated that he would try to set up the meeting for March 14, 1991, at 5:30 p.m.

Mr. Lubelsky suggested that we contact the Highway Department about drainage and paving in the Oak Harbor, 11th Avenue, and 13th Avenue while they are working in the area at the present time. Mr. Williams stated that he would contact the Highway Department tomorrow.

Mr. Holden asked Council to take a look at post-Connector planning for parking and asked at what point Council should have an architect begin drawing up parking lots for the island. Mayor Bunch suggested that this project go to Ways & Means since budget time is coming up. Mr. Williams stated that Council should address the status of all of our building projects and what land will be opened up for parking before spending money on drawings.

Before continuing with the agenda, a five minute recess was called.

Mr. Williams asked if all the changes in the neighborhood would have to be taken care of before we get a building permit for the construction of the police-municipal building, because in order to take out the permit, we have to be under contract for the building, and the permit must be obtained before March 18th. It was determined that the fence could be a change order. The bids were to come in to City Hall at 4:00 p.m. on March 12th; therefore, a special meeting will have to be held for March 14th at 6:30 to discuss the bids re awarding the contract.

4. Public Restrooms. Mr. Holden asked if there would be a problem getting the building permit for the restrooms if the contract had not been awarded. Mr. Williams stated that because of the type of building and use, the Building Inspector would not have a problem in issuing the permit.

Mr. Williams referred to his memorandum of March 6, 1991. (Exhibit E) The alternatives would be to reduce the building in half in order for PRC to participate in the financing of the restrooms. The other alternative would be that we take out the loan and PRC would help make payments on the loan.

Mayor Bunch stated that with the Connector coming in, there will be larger numbers of people using the restrooms and that they should not be reduced in size.

The Mayor had a meeting with Charlie Wallace, Chairman of County Council, concerning the public restrooms and Mr. Wallace had agreed that it was a county problem; the Mayor came away from the meeting very optimistic about getting financial help from the county. The Mayor has been put on the agenda of their next meeting. Bill Miller has been given the plans to study.

There was much discussion on this matter; the consensus of Council being that we should proceed with the project and with lobbying financial help from the County and/or PRC.

7. Water Treatment Engineering Services. Mr. Williams referred to his memo of March 7, 1991. (Exhibit F) Mark Yodice of Thomas & Hutton Engineering Co. was in attendance to answer questions.

Mr. Williams reported that he received a formal proposal from Thomas & Hutton for the design and construction of the Reverse Osmosis plant for the sum of $80,000. This figure would be subject to change if and when the City purchases the Wild Dunes system.

Mr. Williams stated that he had asked DHEC for a 90-day extension on the Consent Order in order to make a comparison of RO with EDR, but when DHEC only gave the City a 60-day extension, he felt that there was not sufficient time and that the City should go forward with the RO plans. Another problem with EDR was that Ionics, Inc., was the sole source for the equipment, whereas with RO we could purchase membranes and other equipment from an open market.

There was discussion about selecting the engineer and the time frame in getting the designs ready for the June 1st deadline.
Mr. Yodice stated that after talking with DHEC, he felt that DHEC would be flexible as long as there were plans in the making. As far as extending the plant to include the entire island, he felt that the plant could be designed so that it could be enlarged at a future date. Mr. Williams stated that it may not be feasible to construct a plant large enough to cover Wild Dunes because of the costs of connecting both systems into the same water lines and two plants on the island may be more efficient. The Wild Dunes issue will not be solved in the near future.

There was further lengthy discussion about the choice of an engineering firm and the fact that the City did not go out for bids. Mr. Williams stated that our current association with Thomas & Hutton would be enough to choose them for this project without any legal ramifications of not soliciting other firms. Mr. Williams explained the process through which he came up with Ian Watson's name and the persons in Florida whom he contacted. He stated that Mr. Watson is very highly recommended worldwide as an expert in RO.

Mr. Orvin made a motion that the City employ the team of Thomas & Hutton, E.M. Seabrook, Inc., and Rostek Services as engineers for the Reverse Osmosis plant; Mr. Watson seconded; motion passed 7 in favor, 1 no, and 1 abstention.

There being no further business to come before the Council, Mr. Orvin made a motion to adjourn which was seconded and passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on March 28, 1991.

CITY OF ISLE OF PALMS
ORDINANCE NO 1991-12
FIRST READING DRAFT - March 11, 1991

AN ORDINANCE TO ADOPT REGULATIONS CONCERNING THE USE OF WATER BY CUSTOMERS OF THE CITY OF ISLE OF PALMS WATER AND SEWER DEPARTMENT DURING TIMES OF MODERATE, SEVERE OR EXTREME DROUGHT

WHEREAS, Section 49-23-70 of the South Carolina Code of Laws, 1976 as amended, authorizes the South Carolina Water Resources Commission to adopt and enforce regulations relating to conservation of water in the event of drought conditions; and

WHEREAS, the City of Isle of Palms is required under said regulations to adopt a drought response ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This ordinance is adopted to establish regulations concerning the use of water by customers of the City of Isle of Palms Water & Sewer Department during times of moderate, severe, or extreme drought.

Section 2. TITLE 4, Chapter 3

Section 4-3-1 Definitions

For the purposes of this Ordinance, the following definitions shall apply:

(a) Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools and waterfalls.

(b) Commercial and industrial water use: water use integral to the production of goods and/or services by any establishment having profit as their primary aim.

(c) Conservation: reduction in water use to prevent depletion or waste of the resource.

(d) Customer: any person, company, or organization using water supplied by the City of Isle of Palms Water & Sewer Department.

(e) Domestic water use: water use for personal needs or for household purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

(f) Drought Alert Phases:

1. Moderate Drought: when the Palmer Index reaches the -1.50 to -12.99 range and moderate drought conditions have been verified by best available information, and conditions indicate this situation is expected to persist.

2. Severe Drought: when the Palmer Index reaches the -3.00 to -2.99 range and severe drought conditions have been verified by best available information.

3. Extreme Drought: when the Palmer Index falls below -4.00 and extreme drought conditions have been verified by best available information.

(g) Essential water use: water used specifically for fire fighting, maintaining instream flow requirements, and to satisfy federal, state, or local public health and safety requirements. All other uses are deemed non-essential.

(h) Even numbered addresses: street addresses ending in the numbers 0, 2, 4, 6, 8, and rural routes A through M.

(i) Institutional water uses: water used by government, public and private educational institutions, public medians and rights of way, churches and places of worship, water utilities, and any lands, buildings, and organizations within the public domain.

(j) Landscape water use: water used to maintain gardens, trees, lawns, shrubs, flowers, athletic fields, rights of ways and medians.

(k) Odd numbered addresses: street addresses ending in the numbers 1, 3, 5, 7, 9 and rural routes N through Z, and addresses that have names of the property as the legal address.

(l) Palmer Index: a measure of the severity of a drought or a wet spell in an area. Dry conditions are associated with negative values, wet conditions with positive values, and normal conditions have a value of zero.

(m) Water shortage: Lack of adequate available water to meet normal demands due to lower than normal precipitation, reduced stream flows or soil moisture, and/or lowering the potentiometric surface in wells which causes water supplies to be less than usual.

Section 4-3-2 Response to Moderate Drought Alert:

If conditions indicate that a moderate drought condition is present in this jurisdiction, and is expected to persist, the Mayor shall notify by proclamation, a copy of which shall be forwarded the day of the proclamation to the South Carolina Water Resources Commission Drought Information Center, customers within the water system encouraging them to voluntarily limit their use of water. The City Administrator shall further contact all non-residential customers and urge them to eliminate any non-essential water use.

Section 4-3-3 Response to Severe Drought Alert:

If conditions indicate that a severe drought condition is present in this jurisdiction, and is expected to persist, the Mayor shall notify by proclamation, a copy of which shall be forwarded the day of the proclamation to the South Carolina Water Resources Commission Drought Information Center, customers that the following uses of water are prohibited:

(a) Aesthetic water use;

(b) New recreational facilities that require filling, such as swimming pools, water slides and other water related activities, and maintenance of existing recreational facilities such as swimming pools, and other water related activities;

(c) Sprinklers and other remote broadcast devices and water runoff in landscape design and maintenance;

(d) Low volume hand-held watering for landscape purposes, except on Wednesday and Saturday for odd numbered addresses and Thursday and Sunday for even numbered addresses;

(e) Flushing and/or cleaning of asphalt or concrete surfaces;

(f) Washing of automobiles, trucks, bicycles, motorcycles, motorbikes, boats, trailers, mobile homes, airplanes, or other such vehicles or structures;

(g) No applications for new or expanded service shall be granted. Subsequent to the date of this Ordinance, all correspondence regarding water availability, pipeline extension agreements and applications requesting service, shall make reference to conditions relating to water shortages.

Section 4-3-4 Response to Extreme Drought Alert:

If conditions indicate that an extreme drought condition is present in this jurisdiction, and is expected to persist, the Mayor shall notify by proclamation, a copy of which shall be forwarded the day of the proclamation to the South Carolina Water Resources Commission Drought Information Center, customers that the following additional restrictions shall apply:

(a) All commercial or industrial users shall reduce consumption levels to the minimum levels necessary to maintain health and safety;

(b) Residential customers shall be limited to seventy-five (75) gallons per person per day, and a mixture of three hundred (300) gallons per household per day;

(c) The Water & Sewer Department shall monitor water use and if necessary shall request City Council to authorize water rationing if necessary to preserve the public health and safety;

(d) Agricultural users shall implement water conservation techniques and restrict the use of water for irrigation to the hours between 7:00 p.m. Eastern Standard Time to 7:00 a.m. Eastern Standard Time. Any agricultural use which results in water runoff shall be prohibited.

Section 4-3-5 Variances:

Customers not capable of immediate water use reduction or curtailment, shall commence gradual reduction of water use within twenty-four (24) hours of the proclamation that water use restrictions are in effect, and shall apply for a variance within three (3) days after such restrictions become effective. Requests for variance shall be filed with the Water & Sewer Department and shall contain the following:

(a) Name and address of the petitioner(s);

(b) Purpose of water use;

(c) Specific provision from which the petitioner is requesting relief;

(d) Detailed statement as to how the curtailment declaration adversely affects the petitioner;

(e) Description of the relief desired;

(f) Period of time for which the variance is sought;

(g) Economic value of the water use;

(h) Damage or harm to the petitioner or others if petitioner complies with this Ordinance;

(i) Restrictions with which the petitioner is expected to comply and the compliance date;

(j) Steps the petitioner is taking to meet the restrictions from which variance is sought and the expected date of compliance;

(k) Other pertinent information.

The variance shall not be granted unless the petitioner can show one or more of the following conditions exist:

(a) Compliance with this Ordinance cannot be technically accomplished during the duration of the water shortage;

(b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

No variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to the issuance of the variance. Any variances granted shall include a timetable for compliance.

Section 4-3-6 Penalties and Enforcement:

(a) Any person violating this Ordinance shall, upon conviction, be subject to a fine not exceeding Two Hundred Dollars ($200.00) per violation.

(b) All employees of the City of Isle of Palms are hereby charged with the enforcement of this Ordinance, and are granted all powers allowed by law to fulfill this duty.

Section 3. Severability. In any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. The Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: _____
Second Reading: _____
Public Hearing: _____
Third Reading: _____
Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-9
Second Reading Draft - 3/11/91

AN ORDINANCE TO ADOPT THE NEW FEMA FLOOD MAPS AND MAKE TEXTUAL CLARIFICATIONS TO THE CITY'S FLOOD ORDINANCE

WHEREAS, the City of Isle of Palms has adopted the current FEMA flood hazard maps in Section 5-2-7 of the City Code; and

WHEREAS, FEMA has prepared a new set of flood maps, which will supersede the existing maps and will be effective as of March 18, 1991; and

WHEREAS, City Council wishes to adopt said new flood maps for the City of Isle of Palms, to be effective as of March 18, 1991; and

WHEREAS, FEMA has requested the City to make textual modifications in its flood ordinance, in order to clarify the provisions of City Code Section 5-2-19.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to adopt the new FEMA flood hazard maps.

Section 2. Section 5-2-7 Amended. Section 5-2-7 of the City Code is amended by deleting the date "October 17, 1986" and replacing it with the date "March 18, 1991".

Section 3. Section 5-2-19(5) Amended. Section 5-2-19(5) of the City Code is amended as follows:

In subsections (A), (B) and (C), the initial phrase "All buildings or structures" is changed to read "New construction and substantial improvements".

Section 4. Section 5-2-19(5)(d) Amended. Section 5-2-19-(5)(d) of the City Code is amended to read as follows:

(d) All pile and column foundations and structures attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. Water loading values

shall equal or exceed the base flood. Wind loading values shall equal or exceed the base flood. Wind loading values shall be in accordance with Standard Building Code, Current Edition.

Section 5. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective as of March 18, 1991.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

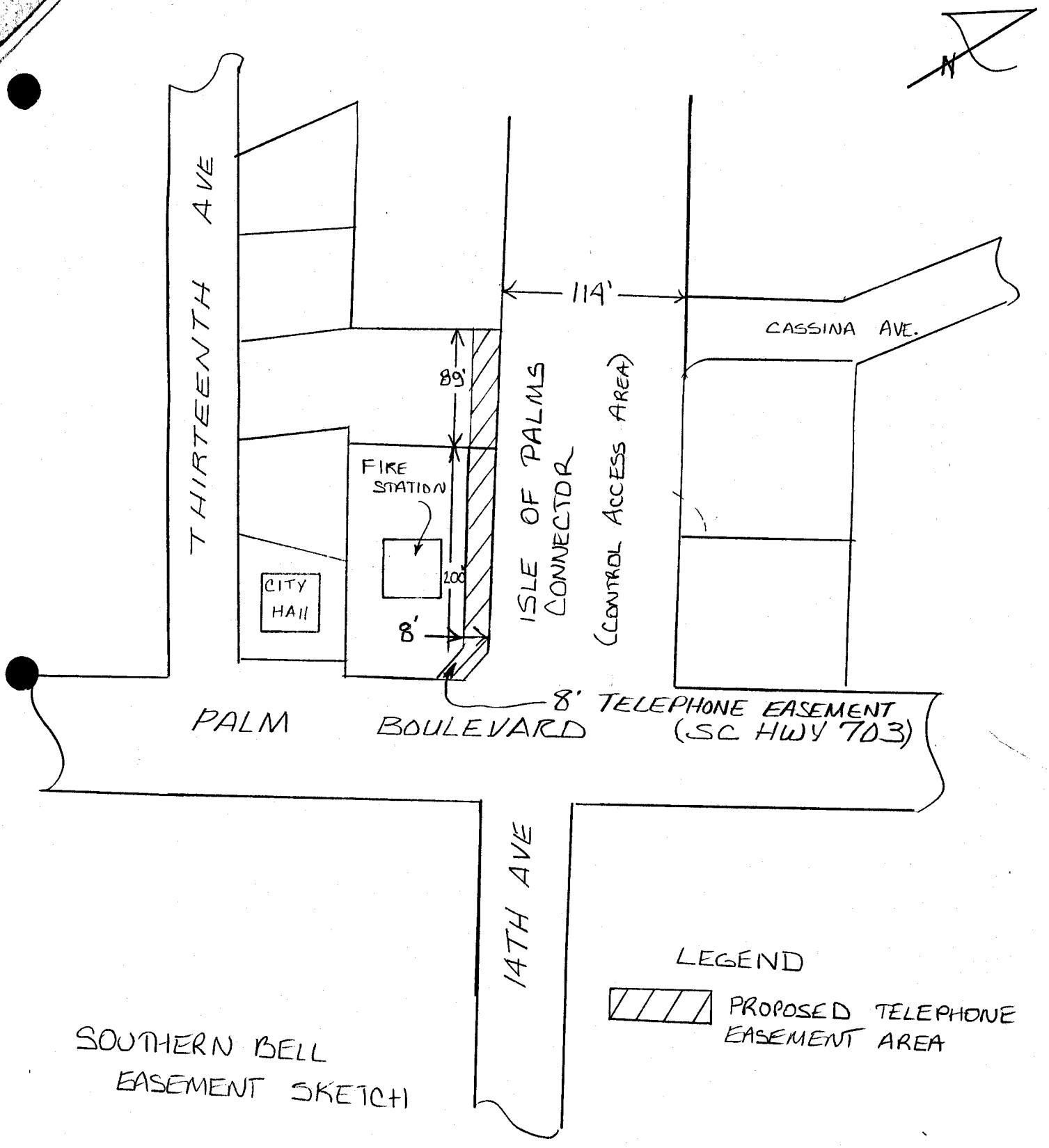
_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 2/28/91

Second Reading: _____

Ratification: _____

EXHIBIT C



SOUTHERN BELL
EASEMENT SKETCH

NOT TO SCALE

Petition

EXHIBIT D

We, the property owners of the Oak Harbor Blvd and 13th Ave, neighborhood request and petition Council to put Council Chambers at the parking lot and not in our neighborhood. We dont believe the city can provide enough off-street parking for large meetings and we dont want people parking on our streets or using them as main throughfares. We dont believe that putting Council Chambers in our neighborhood can meet the requirements of the Conditional use law.

We do not want the remaining Oak tree behind City Hall cut down to make more parking spaces.

Elaine M Combs	8-13th Ave
James L. Combs	8-13th AVE
Octavia L Schad	12-13th
[illegible]	9-13th
Hazel Lupo	1203 Oak Harbor Blvd.
Judith C. Coates	1203 Palm Blvd
James H Coates	1203 PALM BLVD.
William L Dudley	1105 OAK HARBOR BLVD
Anne M. Dudley	"
L B McCoats	1103 Oak Harbor Blvd
Norman Lubelsky	One Eleventh ave.
Queen Lubelsky	One Eleventh Ave.
Eugene A. Parker	1101 Palm Blvd
Jeanette Parker	1101 Palm Blvd.

Hollis A. Lamkin 1111 Oak Harbor Blvd.

EXHIBIT E

6 March 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator MW

Subject: Rest room project

I recently had a telephone conversation with one of the PRC commissioners who advised me that the Commission might entertain making the payments on the loan to build the rest rooms if the City will be responsible for obtaining the loan and building the facility. We would also have to be responsible for the operation and maintenance of the rest room. I told him that I did not know if the City Council would find these terms acceptable in light of our hesitancy to have to keep the rest rooms maintained.

When we met with the Commission you may recall that one of the members said he wanted to talk with our architect to see if anything could be done to lower the cost of the rest rooms. This person (I don't recall his name) has contacted John Gardner and has suggested that we model our rest rooms after one of the Commission's designs in order to be able to construct the rest rooms for $60,000 or so. PRC built a similar facility at Palmetto Park or another park a couple of years ago for $57,000. Supposedly, at this reduced cost the PRC would be able to participate financially to a greater extent.

John Gardner tells me that the design would be approximately half the size of the structure we have proposed, and that the reduced scale facility could meet the need until the PRC builds their facility in the IOP park. John has offered to meet with Endecon, the low bidder on our plan, to see if our design can be scaled down enough to put it in the same price range as the PRC's design. I suggested to John that he not spend any more time on this project unless I advise him that there is sufficient interest on council to resuscitate the project.

If you would like to pursue this alternative further, please let me know.

EXHIBIT F

7 March 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator MMW

Subject: Engineering services for RO/EDR water treatment

It appears that DHEC will grant the City a 60 day extension for compliance with the Consent Order we inherited with the Water Company. Even with this extension we have very little time in which to conduct a pilot study on the two main water treatment technologies that bear investigation and make a preliminary engineering submittal to DHEC by June 1, 1991.

We have previously discussed various alternatives in selecting a consullting engineer for this project. I do not believe that we have sufficient time under the extension to go out on a competitive basis to select consulting engineers and then make the submittal deadline. I think an open Request for Qualifications will yield numerous respondents and place a significant burden on us to select the most qualified firm. Arguably, we already know that CH2MHill is probably the most experienced firm in the region by virtue of having done the RO work for Mt.Pleasant. However, the CH2MHill representative with whom I have talked advised me that the firm had imported RO knowledge from their offices in Florida where most of the RO work in the U.S. is being done.

We have already talked with Micky Seabrook about RO and we know that his firm has little or no practical experience with RO. However, Seabrook's long relationship with the Isle of Palms Water Co. and their general knowledge of the system would be valuable for the City to retain.

Thomas and Hutton, which has satisfactorily completed or is currently working on a number of projects for the City, has also proposed a joint effort with E. M. Seabrook and the firm of Rostek Services of Ft. Myers, FL to do the City's engineering for water treatment. Thomas and Hutton would prepare the engineering design in consultation with the principal of that firm, Ian C. Watson. You will see from his attached resume that he has considerable experience in water treatment technology, and is generally recognized as one of the "fathers" of reverse osmosis. This person's name is Ian C. Watson and the name of his firm is Rostek Services.

Since we already have a relationship with Thomas and Hutton, they have prepared a formal proposal, which is attached to this memo, for our consideration at the council meeting, Monday, March 11. It is my opinion that DHEC has not given us enough time to solicit competitive proposals (although you will recall that Thomas & Hutton was originally selected by us in that manner, and CH2MHill did not respond to our solicitation at that time. I do not mean to infer anything negative by mentioning this; it seems that the firm was preoccupied at the time with other projects.)

We need to move significantly forward on the water treatment issue; selection of our consulting engineers will be the first evidence that we are dealing effectively with Consent Order compliance..

THOMAS & HUTTON ENGINEERING CO.
270 WEST COLEMAN BOULEVARD
POST OFFICE BOX 1522
MOUNT PLEASANT, S. C. 29465-1522
TELEPHONE (803) 849-0200

March 8, 1991

Mr. Mark Williams
City Administrator
CITY OF ISLE OF PALMS
Post Office Drawer Q
Isle of Palms, South Carolina 29451

Re: Isle of Palms
Reverse Osmosis Proposal

Dear Mark:

We have assembled a team to design a Reverse Osmosis (R/O) Water Treatment Facility for the Isle of Palms.

The team consists of Thomas & Hutton Engineering Co., Mr. Ian C. Watson, P.E. of Rostek Services, Inc., and E.M. Seabrook, Jr. Inc.

We have assembled this team to provide the City with the best possible service. Mr. Watson is recognized as a leading expert in the design of R/O facilities and will assist in developing the best design. E.M. Seabrook will add its knowledge of the water system and can expand on some initial work undertaken.

We believe this approach will give the City an outstanding facility and save the City money over the course of the Project.

At this time, we are outlining the scope of services and developing a proposal for this project. We intent to have a proposal to you early afternoon on Monday, March 11, 1991.

While we do not have firm figures at this time, we believe fees will be approximately:

Permitting:	1% of Construction Cost
Design:	5% of Construction Cost
Construction:	2% of Construction Cost

3 OGLETHORPE PROFESSIONAL BLVD. / P. O. BOX 14809 / SAVANNAH, GA 31416-1609 / TELEPHONE (912) 355-6300

MAR-7-91 THU 23:05 THOMAS & HUTTON ENG. CO. 18035849205

We hope this is acceptable and will be contacting you to see if you have any questions or need additional information.

Sincerely,

THOMAS & HUTTON ENGINEERING CO.

Mark F. Yodice

Mark F. Yodice, P.E.

MFY/sdc

cc: Mr. Mitchell Bohannon, P.E.

IAN C. WATSON, P.E.

JUNE 1983 TO PRESENT

ROSTEK SERVICES, INC., FORT MYERS, FLORIDA - FOUNDER & PRESIDENT

RTSI is a specialized consulting firm whose main activity is to provide engineering services in the field of membrane application technology. RTSI offers expertise in plant design and specification, equipment selection, bid evaluation, troubleshooting on existing plants, refurbishing and upgrading existing plants operation and maintenance consultation, and construction management. RTSI is licensed as a consulting engineering firm by the State of Florida.

JULY 1981 TO JUNE 1983

HYDRANAUTICS WATER SYSTEMS, SANTA BARBARA, CALIFORNIA

MANAGER INTERNATIONAL SALES - Responsible for the company's sales and marketing programs outside the North American continent. Specific activities include:

- *Identify and evaluate potential business opportunities.*
- *Supervise and participate in proposal preparation, both technical and commercial.*
- *Make presentation to clients.*
- *Assist clients in project definition.*
- *Negotiate with clients on contract terms, price, changes, etc.*

My activities took place primarily in the Middle East, North Africa, India, and the Pacific Rim countries.

AUGUST 1977 TO MAY 1981

ISLAND WATER ASSOCIATION, INC., SANIBEL, FLORIDA

GENERAL MANAGER AND CHIEF ENGINEER - Responsible for all technical, commercial, and administrative activities of this member-owned utility. Reported to the President and Board of Directors. The utility owns and operates two well fields, a 2.1MGD electrodialysis plant, a 3.6MGD reverse osmosis plant, a water storage system of 16MGD, and approximately 150 miles of distribution and delivery system. Specific duties included:

- *Management of billings, accounts receivable and payable.*
- *Budget preparation and control.*
- *Personnel Administration.*

- *Cash flow analysis and control.*
- *Management of operations and maintenance for water production and distribution systems.*
- *Design, contracting, and supervision for new facilities construction.*
- *Supervision of IWA personnel in construction performed with own forces.*
- *Liaison with consultants and contractors for water service requirements.*
- *Long range planning.*

APRIL 1972 TO JULY 1977

DAVID VOLKERT AND ASSOCIATES, BETHESDA, MARYLAND

VICE PRESIDENT, ENVIRONMENTAL PLANNING AND ENGINEERING DIVISION Responsible for all corporate activities involved with matters of environmental concern. Supervised all activities of the Division for all the offices, located in Maryland, Florida, and Alabama. Typical assignments included:

- *Conceptual and engineering design of advanced water and wastewater treatment plants, including reverse osmosis and ultrafiltration.*
- *Preliminary design of utility systems including treatment plants.*
- *Special construction studies for industrial facilities (e.g. railroad maintenance shop).*
- *Preparation of draft and final environmental impact statements.*

SEPTEMBER 1969 TO APRIL 1972

CONTROL SYSTEMS RESEARCH, INC., ARLINGTON, VIRGINIA

SENIOR PROJECT MANAGER - Responsible for the management of projects dealing with water quality improvement studies, economic process studies of desalting test facilities, as well as performing technical evaluations of ion exchange, reverse osmosis, and electrodialysis technology as applied to the desalination of brackish water for urban usage.

APRIL 1969 TO SEPTEMBER 1969

FOSTER-WHEELER CORPORATION, LIVINGSTON, NEW JERSEY

SUPERVISOR OF PROCESS COST ENGINEERING - Mr. Watson made decisions affecting the economics of project design for chemical and petrochemical plant construction. On major projects, he was responsible for administration of job budgets, including field office spending. He performed continuous data collection and analysis of engineering and construction costs.

JANUARY 1965 TO APRIL 1969

BECHTEL CORPORATION, GAITHERSBURG, MARYLAND

ESTIMATOR - Performed feasibility studies for both conventional and nuclear steam generating plant construction. He prepared cost and operation feasibility studies of component systems of the generating plant, primarily in the process phase. As an engineer for this contractor, Mr. Watson performed design work on boiler feedwater treatment systems, flue gas systems, and ash handling equipment. He also had responsibility for the design of complete automated instrumentation for the power-generating complex of a paper mill.

JANUARY 1964 TO DECEMBER 1964

ATOMIC ENERGY OF CANADA LTD., CHALK RIVER, ONTARIO

RESEARCHER - At the Chalk River Nuclear Laboratories, Canada, Mr. Watson performed experiments designed around two-phase water flow and its effects on heat transfer coefficients and fouling factors. He was responsible for complete projects including design and assembly of test rigs, all monitoring and measurements during test runs, and analysis and presentation of results. He also was responsible for the quantification of fouling materials on the heat transfer surfaces of irradiated nuclear fuel elements.

SEPTEMBER 1959 TO DECEMBER 1963

BRITISH PETROLEUM, LTD., LLANDARCY, SOUTH WALES

ASSISTANT PROCESS ENGINEER - Mr. Watson performed heat and material balances around an operating oil refinery plant. He participated as a member of a research team in the investigation of effects of input variables on distillation column product quality. As supervising engineer, he performed acceptance testing on fixed-bed ion exchange units for boiler feedwater treatment. He also acted as process advisor during the commissioning of a grass roots hydrocarbon chemicals plant.

PROFESSIONAL AFFILIATIONS

International Desalination Association
National Water Supply Improvement Association
Washington Society of Engineers
Florida Engineering Society
National Society of Professional Engineers
American Water Works Association

EDUCATION

Neath College of Technology, South Wales, Great Britain
1962 - Higher National Certificate - Chemical Engineering
1963 - Endorsements of Higher National Certificate
1963 - Successfully completed the Institute of Chemical Engineers requirements for Chartered Engineer Status

Berkhamsted School, Berkhamsted, Great Britain

1957- General Certificate of Education - Ordinary Level - 9 subjects
1959- General Certificate of Education - Advanced Level - 3 subjects

Additional non-credit courses in management and data processing.

HONORS

Listed in Who's Who in Engineering - 1980
Selected as participant in the Utilities Working Group, US-USSR Technology Exchange Program, U.S. Department of Commerce, 1976-1977
Lecturer at Seminars dealing with membrane desalination.

REGISTRATION

Certificate #25224 - State of Florida
Certificate #12532 - State of North Carolina
Certificate #57698 - State of Texas
Certificate #18007 - State of Virginia

PUBLICATIONS

Feasibility of Ion Exchange for Desalting Brackish Water, OSW R&D Report 616, 1970.

The Cost of Desalting for Small Inland Communities, presented to the American Association of Cost Engineers, San Francisco, 1970.

Analysis and Summary of the Freeport Texas, Vertical Tube Evaporator, OSW R&D REport 759, 1971, with Dr. G. Shroff and R.D. Cross.

Feasibility of Desalting in the State of Montana, OSW R&D Report 783, 1972, with F. Heider.

Cost Calculating Manual for Small Conventional Water Treatment Plants, OSW and Montana Water Resources Board, unpublished, 1972.

Feasibility of Chlorinating Unfiltered Potomac River Water; for U.S. Army Corps of Engineers, Baltimore District, 1973.

Analysis of the Siesta Key Electrodialysis Plant, for OSW, unpublished, 1973.

Cost-Effectiveness of Water Treatment Methods, for U.S. Environmental Protection Agency, with F. Heider and S. Spano, 1974.

Analysis of Electrodialysis plant operations, and future options, for Island Water Association, Inc., Sanibel, Florida, with F. Heider, 1977.

5 Years of E.D. Experience on a Barrier Island, with R. Derowitsch, presented at Seventh Annual Conference of the National Water Supply Improvement Association, New Orleans Louisiana, 1979.

Some Thoughts on R.O. Plant Design. Presented to S.W. Engineering Symposium, Tampa, Florida, August 1984.

Reverse Osmosis in Florida - Where Are We Going? - Floconews Volume 11, 1985 - Pfizer Chemical Division, Pfizer Corporation.

Theory of Reverse Osmosis, Part 1. Presented at NWSIA Reverse Osmosis Seminar, Englewood, Florida, April 1986.

Some Considerations in the Design of Brackish Water Desalination Plants. Presented at Water Conservation Workshop, Wichita Falls, Texas, for the Texas Water Development Board, October 1986.

Real World Considerations in the Design of Desalination Plants. Presented at NWSIA Reverse Osmosis Seminar, Virginia Beach, Virginia, January 1987.

Membrane System Applications and Economics. Presented at AWWA Annual Conference, Orlando, Florida, June 1988.

Softening Membrane Testing Shows a Strong Municipal Application for THM Control, with Eddie D. Edwards and Donald C. McKenna, presented at NWSIA Conference, San Diego, California, August 1988.

Comparing R.O. and EDR for Desalting Groundwater in Suffolk, Virginia, with Millard P. Robinson, Donald M. Thompson, Mark A. Thompson, presented at NWSIA Conference, San Diego, California, August 1988.

Membrane Plant Concentrate Characterization, Presented at the Seminar "Concentrate Disposal", West Palm Beach, Florida, December 1988.

EXPERIENCE LISTING

ROSTEK SERVICES, INCORPORATED
1380 Plumosa Drive
Fort Myers, Florida
USA, 33901

CLIENT	*PROJECT*	*TECHNOLOGY*	*DATE*
Boyle Eng. Corp./Monterey Peninsula MWD	*Siting Feasibility Study*	*Seawater desalination facilities 3MGD to 8MGD*	*1991*
Stanley Consultants/ City of Boynton Beach	*Construction Management & Startup Services*	*4MGD Membrane Softening Plant*	*1991*
Boyle Eng. Corp./MWD of So.Calif.	*Groundwater Reclamation Study*	*R.O., EDR, MS evaluation for 1, 3, 5, 10 & 15 MGD Treatment Plants*	*1990*
Boyle Eng. Corp./Marin MWD, Calif.	*Feasibility Study, Pilot Testing, Preliminary Design*	*4.5MGD Seawater R.O.*	*1990*
Boyle Eng. Corp./Mission Hills CSD, Calif.	*Feasibility Study/Pilot Test for Oil Field Water Recovery*	*1.2-1.5MGD Oil Separation/Air Stripping/R.O.*	*1990*
Boyle Eng. Corp./Collier Co., Fla.	*Preliminary & Final Design Services*	*12.0MGD Membrane Softening Plant*	*1990*
City of Dunedin, Florida	*Project Review Services*	*7.5MGD Membrane Softening*	*1990*
Hutcheon Eng./ Martin Co., Florida	*Preliminary & Final Design Services*	*4.5MGD Brackish Water R.O. Plant*	*1990*
Source Inc./ Greater Pine Island Water Association	*Conceptual Design Services*	*3.0MGD Brackish Water R.O. Plant*	*1990*
City of Cape Coral, Fla.	*Retrofit Design Services*	*Convert existing Hollow Fiber R.O. Plant to Spiral Wound. 5.0MGD*	*1990*

Boyle Eng. Corp./City of Vero Beach, Florida	*Final Design and Construction Services*	*6.0MGD Brackish Water R.O. Plant*	*1989*
Confidential/ Caribbean	*Concept & Preliminary Cost Studies*	*1.0MGD Seawater R.O. Plant*	*1989*
Hazen & Sawyer/City of Hallandale, Florida	*Conceptual Cost Studies*	*4.0MGD Floridan R.O. 4.0MGD Biscayne Membrane Softening*	*1989*
B.G.O. Sistems, C.A. Caracas, Venezuela	*Plant Evaluation & Retrofit Study*	*2x800,000GPD Seawater R.O. Systems*	*1989*
Boyle Eng. Corp./ City of Ft. Myers, Florida	*Construction and Startup Services*	*20MGD Membrane Softening WTP*	*1989*
Boyle Eng. Corp./ Sarasota Co., Florida	*Process and Facility Design Services*	*12MGD Electrodialysis Reversal WTP*	*1989*
Malcolm Pirnie,Inc./ Palm Coast Utilities, Florida	*System Specification and Design Services*	*2MGD Membrane Softening WTP (Expandable to 6MGD)*	*1989*
Dare Co.,N.C. Hatteras Island, N.C.	*Pilot Testing and Preliminary Design*	*1.4MGD Demineralization WTP*	*1989*
Boyle Eng. Corp./ Vero Beach, Florida	*Feasibility Study & Preliminary Design*	*6.0MGD Brackish Water R.O. & EDR*	*1989*
Boyle Eng. Corp./ Sarasota Co., Fla.	*Pilot Testing & Preliminary Design*	*12MGD Demineralization Water Treatment Plant*	*1989*
Source Inc./ Gulf Utilities, Inc.	*Process Design/ Specification*	*1.0MGD Membrane Softening Plant*	*1989*

NSA Engrs/ City of Harlingen, Texas	*Process Design Specification Startup Assistance*	*2MGD Waste Water Recovery System*	*1989*
Hutcheon Engr/ Martin Co., Fla.	*Water Supply Study*	*R.O., EDR & Softening*	*1989*
Project Resources & Development, Inc.	*Equipment Specifications & Design Review*	*400,000GPD Seawater R.O.*	*1988*
Hazen & Sawyer/City of Tamarac,Fla.	*Overview Study*	*12MGD Membrane Softening*	*1988*
Black & Veatch Phoenix, Ar.	*Water Quality Improvement Study*	*50,000GPD R.O. or EDR*	*1988*
City of Cape Coral, Fla.	*Membrane Test Program*	*Reverse Osmosis*	*1988*
Mariner's Cove Estero, Fla.	*Design, Permitting and Certification*	*20,000GPD Ultra-filtration Plant for color, turbidity removal and iron removal*	*1988*
Malcolm Pirnie,Inc./ Palm Cost Utilities Palm Coast, Fla.	*Feasibility Study and Preliminary Design*	*6.0MGD Membrane Softening Water Treatment Plant*	*1988*
Cogentrix,Inc. Charlotte, N.C.	*Preliminary studies for cogeneration plant*	*Seawater and brackish water, RO & EDR, capacities, various*	*1988*
Malcolm Pirnie Inc/ City of Suffolk, Va.	*Consultation on Plans, Specs, Start-up & Acceptance Testing*	*3.8MGD Brackish Water Electrodialysis Plant*	*1988*
Coralwood Village, Cape Coral, Fla.	*Design, Permit & Certification*	*10,000GPD Brackish Water R.O. Plant*	*1988*
InterPacific Group San Francisco Calif.	*Technical Advisory Services*	*2 x 40,000 USGPD Sea Water R.O. Systems*	*1988*

Hutcheon Eng's/Town of Jupiter, Fl.	*Process Design & Consultation*	*6MGD Brackish Water Reverse Osmosis Plant*	*1988*
Malcolm Pirnie, Inc./ City of Plantation, Florida	*Process Design & Consultation*	*12MGD Membrane Softening Plant*	*1988*
Malcolm Pirnie Inc/ City of Suffolk, Va.	*Design, Monitor and evaluate pilot plant operation*	*LP Reverse Osmosis and Electrodialysis Reversal*	*1987*
Boyle Engr./City of Ft. Myers, Fla.	*Process consultation for membrane plant for hardness and THM precursor removal*	*20MGD Membrane Softening Plant*	*1987*
Confidential Industrial Client	*Professional Engineering Services, for drawing & spec. review.*	*Product-staged Reverse Osmosis and Ultra Filtration, Pre-treatment & Posttreatment*	*1987*
Malcolm Pirnie/City of Suffolk, Virginia	*Desalting Feasibility Study for Municipal Water Supply*	*R.O. Membrane Softening EDR, and hybrid system for 3MGD, expandable to 6MGD*	*1987*
Boyle Eng. Corp. Orlando, Florida	*Inspection, Analysis and appraisal of existing R.O. facility*	*300,000GPD Brackish Water R.O. Plant.*	*1987*
City of Cape Coral, Fla.	*Alternatives Study, and preparation of bid Specs.*	*Revision & Automation of 5.0MGD RO Plant Instrumentation & Control System*	*1987*
Confidential, Greece	*Assistance in the Preparation of Design Build Proposal*	*300,000GPD Seawater R.O. System & Associated Civil Works*	*1986*
APEC Consultants Miami, Fla.	*Drinking Water System, French West Indies*	*30,000GPD Seawater Plant R.O. or VVC*	*1986*

The Joint Venture Eng's/ Sarasota Co. Fla.	*Consulting Services Municipal Water Treatment Plant*	*12.0MGD Reverse Osmosis Low Pressure Brackish Water*	*1986*
APEC Consultants Miami, Fla.	*Drinking Water System, Turks & Caicos Islands*	*50,000GPD Seawater RO or Thermal*	*1986*
City of Cape Coral, Fla.	*R.O. Brine Concentration Feasibility Study*	*Reverse Osmosis with Pretreatment and Energy Recovery*	*1986*
Boyle Eng'g, Corp./City of Fort Myers, Florida	*Consultation for Pilot Studies*	*Low Pressure Membrane Softening, and THM Precursor Removal*	*1986*
Farmland Industries Inc., Bartow Florida	*Technical Advice on Desal Technology for Waste Water Treatment for fertilizer manufacturing*	*R.O., ED, Ion Exchange Pretreatment*	*1985*
Islander Building Co. Colony Don Pedro, Fla.	*Consulting Design and Permitting Services for Water Treatment & Distribution*	*30,000GPD R.O. Plant Brackish Water*	*1985*
City of Cape Coral, Cape Coral, Fla.	*General Consultant R.O. System Operations*	*5.0MGD HF System 7.0MGD SW System Both Brackish Water*	*1985*
Heron Bay Club Osprey, Fla.	*Advisory Services*	*10,000GPD Brackish R.O. System*	*1985*
Beverly Beach Enterprises, Inc., Beverly Beach, Fla.	*New Plant Installantion Engineering and Permitting*	*55,000GPD R.O. Plant Brackish Water*	*1985*
County of Dare N. Carolina	*R.O. System Consultant*	*8.0MGD Brackish Water R.O. Plant*	*1985*
Confidential	*Cost Studies*	*Seawater R.O. and Thermal Systems*	*1985*
APEC Consultants, Inc. Miami, Fla.	*Planning, Design and Specification St. Maarten*	*Seawater R.O. and Energy Recovery 30,000GPD expandable to 125,000GPD*	*1984*

HNTB/City of Cape Coral Cape Coral, Florida	*Design, Specifications and Project Coordination*	*Reverse Osmosis 7.0MGD Brackish Water Spiral Wound Low Pressure*	*1984*
Confidential	*Marketing*	*Reverse Osmosis*	*1984*
City of Cape Coral Cape Coral, Flordia	*Membrane Specification & Plant Rehabilitation*	*Reverse Osmosis 5.0MGD Brackish Water Hollow Fiber LP*	*1984*
Barnes Chemical & Engineering (Pvt.) Ltd. Singapore	*Process Consultant*	*Waste Water Reuse Reverse Osmosis (220,000GPD)*	*1984*
APEC Consultants, Inc. Miami, Fla.	*Design & Specification, New Plant. Cayman Islands*	*Seawater Reverse Osmosis (2 x 40,000GPD)*	*1983*
Cat Cay Club Cat Cay, Bahamas	*General Consultant Operations & Maintenance*	*Seawater Reverse Osmosis (2 x 15,000GPD)*	*1983*
Source, Inc./ North Beach Water Company	*Redesign & Specification*	*Reverse Osmosis 2.4MGD Brackish Water Hollow Fiber*	*1983*
Pollution Control Ltd. Telford, England	*Membrane Selection & Supply*	*Reverse Osmosis (15,000GPD) Ultra Pure Water System*	*1983*
South Fla. Water Management District West Palm Beach, Fla.	*Alternative Treatment Schemes Technical & Cost Evaluation*	*Reverse Osmosis Electrodialysis*	*1983*
Havens and Emerson Atlanta, Georgia	*Operations Analysis & Troubleshooting*	*Reverse Osmosis (20,000GPD)*	*1983*
McCormack Corporation Dallas,Texas	*Technical Assistance*	*Reverse Osmosis (250,000GPD)*	*1983*

FAX MESSAGE

FROM : RosTek Services Inc.
1380 PLUMOSA DRIVE,
FORT MYERS, FLORIDA,
U.S.A., 33901

FAX No: 813-334-2072

TO : Mark Williams
156 of Palms, S.C.
3-4-91

FAX No: (803) 886-8005

No. of pages, including cover : 12

MESSAGE: Mark, personal resume and RosTek experiance list, as requested. I would be happy to assist you with your program, either in association with your consultant, or as a special consultant to the City. This latter arrangement was in effect in Dare Co. N.C. and resulted in an award-winning project. I was appointed by the Board of County Commissioners to advise them and to assist their consultant Black & Veatch. Please call if you need further input

IF THE TRANSMISSION IS INTERRUPTED, OR OTHERWISE INCOMPLETE, PLEASE CALL 813-334-0442

FROM : Regards
John Watson

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
MARCH 14, 1991, 6:30 P.M.
CITY HALL

A Special Meeting of the Isle of Palms City Council was held on March 14, 1991, at 6:30 p.m., in City Hall, for the purpose of discussing the bids for the new police/municipal building. Present at the meeting were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, and Watson. Absent were Council Members Swanson, Ward and Orvin. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary.

1. As the first item on the agenda was Executive Session to discuss contractual matters, the Mayor asked for a motion to go into Executive Session. Motion was made, seconded and passed unanimously.

Coming out of Executive Session the Mayor stated that no action had been taken. Discussion was made on contractual matters on the bid pertaining to the project of the new police/municipal building to be located at 13th and Palm.

2. Mr. Watson made a motion to reject the low bid and accept the second low bidder of Palmetto Construction; Mr. Sottile seconded. (Exhibit A) After brief discussion, motion passed 5-1.

3. Mr. Williams reported to the Council about the PRT Grant that could be applied for to receive an amount up to $45,000 for the construction of the public restrooms. Funds would be available in the fall. He stated that if we do apply, there would be no commitment to accept the grant if we received needed funds from the County or otherwise. The property would have to be deed restricted to be used for recreational purposes only by approval of PRT.

Mr. Holden made a motion to permit the City Administrator to apply for the PRT grant; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - yes; NesSmith-Picard - yes; Simon - no; Sottile - no; Watson - no; Bunch - no. Motion was defeated 2-4.

There being no further business to come before the Council, motion was made to adjourn, seconded and passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on March 28, 1991.

BID TABULATION FORM

Date: March 12, 1991
4:00 PM

Architect: J.E. Gardner & Associates, Inc.
401B West Coleman Boulevard
Mt. Pleasant, South Carolina

Project: A New Municipal Building
Isle of Palms, South Carolina

CONTRACTOR	BASE BID	ALTERNATE #1 ELEVATOR	ALTERNATE #2 RESTROOMS	COST OF BOND/1000
Complete Builders	239,581	23,242	1,330	18/1000
Jordon Construction	328,935	22,500	1,469	25/1000
DESCON	221,140	23,862	975	25/1000
Dawson	254,498	22,500	2,026	14.40/1000
Hass	238,500	22,800	2,000	20/1000
Larcon				
Pat Ilderton	316,390	29,436	5,760	none
Palmetto Const.	232,740	21,000	700	25/1000
Endecon	239,239	23,240	1,200	20.50/1000
Nivens Engr.	292,500	35,680	1,325	14.40/1000
Southeast Const.	294,950	24,148	3,000	25/1000
Preston Gilmore				
Lowcountry Contr.				
Pollywink stmt. qual. not attach.	250,000	29,610	2,563	30/1000
Tricon				
Monolith Const.	249,600	24,530	2,536	1.10/1000

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
MARCH 28, 1991, 7:00 P.M.
EXCHANGE CLUB

The Regular Meeting of the Isle of Palms City Council was held at 7:00 p.m., on March 28, 1991, at the Exchange Club. After the Pledge of Allegiance and Invocation, Roll Call was taken. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, and Watson; City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary. Council Member Orvin arrived a few minutes later.

The Mayor asked for a motion to move Council Member Sottile's introductory talk to the present time; Mr. Watson so moved; Mr. Simon seconded; passed unanimously.

As this meeting was the first to be taped for the television audience by Storer Cable, Mr. Sottile gave a brief introductory speech to viewers

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. February 28, 1991 - Regular City Council Meeting - Mr. Watson made a motion that the minutes be accepted as written; Mrs. Swanson seconded. Mrs. Swanson corrected paragraph B(1) line 3 to read "boards and commissions". Ms. NesSmith-Picard corrected the third paragraph of Section D(2) to itemize her recommendations on the boat ramp problem. As there were no other corrections, vote was taken and the minutes with corrections were approved unanimously.

2. March 11, 1991 - Special City Council Meeting - Mr. Ward made a motion that the minutes be accepted as written; Mr. Sottile seconded, motion passed unanimously.

3. March 14, 1991 - Special City Council Meeting - Mr. Ward made a motion that the minutes be accepted as written; Mr. Holden seconded, motion passed unanimously.

C. CITIZENS' COMMENTS

1. Dan McKay - not present.
2. Jimmy Carroll - withdrew.
3. Sid Allison - Mr. Allison spoke concerning the proposed resolution for a boat ramp underneath the Connector. He stated that there would be significant environmental impact as well as traffic impact on the neighborhood. There is no deep water at this location meaning that the marsh would have to be filled or a channel dredged which would significantly destroy a large part of the marshlands. The impact on traffic would be significant by adding a large number of cars and trailers in an already congested area with the shopping center and major intersection at the Connector. Mr. Allison asked Council to consider these problems before urging the Highway Department to put a boat ramp in this area.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Ward presented the minutes of their meeting of March 25, 1991 (Exhibit A).

Ms. NesSmith-Picard asked about her request for information on the General Ledger accounts which was to be provided at this Council meeting. Mr. Ward stated that the delay was due to the installation of a new computer system, the fact that the new Finance Director will not be starting work until April 8th, and that the committee has asked her for an itemized list of which accounts she would like to see.

Mr. Ward asked the City Administrator the status of the addition to City Hall for an office for the Finance Director. Mr. Williams stated that the

Building Inspector has offered to take on this project and is now in the process of lining up subcontractors to do the work. The telephone company and the water company have been contacted about enlarging their facilities also.

Mr. Ward asked the City Administrator about estimates to build the wall between the Coates' property and the new municipal building. Mr. Williams stated that a wooden fence would cost approximately $3,975; and a concrete wall would cost upwards of $12,000-$15,000. Mr. Ward then made a motion that City Council approve the construction of an eight foot masonry wall between the City property and the residential property on Palm Boulevard at a cost not to exceed $15,000; Mr. Orvin seconded. Upon discussion, Mr. Holden moved to suspend the rules of order and allow Judy Coates to answer questions; Mr. Ward seconded, motion passed unanimously. Mr. Orvin asked Mrs. Coates how the neighbors might feel about this wall. Mrs. Coates stated that she didn't know how the neighbors felt about it, that their property would be mainly affected by it, and that they would work with Council to come up with the best wall to lessen noise. After further discussion, it was the consensus of Council that they should study the variables on types of fences, obtain some drawings or other visual representations before voting on a particular type of fence. Mr Holden made a motion to postpone voting on this matter until further information has been obtained; Ms. NesSmith-Picard seconded. Roll call vote was taken on the postponement: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 8-1. Mr. Ward then asked for a roll call vote on his motion. Ms. NesSmith-Picard called point of order on the basis that when a question is postponed, all adhering motions go with it. However, the city Attorney stated that a vote could be taken on the motion. Roll Call vote: Holden - Abstain; NesSmith-Picard - Abstain; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 2-5-2.

Mr. Ward reported that there was a discussion on the requested compensation survey at the Ways & Means Committee meeting and that Mr. Sottile has been working on this project and they expect to have a full report at the next committee meeting.

Mr. Ward made a motion to approve the transfer $29,000 from the General Fund to the Accommodations Tax Fund to be used for construction of the public restrooms; Ms. NesSmith-Picard seconded. Mayor Bunch reported to Council that she had attended the Charleston County Council Meeting today and had asked them for financial help in building the restrooms. County Council promised to provide the City with $91,000 towards the restrooms and boardwalk. These additional funds would give the City more than enough money to construct the restrooms per the low bid and the funds will be provided on July 1st. Mayor Bunch stated that she will continue to lobby area governments for funds for maintenance and personnel for the restrooms. Mr. Holden made a motion to award the low bid to Endecon and to prepare the contract for immediate signature; Mr. Ward seconded; motion passed unanimously. Mr. Ward amended his original motion that the $29,000 be used for future maintenance of the restrooms; Mr. Watson seconded; amendment passed unanimously. Mr. Ward then amended his original motion to state that construction begin immediately; Mr. Sottile seconded, motion and amendment passed unanimously.

Mr. Orvin publicly expressed his appreciation to everyone for getting this project accomplished. He stated that Betty Wannamaker was a great help from the beginning; Helen Clarkin has been working behind the scenes with County; and thanks to Mayor Bunch for persevering; that no tax payer money will have to be used for this project. Mr. Simon also congratulated the County in recognizing that the Isle of Palms restroom project was a County obligation.

Ms. NesSmith-Picard also praised Mayor Bunch and stated that PRC had recommended that the City scale down the restroom design, to reduce the price by one half. She felt that a smaller facility would meet the needs of the City in

the interim until the park is built in 5 years and Mr. Gardner had offered his services free of charge. Ms. Nessmith-Picard then made a motion to direct Architect John Gardner to proceed in discussing with Endecon in scaling the restroom facility down not to exceed $81,000; Mr. Ward seconded. After discussion, motion was defeated.

2. Police and Public Safety. Chairman Sottile presented the minutes of their March 14, 1991 Special Meeting (Exhibit B) and their March 21, 1991, regular meeting (Exhibit C).

Mr. Sottile made a motion that the City acquire from the Highway Department that portion of Oak Harbor Boulevard from 13th Avenue to the southeast end of the SCE&G substation; Mr. Simon seconded. Ms. NesSmith-Picard asked that we defer this matter until the drainage problem is corrected. Mr. Williams stated that he has not received a response from the Highway Department regarding the no parking signs. He also stated that a solution to the drainage problem may be more complicated than at first discussed and that he is still looking into this matter. After further discussion, the motion and second were withdrawn.

Mr. Sottile made a motion that the City permanently close Oak Harbor Boulevard at the southeast end of the substation preferably with a planted berm if drainage is permitted; Mr. Ward seconded. After discussion, Mr. Ward amended the motion that the berm be placed if and when we take over Oak Harbor from the Highway Department; Mr. Holden seconded. Motion with amendment passed unanimously.

Mr. Watson made a motion that the City take up the placement of fire hydrants at the intersections of Oak Harbor and 12th Avenue, and Oak Harbor and 13th Avenue during the budget process; Mr. Sottile seconded. After discussion, the motion and second were withdrawn.

Mayor Bunch stated that the ground breaking ceremony for Fire Station #2 which had been scheduled for March 22nd will not be on April 2nd at 5:00 p.m.

Mayor Bunch stated that she had written a letter of commendation to Chief Arnold and his men concerning the work that is being done on the drug situation and a letter of commendation to Officer David Fox for his work on crime prevention. She also commended Officer Janice Stewart for her work with the DARE program.

3. Public Works - Chairman NesSmith-Picard presented the minutes of their March 18, 1991 meeting (Exhibit D).

Mr. Orvin commended Sarge, the Recycling Committee and Melinda for a job well done in our recycling program.

Mr. Holden noted the number of letters being sent to Charleston County Public Works about putting drainage pipes in ditches around residences. He stated that he had heard that this could cause a problem with the water table and septic systems and asked this to be checked into further.

Mr. Ward asked the City Administrator for a status report on the dog kennels. Mr. Williams stated that the dog kennels will be built on the site of the current Public Works trailer as soon as possible after the trailer is moved.

Mr. Ward asked that Sarge Parrish be asked to take down the "no picnic lunch allowed on beach" signs at Breach Inlet.

Mayor Bunch stated that our recycling program was started in 1989 by Joan Olsen and Sue Dowd. The Mayor wanted to state for the record that their efforts were greatly appreciated. Ms. NesSmith-Picard also commended Leola Hanbury,

Darraugh Simon, Bob Hooker and all others for their efforts in the recycling program.

4. Engrossed Bills - Chairman Holden presented the minutes of their March 20, 1991, meeting (Exhibit E).

Mr. Ward questioned whether or not the amended Accessory Use ordinance included playhouses and tool sheds. Mr. Batchelder stated that they were intended to be included. Mr. Dreyfoos stated that it was uncertain as stated in the ordinance and if these items were to be allowed, that the ordinance should remain as currently written. Mr. Ward stated that many of the smaller houses have limited storage space and need a shed.

5. Recreation - Chairman Orvin presented the minutes of their March 26, 1991, meeting (Exhibit F).

Mr. Orvin publicly thanked the Commerce Association for their assistance in providing some funds to install tennis court lights.

Mr. Orvin reported that the Isle of Palms Recreation Center is one of the last places at which persons can play basketball free of charge. The residents are now being overrun by non-residents on Saturdays. To alleviate the problem, the Department has begun charging non-residents $3.00 to play. Mr. Ward asked to have Council's approval of this policy. Mayor Bunch suggested that Mr. Dreyfoos check into the legality of this and report back to Council.

Mr. Orvin commended Recreation Director, Stacey Wilson for the fine job she has done. This was also echoed by Mayor Bunch.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - Minutes attached as Exhibit G

2. Planning Commission - Lee Batchelder presented the minutes of their March 13, 1991, meeting (Exhibit H).

Plat Approval - Acreage Plat Dividing Tract 3 into Tract 3b, Tract 3c, and Tract 3d, Located on 41st Avenue in the City of Isle of Palms, Charleston County, South Carolina. Mr. Batchelder stated that the Commission recommended approval of the plat. Mr. Ward made a motion to approve said plat; Mr. Watson seconded. After discussion, during which Foster Clark of Wild Dunes pointed out a mix-up in plats, motion was passed 6-2 with one abstention.

Ms. NesSmith-Picard thanked Lee Batchelder and Guy Taylor in providing the plat submittal form.

3. Building Committee - No report.

4. Beach Patrol & Control Board - minutes attached as Exhibit I. Mr. Simon stated that there would be a special work session on April 3, 1991, at 7:00 p.m., at City Hall, with members of Coastal Council in attendance.

5. Personnel Committee - No report.

6. Dewees Committee - Mayor Bunch reported that we were still waiting for appeal date on the hearing. Although the City has committed up to $2,000 toward this appeal, no bills have been received at this time. There was some discussion on this matter.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading - Ordinance 1991-4 - An Ordinance to Limit the Placement of Refuse for Collection. (Exhibit J) Mr. Ward made a motion to approve third reading of Ordinance 1991-4; Mr. Orvin seconded. Mayor Bunch stated that in order to change an ordinance at third reading there must be unanimous consent. Mrs. Swanson moved that a change be allowed; Mr. Watson seconded, motion to change passed unanimously. After discussion, it was suggested that the word "only" be inserted in Section 2(b) so that it would read "All refuse placed for collection shall be deposited **only** on the unpaved right-of-way in front of the property from which the refuse was generated." Mrs. Swanson made a motion to add the word "only" as suggested; Ms. NesSmith-Picard seconded, motion passed unanimously. The Mayor asked for a motion to suspend the rules of order and ratify the ordinance; Mr. Ward so moved; Mr. Orvin seconded, motion passed unanimously.

2. Third Reading - Ordinance 1991-5 - An Ordinance to Prohibit the Deposition of Grease and Oil. Mr. Ward made a motion to approve third reading of Ordinance 1991-5; Mr. Orvin seconded. Upon discussion, Mr. Holden stated that there were suggested changes to this ordinance. Mrs. Swanson moved that changes be allowed; Mr. Ward seconded; motion to change passed unanimously. As there were several changes to be made, the original motion to approve and second were withdrawn. Motion was then made by Mr. Ward to refer the ordinance back to Engrossed Bills, was seconded by Mr. Orvin and passed unanimously.

3. Second Reading - Ordinance 1991-10 - An Ordinance to Repeal Provisions Regarding Personnel Administration. (Exhibit K) Mr. Williams read the ordinance in full. Mr. Ward made a motion to approve; Mr. Simon seconded. After discussion, motion passed 8-1.

4. Second Reading - Ordinance 1991-12 - Isle of Palms Drought Response. As there were some changes to be made to this ordinance, the Mayor suggested that this be referred back to Engrossed Bills. Mr. Ward so moved; Mr. Watson seconded, motion passed unanimously.

K. INTRODUCTION OF NEW BILLS, RESOLUTION AND PROCLAMATIONS

1. First Reading - Ordinance 1991-13 - An Ordinance Authorizing the Issuance Sale of Not Exceeding $700,000 General Obligation Bonds, Series 1991, of the City of Isle of Palms, South Carolina. (Exhibit L) Mr. Ward made a motion to accept first reading or Ordinance 1991-13 by title only; Mr. Orvin seconded. Ms. NesSmith-Picard moved that Council suspend the rules of order to allow Attorney William Youngblood to speak; Mr. Ward seconded; motion passed unanimously. Mr. Youngblood discussed the ordinance and presented debt service repayment schedules on a 15-year term and on a 20-year term. Motion to approve by title only passed 6-3. There was discussion as to why there were three votes against title only, all of whom were against the amount of the bond. Mr. Williams stated that he felt there were some things coming up which might cost us more than we anticipated and that there would be no obligation to borrow the entire amount of $700,000.

2. Resolution - Access to Goat Island (Exhibit M) After discussion, Mr. Watson made a motion to abandon the resolution based on the information pointed out by Mr. Allison and information that he had received from Dana Beach of Coastal Conservation League; Mr. Ward seconded. After further discussion, motion and second were withdrawn. Mr. Ward then moved to postpone this resolution until such time as Council has met with Goat Island residents, Dana Beach and Coastal Council representatives and have studied other solutions to this problem; Mr. Orvin seconded. Upon discussion, Mr. Dreyfoos stated that there were a number of platted rights-of-way owned by The Beach Co. who have indicated that they would consider deeding them back to the City. Mr. Dreyfoos stated that he would pursue this matter. After further discussion, motion passed unanimously.

3. Proclamation - South Carolina State Guard Day (Exhibit N)

4. Proclamation - Child Abuse Prevention Month (Exhibit O)

5. Mayor Bunch asked for a motion to suspend the rules of order to allow another proclamation; Mr. Watson so moved; Mrs. Swanson seconded; motion passed unanimously. The Mayor read a letter from Joseph Riley, Mayor of the City of Charleston (Exhibit P) and then read "A Proclamation Honoring Our Troops Based in the Charleston Metropolitan Area" (Exhibit Q).

Mr. Ward encouraged all residents to show their support for the troops by flying their American flag on April 14, 1991.

Mr. Holden asked that Council think about having an ad hoc committee or water commission to be discussed at the next special council meeting.

Mayor Bunch announced that she has called a special meeting for Thursday, April 4, at 6:00 p.m. to discuss the water commission, the bond, and the rate study.

L. MISCELLANEOUS BUSINESS

1. Mr. Williams reported that the demand seems to be exceeding the capability of the RO Station. (Exhibit R) This was discussed in Ways & Means and it was decided to delay taking any action at this time. Mr. Simon suggested that the station itself be cleaned up and sprayed for mold.

2. Mr. Williams referred to his letter to Roger Dyar (Exhibit S) which was prompted by the decision to put Fire Station #1 in the parking lot and the need to maintain easy access to Palm Boulevard. The Highway Department wants to cut off the intersection of Carolina, Pavilion and Palm in the interest of safety. The few residents would still have access through 10th Avenue. After discussion, it was decided to discuss this at next week's special meeting and invite the property owners adjacent to this intersection.

3. Mayor Bunch referred to a memo from Mr. Williams about having an employee picnic in lieu of Appreciation Day this year. The Mayor stated that she felt it was important to have Appreciation Day each year; honoring not only employees but also recognizing citizens of the island who had done so much for the City. It was the consensus of council to have both functions. Mr. Williams said that he recommended the employee picnic to develop some rapport with the City and its employees in a friendly atmosphere. Mr. Holden made a motion to have an employee picnic; Mr. Watson seconded. After further discussion, Mr. Watson made an amendment to the motion that the remaining (approximately) $1,300 in the Council's Discretionary Fund be allotted to the employee picnic; Mr. Simon seconded. Motion with amendment passed unanimously.

Mrs. Swanson made a motion that Appreciation Day be reinstituted and started again next year; Mr. Simon seconded; motion passed unanimously.

4. Ms. NesSmith-Picard asked Council to consider establishing a Connector Impact Committee composed of no more than three council members, residents (the number of which to be decided later), and a Highway Department representative to offer a status report and answer questions concerning the Connector.

Mr. Ward made a motion to go into Executive Session; Mrs. Swanson seconded; motion passed unanimously. The Mayor stated the reason for Executive Session was to discuss legal, contractual and personnel matters.

Coming out of Executive Session, the Mayor stated that no action was taken; legal contractual and personnel matters were discussed.

Mr. Ward made a motion to adjourn; Mrs. Swanson seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on: 4/25/91

EXHIBIT A

CITY OF ISLE OF PALMS
WAYS AND MEANS COMMITTEE MEETING
MARCH 25, 1991

THE WAYS AND MEANS COMMITTEE MET IN CITY HALL ON MARCH 25, 1991. THE MEETING WAS CALLED TO ORDER AT 5:30PM BY CHAIRMAN JIMMY WARD. IN ATTENDANCE WERE CITY ADMINISTRATOR MARK WILLIAMS, MAYOR CARMEN BUNCH, COMMITTEEMEMBERS BARRY HOLDEN AND DAN WATSON. ALSO IN ATTENDANCE WERE COUNCILMEMBERS MELINDA NESSMITH-PICARD AND MIKE SOTTILE.

MR WILLIAMS SPOKE TO THE COMMITTEE ABOUT A POSSIBLE PLAN REVIEW FEE BEING STARTED BY THE BUILDING DEPARTMENT. IT WAS DECIDED THAT THE COMMITTEE WILL RESEARCH WITH OTHER LOCAL MUNICIPALITIES ABOUT THEIR FEE SCHEDULES. MR WILLIAMS DISCUSSED WITH THE COMMITTEE ABOUT HIRING A PERSONNEL CONSULTANT TO DO A COMPENSATION PACKAGE STUDY FOR THE CITY. THE POSSIBLE FEE OF $7000 FOR THE STUDY WAS DISCUSSED. THE COMMITTEE DECIDED TO DELAY ANY ACTION ON THE MATTER UNTIL MR WILLIAMS CAN FIND OUT IF THE STUDY CAN BE DONE IN TIME TO HELP WITH THIS YEAR'S BUDGET PROCESS. MAYOR BUNCH ASKED THAT THE COMMITTEE CHAIRMAN PROCEED WITH AN INFORMAL FACT FINDING COMPARISON STUDY WITH OTHER LOCAL GOVERNMENTS AS SOON AS POSSIBLE.

MR WILLIAMS STATED THAT THE CITY HAS NOT HEARD FROM THE OWNERS OF WILD DUNES UTILITIES IN REGARDS TO OUR LATEST COUNTER OFFER.

MS NESSMITH-PICARD REQUESTED GENERAL DETAIL ON CERTAIN ACCOUNTS. MR WILLIAMS STATED THAT HE WOULD PROVIDE IF SHE WOULD GIVE HIM A LIST OF ACCOUNTS SHE WANTED.

IT WAS NOTED THAT THE CITY RECEIVED GRANTS TOTALING $29000 IN 1988, TO BE USED TO BUILD PUBLIC RESTROOMS. THE MONEY WAS DEPOSITED INTO THE GENERAL FUND AND WAS NEVER EARMARKED FOR RESTROOMS.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:10PM.

RESPECTFULLY SUBMITTED:

Jimmy Ward

JIMMY WARD, CHAIRMAN

MINUTES

PUBLIC SAFETY COMMITTEE
Special Meeting
March 14, 1991 5:30 p.m.

A special meeting of the Public Safety Committee was held to discuss the possible closing of Oak Harbor Boulevard and Thirteenth Avenue.

Present at the meeting: Administrator Williams; Council Members Simon, Watson, Sottile; Chief Arnold; Chief Britton

Police Department:

Chief Arnold stated that the Police Department had no problem closing either road temporarily or permanently.

Signs designating "No Parking" could be installed along Oak Harbor Boulevard to discourage parking.

Fire Department:

Chief Britton told the committee that the fire trucks could make the turns onto Oak Harbor off Thirteenth Avenue and off Twelfth Avenue with no problem. Chief's main concern was water supply; if we close Oak Harbor he recommends a hydrant at the corner of Thirteenth Avenue and Oak Harbor Boulevard and also one at Twelfth Avenue and Oak Harbor Boulevard. Cost would be $4,000 per hydrant.

There was much discussion from the residents concerning where the road should be closed. There was a majority feeling that Oak Harbor should be closed permanently at the southeast end of the substation; a berm should be installed with plants and a path for pedestrians to cross.

A motion was made by Dan Watson for the City to acquire from the Highway Department that portion of Oak Harbor Boulevard from Thirteenth Avenue to the southeast end of the substation. Seconded by Councilman Simon. Passed unanimously.

A second motion was made by Councilman Watson to permanently close Oak Harbor Boulevard at the southeast end of substation on Oak Harbor, preferably with a planted berm if drainage permitted. Seconded by Councilman Simon. Passed unanimously.

The Committee recommends to Council that fire hydrants be installed at Twelfth Avenue and Oak Harbor and Thirteenth Avenue and Oak Harbor if funds are available.

No further business the meeting was adjourned.

Respectfully submitted,

F. Michael Sottile, Chairman

March 14, 1991

To: City of Isle of Palms S.C.

We residences of One Eleventh Ave. at Oak Harbor Blvd. Wish to state that we are in favor of closing Oak Harbor Blvd off from Thirteenth Ave. We feel that a permanent barrier should be erected at a point between Mr. and Mrs. Barnwoods residence and the S.C.E. & G. Company's sub station.

We feel that garbage trucks, fire trucks and police car service the couple of residences that would be just beyond the 12th Ave. exit to Palm Blvd.

Our decision is based on the need to eliminate the constant traffic of garbage and trash trucks that constantly come and go all day long on Oak Harbor during the work week. There are many children living and playing on this very narrow street.

We also feel that the new city offices would put ~~on~~ additional pressure on these two block street, causing a congestion with parking in front of many homes with very narrow lots.

We are sorry that we could not attend this meeting in person.

Sincerely,
Norman Lubelsky
Queen Lubelsky

Eugene H. Dukes
Juanita Dukes
Earl B. McCants

1207 Oak Harbor Blvd.
Isle of Palms, S.C. 29451
14 March, 1991

Isle of Palms City Council -

Request Council to take necessary
action to dead end Oak Harbor Blvd,
This dead end to be at the common
property line of the SCE&G and my
Property - 1207 Oak Harbor Blvd.

Lewis W. Kennedy

PUBLIC SAFETY COMMITTEE
March 21, 1991 5:30 p.m.

Minutes

Present: Mayor Bunch, Councilmen Simon and Sottile.

Excused: Councilman Watson

Police Department

Chief Arnold highlighted the monthly report for February:

-- An annual audit of the communications division was conducted by SLED for any problems in record keeping and management. None were found.

-- The police department presented Sullivan's Island Elementary School with a DARE flag for their pole.

-- The Third All Island Crime Prevention Meeting was held on February 7, 1991, with about 60 citizens in attendance.

-- A total of twenty arrests were made during the month; the communications section handled 1411 calls.

-- A drug raid March 20, 1991, confiscated approximately $30,000 in drugs, currency, two trucks, guns, and knives. Two men from Texas were arrested.

-- New policeman will be hired to replace an officer who resigned in December.

-- Reported that radio valued at $1,200 had been stolen from police boat docked at Wild Dunes Marina.

-- Plan to make new ID cards for council members at next council meeting.

-- Looking for attendant for parking lot.

Fire Department

Chief Britton highlighted the monthly report for February:

-- 5 structure fires

-- 38 fire inspections

-- 6 EMS calls

-- Curt Gibbons presented Life Saving Award from Tri-County Fire Chief's Association.

-- IOP Fire Department to welcome U. S. ships returning from Gulf with ladder truck and water.

-- Ground breaking for Station # 2 scheduled for ~~March 22.~~ April 2nd 5pm

-- Mutual aid agreements to be signed with Mt. Pleasant and Sullivan's Island.

-- Job well done on 4000 Palm Boulevard fire scene.

-- Chief will speak at a Safety Seminar in Maryland about Hugo on April 26, 1991.

Respectfully Submitted,

F. Michael Sottile

F. Michael Sottile

EXHIBIT D

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., MARCH 18, 1991

The meeting was called to order at 7:10 p.m. Committee members present: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, and Public Works Department Head Andy "Sarge" Parrish. Committee members absent: Council Member Marge Swanson and Mayor Carmen Bunch.

Chairman NesSmith-Picard explained the format of the agenda would consist in general: Call to Order, Old Business, Public Works Status Report, New Business, Adjourn.

Old Business

1) Construction of Public Works Building. Chairman NesSmith-Picard reported the following information from a conversation with City Administrator Mark Williams. The construction of the Public Works Building by the DESCON Co. is scheduled to be completed April 15, 1991. However, based on performance to date, unless the pace quickens, it is unlikely that the building will be completed on time.

2) Fuel Tank Automated Metering System. Chairman NesSmith-Picard reported the following information from a conversation with City Administrator Mark Williams. The contract for this system has been let. The purchase price is approximately $58,400 automated fuel dispensing system. Installation of the fuel metering system can begin once there is a place to house the system computer. Therefore, system installation can begin after the office portion of the Public Works Building has been completed.

3) Dog Tags and Rabies Shot Clinic. Dog tags are available at any time for $2.00 from the Police Station. There was some discussion about the few dogs that have been registered thus far and the success of the annual Rabies Shot Clinic sponsored by the City every April. Approximately 250 dogs are vaccinated and registered each year during the one-day clinic. It was suggested that the clinic be held twice each year, such as in April and October, to increase participation. Currently there are dogs and cats whose vaccinations are due at other times than during April. It is unsafe to let the animal's vaccination lapse for several months and it is also unsafe for the animal to administer it too soon. If a clinic was held also in October then more animals could safely participate.

4) Governor's Office Recycling Grant. No one present knew

the status of this item, therefore it was deferred to next month's Public Works Committee meeting. (At last month's meeting, Mayor Bunch stated that the Governor's Office will give out recycling grants totaling $1,600,000. A recipient municipality may qualify for up to $200,000 with a 25% match. Council of Governments is preparing a grant application for the City.)

Public Works Status Report

Sarge gave the following Public Works Status Report.

1) Promotion Due to Vacancy. One employee, who has worked 17 years in the Public Works Department, is applying for disability. Sarge plans to promote a current employee to fill the vacancy.

2) Christmas Trees. Christmas trees that were placed along the dunes for erosion control on Isle of Palms, are working. The trees are trapping sand, are being covered by the sand which in turn rebuilds the dunes.

2) Oak Harbor Drainage Problem. Sarge explained that road flooding occurs when it rains ever since the SCE&G substation was installed at Oak Harbor and 13th Ave. The road floods to 10"-12" deep. Once the Police & Building Dept. Complex is built, the flooding will worsen due to the increased runoff from the building and parking lot site. Sarge stated that the City Administrator, Mark Williams will discuss the drainage problem with both SCE&G and the Highway Dept. to see if either or both agencies will take action to resolve the problem. A drainage system will be needed. The question is who will provide the drainage system or if it can be a combined effort between the City, SCHD, and SCE&G.

3) Land Use. Some discussion about the possibility that the Coates' property (next to the proposed Police and Building Dept. Complex) would be available in the future for purchase by the City. Also discussion about the 15-store mall being built on Palm Blvd in front of the County Park site. Sarge recommended, and the owners have agreed, that they will situate trash dumpsters next to a drive-around path so that the garbage trucks won't have to turn around to remove the trash.

New Business

1) Council Member Sottile made the motion to approve the corrected minutes of the 20 Feb 91 Public Works Committee Meeting. Motion carried unanimously. Only correction was DESCON is the Public Works Building contractor not Endecon.

2) Bike Path Along Waterway Blvd. Residents have asked if the bike path will be repaired. Sarge says the Highway Maintenance Dept. and it is on their schedule to be worked and they will repair the path as soon as they can get to it. This bike path was damaged from Hurricane Hugo and has not been repaired since. Sarge estimates that 5 to 8% of the path was washed out and needs to be replaced. The entire path needs to be cleared off to make it useable. According to Sarge, people building homes adjacent to the bike path are causing some damage however most of the damage is pre-existing. Sarge did note that residential construction is responsible for most of the damage to sidewalks along Palm and Ocean Blvds.

3) Palm Blvd Road Damage. A resident reported that there is a "bad dip" in Palm Blvd near 28th Ave. Sarge has reported this and the Highway Maintenance Dept. has put it on their schedule to repair. There is also a severe drop-off onto the road shoulder as you come onto the island on Palm Blvd, on the right just past Carolina Blvd.

4) Recycling. Sarge says a lot of people don't recycle at all. He would like to get a bin from the County Public Works Dept. to use for collecting plastic, glass and tin. He doesn't think that Isle of Palms residents are going to use the bins at Bi-Lo as much as they would one set up on the island. Chairman NesSmith-Picard had discussed this with Charleston County Public Works Assistant Director, Rick Field. Field will consider a request for the County to set up a bin on the island, service it, and he wants to work more closely with Isle of Palms in support of our recycling effort. Field stated that plastics and glass recycling is usually not financially worthwhile for small municipalities because of the small quantities collected. He also noted that when plastics sit in collection bins the sunlight quickly deteriorates plastics such that recycling is not possible. Sarge will contact Rick Field to discuss ways the County can augment recycling efforts on the island. There was some discussion about combining the aluminum can recycling efforts of the Public Works curbside program and the Volunteer Firefighters bin program which benefits the burned children. Sarge will talk to Fire Chief Britton and get information about the pounds of cans the volunteers collect each month. This information will be used to tabulate and determine the total pounds of cans recycled by islanders.

5) Public Works Committee Meeting Date. The Public Works Committee regularly meets at 7:00 p.m. on the third Monday of the month. There was some discussion about changing the meeting date to "double up" with another

standing committee. No action was taken. This item was deferred to next month so that all members of the Public Works Committee could take part in discussion and decision.

Citizen Comments

None.

Meeting was adjourned at approximately 7:35 p.m.

DRAFT COPY AS OF: 03/26/91

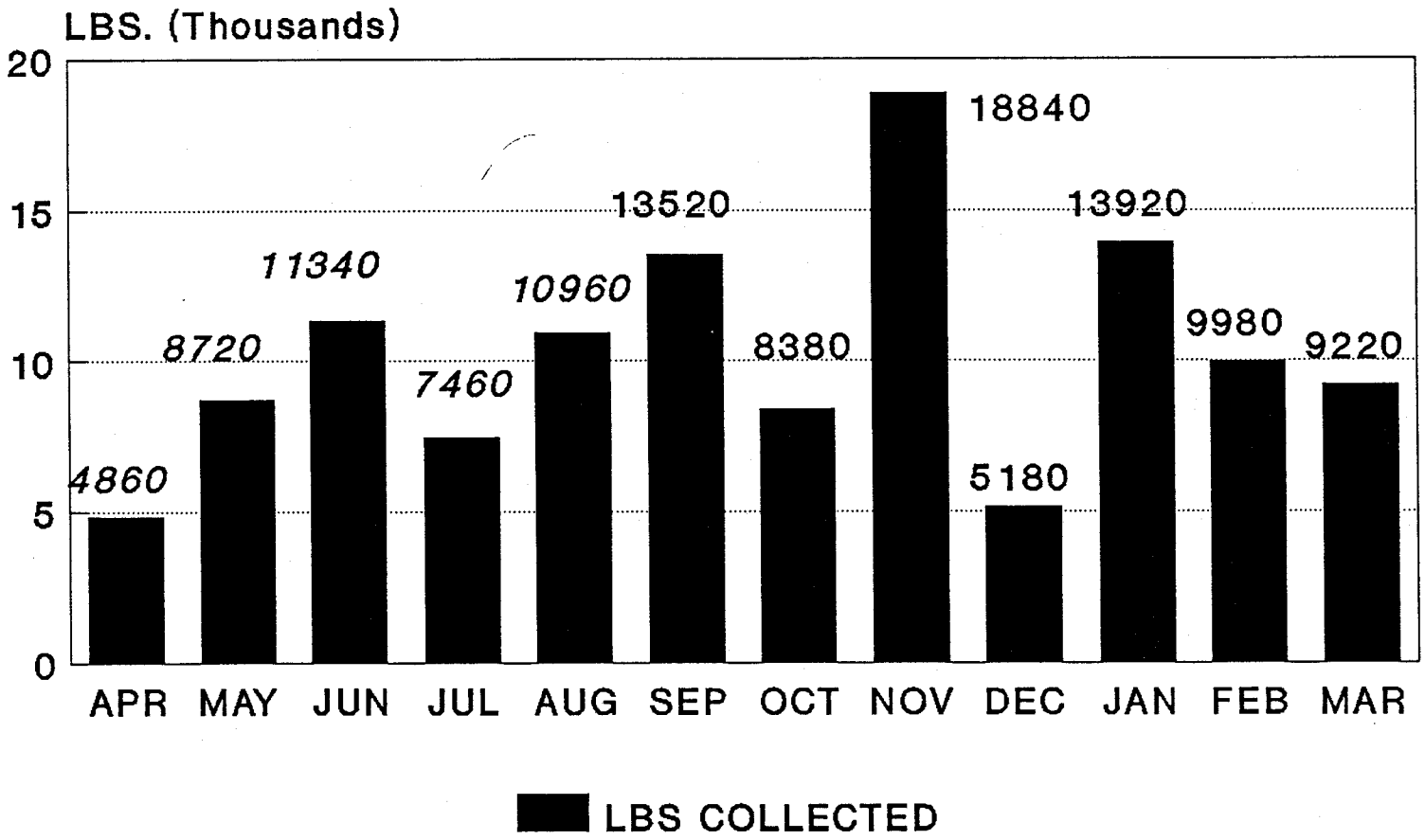
PASSED AS FINAL MINUTES: 06/18/91

ATTESTED TO:

x Melinda NesSmith-Picard

Melinda NesSmith-Picard, Chairman

NEWSPAPER RECYCLING
ISLE OF PALMS 1990-91



ALUMINUM CAN RECYCLING
ISLE OF PALMS 1990-91

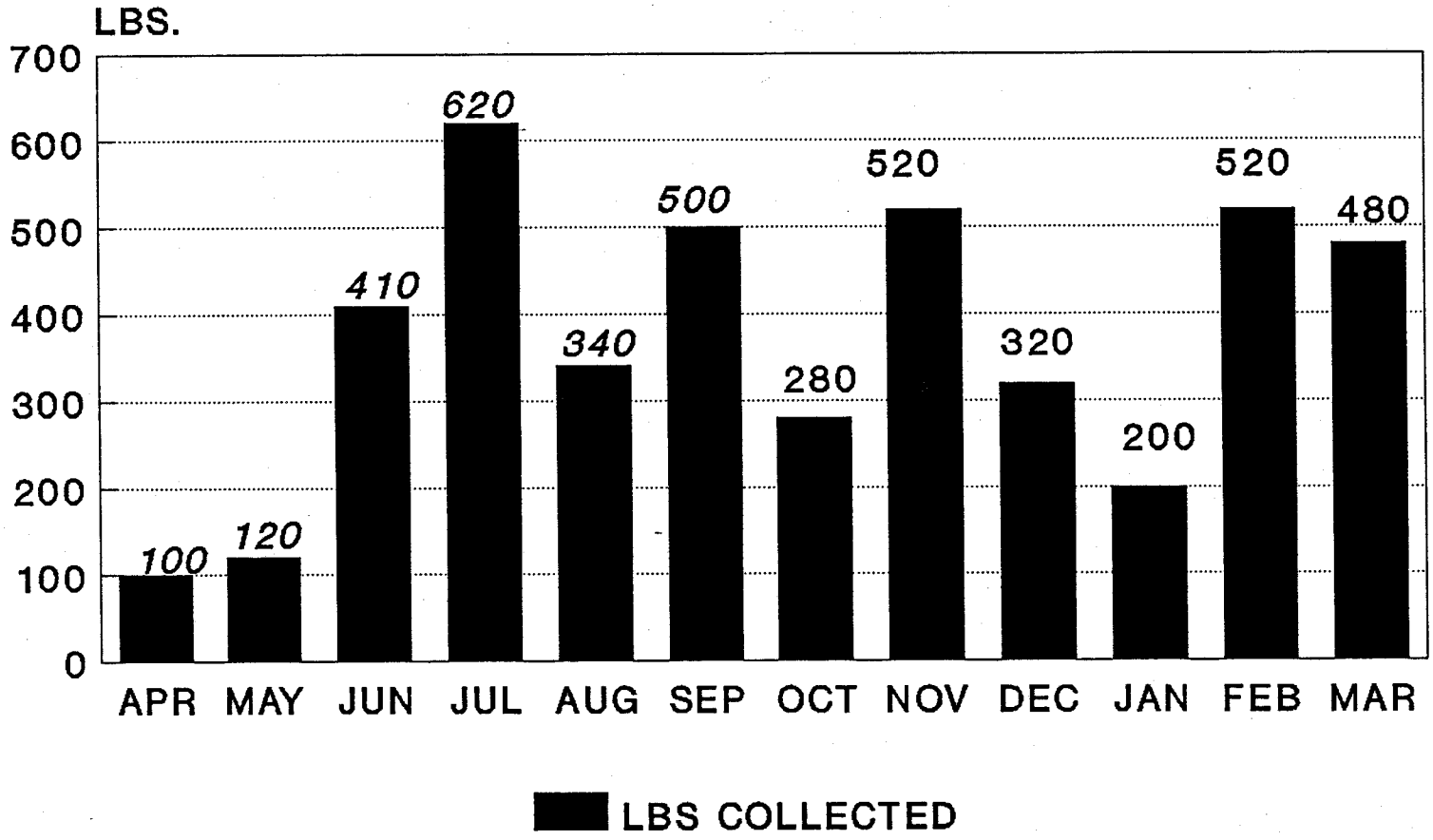


EXHIBIT E

Engrossed Bills Committee Meeting
March 20, 1991 - City Hall
Minutes

The meeting began at the time indicated on the attached Agenda. Present were Committeemembers Holden and NesSmith-Picard, and Councilmember Sottile. Excused was Councilmember Swanson who was out of town and Attorney Dreyfoos who earlier delivered in writing his report.

[Due to obvious procedural reasons with 2 in attendance all passing votes hereafter were upon motion of Councilmember NesSmith-Picard, seconded by Councilmember Holden and unanimously passed.]

A Special Meeting was scheduled by unanimous vote for Monday March 25 at 7:00 to review proposed change in Form of Government code revisions.

After discussion of the hardships a ban of Off Premises Signs might create, specific examples of some signs on the Island and the current Ordinance, it was recommended to Council third reading of 1991-3 be passed.

Ordinance 1991-4 (Placement of Refuse) was recommended for third reading.

Ordinance 1991-5 (Deposition of grease and oil) was recommended for amendment and approval (see attached Ordinance as revised). The changes were mainly to achieve a broader scope to prohibit deposition of all environmentally deleterious substances in the City's jurisdiction.

Ordinance 1991-8 (amending conditional use procedures) was recommended for third reading.

Ordinance 1991-10 (Repeal of personel sections) was recommended for third reading.

Ordianace 1991-12 (Drought response) was recommended to be amended (see attachment) and passed as second reading.

Consideration of Ordinance 1990-15 was defered to next month as it was under consideration by the Planning Commission.

Regarding Ordinance 1990-16 a second Special Meeting with Lee Batchelder's attendance requested regarding the Waterfront Zoning Ordinance (1990-16) was scheduled for Monday April 01, 1991 at 6:00, after a discussion of Sullivan's Island's recent attempt at a 35% lot coverage ordinance (a component of the Waterfront district as proposed currently).

Consideration of Ordinance 1990-18 (Turtle Nesting) was defered until Councilmember Swanson could offer a report on it.

A Resolution concerning Goat Island (as originally presented) was recommended for approval as amended (see attachment).

Dissapproval of an Ordinance proposed by the Planning Commission dealing with accessory uses (see attachment) was recommended. During debate it was noted this would effectively ban Tool Sheds and Playhouses for children. The existing Ordinance was seen as adequately addressing accessory uses.

An Ordinance creating formally an Isle of Palms Water & Sewer Department was suggested and it was recommended such be drafted and passed by Council. An Ordinance similar to the above regarding the Public Works Department, and attenation of the code to replace references to a "sanatation department" with "Public Works Department" was also recommeded.

It was recommended that an ordinance based on Sullivan's Islands Ordinance banning Private Dune Walkovers be drafted and passed by Council. Discussion as to safty during Hurricanes, aesthatic appeal and the actual effect on Dunes preceded this vote.

At approximately 8:00p.m. the meeting adjourned.

DRAFT COPY AS OF: 4/17/91

PASSED AS FINAL MINUTES: April 24, 1991

ATTESTED TO: Barry C. Holden

x

Barry C. Holden - Chairman

EXHIBIT F

ISLE OF PALMS
RECREATION DEPARTMENT

RECREATION REPORT
March 25, 1991

I. *Recreation Programs* - March and April

Gymnastics - Mondays -ages 3 and older
Tae Kwon Do - Wednesdays & Saturdays -youth & adult
Tap/Ballet/Jazz - Wednesdays -ages 2 and older
Tumble-Bees - Tuesdays & Thursdays -2 to 4 yrs
Incredible Creations - Tuesdays -6 to 12 yrs
Keenagers - 1st Wednesday -adults
Tournaments - Fridays -youth

Basic Interior Decorating - The class began on Tuesday, March 12th from 7:00 to 9:00 p.m. and is being held for four weeks. There are seven participants in the class. The course will cover assessing decorating problems, learning to sketch floor plans, and coordinating fabrics and wallcoverings. The instructor is Darryl Spencer.

Keenagers Club - The club will meet on Wednesday, April 3rd at 12 noon at the recreation center. A business meeting will be conducted and shuffle-board and croquet will be set up. A group of 11 Keenagers went to the Columbia Museum on Wednesday, March 27th. A trip to Brookgreen Gardens is planned for April 24th.

A Spring Day with Mary Kay - Shirley Joyner, Mary Kay beauty consultant, will be at the Recreation Center on Thursday, April 11th from 12:00 until 3:30 p.m. There will be information on skin care products for the summer and complimentary facials..

II. *Sports*

Youth Baseball/Softball - Registration ended February 28th for girls ages 5-15 and boys ages 5-10 at the center. There are a total of 17 teams from the Isle of Palms this year. (This is an

increase of 8 over last year.) These include:

T-ball - 5&6 yrs. - 4 teams (B&G)
Coach Pitch - 7&8 yrs. - 5 teams (B&G)
Dixie Minors - 9&10 yrs. - 2 teams (B)
Mites - 10-12 yrs. - 3 teams (G)
Midgets - 13-15 yrs. 3 teams (G)

The t-ball games will be played on Mondays and the coach pitch games on Wednesdays and Thursdays on the Isle of Palms. We will set up the game times and hire the umpires. The other teams will play in Mt. Pleasant. We will have our own jamboree at the big field on Tuesday, April 9th at 6:00 p.m. All the teams will be present in uniform. Games will begin the week of April 15th. A coaches clinic was held March 5th, 6th, and 7th from 6:30 to 8:30 p.m. All coaches are NYSCA certified.

Men's Spring Basketball and Softball - There are ten basketball teams and twelve softball teams. Basketball began play on Monday, March 25th and will play each Monday and Thursday through May. Softball also began on Monday, March 25th and will play Mondays, Tuesdays, and Thursdays through June.

Youth Tennis - Beginner tennis lessons for children ages 5 to 14 began Wednesday, February 27th from 5-6:00 p.m. Children are learning basic skills such as ground strokes, volleying, and serves. There are twelve participants in the six week class. Natasha Barth is the instructor.

III. *Special Events*

Kite Flying Day - An old-fashioned Kite-Flying Day was held at the center on Saturday, March 9th at 11:00 a.m. Categories of competition included: youngest flier, oldest flier, highest flying kite, largest kite, smallest kite, spectators' choice, and best of show. A kite demonstration was presented by Kites Fly'n Hi and they also donated kites for prizes. There were 20 participants.

"28th Avenue Dance" - A St. Patrick's Day dance was held for children in grades 5 through 8 on Friday, March 15th from 7:00 to 10:00 p.m. There were dance contests and prizes were awarded.

There were 100 children at the dance. Admission was $2.00 and concessions were sold. The dance was co-sponsored by the Police Department.

Thumper's Easter Egg Hunt - The hunt will be on Saturday, March 30th at 11:00 a.m. at the center. Thumper will be there to greet the children and help them with the Easter egg hunt. There will also be prizes for the best decorated Easter baskets in different ages groups. The rain date will be at 1:00 p.m. in the gym.

Isle of Palms Invitational - A double elimination softball tournament will be held on April 13th and 14th beginning at 9:00 a.m. The entry fee is $100.00 per team and is for class "D" and "E" divisions. Deadline for registration is April 8th. Concessions will be sold.

Community Dance - The dance will be held on Saturday, April 27th from 7:00 to 10:00 p.m. Charleston Mobile Music will play a variety of music for all ages. There will be a raffle and prizes will be awarded. Area businesses are donating tickets and various other services to help with the dance.

Camp Summershine - Registration forms for Camp Summershine are available at the center. The camp will begin June 10th and end July 26th and be held from 9:00 to 3:00 p.m. The fee is $35.00 per one-week session and $30.00 per child for two or more children. Camp is limited to 35 campers per week. Jescinda Alexander will be the camp director. She is a school teacher and teaches our Ballet class.

IV. Upcoming Events -

- Karate Demonstration - Saturday, April 13th
- An aerobics and Tumble Bees instructor are needed
- Next 28th Avenue Dance - Friday, May 10th
- Jack Tracey bought two Bradford pear trees, eight Dianthus, and fertilizer with money in the Gina Scalise Memorial Field fund. They will be planted the last week in March.

EXHIBIT G

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
MARCH 26, 1991

The regular meeting of the Zoning Board of Adjustment and appeals was held on March 26, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present: Howard Garvin, Mary Schall, Betsy Smiley and David Somers. Also present were Building Inspector Ed Haselden and Secretary Janet Geary.

1. Dr. & Mrs. Roy E. Nickles - 2604 Palm Boulevard - requested a 4' variance from Code Section 5-4-22(5)(c), rearyard setback requirement of 30'. The house had been purchased in 1986 with the intention of enlarging it to provide an adequate dining area to accommodate a larger family. (see attachments) Since that time, their plans were delayed due to Hurricane Hugo and now the new restrictions in the zoning laws. The consensus of the Board was that there was no real "hardship" in this case, as the house could be enlarged on the side or front and still be within setbacks.

Vote being: Fellabom - No; Garvin - Yes; Schall - No; Smiley - No; and Somers - No. Request was denied.

2. John Gardner, architect, and David Hatchell, President of Harbourtowne Construction, Inc., - 3401 Waterway Boulevard - requested a 2'4" variance from Code Section 5-4-22(6), maximum height 40'. Mr. Gardner told the Board that the house had not been intentionally built higher than 40', but was due to a combination of errors in the plans and the construction. The lots on either side of this property are a higher elevation that this lot and because of this, Mr. Gardner proposed that they be allowed to fill in around the house to bring the house within 1'4" of the height requirement. Mr. Hatchell stated that the only other option would be to cut off the top of the roof and make a "Gambrel" type roof which would spoil the aesthetics of the house.

Vote being: Fellabom - No; Garvin - No; Schall - No; Smiley - Yes; Somers - No. Request denied.

There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MARCH 13, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on March 13, 1991, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, John Stanley, Kathryn Carroll, John Gardner, Jerry Spencer and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m. and asked Mr. Batchelder to conduct the public hearing.

PUBLIC HEARING:

1. Ordinance 1990-3. An ordinance to Ban Off-Premise Signs.

Mr. Batchelder explained that the current ordinance allows off-premise signs which are located within business zoning districts. The proposed amendment would not allow these signs in the future and would require removal of current off-premise signs as specified under the ordinance. Mr. Batchelder then opened the public hearing and asked if there was anyone who would like to speak in favor or opposition to the proposed ordinance.

Questions were raised by the public and Commission members about the applicability of the ordinance to specific types of signs including open house directional real estate signs, the "Welcome to the Isle of Palms" signs, church signs along Palm Boulevard, the Wild Dunes marina sign, the Wild Dunes sign, political signs and portable signs. Mr. Taylor explained that this proposed ordinance would only change the current ordinance as it relates to off-premise signs.

Mr. Batchelder explained the current Section 5-4-124(c). Foster Clark stated that he was opposed to the ordinance if it would require removing the Wild Dunes sign at 41st Street and Palm Boulevard. Mr. Batchelder then closed the public hearing and suggested that the Commission defer action on the ordinance until the April meeting so that he could have time to answers to the questions raised. This was approved by the Commission unanimously.

MINUTES OF PREVIOUS MEETING

Minutes were not included in packet so no action was taken.

PLAT SUBMITTALS

1. Plat of the Subdivision of Lots 1-6, Block 29, Owned by Peter F. Fragus Into a 15.028 Square Foot Lot and a 8,703 Square Foot Lot. Ocean Boulevard. E.M. Seabrook, Inc.

Mr. Batchelder stated that the plat did not include all of the information required by the ordinance and that he had several questions. Because the applicant was not present the Commission deferred action and requested that Mr. Batchelder notify the applicant.

2. Acreage Plat Dividing Tract 3 Into Tract 3b, 3c, and 3d Located on 41st Avenue in the City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Bill Mckenzie stated that under the marina permit there are requirements for providing parking and that they were trying to identify a permanent location for the parking although the parking use may change in the future. He stated that tract 3b has already been created under a previous plat. Chairman Taylor stated that when the previous parking was given up to create residential lots, the commitment was made to provide X number of spaces outside the fence. Mr. McKenzie stated that the parking will be on tract 3d. Tract 3b is where the cart barn is. He also stated that tract 3d could be used for something else besides parking in the future as allowed under the zoning of the property.

Mr. McKenzie stated that Wild Dunes owned the marina and Mr. Finch had a lease on it. After the hurricane, Mr. Finch purchased half the Marina. In that transaction, Wild Dunes is obligated to provide parking for Mr. Finch's marina. Mr. McKenzie stated that this plat will identify the property where the parking is to be provided although if Mr. Finch finds parking elsewhere, the property may be used for something else. Mr. Batchelder recommended that the Commission approve the plat. Motion to approve by Dr. Karig; second by Ms. Wilson. Motion approved 7-0.

ORDINANCES

1. Ordinance 1990-15, Fence Height Regulations.

Mr. Batchelder stated that following the last meeting, he revised the proposed ordinance taking into account concerns raised by the Commission and public about residential properties located next to non-residentially used or non-residentially zoned properties.

Motion to approve by Ms. Carroll; second by Dr. Karig. Ms. Wilson questioned whether there was anything in the ordinance to prohibit chicken wire fences. Mr. Batchelder stated that the ordinance did not prohibit this. He thought this was more of a architectural review board issue and not something that could easily be addressed in this type of ordinance. Mr. Stanley asked about someone wanting to build a platform tennis court in their yard. Mr. Batchelder stated that the fence could not be taller than six feet and only if it were located within the building envelope.

Mr. Taylor asked how many Commission members were in favor of this type of ordinance. Several members said they were very much in favor of this. Mr. Stanley asked about placing a four foot fence on a man-made berm. Several members said this might be a loophole. Dr. Karig suggested amending the proposed ordinance to require measurement of fence height from the natural grade. The motion was amended to include the proposed amendment and then approved 7-0.

2. Ordinance 1990-18, Sea Turtle Protection Ordinance.

Ordinance has not yet been revised so no action was taken.

3. Ordinance 1990-11, Accessory Use Ordinance

Mr. Batchelder stated that under the current ordinance, accessory uses could be constructed within required setbacks. The proposed ordinance will eliminate those provisions of the ordinance relating to accessory residential uses, but keep the provisions relating to retail, business or office accessory uses. Motion to approve by Ms. Carroll; second by Ms. Wilson.

Mr. Gardner stated that he was concerned that this amendment would eliminate the possibility of constructing garages in older neighborhoods where houses were not originally constructed with garages. He said that in his neighborhood, not allowing garages to be constructed within 3 feet of the property line would eliminate the possibility of constructing them because of the small narrow size of the lots. It was suggested that people could still apply for variances. Mr. Batchelder stated that in Charleston there was a problem in many of the older subdivision which did not include garages. He stated that many times people wanted very large garages which were bigger than the main houses and this was a problem. Also the height of the garages was also a problem and the City of Charleston was considering limiting height to 15 feet.

A concern was voiced about using garages for home occupations. Mr. Stanley said the ordinance only addressed home occupations in the main house. Concerns were also voiced about building two-story garages which might then be turned into apartments. An amendment to the motion was accepted to allow a garage to within three feet of the property lines provided the garage footprint does not exceed 400 square feet or 15 feet in height. Dr. Karig stated that he had a problem with allowing garages to within three feet of the property lines.

Motion to approve as amended approved 7-0.

SUB-COMMITTEE REPORTS

There were no sub-committee reports.

There being no further business the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Zoning Administrator

EXHIBIT I

MINUTES OF THE REGULAR MEETING OF
THE ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
MARCH 21, 1991

The regular meeting of the Isle of Palms Board of Beach Patrol and Control was held on March 21, 1991, at 7:00 p.m., at City Hall. Present were Chairman James Smiley, Debby Jeter, Beverly Ballow, William Sandeford, and Council Member Jeff Simon. Thomas Harper and David Matthews were absent.

Permit Applications:

1. Mr. & Mrs. M. D. Haven - #1-53rd Avenue - requested a permit to build a 1300 sq. ft. house within the protection zone which replaces a house of similar house destroyed during Hurricane Hugo. (see Exhibit A) Also in attendance was Ms. C. J. Cantwell, architect for the house. Ms. Cantwell stated that they were amenable to putting the house where the Board would be comfortable with it taking into consideration an existing driveway which she would like to make use of. The new house would be even farther from the ocean than the previous house because of new flood elevation regulations. After discussion, Mr. Sandeford made a motion to approve the location of the house as presented with the overhang of the roof to be 5' from the sideyard setback; Ms. Jeter seconded, and permit was approved unanimously.

2. Michael J. Knapp - #2-52nd Street - requested a permit to level and cover concrete slabs placed on the seawall by contractors when clearing the lot after Hurricane Hugo. (See Exhibit B) Also in attendance was John Allen. Mr. Knapp explained that after the hurricane, he gave permission to the City to have contractors clear the lot including the concrete slab and driveway. Apparently, the contractors dumped some of the broken concrete pieces onto the seawall and they were very unsightly. Mr. Knapp wants permission to move the slabs around and/or to lay them down and cover them with sand for aesthetic purposes. Mr. Sandeford asked specifically if these materials came from only his lot; and Mr. Knapp stated that they did. After discussion, Mr. Smiley moved to approve the permit with the conditions that (1) no rip rap may be added to existing revetments, (2) sand shall be certified as compatible beach sand by S.C. Coastal Council, and (3) berm shall not be built higher than existing dune prior to Hurricane Hugo; Ms. Ballow seconded, and permit was approved unanimously. Dr. Smiley asked that a copy of the SCCC certification be provided to the Board for our records.

Other Items:

3. Dr. Smiley announced that the representative from SC Coastal Council was unable to attend the meeting, and that a special meeting will be scheduled for April 3, 1991, at 7:00 p.m., at City Hall with SCCC representatives Rob Michaels and Heyward Robinson in attendance.

4. Dr. Smiley asked members if they had received a copy of Mark Williams' memo concerning dune erosion. He reported that SCCC would have some funds available to make beach repairs on the Isle of Palms. There are two or three areas on the front beach (22nd - 23rd Avenues, and 46th - 47th Avenues) that need immediate attention from wash outs. It was suggested that the Board forward a recommendation to City Council to renourish these two areas and that Council request funds from Coastal Council. Mr. Simon felt that Mr. Williams could take care of this without Council's vote unless City money were to be used. It was decided that Dr. Smiley would contact Mr. Williams on this matter.

5. Mr. Sandeford presented to the Board a set of photographs that he had taken of the Lenardis property (#1-51st Ave.) before and after the hurricane. He felt that these photographs showed that the rocks on the revetment now are larger than they were before the storm. Also there is erosion at the bottom of the stairs of the dune walkover causing Lenardis to add two more stairs. The Board discussed this matter at length and it was the consensus that Mr. Lenardis did not conform with the permit issued. Mr. Sandeford made a motion that the Board ask the City Administrator to request SC Coastal Council review their decision on the Lenardis wall; that the Board does not feel that the wall was accomplished in the manner that it was originally specified as to the size of the rocks in the wall and the final dimensions of the repaired wall; Ms. Ballow seconded; motion was approved unanimously.

There being no further business to come before the Board, the meeting was unanimously adjourned.

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-4
Third Reading Draft - 3/20/91

AN ORDINANCE TO LIMIT THE PLACEMENT OF REFUSE FOR COLLECTION

WHEREAS, the disposal of refuse for collection by the City Public Works Department is currently regulated in Section 3-2-5 of the City Code; and

WHEREAS, such regulation provides for the deposition of refuse on the public right-of-way pending collection; and

WHEREAS, City Council has received complaints concerning the unsafe, unsanitary and burdensome conditions created when refuse is deposited in front of lots other than the lot from which the refuse was generated; and

WHEREAS, City Council wishes to prevent the recurrence of such adverse situations.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the placement of refuse for collection by the Isle of Palms Public Works Department.

Section 2. Section 3-2-5 Amended. Existing Section 3-2-5 of the City Code is re-numbered as Section 3-2-5(a), entitled "Refuse Requirements." A new Section 3-2-5(b) is hereby created, to read as follows:

(b) Placement of refuse. All refuse placed for collection shall be deposited ONLY on the unpaved right-of-way in front of the property from which the refuse was generated. ~~It shall be illegal to place refuse on any vacant lot.~~

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-10
Second Reading Draft - 3/28/91

AN ORDINANCE TO REPEAL PROVISIONS REGARDING PERSONNEL ADMINISTRATION

WHEREAS, in 1989, the City of Isle of Palms adopted a personnel manual which sets forth the parameters and limitations of employment with the City; and

WHEREAS, City Council finds that the provisions of said personnel manual may conflict with some provisions of Title I, Chapter 6 of the City Code, most of which were adopted in 1979; and

WHEREAS, City Council is advised that the rights of the City and its employees are best protected through the continued use of its personnel manual, and the elimination of potentially conflicting provisions of the City Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to repeal provisions of the City Code regarding personnel administration.

Section 2. Sections Repealed. The following sections of the City Code are hereby repealed:

Sec. 1-6-1	Sec. 1-6-8
1-6-2	1-6-9
1-6-3	1-6-10
1-6-4	1-6-11
1-6-5	1-6-12
1-6-6	1-6-13
1-6-7	

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding

shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT L

DRAFT

ORDINANCE NO. 1991-13

AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING $700,000 GENERAL OBLIGATION BONDS, SERIES 1991, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR VARIOUS PUBLIC BUILDING PURPOSES; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE CITY ADMINISTRATOR TO PRESCRIBE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "City"), hereby finds and determines:

(a) Pursuant to Title 5, Code of Laws of South Carolina, 1976, as amended (the "Code"), the Council constitutes the governing body of the City.

(b) Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that general obligation debt may be incurred by the governing body of each city of the State for any of its corporate purposes in an amount not exceeding eight percent of the assessed value of all taxable property of such city.

(c) Pursuant to Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended (the "Municipal Bond Act"), the municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limit applicable.

(d) The Municipal Bond Act requires that an election be held prior to the issuance of general obligation bonds. Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977 ("Act No. 125") provides that if an election be prescribed by the provisions of the Municipal Bond Act, but is not required by the provisions of Article X, then in every such instance no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Municipal Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The Council has been advised that a number of capital improvements must be undertaken including, without limitation, a new municipal building for the police and building

department (the "Project"). The issuance of general obligation bonds authorized by this Ordinance for the Project is necessary for the proper functioning of City government. The Bonds will be issued for corporate purposes and public purposes of the City.

(f) The assessed value of all the taxable property in the City, as established by the last completed assessment thereof, is $31,469,850. Eight percent of such sum is $2,517,588. As of the date hereof, the outstanding bonded and general obligation debt of the City subject to the 8% limit is $1,525,000. Thus, the City can incur $700,000 of general obligation indebtedness within its constitutional debt limitation.

(g) It is now in the best interest of the City for the Council to provide for the issuance and sale of not exceeding $700,000 general obligation bonds authorized by this Ordinance for the purpose of undertaking the Project.

Section 2. Pursuant to the aforesaid provisions of the Constitution, the Municipal Bond Act and Act No. 125, there is hereby authorized to be issued general obligation bonds of the City in the principal amount of not exceeding $700,000 to be designated "$700,000 General Obligation Bonds, Series 1991, City of Isle of Palms, South Carolina" (the "Bonds"), for the purpose set forth in Section 1(e) hereof including any financial and legal fees relating thereto and other incidental costs of issuing the Bonds.

The Bonds shall be issued as fully registered Bonds; shall be dated as of the first day of the month in which they are delivered to the initial purchaser(s) thereof; shall be in denominations of $5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; shall be numbered from R-1 upward; shall bear interest from their date payable semiannually on November 1 and May 1 of each year, commencing November 1, 1991, at such rate or rates as may be determined by the Council at the time of sale thereof; and shall mature serially in successive annual installments, in numerical order, on May 1 of each of the years and in the principal amounts as follows:

YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT
1991		2001	
1992		2002	
1993		2003	
1994		2004	
1995		2005	
1996		2006	
1997		2007	
1998		2008	
1999		2009	
2000		2010	

The Bonds maturing on or prior to May 1, 19__, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after May 1, 19__, shall be subject to redemption at the option of the City on or after May 1, 19__, as a whole at any time, or in part from time to time on any interest payment date, in inverse order of maturity and by lot within a maturity, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount of the Bond to be redeemed, set forth below, together with the interest accrued thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
May 1, 19__ to April 30, 19__	%
May 1, 19__ to April 30, 19__	%
May 1, 19__ and thereafter	%

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event the Bonds or any portion thereof, shall be called for redemption, notice of the redemption, describing the Bonds to be redeemed, specifying the redemption date and the redemption price payable on such redemption, shall be mailed by first-class mail, postage prepaid, to the registered owner thereof as shown on the registry books of the City kept by the Registrar not less than thirty (30) days and not more than sixty (60) days prior to the redemption date. If the Bonds or any portion thereof shall have been duly called for redemption and notice of the redemption mailed as aforesaid, and if on or before the date fixed for redemption, payment thereof shall be duly made or provided for, interest on the Bonds to be redeemed shall cease to accrue from and after the redemption date specified in such notice.

Without further authorization, the Council hereby delegates to the City Administrator the authority to determine (a) the time and date of sale of the Bonds; and (b) the registrar/

paying agent for the Bonds, subject to the terms and conditions stated below.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Within twenty-four (24) hours after the receipt of bids, the successful bidder, if any, for the Bonds may, subject to the approval of the City Administrator, designate the registrar and paying agent (the "Registrar/Paying Agent") for the Bonds. The Registrar/ Paying Agent shall be a bank, trust company, depository or transfer agent organized under the laws of the State of South Carolina or the laws of the United States of America and located either within or without the State of South Carolina. In the event the successful bidder fails to designate any such Registrar/Paying Agent within twenty-four (24) hours after the receipt of bids, or the City Administrator does not approve the Registrar/Paying Agent designated by the successful bidder, the Registrar/Paying Agent shall be designated by the City Administrator.

Section 3. The City shall cause its books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent for the registration and transfer of the Bonds. Upon presentation at its office for such purpose, the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the City, which shall be kept for such purposes at the principal office of the Registrar/Paying Agent by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond, the Registrar/Paying Agent on behalf of the City shall issue in the name of the transferee a new fully registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered bond pursuant to this Section shall be cancelled by the Registrar/Paying Agent.

The City and the Registrar/Paying Agent may deem or treat the person in whose name any fully registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of, interest and redemption premium, if any, on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid,

and neither the City nor the Registrar/Paying Agent shall be affected by any notice to the contrary.

Section 4. In all cases in which the privilege of transferring Bonds is exercised, the City shall execute and the Registrar/Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. Neither the City nor the Registrar/Paying Agent shall be obligated to make any such transfer of Bonds (a) during the fifteen (15) days preceding an interest payment date on such Bonds, (b) during the fifteen (15) days preceding the giving of notice of any proposed redemption of Bonds, or (c) with respect to any particular Bond, after such Bond has been called for redemption. The City may, by written notice to the Registrar/Paying Agent, establish a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be not more than fifteen (15) days next preceding an interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall not be more than fifteen (15) days prior to the giving of notice of redemption of Bonds.

Section 5. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the City shall execute and the Registrar/Paying Agent shall authenticate and deliver at the principal office of the Registrar/Paying Agent, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the City and the Registrar/Paying Agent evidence or proof satisfactory to the City and the Registrar/Paying Agent of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the City and the Registrar/Paying Agent. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

Section 6. The Bonds shall be executed in the name of the City with the manual or facsimile signature of the Mayor of the City attested by the manual or facsimile signature of the Clerk/Treasurer of the City under a manual or facsimile of the seal of the City which shall be impressed, imprinted or reproduced thereon. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar/Paying Agent in substantially the form set forth herein.

Section 7. The Bonds and the certificate of authentication shall be in substantially the following forms:

(FORM OF BONDS)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
THE CITY OF ISLE OF PALMS
GENERAL OBLIGATION BOND, SERIES 1991

No. R-

INTEREST RATE	MATURITY DATE	ORIGINAL ISSUE DATE	CUSIP
%			

Registered Holder:

Principal Amount: Dollars

KNOW ALL MEN BY THESE PRESENTS, that the City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date specified above (unless the within Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of the redemption price made or provided for), upon presentation and surrender of this Bond at the principal office of _____, in the City of _____, State of _____ (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the interest rate per annum specified above until the City's obligation with respect to the payment of such principal amount shall be discharged. Interest on this Bond is payable November 1, 1991, and semiannually on May 1 and November 1 of each year thereafter until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained

by the registrar, presently _____, in _____ (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month next preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

The terms and provisions of this Bond are continued on the reverse side hereof and such continued terms and provisions shall for all purposes have the same effect as though fully set forth at this place.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the City does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina, and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the City sufficient to pay the principal and interest of this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, has caused this Bond to be signed with the facsimile signature of the Mayor of the City and attested by the facsimile signature of the Clerk/Treasurer of the City and the seal of the City impressed, imprinted or reproduced hereon.

THE CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This Bond is one of the Bonds described in the within mentioned Ordinance of the City of Isle of Palms, South Carolina.

_____
as Registrar

_____
Authorized Officer

(REVERSE SIDE OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
THE CITY OF ISLE OF PALMS
GENERAL OBLIGATION BOND, SERIES 1991

For the payment hereof, both principal and interest, as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the City are irrevocably pledged and provision has been made to levy and collect, in the same manner as other City taxes are levied and collected, a tax, without limit, on all taxable property in the City sufficient to pay the principal and interest of this Bond as the Bonds respectively mature and to create such sinking fund as may be necessary therefor.

This Bond is one of an issue of Bonds of like date of original issue, tenor and effect, except as to number, date of maturity, rate of interest, series designation and redemption provisions, aggregating Seven Hundred Thousand Dollars ($700,000), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended; Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended; Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977; and Ordinance No. _____ duly adopted and effective on _____, 1991 (the "Ordinance"), by the City Council and a related Resolution duly adopted by the City.

The Bonds maturing on or prior to May 1, 19__, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after May 1, 19__, shall be subject to redemption at the option of the City on or after May 1, 19__, as a whole at any time, or in part from time to time on any interest payment date, in inverse order of maturity and by lot within a maturity, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount of the Bond to be redeemed, set forth below, together with the interest accrued thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
May 1, 19__ to April 30, 19__	%
May 1, 19__ to April 30, 19__	%
May 1, 19__ and thereafter	%

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event this Bond is redeemable as aforesaid, and shall be called for redemption, notice of the redemption hereof, describing the Bond and specifying the redemption date and the redemption price payable upon such redemption shall be mailed by the Registrar by first-class mail, postage prepaid, to the registered owner thereof not less than thirty (30) days and not more than sixty (60) days prior to the redemption date at their last address appearing upon the registration books of the City. If the Bond be redeemable and shall have been duly called for redemption and notice of the redemption mailed as aforesaid, and if on or before the date fixed for such redemption, payment hereof shall be duly made or provided for, interest hereon shall cease to accrue from and after the redemption date hereof.

This Bond is transferable as provided in the Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county,

municipal, school district and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

The following abbreviations, when used in the inscription of the face of the written Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM -	As tenants in common	UNIF GIFT MIN.
TEN ENT -	As tenants by the entireties	ACT. _____ (Cust. _____)
JT TEN -	As joint tenants with right of survivorship and not as tenants in common	Custodian _____ (Minor) under Uniform Gifts to Minors Act _____ (State)

Additional abbreviations may also be used though not in a list above.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____
(Name and address of Transferee)
the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

_____
Signature Guaranteed: (Authorizing Officer)

_____
(Bank, Trust Company, or Firm)

NOTICE: The signature to this assignment must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without

alteration or enlargement or any change whatever.

A copy of the final approving legal opinion to be rendered shall be printed on the back of each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the City with a facsimile signature of the City Administrator. Said certificate shall be in substantially the following form:

> "IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinion (except for date and letterhead) of McNair Law Firm, P.A., Attorneys & Counselors at Law, Charleston, South Carolina, approving the issue of bonds of which the within bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the bonds, and a copy of which is on file with the City Council of the City of Isle of Palms, South Carolina.
>
> THE CITY OF ISLE OF PALMS,
> SOUTH CAROLINA
>
> By:_____
> City Administrator

Section 8. The full faith, credit and taxing power of the City are hereby irrevocably pledged for the payment of the principal and interest of the Bonds as they respectively mature, and for the creation of a sinking fund as may be necessary therefor. There shall be levied and collected annually, in the same manner as other taxes are levied and collected, a tax, without limit, on all taxable property in the City sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The Council shall give the Auditor and Treasurer of Charleston County written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the City, a tax, without limit, sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Section 9. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-1-60 of the Code, from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect,

general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 10. The Bonds shall be offered for public sale on the date and at the time designated by the City Administrator. A Notice of Sale shall be published in a newspaper of general circulation in the State of South Carolina not less than ten (10) days prior to the date set for such sale.

The Notice of Sale shall be in substantially the following form:

NOTICE OF SALE

$700,000 GENERAL OBLIGATION BONDS,
SERIES 1991, OF THE CITY OF ISLE OF PALMS,
STATE OF SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed proposals addressed to the undersigned will be received by or on behalf of the City Council of the City of Isle of Palms, South Carolina (the "City"), at the Offices of the McNair Law Firm, P.A., 140 East Bay Street, Charleston, South Carolina, until 12:00 Noon, South Carolina time, on Tuesday, April 30, 1991, at which time said proposals will be publicly opened for the purchase of Seven Hundred Thousand Dollars ($700,000) General Obligation Bonds, Series 1991, of the City of Isle of Palms, South Carolina (the "Bonds").

Bonds: The Bonds will be issued in fully registered form registered as to principal and interest; will be dated May 1, 1991, will be in denominations of $5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; will be numbered from R-1 upward; and will mature serially in successive annual installments, in numerical order, on May 1 in each of the years and in the principal amounts, as follows:

YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT
1991		2001	
1992		2002	
1993		2003	
1994		2004	
1995		2005	
1996		2006	
1997		2007	
1998		2008	
1999		2009	
2000		2010	

The Bonds will bear interest payable on November 1, 1991, and semiannually on May 1 and November 1 of each year thereafter until they mature.

The Bonds maturing on or prior to May 1, 19__, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after May 1, 19__, shall be subject to redemption at the option of the City on or after May 1, 19__, as a whole at any time, or in part from time to time on any interest payment date, in inverse order of maturity and by lot within a maturity, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount of the Bond to be redeemed, set forth below, together with the interest accrued thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
May 1, 19__ to April 30, 19__	%
May 1, 19__ to April 30, 19__	%
May 1, 19__ and thereafter	%

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event the Bonds or any portion thereof, shall be called for redemption, notice of the redemption, describing the Bonds to be redeemed, specifying the redemption date and the redemption price payable on such redemption, shall be mailed by first-class mail, postage prepaid, to the registered owner thereof as shown on the registry books of the City kept by the Registrar not less than thirty (30) days and not more than sixty (60) days prior to the redemption date. If the Bonds or any portion thereof shall have been duly called for redemption and notice of the redemption thereof mailed as aforesaid, and if on or before the date fixed for redemption, payment thereof shall be duly made or provided for, interest on the Bonds to be redeemed shall cease to accrue from and after the redemption date specified in such notice.

Registrar/Paying Agent: Within twenty-four (24) hours after the receipt of bids, the successful bidder, if any, for the Bonds may, subject to the approval of the City Administrator, designate the registrar and paying agent (the "Registrar/Paying Agent") of the Bonds. The Registrar/Paying Agent shall be a bank, trust company, depository or transfer agent organized under the laws of the State of South Carolina or the laws of the United States of America and located either within or without the State of South Carolina. The Registrar/Paying Agent shall register and transfer the Bonds on registry books kept on behalf of the City. Interest on the Bonds shall be payable by check or draft mailed to the registered owner thereof by the Registrar/Paying Agent. In the event the successful bidder fails to designate the Registrar/Paying

Agent within twenty-four (24) hours after receipt of bids, or the City Administrator does not approve of the Registrar/Paying Agent designated by the successful bidder, the Bonds shall be payable and registered at the principal office of a bank, trust company, depository or transfer agent located in the State of South Carolina to be designated by the City Administrator.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 of 1% with no greater difference than two percent (2%) between the highest and lowest rates of interest named by a bidder. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to the date of such maturity date. A bid for less than all the Bonds or a bid at a price less than par, will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price. Provided that the net interest cost is less than 8%, the Mayor or City Administrator is hereby authorized to award the Bonds to the bidder or bidders offering to purchase the Bonds at the lowest net interest cost to the City, such interest cost to be determined by computing the total dollar interest cost from the date of the Bonds to the respective maturity dates and deducting therefrom the amount of the premium offered, if any, over and above the principal amount. The Council reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 4:00 p.m., South Carolina time, on the date of the sale.

Good Faith Check: Each proposal shall be accompanied by a certified check or cashier's check drawn upon an incorporated bank or trust company in the amount of $_____ payable unconditionally to the Clerk/Treasurer of the City of Isle of Palms. The check of the successful bidder shall be applied as part payment for the Bonds or to secure the City for any loss due to the failure of such bidder to comply with the terms of his bid. Checks of unsuccessful bidders will be returned promptly. No interest will be allowed on the good faith check.

Bid Form: Each proposal should be enclosed in a sealed envelope marked "Proposal for $700,000, General Obligation Bonds, Series 1991, the City of Isle of Palms, South Carolina," and should be directed to the City Administrator of the City of Isle of Palms at the address in the first paragraph hereof.

Purpose: The Bonds are issued for various public building purposes and for other corporate purposes of the City.

Security: The Bonds shall constitute binding general obligations of the City and the full faith, credit and taxing power

of the City are irrevocably pledged for the payment of the Bonds. There shall be levied and collected annually, in the same manner as other city taxes are levied and collected, a tax, without limit, on all taxable property in the City, to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Legal Opinion: The Council shall furnish upon delivery of the Bonds the final approving opinion of McNair Law Firm, P.A., Attorneys and Counselors at Law, Charleston, South Carolina, which opinion shall be printed on the back of each Bond, together with the usual closing documents, including a certificate that no litigation is pending affecting the Bonds.

Delivery: The Bonds will be delivered within thirty (30) days of the date of sale, in Charleston, South Carolina; Columbia, South Carolina; Atlanta, Georgia; or Charlotte, North Carolina. The balance of the purchase price then due, including the amount of accrued interest, must be then paid in Federal funds or other immediately available funds. The cost of printing the Bonds will be borne by the City. The successful purchaser will be furnished fifty (50) official statements without charge.

Bondholder's Names: The successful bidder for the Bonds must deliver to the Registrar/Paying Agent, not later than ten (10) business days prior to the date of delivery of the Bonds, the names and addresses of the registered owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit to the Registrar/Paying Agent such names, addresses and denominations by the aforesaid time, one Bond will be issued for each maturity date in the full amount maturing on such date, and the Bonds will be registered in the name of the successful bidder.

CUSIP Numbers: It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of its proposal. No CUSIP identification number shall be deemed to be a part of any Bond or a part of the contract evidenced thereby and no liability shall hereafter attach to the City or any of its officers or agents because of or on account of such numbers or any use made thereof. All expenses in relation to the printing of CUSIP identification numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder.

Additional Information: Persons seeking information should communicate with Mark M. Williams, City Administrator, the

City of Isle of Palms, P.O. Drawer Q, Isle of Palms, South Carolina 29451, telephone (803) 886-6428.

s/ Mark M. Williams
City Administrator of the City of
Isle of Palms, South Carolina

Section 11. The proceeds derived from the sale of the Bonds shall be paid to the Clerk/Treasurer of the City of Isle of Palms to be deposited in a special fund to the credit of the City, separate and distinct from all other funds, and shall be expended from time to time and made use of by the Council as follows:

(a) Any premium shall be placed in the sinking fund established pursuant to the Municipal Bond Act;

(b) Accrued interest, if any, shall be applied to the payment of the first installment of interest to become due on the Bonds; and

(c) The balance of the proceeds shall be applied upon warrant or order of the Council for the Project as set forth in this Ordinance and to defray the costs and expenses of issuing the Bonds.

Section 12. The Council hereby ratifies and approves the publication of the notice of public hearing regarding the Bonds and this Ordinance, such notice being published at least 14 days prior to April 25, 1991, in The News & Courier.

Section 13. The Council hereby delegates to the City Administrator the authority to determine whether the Notice prescribed under the provisions of Section 5 of Act No. 125, relating to the initiative and referendum provisions contained in Title 4, Chapter 9, of the Code shall be given with respect to the Ordinance. If said Notice is given, the City Administrator is authorized to prescribe the form of the Notice and cause such Notice to be published in a newspaper of general circulation in the City.

Section 14. The City hereby covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be "arbitrage bonds", as defined in the United States Internal Revenue Code of 1986 (the "Code"); and to that end the City hereby shall:

(a) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to

comply with the requirements of the Code relating to required rebates of certain amounts to the United States;

(b) make such reports of such information at the times and places required by the Code; and

(c) take such other action as may be required in order that the Bonds and the use of the proceeds thereof comply with the provisions of the Code.

Section 15. The City hereby authorizes the Mayor of the City, the Clerk/Treasurer of the City, the City Administrator, and the City Attorney to execute such documents and instruments as necessary to effect the issuance of the Bonds.

Section 16. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 17. The City hereby designates the Bonds as qualified tax exempt obligations within the meaning of Section 265(b)(3)(B) of the Code.

Section 18. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

THE CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

First Reading: March 28, 1991
Public Hearing: April 25, 1991
Second Reading: April 25, 1991

15 yr.

Isle of Palms, South Carolina
General Obligation Bonds

Dated: 01-May-91
Last maturity: 01-May-2006

Bid:

Interest Start Date:	01-May-91	1st Interest Payment:	01-Nov-91
Delivery Date:	15-May-91	1st Principal Payment:	01-May-92
Amount Borrowed:	700,000	Total Interest:	446,950
Premium or (Discount):	0	Average Interest Cost (NIC):	7.00000
Accrued Interest:	1,906	Effective Interest Cost (TIC):	7.00000
Spread:	0	Average Life (Years):	9.12143

Date	Interest Rate	Principal	Interest Payable	Semi-annual Debt Service	Balance	Annual Debt Service
01-Nov-91			24,500	24,500	700,000	0
01-May-92	7.000	25,000	24,500	49,500	675,000	74,000
01-Nov-92			23,625	23,625	675,000	0
01-May-93	7.000	30,000	23,625	53,625	645,000	77,250
01-Nov-93			22,575	22,575	645,000	0
01-May-94	7.000	35,000	22,575	57,575	610,000	80,150
01-Nov-94			21,350	21,350	610,000	0
01-May-95	7.000	35,000	21,350	56,350	575,000	77,700
01-Nov-95			20,125	20,125	575,000	0
01-May-96	7.000	40,000	20,125	60,125	535,000	80,250
01-Nov-96			18,725	18,725	535,000	0
01-May-97	7.000	40,000	18,725	58,725	495,000	77,450
01-Nov-97			17,325	17,325	495,000	0
01-May-98	7.000	45,000	17,325	62,325	450,000	79,650
01-Nov-98			15,750	15,750	450,000	0
01-May-99	7.000	45,000	15,750	60,750	405,000	76,500
01-Nov-99			14,175	14,175	405,000	0
01-May-2000	7.000	50,000	14,175	64,175	355,000	78,350
01-Nov-2000			12,425	12,425	355,000	0
01-May-2001	7.000	50,000	12,425	62,425	305,000	74,850
01-Nov-2001			10,675	10,675	305,000	0
01-May-2002	7.000	55,000	10,675	65,675	250,000	76,350
01-Nov-2002			8,750	8,750	250,000	0
01-May-2003	7.000	60,000	8,750	68,750	190,000	77,500
01-Nov-2003			6,650	6,650	190,000	0
01-May-2004	7.000	60,000	6,650	66,650	130,000	73,300
01-Nov-2004			4,550	4,550	130,000	0
01-May-2005	7.000	65,000	4,550	69,550	65,000	74,100
01-Nov-2005			2,275	2,275	65,000	0
01-May-2006	7.000	65,000	2,275	67,275	0	69,550
		700,000	446,950	1,146,950		1,146,950

20 yr

Isle of Palms, South Carolina
General Obligation Bonds

Dated: 01-May-91
Last maturity: 01-May-2011

Bid:

Interest Start Date:	01-May-91	1st Interest Payment:	01-Nov-91
Delivery Date:	15-May-91	1st Principal Payment:	01-May-92
Amount Borrowed:	700,000	Total Interest:	625,100
Premium or (Discount):	0	Average Interest Cost (NIC):	7.00000
Accrued Interest:	1,906	Effective Interest Cost (TIC):	7.00000
Spread:	0	Average Life (Years):	12.75714

Date	Interest Rate	Principal	Interest Payable	Semi-annual Debt Service	Balance	Annual Debt Service
01-Nov-91			24,500	24,500	700,000	0
01-May-92	7.000	15,000	24,500	39,500	685,000	64,000
01-Nov-92			23,975	23,975	685,000	0
01-May-93	7.000	15,000	23,975	38,975	670,000	62,950
01-Nov-93			23,450	23,450	670,000	0
01-May-94	7.000	15,000	23,450	38,450	655,000	61,900
01-Nov-94			22,925	22,925	655,000	0
01-May-95	7.000	20,000	22,925	42,925	635,000	65,850
01-Nov-95			22,225	22,225	635,000	0
01-May-96	7.000	20,000	22,225	42,225	615,000	64,450
01-Nov-96			21,525	21,525	615,000	0
01-May-97	7.000	25,000	21,525	46,525	590,000	68,050
01-Nov-97			20,650	20,650	590,000	0
01-May-98	7.000	25,000	20,650	45,650	565,000	66,300
01-Nov-98			19,775	19,775	565,000	0
01-May-99	7.000	30,000	19,775	49,775	535,000	69,550
01-Nov-99			18,725	18,725	535,000	0
01-May-2000	7.000	30,000	18,725	48,725	505,000	67,450
01-Nov-2000			17,675	17,675	505,000	0
01-May-2001	7.000	35,000	17,675	52,675	470,000	70,350
01-Nov-2001			16,450	16,450	470,000	0
01-May-2002	7.000	35,000	16,450	51,450	435,000	67,900
01-Nov-2002			15,225	15,225	435,000	0
01-May-2003	7.000	40,000	15,225	55,225	395,000	70,450
01-Nov-2003			13,825	13,825	395,000	0
01-May-2004	7.000	40,000	13,825	53,825	355,000	67,650
01-Nov-2004			12,425	12,425	355,000	0
01-May-2005	7.000	45,000	12,425	57,425	310,000	69,850
01-Nov-2005			10,850	10,850	310,000	0
01-May-2006	7.000	45,000	10,850	55,850	265,000	66,700
01-Nov-2006			9,275	9,275	265,000	0
01-May-2007	7.000	50,000	9,275	59,275	215,000	68,550
01-Nov-2007			7,525	7,525	215,000	0
01-May-2008	7.000	50,000	7,525	57,525	165,000	65,050
01-Nov-2008			5,775	5,775	165,000	0
01-May-2009	7.000	55,000	5,775	60,775	110,000	66,550
01-Nov-2009			3,850	3,850	110,000	0
01-May-2010	7.000	55,000	3,850	58,850	55,000	62,700
01-Nov-2010			1,925	1,925	55,000	0
01-May-2011	7.000	55,000	1,925	56,925	0	58,850
		700,000	625,100	1,325,100		1,325,100

CITY OF ISLE OF PALMS, SC
RESOLUTION

ACCESS TO GOAT ISLAND

WHEREAS, the residents of Goat Island have informed City Council about a serious problem in securing access to and from the Isle of Palms; and

WHEREAS, the City wishes to assist these individuals in securing a safe and convenient method of access to and from their homes; and

WHEREAS, the construction of the Isle of Palms Connector will provide an opportunity for constructing a public boat ramp, that would benefit these residents, the citizens of the City of Isle of Palms, and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, IN CITY COUNCIL DULY ASSEMBLED:

1. That the City of Isle of Palms requests the SC Department of Highways and Public Transportation to construct a public boat ramp in the Isle of Palms Connector right-of-way.

2. That the City of Isle of Palms requests Charleston County to make a similar request to the Department to assist the residents of Goat Island in securing a permanent means of access to and from their homes.

RESOLVED THIS 28TH DAY OF MARCH, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK -TREASURER

EXHIBIT N

P R O C L A M A T I O N

WHEREAS, the Armed Forces of the State of South Carolina date their establishment from 1670, when the settlement at Charles Towne, of the Province of Carolina, was founded and the first militia was organized for defense; and

WHEREAS, for more than three hundred twenty years, the Armed Forces of the State of South Carolina have maintained a proud tradition of service to the people of this State, volunteering to serve both in time of peace and in time of war, under trying conditions in every period of State history from 1670, most recently demonstrated after Hurricane Hugo, and culminating in the War in the Gulf of 1990 and 1991; and

WHEREAS, since the early part of this century, a part of the militia of South Carolina has been organized as the National Guard, and has been called to leave the State in the service of the Nation on four occasions, including the war currently in progress in the Middle East; and

WHEREAS, the State of South Carolina has depended upon another component of the militia, called first the South Carolina Militia Reserve during World War I; the South Carolina Defense Force from 1941 to 1944; and the South Carolina State Guard from 1944 until the present time, to defend the State and to provide military assistance to civil authority; and

WHEREAS, the State of South Carolina Defense Force was established on the twenty-first of March 1941 when Governor Burnet R. Maybank signed the enabling Act; and

WHEREAS, the South Carolina Defense Force, now the South Carolina State Guard, composed entirely of volunteers, has served in the best traditions of its valorous predecessors, from 1941 until 1947, and now since 1981;

NOW, THEREFORE, I PROCLAIM in the City of Isle of Palms, South Carolina, the twenty-first of March 1991 as **SOUTH CAROLINA STATE GUARD DAY**, upon the 50th Anniversary of the establishment of the South Carolina Defense Force, and commend the many volunteers who have served this State with dedication and honor, and express the gratitude of the City of Isle of Palms for this loyal service.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of isle of Palms to be affixed hereto on this 14th day of March, 1991.

_____

Carmen R. Bunch, Mayor
City of Isle of Palms

SEAL:

PROCLAMATION

WHEREAS, the incidence and prevalence of child abuse and neglect have reached alarming proportions in the United Stated, where over 19,000 cases of child abuse and neglect were reported in South Carolina during fiscal year 1989-90; and

WHEREAS, our communities face a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, every child is entitled to be loved, cared for, nurtured and secure; and

WHEREAS, there is no test of a society more important than that of how it treats its children, children are our community's most precious resource; and

WHEREAS, the Exchange Club Center for the Prevention of Child Abuse, the Exchange Clubs of the Trident Area, and Carolina Youth Development Center through their treatment and prevention programs are successfully combating child abuse and neglect;

NOW, THEREFORE, I PROCLAIM in the City of Isle of Palms, South Carolina, that the entire month of April, 1991, shall be observed as **CHILD ABUSE PREVENTION MONTH**, and I urge all citizens of this community to utilize this period to learn to better understand, recognize, and respond to this serious problem.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed hereto on this 20th day of March, 1991.

Carmen R. Bunch, Mayor
City of Isle of Palms

SEAL:



EXHIBIT P

City of Charleston

Joseph P. Riley, Jr.

Mayor

March 19, 1991

The Honorable Carmen Bunch
Post Office Drawer Q
Isle of Palms, SC 29451

Dear Mayor Bunch: Carmen

We are extremely fortunate in the Trident Metropolitan Area to have a strong military contingent. The Air Force Base, Navy Base and all of the other military installations provide a tremendous economic base for our community as well as bring in hard working patriotic citizens. All too often we take the military in the Charleston area for granted and I do not believe we do enough to show our support for their efforts.

In that regard, we are working with the Trident Chamber of Commerce and the Trident United Way to help support the military contingent in Charleston, as well as to welcome home those troops who have returned from the Persian Gulf. I would be honored to have you join me on the reviewing stand on Sunday, April 14th at 2:00 p.m. for a salute to the military. We are working diligently with Admiral Stan Bump and Chief Wilmot Guthke to put together a military parade, the likes of which the Charleston area has not seen since right after World War II. We feel that this will be the biggest celebration of the military in our recent lifetime.

Please join me on April 14th in saluting the men and women of the military here in the Charleston Metropolitan Area.

Most sincerely yours,

Joseph P. Riley, Jr.
Mayor

JPR,jr./jlk

CHARLESTON All-America City

P.O. Box 652, Charleston, South Carolina 29402 803-577-6970

EXHIBIT Q

CITY OF ISLE OF PALMS, SOUTH CAROLINA

A PROCLAMATION

HONORING OUR TROOPS BASED IN THE CHARLESTON METROPOLITAN AREA

WHEREAS, the Charleston metropolitan area is fortunate to support a strong military contingent; and

WHEREAS, the Trident Chamber of Commerce, the Trident United Way and the City of Charleston are organizing a salute to the Charleston military contingent and a military parade in Charleston on April 14, 1991, and have asked the City of Isle of Palms to support these efforts; and

WHEREAS, the City of Isle of Palms wishes to express its appreciation and support for this military contingent, and to welcome home those troops based in the Charleston metropolitan area who have returned from the Persian Gulf.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, IN CITY COUNCIL DULY ASSEMBLED;

That Sunday, April 14, 1991, is hereby designated as

"Salute the Troops Day"

in the City of Isle of Palms.

All residents of the City of Isle of Palms are encouraged to express their appreciation and support for the Charleston area military contingent by attending the parade to be held in the City of Charleston on that date.

PROCLAIMED THIS 28TH DAY OF MARCH, 1991.

SEAL:

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

NELLIE S. MCDUFFIE, CLERK-TREASURER

EXHIBIT R

21 March 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator

Subject: RO water dispenser at 1300 Palm Blvd.

As you know, we recently have experienced some problems with the reverse osmosis unit at the Water Dept.'s office. During our last hard freeze the service lines to the dispenser froze and people could not get any water. Of more serious concern however, is the apparent tendency of demand for the RO treated water to exceed the system's production rate. Tommy Griffith advises that the system is usually capable of producing about 1500 gallons per day, but recently has been producing less than that because the RO membrane was in need of cleaning. Subsequent inspection turned up that the membrane is actually in need of replacement after some two years of use. However, even at maximum production of 1500 GPM the system cannot keep up with demand, and this is situation is likely to worsen as the seasonal population increases with the onset of beach-going weather.

Timmy has received a proposal from H. M. Northcutt, who installed the original equipment, that we can almost double the production capacity of the RO unit for $2,717.00, (not including the cost to replace the damaged membrane, which is about $1,200.00).

I will bring this matter up before Ways & Means on the 25th, but will need full Council authorization to make the improvements. Funds are available in the O&M account for this work.

EXHIBIT S

CITY OF
ISLE
OF
PALMS South Carolina

Mayor:
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

19 March 1991

Mr. Roger Dyar
S. C. Dept. of Highways
and Public Transportation
6355 Fain Street
N. Charleston, S. C. 29418

Dear Roger:

This letter is a follow-up to our recent telephone conversation about the status of J. C. Long Blvd. as it relates to road improvements being made as part of the Isle of Palms Connector project. The original plans called for this road to become a cul-de-sac at Palm Blvd., but we recently requested that the road remain open at Palm for easier access for public safety vehicles.

You recently made a recommendation as to how J. C. Long might better intersect with Palm Blvd. if it is to remain open, and I wanted to let you know that I have discussed this suggested improvement with the Police, Fire and Public Works departments. All of these department heads found the recommendation that J. C. Long Blvd. continue to intersect Palm Blvd., but be realigned so that the intersection is opposite 12th Avenue, to be the best of plans.

The department heads also investigated another suggestion that Carolina Blvd. at Pavilion and Palm become a dead-end street to prevent vehicles from crossing the faster stream of traffic coming off of Palm Blvd onto Pavilion and heading to the front beach area. The only objection came from the Fire Chief who said that this closure would increase his response time to the new postal facility being constructed in this vicinity. However, we recognize that the IOP Connector improvements are going to require some changes in existing traffic circulation in the interest of safety.

I have apprised City Council of the situation involving J. C. Long Blvd. and I believe that they will endorse the changes in the plans we have discussed if you should need formal action to be taken in order to implement the changes.

If you need to discuss this matter further, please give me a call. Thanks for your help.

Sincerely,

Mark M. Williams
City Administrator

P.O. Drawer Q • Isle of Palms, South Carolina 29451 • (803) 886-6428
FAX (803) 886-8005

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JANUARY 2, 1991

The Special Meeting of the Isle of Palms City Council was held on January 2, 1991, at 6:00 p.m., at City Hall. The purpose of the meeting was to Discuss legal and contractual matters pertaining to the purchase of the Isle of Palms Water Company as well as to have two readings of bond ordinances. Present were Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, Mayor Bunch, Attorney Dreyfoos, City Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary. Absent were Council Members Watson who was out of town, and Council Member Orvin. Also present were Attorney William Youngblood, bond counsellor for the Isle of Palms, and Attorney Bachman Smith, attorney for The Beach Company.

Mr. Ward moved that council go into Executive Session to discuss legal and contractual matters pertaining to the purchase of the Isle of Palms Water Company, Ms. NesSmith-Picard seconded, motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no official action was taken, the discussion centered around the contract which was not made available.

ORDINANCES:

1. Ordinance 1991-1 - General Bond Ordinance. Authorizing and Providing for the Issuance of Water and Sewer System Revenue Bonds for the City of Isle of Palms, South Carolina; Prescribing the Form of Bonds; Limiting the Payment of the Bonds Solely to the Revenues Derived from the Operation of the System and Pledging the Revenues to Such Payment; Creating Certain Funds and Providing for Payments into Such Funds; and Making Other Covenants and Agreements in Connection With the Foregoing. (Exhibit A)

Mr. Ward moved that council accept first reading of Ordinance 1991-1; Ms. NesSmith-Picard seconded, motion passed unanimously.

2. Ordinance 1991-2 - Authorizing the Issuance of a Water and Sewer System Revenue Bond Anticipation Note, 1991, in the Principal Amount of $300,000 for the Purpose of Defraying a Portion of the Cost of Acquiring and Operating the Water and Sewer Facilities of the Isle of Palms Water Company; and Other Matters Relating Thereto. (Exhibit B)

Mr. Sottile moved the council accept first reading of Ordinance 1991-2; Ms. NesSmith-Picard seconded, motion passed unanimously.

Ms. NesSmith-Picard moved that the meeting be adjourned; Mr. Simon seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved:

Carmen R. Bunch

Carmen R. Bunch, Mayor

1991-1
EXHIBIT A

CITY OF ISLE OF PALMS, SOUTH CAROLINA

GENERAL BOND ORDINANCE

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE REVENUES DERIVED FROM THE OPERATION OF THE SYSTEM AND PLEDGING THE REVENUES TO SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING.

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(This Table of Contents for the Ordinance is for convenience of reference only and is not intended to define, limit or describe the scope or intent of any provision of the Ordinance).

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall, for all purposes of this Ordinance and of any ordinance, resolution, certificate, opinion, instrument or other document herein or therein mentioned, have the meanings herein specified, with the definitions to be equally applicable to both the singular and plural forms of any of the terms herein defined and vice versa. The term:

"A Bonds of 1991" shall mean the $1,180,000 Water and Sewer System Revenue Bonds, Series 1991 A, dated March 1, 1991.

"Act" shall mean Title 6, Chapter 21, Code of Laws of South Carolina, 1976 (being The Revenue Bond Act for Utilities), and all other statutory authorizations, now or hereinafter enacted, authorizing and enabling the City to provide for the issuance of the Bonds.

"Annual Budget" shall mean the annual budget required by Section 7.8 hereof and adopted in conformance therewith.

"Bondholders" or the term "Holders" or any similar term shall mean the registered owner or owners of any Outstanding Bond or Bonds.

"Bond" or "Bonds" shall mean any Bond, some of the Bonds or all of the Bonds issued under and pursuant to Article III hereof.

"Bond Redemption Account" shall mean the account by that name created in the Debt Service Fund.

"Bond Year" shall mean the period from March 1 in any year to and including the last day of February in the following year.

"Books of Registry" shall mean the registration books maintained by the Trustee as bond registrar in accordance with Section 4.3 hereof.

"Capital Improvements Fund" shall mean the fund of that name established pursuant to Section 6.8 of the Ordinance.

"City" shall mean the City of Isle of Palms, South Carolina.

"Construction Fund" shall mean any fund established with and maintained by the Custodian named by ordinance or resolution of the Council, and derived from certain of the proceeds of the sale of the Bonds and intended to defray the cost of all or a portion of any Project and to pay all Costs of Acquisition and Construction in connection therewith, as established in a Supplemental Ordinance authorizing the issuance of any Series of Bonds.

"Consulting Engineer" shall mean the engineer or engineering firm or corporation having a favorable reputation for skill and experience in the construction and operation of water treatment systems or sewage disposal and treatment systems, employed by the City to perform and carry out the duties imposed by this Ordinance, and who or which is not a full-time employee of the City.

"Cost of Acquisition and Construction" shall mean, to the extent permitted by the Act, all costs of acquiring, reconstructing, replacing, extending, repairing, bettering, equipping, developing, embellishing or otherwise improving the System, including the Costs of Issuance and capitalized interest on Bonds. Cost of Acquisition and Construction shall include the payment of amounts due on bond anticipation notes, the proceeds of which were used for Cost of Acquisition and Construction.

"Cost of Issuance" shall mean all items of expense, directly or indirectly payable or reimbursable by or to the City and related to the authorization, sale and issuance of Bonds including, but not limited to, printing costs, costs of preparation and reproduction of documents, filing and recording fees, initial fees and charges of any Trustee or Custodian, legal fees and charges, auditing and accounting fees and charges, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of Bonds, costs and expenses of refunding, premiums for insurance of the payment of Bonds, financing charges, accrued interest with respect to the initial investment of proceeds of Bonds and any other costs, charges or fees in connection with the original issuance of Bonds.

"Council" shall mean the City Council of the City of Isle of Palms, South Carolina.

"Custodian" shall mean any bank or trust company or national banking association or national association selected by the City as a depositary of moneys or securities held in the Construction Fund, the Revenue Fund, the Capital Improvements Fund, the Operation and Maintenance Fund or the Rebate Fund.

"Debt Service Fund" shall mean the fund of that name established pursuant to Section 6.6 of the Ordinance.

"Debt Service" shall mean, with respect to the Bonds and with respect to any particular Bond Year, the aggregate of the amounts to be paid or set aside (or estimated to be required to be paid or set aside) in the Debt Service Fund in such Bond Year for the payment of the principal of, redemption premium, if any, and interest (to the extent not capitalized) on the Bonds or such Series of Bonds. With respect to Bonds that bear interest at a variable rate, Debt Service shall be calculated based on the rate of interest that such Bonds would bear if such Bonds bore interest at a fixed rate, as certified to the Trustee and the Council by the Financial Advisor.

"Debt Service Reserve Fund" shall mean the fund of that name established pursuant to Section 6.7 of the Ordinance.

"Default" or "Event of Default" shall mean any of those defaults specified in and defined by Article X hereof.

"Expenses of Operating and Maintaining the System" shall mean the current expenses, paid or accrued, of operation, maintenance and current repair of the System, as calculated in accordance with sound accounting practice, and shall include, without limiting the generality of the foregoing, salaries, wages, employee benefits, cost of materials and supplies, cost of routine repairs, renewals, replacements and alterations occurring in the usual course of business, cost of billings and collections, cost of insurance, costs of audits, taxes, if any, and a properly allocable share of City administrative and overhead expenses. Expenses of Operating and Maintaining the System shall not include any allowance for depreciation or renewals or replacements of capital assets of the System.

"Financial Advisor" shall mean the person, firm or corporation having experience in the field of rendering financial advice to governmental bodies, designated as such from time to time by the City.

"Fiscal Year" shall mean the fiscal year for the System as determined by the Council, initially being the period from July 1 in any year to and including June 30 in the following year.

"Government Obligations" shall mean non-callable bonds, notes or direct obligations and general obligations of the United States.

"Interest Account" shall mean the account by that name created in the Debt Service Fund.

"Investment Securities" shall mean any of the following, if and to the extent that the same are at the time legal for investment of funds of the City:

(i) direct obligations of (including obligations issued or held in book entry form on the books of) the Department of Treasury of the United States of America;

(ii) obligations of any of the following federal agencies, which obligations represent full faith and credit of the United States of America, including: Export - Import Bank, Farmers Home Administration, General Services Administration, U. S. Maritime Administration, Small Business Administration, Government National Mortgage Association (GNMA), U. S. Department of Housing & Urban Development (PHA's) and Federal Housing Administration;

(iii) bonds, notes or other evidences of indebtedness rated "AAA" by Standard & Poor's Corporation and "Aaa" by Moody's Investor Services issued by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation with remaining maturities not exceeding three years;

(iv) U. S. dollar denominated deposit accounts, federal funds and banker's acceptances with domestic commercial banks which have a rating on their short term certificates of deposit on the date of purchase of "A-1" or "A-1+" by Standard & Poor's and "P-1" by Moody's and maturing no more than 360 days after the date of purchase. Ratings on holding companies are not considered as the rating of the bank;

(v) commercial paper which is rated at the time of purchase in the single highest classification, "A-1+" by Standard & Poor's and "P-1" by Moody's Investor Services and which matures not more than 270 days after the date of purchase;

(vi) investments in a money market fund rated "AAAm" or "AAAm--G" or better by Standard & Poor's Corporation;

(vii) investment agreements approved in writing by AMBAC Indemnity (as defined in the First Supplemental Ordinance) with notice to Standard & Poor's Corporation;

(viii) other form of investments approved in writing by AMBAC Indemnity with notice to Standard & Poor's Corporation; and

(ix) the South Carolina Pooled Investment Fund established pursuant to the provisions of Chapter 6, Title 6, Code of Laws of South Carolina 1976, as amended.

The value of the above investments shall be determined as provided in "Value" below.

"Value", which shall be determined as of the end of each month, means that the value of any investments shall be calculated as follows:

(a) as to investments the bid and asked prices of which are published on a regular basis in The Wall Street Journal (or, if not there, then in The New York Times): the average of the bid and asked prices for such investments so published on or most recently prior to such time of determination;

(b) as to investments the bid and asked prices of which are not published on a regular basis in The Wall Street Journal or The New York Times: the average bid price at such time of determination for such investments by any two nationally recognized government securities dealers (selected by the Trustee in its absolute discretion) at the time making a market in such investments or the bid price published by a nationally recognized pricing service;

(c) as to certificates of deposit and bankers acceptances: the face amount thereof, plus accrued interest; and

(d) as to any investment not specified above: the value thereof established by prior agreement between the City, the Trustee and AMBAC Indemnity.

"Junior Bonds" shall mean either (i) bonds secured by a pledge of Revenues junior and subordinate in all respects to the pledge securing the Bonds or (ii) any other form of indebtedness, including lease purchase obligations secured by sums available in the Revenue Fund after provision has been made for all payments required to be made with respect to the Bonds.

"Maximum Debt Service" shall mean the highest principal and interest requirements on the Bonds then Outstanding during any Bond Year. With respect to Bonds that bear interest at a variable rate, for purposes of determining maximum annual debt service requirements for complying with the rate covenant (Section 7.1) and the test for issuance of additional bonds (Section 3.3(D)), such Bonds shall be assumed to bear interest at a fixed rate equal to the highest variable rate borne over the preceding 24 months by outstanding variable rate debt (issued under the Ordinance) or, if no such variable rate debt is at the time Outstanding under the Ordinance, by variable rate debt for which the interest rate is computed by reference to the appropriate index published in The Bond Buyer or, if such an index does not exist, to an index comparable to that to be utilized in determining the interest rate for the Bonds then proposed to be issued.

"Net Revenues" shall mean the Revenues of the System after deducting the Expenses of Operating and Maintaining the System.

"Operation and Maintenance Fund" shall mean the fund of that name established pursuant to Section 6.5 of the Ordinance.

"Ordinance" shall mean this ordinance as from time to time amended or supplemented by one or more Supplemental Ordinances.

"Outstanding" when used with respect to any Bond shall have the construction given to such word in Article XII hereof; i.e., a Bond shall not be Outstanding if such Bond is not, or would not be, at the time, deemed to be Outstanding by reason of the operation and effect of said Article XII.

"Paying Agent" shall mean for each series of Bonds the respective paying agent or paying agents appointed pursuant to the proceedings authorizing such Bonds.

"Principal Account" shall mean the account by that name created within the Debt Service Fund.

"Project" shall mean any work, undertaking or project which the City is or may hereafter be authorized to construct or acquire and from which the City has derived or will derive Revenues for which Bonds are issued hereunder and such Project shall constitute a part of the System.

"Rebate Fund" shall mean the fund of that name established pursuant to Section 6.10 of the Ordinance.

"Record Date" shall mean with respect to any Series of Bonds the fifteenth (15th) day (whether or not a business day) of the calendar month immediately preceding an interest payment date or such other day as may be provided in the Supplemental Ordinance authorizing the issuance of such Series of Bonds.

"Reserve Fund Requirement" shall mean the lesser of Maximum Debt Service on the Bonds or an amount equal to 10% of the proceeds of each respective issue or Series of Bonds at the time of their issuance. Variable rate Bonds shall, for purposes of computing the Reserve Fund Requirement, be computed in the same manner as that utilized for determining Maximum Debt Service as defined above.

"Revenue Fund" shall mean the fund of that name established pursuant to Section 6.4 of the Ordinance.

"Revenues" shall mean all receipts, income, revenues, fees and other charges to be levied and collected in connection

with, and all other income and receipts of whatever kind or character derived by the City from the operation of the System, including interest earnings and other earnings or investments, computed in accordance with generally accepted accounting practices excluding the proceeds of any grants or debt, contributions in aid of construction, gains or losses on extinguishment of debt, and extraordinary items.

"Securities Depositories" shall mean the Depository Trust Company, 711 Stewart Avenue, Garden City, New York 11530, Fax-(516) 227-4039 or 4190; Midwest Securities Trust Company, Capital Structures-Call Notification, 440 South LaSalle Street, Chicago, Illinois 60605, Fax-(312) 663-2343; Philadelphia Depository Trust Company, Reorganization Division, 1900 Market Street, Philadelphia, Pennsylvania 19103, Attention: Bond Department, Dex-(215) 496-5058; or to such other addresses and/or such other securities depositories as the City may designate.

"Serial Bonds" shall mean Bonds which are not Term Bonds.

"Series" or "Series of Bonds" or "Bonds of Series" shall mean all Bonds designated as being of the same series issued and delivered on original issuance in a simultaneous transaction, and any Bonds thereafter delivered in lieu thereof or in substitution therefor pursuant to the Ordinance.

"Special Facilities" shall mean any future extensions or additions to the System, the revenues and expenses resulting from the operation of which can be segregated from the revenues and expenses of the System and which the City shall designate as such by ordinance.

"State" shall mean the State of South Carolina.

"Supplemental Ordinance" shall mean any ordinance by the City providing for the issuance of Bonds and any ordinance enacted by the Council pursuant to and in compliance with the provisions of Article IX hereof amending or supplementing the provisions of the Ordinance.

"System" shall mean the existing water and sewer system of the Isle of Palms Water Company, to be acquired with proceeds of the first Series of Bonds to be issued hereunder, as the same is now constituted, all properties, real and personal, and matters and things used or useful in the maintenance, operation or functioning thereof, all apparatus and equipment used in connection therewith, and all replacements, enlargements, improvements, extensions, additions, and betterments that may be made thereto at any time hereafter and any other public utility system (excluding Special Facilities, solid waste facilities and resource recovery facilities) with which the System may hereafter be combined pursuant to ordinance of Council.

"Term Bond" shall mean any Bond designated by the Supplemental Ordinance providing for its issuance as being subject to retirement or redemption from moneys credited to the Bond Redemption Account in the Debt Service Fund as sinking fund installments.

"Test Period" shall mean that period defined in Section 3.3 hereof.

"Trustee" shall mean _____ Bank, and any successor Trustee appointed in accordance with Section 8.1 hereof.

ARTICLE II

FINDINGS AND DETERMINATIONS

Section 2.1. Findings and Determinations. The Council hereby finds and determines:

A. The City is an incorporated municipality located in Charleston County, State of South Carolina and as such has all powers granted to municipalities by the Constitution and the general law of this State.

B. In the exercise of the powers vested in it by the Constitution and statutes of the State of South Carolina, and proceeding in conformity with the provisions thereof, the City proposes to acquire the existing waterworks system and sewer system of the Isle of Palms Water Company which shall hereafter be designated and known as the Water and Sewer System of the City of Isle of Palms (the "System"). The System shall be operated on the same fiscal year basis as the City, which presently commences on July 1 of each year and ends on June 30 of the following year.

C. The System shall be operated and administered under the direction of the Council, and shall furnish water and sewer service throughout the City and in certain territory adjacent thereto.

D. After due investigation, the period of usefulness of the System is not less than forty (40) years from the date of enactment of this General Bond Ordinance.

E. By the enactment of this General Bond Ordinance, the City intends to provide for the issuance of the revenue bonds at the time and on the terms and conditions set forth in the Ordinance and Supplemental Ordinances hereto.

ARTICLE III

AUTHORIZATION AND ISSUANCE OF BONDS

Section 3.1. Authorization of Bonds. There is hereby authorized to be issued Bonds of the City to be known as "City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bonds", which Bonds may be issued pursuant to the Ordinance and in accordance with the terms, conditions and limitations set forth herein, in Series, in such amounts and from time to time as the City may deem to be necessary or advisable for any corporate purpose of the City for which Bonds may be issued under the Ordinance and the Act.

Section 3.2. General Provisions For Issuance of Bonds. (a) The Bonds shall be issued in Series by means of Supplemental Ordinances enacted by the Council in accordance with the provisions of this Article and Article IX hereof. Each Supplemental Ordinance shall designate the Bonds provided for thereby by an appropriate Series designation and by such further particular designations, if any, as the City deems appropriate, and shall, unless or except as is otherwise set forth herein, also specify: (i) the authorized principal amount of such Series of Bonds; (ii) the purpose or purposes for which the Bonds of such Series are being issued, which shall be one or more of the purposes set forth in Sections 3.3 or 3.4 hereof; (iii) if the Bonds of the Series are being issued for a purpose specified in Section 3.3 hereof, the Project for which such Bonds are being issued; (iv) an estimate of the Costs of Acquisition and Construction for any Project to be financed by such Series of Bonds, and, in the event of the acquisition by purchase or condemnation of any facilities already constructed, a determination of what repairs, replacements, additions and betterments will be necessary in order that such facilities may be effective for their purpose and an estimate of the cost required therefor; (v) the date or dates of the Bonds of the Series; (vi) the maturity date or dates of the Bonds of the Series and the sinking fund installment amounts and due dates for the Term Bonds of the Series, if any; (vii) the interest rate or rates of the Bonds of such Series, or the manner of determining such rate or rates, the initial interest payment date therefor, and the subsequent interest payment dates; (viii) the denominations of, and manner of numbering and lettering, the Bonds of such Series; (ix) the redemption premium or premiums, if any, or the redemption price or prices to be paid upon the redemption of the Bonds of such Series, the period or periods, if any, during which such premiums or prices shall be payable, and the terms and conditions, if any, of such redemption; (x) the place or places of payment of the Bonds of the Series and interest thereon, and the Paying Agents therefor; (xi) the provisions for the sale or other disposition of the Bonds of the Series and the use, application and investment, if any, of the proceeds of such sale or other disposition, which use, application and investment shall not be inconsistent or in conflict

with the provisions hereof; (xii) any other provisions which may be required to be inserted therein by other provisions of the Ordinance; and (xiii) any other necessary or desirable provisions not inconsistent or in conflict with the provisions of the Ordinance.

(b) Bonds of a Series may be executed and delivered to the Trustee by the City and authenticated and delivered by the Trustee to the City or upon its order upon compliance with Section 3.3 or 3.4 hereof.

Section 3.3. Conditions for the Issuance of Bonds under the Ordinance Other than Refunding Bonds.

Anytime and from time to time, one or more Series of Bonds (exclusive of refunding Bonds) may be issued for such purposes as may be permitted by the Act upon compliance with the provisions of Section 3.2 hereof and this Section in such principal amounts as may be determined by the Council for the purpose of paying all or part of the Costs of Acquisition and Construction of one or more Projects authorized to be financed under the Act with Bonds.

Bonds issued upon compliance with this Section and Section 3.2 hereof shall be issued on a parity in all respects inter sese, notwithstanding, that they may be in different form, and bear different dates, interest rates, number, date of issuance or date of execution; and in all such instances, the pledge of Net Revenues made thereunder, and the covenants and remedies hereby granted shall be applicable and available to the Holders of the Bonds.

A. There shall be filed with the City a certificate of the Trustee stating (i) either (a) that no Default exists in the payment of the principal of, premium, if any, or interest on any Bonds or Junior Bonds, and all mandatory sinking fund redemptions, if any, required to have been made shall have been made, or (b) that the application of the proceeds of sale of the Series of Bonds to be issued as required by the Supplemental Ordinance authorizing their issuance will cure any such Default or permit such redemptions; and (ii) either (a) that to the knowledge of the Trustee, the City is not in Default under the terms and provisions of the Ordinance in any manner properly within the purview of the Trustee, or (b) setting forth the circumstances of each such Default known to the Trustee.

B. There shall be filed with the Trustee a certificate of the City Manager or other chief administrative official of the City stating (i) either (a) that no Default exists in the payment of the principal of, premium, if any, or interest on any Bonds or Junior Bonds and all mandatory sinking fund redemptions, if any, required to have been made shall have been made, or (b) that the

application of the proceeds of sale of the Series of Bonds to be issued as required by the Supplemental Ordinance authorizing their issuance will cure any such Default or permit such redemptions; and (ii) either (a) that to the best of his knowledge, the City is not in Default in the performance of any other of its covenants and agreements contained in the Ordinance, or (b) setting forth the circumstances of each such Default known to him.

C. If a certificate filed pursuant to part (A) or (B) of this Section should disclose a Default or Defaults hereunder, there shall be filed with the Trustee an opinion of counsel of recognized standing in the field of municipal bond law and satisfactory to the Trustee that, in the case of any Default disclosed in a certificate filed pursuant to part (A) or (B) of this Section, each such Default does not deprive the Bondholders of the security afforded by the Ordinance in any material aspect.

D. For the issuance of Bonds (other than the A Bonds of 1991 issued hereunder and the B Bonds of 1991 to be issued by Supplemental Ordinance) to finance the Cost of Acquisition and Construction, or a portion thereof, of any Projects, there shall be filed with the Trustee a report, based on the most recent audit of the System, from an independent certified public accountant stating that the amount of the Net Revenues of the System for any consecutive twelve (12) month period out of the last twenty-four (24) month period (the "Test Period") is not less than one hundred twenty percent (120%) of the Maximum Debt Service for any succeeding Bond Year of Bonds then Outstanding and the Bonds then proposed to be issued, provided the amount of Net Revenues for such Bond Year may be adjusted by adding the following:

(1) in case the rates and charges for the services furnished by the System shall have been revised and such revised rates and charges shall have gone into effect prior to the delivery of the Bonds proposed to be issued, the additional amount of Net Revenues which would have been realized during the Test Period if such rates and charges had been in effect during such Test Period as certified to the Trustee by an independent certified public accountant, and

(2) in case an existing sewer system, existing water system, or any other public utility system is to be acquired and combined or made a part of the System from the proceeds of the Bonds proposed to be issued, the additional amount of Net Revenues which would have been realized during the Test Period if such existing system or systems to be acquired had been a part of the System during such Test Period (which computation of the additional amount of Net Revenues shall be based upon the method of computing Net Revenues under the Ordinance and approved by the Consulting Engineer).

E. Such Bonds shall be issued to secure funds to defray the cost of acquiring, improving, extending, enlarging, or repairing the System, some part thereof, including any acquisition of any system which shall be combined with or consolidated into the System pursuant to law; or to refund Bonds, Junior Bonds, or any notes, bonds, or other obligations issued to finance or to aid in financing the acquisition, construction, improvement, enlargement or repair of the System or another enterprise combined with the System.

F. There shall be on deposit in the Debt Service Reserve Fund cash and securities or an insurance policy, surety bond or letter of credit, as provided in Section 6.7 hereof (inclusive of any proceeds of such Bonds to be deposited in the Debt Service Reserve Fund) having an aggregate value not less than the Reserve Fund Requirement with respect to all Bonds to be then Outstanding and the Bonds then proposed to be issued.

Section 3.4. Refunding Bonds. Without complying with the provisions of Section 3.3 hereof except as otherwise provided herein, the City by means of a Supplemental Ordinance adopted in compliance with the provisions of the Act and any other statutory provisions authorizing the issuance of revenue refunding bonds, including advance refunding bonds, may issue hereunder refunding Bonds as follows:

A. Bonds may be issued for the purpose of refunding (including by purchase) at any time within one year prior to maturity or prior to any sinking fund installment due date, the Bonds maturing on such date (or an amount of Bonds subject to redemption from such sinking fund installments not in excess of the amount of Bonds required to be redeemed on such due date) for the payment of which sufficient Revenues are not available. Any Bonds issued for such purpose shall mature (or sinking fund installments therefor shall commence) not earlier than the latest stated maturity of any Bond not then refunded to be Outstanding after such refunding.

B. Bonds may be issued at any time for the purpose of refunding (including by purchase) Bonds, including amounts to pay principal, redemption premium and interest to the date of redemption (or purchase) of the refunded Bonds and the Costs of Issuance; provided that (i) the Debt Service on all Bonds not then to be refunded and such refunding Bonds shall not be greater than would have been the Debt Service of all Bonds not then refunded and the Bonds to be refunded or (ii) the requirements of parts (A),(B),(C),(D) and (F) of Section 3.3 hereof are met with respect to the refunding Series.

Section 3.5. Junior Bonds. The City may at any time issue Junior Bonds in such amount as it may from time to time determine, payable from the Revenues, provided that such Junior

Bonds are issued to secure funds to defray the cost of improving, extending, enlarging, or repairing the System, some part thereof, including the acquisition of any system which may be combined with or consolidated into the System pursuant to law, or to refund Bonds, Junior Bonds, or any notes, bonds, or other obligations issued to finance or to aid in financing the acquisition, construction, or improvement of the System, and provided further that the pledge of revenues securing Junior Bonds shall at all times be subordinate and inferior to the pledge securing the Bonds.

Section 3.6. Special Facilities Bonds. The City shall also have the right to issue, from time to time, Special Facilities Bonds to defray the costs of acquiring or constructing Special Facilities subject to the following conditions:

A. The City shall determine that the receipts, income, revenues and other charges to be levied and collected in connection with the Special Facilities shall be at least equal to: (1) the estimated costs of operating and maintaining such Special Facilities; (2) the principal and interest requirements of the Special Facilities Bonds; (3) the amounts to be deposited in any reserve funds; and (4) any other costs and expenses relating to such Special Facilities.

B. The receipts, income, revenues, fees and other charges derived from the operation of the Special Facilities shall be segregated from the Revenues of the System.

C. The debt service payments and other costs and expenses related to such Special Facilities shall not be paid from Revenues of the System.

D. The issuance of Special Facilities Bonds shall not have a detrimental effect on the System or impair the security afforded to the Bondholders.

ARTICLE IV

THE BONDS

Section 4.1. Execution. Unless or except as is otherwise set forth in the Supplemental Ordinance providing for the issuance of a Series of Bonds, the Bonds shall be executed on behalf of the City by the Mayor of the City by his or her manual or facsimile signature and the corporate seal of the City or a facsimile thereof shall be impressed or reproduced thereon and attested by the Clerk-Treasurer of the City by his or her manual or facsimile signature.

In case any officer whose signature or facsimile signature shall appear on the Bonds shall cease to be such officer

before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, as if he had remained in office until delivery.

Section 4.2. Authentication. Upon compliance with the provisions of Section 3.3, 3.4, 3.5 or 3.6 hereof, and upon the order of the City, the Trustee shall authenticate Bonds authorized to be issued hereunder. Only such Bonds as shall have endorsed thereon a certificate of authentication, substantially in the form set forth in Article XIII, duly executed manually by the Trustee shall be entitled to any right or benefit under the Ordinance. No Bond shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been duly executed by the Trustee, and such executed certificate of the Trustee upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered. The Trustee's certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer of the Trustee, but it shall not be necessary that the same person sign the certificate of authentication on all of the Bonds issued hereunder or on all of the Bonds of a particular Series.

Section 4.3. Registration and Transfer of Bonds; Persons Treated as Holders. Each Bond shall be fully registered and transferable only upon the Books of Registry of the City, which shall be kept for that purpose at the principal corporate trust office of the Trustee in Charleston or Columbia, South Carolina, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the Trustee, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any Bond, the City shall issue, subject to the provisions of Section 4.6 hereof, in the name of the transferee, a new Bond or Bonds of the same series and of the same aggregate principal amount, interest rate and maturity as the unpaid principal amount of the surrendered Bond.

Any Bondholder requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of or on account of the principal, redemption premium, if any, and interest on any Bond shall be made only to or upon the order of the Holder thereof, or his duly authorized attorney, and neither the City nor the Trustee, shall be affected by any notice to the contrary, but such registration may be changed as herein provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Section 4.4. Form of Bonds; Denominations; Medium of Payment. Unless or except as is otherwise provided in the Supplemental Ordinance authorizing their issuance, the Bonds: (a) shall be in fully registered form without coupons; (b) shall be issued in denominations of $5,000, or any integral multiple thereof, provided that, upon partial redemption of a Bond requiring surrender thereof and the issuance of a new Bond, such new Bond may be in the denomination of the unredeemed balance; and (c) shall be payable with respect to principal, interest, and premium, if any, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 4.5. Numbers, Date, and Payment Provisions. The Bonds shall be numbered and designated in such manner as the City, with the concurrence of the Trustee, shall determine. Each Bond of a Series shall bear interest from the interest payment date immediately preceding the date of its authentication, unless authentication shall be upon an interest payment date, in which case, it shall bear interest from its authentication, or unless authentication shall precede the first interest payment date for such Bond, in which case it shall bear interest from the date of its delivery, or as otherwise provided in the Supplemental Ordinance authorizing its issuance, provided, however, that if the date of authentication of any Bond of any Series is after a Record Date and before the corresponding interest payment date therefor, such Bond shall bear interest from such succeeding interest payment date; notwithstanding the foregoing, if at the time of authentication of any Bond any interest on such Bond is in default, such Bond shall bear interest from the date to which interest on such Bond has been paid or if no interest has been paid, such Bond shall bear interest from the date of delivery thereof.

Section 4.6. Exchange of Bonds. Bonds, upon surrender thereof at the principal corporate trust office of the Trustee in Charleston or Columbia, South Carolina, with a written instrument of transfer satisfactory to the Trustee, duly executed by the Bondholder or his duly authorized attorney, may, at the option of the Bondholder thereof, and upon payment by such Bondholder of any charges which the Trustee may make as provided in Section 4.7, be exchanged for a principal amount of Bonds of any other authorized denomination equal to the unpaid principal amount of surrendered Bonds.

Section 4.7. Regulations with Respect to Exchanges and Transfer. In all cases in which the privilege of exchanging or transferring Bonds is exercised, the City shall execute and the Trustee shall authenticate and deliver Bonds in accordance with the provisions of the Ordinance. All Bonds surrendered in any such exchanges or transfers shall forthwith be canceled by the Trustee. There shall be no charge to the Bondholder for such exchange or transfer of Bonds except that the Trustee may make a charge

sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or transfer. Neither the City nor the Trustee shall be required (a) to exchange or transfer Bonds (i) from the Record Date to the succeeding interest payment date or (ii) for a period of fifteen (15) days following any selection of Bonds to be redeemed or thereafter until after the first publication or mailing of any notice of redemption, or (b) to transfer any Bonds called for redemption.

Section 4.8. Temporary Bonds. Any Series of Bonds may be initially issued in temporary form, exchangeable for definitive Bonds to be delivered as soon as practicable and subject to the agreement of the City and the purchaser. The temporary Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City, shall be without coupons, and may contain such reference to any of the provisions of the Ordinance as may be appropriate. Every temporary Bond shall be executed by the City upon the same conditions and in substantially the same manner as the definitive Bonds. If the City issues temporary Bonds, it will execute and furnish definitive Bonds without delay, and thereupon the temporary Bonds shall be surrendered for cancellation at the principal office of the Trustee and the Trustee shall deliver and exchange for such temporary Bonds an equal, aggregate principal amount of definitive Bonds of like aggregate principal amount and in authorized denominations of the same Series, maturity or maturities and interest rate or rates. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under the Ordinance as definitive Bonds under the Ordinance.

Section 4.9. Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the Holder, the City shall execute and the Trustee shall authenticate and deliver at the principal office of the Trustee, or send by registered mail to the Holder thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the City and the Trustee evidence or proof satisfactory to the City and the Trustee of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity as may be required by the laws of the State of South Carolina or such greater amount as may be required by the City and the Trustee. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical

benefits under the Ordinance or any Supplemental Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder. Neither the City nor the Trustee nor any Paying Agent shall be required to treat both the original Bond and any duplicate Bond as being Outstanding for the purpose of determining the principal amount of Bonds which may be issued hereunder or for the purpose of determining any percentage of Bonds Outstanding hereunder, but both the original and duplicate Bond shall be treated as one and the same.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

Section 4.10. Bonds Exempt from South Carolina Taxes. As prescribed by Section 12-1-60 of the Code of Laws of South Carolina, 1976, the Bonds and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments of the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes. The provisions of this Section shall be deemed a part of the contract inuring to the benefit of all Holders or beneficiaries of the Bonds.

ARTICLE V

REDEMPTION OF BONDS

Section 5.1. Redemption of Bonds. The Bonds of a Series shall be subject to redemption prior to their stated maturities upon such terms and conditions and at such dates and redemption price or prices or premium or premiums as shall be set forth in the Supplemental Ordinance providing for the issuance of such Bonds, and upon the further terms and conditions as are hereinafter set forth.

Section 5.2. Selection of Bonds for Redemption. In the event of the redemption at any time of only part of the Bonds of a Series, the Bonds to be redeemed shall be redeemed in such order as is set forth in the Supplemental Ordinance providing for the issuance of such Bonds. Unless otherwise provided by Supplemental Ordinance, if less than all of the Bonds of like maturity of any Series shall be called for prior redemption, the particular Bonds or portions of Bonds to be redeemed shall be selected at random by the Trustee in such manner as the Trustee in its discretion may deem fair and appropriate; provided, however, that the portion of any Bond of a denomination of more than $5,000 to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof, and that, in selecting portions of such Bonds for

redemption, the Trustee shall treat each such Bond as representing that number of Bonds of $5,000 denomination which is obtained by dividing the principal amount of such Bond by $5,000.

Section 5.3. Notice of Redemption. Unless or except as otherwise provided in the Supplemental Ordinance authorizing their issuance, the provisions of this Section 5.3 apply to each Series of Bonds.

In the event any of the Bonds or portions thereof are called for redemption, the Trustee shall give notice, in the name of the City, of redemption of Bonds by first-class mail, postage prepaid, to the registered owner thereof as shown on the Books of Registry of the City and to such Securities Depositories as the City may designate not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for the redemption thereof. Such notice of redemption shall state: (i) the title of such Bonds to be redeemed, CUSIP numbers, date of issue, the series designation (if any) thereof, the redemption date, the place or places of redemption and the redemption price or redemption premium, if any, payable upon such redemption; (ii) if less than all such Bonds of a particular Series are to be redeemed, the distinctive number of such Bonds to be redeemed; (iii) that the interest on such Bonds designated for redemption in such notice shall cease to accrue from and after such redemption date; and (iv) that on such date there will become due and payable on each such Bond the principal amount thereof to be redeemed at the then applicable redemption price or redemption premium, if any, and the interest accrued on such principal amount to the redemption date.

Failure duly to give such notice by mailing, or any defect in the notice, to the Holder of any such Bond designated for redemption shall not affect the validity of any proceedings for the redemption of any other Bonds. All Bonds or portions thereof so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption are on deposit with the Trustee, and such Bonds shall not be deemed to be Outstanding under the provisions of the Ordinance.

Section 5.4. Partial Redemption of Bond. In the event that only part of the principal sum of a Bond shall be called for redemption or prepaid, payment of the amount to be redeemed or prepaid shall be made only upon surrender of such Bond to the Trustee. Upon surrender of such Bond, the City shall execute and the Trustee shall authenticate and deliver to the Holder thereof, at the principal office of the Trustee, or send to such Holder by registered mail at his request, risk and expense, a new fully executed Bond or Bonds, of authorized principal sums equal in aggregate principal amount to, and of the same Series, maturity and interest rate as, the unredeemed portion of the Bond surrendered.

Section 5.5. Effect of Redemption. If a Bond is subject by its terms to redemption prior to its stated maturity and has been duly called for redemption and notice of the redemption thereof has been duly given as hereinbefore provided and if moneys for the payment of such Bond at the then applicable redemption price or together with the then applicable redemption premium, if any, and the interest to accrue to the redemption date on such Bond are held for the purpose of such payment by the Trustee for the series of Bonds of which such Bond is one, then such Bond so called for redemption shall, on the redemption date designated in such notice, become due and payable, and interest on the Bond so called for redemption shall cease to accrue.

Section 5.6. Cancellation. All Bonds which have been redeemed shall be canceled and either maintained or destroyed by the Trustee and shall not be reissued. A counterpart of the certificate of destruction evidencing such destruction shall be furnished by the Trustee to the City upon the request of the City Manager.

ARTICLE VI

ESTABLISHMENT OF FUNDS; SECURITY FOR AND PAYMENT OF THE BONDS; INVESTMENT OF MONEYS

Section 6.1. Listing of Funds and Accounts. The following are the funds and accounts created and established by the Ordinance:

(i) Revenue Fund to be held by the City.

(ii) Operation and Maintenance Fund to be held by the City.

(iii) Debt Service Fund to be held by the Trustee, including an Interest Account, Bond Redemption Account and Principal Account.

(iv) Debt Service Reserve Fund to be held by the Trustee.

(v) Capital Improvements Fund to be held by the City.

(vi) Rebate Fund to be held by the City.

(vii) Construction Fund to be held by a Custodian designated by resolution or ordinance of the Council.

One or more accounts may, by direction of the City or by the terms of a Supplemental Ordinance, be established with any of the above funds. It is intended by the Ordinance that the funds referred to in this Article (other than the Construction Fund) shall remain in existence for so long a time as any sum remains due and payable by way of principal of and interest on the Bonds, and that deposits and withdrawals therefrom be made in the manner herein prescribed and in the order of priority hereinafter set forth in this Article VI.

Section 6.2. Security for and Payment of the Bonds. The Bonds, together with the interest thereon, shall be payable solely from and secured equally and ratably by a lien upon the Net Revenues of the System. The Revenues shall be and hereby are irrevocably pledged to the payment of the principal of and interest on the Bonds after adequate provision for Expenses of Operating and Maintaining the System. This provision of this Section 6.2 shall not preclude the issuance of Junior Bonds, if such Junior Bonds be issued in conformity with the provisions of Article 3.5 hereof, but the pledge herein made shall preclude the issuance of bonds payable from or secured by a pledge or lien on Revenues superior to that herein made to secure the Bonds.

The Bonds, and the interest thereon, shall not be a debt of the City, nor a charge, lien or encumbrance, legal or equitable, upon any property of the City or upon any income, receipts or revenues of the City other than such of the Net Revenues of the System as are hereby pledged to the payment thereof. No recourse shall be had for the payment of the Bonds, or the interest thereon, or any part thereof, against the general fund of the City, nor shall the credit or taxing powers of the City be deemed to be pledged to the payment of the principal of and interest on the Bonds. The full faith, credit and taxing powers of the City are not pledged to the payment of the principal of and interest on the Bonds.

Section 6.3. Provision for Operation and Maintenance. The City hereby covenants and agrees with the Holders of the Bonds that, so long as any of the Bonds remain Outstanding and unpaid, adequate provision shall be made for the cost of operation and maintenance of the System, and the Revenues derived from the System shall be first used to pay the cost and Expenses of Operating and Maintaining the System.

Other than the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund, the designation and establishment of the various funds in and by this Ordinance shall not be construed to require the establishment of any completely independent, self-balancing funds as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of the Revenues and assets of the

System for certain purposes and to establish certain priorities for application of such Revenues and assets as herein provided.

Other than the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund, the cash required to be accounted for in each of the foregoing funds established herein may be deposited in a single bank account, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the cash in and deposit therein for the various purposes of such funds as provided herein.

Section 6.4. Revenue Fund. There is hereby established a Revenue Fund to be maintained in trust by the City and into which shall be deposited all Revenues. Moneys in the Revenue Fund shall be made use of only in the manner specified in this Article VI and in the order of priority according to items (ii) through (v) of Section 6.1 hereof. The City may invest moneys held in the Revenue Fund, from time to time, in Investment Securities; provided, however, that the City shall make available to the Trustee funds in the Revenue Fund on the 20th day of each month sufficient to make all transfers required to be made from the Revenue Fund by this Article VI.

So long as the City maintains proper accounting records for receipts and disbursements for the Revenue Fund, the Revenue Fund may be used for the purposes of the Operation and Maintenance Fund.

The covenants and agreements herein set forth to be performed by the City shall be for the equal and proportionate benefit, security and protection of all Holders of the Bonds without preference, priority or distinction as to payment or security or otherwise (except as to maturity) of any of the Bonds for any reason or cause whatsoever, except as expressly provided herein or in the Bonds, and, except as aforesaid, all Bonds shall rank pari passu and shall be secured equally and ratably hereunder without discrimination or preference whatsoever.

Section 6.5. Operation and Maintenance Fund. There is hereby established an Operation and Maintenance Fund to be maintained by the City in order to provide for the payment of all Expenses of Operating and Maintaining the System.

Provision shall be made first for the transfers required to be made into the Operation and Maintenance Fund. There shall be transferred from the Revenue Fund by the City into the Operation and Maintenance Fund, a sum sufficient to provide for the Expenses of Operating and Maintaining the System for the ensuing month in accordance with the Annual Budget. Withdrawals from the Operation and Maintenance Fund shall be made as required by the City from time to time in accordance, as nearly as may be practicable, with the Annual Budget.

So long as the City maintains proper accounting records for receipts and disbursements for the Revenue Fund, the Revenue Fund may be used for the purposes of the Operation and Maintenance Fund.

Section 6.6. Debt Service Fund. There is hereby established a special fund of the City to be designated as "City of Isle of Palms, Water and Sewer System Debt Service Fund" (the "Debt Service Fund"). The Debt Service Fund shall be kept on deposit with the Trustee, and withdrawals therefrom shall be made for the purposes provided in the Ordinance or any Supplemental Ordinance.

The Debt Service Fund is intended to provide for the payment of the principal of, redemption premium, if any, and interest on each Series of Bonds as the same respectively fall due. Payments into this fund shall be made in the manner prescribed by the Ordinance and all moneys in the Debt Service Fund shall be used solely to pay the principal of, redemption premium, if any, and interest on each Series of Bonds, and for no other purpose, and withdrawals therefrom shall be made only to effect payment of the principal of, redemption premium, if any, and interest on each Series of Bonds. Earnings on investments in the Debt Service Fund, including the accounts therein, shall be transferred by the Trustee to the City for deposit to the Revenue Fund.

Not later than the 20th day of the month following the month in which each Series of Bonds are delivered to the initial purchasers thereof, and not later than the 20th day of each month thereafter, there shall be paid into the Debt Service Fund from the moneys remaining in the Revenue Fund, the amounts hereinafter set forth.

(a) There is hereby created, for the purpose of paying the interest on each Series of Bonds as the same becomes due and payable, an Interest Account in the Debt Service Fund. Not later than the 20th day of the month following the month in which each Series of Bonds are delivered to the initial purchasers thereof, and not later than the 20th day of each month thereafter, the Trustee shall pay into the Debt Service Fund for credit to the Interest Account an amount (until the moneys on deposit therein equal the amount needed) such that, if the same amount is credited to the Interest Account not later than the 20th day of each calendar month preceding the next date upon which an installment of interest falls due on each Series of Bonds, the aggregate of the amounts so paid and credited to the Interest Account would on such date be equal to the installment of interest then falling due on each Series of Bonds then Outstanding. In making any of the credits to the Interest Account required by this paragraph (a), consideration shall be given to and allowance made for accrued interest received upon delivery of each Series of Bonds to the initial purchasers and for any other credits otherwise made to such Account.

(b) There is hereby created, for the purpose of paying the principal of the Serial Bonds as they mature, a Principal Account in the Debt Service Fund. Not later than the 20th day of the twelfth month prior to each date upon which an installment of principal of each Series of Bonds falls due, and on or before the 20th day of each calendar month thereafter, the Trustee shall pay into the Debt Service Fund to the credit of the Principal Account an amount (until the moneys on deposit therein equal the amount needed) such that, if the same amount were credited to the Principal Account on or before the 20th day of each succeeding month thereafter and prior to the next date upon which an installment of principal falls due on each Series of Bonds, the aggregate of the amounts so paid and credited to the Principal Account would on such date be equal to the installment of principal then falling due.

(c) There is hereby created, in order to meet the specified sinking fund installment requirements of Term Bonds and to otherwise retire Bonds prior to maturity, a Bond Redemption Account in the Debt Service Fund. Not later than the 20th day of the twelfth (12th) month prior to the date upon which a sinking fund installment of Term Bonds of each Series falls due, and on or before the 20th day of each succeeding month thereafter, the Trustee shall pay into the Debt Service Fund to the credit of the Bond Redemption Account an amount such that, if the same amount were so credited to the Bond Redemption Account on the 20th day of each month thereafter and prior to the next date upon which a sinking fund installment falls due on the Term Bonds of such Series, the aggregate of the amount so credited to the Bond Redemption Account for the purpose of retiring the Term Bonds of such Series would on such latter date be equal to the amount (excluding accrued interest) required to redeem the principal amount of such Term Bonds required by the sinking fund installment then falling due on the Term Bonds of such Series. The Trustee shall apply the moneys credited to the Bond Redemption Account as sinking fund installments to the retirement of the Term Bonds of each Series by redemption in accordance with the Supplemental Ordinance providing for the issuance of such Series of Bonds, without further authorization or direction, on each date upon which a sinking fund installment is due with respect to the Term Bonds of such Series. The Trustee shall keep and retain accurate records of application of each deposit of funds under this paragraph. The Trustee shall give notice of all such redemptions in the name and on the behalf of the City in accordance with the provisions of Article V hereof.

(d) If, on the dates when the payments required by paragraphs (a), (b) and (c) of this Section are to be made, the aggregate of (i) the payments required by said paragraphs (a), (b) and (c); (ii) previous monthly payments; and (iii) the remaining payments to be made prior to the succeeding date on which principal or interest, or both, as the case may be, will be due and payable,

will be less than the sum required to effect the payment of the succeeding installment of principal or interest, or both, as the case may be, a sum, derived from Revenues of the System, moneys in the Debt Service Reserve Fund or bond insurance payments, if any, equal to such deficiency shall be added to the payment to be made pursuant to said paragraphs (a), (b) and (c).

Moneys in the Debt Service Fund shall be used and applied solely to the payment of the interest on and the retirement of the principal of and redemption premium, if any, on the Bonds and shall be used and applied in accordance with the provisions of this Section and the Ordinance. The moneys paid into the Debt Service Fund shall be held by the Trustee in trust solely for the purpose of paying the interest on and the retirement of the principal of and redemption premium, if any, on the Bonds and withdrawals from said Fund shall be made by the Trustee in order to transfer such moneys to the Paying Agent for the Bonds. Such withdrawals shall be made so that the necessary moneys shall be available to the Paying Agent not later than one (1) business day prior to the day on which principal or interest or both, and redemption premium, if any, as the case may be, are payable on the Bonds.

Section 6.7. Debt Service Reserve Fund. There is hereby established a special fund of the City to be designated as "City of Isle of Palms, Water and Sewer System Debt Service Reserve Fund" (the "Debt Service Reserve Fund"). The Debt Service Reserve Fund shall be kept on deposit with the Trustee, and withdrawals therefrom shall be made for the purposes provided in the Ordinance.

Moneys in the Debt Service Reserve Fund shall be used for the following purposes, and for no other:

(i) To prevent a Default in the payment of the principal of or interest on each Series of Bonds, by reason of the fact that moneys in the Debt Service Fund are insufficient for such purposes.

(ii) To pay the principal of, interest on, and redemption premium, if any, of the Bonds in the event that all Outstanding Bonds be redeemed as a whole.

(iii) To effect partial redemption of the Bonds, provided that such redemption be undertaken in accordance with the provisions of the Ordinance permitting a partial redemption of Bonds and the balance remaining in the Debt Service Reserve Fund following such partial redemption shall not be less than the Reserve Fund Requirement.

(iv) To effect the retirement of Bonds through purchase under the conditions herein prescribed.

Whenever the market value of the cash and securities in the Debt Service Reserve Fund shall exceed the Reserve Fund Requirement, such excess may be used at the direction of the City either (i) to repurchase and retire Bonds at prices not exceeding the call price first to become available or then prevailing or (ii) transferred to the Revenue Fund. Purchases of Bonds shall be effected by the City through the Trustee, and whenever Bonds shall have been purchased pursuant to this authorization, it shall be the duty of the Trustee to cancel and destroy such Bonds and to deliver certificates evidencing such act to the City.

If the aggregate of all amounts deposited or to be deposited into the Debt Service Reserve Fund to meet the Reserve Fund Requirement will exceed the Maximum Debt Service on all Bonds then Outstanding at the time of the issuance of any Series of Bonds, the amount of the Reserve Fund Requirement may be reduced so that such aggregate amount shall equal the Maximum Debt Service on all Bonds then Outstanding.

In lieu of the deposit of moneys into the Debt Service Reserve Fund, the City may cause to be so credited a surety bond or an insurance policy payable to the Trustee for the benefit of the Holders of the Bonds or a letter of credit in an amount which together with other moneys on deposit in the Debt Service Reserve Fund are equal to the Reserve Fund Requirement on the Bonds. The surety bond, insurance policy or letter of credit shall be payable (upon the giving of notice as required thereunder) on any interest payment date on which moneys will be required to be withdrawn from the Debt Service Reserve Fund and applied to the payment of the principal of or interest on any Bonds and such payments cannot be made by amounts credited to the Debt Service Fund. The insurer providing such surety bond or insurance policy shall be an insurer whose municipal bond insurance policies insuring the payment, when due, of the principal of and interest on municipal bond issues results in such issues being rated in the highest rating category by Moody's Investors Service, or its successors. The letter of credit issuer shall be a bank or trust company which is rated not lower than the second highest rating category by Moody's Investors Service, or its successors, and the letter of credit itself shall be rated in the highest category of either such rating agency. The insurance policy, surety bond or letter of credit must extend for the life of the Bonds and must be unconditional and irrevocable. If a disbursement is made pursuant to a surety bond, an insurance policy or a letter of credit provided pursuant to this paragraph, the City shall be obligated either (i) to reinstate the maximum limits of such surety bond, insurance policy or letter of credit, or (ii) to deposit into the Debt Service Reserve Fund funds in the amount of the disbursement made under such surety bond, insurance policy or letter of credit, or a combination of such alternatives, as shall provide that the amount credited equals the Reserve Fund Requirement on the Bonds within a time period not longer than one (1) year. The Trustee shall receive such opinions, including legal

opinions, certificates and other documentation, as the Trustee shall request, prior to receipt of such surety bond, letter of credit or insurance policy by the Trustee.

If the issuer of a surety bond, insurance policy or letter of credit on deposit in the Debt Service Reserve Fund shall cease to have a rating described in the immediately preceding paragraph, the City shall use reasonable efforts to replace such surety bond, insurance policy or letter of credit with one of similar quality or shall deposit Revenues in the Debt Service Reserve Fund in lieu of replacing such surety bond, insurance policy or letter of credit with another.

If the City obtains a surety bond, insurance policy or letter of credit after the deposit of moneys to the Debt Service Reserve Fund, excess moneys shall be transferred to the Construction Fund, or if one does not exist, to the Revenue Fund.

Whenever the aggregate value of cash and securities in the Debt Service Reserve Fund shall be less than the Reserve Fund Requirement, there shall be deposited in the Debt Service Reserve Fund that amount which, together with equal, successive, monthly deposits in the same amount, will restore the value of cash and securities in the Debt Service Reserve Fund to the Reserve Fund Requirement during the succeeding twelve (12) months.

Investment Securities in the Debt Service Reserve Fund shall mature within five (5) years of the date of investment thereof.

Section 6.8. Capital Improvements Fund. There is hereby established a Capital Improvements Fund. The Capital Improvements Fund shall be maintained by the City.

The City shall deposit from time to time into the Capital Improvements Fund, an amount determined in the Annual Budget prepared for the System. Moneys in the Capital Improvements Fund shall be used solely for the purpose of restoring or replacing depreciated or obsolete properties of the System, paying the cost of improvements, betterments and extensions to the System, other than those necessary to maintain the System in good repair and working order, and for the payment of extraordinary maintenance and repairs, provided, however, if necessary, moneys in the Capital Improvements Fund may be used to fund any deficiency in the Debt Service Fund or Debt Service Reserve Fund and used for any of the purposes for which such Funds were established.

Section 6.9. Application of Remaining Revenues. Any surplus Revenues remaining in the Revenue Fund after the above required payments have been made may be disposed of by the Council as it may determine from time to time to be for any purposes lawful.

Section 6.10. Rebate Fund. There is hereby established a special fund of the City to be held by the City, designated as "City of Isle of Palms, Water and Sewer System Rebate Fund" (the "Rebate Fund"). The Rebate Fund and the amounts deposited therein shall not be subject to a security interest, pledge, assignment, lien or charge in favor of the City or any Holder of a Bond.

The City shall deposit in the Rebate Fund within 60 days after the end of any Bond Year an amount such that the amount held in the Rebate Fund after deposit is equal to cumulative rebate amount. The amount deposited in the Rebate Fund shall be made from the Revenues of the System to the extent moneys are available.

In the event that on the first day of any Bond Year the amount on deposit in the Rebate Fund exceeds the amount necessary, the City shall withdraw such excess amount and deposit it in the Revenue Fund.

The City shall pay to the United States out of amounts in the Rebate Fund, (i) not less frequently than once each five (5) years after the date of original issuance of the Bonds, an amount such that, together with prior amounts paid to the United States, the total paid to the United States is equal to 90% of the amount due with respect to the Bonds as of the date of such payments, and (ii) not later than thirty (30) days after the date on which all Bonds have been paid in full, all of the amount due as of the date of payment.

Section 6.11. Establishment of Construction Fund. There shall be established a Construction Fund with respect to each Series of Bonds (other than for Bonds issued pursuant to Section 3.4 hereof in the Supplemental Ordinance providing for their issuance, the moneys which shall be used to defray the cost of the Project and to pay any Costs of Acquisition and Construction with respect to the facilities so financed.

Section 6.12. Deposits Into Construction Fund. On the occasion of the delivery of any Series of Bonds, the proceeds therefrom shall be paid into the Construction Fund established for such Series as set forth in a Supplemental Ordinance authorizing their issue.

Section 6.13. Withdrawals from Construction Fund. Withdrawals from the Construction Fund shall not be made except as provided in the Supplemental Ordinance establishing such Construction Fund.

Section 6.14. Investment of Funds. Moneys held for the credit of the Debt Service Fund shall be invested, to the fullest extent practicable and reasonable, in Investment Securities which shall mature prior to the respective dates when the moneys held for the credit of such Fund will be required for the purpose intended.

Moneys in any other funds established by the Ordinance shall be invested, to the fullest extent practicable, in Investment Securities, maturing at such times and in such amounts as shall be required to provide moneys to make the payments required to be made from such funds. Investment instructions shall be given to the Trustee by the City Manager or his or her designee.

The Trustee or other depositary shall evaluate on a quarterly basis Investment Securities in the various funds established by this Ordinance and forward such evaluation to the City. If as a result of such evaluation, there is a shortage in the amount or amounts to be deposited in such fund or funds, the City shall replenish such funds to the required levels within twelve (12) months of such shortage.

The value of Investment Securities shall be determined by the Trustee or other depositary at market value.

Except interest earnings in the Construction Fund, and the Rebate Fund all interest earnings when realized shall be deposited or transferred to the Revenue Fund. Expenses of purchase, safekeeping, sale and redemption and all other expenses attributable to such investments shall be operating expenses of the System.

ARTICLE VII

COVENANTS

Section 7.1. Rates and Charges. The City covenants and agrees to operate the System in an efficient and economical manner and establish, levy, maintain, revise and collect such fees, rates and other charges for the use of the services and facilities furnished by the System as may be necessary or proper, which fees, rates, and other charges, together with other Revenues and other available moneys, shall at all times be at least sufficient after making due and reasonable allowances for contingencies and for a margin of error in estimates to provide an amount equal to (a) one hundred percent (100%) of the amounts required to be deposited into the Operation and Maintenance Fund for the then current Fiscal Year; (b) one hundred twenty percent (120%) of the amounts required to be deposited into the Debt Service Fund for the then current Fiscal Year; (c) one hundred percent (100%) of the amounts required to be deposited into the Debt Service Reserve Fund; (d) one hundred percent (100%) of the amounts required to be deposited into the Capital Improvements Fund for the then current Fiscal Year; (e) one hundred percent (100%) of the amounts required to provide for the payment of any Junior Bonds for the then current Fiscal Year; and (f) the amounts necessary to comply in all respects with the terms of the Ordinance or any other contract or agreement with the Holder of a Bond.

Section 7.2. To Pay Principal, Premium, and Interest on the Bonds. The City shall punctually pay, or cause to be paid, out of the Net Revenues pledged to such payment in Article VI hereof, the principal of, redemption premium, if any, and the interest on each and every Bond issued under the provisions of the Ordinance, at the place, on the dates and in the manner provided herein.

Section 7.3. Operation of System. The City shall at all times operate the System properly and in an efficient and economical manner and will maintain, preserve and keep the same with the appurtenances and every part and parcel thereof in good repair, working order and condition, and shall from time to time make all necessary and proper repairs and replacements so that at all times the operation of the System may be properly and advantageously conducted.

Section 7.4. Records, Accounts and Audits. The City will keep proper books of records and accounts (separate from all other records and accounts), in which complete and correct entries shall be made of all transactions relating to the System. A complete financial statement of the System shall be prepared within 180 days after the end of each Fiscal Year and shall be prepared in accordance with generally accepted accounting principles and audited by an independent certified public accountant. The City will cause to be furnished to any Holder of any of the Bonds, who make written request therefor, a copy of such statement. Such records shall be kept in accordance with the standards from time to time prescribed by the Governmental Accounting Standards Board or its successor. The City will cause to be furnished to any Holder of any of the Bonds, who make written request therefor, copies of financial statements certified by an independent certified public accountant. The Trustee shall not be responsible for obtaining audits of the City.

Section 7.5. Sale, Lease or Other Encumbrances. The City will not issue any bonds, notes, certificates or other obligations or evidences of indebtedness other than the Bonds or obligations authorized or permitted hereby secured by a pledge of the Revenues, and it will not create or cause to be created any lien or charge on said Revenues other than the liens and charges created or permitted to be created hereby, and no part of the System will be sold, mortgaged, leased or otherwise disposed of or encumbered; provided, however, the City may from time to time permanently abandon the use of, sell, trade or lease any property forming a part of the System, but only if there shall be filed with the Clerk-Treasurer of the City and the Trustee prior to such abandonment, sale or lease a certificate, signed by the City Manager or Mayor of the City and in the case of (b) below approved by the Consulting Engineer, stating:

(a) that the City is not then in default in the performance of any of the covenants, conditions, agreements or provisions contained in the Ordinance, and

(b) that the Net Revenues for the preceding Fiscal Year, after giving effect to such abandonment, sale or lease and any replacement and after adjustment to reflect the moneys which would have been received if the rate schedule in effect on the date of such certificate had been in effect throughout such Fiscal Year, are not less than one hundred twenty percent (120%) of the Debt Service for any Fiscal Year thereafter. Amounts received from any such sale or disposition shall be deposited in the Revenue Fund, to be applied as are other moneys in that fund, provided, however, the certificate referred to herein shall not be required if the Consulting Engineer certifies that such property is no longer necessary or useful or profitable in the operation of the System, or necessary to produce or maintain the Revenues thereof, or which is to be or has been replaced by other property so as not to impair the operation of the System.

Section 7.6. Insurance. The City shall make provision to maintain adequate insurance on the works, plants, facilities and properties comprising the System against the risks, accidents or casualties, of the kinds and in at least the amounts which are usually and customarily carried on similar plants, properties and systems which are owned and operated by a public or municipal corporation, including without limiting the generality of the foregoing, fire, extended coverage, general liability and workmen's compensation, and also all additional insurance covering such risks as may be deemed necessary or desirable by the City or recommended by a competent independent engineer or other advisor employed for the purpose of making such recommendations. The Trustee shall not be responsible for maintaining such insurance policies or copies thereof.

Section 7.7. No Free Service. The City covenants that no free service will be furnished by the System to the City or to any agency, instrumentality or person. The reasonable costs and value of any services of the System rendered to the City through the operation of the System shall be charged against the City and shall be paid as the service accrues from the current funds and such funds, when so paid, shall be accounted for in the same manner as other Revenues of the System.

Section 7.8. Annual Budget. Prior to the beginning of each Fiscal Year, the City shall prepare an annual budget for the ensuing Fiscal Year which shall set forth in reasonable detail the estimated Revenues and operation and maintenance expenses, payments to the Capital Improvements Fund and other expenditures of the System for such Fiscal Year. Following the end of each fiscal quarter and at such other times as the City shall determine, the City shall review its estimates set forth in the annual budget for

such Fiscal Year, and in the event such estimates do not substantially correspond with actual Revenues, operation and maintenance expenses or other requirements, or if there are at any time during any such Fiscal Year extraordinary receipts or payments of unusual costs, the City shall prepare an amended annual budget for the remainder of such Fiscal Year. The City also may at any time adopt an amended annual budget for the remainder of the then current Fiscal Year.

ARTICLE VIII

TRUSTEE, CUSTODIANS

Section 8.1. Trustee. The Council hereby designates _____ Bank, in Charleston, South Carolina, as Trustee under the Ordinance.

Prior to the delivery of the initial Series of Bonds, the Trustee shall signify its acceptance of the powers, duties and obligations conferred and imposed upon it by the Ordinance by executing and delivering to the City a written instrument of acceptance.

The Trustee shall (a) prior to the occurrence of an Event of Default as set forth in Article X hereof, and after the curing of all Events of Default which may have occurred, perform such duties and obligations as are specifically set forth in the Ordinance, and no implied covenants or obligations shall be read into the Ordinance against the Trustee, and (b) during the existence of any Event of Default (which has not been cured or waived) exercise the rights and powers vested in it by the Ordinance and use the same degree of care and skill in their exercise, as a prudent man would exercise or use under the circumstances in the conduct of his own affairs.

No provisions of the Ordinance shall be construed to relieve the Trustee from liability for its own negligence, intentionally wrongful action or failure to act.

At all times, (1) the Trustee shall not be liable for any error of judgment made in good faith by an officer or employee of the Trustee unless it shall be proved that the Trustee was negligent in ascertaining the pertinent facts; (2) the Trustee shall not be liable with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of the Holders of not less than a majority (or such lesser percentage as is specifically required or permitted by this Ordinance) in the aggregate principal amount of the Bonds at the time Outstanding relating to the time, method and place of conducting a proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee under the Ordinance; (3) in the

administration of the trusts of this Ordinance, the Trustee may execute any of the trusts or powers hereof directly or through its agents or attorneys. The Trustee may consult with counsel and the opinion or advice of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance with the opinion of such counsel.

The Trustee may rely upon the authenticity of, and the truth of the statements and the correctness of the opinions expressed in, and shall be protected in acting upon any notice, resolution, request, consent order, certificate, report, opinion, note, or other paper or document furnished to it pursuant to any provision of this Ordinance, believed by it to be genuine and to have been signed and presented by the proper party.

The Trustee shall not be required to take notice or be deemed to have notice or actual knowledge of any event of default specified in Article X hereof other than a payment default unless the Trustee shall receive from the City or the Holder of any Bond written notice stating that an Event of Default hereunder has occurred and specifying the same, and, in the absence of such notice, the Trustee may conclusively assume that there is no such Event of Default.

The Trustee shall be entitled to payment of and reimbursement by the City for reasonable fees for its services rendered hereunder and all advances and counsel fees reasonably and necessarily made or incurred by the Trustee in connection with such services.

The Trustee shall not, in any event, be required to take, defend, or appear in any legal action or proceeding hereunder or to exercise any of the trusts or powers hereof unless it shall first be adequately indemnified to its satisfaction against the costs, expenses, and liabilities which may be incurred thereby. Every provision of the Ordinance relating to the conduct or affecting the liability of or affording protection to the Trustee shall be subject to the provisions hereof.

Section 8.2. Resignation of Trustee. The Trustee may resign at any time by giving 30 days written notice to the City and by giving notice to the Holders of the Bonds by publication of such resignation. Such notice shall be published at least once in a financial journal of general circulation published on each business day in each calendar week in the City of New York, New York. No resignation will become effective until a successor Trustee has been appointed and accepts such appointment as provided below. Upon receiving notice of resignation, the City shall promptly appoint such successor Trustee by an instrument in writing executed by order of its Council. In the event a successor Trustee has not been appointed within 60 days of the date notice of resignation is

given, the Trustee, at the City's expense, may apply to any court of competent jurisdiction for the appointment of a successor Trustee to act until such time as a successor is appointed as provided in this Section.

The Holders of a majority in aggregate principal amount of the Bonds at the time outstanding may, upon 30 days written notice to the Trustee and the City, remove the Trustee and appoint a successor Trustee by instrument or instruments in writing signed by such Holders of the Bonds.

Unless otherwise ordered by a court or regulatory body having competent jurisdiction, or unless required by law, any successor Trustee shall, if there is such an institution willing, qualified and able to accept the trust upon reasonable or customary terms, be (i) a bank, or a wholly owned subsidiary of a bank holding company, having a combined capital, surplus and undivided profits of at least $50,000,000, or (ii) a trust company having at least $100,000,000 of trust assets under management and a combined capital, surplus and undivided profits of at least $50,000,000 and, in each case, being qualified to do, and doing, trust business in the State.

Any successor Trustee appointed as provided in this section, shall execute, acknowledge and deliver to the City and its predecessor Trustee an instrument accepting such appointment hereunder, and thereupon the resignation or removal of the predecessor Trustee shall become effective and such successor Trustee, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor of the trust hereunder. Upon the request of any such successor Trustee, the City shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor Trustee all such rights, powers and duties. Upon acceptance of appointment by a successor Trustee, the City shall notify the registered owner of each Bond then Outstanding by first-class mail, postage prepaid.

The predecessor Trustee shall execute any and all documents necessary or appropriate to convey all interest it may have to the successor Trustee. The predecessor Trustee shall promptly transfer all funds to the successor Trustee and deliver all records relating to the trust or copies thereof and communicate all material information it may have obtained concerning the trust to the successor Trustee.

Any corporation or association into which the Trustee may be merged or with which it may be consolidated, or any corporation or association resulting from any merger, or any corporation or association succeeding to the business of the Trustee, shall be the successor of the Trustee hereunder without the execution or filing

of any paper or any further act on the part of any of the parties hereto.

Each, every and all funds and accounts held by the Trustee shall be impressed with a trust for the benefit of the Holders of the Bonds, under the provisions of this Ordinance and of the Act.

Section 8.3. Removal of Trustee. Upon 30 days' written notice, the City, at its sole discretion, may remove the Trustee for cause. The removal of the Trustee under Section 8.3 hereof shall not be effective until a successor Trustee has been appointed and has accepted the duties of Trustee.

Section 8.4. Custodians. The Revenue Fund, the Operation and Maintenance Fund, the Capital Improvements Fund, the Rebate Fund, the Construction Fund or any one or more of such funds, shall at the option of the City be held by a bank, a trust company, a national banking association or a national association as Custodian under the Ordinance or a Supplemental Ordinance.

Section 8.5. Duties and Obligations of Custodians. The recitals of fact made in the Ordinance and in the Bonds shall be taken as statements of the City, and no Custodian shall be deemed to have made any representation as to the correctness of the same. Nor shall any Custodian be deemed to have made any representation whatsoever as to the validity or sufficiency of the Ordinance or of the Bonds issued hereunder. Nor shall any Custodian be under any responsibility or duty with respect to the issuance of the Bonds or the application of the proceeds thereof, except to the extent provided for herein. Nor shall any Custodian be under any obligation or duty to perform any act which would involve it in expense or liability or to institute or defend any suit in response to the Ordinance, or to the Bonds issued hereunder, or to advance any of its own moneys, unless properly indemnified to its satisfaction. Nor shall any Custodian be liable in connection with the performance of its duties hereunder, except for its own negligence or default.

Section 8.6. Custodians Protected in Relying upon Resolutions, etc. All Custodians shall at all times be protected in acting upon any notice, resolution, request, consent, order, certificate, statement, opinion, bond, or other paper or document believed to be genuine and to have been signed by the proper party or parties.

ARTICLE IX

AMENDMENTS OR SUPPLEMENTS TO THE ORDINANCE

Section 9.1. Amendments or Supplements to the Ordinance. The City shall not amend the Ordinance except in accordance with the provisions of this Article.

A. The City may, from time to time and without the consent of any Holder of the Bonds enact an ordinance amendatory hereof or supplemental thereto (1) for the purpose of providing for the issuance of Bonds pursuant to the provisions of Article III hereof, or (2) (a) making any amendments or modifications hereto which may be required to permit the Ordinance to be qualified under the Trust Indenture Act of 1939, as amended; (b) making any modification or amendment to this Ordinance not inconsistent herewith required for the correction of language or to cure any ambiguity or defective provisions, omission, mistake or manifest error herein contained; (c) making any amendments or supplements hereto to grant to or confer upon the Bondholders additional rights, remedies, power and authority, or to grant to or confer upon any Bondholders committee or trustee for the Bondholders any additional rights, power or authority; or (d) to add to the security of the Holders of the Bonds.

B. From time to time the Holders of sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds then Outstanding, by an instrument or instruments in writing signed by such Holders and filed with the City and the Trustee, shall have power to assent to and authorize any modification or amendment to the provisions of the Ordinance that may be proposed by the City or of the rights and obligations of the City and of the Holders of Bonds issued hereunder; and any action herein authorized to be taken with the assent and authority given as aforesaid of the Holders of sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds at the time Outstanding shall be effective and binding upon all of the Holders of Bonds issued hereunder; and any action herein authorized to be taken with the assent and authority given as aforesaid of the Holders of sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds at the time Outstanding shall be effective and binding upon all of the Holders of Bonds Outstanding and upon the City as fully as though such action were specifically and expressly authorized by the terms of the Ordinance; provided always, that without the consent of the Holder of each Bond affected thereby, no such modification shall be made which will (1) extend the time of payment of principal of or the interest on any Bond, or reduce the principal amount thereof or the rate of interest thereon or the premium payable upon the redemption thereof, or (2) give to any Bond or Bonds any preference over any other Bond or Bonds, or (3) authorize the creation of any pledge prior to or, except as provided herein for the issuance of Series of Bonds, on a parity with the pledge afforded by the

Ordinance, or (4) reduce the percentage in principal amount of the Bonds required to assent to or authorize any such modification to the Ordinance. For the purpose of computations required by this paragraph, Bonds directly or indirectly owned or controlled by the City shall be disregarded.

Any modification or amendment or supplement to the provisions of this Ordinance or of any Supplemental Ordinance supplemental hereto shall be set forth in an ordinance to be enacted by the City.

ARTICLE X

EVENTS OF DEFAULT

Section 10.1. Events of Default. With respect to the Bonds, the following shall constitute "Events of Default":

A. If payment of the principal of any Bond, whether at maturity or by proceedings for redemption, by declaration as provided in Article XI hereof, or otherwise, is not made by the City after the same has become due and payable; or

B. If payment of any installment of interest on any Bond is not made by the City as the same becomes due and payable; or

C. If the City shall fail or refuse to comply with the essential provisions of the Act, or shall fail in the due and punctual performance of any of the covenants, conditions, agreements and provisions contained in the Bonds or in this Ordinance or in any ordinance supplemental hereto on the part of the City to be performed, and such failure continues for thirty (30) days after written notice specifying such failure and requiring the same to be remedied has been given to the City by the Trustee, the Bond Insurer, or the Holders of not less than twenty percent (20%) in principal amount of the Bonds then Outstanding or any trustee or committee therefor; or

D. If any proceedings are instituted, with the consent or acquiescence of the City, for the purpose of effecting a composition between the City and its creditors and if the claim of such creditors is in any circumstance payable from any of the Revenues or any other moneys pledged and charged in this Ordinance or any ordinance supplemental hereto for the payment of the Bonds, or any such proceedings are instituted for the purpose of adjusting the claims of such creditors, pursuant to any Federal or State statute now or hereafter enacted; or

E. If an order or decree is entered (1) with the consent or acquiescence of the City, appointing a receiver or

receivers of the System or any of the facilities thereof; or (2) without the consent or acquiescence of the City, appointing a receiver or receivers of the System or any of the facilities thereof and if, in either case, such order or decree having been entered is not vacated or discharged or stayed on appeal within sixty (60) days after the entry thereof; or

F. If, under the provisions of any law for the relief or aid of debtors, any court of competent jurisdiction assumes custody or control of the System or any of the facilities thereof, and such custody or control is not terminated within ninety (90) days from the date of assumption of such custody or control; or

G. If the City is for any reason rendered incapable of fulfilling its obligations hereunder in any material respect.

Subject to the provisions, limitations and conditions of Sections 11.1 and 11.2 of Article XI hereof, insofar as the remedies provided in said provisions are concerned, nothing in Section 11.3 of Article XI hereof or in this Article, and particularly nothing in paragraph C of this Article, shall prohibit or limit, or be construed as prohibiting or limiting any Holder of a Bond from enforcing the duties of the City, or any of the officers thereof, under any provisions of the Ordinance (including, without limiting the generality of the foregoing, the duties imposed by or referred to in Section 11.3 of Article XI hereof) by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction, even though the failure of the City or any of the officers thereof to perform any such duty may not then constitute an "Event of Default" as defined in this Article.

ARTICLE XI

REMEDIES UPON EVENT OF DEFAULT

Section 11.1. Declaration of Principal and Interest as Due. Upon the occurrence of an Event of Default, and at any time thereafter while such Event of Default continues, then and in each and every case the Trustee in its own name and as trustee of an express trust, on behalf and for the benefit and protection of the Holders of all Outstanding Bonds, may proceed, and upon the written request of the Holders of not less than twenty-five percent (25%) in principal amount of the Bonds then Outstanding, shall proceed to declare the principal of all Bonds then Outstanding, together with all accrued and unpaid interest thereon, if not already due, to be due and payable immediately, and upon any such declaration the same shall become and be due and payable immediately, anything contained in the Ordinance or any Supplemental Ordinance hereto or in any of the Bonds to the contrary notwithstanding. This provision is also subject, however, to the condition that, if at any time after the

principal of the Bonds, together with the accrued and unpaid interest thereon and other moneys secured hereby, have been so declared due and payable and before any further action has been taken (other than the making of the above declaration), the principal amount of all Bonds which have matured either according to the maturity date or dates otherwise specified therein (except as a result of such declaration) and all arrears of interest upon all Bonds, except interest accrued but not yet due on said Bonds, have been paid or caused to be paid, and all other Events of Default, if any, which have occurred have been remedied, cured or secured, then and in each and every such case the Holders of twenty-five percent (25%) in principal amount of the Bonds then Outstanding, by notice in writing delivered to the Trustee and the City, may waive such Default and its consequences and rescind and annul such declaration. No such waiver or rescission or annulment shall extend to or affect any subsequent default or impair or exhaust any right or power related to such subsequent Default.

Section 11.2 Appointment of a Receiver. Upon the occurrence of an Event of Default described in paragraphs A and B of Article X hereof, and at any time thereafter while such default continues, any court of competent jurisdiction may appoint a receiver; provided, however, if application is made by the Trustee or the Holders of not less than twenty-five percent (25%) in principal amount of the Bonds then Outstanding or any trustee therefor, such court shall appoint a receiver. Any receiver so appointed shall (a) enter into and upon and take possession of the System, to the exclusion of the City if such court so directs; (b) have, hold, use, operate, manage and control the System as such receiver may deem best; and (c) exercise all rights and powers of the City with respect to the System as the City itself may do. In addition, the receiver shall (a) maintain, restore and insure the System and from time to time make all necessary and proper repairs to the System as such receiver may deem expedient; (b) establish, levy, maintain and collect such fees, tolls, rentals and other charges in connection with the System as such receiver may deem necessary or proper and reasonable; and (c) collect and receive all revenues, deposit such revenues in a separate account and apply such revenues so collected and received in such manner as the court shall direct.

Notwithstanding anything contained in this Ordinance or the Act, such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any assets of whatever kind or character of the City and useful to the System.

Section 11.3. Suits at Law or in Equity and Mandamus. In case any one or more of the Events of Default shall happen and be continuing, then and in every such case, but subject to the provisions, limitations and conditions of Sections 11.1 and 11.2 of this Article so far as the remedies provided in said provisions are concerned, the Holder of any Bond at the time Outstanding, or

Trustee therefor, may, for the equal benefit and protection of all Holders of the Bonds similarly situated,

(a) by mandamus or other suit, action or proceedings at law or in the equity, enforce such Bondholder's right against the City and require and compel the City to perform and carry out its duties and obligations under the Act and this Ordinance, and to perform and carry out its covenants and agreements with the Bondholders;

(b) by action or suit in equity require the City to account as if such City were the trustee of an express trust;

(c) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the Bondholders; or

(d) bring suit upon the Bonds.

Section 11.4. Remedies Not Exclusive; Effect of Waiver of Default; Effect of Abandonment of Proceedings or Adverse Determination. The Holders from time to time of the Bonds shall be entitled to all the remedies and benefits of the Ordinance as are and as shall be provided by law, and, subject to the provisions of Sections 11.1 and 11.2 of this Article, nothing herein shall be construed to limit the rights or remedies of any such Holders under any applicable statute that may now exist or be enacted thereafter. No remedy conferred by the Act and this Article upon any Holder of any Bond is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred by the Act and this Article or by any other law now or hereafter existing. Every substantive right and remedy conferred upon the Holders of the Bonds may be enforced and exercised from time to time and as often as may be deemed expedient.

No waiver of any default or breach of duty or contract by any Holder of any Bond shall extend to or affect any subsequent default or breach of duty or contract, or shall impair any rights or remedies thereon. No delay or omission of any Holder of a Bond to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein.

In case any suit, action or proceeding to enforce any right or exercise any remedy shall be brought or taken and then discontinued or abandoned, or shall be determined adversely to Holders of the Bonds then and in every such case, the City and such Holders shall be restored to their former positions and rights and remedies as if no suit, action or proceeding had been brought or taken.

Section 11.5. Restrictions on Bondholder's Action.

1. No Holder of any Bond shall have any right to institute any suit, action or proceeding at law or in equity for the enforcement of any provision of this Ordinance or the execution of any trust under this Ordinance or for any remedy under the Ordinance unless such Holder shall have previously given to the Trustee written notice of the happening of an Event of Default and the Holders of at least twenty-five percent (25%) in principal amount of the Bonds then Outstanding shall have filed a written request with the Trustee and shall have offered the Trustee reasonable opportunity, either to exercise the powers granted in the Ordinance or by the laws of the State or to institute such action, suit or proceeding in its own name, and unless such Holders shall have offered to the Trustee adequate security and indemnity against the costs, fees (including reasonable attorneys' fees), expenses and liabilities to be incurred therein or thereby, and the Trustee shall have refused to comply with such request for a period of 60 days after receipt by it of such notice, request an offer of indemnity, it being understood and intended that no one or more Holders of Bonds shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the pledge created by the Ordinance, or to enforce any right under the Ordinance, except in the manner therein provided; and that all proceedings at law or in equity to enforce any provision of the Ordinance shall be instituted, had and maintained in the manner provided in this Ordinance and for the equal benefit of all Holders of the Outstanding Bonds.

2. Nothing in the Ordinance or in the Bonds contained shall affect or impair the obligation of the City, which is absolute and unconditional, to pay at the respective dates of maturity and places therein expressed the principal of (and redemption premium, if any) and interest on the Bonds to the respective Holders thereof, or affect or impair the right of action, which is also absolute and unconditional, of any Holder to enforce such payment of his Bond.

Section 11.6. Application of Revenues and Other Moneys After Default. During the continuance of an Event of Default, all moneys received by the Trustee pursuant to any right given or action taken under the provisions of this Article shall, after payment of the costs and expenses of the proceedings resulting in the collection of such moneys and of the fees, expenses and advances incurred or made by the Trustee with respect thereto, be deposited in the Debt Service Fund, and all amounts held by the Trustee hereunder shall be applied as follows:

(a) Unless the principal of all Outstanding Bonds shall have become or have been declared due and payable:

First: To the payment to the persons entitled thereto of all installments of interest then due on the Bonds in the order of maturity of such installments, and, if the amount available shall not be sufficient to pay in full any installment or installments maturing on the same date, then to the payment thereof ratably, according to the amounts due thereon to the person entitled thereto, without any discrimination or preference; and

Second: To the payment to the persons entitled thereto of the unpaid principal amounts or redemption premium, if any, of any Bonds which shall have become due (other than Bonds previously called for redemption in accordance with the provisions hereof), whether at maturity or by call for redemption, in the order of their due dates, and if the amounts available shall not be sufficient to pay in full all the Bonds due on any date, then to the payment thereof ratably, according to the principal amounts or redemption premium, if any, due on such date, to the persons entitled thereto, without any discrimination or preference.

(b) If the principal amounts of all Outstanding Bonds shall have become or have been declared due and payable, to the payment of the principal amounts and interest then due and unpaid upon the Bonds without preference or priority of principal over interest or of interest over principal, of any installment of interest over any other installment of interest, or of any Bond over any other Bond, ratably, according to the amounts due respectively for principal amounts and interest, to the persons entitled thereto without any discrimination or preference.

(c) If the principal amounts of all Outstanding Bonds shall have been declared due and payable, and if such declaration shall thereafter have been rescinded and annulled under the provisions of this Article, then, subject to the provisions of paragraph (b) of this Section in the event that the principal amounts of all Outstanding Bonds shall later become due or be declared due and payable, the moneys shall be applied in accordance with the provisions of paragraph (a) of this Section.

Whenever moneys are to be applied by the Trustee pursuant to the provisions of this Section, such moneys shall be applied by it at such times, and from time to time, as the Trustee shall determine, having due regard for the amount of such moneys available for application and the likelihood of additional moneys becoming available for such application in the future. Whenever the Trustee shall apply such moneys, it shall fix the date (which shall be a Bond payment date unless it shall deem another date more suitable) upon which such application is to be made and upon such date interest on the principal amounts to be paid on such dates shall cease to accrue. The Trustee shall give such notice as it may deem appropriate of the deposit with it of any such moneys and

of the fixing of any such date, and shall not be required to make payment to the Holder of any Bond until such Bond shall be presented to the Trustee for appropriate endorsement of any partial payment or for cancellation if fully paid.

Whenever all Bonds and interest thereon have been paid under the provisions of this Section and all expenses and charges of the Trustee have been paid, any balance remaining shall be paid to the person entitled to receive the same; if no other person shall be entitled thereto, then the balance shall be paid to the City or as a court of competent jurisdiction may direct.

ARTICLE XII

DEFEASANCE

Section 12.1 Defeasance. The obligations of the City under the Ordinance and the liens, pledges, charges, trusts and the covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to any Bond and, unless or except as otherwise provided in the Supplemental Ordinance providing for the issuance of any Series of Bonds, such Bond or Series of Bonds shall no longer be deemed to be Outstanding hereunder when:

(a) such Bond or Series of Bonds shall have been purchased by the City and surrendered to the City for cancellation or otherwise surrendered to the City or the Trustee, and is canceled or subject to cancellation by the City or Trustee, or

(b) payment of the principal of, redemption premium, if any, and interest on such Bond or Series of Bonds, either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with the Trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment, and all necessary and proper fees, compensation and expenses of the Paying Agent. At such time as a Bond or Series of Bonds shall no longer be deemed to be Outstanding hereunder, as aforesaid, such Bond or Series of Bonds shall cease to draw interest from the due date thereof, and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

Any moneys so deposited with the Trustee as provided in this Article may at the direction of the City also be invested and reinvested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from all Government

Obligations in the hands of such Trustee which is not required for the payment of the Bonds or Series of Bonds and interest thereon with respect to which such moneys shall have been so deposited, shall be treated as Revenues of the System.

Notwithstanding any provision hereof which may be contrary to the provisions of this Article, all moneys or Government Obligations set aside and held in trust pursuant to the provisions of this Article for the payment of Bonds or Series of Bonds shall be applied to and used solely for the payment of the particular Bonds or Series of Bonds with respect to which such moneys and Government Obligations have been so set aside in trust.

Any provision hereof to the contrary notwithstanding, if moneys or Government Obligations have been deposited or set aside with the Trustee pursuant to this Article for the payment of the Bonds and such Bonds shall not have in fact been actually paid in full, no amendment to the provisions of this Article shall be made without the consent of the Bondholder of each Bond or Series of Bonds affected thereby.

ARTICLE XIII

FORM OF BONDS

Section 13.1. Form of Bonds. Except or unless as may otherwise be provided in the Supplemental Ordinance providing for their issuance, the Bonds, Trustee's Certificate of Authentication, registration provisions and assignment provisions, shall be in substantially the forms set forth in this Section, with necessary or appropriate variations, omissions and insertions as are incidental to their Series, numbers, denominations, maturities, interest rate or rates, paying agencies, registration provisions, redemption provisions and other details thereof and their form or as are otherwise permitted or required by law or by the Ordinance.

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES ____

ORIGINAL ISSUE DATE	MATURITY DATE	INTEREST RATE	CUSIP
		%	

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

The City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the Registered Holder (named above), or registered assigns, but solely from the revenues hereinafter mentioned and not otherwise, the Principal Amount shown above on the Maturity Date shown above (unless the within Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of redemption price made or provided for), upon presentation and surrender of this Bond at the principal office of the _____, in _____, South Carolina (the "Paying Agent"), and to pay interest, but solely from the revenues hereinafter mentioned and not otherwise, on such principal amount from the date hereof at the Interest Rate per annum shown above until the City's obligation with respect to the payment of such principal sum shall be discharged. Interest on this Bond is payable semiannually on _____ 1 and _____ 1 of each year commencing _____ 1, ____, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by the _____, in _____, South Carolina, as registrar (the "Trustee") at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal, redemption premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

The terms and provisions of this Bond are continued on the reverse side hereof and such continued terms and provisions

shall for all purposes have the same effect as though fully set forth at this place.

Under the laws of the State of South Carolina, the principal of and interest on this Bond are exempt from any and all State, City, municipal and other taxation whatsoever under the laws of the State of South Carolina, except for inheritance, estate or transfer taxes.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance (hereinafter defined).

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Trustee.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 21, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE). THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE, INCLUDING INTEREST THEREON, ARE PAYABLE SOLELY FROM THE NET REVENUES HERETOFORE MENTIONED WHICH ARE PLEDGED TO THE PAYMENT THEREOF AND THE CITY IS UNDER NO OBLIGATION TO PAY THE SAME EXCEPT FROM SUCH NET REVENUES. THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

IN WITNESS WHEREOF, the City of Isle of Palms, South Carolina, has caused this Bond to be executed in its name by the facsimile signature of the Mayor of the City and attested by the facsimile signature of the Clerk-Treasurer of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: (Exhibit)
Mayor

(SEAL)

ATTEST:

(Exhibit)
Clerk-Treasurer

(REVERSE SIDE OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
SERIES ____

This Bond is one of an authorized series of Bonds of the aggregate principal amount of _____ Dollars ($_____) of like date of original issue, tenor and effect, except as to number, date of maturity, principal amount, registered holder, redemption provisions and rate of interest, issued by the City for the purpose of making certain improvements, enlargements and extensions to the City's water and sewer system (the "System"). This Bond and the series of Bonds of which it is one are authorized to be issued and are issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Title 6, Chapter 21, of the Code of Laws of South Carolina, 1976, as amended (collectively the "Act"). This Bond and the series of Bonds of which it is one are also authorized to be issued and are issued under and pursuant to a General Bond Ordinance and a First Supplemental Ordinance of the City Council of the City duly enacted on _____, ____ (collectively, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the

revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series herewith which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which this Bond is issued upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the series of Bonds of which it is one and the interest thereon are special obligations of the City payable solely from, and secured equally and ratably by a pledge of and lien upon, the Revenues (as defined in the Bond Ordinance) derived by the City from the System after adequate provision for operation and maintenance expenses (defined in the Bond Ordinance as Net Revenues), and on a parity with any Series of Bonds (as defined in the Bond Ordinance) hereafter issued under the Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

The Bonds maturing on or prior to _____ 1, ____, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after _____ 1, ____, shall be subject to redemption prior to maturity, at the option of the City, on and after _____ 1, ____, as a whole at any time, or in part from time to time on any _____ 1 or _____ 1 by lot, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount redeemed, as set forth below, together, in each such case, with the interest accrued on such principal amount to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Prices

provided, however, that the City further reserves the right to redeem the Bonds of the series of which this Bond is one maturing on _____ 1, ____, prior to the maturity thereof, in part by lot on any interest payment date (but in any event on each _____ 1) on or after _____ 1, ____, from amounts credited to the Bond Redemption Account in the Debt Service Fund (as provided for in the Bond Ordinance) as sinking fund installments, upon payment of the principal amount of such Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption; provided, further, that the City further reserves the right to redeem the Bonds of the series of which this Bond is one maturing on or after _____ 1, _____, prior to the maturity thereof, in part by lot on any interest payment date (but in any event on each _____ 1) on or after _____ 1, _____, from amounts credited to the Bond Redemption Account in the Debt Service Fund (as provided for in the Bond Ordinance) as sinking fund installments, upon payment of the principal amount of such Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption.

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot. In the event this Bond is redeemable, as aforesaid, and shall be called for redemption, notice of the redemption hereof, describing this Bond and specifying the redemption date and the premium payable upon such redemption, shall be given by the Trustee by first class mail, postage prepaid, to the registered owner thereof not less than thirty (30) days and not more than sixty (60) days prior to the redemption date at the last address appearing upon the registration books of the City. If this Bond be redeemable and shall have been duly called for redemption and notice of the redemption hereof mailed as aforesaid, and if on or before the date fixed for such redemption, payment hereof shall be duly made or provided for, interest hereon shall cease to accrue from and after the redemption date hereof.

The Bonds maturing in the year ____ shall be retired by sinking fund installments which shall be accumulated in the Bond Redemption Account in the Debt Service Fund in amounts sufficient to redeem on _____ 1 of each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the

principal amount of such Bonds specified for each of the years shown below:

Year	Principal Amount

The Bonds maturing in the year _____ shall be retired by sinking fund installments which shall be accumulated in the Bond each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the principal amount of such Bonds specified for each of the years shown below:

Year	Principal Amount

This Bond is transferable, as provided in the Bond Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, rate of interest and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption premium, if any, hereof and interest due hereon and for all other purposes.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of this Bond or of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City with the written consent of the holders of at least sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds then outstanding under the Bond Ordinance (including the Bond of the series of which this Bond is one); provided, that no such amendment or modification shall permit a change in the date of maturity of any installment of principal hereof or date of optional or mandatory redemption of any Bond or the date of payment of interest thereon or a reduction in the principal amount or redemption price thereof or rate of interest thereon without the consent of the holder of each such Bond affected thereby, or shall reduce the percentage of the

principal amount of Bonds, the consent of the holders of which is required by the Bond Ordinance to effect such an amendment or modification.

(FORM OF TRUSTEE'S CERTIFICATE OF AUTHENTICATION)

This Bond is one of the Bonds described in the within-mentioned Ordinance of City of Isle of Palms, South Carolina.

_____ BANK, Trustee

Dated:_____ By:_____
Authorized Officer

ARTICLE XIV

MISCELLANEOUS

Section 14.1. Benefits of Ordinance Limited to the City, the Trustee and Holders of the Bonds. With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from the Ordinance or the Bonds is intended or should be construed to confer upon or give to any person other than the City, the Trustee and the Holders of the Bonds, any legal or equitable right, remedy or claim under or by reason of or in respect to the Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. The Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City, the Trustee and the Holders from time to time of the Bonds as herein and therein provided.

Section 14.2. Ordinance Binding Upon Successors or Assigns of the City. All the terms, provisions, conditions, covenants, warranties and agreements contained in the Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the Trustee, its successors or substitutes in trust and assigns, and the Holders of the Bonds.

Section 14.3. No Personal Liability. No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the City contained in this Ordinance or the Bonds, against any member of the City, any officer or employee, as such, in his or her individual capacity, past, present or future, of the City, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the

enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that the Ordinance and the Bonds are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such past, present or future, of the City, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the City and the Trustee or the Bondholder or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the adoption of this Ordinance and the execution of the Bonds, and as a condition of, and as a part of the consideration for, the adoption of the Ordinance and the execution of the Bonds, expressly waived and released. The immunity of members, officers and employees of the City under the provisions contained in this Section 14.3 shall survive the completion of the Project and the termination of the Ordinance.

Section 14.4. Effect of Saturdays, Sundays and Legal Holidays. Whenever the Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first business day occurring thereafter. Whenever in the Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the succeeding business day.

Section 14.5. Partial Invalidity. If any one or more of the covenants or agreements or portions thereof provided in the Ordinance on the part of the City or the Trustee or any Paying Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreements and portions thereof provided in the Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of the Ordinance or of the Bonds, but the Holders of the Bonds shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

If any provisions of the Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because of conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 14.6. Law and Place of Enforcement of the Ordinance. The Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of the Ordinance shall be instituted in a court of competent jurisdiction in said State.

Section 14.7. Effect of Article and Section Headings and Table of Contents. The headings or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of the Ordinance.

Section 14.8. Repeal of Inconsistent Ordinances and Resolutions. All ordinances and resolutions of the City, and any part of any ordinance or resolution, inconsistent with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 14.9. Effectiveness of this Ordinance. This Ordinance shall become effective upon its enactment; provided, however, that it shall not be necessary for the City to establish the funds and accounts created in Article VI hereof prior to the issuance of any Bonds.

Section 14.10. Notices. All notices, certificates, or other communications hereunder or under the Ordinance shall be sufficiently given and shall be deemed given when mailed by registered mail, postage prepaid, or given when dispatched by telegram addressed as follows:

If to the City:

City of Isle of Palms
Attention: City Manager
1301 Palm Boulevard
P. O. Drawer Q
Isle of Palms, South Carolina 29451

If to the Trustee:

_____ Bank
Attention: Trust Department

_____, South Carolina 29___

The City and the Trustee may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 14.11. Codification. This Ordinance shall be forthwith codified in the Code of City Ordinances in the manner required by law and the name shall be indexed under the general heading "General Bond Ordinance Water and Sewer System Revenue Bonds."

Enacted by the City Council of the City of Isle of Palms, South Carolina, this ____ day of _____, 1991.

CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk-Treasurer

Date of First Reading: January 2, 1991

Date of Second Reading: January ____, 1991

EXHIBIT B

ORDINANCE NO. 1991-2

AUTHORIZING THE ISSUANCE OF A WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE, 1991, IN THE PRINCIPAL AMOUNT OF $300,000 FOR THE PURPOSE OF DEFRAYING A PORTION OF THE COST OF ACQUIRING AND OPERATING THE WATER AND SEWER FACILITIES OF THE ISLE OF PALMS WATER COMPANY; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "City"), hereby finds and determines:

(a) By Ordinance No. 1990-17, a referendum was duly held on Tuesday, November 27, 1990, on the following questions:

1. Shall the City of Isle of Palms be authorized to provide public water and public sewer service, as permitted under State law? Yes _____ No _____

2. Shall the City of Isle of Palms purchase the water and sewer service facilities of the Isle of Palms Water Company? Yes _____ No _____

Notice of such referendum was duly published on September 26, 1990, and again on October 24, 1990.

(b) By a vote of 487 to 102, the voters approved the referendum question authorizing the City of Isle of Palms to provide public water and sewer service.

(c) By a vote of 478 to 133, the voters approved the referendum question authorizing purchase by the City of Isle of Palms of the water and sewer service facilities of the Isle of Palms Water Company.

(d) The City has concluded negotiations with the Isle of Palms Water Company and will, by separate ordinance, authorize the issuance of long-term revenue bonds to effect such acquisition.

(e) Prior to the issuance of such revenue bonds, it is necessary that the City issue a Bond Anticipation Note in order to defray certain of the costs of acquiring and operating such facilities. Such Bond Anticipation Note (the "1991 BAN") will be issued pursuant to Title 11, Chapter 17 of the Code of Laws of South Carolina 1976, as amended (the "Code").

Section 2. There is hereby authorized to be issued for the purpose of defraying a portion of the cost of acquiring and

operating the water and sewer facilities of the Isle of Palms Water Company, a $300,000 water and sewer system revenue bond anticipation note of the City to be designated "$300,000 Water and Sewer System Revenue Bond Anticipation Note, 1991, of the City of Isle of Palms, South Carolina" (the "1991 BAN"). Requests for proposals shall be solicited from South Carolina National Bank, NCNB National Bank of South Carolina, Citizens and Southern National Bank and First Union National Bank. The 1991 BAN shall be awarded to the bidder offering the lowest net interest cost to the City. The 1991 BAN shall be in fully registered form; shall be dated as of the date of its delivery; shall be in the denomination of $300,000; shall not be subject to redemption prior to its stated maturity; shall mature not later than one (1) year from the date of its delivery; shall bear interest from the date thereof at the rate stated in the winning bid; and shall be payable to the winning bidder in Charleston, South Carolina.

Section 3. The City Administrator is hereby authorized to award the 1991 BAN to the bank offering the lowest net interest cost to the City.

Section 4. The proceeds of the 1991 BAN shall be used to defray a portion of the cost of acquiring and operating the water and sewer facilities of the Isle of Palms Water Company.

Section 5. The 1991 BAN shall be in substantially the following form:

(FORM OF BOND ANTICIPATION NOTE)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND
ANTICIPATION NOTE, SERIES 1991

$300,000

KNOW ALL MEN BY THESE PRESENTS, the City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay upon the order of _____ _____ Bank, in Charleston, South Carolina (the "Bank"), or its registered assigns, the principal sum of Three Hundred Thousand Dollars ($300,000) on January ___, 1992, and to pay interest on said principal sum from the date of this Note at the rate of _____ percent (____%) per annum payable at maturity of this Note. Both principal of and interest on this Note are payable at the principal office of the Bank, in Charleston, South Carolina, in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

This Note shall not be subject to redemption prior to maturity.

This Note is issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Title 11, Chapter 17, Code of Laws of South Carolina, 1976, as amended, and Ordinance No. _____, duly adopted by the City Council on January ___, 1991, in anticipation of the issuance of water and sewer system revenue bonds to be issued by the City pursuant to a General Bond Ordinance enacted by the City on or before the date of delivery of this Note, and is payable, both as to principal and interest, from the proceeds of the aforesaid revenue bonds and from the revenues derived by the City from the operation of the water and sewer system when acquired.

This Note is a special obligation of the City and there is hereby pledged to the payment of the principal hereof and interest heron the proceeds of the revenue bonds and the aforesaid revenues. The City at its option may also utilize any other funds available therefor for the payment of the principal and interest on this Note. The full faith, credit and taxing powers of the City shall not be pledged to the payment of the principal of and interest on this Note.

This Note and the interest heron are exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, and whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Note exist, have happened and have been performed in regular and due time, form and manner as required by law.

IN WITNESS WHEREOF, THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, has caused this Note to be signed with the manual signature of the Mayor, attested by the manual signature of the Clerk-Treasurer of the City under the seal of the City and this Note to be dated the _____ day of January, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

(SEAL)

By: (Exhibit)
Mayor

ATTEST:

By: (Exhibit)
Clerk-Treasurer

Section 6. The Council hereby ratifies, confirms and approves the action taken by the City Manager with respect to the sale of the 1991 BAN to the Bank.

Section 7. The Council hereby authorizes the Mayor, Clerk-Treasurer, City Manager and City Attorney to execute such documents and instruments as may be necessary to effect the issuance of the 1991 BAN.

Section 8. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the 1991 BAN are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 9. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

Adopted this _____ day of January, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

_____
Mayor

(SEAL)

ATTEST:

_____
Clerk-Treasurer

Date of First Reading: January 2, 1991
Date of Second Reading: _____, 1991
Ratification: _____, 1991
Approved:

_____
City Attorney

STATE OF SOUTH CAROLINA)
)
CITY OF ISLE OF PALMS)

CERTIFIED COPY OF
ORDINANCE NO. ____

I, the undersigned being duly qualified and acting Clerk-Treasurer of the City of Isle of Palms, South Carolina (the "City"), do hereby certify that attached hereto is a copy of Ordinance No. _____ authorizing the issuance of a $300,000 Water and Sewer System Revenue Bond Anticipation Note, 1991 of the City enacted by the City Council at a meeting duly called and held on January ___, 1991, at which a quorum was present and acting throughout, which Ordinance has been compared by me with the original thereof; that such copy is a true, correct and complete copy thereof; and that such ordinance has been duly enacted, including the required number of readings, and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand this ____ day of January, 1991.

_____
Clerk-Treasurer, City of Isle of Palms, South Carolina

(SEAL)

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
APRIL 4, 1991, 6:00 P.M.
CITY HALL

A special meeting of the Isle of Palms City Council was held on April 4, 1991, at 6:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Ward and Watson. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary. Council Member Swanson was excused and Council Member Orvin was absent.

The Mayor asked for a motion to suspend the rules of order in order to change the order of items on the agenda; Ms. NesSmith-Picard so moved; Mr. Sottile seconded, motion passed unanimously.

1. Discussion concerning the closing of the intersection of Carolina Boulevard and Pavilion Drive (Palm Boulevard). Mr. David Lewis, SCDHPT Project Manager for the Isle of Palms Connector, was present and he had met with Mayor Bunch and Council Members at the site prior to the meeting. Mr. Lewis stated that there were two options that could be taken in making this intersection safer; one being the closing of Carolina, the other being making Carolina one way away from Palm. Ms. NesSmith-Picard asked for confirmation that the Highway Department would consider all options: 1) closing the connection between Palm Boulevard and Pavilion Drive; 2) making Pavilion Drive one way to J.C. Long Boulevard; and 3) making no additional changes to Carolina Boulevard. He stated that the department would evaluate both options and get back to us as quickly as possible.

2. Pipe hangers for sewer line on the Isle of Palms Connector. Mr. Mark Yodice, Engineer for Thomas & Hutton, was present to discuss and answer questions concerning this matter. Mr. Yodice stated that he felt it was not warranted to spend this amount of money at this time unless we intend to sewer the entire island, because in order to recover the expenses, the City would need all customers contributing. On the other hand, putting the hangers on the Connector while it is being built would make the joints more structurally sound, and it would take less time to attach the hangers which would reduce the cost in installation. There was discussion about sewering the whole island and the problems being felt by some septic tank customers and the fact that we would have to increase the capacity of our system. Ms. NesSmith-Picard made a motion to suspend the rules of order to allow Guy Taylor to speak; Mr. Watson seconded; motion passed unanimously. Mr. Taylor joined in on the discussion about the bridge and pipes and septic systems which do not work properly. Mr. Yodice stated that the capacity that was built into the bridge for water and sewer has been almost completely taken up by Coastal Council's requirement of using the bridge for storm water drainage. That limits the City to the size and weight of pipes that could be used for sewage. After further discussion, Ms. NesSmith-Picard made a motion to disapprove the addition of the pipe hangers on the Connector at this time; Mr. Watson seconded; and after further discussion, motion passed unanimously.

3. Water and Sewer Rate Study. Mr. Yodice explained that the rates are fairly high because of the debt incurred to buy the system and the maintenance that needs to be done. There was general discussion about the study and how much the city will have to raise sewer and water rates. Mr. Williams stated that the fees need to be fixed and put into effect before the next billing which is at the end of June.

4. Discussion concerning the formation of a Water Commission or Committee. The Mayor stated that most areas have elected officials on a water commission who serve voluntarily and not paid. Mr. Yodice said that it would be beneficial if some members did have expertise in this field. After discussion, Mr. Ward made a motion to approve the appointment of an interim water commission not to exceed five members to serve and advise council until the November general election; Mr. Sottile seconded. The Mayor suggested that Mr. Williams talk to our attorney to

see what we can legally to in the interim and that council members seek experienced residents who may be willing to serve. The motion and second were withdrawn with the understanding that we immediately pursue the matter. Mr. Watson made a motion that the Mayor appoint a special ad hoc committee to advise Council on the water department; Mr. Ward seconded. Upon discussion it was determined that one council member should also sit on the committee as a non-voting member. It was also discussed that budget time is approaching and that something needs to be done quickly. Mr. Ward amended the motion that Council present names to the Mayor to be voted on next week; Mr. Watson seconded; motion with amendment passed 6-1.

5. $700,000 General Obligation Bond. Mr. Williams passed out a statement that he prepared on the city's capital projects (Exhibit A) showing a current need of $606,859.15. He explained each item and stated that the list could be refined before the council meeting. The Mayor stated that this figure did not include any furniture for the new buildings. Mr. Williams said that we were obligated to spend approximately $1,912,000; had on hand $1,188,000 and that FEMA would fund $116,000. The public hearing will be held on April 25, 1991, at 6:30 p.m., at the Exchange Club, before the regular monthly meeting.

6. SC Forestry Grant Program. Mayor Bunch announced that the State has $175,000 available in grant money for planting trees. She said that she was meeting with Jay Clingman of the Forestry Commission on Monday to get some suggestions for the island, and she is working with the Beautification Committee. Since the City does not have any money to use for matching funds at this time, Mr. Ward made a motion that Council approve applying for this grant with only in-kind contributions from the City; Mr. Simon seconded, motion passed unanimously.

7. The Mayor announced that Mayor Joe Riley will be having a meeting on April 8th to discuss the upcoming Municipal Association Annual Meeting July 18-21 in Charleston. Mr. Riley is asking all local municipalities to contribute funding for the activities during this meeting. The Mayor stated that she felt it was a tourism promotion activity; that the Isle of Palms could have a table in the Omni Hotel. Mr. Watson made a motion to authorize the Mayor to contribute a relatively prudent amount of money to the meeting; Mr. Ward second. Motion was defeated. The Mayor stated that she would report to Council after the April 8th meeting where she can see what communities are contributing.

8. Mr. Simon moved to go into Executive Session; Ms. NesSmith-Picard seconded; motion passed unanimously.

Coming out of Executive Session the Mayor stated that legal matters were discussed.

Mr. Ward made a motion to adjourn; Ms. NesSmith-Picard seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 4/18/91.

April 4, 1991

Capital Projects

Capital Projects Fund Bal	1/31/91			**$1,261,911.63**
Payments				
Fairway Ford	2/6/91	Police Car	$12,740.00	
Architect/Police Building	2/13/91	John Gardner	$3,000.00	
41st Ave Dune walkover	2/13/91	Water Systems of Chas	$1,760.00	
Descon Corp/Public Works	2/21/91	PW building paymt #1	$18,922.00	
Architect/Fire Stations	2/21/91	John Gardner	$1,641.74	
Architect/Police building	2/21/91	John Gardner	$10,000.00	
Fairway Ford	2/28/91	2 Police Cars	$25,480.00	
Capital Projects	2/28/91	service charge	$7.30	
Cap Projects Interest	2/28/91			**$6,041.91**
Cap Projects Deposit	2/28/91			**$20,785.45**
Cap Projects Fund Balance	2/28/91			**$1,215,187.95**
Cummings & McCrady	3/20/91	PW building	$5,198.50	
DESCON	3/20/91	PW building paymt #2	$12,791.00	
Radio Comm of Chas	3/20/91	New Fire truck radio	$2,885.61	
David Huff	3/26/91	survey parking lots	$1,275.00	
John Gardner & Associates	3/26/91	police design	$3,566.83	
John Gardner & Associates	3/26/91	fire design	$5,500.00	
Cummings & McCrady	3/26/91	PW building	$209.16	
Cap Projects Interest	3/31/91	(estimate)		**$5,000.00**
Cap Projects Fund Balance	3/31/91	(estimate)		**$1,188,761.85**
ENCUMBRANCES				
General Fund Transfer (balance)	6/28/90		$110,252.00	
Fire Truck	7/26/90	Carolina Firemasters,In	$204,317.00	
Public Works Building	10/25/90	Descon	$125,817.00	
Fire Stations 1&2	2/18/91	Descon	$631,476.00	
Pub Works Construction Admin.	10/25/90	Cummings & McCrady	$4,801.00	
Dog Kennels *	10/25/90	By subcontract	$14,500.00	
Fuel system	1/24/91	Jones & Frank	$58,483.00	
Police/Building Dept. *	?	Palmetto Cons & others	$350,000.00	
Cash reserves	?		$250,000.00	
Expansion of City Hall *	?	By subcontract	$13,000.00	

ADDITIONAL ITEMS

De-mobilize trailers*	11/1/91	Manufactured Housing	$10,500.00
(2) dblwide; (3) singlwide		2 x $3000; 3 x$1500	
Phone systems/upgrades*	11/1/91	AT&T , others	$10,000.00
Generator-city hall, PW, fuelsys ?		Cummins Atlantic	$26,000.00
Fire Station 1 sitework *	2/18/91	By Subcontract	$16,000.00
site work Police station*	4/25/91	subcontract	$8,000.00
re-work city hall entrance*	6/30/91	subcontract	$15,000.00
dog kennel sewer*	10/1/91	subcontract	$1,500.00
PW garage equipment*	7/1/91	subcontract	$10,000.00
drainage oak harb & 13th*	8/30/91	subcontract	$12,500.00
Masonry wall between Coates	9/30/91	subcontract	$15,000.00
Bond issuance costs*	5/30/91	McNair, Moody's, S & F	$20,000.00
Radio antennas/cabling*	11/1/91	CP Communcations	$5,000.00

($723,384.15)

FEMA Assistance/Fire Station $116,525.00

Capital needs **($606,859.15)**

* estimates

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
APRIL 18, 1991
CITY HALL

A Special Meeting of the Isle of Palms City Council was held on April 18, 1991, at 6:30 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, and Watson; Council member Orvin was absent. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary.

Mayor Bunch advised Council that she called the special Council meeting to advise Council of the names she was submitting for their confirmation as members of the Water & Sewer Committee (see Exhibit A) The Mayor advised Council that she was submitting her list as requested by Council by motion of Mr. Watson and amended by Mr. Ward that Council present their nominees to the Mayor. Mr. Simon made a motion to accept the list as offered without the "or"; Mr. Watson seconded. Ms. NesSmith-Picard was recognized and stated that too many members were being appointed to the committee and that five members would be preferable. A discussion of the number of persons on the committee as well as the names of those recommended followed. Roll call vote was taken to approve the names presented by the Mayor: Holden - No; NesSmith-Picard - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson -Yes; Bunch - Yes. Motion was defeated with a 4-4 vote.

Mr. Ward made a motion to trim the committee to five names; Mr. Sottile seconded. Roll Call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No; Bunch - No. Motion was passed 6-2.

Mr. Holden made a motion to approve Clay Duffie as adviser to the Committee; Ms. NesSmith-Picard seconded; motion passed unanimously.

Mr. Ward made a motion to approve Stanley, Dehoney, Hann, Cochrane and Voorhees; Mrs. Swanson seconded. Mr. Holden amended the motion to replace Dehoney with Barrett; Ms. NesSmith-Picard seconded. Roll call vote was taken on the amendment: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - No; Watson - No; Bunch - No. Amendment was defeated 3-5. Roll call vote was taken on the motion: Holden - No; NesSmith-Picard - No; Simon - No; Sottile - No; Swanson - Yes; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 2-6.

At this point, Mr. Ward reminded Council that when the Mayor was requested to submit nominees names for approval, his amendment was for Councilmembers to submit their recommendations to her and he had done this but was not aware of other names presented. The Mayor advised council that she had done what they requested by the only nominations she received was from Ward. She pointed out to Mr. Sottile that she personally had discussed with him the names she intended to submit to Council and he did not offer any names. The Mayor advised Council again that she had done what was requested of her and they had not; and that in the future they could name their own nominees for appointment to committees.

A discussion was held to approve or disapprove each nominee one by one until a committee of five was selected. Mr. Holden made a motion to approve Cal Cochrane; Ms. Nessmith-Picard seconded. Mr. Simon amended the motion to expand the committee to six members and to add Harry O'Neal; Mr. Ward seconded. Roll call vote on the amendment: Holden - No; NesSmith-Picard - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Amendment passed 5-3. Roll call vote on the motion with amendment: Unanimous Yes vote.

Mr. Simon made a motion to approve Mr. Dehoney; Mr. Ward seconded; motion passed 6-2 by voice vote.

Mr. Watson made a motion to approve Mr. Mathis; Mrs. Swanson seconded; motion was defeated by a 4-4 vote.

Mr. Holden made a motion to approve Mr. Barrett; Mr. Sottile seconded; motion was defeated 3-5.

Mr. Ward made a motion to approve Mr. Voorhees; Mr. Simon seconded; motion passed unanimously.

Mr. Simon made a motion to approve Mr. Stanley; Mr. Ward seconded; motion passed unanimously.

Mrs. Swanson made a motion to approve Mr. Hann; Mr. Simon seconded; motion passed 5-3.

Water Committee will consist of Cal Cochrane, Harry O'Neal, Robert Dehoney, John Voorhees, John Stanley, John Hann, with adviser Clay Duffie.

As Mr. Williams had one other item to bring before Council, Mr. Watson made a motion to suspend the rules of order to allow another item not on the agenda; Mr. Ward seconded; motion passed unanimously. Mr. Williams stated that the company installing the fuel management system has told him that they will need to cut into the berm approximately 10-12 feet in order to move installation of the new underground fuel tanks away from the tree. After discussion, it was decided to postpone making a decision on this matter until the regular meeting next week in order that they can look over the site.

Mr. Ward made a motion to adjourn which was seconded and unanimously passed.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6-27-91.

EXHIBIT A

MEMORANDUM

In accordance with Council's request of April 4th, I have selected a group of people whom I think are well qualified to serve on a water/sewer committee pending decision of whether these will be elected officials in the future:

John Stanley	Civil Engineer
William C. Mathis, Jr.	Chemist
Robert Dehoney	Electrical Engineer
*John Hann	Civil Engineer
Cal Cochrane	Water/Sewer Operator
Harry O'Neal	Fiscal Accountant
*Mary Eller or John Voorhees	Layperson ~~Layperson~~ Elec. Engr.

Note: John Hann and Mary Eller are also residents of the Isle of Palms who called and volunteered their services.

Advisers:
Clay Duffie
Linda Tucker
Sandy Sandeford
Bob Scannell

Larry Barrett

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
APRIL 25, 1991, 7:00 P.M.
EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on April 25, 1991, at 7:00 p.m., at the Exchange Club. After the Pledge of Allegiance and Invocation were given, roll call was taken. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin (arriving late), Simon, Sottile, Swanson, Ward, and Watson, City Attorney William Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary. City Administrator Williams had been called out of town on emergency leave.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. March 28, 1991 - Regular City Council Meeting. Mrs. Swanson made a motion to accept the minutes as presented; Mr. Watson seconded. Ms. NesSmith-Picard submitted corrections to be made. Motion to accept with corrections passed unanimously. (Exhibit P)

2. April 4, 1991 - Special City Council Meeting. Mr. Sottile made a motion to accept the minutes as presented; Mrs. Swanson seconded. Ms. NesSmith-Picard submitted one correction as a clarification in paragraph numbered 1. (Exhibit O) Mrs. Swanson corrected a typographical error in paragraph numbered 6, line 5, change the word "sue" to "use". Motion to accept with corrections passed unanimously.

3. April 18, 1991 - Special City Council Meeting. Mayor Bunch asked for a motion to table acceptance of these minutes until the next special meeting as there were several additions to be made. Mr. Sottile so moved; seconded by Mr. Ward; motion passed unanimously.

C. CITIZENS' COMMENTS

1. Bob Nuttall, President of the Homeowners Association of Beachside Subdivision. Mr. Nuttall stated that because of the effect of increased traffic due to the Connector and the upcoming County Park, the residents of Beachside were concerned about the safety of the entrance to the subdivision on Palm Boulevard. At the March 23rd meeting, the residents voted to abandon the Palm Boulevard entrance making the 21st Avenue entrance the only access to the subdivision. Mr. Nuttall said that he had spoken with both Chief Britton and Chief Arnold who would approve such closure. He stated that he was in contact with the Highway Department and would be working with them to achieve the best possible appearance with landscaping, sidewalk and curbing.

Mayor Bunch stated that the City had not been advised of this by anyone from the subdivision and had only found out about this abandonment from the Highway Department. She stated that before anything could be done, the matter would have to come before City Council and the City Attorney.

2. Debby Jeter spoke to Council on the necessity of the sea turtle lighting ordinance. She stated that Loggerhead Sea Turtles are currently on the Endangered Species List and that the nesting season begins in May. Bright lights will not only discourage female turtles from coming ashore to nest, but they also disorient hatchlings drawing them toward the lights instead of the ocean. She stated that our Beach Management Plan must be submitted to Coastal Council by July 1st and a turtle lighting ordinance is a part of that plan. She urged Council to pass this ordinance and requested that it be voted on by roll call vote.

D. REPORTS FROM STANDING COMMITTEES

1. Ways & Means. Mr. Ward presented the minutes from the meeting of April 22, 1991 (Exhibit A[1]) and announced that a special meeting would be held at City Hall on Monday, April 29, at 6:30 p.m. to discuss budgetary and financial matters.

Ms. NesSmith-Picard thanked Mr. Williams for providing the print-out that she received on the financial status of the City. However, she asked for more detailed information on invoices and questioned the large amount spent on legal services and suggested that Council review these amounts to see what can be done to reduce such expenditures.

Mr. Ward made a motion that Council authorize Mr. Williams to proceed with condemnation procedures of the Wild Dunes utility system; Mr. Orvin seconded. After extensive discussion, Ms. NesSmith-Picard made am amendment to the motion that Council begin immediately investigating the feasibility of acquiring the Wild Dunes system; Mr. Ward seconded. After further discussion, Mr. Simon made a motion to postpone the decision on this until after Executive Session; Ms. NesSmith-Picard seconded. Roll call vote was taken: Holden - Yes; NesSmith-Picard - yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion to postpone carried 8-1.

The Mayor, referring to Mr. Williams Memorandum to Council dated April 15th concerning extra costs of the Public Works Building (Exhibit A [2]), asked for a motion to approve the expenditure of $5,200 for a gantry lift; Mr. Ward so moved; Mr. Sottile seconded; motion passed unanimously.

The Mayor, referring to Mr. Williams Memorandum to Council dated April 15th concerning the payment of $1,900 for damages to a boat during Hurricane Hugo (Exhibit A [3]), asked for a motion to approve the expenditure of $1,900; Mr. Orvin so moved; Mr. Ward seconded; motion passed unanimously.

The Mayor stated that there were two representatives from FEMA at City Hall this morning who surveyed the island for removal of dead trees threatening rights-of-ways. The cost of tree removal is estimated at $3,130 (Exhibit A[4]) which the City needs to pay and will be reimbursed by FEMA. Mr. Watson made a motion to approve the expenditure of $3,130; Mrs. Swanson seconded; motion passed unanimously.

Mayor Bunch announced that there will be a meeting in Washington, D.C., at Senator Thurmond's office on May 2nd concerning tree removal. The County Administrator, Ed Fava, will be going and could represent the Isle of Palms if neither Mr. Williams or the Mayor can attend. Mr. Ward said that he would be glad to represent the City at the meeting.

The Mayor stated that City Hall has received requests from commercial establishments on Ocean Boulevard for parking permits to use the parking lot for employees during the summer season. The City has in the past charged $25 for a season pass and suggested that we discuss this at the next meeting.

Mr. Orvin proposed that a special sticker be provided to residents of Goat Island identifying them as Goat Island residents so that their cars would not be towed away; and the stickers be limited to full-time residents. The area suggested for parking is on 41st Avenue between the sludge pond the Forest Trail. The Mayor stated that the City Attorney should look into the legalities of this before we proceed with it. Mr. Ward made a motion to approve the proposal tonight; Mr. Orvin seconded. After further discussion, the motion was defeated 5-4.

Mr. Sottile reported that the costs of taping and televising the Council meetings to be approximately $350 per session. The two meetings that have been televised to date have been paid for by members of the Commerce Association. Mr. Sottile made a motion that the City approve the expenditure

of $350 per month for taping the meetings and to contract with Trident Productions for one year; Mr. Ward seconded. Mr. Ward amended the motion to contract for 6 months; Mr. Watson seconded. Mr. Orvin stated that he did not feel it was right to use taxpayers money for this project when residents could come to the meetings, read the minutes or listen to the cassettes recorded at the meeting. Mr. Holden amended that we contract on a month to month basis; Mr. Watson seconded. Mr. Ward and Mr. Watson then withdrew their amendment and second for a 6 month contract. Mr. Holden and Mr. Watson then withdrew their amendment for the month to month contract. After further discussion, Mr. Sottile and Mr. Ward withdrew the original motion and second.

Mr. Holden made a motion to continue taping the meetings at a cost of $350 per month on a month to month basis; Mr. Watson seconded. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - No; Watson - Yes; Bunch - No. Motion was defeated 5-4.

Mrs. Swanson requested the Ways & Means Committee Chairman have Mr. Williams let Council know every time he makes an authorized expenditure that they are unaware of.

2. Police and Public Safety. Mr. Sottile presented the minutes from the meeting of April 18, 1991. (Exhibit B) There was discussion about marked crosswalks along Palm Boulevard which Mr. Williams is checking into with the Highway Department.

3. Public Works. Ms. NesSmith-Picard presented a report from the meeting of April 15, 1991. (Exhibit C) There were two members of the Highway Department present who gave a status report of the Connector project.

Mr. Ward advised Council that at the suggestion of Mayor Bunch, he was requesting the placement of the dog kennels be moved. The Mayor suggested that if the kennel is built behind City Hall, there would be no room for the City to expand in future years. Mr. Ward made a motion to move the dog kennels from directly behind City Hall over to where the storage tanks are presently located; Mr. Orvin seconded; and after short discussion, motion passed unanimously.

Ms. NesSmith-Picard made a motion to approve cutting into the berm not to include 1' for the purpose of relocating the fuel system; Mr. Watson seconded. Mr. Ward stated that no vegetation on the other side of the hill was to be disturbed. Motion passed unanimously.

4. Engrossed Bills. Mr. Holden presented a report from the meeting of April 24, 1991. (Exhibit D)

The Mayor urged Committee chairmen to schedule their committee meerings ar least two weeks prior to the regular Council meeting. Minutes should be given to the secretary as soon thereafter as possible so they will be delivered to Council Members in their "Council package" on the Friday preceding the Council meeting.

5. Recreation. Mr. Orvin gave a report of activities during the month of April and upcoming activities for May. (Exhibit E)

E. REPORTS FROM CITY OFFICER, BOARDS AND COMMISSIONS

1. Board of Adjustment. Minutes attached as Exhibit F.

2. Planning & Zoning. As Mr. Batchelder was out of town, Chairman Guy Taylor presented the plats to be approved by Council. Minutes of the April 13th meeting are attached as Exhibit G.

A. Plat of Subdivision of Lots 1-6, Block 29, Owned by Peter F. Fragus Into a 15,028 Square Foot Lot and a 8,703 Square Foot Lot.

Ms. NesSmith-Picard made a motion to approve said plat; Mr. Ward seconded; and after discussion motion passed unanimously.

B. Plat of Lot 13, Block P, Section BC-2D, Owned by Sonya S. Gentry and Lot 8, Block Q, Section BC-2D, Owned by Elizabeth Y. Newsome and 1/2 Unopened Portion of 33rd Avenue Owned by Elizabeth Y. Newsome and About to be Conveyed to Sonya S. Gentry.

Ms. NesSmith-Picard made a motion to approve said plat; Mr. Ward seconded; after brief discussion, motion passed unanimously.

C. Subdivision of Lot "S", Block 36, Section "S", Owned by the City of Isle of Palms.

Mrs. Swanson made a motion to approve said plat; Mr. Ward seconded; motion passed unanimously.

D. Acreage Plat Dividing Tract 3 Into Tract 3b, 3c, 3d, 3e and 3f, Located on 41st Avenue in the City of Isle of Palms.

Mr. Ward made a motion to approve said plat; Ms. NesSmith-Picard seconded. As there were representatives present from Wild Dunes, Mr. Ward made a motion to suspend the rules of order to allow them to speak; Ms. NesSmith-Picard seconded; motion passed unanimously. Mr. McKenzie and Mr. Robinson answered questions concerning the use of the property. After extensive discussion, motion to approve passed 8-1.

3. Building Committee. Since there has been no meeting for several months, and all of our buildings are currently under construction, the Mayor asked for a motion to disband this committee. Mrs. Swanson so moved; Mr. Simon seconded; after brief discussion motion was defeated.

4. Beach Patrol & Control Board. Mr. Simon had distributed to Council two pages listing specific requirements of items to be included in the Beach Management Plan (Exhibit H[1]). Mr. Simon made a motion to authorize Mr. Williams to obtain proposals on collecting this information; Mr. Holden seconded; after discussion motion passed unanimously. The minutes of the meeting of April 18, 1991, are attached as Exhibit H[2].

Mr. Ward stated that there has been discussion concerning the dune walk-overs and he asked Mr. Simon what the Board's policy was on walk-overs. Mr. Simon said that the Board was in favor of the walk-overs because they do help protect the dunes and the vegetation on the dunes. He stated that there are standards that the Building Department requires and that there are no gazebo-like structures allowed at the end of the walk-overs.

Ms. NesSmith-Picard stated that she was against private dune walk-overs because the standards are not stringent enough and she felt that these walk-overs can come loose during storms and cause damage to other property. She felt that the walk-overs should be made to either break-away during storms or made strong enough to survive storms. She asked that Council consider putting a temporary ban on private dune walk-overs in order to study this matter.

5. Personnel Committee. No report

6. Dewees (Ad Hoc) Committee. No report

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading - Ordinance 1991-3 - An Ordinance to Ban Off-Premises Signs. (Exhibit I) Mr. Ward made a motion to accept Ordinance 1991-3 as presented; Mr. Orvin seconded. As there were several changes to be made to this ordinance, Mr. Ward moved to table this ordinance; Mr. Orvin seconded; and motion passed 5-3.

2. Third Reading - Ordinance 1991-10 - An Ordinance to Repeal Provisions Regarding Personnel Administration. (Exhibit J) Ms. Nessmith-Picard made a motion to approve third reading of Ordinance 1991-10; Mr. Ward seconded; motion passed unanimously. Ms NesSmith-Picard made a motion to suspend the rules of order and ratify the ordinance; Mrs. Swanson seconded; motion passed unanimously.

3. Second Reading - Ordinance 1991-13 - $700,000 General Obligation Bond Ordinance. Mr. Ward made a motion to accept second reading of Ordinance 1991-13; Mr. Orvin seconded. Mr. Holden made a motion to suspend the rules of order and not read the ordinance line for line; Mr. Sottile seconded; motion passed unanimously. The Mayor pointed out that in the title of the Ordinance the word "City Administrator" should be changed to "City Council". Mr. Ward made a motion to change the wording; Mrs. Swanson seconded; motion passed unanimously. There was discussion as to the amount of the bond and the length of the bond. Mr. Watson made a motion to amend the amount of the bond to $650,000; Mr. Simon seconded; after discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - No; Orvin - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - No. Amendment to reduce was defeated 4-5.

After further discussion, roll call vote was taken on the original motion: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed 5-4.

4. Second Reading - Ordinance 1991-18 - An Ordinance to Protect Sea Turtles by Restricting Outdoor Lighting in Beach Areas. (Exhibit K) Mrs. Swanson made a motion to approve second reading of Ordinance 1991-18; Mr. Ward seconded. Mr. Holden made a motion to suspend the rules of order and not read the ordinance line for line; Ms. NesSmith-Picard seconded; motion passed 8-1. After discussion, roll call vote was taken on the original motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously.

Mrs. Swanson made a motion to suspend the rules of order to waive third reading and ratify the ordinance ; Mr. Ward seconded; motion passed unanimously.

5. Second Reading - Ordinance 1991-15 - An Ordinance to Regulate the Height and Location of Fences on All Property on the Isle of Palms. (Exhibit L) Mr. Watson made a motion to approve second reading of Ordinance 1991-15; Mrs. Swanson seconded for discussion purposes. The secretary read the ordinance aloud. After discussion motion was defeated unanimously.

6. Second Reading - Ordinance 1990-16 - An Ordinance to Amend the City of Isle of Palms Zoning Ordinance to Create a Waterfront District. (Exhibit M) As Council has not had enough time to review the changes made, Mr. Holden made a motion to postpone second reading of Ordinance 1990-16; Mr. Ward seconded; motion passed unanimously.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

The secretary read a resolution concerning the recycling grant (Exhibit N). Council unanimously approved the resolution.

Mr. Ward passed around an ordinance to regulate the size of signs and asked Council to review it for future discussion.

L. MISCELLANEOUS BUSINESS - The Mayor stated that she had received a couple of letters from servicemen stationed in the Persian Gulf thanking us for the Isle of Palms T-Shirts that were sent on behalf of Council and residents of the island. She reported that the shirts were given to the City by Island Cards & Gifts. These letters are in Council's reading file.

M. EXECUTIVE SESSION

Mr. Ward made a motion to go into Executive Session; Mrs. Swanson seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that there was a discussion of legal and contractual matters.

Mr. Ward made a motion to adjourn which was seconded and unanimously passed.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 5/23/91.

WAYS AND MEANS COMMITTEE MEETING
APRIL 22, 1991

THE ISLE OF PALMS WAYS AND MEANS COMMITTEE MEETING WAS CALLED TO ORDER BY CHAIRMAN JIMMY WARD AT 5:36PM IN CITY HALL. IN ATTENDANCE WERE CITY ADMINISTRATOR MARK WILLIAMS, MAYOR BUNCH, COUNCILMEMBERS HOLDEN, SOTTILE AND WATSON.

MR WILLIAMS UPDATED THE COMMITTEE ON THE ACTIVITIES IN THE WATER COMPANY REGARDING FINANCIAL MATTERS. IT WAS NOTED THAT THE BALANCE IN THE OPERATIONS AND MAINTENANCE ACCOUNT IS GETTING DANGEROUSLY LOW, MAINLY BECAUSE OPERATING COSTS ARE HEADING INTO PROBLEM AREAS AS RELATED TO REVENUES.

THE UPCOMING BUDGET WAS DISCUSSED AND HOW MUCH OF A COST OF LIVING ADJUSTMENT THE ADMINISTRATOR SHOULD WORK WITH. A MOTION WAS MADE TO HAVE A SPECIAL BUDGET WORK SESSION ON MONDAY, APRIL 29 AT 6:30PM FOR THE ENTIRE COUNCIL TO DISCUSS. MOTION WAS APPROVED.

A DISCUSSION WAS HELD CONCERNING ADDITIONAL EXPENSES FOR EQUIPMENT FOR THE NEW PUBLIC WORKS BUILDING. THE COMMITTEE RECOMMENDED TO FULL COUNCIL THAT $5200 BE APPROVED TO PURCHASE A GANTRY CRANE. A POSSIBLE STORAGE FACILITY BEING CONSTRUCTED INSIDE THE BUILDING WAS ALSO DISCUSSED.

THE LOCAL OPTION SALES TAX CREDIT FOR PROPERTY OWNERS WAS MENTIONED. MR WILLIAMS STATED THE TAX WILL CAUSE ABOUT A 17% REDUCTION IN PROPERTY TAXES ACCORDING TO THE CURRENT TAX COMMISSION CALCULATION.

CONSTRUCTION ON THE PUBLIC RESTROOMS ON FRONT BEACH WILL START MAY 1.

A MOTION WAS PASSED 3-1 TO RECOMMEND TO FULL COUNCIL THAT THE CITY COMMENCE WITH PROCEEDINGS TO CONDEMN WILD DUNES UTILITIES, IN ORDER TO PURCHASE IT.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 7:20PM.

RESPECTFULLY SUBMITTED:

Jimmy Ward

JIMMY WARD

M E M O R A N D U M

TO: Mayor and City Council

FROM: Mark M. Williams

SUBJECT: Public Works Building

DATE: April 15, 1991

==========

A couple of items have come up during the course of construction of the Public Works Building that I, the Building Inspector and Architect have had to decide on which have acted to increase the cost of the Public Works Building. For instance, when the City Council cut a number of items from the design of the building, the size of paving in front of the building was reduced so as to only cover the bay door area. Once this work was actually completed, it was obvious that the paving should have been installed across the entire front of the building. I authorized the paving contractor to finish this additional work, at a cost of $968, before he left the site. To do this additional paving later would have cost more.

Also, there was apparently no provision in the wiring for the Public Works Building to account for the need to supply 220V power to an arc welder and an air compressor, or possibly a stove in the lounge area for the Public Works employees. This additional electrical work may run in the vicinity of $600-$800.

In the design of the building, there appeared to be some conflict where a structural column was placed and the placement of an exhaust fan. Because of the column, the exhaust fan that we specified would have been partially obstructed, and had to protrude from the building some eighteen inches or so. The Inspector, Architect, Contractor and I got together and discussed this matter and the situation was most easily solved by stepping up to a larger fan which increases the air flow and also fits better through the wall. This particular unit will not protrude more than eight inches from the wall of the building. The additional cost for this item is estimated at around $800.

Finally, you will recall that we have had previous discussions on a number of equipment items that need to be included in the Public Works Building. One of these is a gantry crane which is on a four-legged castered frame capable of lifting approximately three tons. It is the kind of device that would be used to lift an engine out of a car or a truck and is OSHA approved. This item is quite expensive in that it will cost approximately $5,000.

In the design of the Public Works Building that made it to bidding, no provision was made for storage of materials and supplies. The Building Inspector has suggested that the easiest solution to this apparent problem is to hire a carpenter to build a free-standing platform and stairs inside the bay where passenger vehicles are to be serviced. This is an area where the entire depth of the bay will probably not be needed. This storage platform could be built in that area. At this point, I have no idea as to what this could cost but I would really be surprised if it were more than $1,000-$2,000.

If you have any questions regarding any of this, please let me know.

MMW

M E M O R A N D U M

TO: Mayor and City Council

FROM: Mark M. Williams

SUBJECT: Hurricane Hugo Claim for Damaged Boat

DATE: April 15, 1991

==========

Immediately following Hurricane Hugo we had a number of individuals violate curfew. Two of those were Ray Baumil and John McCullough. In the course of their arrest, the South Carolina Wildlife Department seized a Boston Whaler that was owned by Mr. McCullough. A few days later the boat was turned over to our Police Department for its use. While in either our or Wildlike Department's possession, it is alleged that some damage was done to the boat which cost approximately $1,900 to be repaired. The owner has supplied the Police Department with more than one estimate and the $1,900 is the lowest figure for the needed repairs.

Many of you know that we have settled a number of similar claims that resulted from post-Hugo use of personal vehicles and equipment by either us or other agencies helping the City after the storm. Because of the nature of this occurrence, I do not think it proper that this be handled administratively without approval from City Council. As an aside, the criminal charges in this particular case have been dropped and it is our intention to obtain a full release of liability to forestall any further claim for civil damages.

In order that we may settle this matter as promptly as possible, I would like to request that City Council introduce a motion at the next meeting to authorize this payment of $1,900 to Mr. John K. McCullough.

If you have any questions about the matter, please feel free to contact me or Chief Arnold who is more familiar with the criminal aspect of this case.

MMW

FEDERAL EMERGENCY MANAGEMENT AGENCY
DAMAGE SURVEY REPORT - DATA SHEET

1. DECLARATION NO. FEMA- 843 -DR- SC
2. DSR NO. 89004
SUPP TO DSR NO.

PART I - PROJECT DESCRIPTION

APPLICANT NAME/COUNTY: City of Isle of Palms
3. PA IDENTIFICATION NO.: ___ - ___ - ___
10. PROJECT TITLE: Removal of Dead & Dying Trees
4. INSPECTION DATE: 4-25-91
5. PROJECT NO.: 199
11. DAMAGED FACILITY: Tree within or threatening the right of way of city roads
6. % COMPLETE: 0
7. WORK ACCOM BY: F (C) FC
12. FACILITY LOCATION: Isle of Palms
8. FINAL DSR: YES ☐
9. CATEGORY: A

13. DAMAGE DIMENSIONS/DESCRIPTION/SCOPE OF ELIGIBLE WORK

DIMENSIONS:

DESC/SCOPE: Removal and disposal of Dead Trees and hazardous limbs from within the right of way of city roads.

14. INSP NO.	15. NAME OF FEDERAL INSPECTOR (Print)	16. AGENCY CODE	RECOMMENDATION	ATTACHMENTS
	Kevin Nosek / Steve Hambalek	DOD/FEMA	(Y) N	✓
18. INSP NO.	**NAME OF STATE INSPECTOR (Print)**	**AGENCY CODE**	**RECOMMENDATION Y N**	**ATTACHMENTS**
19. NAME OF LOCAL REPRESENTATIVE (Print)			**CONCUR**	**ATTACHMENTS**
Carmen R. Bunch, Mayor	Carmen R. Bunch		(Y) N	

PART II - ESTIMATED COST OF PROPOSED WORK

ITEM	CODE	MATERIAL AND/OR DESCRIPTION (a)	UNIT OF MEAS (b)	QUANTITY (c)	UNIT PRICE (d)	COST (e)
1	1030	remove & dispose of dead pines under 19"	EA	7	75.00	525.00
2	1030	remove & dispose of dead hardwoods under 19"	EA	17	90.00	1530.00
3	1031	remove & dispose of dead pines 19"-36"	EA	2	150.00	300.00
4	1031	remove & dispose of dead hardwoods 19"-36"	EA	1	175.00	175.00
5	9999	remove & dispose of Hazardous limbs	EA	12	50.00	600.00
6						
7						
8						

20. EXISTING INSURANCE TYPE – F: $ G: $

21. TOTAL $ 3130.00

City of Isle of Palms
Public Safety Committee Meeting
April 18, 1991 5:30 p.m.

Present were Mayor Bunch and Council members Sottile and Watson. Council member Simon arrived late. Also in attendance were Chief Britton of the Isle of Palms Fire Department and Lt. Buckhannon representing the Isle of Palms Police Department in Chief Arnold's absence.

FIRE DEPARTMENT

Chief Britton highlighted the month:

-- There were 29 alarms handled during the month. There were two working structure fires.

-- Maps showing LP gas tank locations on the island are complete.

-- There was one rescue of a swimmer in the ocean using the wave runner.

-- The EMS unit will be stationed on the island beginning April 20 for the summer months.

-- Fire Station No. 2 is under construction and is coming along on schedule. It should be completed by September 1991.

-- Mayor Bunch stated that the County had an ambulance not in use. She is trying to get it to replace the one the City had prior to Hurricane Hugo.

POLICE REPORT

Lt. Buckhannon highlighted the month:

-- April was a busy month for the Police Department. There were two narcotics seizures during the month. Over 12 pounds of marijuana and more than $2,000 in cash were seized. As a result of these search warrants four people were arrested.

-- The Police Department received over $4,600 in narcotics-forfeited cash for the Island's participation in the County Metro Major Case Unit.

-- Project DARE received a $300 contribution from the Mt. Pleasant Optimist Club. The fifth grade DARE Class at Sullivan's Island Elementary School graduated on March 25. Officer Stewart is to be commended for her work with the DARE program.

-- The Police Department held a two hour class for the Belle Hall Socially Handicapped Children. Students were given a tour of the Isle of Palms and Police Headquarters.

-- At the request of the Charleston Police Department the Isle of Palms Marine Patrol assisted in leading the Navy ships from Operation Desert Storm into the harbour.

-- Chief Arnold was presented a $1,500 scholarship from Wal-Mart to the best overall academic student of Charleston County schools.

-- The closing of the Beachside subdivision entrance off Palm Boulevard was discussed in length and the committee recommends that it be discussed with the full council at the regular council meeting scheduled April 25.

-- The committee discussed at length the feasibility of the Highway Department placing marked crosswalks at various locations along Palm Boulevard. Administrator Williams is in the process of writing a letter to the Highway Department inquiring about these crosswalks.

-- Discussion concerning the speed limit on Waterway Boulevard being increased to 30 miles per hour without the City being notified of the change. It was noted that the Highway Department had decreased the speed limit back to 25 miles per hour. A motion was made by Jeff Simon and seconded by Dan Watson that the Administrator contact the Highway Department to determine the background and the reason for this increase.

No further business the meeting was adjourned at 6:30 p.m.

Respectfully submitted,

F. Michael Sottile
Public Safety Committee Chairman

EXHIBIT C

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., APRIL 15, 1991

The meeting was called to order at 7:00 p.m. All Committee members present: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, Council Member Marge Swanson, Mayor Carmen Bunch and Public Works Department Head Andy "Sarge" Parrish. Guest attendees included: S.C. Highway Dept. Officials Harry Mills and Ken Lesto.

Chairman NesSmith-Picard requested suspension of the rules of order to allow SCHD representatives, Harry Mills and Ken Lesto to give a status report on the construction of the Isle of Palms Connector. Rules of order were suspended.

SCHD Bridge Project Coordinator, Harry Mills explained that he oversees all the bridge work ongoing in the Charleston area involving consultants such as Mark Clark Expressway, Grace Pearman Rehab, Isle of Palms Connector, and James Island. The Connector consists of two contracts; the 35 million dollar bridge that is under construction by Massman Construction of Kansas City and the roadway construction project.

Foundations are drilled shafts that, due to the soil conditions, are driven quite deep compared to normal construction. Marle is the foundation for structures in the Charleston area is located about 120 feet deep. Sand and silt materials are above the marle. However, we are in the same seismic zone as California and therefore we have to take seismic design into consideration. Because sand liquefies when you shake it the net result is that some of the shafts are driven 155 ft. deep to the marle. Each of the shafts is 5 ft. diameter and heavily reinforced.

The bridge is being built across the marsh using a trustle method which does the least amount of damage to the environment. Estimated completion of the three year bridge contract is July 1993. However it will probably be later. Roadway contract is with L-J Construction Inc. and should take about 6 months to complete once underway. Roadway contracts are a little more difficult to define than bridge contracts in that there are many items that need to be addressed such as right of ways, road closures, access, curbing, drainage pipe design, etc.

Ken Lesto oversees the roadway construction. Using the roadway drawings, he provided the Committee with the status of the roadway construction from 9th Ave. to 21st Ave. Starting at 9th Ave., the road begins to widen. A catch

basin will be installed to tie into existing 18" lines that drain to the marsh. Around 10th Ave., another catch basin will be installed and the existing 18" pipe has been replaced with 24" pipe. Ken commented that much of the existing pipe and joints were deteriorated. Roger Dyar 6th District HD made the recommendation to close a driveway at a green house along Palm near 10th Ave. The driveway goes through from Palm Blvd to Pavilion. The owner will be consulted and asked to agree to closing the Palm Blvd. end of the driveway due to traffic and safety considerations. Most residents will continue to have driveways onto Palm if they can be safely used. Curb, gutter, and sidewalks on both sides of Palm Blvd. will be provided from 10th Ave. to 21st Ave.

The current recommendation is to close the connection between Palm Blvd. and Pavilion at Carolina Blvd. Leave Carolina Blvd. open so as not to restrict traffic flow around the Post Office.

J. C. Long Blvd was going to be closed, however, at the City's request, SCHD will reopen it as a through road to Palm Blvd so that the new fire station access will not impeded. The Palm Blvd. intersection will be aligned with 12th Ave. SCHD will have to review whether this will involve "cutting across the corner" of Resort Rentals property or if this all falls within the existing SCHD right of way.

At this time SCHD is no catch basin at 12th Ave. Concern was expressed at existing flooding at Oak Harbor Blvd. and 13th Ave. Flooding situation will only worsen due to Municipal Bldg and Connector construction. Andy Parrish stated that the runoff is already from Palm Blvd., that flooding has been a problem for a long time, and requested Ken Lesto come out to look at flooding the next time it rains. Lesto will bring problem to designer's attention. One problem in putting a catch basin at 13th Ave is to find something to tie it into. The general guidance is if water is a direct result of the Connector roadway work project then it could be federally funded. Otherwise, it has to be funded by the State and there's no money at this time. However, SCHD will look at the possibilities and the City may need to address problem with Bob Weeks of SCHD 6th District.

No curb cuts are needed in front of City Hall, Municipal Bldg or Island Realty. The Water Co. will still have a circular driveway.
SCHD would like to close the exit lane of the First Union Bank Drive Thru. Owners have been consulted and they are reviewing the plans.

There is extensive amount of 18" piping being replaced with 24" due to the additional amount of water being carried by the piping.

To improve the traffic flow at the Shopping Center parking lot, the left entrance will be moved 15 or 20 feet so to line up with the parking lot layout. Currently, you have to cross parking spaces to get in and out of the parking lot.

SCHD received correspondence stating that the City Fire and Police Departments approved of closure of Beachside entrance located across from shopping center. Mayor Bunch stated that City Council would have to approve of closure and as of yet nothing has come before Council. Concern was expressed over safety concerning increased response time for emergency and fire vehicles. Harry Mills said that SCHD would provide the City with a copy of the correspondence requesting the closure and that SCHD would hold off entrance closure until Council took action. Traffic Engineer, Roger Dyar considers Beachside 21st Ave. entrance to be poor traffic situation for vehicles to pull out into 2 lanes of traffic.

SCHD worked with Pelican Dry Cleaners and a double-drive will be provided to allow for drive-thru pick up. 14th Ave will be closed where it intersects Palm Blvd. One end of Cassina may be closed. One aspect that needs consideration is accommodating delivery truck traffic that will need rear access to shopping center. One possibility may be to provide a "turning circle" or cul de sac. Another possibility is to eliminate a few spaces in the parking lot to provide room for truck maneuvering.

2001 Palm Blvd and the dentist office will both be provided side accesses and the existing driveways on Palm Blvd will be closed. Dentist office parking lot is currently in state right of way but owner will be relocate parking lot to rear of property and staff parking will be on the side. Methodist Church agreed to relocate parking lot access off of Palm Blvd.

Surveyor will have to finish design of transition from two to one lane road at 21st Ave. Beachside Palm Blvd entrance at 21st Ave was noted to be unsafe in that it is located on the curve of a two lane section of road.

Ms. Swanson pointed out the need for pedestrian crosswalks along Palm Blvd. If the City submits a request to SCHD District 6 Engineer, Bob Weeks, it's possible that crosswalks could be included as part of the roadway project that runs from 9th to 21st Avenue.

There was some discussion about the elimination of the bike path between 9th and 21st Avenues. A sidewalk is provided on both sides however there was doubt that bicyclists could use the sidewalks legally per SC law. Also, there was some concern about the safety of dual use of the sidewalk by bicyclists and pedestrians. Chairman NesSmith-Picard requested that either some provision between 9th and 21st

Avenues be made for bicyclists or at least a transition from the existing bike lane to the road/sidewalk be provided so that there is no gap. Eliminating the bike path does not eliminate bicyclists and unfortunately they will be forced to choose between riding in the street where it's unsafe or riding on the sidewalk where it's illegal. Later requests could be made to add or modify bike paths along Ocean Blvd, the rest of Palm Blvd and Waterway Blvd. The goal of this would be to have a circuitous continuous bike path on the island.

Mr. Sottile inquired about who is responsible for posting speed limit signs. It is the SCHD's responsibility. The Committee expressed desire to have the lowest speed limit possible along Palm Blvd and Waterway Blvd.

Public Works Status Report

Sarge gave the following Public Works Status Report.

Old Business

1) Construction of Public Works Bldg. Building will not be completed by 4/15/91 as scheduled. It will probably be completed about a week later.

2) Fuel Metering System. Installers of the system are going to look at the site tomorrow (4/16/91) to determine if the existing berm will interfere with the installation of the fuel tank.

3) Recycling Grant. Grant application is still being prepared by Linda Tucker of Council of Governments.

4) Damaged Bike Path Along Waterway Blvd. Sarge says the Highway Maintenance Dept. has looked at the path and put it on their list to be repaired. However, they did not give him a date by which the repairs would be completed.

5) Palm Blvd Road Damage Near 20th Ave and 1st Ave. Sarge has reported that the Highway Maintenance Dept. has put damaged road near 20th Ave. (along Palm Blvd) on their schedule to repair. However, it will not probably be repaired until after the Connector roadway construction is complete. The severe drop-off onto the road shoulder near 1st Ave. has been repaired.

6) Status of Recycling Program. No update on the recycling program.

7) Plastics Recycling Pilot Project. The City Administrator sent a letter to the Charleston County Public Works Assistant Director, Rick Field requesting a

bin to be provided for plastics recycling. As of yet no response has been received.

8) Oak Harbor Drainage Problem. This item was addressed fully during the preceding status report given by SCHD officials.

9) Public Works Committee Meeting Date. Chairman NesSmith-Picard asked if the Committee wanted to change the meeting date so that multiple committees could meet on the same night. Mayor Bunch expressed concern about the length of our meetings and that they, if scheduled on the same night as another meeting, might overrun. Sarge said any night was fine with him. No motion was made. Meeting date for Public Works Committee will remain third Monday of each month at 7:00 p.m. at City Hall.

New Business

1) Two Garbage Trucks Need Repair. Two garbage trucks are broken down. One needs an engine replaced.

2) Overtime for Trash Pick Up. Due to the large amount of trash generated during this time of year, overtime needed to be worked in order to catch up. Therefore, the garbage trucks were used Saturday for trash pick up.

3) Hazardous and Flammable Materials Storage Shed. Sarge proposed sandblasting and painting an existing storage container so it could be used for storage of hazardous and flammable materials. Because there are safety requirements regarding the storage of hazardous and flammable materials, Sarge said that shed/storage has to be separate from or outside of the Public Works Bldg. The Committee took no action because ordinances may already prohibit such exterior storage sheds.

Committee took a 10 minute recess to look at proposed area to be paved in front of Public Works Bldg and proposed location of hazflam (hazardous and flammable) storage shed. Committee reconvened.

4) Paving of Remaining Area in Front of Public Works Bldg. Sarge requested that remaining unpaved area in front of Public Works Bldg to 13th Ave. be paved. Mayor Bunch moved to recommend approval of request to Council. Motion passed 3-1. (Bunch-Yes, NesSmith-Picard-Yes, Sottile-Yes, Swanson-No.)

5) Additional Items for Public Works Bldg. Administrator Mark Williams identified following items needed for Public Works Bldg: 220 outlet wiring for arc welding and compressor ($700), gantry crane ($5000), exhaust fan ($800), and construction of interior

storage platform/area ($1000 to $2000). Gantry crane is needed to lift heavy items such as engines. Tommy Legare does all the automotive repairs on City vehicles. There was some discussion concerning Sarge's desire to have carpet for his office and the possibility of getting carpet donated. Ms. Swanson expressed concern about the necessity of having all the items requested immediately and that all necessary items for Public Works Bldg were not identified in the beginning, and that possibly the construction of the storage area could be built later and/or by volunteers.
Mayor Bunch moved to recommend approval of all above requested items to Council. Motion passed 3-0-1. (Bunch-Yes, NesSmith-Picard-Yes, Sottile-Yes, Swanson-Abstain.)

6) Road Damage on Sparrow Drive. Mr. Sottile stated that there is a washed out area on Sparrow in front of his and Heath Orvin's house. Sarge stated that he was aware of the road damage and that he has already reported it to the Road Maintenance Dept. but he does not know when repairs will be completed.

7) Drainage Ditch Behind Methodist Church. Mr. Sottile requested Sarge to evaluate and try to improve the flow in drainage ditch behind the Methodist Church. Sarge said he would request that the Fire Dept blowdown the drainlines.

8) Minutes of March 18 Public Works Meeting. Final approval of the minutes of the Public Works Committee meeting on March 18 were deferred until next month.

9) Palm Blvd. Pedestrian Crosswalks. Ms. Swanson moved to recommend to Council, and to also refer the matter for consideration of the Police and Public Safety Committee, that action be taken to provide pedestrian crosswalks along Palm Blvd at the high traffic areas, such as at beach accesses. There was some question as to whether vehicular traffic is required to stop for pedestrians in crosswalks or if a sign is needed that states en about vehicularMotion passed unanimously, 4-0. (Bunch-Yes, NesSmith-Picard-Yes, Sottile-Yes, Swanson-Yes.)

Citizen Comments
None.
Meeting was adjourned at 8:25 p.m.

DRAFT COPY AS OF: 05/14/91
PASSED AS FINAL MINUTES: 06/18/91
ATTESTED TO:
x Melinda NesSmith-Picard
Melinda NesSmith-Picard, Chairman

EXHIBIT D

Engrossed Bills Committee Meeting
City Hall - Regular Meeting
April 24, 1991 - Minutes

The Meeting began at 6:30, on the above date. This meeting was rescheduled from one week earlier so as to allow the city attorney to be in attendance. Present were Committeemembers Holden and NesSmith-Picard, Attorny Drefyoos, Councilmember Sottile and CommitteememberSwanson who arrived a few minutes late.

Upon motion by Committeemember NesSmith-Picard, seconded by Chairman Holden, the minutes of previous meeting were approved as presented.

The Following ordinances were covered and disposed of as follows:

1991-5 dealing with deposition of grease and oil was approved as modified last month. The concerns expressed at the last council meeting were discussed and deemed to not be directly affected by this ordinance being more appropriately a matter for DHEC. (Non-approved waste disposal systems). Motion to reccomend approval made by Committeemember NesSmith-Picard, seconded by Committeemember Swanson, passed unanimously.

1991-3 prohibiting Off-premises signs was dicussed as reccommended to be amended by the planning commission. Minor wording changes to broaden the scope by changing the word "advertise" to "direct attention to" and create conformity with other sections of the code were proposed by Committeemember NesSmith-Picard seconded by Committeemember Swanson, in two separate motions. Both passed unanimously. Motion to reccommend approval of the Amended version was made by Committeemember Swanson seconded by Committeemember NesSmith-Picard and passed unanimously.

1991-12, (a drought response ordinance), was presented. The chairman noted the changes approved last month simply changed the concept of a "Mayor's proclamation" signaling a draought to that of the City Administrator publishing a notice and posting copies at City Hall and the Water department business office. It was noted this was an administrative, ministerial function and the ordinance is required by the Water Resources Commission. Motion to reccommend approval as amended from last month was made by Committeemember NesSmith-Picard, seconded by Committeemember Swanson, and passed unanimously.

1991-18 concerning Turtle Nesting was presented by Committeemember Swanson with proposed amendments recommended by the Coastal Council. The City Attorney advised that something very similar to this would likely be "imposed" by the Coastal council if not approved by the City. Minor changes adding to the definitional section of the ordinance were proposed for clarity sake upon motion by Committeemember Swanson, seconded by Committeemember NesSmith-Picard and pssed unanimously. A second clarifying amendment changing the word "bulk" to "most" referring to Street lights was made by Committeemember NesSmith-Picard seconded by Committeemember Swanson and passed unanimously. The motion to reccommend approval as modified was made by Committeemember Swanson, seconded by Committeemember NesSmith-Picard and passed unaimously.

1990-15 regulating fences was discussed and the planning commission's memorandum reviewed. Discussion as to need and whether this might restrict residents who had a real need for fences larger than the ordinance allowed took place. Upon motion by Committeemember NesSmith-Picard seconded by Committeemember Swanson which passed unanimously it was recommended to council that the ordinance be rejected at second reading.

Prior recomendation of passage of 1990-10, repealing personel administration sections of the code, was maintained from last month. Upon inquiry of the chairman no comments were recieved.

1990-16 which creates a waterfront zoning classification and the Planning Commission's recommendation for disapproval was discussed. The Committee continued to support passage of a version of this using zoning as a land use tool to address the areas indicated on the map. That being determined recommended revsions were discussed. Those which passed attached to a final motion by Committeemember NesSmith-Picard seconded by Committeemember Swanson and passed unanimously were:

1. Specific listing in full of those items previously

referenced as being the "same as SR1".

2. The minimum sideyard requirement to be increased from 10 feet to 12.5 feet.

3. The 40% lot coverage ratio will be based only on the buildable land in the lot as defined by the Coastal Council critical area.

4. Specific wording etc. for each of the above was discussed and approved as well and can best be seen by a comparison of the first reading and second reading drafts.

There were no other known ordinances that had been referred to committee.

Ther being no further business upon motion by Committeemember NesSmith-Picard, seconded by Committeemember Swanson, passed unanimously, the meeting adjourned at 8:00 P.M..

DRAFT COPY AS OF: 4/25/91

APPROVED AS FINAL MINUTES: 5/15/91

ATTESTED TO:

x Barry C. Holden

Barry C. Holden - Chairman

Egrossed Bills Committee Meeting
6:30 P.M. - April 24, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

3. ordinances refered/updates

   A) 1991-5
   B) 1991-3
   C) 1991-12
   D) 1991-18
   E) 1990-15
   F) 1990-16
   G) others

New Business

4. Proposed ordinances

5. miscellaneous request/information

6. Adjourn

RECREATION REPORT

Programs - April and May

Gymnastics - Mondays - ages 3 and older
Taw Kwon Do - Wednesdays and Saturdays - youth/adult
Tap/Ballet - Wednesdays - ages 2 and older
Keenagers - 1st Wednesday of month - adults
Tournaments - Fridays - youth

Keenagers Club - End of the year picnic will be on Wednesday, May 15th in the shelter. All members will bring their own picnic basket and drinks will be provided.

CPR Class - Tuesday and Wednesday, May 7th and 8th. Scott Taylor, Isle of Palms Fireman, will teach the class. All of the recreation staff will take the course. Another class is scheduled for early June for the day camp staff.

Sports -

Youth Baseball/Softball - Jamboree was held on Tuesday, April 9th at 6:00 p.m. on the small baseball field. The 17 Isle of Palms teams, coaches, sponsors, council members and recreation commission were introduced. The first pitch was thrown by Mayor Bunch to Heath Orvin.
T-balls games are played on Mondays and Coach Pitch games on Wednesdays and Thursdays.

Special Events -

Community Dance - Will be held on Saturday, April 27th from 7:00 to 10:00 p.m. Charleston Mobile Music will play a variety of music for all ages. Everyone is invited. Tickets are $3.00 for individuals and $5.00 for a family.

Thumper's Easter Egg Hunt - Was held on Saturday, March 30th at 11:00 a.m. There were 3 age divisions: 3 and under, 4 to 6 years, and 7 and older. A total of 1400 eggs and candy were hidden for the children. Prizes were awarded in each age group for the best decorated Easter basket, the most colored eggs found, and the

most silver eggs found. "Thumper" was the guest of honor and over 300 children participated.

1991 Senior Walk - A 1 mile walk will be held on Tuesday, May 7th at 10:00 a.m. This is a state wide event sponsored by the Governor's Council on Physical Fitness. All ages welcome.

"28th Avenue Dance" - Will be held on Friday, May 10th from 7:00 to 10:00 p.m. at the center for children in grades 5 through 8. It is co-sponsored by the Isle of Palms Police Dept. A DJ will play music and concessions will be sold. Admission is $2.00.

Camp Summershine - A camp for children ages 5 to 12 will begin June 10th and go for 7 weeks from 9:00 to 3:00 p.m. There will be weekly themes, games, arts and crafts, beach expeditions, field trips, swimming, and many more activities. There will be a director and two counselors and camp is limited to 35 campers. At this time there are between 10 and 15 children signed up for all sessions.

Ashley Whippet Invitational - A frisbee-dog competition will be held on Saturday, May 18th at 3:00 p.m. on the soccer field. T-shirts and sportsbags (donated by Come 'b Get It dog food) will be awarded to the winners. Barry Holden and Mr. and Mrs. Pat Campbell will be the judges Rain date is Sunday, May 19th.

Upcoming Events -

- Sand Sculpting Contest - June 1st
- Softball/Baseball picnic

EXHIBIT F

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
APRIL 23, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on April 23, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, Betsy Smiley, and David Somers. Also present were Building Inspector Ed Haselden and Secretary Janet Geary.

Mr. Fellabom announced that two of the five cases scheduled to be heard were postponed. Mr. Thomas Hyatt, 2307 Cameron Boulevard, had requested a hearing to appeal the determination made by the Building Inspector on Code Section 5-2-5(25); he requested the hearing be postponed to the May meeting. Dr. Jean Dorsett-Robinson, 406 Carolina Boulevard, had requested a variance from Section 5-4-23(5)(a) and also requested that the hearing be postponed until the May meeting.

1. John W. Dowdle, 500 Ocean Boulevard. Contractor Farris Cowart represented Mr. Dowdle who was out of town. Mr. Dowdle was asking for a variance from Section 5-2-19(5)h.1 which states that there shall be no "solid walls" below base flood elevation in a high hazard area. Mr. Dowdle had built an exterior storage area under his house that was not attached to the pilings and would "break away" in the event of another hurricane. There was discussion about FEMA flood regulations and about other alternative means of providing a secure storage area.

Vote being: Fellabom - No; Garvin - No; Schall - No; Smiley - No; and Somers - No. Variance was denied. Mr. Haselden stated to Mr. Cowart that the storage area would need to be dismantled within one week.

2. Dr. W. Pettigrew Clare, 3602 Palm Boulevard. Dr. Clare requested a variance on Section 5-4-22(5)(c) requiring a rear yard setback of 30'. Mr. Steve Heyward, project manager for the contractor, explained that due to new FEMA requirements for septic systems following Hurricane Hugo, the house had to be rebuilt farther toward the beach than the destroyed house had been. Ed Haselden granted a 24' setback in accordance with Section 5-4-36 Non-Conforming Lots. They were asking for an additional 11' in which to extend stairs from the front of the house toward the beach. Mr. Fellabom presented letters from neighbors on both sides of the property voicing no objection to Dr. Clare's request: Dr. Mike O. Tyler of 3600 Palm Boulevard and David H. Garrett of 3604 Palm Boulevard. After considerable discussion, Mr. Fellabom asked the Board if they would consider allowing a 5' extension of the stairs instead of 11'. It was decided that a NO vote would deny the variance, and a YES vote would approve the variance with the staircase extending not farther than 5' from the house.

Vote being: Fellabom - Yes; Garvin - Yes; Schall - No; Smiley - No; Somers - Yes. Variance of 5' was approved.

3. Bill Bryant, 6 - 33rd Avenue. Mr. Bryant requested a variance from Section 5-4-14(3) to allow an in-ground swimming pool to be placed in the "legal front yard" of their property. Mrs. Maureen Bryant stated that their lot was a corner lot; the address being on 33rd Avenue, but the house actually faced Cameron Boulevard. They wanted to put a small pool on the side of the house on 33rd Avenue. Their neighbor, Mr. Todd Poore of 3302 Cameron Boulevard, was present and asked that the pool not be placed on Cameron next to his house. There was discussion as to the placement of the pool on other areas of the property.

Vote being: Fellabom - No; Garvin - Yes; Schall - No; Smiley - No; Somers - No. Variance was denied.

The Board did tell Mrs. Bryant that they would waive the 6 months waiting period for a rehearing if she wanted to locate the pool behind or on the side of the house and a vairance was required.

There being no further business to come before the Board, the meeting wad adjourned at 8:15 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT G

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
APRIL 10, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on April 10, 1991, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, John Gardner, Jerry Spencer and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m.

MINUTES OF PREVIOUS MEETINGS

1. February 13, 1991
2. March 13, 1991

Ms. Wilson requested that the February 13, minutes be changed to reflect the correct spelling of Hugh Morrow. Motion to approve both sets of minutes by Dr. Karig: second by Ms. Carroll. Motion approved 6-0.

PLAT SUBMITTALS

1. Ocean Boulevard. Plat of the Subdivision of Lots 1-6, Block 29, Owned by Peter F. Fragus Into a 15.028 Square Foot Lot and a 8,703 Square Foot Lot. Ocean Boulevard. E.M. Seabrook, Inc. (Deferred from 3/13/91 meeting).

Lewis Seabrook explained that this property was in the commercial area and originally subdivided into 15 foot wide lots. Mr. Seabrook stated that the owner has some commercial venture in mind although he was not aware of what that is.

Mr. Batchelder stated that the plat submitted last month lacked information required by the subdivision ordinance. He stated that the applicant has revised the plat to include this information so that it meets the requirements of the Zoning Ordinance, and therefore recommended approval.

Motion to approve by Mr. Spencer; second by Mr. Gardner. Motion approved 6-0.

2. Hartnett Boulevard. Plat of Lot 13, Block P, Section BC-2D Owned by Sonya S. Gentry and Lot 8, Block Q, Section BC-2D Owned by Elizabeth Y. Newsome and 1/2 unopened portion of 33rd Avenue Owned by Elizabeth Y. Newsome and about to be conveyed to Sonya S. Gentry. Seabrook.

Mr. Batchelder recommended approval of the plat. Motion to approve by Ms. Carroll; second by

Ms. Wilson. Motion approved 6-0.

3. 41st Avenue. Plat of Tract 4 Owned by the Isle of Palms Water Company Showing a New 20' Sewer Easement. Seabrook.

Mr. Batchelder explained that this plat did not require approval of the Commission or Council since its only purpose was to locate a new sewer easement. No action was taken.

4. Ocean Boulevard at Pavilion Drive. Subdivision (creating two parcels) of Lot "A", Block 36, Section "A". Huff.

Mark Williams explained that there are two parking lots in this area owned by the City. In acquiring funds from the State PRT, the city was required to place deed restrictions on the western parking lot. He stated that this is where the City wants to build the new fire station. He stated that the State PRT will only allow this if the deed restrictions on this parcel are relocated. Mr. Williams said this plat was creating a parcel equal in size to the parcel where the western parking lot is located so that the deed restrictions could be transferred to it. He stated that the Zoning line separating GC-1 and GC-2 cuts through the property running parallel to, and about 80 feet back from Ocean Boulevard. He stated that sewer and water service was available to these properties.

Mr. Batchelder recommended approval with the condition that the zoning boundary and the availability of sewer and water is noted on the plat. Motion to approve with conditions by Dr. Karig; second by Ms. Carroll. Motion approved 5-0 (Mr. Gardner abstained).

5. 41st Avenue. Acreage Plat Dividing Tract 3 Into Tract 3b, 3c, 3d, 3e and 3f Located on 41st Avenue in the City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Mr. Batchelder explained that the plat provided the required information and that the lot frontage was adequate under the GC-1 requirements.

Bill McKenzie stated that last months plat was to create a parcel for parking for the Marina. He said tract 3f would be used to provide parking for the 48 Wild Dunes slips. He said tract 3b, which was land locked, will now have access. He said the remaining parcels will allow phasing of future development.

Chairman Taylor asked if the 34 foot strip was a road. Mr. McKenzie said it was an entrance which might be used to provide access to the adjacent parcels. Chairman Taylor was concerned that this would become a road and stated that he did not like this but that he had no legal grounds to oppose it. He thought it should be 50 feet wide instead of 34 feet.

Mr. McKenzie stated that he understood that he could not subdivide off the 34 foot parcel because it would not have access on a public street.

Motion to approve by Mr. Spencer; second by Mr. Gardner. Motion approved 6-0.

ORDINANCES

1. Ordinance 1991-3, Off-premises Signs

Mr. Batchelder explained that he had addressed the concerns raised at last months meeting about the affect of the ordinance on various types of signs. He said the concerns included lack of a definition as to what off-premise signs were, how the ordinance would affect the Wild Dunes sign, marina sign, church signs, political signs and the warning signs as you drive onto the island. He stated that political signs are allowed under the existing ordinance and this would not change with the proposed ordinance. Off-premise real estate signs directing people to property for sale or open houses are technically not allowed under the existing ordinance. The Wild Dunes sign, marina sign and church signs would all be classified as off-premise signs and be required to be removed under the existing ordinance.

Mr. Batchelder stated that he had prepared amendments to the proposed ordinance to add a definition of off-premise signs, add a new section to allow residential subdivision signs such as the Wild Dunes sign with a maximum size that would accommodate the Wild Dunes sign, and change the wording in the proposed ordinance to allow the City to place directional signs and warning signs on the Island. He said he believed that this was a good idea because of the number of visitors to the island who will not know how to get to these facilities and areas. He stated that the overall ordinance to ban off-premise signs was good because it would prevent billboards from being placed along the connector.

Chairman Taylor said use of consistent directional signage would be very helpful. Ms. Carroll asked about the section allowing subdivision signs. She asked whether this would allow both Wild Dunes signs. Mr. Batchelder stated that the ordinance would only allow one sign.

Chairman Taylor asked for an explanation of the current sign ordinance. He also stated that the Commission should contact Mount Pleasant and Charleston County with there concern with billboards. The Commission endorsed this action. Dr. Karig asked whether a subdivision needed an off-premise sign.

Mr. Batchelder explained that the current sign ordinance allowed only signs for residents, addresses, "For Sale", "Sold", "For Rent", etc., and contractor signs in residential zones. He suggested only allowing the entrance sign at Wild Dunes and requiring the removal of the Wild Dunes sign at 41st.

Mr. Gardner stated that controlling billboards was important but he did not want to eliminate all off-premise signs such as the smaller directional signs. He did not think there were that many signs now and did not think there was a problem. Dr. Karig disagreed and said the time to take action was now before a problem arose. Ms. Carroll asked how this would affect the small organization signs as you come on the island. Chairman Taylor said those are so small that they really are not much use. He said the key to this is that the city can put up directional signs if they are needed.

Councilmember Sottile asked if this would control fluorescent signs such as the Pantry sign.

Chairman Taylor said this did not address those signs. Ms. Wilson asked how this would affect the church signs as you come onto the island. Mr. Batchelder stated that they would have to be removed. Ms. Wilson said that there should be criteria to identify what business could ask for a directional sign. Mr. Batchelder said that was really up to the City to decide.

Motion to approve with changes to allow Wild Dunes entrance sign only by Dr. Karig; second by Ms. Wilson. Motion approved 6-0.

2. Ordinance 1990-18, Sea Turtle Protection Ordinance.

Ordinance has not yet been revised so no action was taken.

3. Ordinance 1990-16, Waterfront District Ordinance.

Chairman Taylor asked about the Fence Ordinance. Mr. Batchelder stated that it would be presented to City Council at this months meeting.

Mr. Batchelder explained that the Waterfront Ordinance initially came before the Commission last November. At that time a number of questions and concerns were raised. He stated that he had recently met with Councilmembers Holden and NeSmith-Picard to discuss the ordinance. He said that it was his understanding that the ordinance focused on three areas; the newly developing property on Ocean Boulevard, the golf course area on Waterway and the highground between the homes along Palm Boulevard and the ocean.

Mr. Batchelder explained that there seemed to be a concern about the possible development of the two unsubdivided areas and the scale of development that was occurring along Ocean Boulevard. He felt that the proposed ordinance would not address these concerns because it would guarantee that if development did occur on the land along Palm Boulevard and on the golf course, the result would be that the homes would be out of scale with the island and they would eliminate a large portion of the market because the property would not be affordable. The proposed increase in sideyard setbacks and limitation in lot occupancy for the Ocean Boulevard properties would not have a noticeable affect because the lots are so large.

Mr. Batchelder suggested that there were other ways to address these concerns and recommended that the Commission deny this ordinance and allow him to come back at the next meeting with a list of alternatives and recommendations. Motion to deny by Dr. Karig; second by Ms. Carroll. Motion passes 6-0.

SUB-COMMITTEE REPORTS

There were no sub-committee reports.

MISCELLANEOUS BUSINESS

1. Update on previously recommended ordinances.

Mr. Batchelder stated that the Accessory Structure ordinance was sent to Engrossed Bills where it was rejected. Mr. Batchelder suggested that the Commission return to its original concern about decks. He said he would prepare a draft for a public hearing at the next meeting.

2. Letters to surveyors.

Mr. Batchelder explained that letters and copies of the subdivision ordinance were mailed to surveyors to notify them of the new requirements.

There being no further business the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

guidelines will serve to give basic guidance during the development of the local plan. As data is collected and analyzed by both local government and the Council during local plan development, the Coastal Council may find it necessary to adjust the guidelines to address specific needs and concerns which may not have been anticipated.

LOCAL COMPREHENSIVE BEACH MANAGEMENT PLAN

The legislation is also specific in requirements for the local comprehensive beach management plan. Each plan must contain:

1) an inventory of beach profile data and historic erosion rate date provided by the Council for each standard erosion zone and inlet erosion zone under the local jurisdiction;

2) an inventory of public beach access and attendant parking along with a plan for enhancing public access and parking;

3) an inventory of all structures located in the area seaward of the setback line;

4) an inventory of turtle nesting and important habitats of the beach/dune system and a protection plan if necessary;

5) a conventional zoning and land use plan consistent with the purposes of this chapter for the area seaward of the setback line;

6) an analysis of beach erosion control alternatives, including renourishment for the beach under the local government's jurisdiction;

7) a drainage plan for the area seaward of the setback zone;

8) a post disaster plan including plans for cleanup, maintaining essential services, protecting public health, emergency building ordinances, and the establishment of priorities, all of which must be consistent with this chapter;

9) a detailed strategy for achieving the goals of this chapter by the end of the forty year retreat period. Consideration must be given to relocating buildings, removal of erosion control

structures, and relocation of utilities;

10) a detailed strategy for achieving the goals of preservation of existing public access to assure full enjoyment of the beach by all residents of this State.

This document is intended to provide the basic instructions to prepare the local plans, identifying what has to be done, who is to do it, how it is to be done and when it is to be done. However, all of the necessary information for the completion of the plan is not available immediately. For example, the orthophoto maps and/or rectified aerial photography which will be used as a basis for all inventory and mapping (see section on maps and scales) will be completed in increments and available around January, 1989. The basic guidelines to be established in the state plan, and used as minimum standards in developing local plans should be completed in final form shortly after the first of the year, although draft review copies will be made available for local input prior to that time.

SHOREFRONT MANAGEMENT PLANS AND BEACH NOURISHMENT PLANS

The new beachfront legislation recognizes beach nourishment as a viable portion of the State's beach management policy. This was made more evident by the General Assembly's passage of the 1988 Bond Bill which authorized $10 million for state support of local renourishment projects with the expressed intent of allocating equal amounts in 1990 and 1992. However, in drafting the legislation, the General Assembly recognized that beach renourishment had to be accomplished in the context of a comprehensive, coordinated approach, and therefore established a criterion that must be met before state funds can be allocated for renourishment. Local

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL APRIL 18, 1991

The regular meeting of the Isle of Palms Board of Beach Patrol and Control was held on April 18, 1991, at 7:00 p.m., at City Hall. Present were Chairman James Smiley, Beverly Ballow, William Sandeford, Thomas Harper and Council Member Jeff Simon. David Matthews and Debby Jeter were absent.

1. The meeting opened with a discussion of the Lenardis revetment at #1 - 51st Avenue. The City Administrator, Mark Williams, had received an answer to his letter to SC Coastal Council (see Attachment #1) and there was discussion as to the next step would be. It was decided that Mr. Sandeford would present a letter to Mr. Williams asking him to have the City Attorney, Bill Dreyfoos, study the file at Coastal Council to determine what can be done to remedy the situation.

2. Dr. Smiley presented to the Board a copy of a letter with attachments (see Attachment #2) that Mr. Williams had written to Chris Brooks at SC Coastal Council concerning a beach renourishment project at 22nd Avenue and at 41st Avenue. There followed a short discussion of the project. Mr. Sandeford made a motion to approve the beach nourishment project; Mrs. Ballow seconded; and motion passed unanimously.

3. There was discussion of the Wild Dunes renourishment project at Dewees Inlet which was to come before Coastal Council this week. Further discussion would be tabled until Coastal Council had made a decision on their application.

4. Mr. Simon began a discussion concerning dune walk-overs as he had been questioned by some Council members about the large number of walk-overs being built and the effect they had on the dunes. Mrs. Ballow stated that most of the dune walk-overs in the rental home areas were used by a considerable number of people each week who carried armloads of things down to the beach. She felt that if they walked over the dunes themselves, there would be more damage done. Dr. Smiley stated that Ed Haselden has certain building standards that must be complied with when building walk-overs.

There being no further business to come before the Board, the meeting was unanimously adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-3
Third Reading Draft - 4/25/91

AN ORDINANCE TO BAN OFF-PREMISE SIGNS

WHEREAS, City Code Section 5-4-124(c) allows for limited off-premise signs under specified conditions; and

WHEREAS, City Council finds that the proliferation of off-premise signs will adversely affect the aesthetic and residential characteristics of the City; and

WHEREAS, City Council further finds that existing businesses possess adequate opportunity for advertisement through the use of on-premise signs, informational signs provided by the City and promotional materials prepared under the auspices of the City and the Trident Chamber of Commerce with the use of accommodations tax funds; and

WHEREAS, City Council wishes to afford the owners of the few existing off-premise signs within the City with the opportunity to amortize their investments in said signs; and

WHEREAS, City Council is authorized to amend its zoning regulations pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to ban off-premise signs within the City of Isle of Palms.

Section 2. Section 5-4-121 Definitions, Amended.

a. The following definition shall be added to Section 5-4-121:

Off-premise sign. A sign which directs attention to a business, commodity, service or event that is conducted, sold or offered at a location other than the premises on which the sign is located.

b. The existing defition of "On-premise sign" in Section 5-4-121(b) is amended to read as follows:

On-premise sign. A sign which directs attention to a business, commodity, service or event that is conducted, sold or offered on the premises on which the sign is located.

Section 3. Section 5-4-124 Sign regulations by zoning district. Amended. Section 5-4-124(a) of the City Code is amended by inserting the following:

(5) Residential subdivisions may have one sign at the entrance identifying only the subdivision, not exceeding twenty-eight (28) square feet in total area and not more than seven (7) feet high.

Section 4. Section 5-4-124 Sign regulations by zoning district. Amended. Section 5-4-124(c) of the City Code is amended, to read as follows:

(c). Off-premise signs. Except as set forth hereinbelow, as of the effective date of this ordinance, off-premise signs shall not be allowed within the City of Isle of Palms:

(1) The City of Isle of Palms may erect off-premise signs to provide information about, or direction to areas and activities within the City.

(2) All off-premise signs existing within the City as of the effective date of this ordinance which do not conform to the provisions of this ordinance shall be removed within one and one-half (1 1/2) years of said effective date.

Section 5. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 6. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 1/24/91
Second Reading: 2/28/91
Public Hearing: 3/13/91
Third Reading: _____
Ratification: _____

MEMORANDUM

TO: Mayor Carmen Bunch and Members of City Council
FR: Lee Batchelder, Planning Consultant
DA: April 17, 1991

RE: Off-Premises Signs Ordinance, 1991-3

The Planning and Zoning Commission recommended approval of an amended version of the Off-Premises Sign Ordinance at its April 10, 1991, meeting.

The changes to the original ordinance include adding a definition of off-premises signs, changing the wording of the new section allowing the city to erect signs to accommodate a broader range of signs and adding an additional section to allow existing subdivision entrance signs to remain. The last addition is important because the Wild Dunes sign at 41st and Palm Boulevard would be considered an off-premises sign and be required to be removed although the sign at the entrance to Wild Dunes could remain.

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-3
Third Reading Draft - 4/25/91

AN ORDINANCE TO BAN OFF-PREMISES SIGNS

WHEREAS, City Code Section 5-4-124(c) allows for limited off-premises signs under specified conditions; and

WHEREAS, City Council finds that the proliferation of off-premises signs will adversely affect the aesthetic and residential characteristics of the City; and

WHEREAS, City Council further finds that existing businesses possess adequate opportunity for advertisement through the use of on-premises signs, informational signs provided by the City and promotional materials prepared under the auspices of the City and the Trident Chamber of Commerce with the use of accommodations tax funds; and

WHEREAS, City Council wishes to afford the owners of the few existing off-premise signs within the City with the opportunity to amortize their investments in said signs; and

WHEREAS, City Council is authorized to amend its zoning regulations pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to ban off-premise signs within the City of Isle of Palms.

Section 2. Section 5-4-121 Definitions, Amended. The following definitions shall be added to Section 5-4-121:

Off-premise sign. A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Section 3. Section 5-4-124 Sign regulations by zoning district. Amended. Section 5-4-124(a) of the City Code is amended by inserting the following:

(5) Residential subdivisions may have one sign at the entrance identifying only the subdivision, not exceeding twenty-eight (28) square feet in total area and not more than seven (7) feet high.

Section 4. Section 5-4-124 Sign regulations by zoning district. Amended. Section 5-4-124(c) of the City Code is amended, to read as follows:

(c). Off-premise signs. Except as set forth hereinbelow, as of the effective date of this ordinance, off-premise signs shall not be allowed within the City of Isle of Palms:

(1) The City of Isle of Palms may erect off-premise signs to provide information about, or direction to areas and activities within the City.

(2) All off-premise signs existing within the City as of the effective date of this ordinance which do not conform to the provisions of this ordinance shall be removed within one and one-half (1 1/2) years of said effective date.

Section 5. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 6. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____
Public Hearing: _____
Second Reading: _____
Third Reading: _____
Ratification: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-10
Third Reading Draft - 4/25/91

AN ORDINANCE TO REPEAL PROVISIONS REGARDING PERSONNEL ADMINISTRATION

WHEREAS, in 1989, the City of Isle of Palms adopted a personnel manual which sets forth the parameters and limitations of employment with the City; and

WHEREAS, City Council finds that the provisions of said personnel manual may conflict with some provisions of Title I, Chapter 6 of the City Code, most of which were adopted in 1979; and

WHEREAS, City Council is advised that the rights of the City and its employees are best protected through the continued use of its personnel manual, and the elimination of potentially conflicting provisions of the City Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to repeal provisions of the City Code regarding personnel administration.

Section 2. Sections Repealed. The following sections of the City Code are hereby repealed:

Sec. 1-6-1	Sec. 1-6-8
1-6-2	1-6-9
1-6-3	1-6-10
1-6-4	1-6-11
1-6-5	1-6-12
1-6-6	1-6-13
1-6-7	

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding

shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT K
Revision per
Bill Dreyfoot
4/25/91

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-18
Second Reading Draft - 4/25/91

AN ORDINANCE TO PROTECT SEA TURTLES BY RESTRICTING OUTDOOR LIGHTING IN BEACH AREAS.

WHEREAS, the City of Isle of Palms' beaches serve as nesting habitat for sea turtles; and

WHEREAS, coastal development threatens the survival of sea turtles because the artificial light causes disorientation in young hatchlings and nesting adults; and

WHEREAS, the sea turtle is an essential member of the food chain and has been identified as a threatened and endangered species; and

WHEREAS, the protection of sea turtle hatchlings is of significant public interest; and

WHEREAS, this Ordinance is necessary to protect the natural reproductive cycle of the sea turtle during the nesting and hatching season which runs from May 1 through October 31 of each year; and

WHEREAS, South Carolina Electric and Gas Company has promoted the restriction of outdoor lighting to protect sea turtle nesting and hatchlings.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the threatened and endangered sea turtles which nest along the beaches of the City of Isle of Palms by safeguarding the hatchlings from sources of artificial light.

Section 2. New Section Created. A new Title 5, Chapter 5, is added to the City Code to read as follows:

Section 5-5-1. Definitions. For the purpose of this Section, the following terms shall have the meaning set forth in this Section:

A. Artificial Light. Any source of light emanating from a man-made device, including but not limited to incandescent, mercury vapor, metal halide, or sodium lamps, flashlights, spotlights, street lights, vehicular lights, construction or security lights.

B. Floodlight. Reflector type light fixture which is attached directly to a building and which is unshielded.

C. Low Profile Luminary. Light fixture set on a base which raises the source of the light no higher than forty-eight (48) inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

D. New Development. Shall include new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting.

E. Existing Development. Any structure for which a building permit has been issued by the City of Isle of Palms Building Department prior to the effective date of this Ordinance.

F. Person. Any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit, or federal, state, county of municipal government.

G. Pole Lighting. Light fixture set on a base or pole which raises the source of the light higher than forty-eight (48) inches off the ground.

Section 5-5-2. New Development. No artificial light shall illuminate any area of the beach. To meet this intent, building and electrical plans for construction of single-family or multi-family dwellings, commercial or other structures, including electrical plans associated with parking lots, dune walkovers or other outdoor lighting for real property if lighting associated with such construction or development can be seen from the beach, shall be in compliance with the following:

A. Floodlights shall be prohibited. Wall mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.

B. Pole lighting shall be shielded in such a way that the point sources of light will not be visible from the beach. Outdoor lighting shall be held to the minimum necessary for security and convenience.

C. Low profile luminaries shall be used in parking lots and such lighting shall be positioned so that no light illuminates the beach.

D. Dune crosswalks shall utilize low profile shielded luminaries which shall be turned off from 10:00 p.m. to sunrise during the period of May 1 to October 31 of each year.

E. Temporary security lights at construction sites shall not be mounted more than fifteen (15) feet above the ground. Illumination from the lights shall not spread beyond the boundary

of the property being developed and in no case shall those lights illuminate the beach.

Section 5-5-3. Existing Development The provisions of Section 5-5-2 shall not apply to existing development.

Section 5-5-4. Use of Lighting for Both New and Existing Development. It is the policy of the City of Isle of Palms for both new and existing development that no artificial light shall illuminate any area of the beach. To meet this intent, lighting of structures which can be seen from the beach shall be in compliance with the following within six (6) months of the effective date of this ordinance.

A. Lights illuminating buildings or associate grounds for decorative or recreational purposes shall be shielded or screened such that they are not visible from the beach, or turned off from 10:00 p.m. to sunrise during the period of May 1 to October 31 of each year.

B. Lights illuminating dune crosswalks of any area oceanward of the dune line shall be turned off from 10:00 p.m. to sunrise during the period of May 1 to October 31 of each year.

C. Security lighting shall be permitted throughout the night so long as low profile luminaries are used and screened in such a way that those lights do not illuminate the beach.

Section 5-5-5. Publicly Owned Lighting. Street lights and lighting at parks and other publicly owned beach access areas shall be subject to the following:

A. Street lights shall be located so that most of their illumination will be directed away from the beach. These lights shall be equipped with low pressure sodium bulbs and shades or shields that will prevent backlighting and render them not visible from the beach.

B. Lights at parks or other public beach access points shall be shielded or shaded or shall not be utilized during the period of May 1 to october 31 of each year.

Section 5-5-6. Enforcement and Penalty. This Section shall be enforced in accordance with the provisions of Section 1-3-66 of the City Code.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall

not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon ratification by the City Council of the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: September 27, 1990

Second Reading: _____

Third Reading: _____

Ratification: _____

MEMORANDUM

TO: Mayor Carmen Bunch and Members of City Council
FR: Lee Batchelder, Planning Consultant
DA: April 17, 1991

RE: Fence Height Ordinance, 1990-15

The Planning and Zoning Commission recommended approval of the attached amended fence height ordinance at its March 13, 1991, meeting.

The recommended changes to the original ordinance include limiting the height of fences within required setbacks of residentially zoned property to four feet, except where a property abuts non-residential property in which case fences may extend to a height of six feet. Within the building envelope (the buildable area of a lot), fences may extend to a maximum height of six feet. The attached drawing shows how these restrictions apply to a typical lot. The Commission believes that this change will better address the concern for protecting views to the water and preventing obstruction of breezes.

The Commission also recommends prohibiting the use of masonry or heavy timber fences or walls in the V zone flood zone to prevent the hazards of debris loading during flood situations.

CITY OF ISLE OF PALMS, SOUTH CAROLINA
ORDINANCE NO. 1990-15

AN ORDINANCE TO REGULATE THE HEIGHT AND LOCATION OF FENCES ON ALL PROPERTY ON THE ISLE OF PALMS.

WHEREAS, the City wishes to regulate fences on all property on the Island for the purpose of maintaining open vistas, of preventing obstruction of breezes, and of lessening the hazards of fences in V-zone flood zones caused by debris loading during storms, and

WHEREAS, such regulation would constitute an amendment to the City's zoning ordinance, and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that

Section 1. Purpose. This ordinance is adopted to regulate the height and location of fences on all property on the Isle of Palms.

Section 2. New Section Created. A new Section 5-4-19 is added to the City Code, to read as follows:

Section 5-4-19 Fence Regulations.

(a) Definition of a fence: A fence is any man-made barrier that impedes or blocks free physical passage of humans or animals. It may or may not block line-of-sight vision or free flow of wind or water.

(b) Determining the Height of Fences. The height of a fence shall be determined by measuring the vertical distance from the natural grade at the location of the fence to the highest part of the fence at that location. Raising the natural grade to allow taller fences is prohibited.

(c) The maximum height of fences shall be as follows:

(1) Within SR-1, SR-2, and PRD zoning districts.

a. Within the required frontyard, rearyard and sideyard setbacks, fences shall not exceed four feet in height.

b. Outside the required frontyard, rearyard and sideyard setbacks, fences shall not exceed six feet in height.

(2) In all other zoning districts.

a. Fences shall not exceed eight feet in height.

(d) Additional Requirements.

(1) Fences utilizing heavy timber or masonry construction are prohibited within the V-zone flood zone as determined by the current FEMA maps.

(e) Exceptions.

(1) For SR-1, SR-2 or PRD zoned property abutting property used primarily for non-residential uses, or zoned Multi-family or Commercial. Fences within required frontyard, rearyard and sideyard setbacks which abut residentially zoned property used primarily for non-residential uses, or zoned LC (Limited Commercial), GC-1 (General Commercial), GC-2, or MF (Multi-family), may extend to a maximum height of six feet.

(2) Swimming pools. All fences surrounding swimming pools in residentially zoned areas shall be allowed to extend to a height of six feet.

(3) Nothing contained herein shall be deemed to modify the requirements of visibility at street intersections as specified in Sections 5-4-13 of the City Code.

(4) Nonconforming fences. Any fence so existing as of the ratification of this Ordinance shall be considered a legal, nonconforming, preexisting condition. Upon any such nonconforming fence being destroyed and/or damaged beyond repair (including falling into a state of disrepair due to lack of maintenance), such fences, or portions of fences, being replaced, shall fully comply with all of the terms and conditions of this Ordinance.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

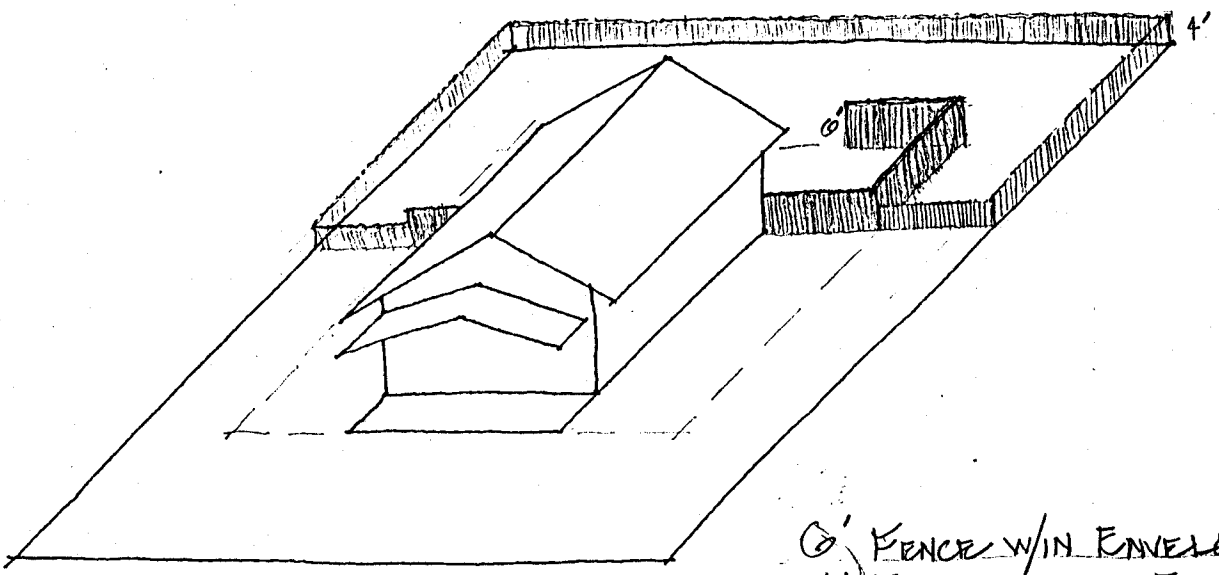
First Reading:_____

Public Hearing:_____

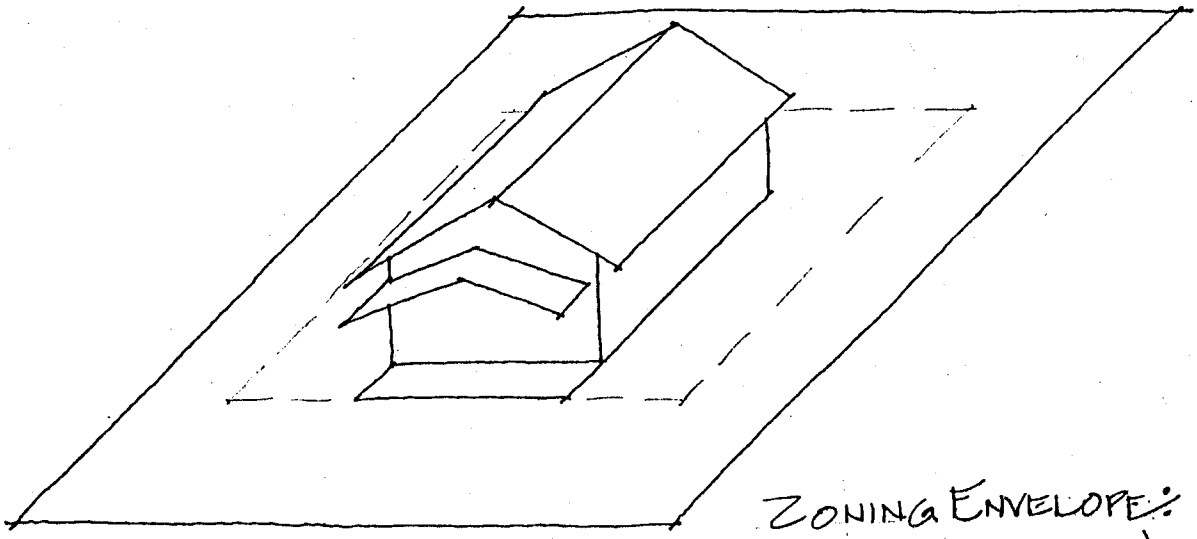
Second Reading:_____

Third Reading:_____

Ratification:_____



6' FENCE W/IN ENVELOPE
4' FENCE OUTSIDE ENVELOPE



ZONING ENVELOPE:
defined by required setbacks

EXHIBIT M

MEMORANDUM

TO: Mayor Carmen Bunch and Members of City Council
FR: Lee Batchelder, Planning Consultant
DA: April 17, 1991

RE: Waterfront District Ordinance, 1990-16

The Planning and Zoning Commission recommended denial of the Waterfront District Ordinance at its April 10, 1991, meeting.

My recommendation to the Commission also was for denial. I recommended denial because I believe that there are other ways to address the issues raised by this ordinance.

My understanding of the ordinance is that it is aimed primarily at restricting the density of three areas of the island: the oceanfront property along Ocean Boulevard, the oceanfront property in front of homes on Palm Boulevard from 21st Avenue to 41st Avenue, and the golf course area along Waterway Boulevard.

With regard to the Ocean Boulevard property, the density is already set. The main concern here is the size of the homes being built and the limited views to the ocean that will result from buildout of the lots under the existing ordinance. A more substantial change to existing regulations than what is proposed in the Waterfront Ordinance would be required to address this concern.

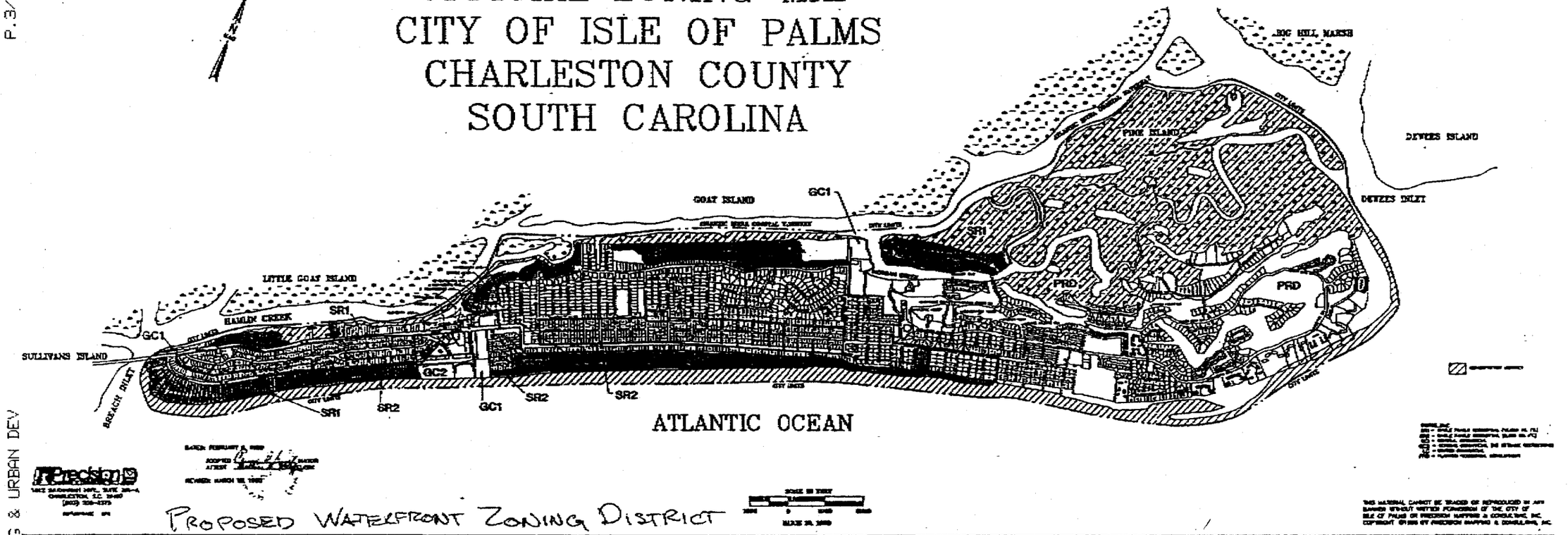
With regard to the oceanfront property along Palm Boulevard, there seems to be disagreement as to whether this could be developed. If we assume, as the ordinance does, that the property could be developed in the future, then I agree that it is wise to determine what type of development should occur. Placing the Waterfront District requirements on this property will guarantee construction of the same size homes currently being constructed along Ocean Boulevard. There is a proven market for this size home and the result would be homes out of scale with the neighboring homes and affordable to only a very small segment of the population.

I recommend further study of this property to determine if there is in fact any potential for development. If there is not, I recommend rezoning it Conservation.

With regard to the golf course along waterway, because much of this property is wetlands, and because there is currently a viable use which is allowed under Conservation, I recommend initiating action to rezone the property to Conservation.

The remaining lots to be covered under the proposed ordinance, with the exception of a few lots, could not be subdivided due to a lack of adequate lot frontage and/or lot area.

OFFICIAL ZONING MAP
CITY OF ISLE OF PALMS
CHARLESTON COUNTY
SOUTH CAROLINA



PROPOSED WATERFRONT ZONING DISTRICT

THIS MATERIAL CANNOT BE TRACED OR REPRODUCED IN ANY MANNER WITHOUT WRITTEN PERMISSION OF THE CITY OF ISLE OF PALMS OR PRECISION MAPPING & CONSULTING, INC.
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APR 18 '91 07:24PM PLANNING & URBAN DEV

CITY OF ISLE OF PALMS

ORDINANCE 1990-## 16

1ST READING DRAFT - <<date>>

AN ORDINANCE TO AMEND THE CITY OF ISLE OF PALMS' ZONING ORDINANCE

WHEREAS, pursuant to Sections 6-7-510 et. seq. and Sections 5-23-10 et. seq. of the South Carolina Code of Laws, 1976, as amended, the City of Isle of Palms has adopted a Comprehensive Plan to guide and coordinate the future growth and development of the City; and

WHEREAS, various problems and inconsistencies with the city's present zoning in some areas and the objectives of the planning Commission, City Council, the presently properly adopted Comprehensive Plan, and the public input received prior to its adoption have become apparent following the events of Hurricane Hugo. Such problems having clearly existed but been overlooked and only now being easily identifiable due to large scale rebuilding and redevelopment following Hurricane Hugo.

WHEREAS, the creation of a waterfront classification (WF) would assist in the goal of low density residential housing in areas where the lowest possible density meets legitimate goals of the City under its present Comprehensive plan including but not limited to, (1) all those naturally associated with low density single family residential neighborhoods, (2) preservation of environmental interest by limiting use of land in sensitive areas, (3) preserving the aesthic character of a Island community by maximizing air flow, breezes and view of water from and to other areas of the City.

WHEREAS, following extensive preparation and public input, including a public hearing held pursuant to Section 6-7-530 of the South Carolina Code of Laws, 1976, as amended, the Cities planning Commission has prepared proposed amendments to the City's Zoning Ordinance, and a new Zoning map based on said amendments, and has submitted said proposed amendments to City Council for approval; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

The attached map indicates in Red the areas determined appropriate for classification in a new Waterfront Zoning District.

AND...

The following sections and modifications to existing sections of the Isle of Palms Code of Ordinances are hereby made:

(1) Section 5-4-21 is amended to add as item Number 9 the following:

...

(9) WF Waterfront District

(2) New Section 5-4-24 is hereby created as follows:

Sec. 5-4-24 WF - Waterfront District

In addition to all other requirements mandated by this chapter and other city ordinances, the requirements for the WF district shall be as follows:

Section 1. Purpose.

(a) To provide for quiet, low density residential neighborhoods on lots having and area of 25,000 square feet or more.

(b) To require sensitive development in waterfront areas likely to be affected adversly by intensive development.

(c) To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single family use.

(d) To encourage the cessation of non-conforming uses.

(e) To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

Section 2. Permitted Uses.

All uses permitted in the SR-1 district.

Section 3. Conditional Uses

All conditional uses permitted in the SR-1 district

Section 4. Minimum Lot Requirements

(a) Lot Area:	25,000 square feet
(b) Lot Width:	Same as SR-1 District
(c) Lot depth:	Same as SR-1 District
(d) Lot frontage:	Same as SR-1 District

Section 5. Minimum Yard requirements

~~Same as SR-1 District~~ 12' side yard

a. Frontyard: 30 ft
b. Sideyard: 12 ft
c. Rearyard: 30 ft

Section 6. Maximum Height: 40 feet

Section 7. ~~Maximum Building Footprint to Lot Size Ratio: 40%~~ Percentage of Lot Permitted to be Occupied by Structure: 35%

Section 8. Double frontage lots shall be prohibited.

Section #. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section #. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19

X
CARMEN R. BUNCH, MAYOR

X
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS
ORDINANCE 1990-16
2ND READING DRAFT - APRIL 25, 1991

AN ORDINANCE TO AMEND THE CITY OF ISLE OF PALMS' ZONING ORDINANCE

WHEREAS, pursuant to Sections 6-7-510 et. seq. and Sections 5-23-10 et. seq. of the South Carolina Code of Laws, 1976, as amended, the City of Isle of Palms has adopted a Comprehensive Plan to guide and coordinate the future growth and development of the City; and

WHEREAS, various problems and inconsistencies with the city's present zoning in some areas and the objectives of the planning Commission, City Council, the presently properly adopted Comprehensive Plan, and the public input received prior to its adoption have become apparent following the events of Hurricane Hugo. Such problems having clearly existed but been overlooked and only now being easily identifiable due to large scale rebuilding and redevelopment following Hurricane Hugo.

WHEREAS, the creation of a waterfront classification (WF) would assist in the goal of low density residential housing in areas where the lowest possible density meets legitimate goals of the City under its present Comprehensive plan including but not limited to, (1) all those naturally associated with low density single family residential neighborhoods, (2) preservation of environmental interest by limiting use of land in sensitive areas, (3) preserving the aesthic character of a Island community by maximizing air flow, breezes and view of water from and to other areas of the City.,

WHEREAS, following extensive preparation and public input, including a public hearing held pursuant to Section 6-7-530 of the South Carolina Code of Laws, 1976, as amended, the Cities planning Commission has prepared proposed amendments to the City's Zoning Ordinance, and a new Zoning map based on said amendments, and has submitted said proposed amendments to City Council for action; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

The attached map indicates in Red the areas determined appropriate for classification in a new Waterfront Zoning District.

AND...

The following sections and modifications to existing sections of the Isle of Palms Code are hereby made:

(1) Section 5-4-21 is amended to add as item Number 9 the following:

...

(9) WF Waterfront District

(2) New section 5-4-24 is hereby created as follows:

Sec. 5-24-24 WF - Waterfront District

In addition to all other requirements mandated by this chapter and other city ordinances, the requirements for the WF district shall be as follows:

Section 1. Purpose.

(a) To provide for quiet, low density residential neighborhoods on lots having an area of 25,000 square feet or more.

(b) To require sensitive development in waterfront ares likely to be affected adversly by intensive development.

(c) To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single family use.

(d) To encourage the cessation of non-conforming uses.

(e) To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

Section 2. Permitted Uses

(a) Detached, single family residence.

(b) Customary home occupations.

(c) Acessory uses.

Section 3. Conditional uses.

(a) Elementary and secondary schools offering general education courses.

(b) Public park, playground

(c) Church, synagogue, or other place of worship.

(d) Municipal buildings, including (but not limited to) fire and police stations.

(e) Group dwellings

(f) Golf courses

Section 4. Minimum Lot Requirements

(a) Lot Area:	25,000 square feet.
(b) Lot Width:	70 feet measured at building line.
(c) Lot Depth:	110 feet.
(d) Lot Frontage:	60 feet on a public street; 30 feet on public streets on cul-de-sac.

Section 5. Minimum Yard Requirements

(a) Frontyard:	30 feet
(b) Sideyard:	12.5 feet
(c) Rearyard:	30 feet

Section 6. Maximum Height: 40 feet

Section 7. Maximum Building footprint to lot ratio: 40%

(a) Compliance with this ratio shall be determined by considering only the buildable land included in the lot and its relationship to the footprint of the structure.

(b) For the purposes of this section "buildable land" means only the land not included in the Critical Area as defined and determined by the South Carolina Coastal Council.

Section 8. Double frontage lots shall be prohibited.

(3) Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

(4). Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

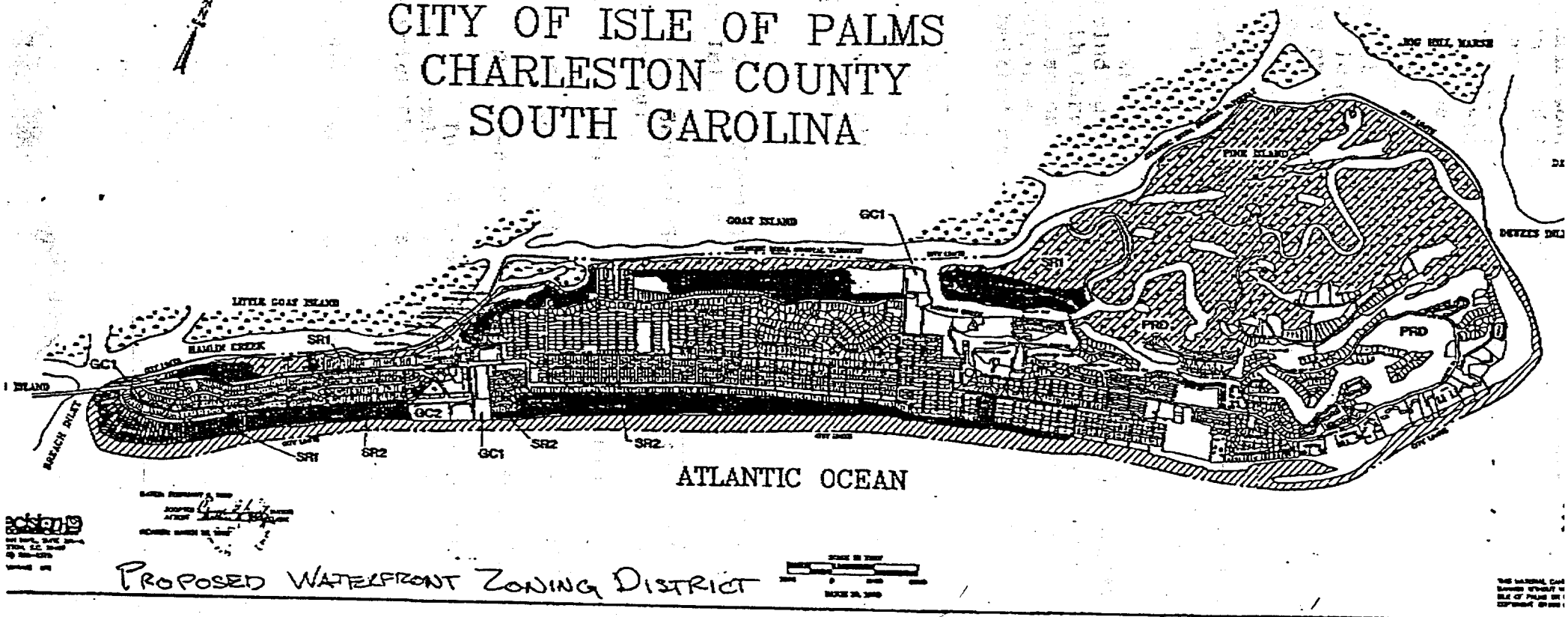
PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: , 1990
Public Hearing:
Second Reading:
Third Reading:
Ratification:

OFFICIAL ZONING MAP
CITY OF ISLE OF PALMS
CHARLESTON COUNTY
SOUTH CAROLINA



PROPOSED WATERFRONT ZONING DISTRICT

A RESOLUTION

WHEREAS, support for a recycling program on the Isle of Palms is an objective of the City; and

WHEREAS, the City of Isle of Palms has established a recycling program since 1990 to help with the problem of solid waste disposal; and

WHEREAS, the City is committed to providing a 25% local match to the Office of the Governor, Division of Energy, Agriculture and Natural Resources to secure funds in expanding the City's recycling program; and

NOW, THEREFORE, BE IT RESOLVED THAT, Carmen R. Bunch, in her capacity as Mayor of the City of Isle of Palms, is authorized to apply for $75,000.00 from the Governor's Office, Division of Energy, Agriculture and natural Resources by signing the appropriate required documents.

BE IT ADDITIONALLY RESOLVED THAT the City of Isle of Palms understands that the City must provide local matching funds from City sources.

ADOPTED this 25th day of April, 1991.

Carmen R. Bunch, Mayor
City of Isle of Palms

ATTEST:

Nellie S. McDuffie
Clerk-Treasurer



EXHIBIT O

APRIL 4 1991 MINUTES ADDENDUM

1. NeSmith-Picard asked for confirmation that Highway Dept would consider all 3 ~~3~~ closing connection between Palm Blvd and Pavilion. ~~the~~
(2) Making Pavilion one-way to SC Loop Blvd and
(3) making no add'l changes to Carolina Blvd

EXHIBIT P

CORRECTIONS TO THE MINUTES OF THE ISLE OF PALMS CITY COUNCIL REGULAR MEETING OF MARCH 28, 1991

D.1. 2nd paragraph, "Ms. NesSmith-Picard asked about her request ..." should be changed to "Ms. NesSmith-Picard asked about Council's January 25th request ..."

D.1. 2nd paragraph, add the following to end of the paragraph: "Ms. NesSmith-Picard stated that a memo outlining the content of the desired financial report was provided to all Council members at the February Council meeting. The City Administrator requested a copy of the memo and committed to take action upon its receipt."

NOT ON TAPE

D.1. 4th paragraph, After the statement, "Mr. Ward then asked for a roll call vote on his amendment:", add the following: "Ms. NesSmith-Picard called point of order on the basis that when a question is postponed, all adhering motions go with it. The Chair ruled that the roll call vote be taken on the amendment:"

D.1. 8th paragraph, delete: "to reduce the price by one half," Change "direct John Gardner to proceed with new drawings" to "direct the architect, John Gardner to use the new design so the total project cost not exceed $81,000" During discussion, Ms. NesSmith-Picard commended Mayor Bunch in obtaining $90,000 from County Council and stated that rather spend $160,000 on the restrooms that Council consider incorporating PRC's recommendations since they are the experts in restroom construction. Their recommendations included: reduce the number of stalls, provide unisex handicapped access, and design safer restroom entrances. The architect (John Gardner) and PRC jointly reviewed the plans and agreed that the total cost of the new design would be no more than $80,000. John Gardner also agreed to revise the existing drawings for free. Ms. NesSmith-Picard stated that restrooms should be built to meet the interim needs until the County Park restrooms are built in 5 years. At that time, the City's restrooms, if designed approriately, could possibly be turned over to PRC as part of a village concept. Lowering the cost of the restrooms would also allow the remaining $56,000 in the Accommodation Tax Fund to be used for other expenses such as parking lot payments, restroom maintenance or tourism related expenses."

2. 6th paragraph, "DATE program" should be "DARE program."

3. 6th paragraph, Reword Ms. NesSmith-Picard also commended ..." to read "Ms. NesSmith-Picard also commended Leola Hanbury, Darraugh Simon, Bob Hooker, Public Works Dept. Head, Andy Parrish, and all others involved, for their efforts in the recycling program."

4. 1st paragraph, Reword first paragraph to read "Ms.

NesSmith-Picard asked Council to consider establishing a Connector Impact Committee. This committee could meet monthly and a Highway Dept. official could give status reports and answer questions concerning the construction of the Connector. The committee should have no more than 3 Council members and some number, determined later by Council, of resident members.

pg 73

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
MARCH 28, 1991, 7:00 P.M.
EXCHANGE CLUB

The Regular Meeting of the Isle of Palms City Council was held at 7:00 p.m., on March 28, 1991, at the Exchange Club. After the Pledge of Allegiance and Invocation, Roll Call was taken. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, and Watson; City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary. Council Member Orvin arrived a few minutes later.

The Mayor asked for a motion to move Council Member Sottile's introductory talk to the present time; Mr. Watson so moved; Mr. Simon seconded; passed unanimously.

As this meeting was the first to be taped for the television audience by Storer Cable, Mr. Sottile gave a brief introductory speech to viewers

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. February 28, 1991 - Regular City Council Meeting - Mr. Watson made a motion that the minutes be accepted as written; Mrs. Swanson seconded. Mrs. Swanson corrected paragraph B(1) line 3 to read "boards and commissions". Ms. NesSmith-Picard corrected the third paragraph of Section D(2) to itemize her recommendations on the boat ramp problem. As there were no other corrections, vote was taken and the minutes with corrections were approved unanimously.

2. March 11, 1991 - Special City Council Meeting - Mr. Ward made a motion that the minutes be accepted as written; Mr. Sottile seconded, motion passed unanimously.

3. March 14, 1991 - Special City Council Meeting - Mr. Ward made a motion that the minutes be accepted as written; Mr. Holden seconded, motion passed unanimously.

C. CITIZENS' COMMENTS

1. Dan McKay - not present.
2. Jimmy Carroll - withdrew.
3. Sid Allison - Mr. Allison spoke concerning the proposed resolution for a boat ramp underneath the Connector. He stated that there would be significant environmental impact as well as traffic impact on the neighborhood. There is no deep water at this location meaning that the marsh would have to be filled or a channel dredged which would significantly destroy a large part of the marshlands. The impact on traffic would be significant by adding a large number of cars and trailers in an already congested area with the shopping center and major intersection at the Connector. Mr. Allison asked Council to consider these problems before urging the Highway Department to put a boat ramp in this area.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Ward presented the minutes of their meeting of March 25, 1991 (Exhibit A).

Ms. NesSmith-Picard asked about her request for information on the General Ledger accounts which was to be provided at this Council meeting. Mr. Ward stated that the delay was due to the installation of a new computer system, the fact that the new Finance Director will not be starting work until April 8th, and that the committee has asked her for an itemized list of which accounts she would like to see.

Mr. Ward asked the City Administrator the status of the addition to City Hall for an office for the Finance Director. Mr. Williams stated that the

Building Inspector has offered to take on this project and is now in the process of lining up subcontractors to do the work. The telephone company and the water company have been contacted about enlarging their facilities also.

Mr. Ward asked the City Administrator about estimates to build the wall between the Coates' property and the new municipal building. Mr. Williams stated that a wooden fence would cost approximately $3,975; and a concrete wall would cost upwards of $12,000-$15,000. Mr. Ward then made a motion that City Council approve the construction of an eight foot masonry wall between the city property and the residential property on Palm Boulevard at a cost not to exceed $15,000; Mr. Orvin seconded. Upon discussion, Mr. Holden moved to suspend the rules of order and allow Judy Coates to answer questions; Mr. Ward seconded, motion passed unanimously. Mr. Orvin asked Mrs. Coates how the neighbors might feel about this wall. Mrs. Coates stated that she didn't know how the neighbors felt about it, that their property would be mainly affected by it, and that they would work with Council to come up with the best wall to lessen noise. After further discussion, it was the consensus of Council that they should study the variables on types of fences, obtain some drawings or other visual representations before voting on a particular type of fence. Mr Holden made a motion to postpone voting on this matter until further information has been obtained; Ms. NesSmith-Picard seconded. Roll call vote was taken on the postponement: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 8-1. Mr. Ward then asked for a roll call vote on his amendment: Holden - Abstain; NesSmith-Picard - Abstain; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 2-5-2.

what was the amendment

Mr. Ward reported that there was a discussion on the requested compensation survey at the Ways & Means Committee meeting and that Mr. Sottile has been working on this project and they expect to have a full report at the next committee meeting.

Mr. Ward made a motion to approve the transfer $29,000 from the General Fund to the Accommodations Tax Fund to be used for construction of the public restrooms; Ms. NesSmith-Picard seconded. Mayor Bunch reported to Council that she had attended the Charleston County Council Meeting today and had asked them for financial help in building the restrooms. County Council promised to provide the City with $91,000 towards the restrooms and boardwalk. These additional funds would give the City more than enough money to construct the restrooms per the low bid and the funds will be provided on July 1st. Mayor Bunch stated that she will continue to lobby area governments for funds for maintenance and personnel for the restrooms. Mr. Holden made a motion to award the low bid to Endecon and to prepare the contract for immediate signature; Mr. Ward seconded; motion passed unanimously. Mr. Ward amended his original motion that the $29,000 be used for future maintenance of the restrooms; Mr. Watson seconded; amendment passed unanimously. Mr. Ward then amended his original motion to state that construction begin immediately; Mr. Sottile seconded, motion and amendment passed unanimously.

Mr. Orvin publicly expressed his appreciation to everyone for getting this project accomplished. He stated that Betty Wannamaker was a great help from the beginning; Helen Clarkin has been working behind the scenes with County; and thanks to Mayor Bunch for persevering; that no tax payer money will have to be used for this project. Mr. Simon also congratulated the County in recognizing that the Isle of Palms restroom project was a County obligation.

Ms. NesSmith-Picard made a motion to scale down the restroom design, to reduce the price by one half, to meet the needs in the interim until the park is built and to direct John Gardner to proceed with new drawings; Mr. Ward seconded. After discussion, motion was defeated.

2. Police and Public Safety. Chairman Sottile presented the minutes of their March 14, 1991 Special Meeting (Exhibit B) and their March 21, 1991, regular meeting (Exhibit C).

Mr. Sottile made a motion that the City acquire from the Highway Department that portion of Oak Harbor Boulevard from 13th Avenue to the southeast end of the SCE&G substation; Mr. Simon seconded. Ms. NesSmith-Picard asked that we defer this matter until the drainage problem is corrected. Mr. Williams stated that he has not received a response from the Highway Department regarding the no parking signs. He also stated that a solution to the drainage problem may be more complicated than at first discussed and that he is still looking into this matter. After further discussion, the motion and second were withdrawn.

Mr. Sottile made a motion that the City permanently close Oak Harbor Boulevard at the southeast end of the substation preferably with a planted berm if drainage is permitted; Mr. Ward seconded. After discussion, Mr. Ward amended the motion that the berm be placed if and when we take over Oak Harbor from the Highway Department; Mr. Holden seconded. Motion with amendment passed unanimously.

Mr. Watson made a motion that the City take up the placement of fire hydrants at the intersections of Oak Harbor and 12th Avenue, and Oak Harbor and 13th Avenue during the budget process; Mr. Sottile seconded. After discussion, the motion and second were withdrawn.

Mayor Bunch stated that the ground breaking ceremony for Fire Station #2 which had been scheduled for March 22nd will not be on April 2nd at 5:00 p.m.

Mayor Bunch stated that she had written a letter of commendation to Chief Arnold and his men concerning the work that is being done on the drug situation and a letter of commendation to Officer David Fox for his work on crime prevention. She also commended Officer Janice Stewart for her work with the DATE* DARE program.

3. Public Works - Chairman NesSmith-Picard presented the minutes of their March 18, 1991 meeting (Exhibit D).

Mr. Orvin commended Sarge, the Recycling Committee and Melinda for a job well done in our recycling program.

Mr. Holden noted the number of letters being sent to Charleston County Public Works about putting drainage pipes in ditches around residences. He stated that he had heard that this could cause a problem with the water table and septic systems and asked this to be checked into further.

Mr. Ward asked the City Administrator for a status report on the dog kennels. Mr. Williams stated that the dog kennels will be built on the site of the current Public Works trailer as soon as possible after the trailer is moved.

Mr. Ward asked that Sarge Parrish be asked to take down the "no picnic lunch allowed on beach" signs at Breach Inlet.

Mayor Bunch stated that our recycling program was started in 1989 by Joan Olsen and Sue Dowd. The Mayor wanted to state for the record that their efforts were greatly appreciated. Ms. NesSmith-Picard also commended Leola Hanbury* and Bob Hooker for their efforts in the recycling program.

4. Engrossed Bills - Chairman Holden presented the minutes of their March 20, 1991, meeting (Exhibit E).

Mr. Ward questioned whether or not the amended Accessory Use ordinance included playhouses and tool sheds. Mr. Batchelder stated that they were

intended to be included. Mr. Dreyfoos stated that it was uncertain as stated in the ordinance and if these items were to be allowed, that the ordinance should remain as currently written. Mr. Ward stated that many of the smaller houses have limited storage space and need a shed.

5. Recreation - Chairman Orvin presented the minutes of their March 26, 1991, meeting (Exhibit F).

Mr. Orvin publicly thanked the Commerce Association for their assistance in providing some funds to install tennis court lights.

Mr. Orvin reported that the Isle of Palms Recreation Center is one of the last places at which persons can play basketball free of charge. The residents are now being overrun by non-residents on Saturdays. To alleviate the problem, the Department has begun charging non-residents $3.00 to play. Mr. Ward asked to have Council's approval of this policy. Mayor Bunch suggested that Mr. Dreyfoos check into the legality of this and report back to Council.

Mr. Orvin commended Recreation Director, Stacey Wilson for the fine job she has done. This was also echoed by Mayor Bunch.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - Minutes attached as Exhibit G

2. Planning Commission - Lee Batchelder presented the minutes of their March 13, 1991, meeting (Exhibit H).

Plat Approval - Acreage Plat Dividing Tract 3 into Tract 3b, Tract 3c, and Tract 3d, Located on 41st Avenue in the City of Isle of Palms, Charleston County, South Carolina. Mr. Batchelder stated that the Commission recommended approval of the plat. Mr. Ward made a motion to approve said plat; Mr. Watson seconded. After discussion, during which Foster Clark of Wild Dunes pointed out a mix-up in plats, motion was passed 6-2 with one abstention.

Ms. NesSmith-Picard thanked Lee Batchelder and Guy Taylor in providing the plat submittal form.

3. Building Committee - No report.

4. Beach Patrol & Control Board - minutes attached as Exhibit I. Mr. Simon stated that there would be a special work session on April 3, 1991, at 7:00 p.m., at City Hall, with members of Coastal Council in attendance.

5. Personnel Committee - No report.

6. Dewees Committee - Mayor Bunch reported that we were still waiting for appeal date on the hearing. Although the City has committed up to $2,000 toward this appeal, no bills have been received at this time. There was some discussion on this matter.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading - Ordinance 1991-4 - An Ordinance to Limit the Placement of Refuse for Collection. (Exhibit J) Mr. Ward made a motion to approve third reading of Ordinance 1991-4; Mr. Orvin seconded. Mayor Bunch stated that in order to change an ordinance at third reading there must be unanimous consent. Mrs. Swanson moved that a change be allowed; Mr. Watson seconded, motion to

change passed unanimously. After discussion, it was suggested that the word "only" be inserted in Section 2(b) so that it would read "All refuse placed for collection shall be deposited **only** on the unpaved right-of-way in front of the property from which the refuse was generated." Mrs. Swanson made a motion to add the word "only" as suggested; Ms. NesSmith-Picard seconded, motion passed unanimously. The Mayor asked for a motion to suspend the rules of order and ratify the ordinance; Mr. Ward so moved; Mr. Orvin seconded, motion passed unanimously.

2. Third Reading - Ordinance 1991-5 - An Ordinance to Prohibit the Deposition of Grease and Oil. Mr. Ward made a motion to approve third reading of Ordinance 1991-5; Mr. Orvin seconded. Upon discussion, Mr. Holden stated that there were suggested changes to this ordinance. Mrs. Swanson moved that changes be allowed; Mr. Ward seconded; motion to change passed unanimously. As there were several changes to be made, the original motion to approve and second were withdrawn. Motion was then made by Mr. Ward to refer the ordinance back to Engrossed Bills, was seconded by Mr. Orvin and passed unanimously.

3. Second Reading - Ordinance 1991-10 - An Ordinance to Repeal Provisions Regarding Personnel Administration. (Exhibit K) Mr. Williams read the ordinance in full. Mr. Ward made a motion to approve; Mr. Simon seconded. After discussion, motion passed 8-1.

4. Second Reading - Ordinance 1991-12 - Isle of Palms Drought Response. As there were some changes to be made to this ordinance, the Mayor suggested that this be referred back to Engrossed Bills. Mr. Ward so moved; Mr. Watson seconded, motion passed unanimously.

K. INTRODUCTION OF NEW BILLS, RESOLUTION AND PROCLAMATIONS

1. First Reading - Ordinance 1991-13 - An Ordinance Authorizing the Issuance Sale of Not Exceeding $700,000 General Obligation Bonds, Series 1991, of the City of Isle of Palms, South Carolina. (Exhibit L) Mr. Ward made a motion to accept first reading or Ordinance 1991-13 by title only; Mr. Orvin seconded. Ms. NesSmith-Picard moved that Council suspend the rules of order to allow Attorney William Youngblood to speak; Mr. Ward seconded; motion passed unanimously. Mr. Youngblood discussed the ordinance and presented debt service repayment schedules on a 15-year term and on a 20-year term. Motion to approve by title only passed 6-3. There was discussion as to why there were three votes against title only, all of whom were against the amount of the bond. Mr. Williams stated that he felt there were some things coming up which might cost us more than we anticipated and that there would be no obligation to borrow the entire amount of $700,000.

2. Resolution - Access to Goat Island (Exhibit M) After discussion, Mr. Watson made a motion to abandon the resolution based on the information pointed out by Mr. Allison and information that he had received from Dana Beach of Coastal Conservation League; Mr. Ward seconded. After further discussion, motion and second were withdrawn. Mr. Ward then moved to postpone this resolution until such time as Council has met with Goat Island residents, Dana Beach and Coastal Council representatives and have studied other solutions to this problem; Mr. Orvin seconded. Upon discussion, Mr. Dreyfoos stated that there were a number of platted rights-of-way owned by The Beach Co. who have indicated that they would consider deeding them back to the City. Mr. Dreyfoos stated that he would pursue this matter. After further discussion, motion passed unanimously.

3. Proclamation - South Carolina State Guard Day (Exhibit N)

4. Proclamation - Child Abuse Prevention Month (Exhibit O)

5. Mayor Bunch asked for a motion to suspend the rules of order to allow another proclamation; Mr. Watson so moved; Mrs. Swanson seconded; motion passed unanimously. The Mayor read a letter from Joseph Riley, Mayor of the City of Charleston (Exhibit P) and then read "A Proclamation Honoring Our Troops Based in the Charleston Metropolitan Area" (Exhibit Q).

Mr. Ward encouraged all residents to show their support for the troops by flying their American flag on April 14, 1991.

Mr. Holden asked that Council think about having an ad hoc committee or water commission to be discussed at the next special council meeting.

Mayor Bunch announced that she has called a special meeting for Thursday, April 4, at 6:00 p.m. to discuss the water commission, the bond, and the rate study.

L. MISCELLANEOUS BUSINESS

1. Mr. Williams reported that the demand seems to be exceeding the capability of the RO Station. (Exhibit R) This was discussed in Ways & Means and it was decided to delay taking any action at this time. Mr. Simon suggested that the station itself be cleaned up and sprayed for mold.

2. Mr. Williams referred to his letter to Roger Dyar (Exhibit S) which was prompted by the decision to put Fire Station #1 in the parking lot and the need to maintain easy access to Palm Boulevard. The Highway Department wants to cut off the intersection of Carolina, Pavilion and Palm in the interest of safety. The few residents would still have access through 10th Avenue. After discussion, it was decided to discuss this at next week's special meeting and invite the property owners adjacent to this intersection.

3. Mayor Bunch referred to a memo from Mr. Williams about having an employee picnic in lieu of Appreciation Day this year. The Mayor stated that she felt it was important to have Appreciation Day each year; honoring not only employees but also recognizing citizens of the island who had done so much for the City. It was the consensus of council to have both functions. Mr. Williams said that he recommended the employee picnic to develop some rapport with the City and its employees in a friendly atmosphere. Mr. Holden made a motion to have an employee picnic; Mr. Watson seconded. After further discussion, Mr. Watson made an amendment to the motion that the remaining (approximately) $1,300 in the Council's Discretionary Fund be allotted to the employee picnic; Mr. Simon seconded. Motion with amendment passed unanimously.

Mrs. Swanson made a motion that Appreciation Day be reinstituted and started again next year; Mr. Simon seconded; motion passed unanimously.

4. Ms. NesSmith-Picard asked Council to be thinking about establishing a Connector Impact Committee composed of council members, residents, and a Highway Department member.

Mr. Ward made a motion to go into Executive Session; Mrs. Swanson seconded; motion passed unanimously. The Mayor stated the reason for Executive Session was to discuss legal, contractual and personnel matters.

Coming out of Executive Session, the Mayor stated that no action was taken; legal contractual and personnel matters were discussed.

Mr. Ward made a motion to adjourn; Mrs. Swanson seconded; meeting was unanimously adjourned.

MINUTES OF THE WORK SESSION OF WAYS & MEANS
AND CITY COUNCIL
APRIL 29, 1991, 7:00 P.M., CITY HALL

A work session of Ways & Means and City Council was held on April 29, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Sottile, Swanson, Ward, and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary.

1. Paving in front of the Public Works Building. There was a discussion on the subject of paving the area in front of the Public Works Building that was not originally planned to be paved. Mayor Bunch made a motion to postpone making a decision on this matter until we have estimates of the cost; Mrs. Swanson seconded. Further discussion concerned drainage problems, size of area to be paved, and cost of paving.

2. Increase in fees from Sullivan's Island for dispatch service. Mayor Bunch made a motion to raise the fees to $30,000 per year; Mr. Holden seconded. Chief Arnold stated that Sullivan's Island has doubled their dispatch service the past year doing approximately 60% of what the Isle of Palms does. Sullivan's Island currently pays $2,000 per month for these services. After discussion, motion passed. Mr. Watson then made a motion to lock in the fee of $30,000 for two years; Mr. Sottile seconded; motion passed 5-2.

3. Season passes for parking lot for residents and commercial area employees. In previous seasons, Council authorized $25 per season; then raised the fee to $30 per month but no one bought a pass at the monthly rate. Mr. Holden made a motion to charge everyone $45 per season per car; Mr. Watson seconded. After discussion, Mrs. Swanson made an amendment that residents with City stickers be able to park free during weekdays and pay half price on weekends; Mr. Watson seconded. Amendment passed 7-0; motion passed 6-1.

Mr. Watson made a motion to reconsider the original motion; Mrs. Swanson seconded; motion passed unanimously. Mr. Watson then made a motion to charge commercial employees $45 per season per car and residents with a City sticker being able to park free on weekdays and at half price on weekends; Mrs. Swanson seconded; after further discussion, motion passed 6-1.

4. Cost of living adjustment for employees. Chairman Ward stated that this matter is a main basis for the budget. Mr. Williams stated that a regular step increase in salary for employees is 3.5%. Employees did not get a cost of living increase in 1990 in order to increase the insurance coverage which was a 20% increase to the City. Effective July 1, our current insurance will increase an additional 45%, unless we reduce the coverage plan, which will cause more to be taken out of the employees' pockets. Since the last cost of living increase, the consumer index has risen approximately 10%. Mr. Williams suggested a 3% cost of living increase for all employees for fiscal year 1991-92. There was extensive discussion about the number of employees on the payroll and where or if cuts could be made and the level of services that the City provides. Mrs. Swanson made a motion to give employees a 2% cost of living increase; Ms. NesSmith-Picard seconded. Mr. Watson made an amendment for a 2.5% increase, but as there was no second the amendment died. Roll call vote on the motion: Holden -Yes; NesSmith-Picard - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No; Bunch - Yes. Motion carried 6-1.

Mr. Watson made a motion that the chairman of Ways & Means call a special work session in order to study the number of employees the City needs; Mr. Holden seconded. After discussion, the motion and second were withdrawn. Mr. Watson then made a motion that as soon as prudent the chairman of Ways & Means call a special work session in order to study the number of employees the City needs; Mr. Holden seconded. Motion passed unanimously.

6. Holding cell for police building. Mr. Watson made a motion to approve the expenditure of $6,000 for a holding cell option for the police building; Mr.

Sottile seconded. Mayor Bunch stated if we added a holding cell to the building, it must be restricted to persons arrested on Isle of Palms only. Due to legal ramifications, we cannot be responsible for Sullivan's Island arrestees. After discussion of Sullivan's Island police requesting to use the holding cell, Mr. Watson amended the motion to state that it would be for the use of Isle of Palms Police Department only; Mr. Sottile seconded. There was further discussion concerning the need for a holding cell and the costs expended by the City in taking prisoners to Charleston. Chief Arnold stated that there would be a 60% savings to the City if we had a holding cell. A person can only be held for four hours; no juveniles can be held in a cell and men and women cannot share a cell. After discussion, motion passed 5-1 with 1 abstention.

Mr. Williams also reported that the architect has recommended that a special computer floor be put in the dispatch room of the building for protection of the wiring of the equipment. The estimated cost of this would be $2,982. Mr. Watson made a motion to approve the expenditure for a computer floor but to have the architect check to see if this was the lowest price available and what credits were given materials originally planned for this room; Mrs. Swanson seconded. Motion passed unanimously.

5. <u>High costs of professional fees.</u> Ms. NesSmith-Picard questioned the large amount of money that has been spent so far this year in professional fees. The budget had called for $35,000 and the City has spent approximately $59,000 this year. She feels that these fees are unnecessarily high and that we should cut down as much as possible. There was protracted discussion and no action was taken.

7. <u>Length of financing term for $700,000 bond: 15-20-30 years.</u> Mr. Watson made a motion to finance the bond for 30 years; Mrs. Swanson seconded. In discussion, Mr. Watson stated that his intention was to spread out the costs more evenly among the taxpayers taking into consideration that property changes hands several times within a thirty year period. Mr. Williams stated that the bond attorney had recommended a 15-year term financing. Mayor Bunch amended the motion to finance for 15 years; Ms. NesSmith-Picard seconded. The amendment passed 4-3. Motion was defeated 1-6 which nullified the amendment. Mayor Bunch made a motion to finance the bond for 15 years; Mr. Sottile seconded; motion passed 4-3.

8. Executive Session.

No action was taken in Executive Session; contractual matters were discussed.

Mr. Watson made a motion to adjourn; Mrs. Swanson seconded, motion passed unanimously.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

Work Session of Ways & Means and City Council
April 29, 1991, 6:30 p.m., City Hall
Agenda

1. Paving in front of the Public Works Building.
2. Increase in fees from Sullivan's Island for dispatch service.
3. Season passes for parking lot for residents and commercial area employees.
4. Cost of Living adjustment for employees.
5. High costs of professional fees.
6. Holding cell option for Police Building.
7. Length of financing term for $700,000 bond: 15 - 20 - 30 years.
8. Executive Session

   Water & Sewer contractual matters.

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April 29, 1991

Mr. Mark M. Williams
City Administrator
City of Isle of Palms
P.O. Drawer Q
Isle of Palms, SC 29451

Re: $700,000 City of Isle of Palms, South Carolina, General Obligation Bonds, Series 1991

Dear Mark:

For purposes of your discussions this evening about retiring the captioned issue over a 15-year term as opposed to a 20-year term, the annual principal and interest required for a 15-year payback would be approximately $76,853 per year. The annual principal and interest required over a 20-year payback, at today's interest rates, would be approximately $66,073 per year. You will note that over the life of the loan the City would spend approximately $168,665 more in order to retire the debt over 20 years.

For purposes of your discussions this evening, please remember also that you have outstanding $1,525,000 of bonds with remaining maturities running through February 1, 2003. I am enclosing a copy of the debt service requirements for your outstanding bonds.

Please call if you should have any question. Good luck tonight.

With warm personal regards,

Bill Youngblood

M. William Youngblood

MWY/ebs
Enclosure

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

TO: City Clerk and Treasurer of the City of Isle of Palms, South Carolina

YOU ARE HEREBY NOTIFIED that pursuant to Sections 59-71-10 to 59-71-190, Code of Laws of South Carolina, 1976, and an ordinance duly adopted by the City Council of the City of Isle of Palms (Council), Council will issue $1,645,000 General Obligation Bonds of 1987, dated August 1, 1987 (the Bonds). The Bonds bear interest at the rates of interest set forth below and are dated August 1, 1987. Both principal of and interest on the Bonds are payable at or from the principal office of The South Carolina National Bank, the City of Columbia, State of South Carolina.

The Bonds are payable both principal and interest, in accordance with the following schedule:

Cal. Year	Interest Rate	Principal Due 2/1	Interest Due 2/1	Interest Due 8/1	Total Due
1988			$ 59,181.25	$ 59,181.25	$ 118,362.50
1989	8.25%	$ 35,000	59,181.25	57,737.50	151,918.75
1990	8.25	40,000	57,737.50	56,087.50	153,825.00
1991	8.25	45,000	56,087.50	54,231.25	155,318.75
1992	8.25	50,000	54,231.25	52,168.75	156,400.00
1993	8.25	75,000	52,168.75	49,075.00	176,243.75
1994	8.25	100,000	49,075.00	44,950.00	194,025.00
1995	6.25	100,000	44,950.00	41,825.00	186,775.00
1996	6.50	125,000	41,825.00	37,762.50	204,587.50
1997	6.70	125,000	37,762.50	33,575.00	196,337.50
1998	6.80	125,000	33,575.00	29,325.00	187,900.00
1999	6.90	150,000	29,325.00	24,150.00	203,475.00
2000	7.00	150,000	24,150.00	18,900.00	193,050.00
2001	7.10	175,000	18,900.00	12,687.50	206,587.50
2002	7.20	175,000	12,687.50	6,387.50	194,075.00
2003	7.30	175,000	6,387.50	0.00	181,387.50
		$1,645,000	$637,225.00	$578,043.75	$2,860,268.75

Borrowing and Millage

One 1990 mill= $28,070

Principal Borrowed at 7% for 15 years	Ann. Debt Service (1) Mil	Mil increase	$'s on $100,000 house
$700,000	$76,853/$28,070	2.74	$ 10.96

Principal Borrowed at 7% for 20 years	Ann. Debt Service (1) Mil	Mil increase	$'s on $100,000 house
$700,000	$66,073/$28,070	2.35	$ 9.40

Principal Borrowed at 7% for 30 years	Ann. Debt Service (1) Mil	Mil increase	$'s on $100,000 house
$700,000	$56,410/$28,070	2.00	$ 8.00

MINUTES OF THE SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
MAY 13, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on May 13, 1991, at City Hall, at 7:00 p.m. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, Attorney Dreyfoos, and Secretary Geary. Council Member Orvin was absent.

The Mayor called the meeting to order and stated that the meeting had been called to discuss the various building projects going on. Mr. Watson made a motion to suspend the rules of order to allow Attorney Dreyfoos and Executive Session first on the agenda; Mrs. Swanson seconded; motion passed unanimously. The Mayor stated that the reason for Executive Session was to discuss legal matters.

Coming out of Executive Session, the Mayor stated that no action had been taken, that the discussion concerned litigation with Wild Dunes pertaining to marsh setbacks.

1. Discussion of the various municipal projects:

a) Public Restrooms. Mr. Williams stated that there was a modification in the plans that was recommended which was to relocate the building on the site and get the slab of the building and the slab of the Beach Biz on the same elevation. This would cost an extra $1,000. However, the Architect, John Gardner, had found an adjustment in the project that saved $1,000 which was an adjustment to the ramps. Since there is no additional money involved, there is no need for City Council's vote.

The Mayor brought up a suggestion that was presented to her about having small lockers in the bath house that people could use to store wallets, etc., which are sometimes stolen on the beach. Each locker would cost the user 25 cents and the price of the locker would be returned to the City over and over. She asked Council to consider this option.

b) and c). Fire Stations #1 and #2. Mr. Williams reported that there were two items to discuss. The site for this station is in the same location that was used as a burning site after Hurricane Hugo. While the contractor was digging the footings for the station, they uncovered some Hugo debris in the form of unburnt wood that will eventually rot away and needs to be removed. He had an estimate for excavating out approximately 355 cubic yards of material and filling the hole at $4,500 to $5,000. This represents an expense that was not planned for in the project and would need Council's approval. If the wood is not removed, an underground void would occur which would cause the building to settle.

The second item is that the Fire Chief has recommended that the doors of both fire stations be raised to 14' in order to allow the ladder trucks more clearance. Mr. Williams had spoken with manufacturers of ladder trucks who also recommended 14' doors to accommodate the trucks plus additional antennae and hardware that make the clearance more critical. The cost of this addition to the stations would be $8,800 per station.

Chief Britton stated that the ladder truck that the City now has is a 1980 model; the average life of a ladder truck is around 20 years. He stressed the need to plan for the future and recommended that Council approve the addition for both stations.

There was extensive discussion on this matter. Some Council members felt that there was not a need for the addition on the Breach Inlet end of the island because the land is already built up, but could see the need for the station at the Wild Dunes end of the island.

Mr. Ward made a motion to approve the expenditure of up to $5,500 to excavate the site for Fire Station #1; Mr. Holden seconded. There was discussion about where the architect might cut back and save this money elsewhere, including having the volunteer firemen do the painting, and other discussion about extra expenditures on all of the City's projects. Mr. Gardner stated that the plans were as economical as possible. Motion passed unanimously.

Mr. Ward made a motion to approve the expenditure of $8,800 to raise the doors of both Fire Stations to 14'. As there was no second, motion died.

Mr. Holden made a motion to approve the expenditure of $8,800 to raise the doors of Fire Station #2 to 14'; Mr. Ward seconded; motion passed 7-1.

Mr. Ward made a motion to approve the expenditure of $8,800 to raise the doors of Fire Station #1 to 14'; Mr. Sottile seconded. After further discussion as to the need for this expansion and the cost involved and the fact that Council has a few weeks before this decision is necessary, Mr. Holden made a motion to postpone the decision on this; Ms. Nessmith-Picard seconded. Roll call vote: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion to postpone passed 6-2.

Chief Britton asked Council to go by the fire station on the By-Pass in Mt. Pleasant that has a ladder truck and look at the difference between the 12' door and the 14' door.

d) Police/Building Dept. Mr. Williams reported that estimates for electrical, plumbing and mechanical contracts on this building (which he had originally estimated at $75,000) had come in at a low bid of $148,000. Bids were obtained by the general contractor from several subcontractors. John Gardner stated that $15,000 of this was in the relocation of the 911 system. He also stated that the contractor had talked to subcontractors who stated that they could lower their bids by 10% to 15%. Mr. Gardner asked for authority to negotiate with the subcontractors to lower the specs and reduce the costs. There was further discussion as to what can be changed in the plans to reduce the cost, in particular, the public restrooms upstairs could be reduced by number of fixtures.

Mr. Holden made a motion to authorize the architect negotiate with the low bidders in cost saving techniques; Mr. Watson seconded; motion passed unanimously.

3. Third Reading - Ordinance 1991-13 - $700,000 Bond Ordinance.

Mr. Ward made a motion to postpone third reading of Ordinance 1991-13; Mr. Holden seconded; motion passed unanimously.

Mrs. Swanson made a motion to adjourn which was seconded and unanimously passed.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 5/23/91

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
MAY 23, 1991, 7:00 P.M., EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on May 23, 1991, at 7:00 p.m., at the Exchange Club. After the Pledge of Allegiance and Invocation, Roll Call was taken. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson; City Administrator Williams, Attorney Dreyfoos, Clerk-Treasurer McDuffie, Finance Director Stonesifer, and Secretary Geary.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS.

1. April 25, 1991 - Regular City Council Meeting
2. May 13, 1991 - Special City Council Meeting

The Mayor asked if there were any changes to either minutes; as there were none she asked for a motion to accept them both. Mrs. Swanson made the motion to approve both sets of minutes as presented; Mr. Sottile seconded; motion passed unanimously.

C. CITIZENS' COMMENTS.

1. Chris Funcik. Mrs. Funcik, of 3600 Waterway Boulevard, asked Council for reimbursement for damages done to the sewer line in her yard caused by FEMA heavy equipment that parked in their yard during the final debris sweep of the island in May of 1990. Mrs. Funcik presented receipts to Council and pictures of the yard and sewer lines. Mrs. Funcik was asking for reimbursement in the amount of $441.86, the cost to replace the damaged lines. The total bill was $571.86. Council stated that the matter would be taken up during the Ways & Means section of the meeting.

2. Brew Hagood. Mr. Hagood is an attorney representing Carroll Realty in an appeal to Council from the denial of its petition for a sign permit. Exhibit A is the package he presented to Council for its appeal. Mr. Hagood discussed the sign, the current sign ordinance, and the impact of the sign as compared to other signs on the island and urged Council to take up this matter at the meeting tonight.

3. Clay Duffie. Mr. Duffie is the manager of the Mount Pleasant Waterworks and Sewer Commission and spoke to Council asking the City to help pay for a new 30" outfall line to replace the current 24" line to accommodate the flows from the islands to the Charleston Harbor outfall line. (see Exhibit B) He stated that Sullivan's Island had decided not to participate in the financing. Mr. Duffie asked Council to consider this matter tonight.

4. Tom Murph. Mr. Murph, a former Council member, spoke to Council concerning an article in the newspaper which stated that Council was considering cutting personnel in order to balance the upcoming budget. Mr. Murph urged Council not to cut personnel, that the City had worked long and hard to come to the current level of services provided to residents and tourists, and further urged Council to find some way other than cutting personnel and services in order to balance the budget.

D. REPORTS FROM STANDING COMMITTEES.

1. Ways and Means. Chairman Ward reported that there had been three work sessions and meetings during the past month. (Exhibit C) Since there were no questions concerning these meetings, Mr. Ward proceeded to make a series of motions concerning action taken at the meetings.

a) Mr. Ward made a motion to increase the fees from Sullivan's Island for dispatch service to $30,000 per year; Mr. Sottile seconded; motion passed unanimously.

b) Mr. Ward made a motion to charge a fee of $45 per season, per car, for using the City parking lots during the summer; with residents showing a City sticker being able to park in the lots free of charge during the week and for half price on weekends; Mrs. NesSmith-Picard seconded; motion passed unanimously.

c) Mr. Ward made a motion to give employees a 2% cost of living increase beginning July 1, 1991; Mrs. NesSmith-Picard seconded; motion passed unanimously.

d) Mr. Ward made a motion to approve the expenditure of up to $6,000 for a holding cell in the new police/municipal building; Mr. Watson seconded; motion passed by a vote of 7-1 with one abstention.

e) Mr. Ward made a motion to approve the expenditure of $2,982 for a computer floor in the dispatch room of the police/municipal building; Mr. Orvin seconded; motion passed 7-2.

f) Mr. Ward made a motion to approve financing the $700,000 bond for a term of 15 years; Mrs. NesSmith-Picard seconded; motion passed 6-3.

g) Mr. Ward made a motion to approve the expenditure of $8,800 to raise the doors of Fire Station #1 to 14'; Mr. Sottile seconded. After discussion, Mr. Holden made an amendment to the motion if the Administrator can get a Change Order for interior work and/or painting to be done by volunteer firemen; Mr. Ward seconded. After discussion, roll call vote was taken on the amendment: Holden - Yes; Nessmith-Picard - Yes; Orvin - No; Simon - No; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - No; amendment failed 4-5. Roll call vote taken on the original motion: Holden - No; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - Yes; motion passed 7-2.

h) Mr. Ward made a motion to approve the expenditure of $8,800 to raise the doors of Fire Station #2 to 14'; Mr. Watson seconded; motion passed unanimously.

i) Mr. Ward made a motion to approve the expenditure of $8,000 to excavate the site of Fire Station #1 of hurricane debris; Mr. Watson seconded; motion passed unanimously.

j) Mr. Ward made a motion to reimburse Chris Funcik the total amount of $571.86 for repairs caused by FEMA heavy equipment on her property; Mr. Sottile seconded. Roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No; Bunch - Yes; motion passed 7-2.

k) Mr. Ward made a motion that the dog kennels be built by June 30, 1991; Mr. Orvin seconded. Mr. Williams stated that the reason for the delay in construction of the dog kennels was that SC Coastal Council would not sign the permit for the underground fuel tanks until the City has submitted a storm water management plan which E.M. Seabrook, Inc., is currently working on. Before the kennels can be built, the new fuel system must be installed and the property cleared. He assured Council that the kennels will be built as soon as possible. After further discussion, motion passed 7-2.

Mr. Watson made a motion that the City not participate in the financing of a new 30" outfall sewer line as proposed by Clay Duffie of the Mount Pleasant Waterworks and Sewer Commission; Mr. Ward seconded; motion passed unanimously.

Ms. NesSmith-Picard made a motion to suspend the rules of order and procedure to allow the applicants for a business license to make their presentation; Mr. Ward seconded; motion passed unanimously. Patrick Hassell and Timothy Wise discussed their proposal for a shade shack on the property of Resorts, Inc. to sell shrimp and also to have free delivery available by phone order. (see Exhibit D) There was extensive discussion of this application and the interpretation of the City ordinances, and also the concern of setting a precedence in allowing this type of outside selling. Motion was denied 1-8.

Mr. Ward made a motion to allow radio station 95SX to have a promotion by landing a sky diver dressed as a frog on the beach on Saturday; (see Exhibit E) Ms. NesSmith-Picard seconded; motion was denied 1-8.

Mayor Bunch briefly discussed the hazard mitigation grant program which needs to be filed by June 14th if Council decides to apply. This grant could be used for several different projects such as drainage problems after heavy rains, standby power for water wells and pumps, etc., or debris removal equipment. The grant provides for a 50% match by the City and Mr. Williams stated that he did need Council's approval to send a letter of intent. Mr. Ward made a motion to apply for the grant; Mr. Sottile seconded; motion passed unanimously.

2. Police and Public Safety. Chairman Sottile presented the minutes from the May 16, 1991 meeting. (see Exhibit F)

Mr. Ward began a discussion of a notice (see Exhibit G) that he had received from the Army Corps of Engineers, SC Coastal Council, and SCDHEC concerning a permit for a temporary construction dock to be built out in Hamlin Creek adjacent to the Connector property for construction of the Connector. This dock would be 26' wide and over 400' long and would be removed in its entirety. The notice is asking for response from neighboring property owners. After discussion, Mr. Orvin made a motion that the Isle of Palms City Council is absolutely against the construction of any type of dock in this area; Mr. Watson seconded. After further discussion, the motion and second were withdrawn.

Mr. Orvin made a motion that the City request that a public hearing be scheduled on this subject; Mr. Sottile seconded. Mr. Watson made an amendment to the motion that if a public hearing is not held, that the City disapproves the permit; Mr. Simon seconded. After further discussion, the amendment passed 8-1; and the motion passed unanimously.

3. Public Works. Chairman NesSmith-Picard presented a report from the May 21, 1991 meeting. (see Exhibit H)

At the meeting, Mr. Parrish had brought up the fact that there were some erosion problems around the new Public Works Building. Mr. Williams stated that he had already checked into putting topsoil and sod around the building. Ms. NesSmith-Picard made a motion to approve the expenditure not to exceed $2,200 for this project to stop further erosion; Mr. Ward seconded; motion passed 8-1.

Mr. Watson made a motion that Mr. Williams contact the Highway Department and ask that a representative attend all regular Council meetings to give an update of the Connector project at the beginning of each meeting; Mr. Holden seconded; motion passed unanimously.

Mr. Watson made a motion to suspend the rules of order and procedure to discuss the Carroll Realty sign petition; Mr. Ward seconded; motion passed unanimously.

Mr. Watson made a motion to approve the Carroll Realty sign as presented by attorney Brew Hagood; Mrs. Swanson seconded. (see Exhibit A) There was extensive discussion about this sign and others on the island, the alternatives to one large sign, and about interpretation of the sign ordinance which needs

revision. After discussion, roll call vote was taken: Holden - Abstain; NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion was defeated 5-3-1.

4. Engrossed Bills. Chairman Holden gave a report of the May 15, 1991, meeting (see Exhibit I).

Mrs. Swanson made a motion to suspend the rules of order and procedure to go to Item J on the Agenda, with the addition of Ordinance 1991-3, Ordinance 1991-8, and Ordinance 1990-16; Ms. NesSmith-Picard seconded, motion passed unanimously.

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading - Ordinance 1991-13 - $700,000 General Obligation Bond Ordinance. (Exhibit J) Mr. Ward made a motion to accept third reading of Ordinance 1991-13; Mr. Watson seconded. After brief discussion, roll call vote was taken: Holden -No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - Yes. Motion passed 5-4.

Mr. Ward made a motion to suspend the rules and ratify Ordinance 1991-13; Mr. Orvin seconded; motion passed 8-1.

2. Third Reading - Ordinance 1991-3 - An Ordinance to Ban Off-Premises Signs. (Exhibit K) Mr. Simon made a motion to suspend the rules of order to allow the changes to the ordinance; Mr. Ward seconded; motion passed unanimously. After discussion, Mr. Simon made a motion to approve the underlined changes on the ordinance, plus the addition of the words "or billboard" in Section 2(a), line 2, "off-premises sign. A sign [or billboard] which directs...." and the addition of the words "or outside" in Section 4(c)(1), line 3, "...within [or outside] the City." Mr. Holden seconded and motion passed unanimously.

Mr. Simon made a motion to approve third reading and ratify Ordinance 1991-3 as amended; Mrs. Swanson seconded; motion passed unanimously.

3. Second Reading - Ordinance 1991-8 - An Ordinance to Amend the Process for Approving Conditional Uses. (Exhibit L) Mr. Simon made a motion to defer second reading and refer the ordinance to the Planning & Zoning Commission for a public hearing; Mr. Watson seconded; motion passed unanimously.

4. Second Reading - Ordinance 1990-16 - An Ordinance to Amend the City of Isle of Palms' Zoning Ordinance (Exhibit M). Ms. NesSmith-Picard made a motion to approve second reading of Ordinance 1990-16; Mrs. Swanson seconded. There was extensive discussion on the intent of this ordinance.

Ms. NesSmith-Picard made a motion to suspend the rules of order and procedure to allow Guy Taylor, Chairman of the Planning Commission, to speak; Mr. Ward seconded, motion passed unanimously. Mr. Taylor stated that he had not seen the latest version of this ordinance, but stated that the commission saw no merit in the ordinance and therefore recommended the ordinance be rejected.

After further discussion, Mr. Watson made a motion to postpone consideration of the ordinance for a period not to exceed 60 days; Mr. Ward seconded; motion passed unanimously.

D.5. Recreation. Chairman Orvin presented to Council a Recreation Report of summer activities and the 1991 Summer Programs brochure (see Exhibit N).

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - No report. See minutes as Exhibit O.

2. Planning Commission. See minutes as Exhibit P. Mr. Batchelder presented the plats submitted for approval:

(a) Plat of Lot 18, Block E, Section A, City of Isle of Palms, Presently Owned by J. Paul Traywick. Mr. Watson made a motion to approve said plat; Mr. Ward seconded; and after brief discussion, motion passed unanimously.

(b) Plat Showing a Resubdivision of Lot 68, Tract "A", Block "T", parcel 10, Wild Dunes. Mr. Ward made a motion to approve said plat; Mr. Orvin seconded; motion passed unanimously.

(c) Final Plat Showing Resubdivision of Tract "A", Block "T", Parcel 17 - 10 Lots, Wild Dunes. Mr. Ward made a motion to approve said plat; Mr. Orvin seconded; motion passed unanimously.

Mr. Williams reported that representatives of Wild Dunes had come into the office late this afternoon with plans of the final phase of the Grand Pavilion projects. They will be in City Hall next Wednesday at 6:45 p.m., prior to the scheduled budget meeting, to present these plans to anyone who is interested in seeing them. This is an informational presentation only.

3. Building Committee - No report.

4. Beach Patrol & Control Board. See minutes as Exhibit Q. Mr. Simon asked Council to please read the memorandum attached to the minutes for future discussion.

5. Personnel Committee - No report.

6. Dewees (ad hoc) Committee - No report.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS - None

L. MISCELLANEOUS BUSINESS

Mayor Bunch reported that she had attended a meeting concerning the Connector and said that it was on schedule and that the cost had risen from 15 million dollars to 37 million dollars.

Mr. Williams reported that the County of Charleston had written the City asking to use the PRC park area as a staging area for Mosquito Abatement to be used for the helicopter operations. (see Exhibit R) There were no objections.

M. EXECUTIVE SESSION - None

Mr. Ward made a motion to adjourn; Mr. Orvin seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6-27-91.

EXHIBIT A

MORRIS D. ROSEN
ROBERT N. ROSEN
RICHARD S. ROSEN
H. BREWTON HAGOOD
[illegible] O. ANDREWS
ALICE F. PAYLOR
SUSAN C. ROSEN
SC, MA & NJ
LON H. SHULL, III
DONALD B. CLARK
SC & IA
IRVIN G. CONDON
DIANE C. CURRENT
KAREN E. McCORMICK
M. THERESE TROUCHE
SC & GA
RANDY A. HORNER

ROSEN, ROSEN & HAGOOD
ATTORNEYS AND COUNSELLORS AT LAW
45 BROAD STREET
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-6726

MAILING ADDRESS
POST OFFICE BOX 893
CHARLESTON, SC 29402

FAX NUMBERS
(803) 724-8036 BROAD ST.
(803) 724-8045 CHURCH ST.

May 22, 1991

VIA FAX
VIA HAND DELIVERY

Mr. Mark W. Williams
City Administrator
City of Isle Of Palms
1303 Palm Boulevard
Isle Of Palms, SC 29451

Re: Carroll Realty, Inc. sign petition appeal

Dear Mr. Williams:

I am transmitting to you via facsimile transmition the appeal by Carroll Realty, Inc. from your denial of its' petition for a sign permit. I would be most appreciative if you would place this on the agenda for the May 23, 1991 Isle Of Palms City Council Meeting.

Sincerely,

ROSEN, ROSEN & HAGOOD

H. Brewton Hagood

H. BREWTON HAGOOD

HBH/bb

cc: Mr. Jim Carroll

hbh\let\carroll.522

STATE OF SOUTH CAROLINA	)	BEFORE THE ISLE OF PALMS
	)	CITY COUNCIL
CITY OF ISLE OF PALMS	)	
	)	
IN RE:	)	
	)	**APPEAL**
CARROLL REALTY, INC.,	)	
PETITION FOR SIGN PERMIT	)	
	)	
	)	

Carroll Realty, Inc., by and through its undersigned attorney, hereby appeals to the Isle of Palms City Council from the April 24, 1991 denial by City Administrator Mark M. Williams of Carroll Realty's March 27, 1991 petition for a sign permit. The grounds for this appeal are as follows:

1. No action was taken by the City Administrator within fourteen (14) calendar days as required under § 5-4-123(c) after receipt of the petition for the sign permit, which was received by the City Administrator on March 27, 1991, according to Exhibit "A" to this Appeal;

2. The City Administrator incorrectly interpreted the petition as requesting a 105 sq. ft. sign, as will appear by his letter dated April 24, 1991, which is attached hereto as Exhibit "B", when the sketch attached to the petition sought permission for an 84 sq. ft. sign, (see Exhibit "C");

3. The property upon which the proposed sign is to be constructed is zoned for commercial uses, has a single building housing eight separate businesses, is under common management and the businesses share a common parking area, thereby entitling the petitioner to consideration under § 5-4-124(b)(2) of the Isle of Palms City Code, allowing signs larger than 50 sq. ft. for the

shopping center, pursuant to the argument set forth in the letter from petitioner's attorney dated April 29, 1991, which is attached to this Appeal as Exhibit "D";

4. The Isle of Palms City Administrator's decision is contrary to the opinion he requested from the Isle of Palms City Attorney concerning the application of § 5-4-124(b)(2) to petitioner's building in which the City Attorney advised that "the City lacks a firm basis for refuting Mr. Hagood's contention that 5-4-124(b)(4) applies to the structure erected on the Carroll Realty property", as set forth in Exhibit "E" to this Appeal;

5. That in the event the City Council disagrees with the interpretation of § 5-4-124(b)(4) argued by applicant's attorney and accepted by the Isle of Palms City Attorney, then the petitioner requests that City Council grant a 34 sq. ft. variance from § 5-4-12(b)(2) and allow construction of the 84 sq. ft. sign on the grounds that: (a) applicant's request is reasonable in light of the fact that the property is zoned commercial and contains eight separate commercial establishments within a single building which are entitled to signage within the City of Isle of Palms; (b) the sign ordinance does not contain provisions to address the situation which exists here where a commercial building containing eight separate businesses is not allowed to have a sign any larger than a single commercial building containing only one business, thereby denying the petitioner's tenants the right to adequately advise the public of their location; and (c) other commercial buildings containing more than one commercial establishment have

been allowed to have signage in excess of the 50 sq. ft. maximum allowed under § 5-4-124(b)(2), such as the Island Realty building which has approximately 85 sq. ft. of signage to advertise 2 businesses within a single building.

The appellant, by presenting this appeal, is in no way waiving its right to challenge whether the City Council is the appropriate body to hear the appeal, and is processing this appeal to exhaust its administrative remedies under the current provisions of the Isle of Palms City Code.

Respectfully submitted,

ROSEN, ROSEN & HAGOOD

By: H. Brewton Hagood

H. Brewton Hagood
45 Broad Street
Post Office Box 893
Charleston, SC 29402
(803) 577-6726

ATTORNEYS FOR CARROLL REALTY, INC.

Charleston, South Carolina

May 22, 1991.

G:\RRH\1900\APPEAL

ITY OF
SLE
F
PALMS South Carolina

Mayor:
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

March 27, 1991

Mr. Jim Carroll
Carroll Realty
103 Palm Boulevard
Isle of Palms, SC 29451

Dear Mr. Carroll:

I received your letter and sign permit request this morning and have referred it to our attorney for an opinion of the Code Section cited. As soon as we receive an answer from the attorney, we will be in touch with you.

Sincerely,

Mark M. Williams
City Administrator

MMW:jmg

P.O. Drawer Q • Isle of Palms, South Carolina 29451 • (803) 886-6428
FAX (803) 886-8005

EXHIBIT "A"

ITY OF
SLE
OF
PALMS South Carolina

APR 26 1991

Mayor:
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

April 24 , 1991

Mr. Jim Carroll
Carroll Realty
103 Palm Blvd.
Isle of Palms, S. C. 29451

Re: Sign application

Dear Mr. Carroll:

I apologize for the length of time it has taken for me to respond to your recent submittal of an application for a sign permit. However, I have been awaiting information from the City's attorney regarding this matter, particularly in light of your attorney's contention that your request for permission to install a sign measuring 105 sq. ft. should be considered and approved as your use of the building at 103 Palm Blvd. can be construed as a "shopping center" under our sign ordinance.

I have reviewed numerous documents in the Building Department's files on your new building, and as you can see from the highlighted areas of the attached copies, references abound to the building as an "office building."

It is my opinion that only a tortured interpretation of the sign ordinance would allow anyone to recognize your building and its uses as a "shopping center." This is especially true in the absence of any retail uses of the property. The American Heritage Dictionary defines "shopping center" as "A group of stores and shops forming a central retail market within a given area." While it is true that the City's sign ordinance fails to define a "shopping center", reasonable minds would universally recognize a shopping center as defined in the dictionary and realize that your building, as it is being used, does not even remotely conform to that definition.

I must therefore advise you that I do not agree with the interpretations of the sign ordinance that have been put forward as justification for issuance of a permit to install a 105 sq. ft. sign for Carroll Realty, and must reject your recent application. Of course, as you already know, this decision may be appealed to the City Council.

Sincerely,

Mark M. Williams
City Administrator

Enc.
cc: Mayor and City Council; Brew Hagood, Esq.; Bill Dreyfoos, Esq.

P.O. Drawer Q • Isle of Palms, South Carolina 29451 • (803) 886-6428
FAX (803) 886-8005

EXHIBIT "B"

July 24, 1990

Mr. Edward Haselden
Building Official
City of Isle of Palms, SC
PO Drawer B
Isle of Palms, South Carolina 29451

RESUBMITTAL OF DRAWINGS, CARROLL REALTY

We are submitting attached to this letter one set of revised drawings for the Carroll Realty Office Building. The revisions in these drawings address the three concerns of the city which we discussed in your office on Wednesday July 18, 1990. The revisions are:

A. REVISED PARKING PLAN. The right hand lot has been revised to show an entrance and an exit, and the left hand lot has been changed to show angled spaces including two handicapped spaces.
B. HANDICAPPED TOILET. The toilet in the first floor rental unit (right hand office suite) has been revised to incorporate features to facilitate usage by the handicapped.
C. DUCT WORK. The building section has been modified to show location of the first floor HVAC supply ducts. These ducts are above the flood plain and allow for the minimum 18" X 24" access clearance required by the Standard Building Code. Sheet M1 has been revised to also indicate the placement of this ductwork and sheet ME1 has been revised to indicate the second floor ductwork being routed through the attic. No second floor ductwork is required to penetrate the rated second floor assembly.

It is our understanding that these revisions will satisfy the city's concerns and permit issuing of the building permit. Please call if there are additional concerns or you require additional information.

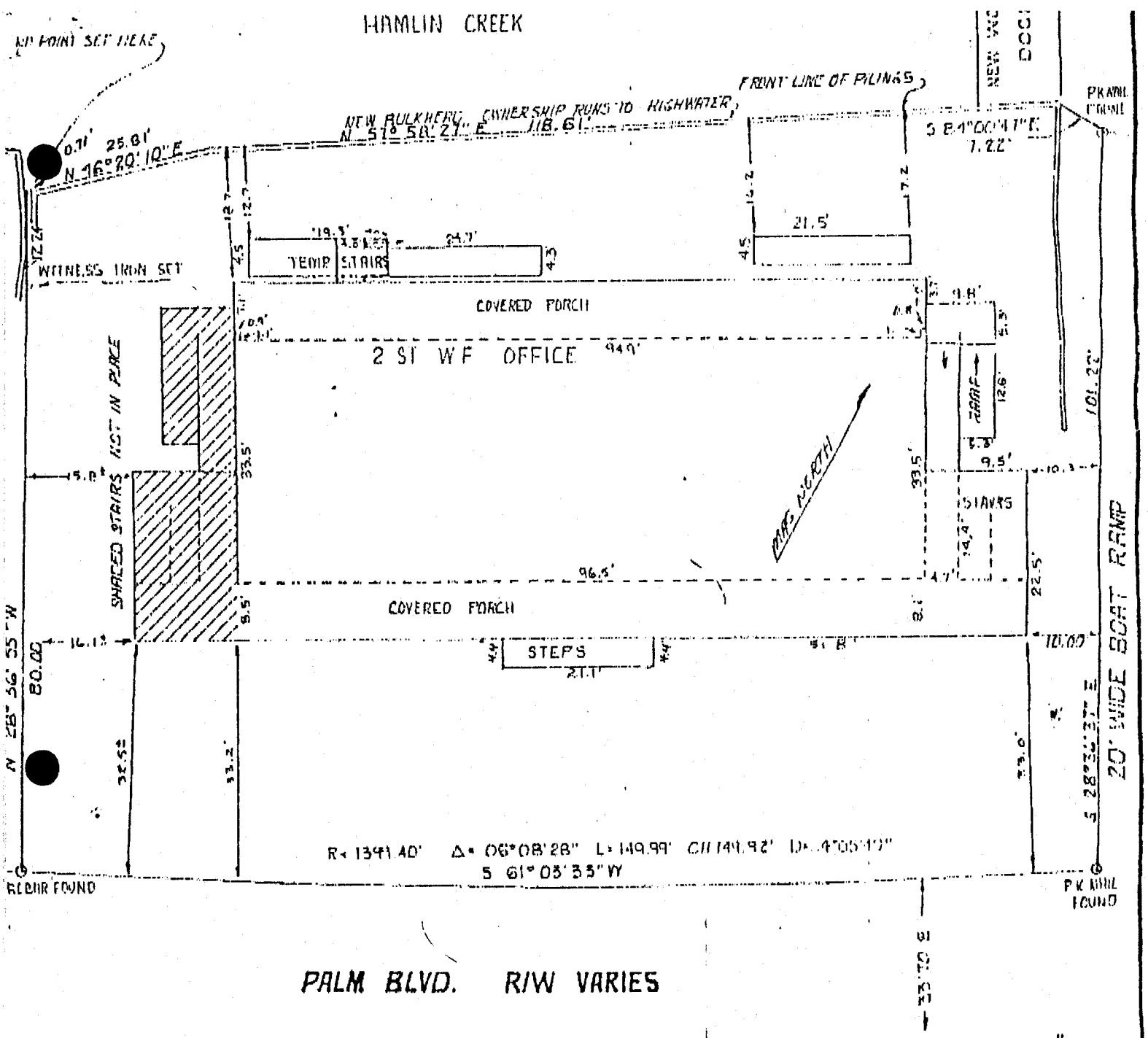
Sincerely,

Andy Kay AIA
Architect

attch: 1 set drawings
dated 7/25/90

cpy: Jim Carroll

TUCKER ASSOCIATES • ARCHITECTS
1018-B VILLAGE WALK • MT. PLEASANT, SC 29464 • (803) 881-6426



"I hereby certify that the measurements as shown above are correct and there are no encroachments or projections other than shown."

David Eugene Huff

DATE FEB. 6 1991

0 20 40 60

SCALE 1" = 20'

PLAT OF LOT 2 SECTION A CITY OF ISLE OF PALMS CHARLESTON COUNTY SOUTH CARROLINA

OWNED BY KATHRYN C. CARROLL

SOUTH CAROLINA REGISTERED LAND SURVEYOR 8100 DAVID EUGENE HUFF

THIS LOT LIES IN A FEMA SPECIAL FLOOD HAZARD ZONE

FLOOD ZONE A-8 ELEV 12' MAP DATE OCT 17, 1986

E-13 PLAT BY CHARLES F. DAWLEY JR. APRIL 24, 1989 - SCOHFT DOCKET 10.416

REF. PLAT PLAT BY E.M. SERRAVOK JR. NOV. 4, 1988 - PLAT BY JAMES L. OWEN JR. AUG. 27 1985

DAVID EUGENE HUFF R.L.S.
P.O.BOX 78
ISLE OF PALMS, S.C.
PHONE 886-6911
S.C. REG. NO. 8100

ORARY PERMIT TO
AN EXISTING SYSTEM

PERMIT TO CONSTRUCT - CERTIFICATE OF FINAL APPROVAL
INDIVIDUAL SEWAGE TREATMENT AND DISPOSAL SYSTEM

Type Facility COMMERCIAL (OFFICE 38 EMPLOYEES) System Category EXISTING

CARROLL REALTY Mailing Address 103 PALM BLVD, ISLE OF PALMS, S.C. 29451

Development ISLE OF PALMS Street 103 PALM BLVD Block ____ Lot ____ Type Water Supply PUBLIC

SYSTEM SPECIFICATIONS

Est. Daily Flow 570 GPD MAXIMUM

ing Rate 1:0

Size(s) 1000 GALLON TANK (EXISTING)

ITH TOP RAISED 24 INCHES

ches: Length 52 FEET

Width 8 FEET

Max. Depth 24 INCHES

Stone Depth 12 INCHES

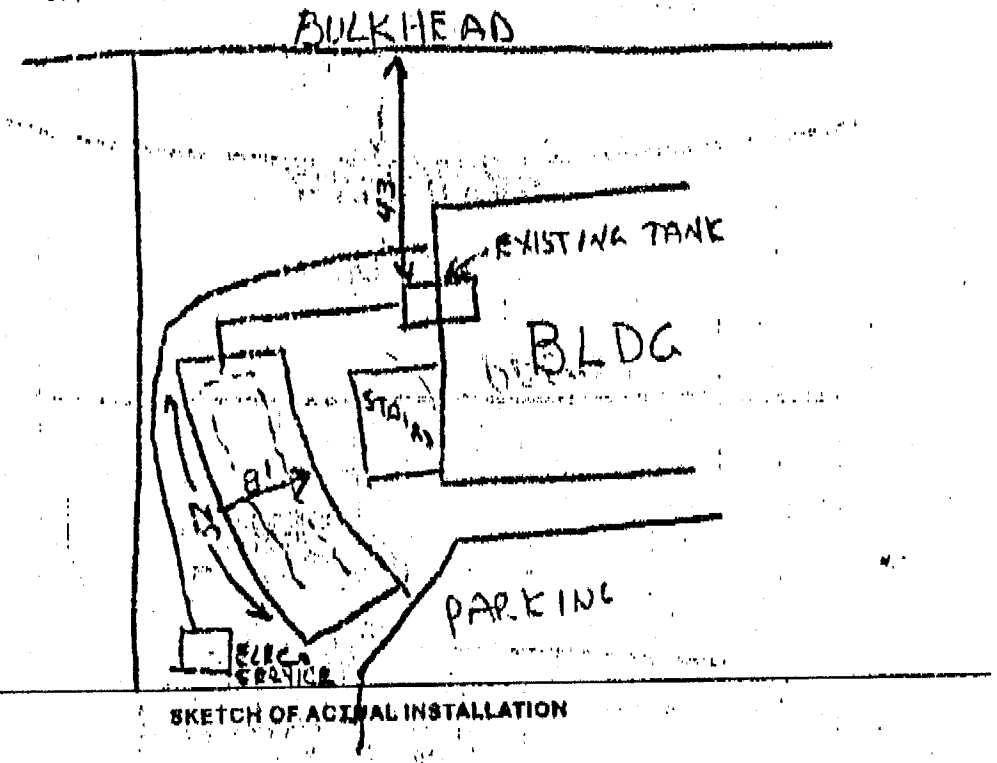
Pump Capacity ____ gpm

at ____ ft. of Head

SPECIAL INSTRUCTIONS/CONDITIONS

SKETCH OF RECOMMENDED INSTALLATION

* THIS REPAIR OF AN EXISTING SEPTIC TANK DISPOSAL SYSTEM IS DESIGNED TO ACCOMODATE A MAXIMUM OF 570 GALLONS PER DAY FROM AN OFFICE COMPLEX WITH 38 EMPLOYEES WITH NO COMMERCIAL FOOD SERVICES



ACTUAL INSTALLATION

ller FAIN S/T

(s) Mfg. EXISTING

Mfg. HANCOR

Installed ____ Yes ✓ No

ost Actual Distances from

om to:

Well PUBLIC

Foundation 5'

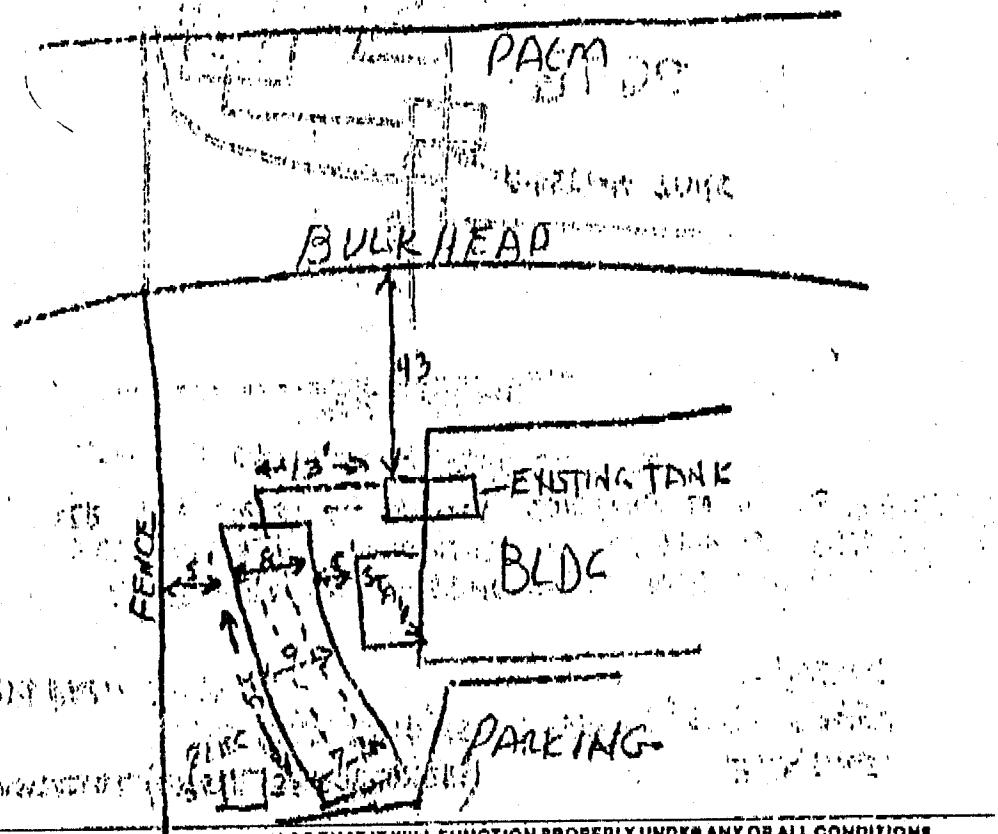
Property Line 2

Impoundment ____

Stream 43'

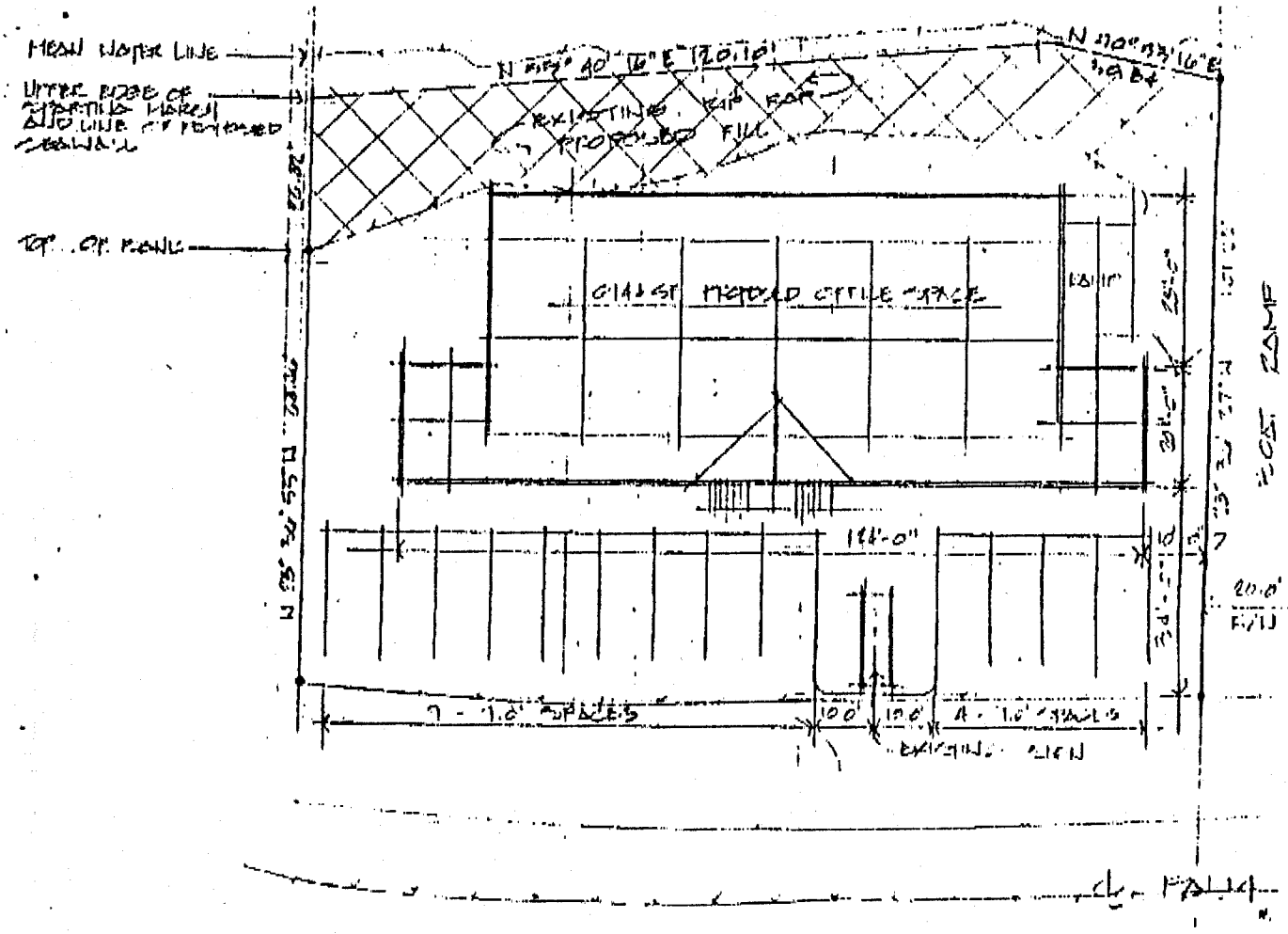
Line No. Grade Readings

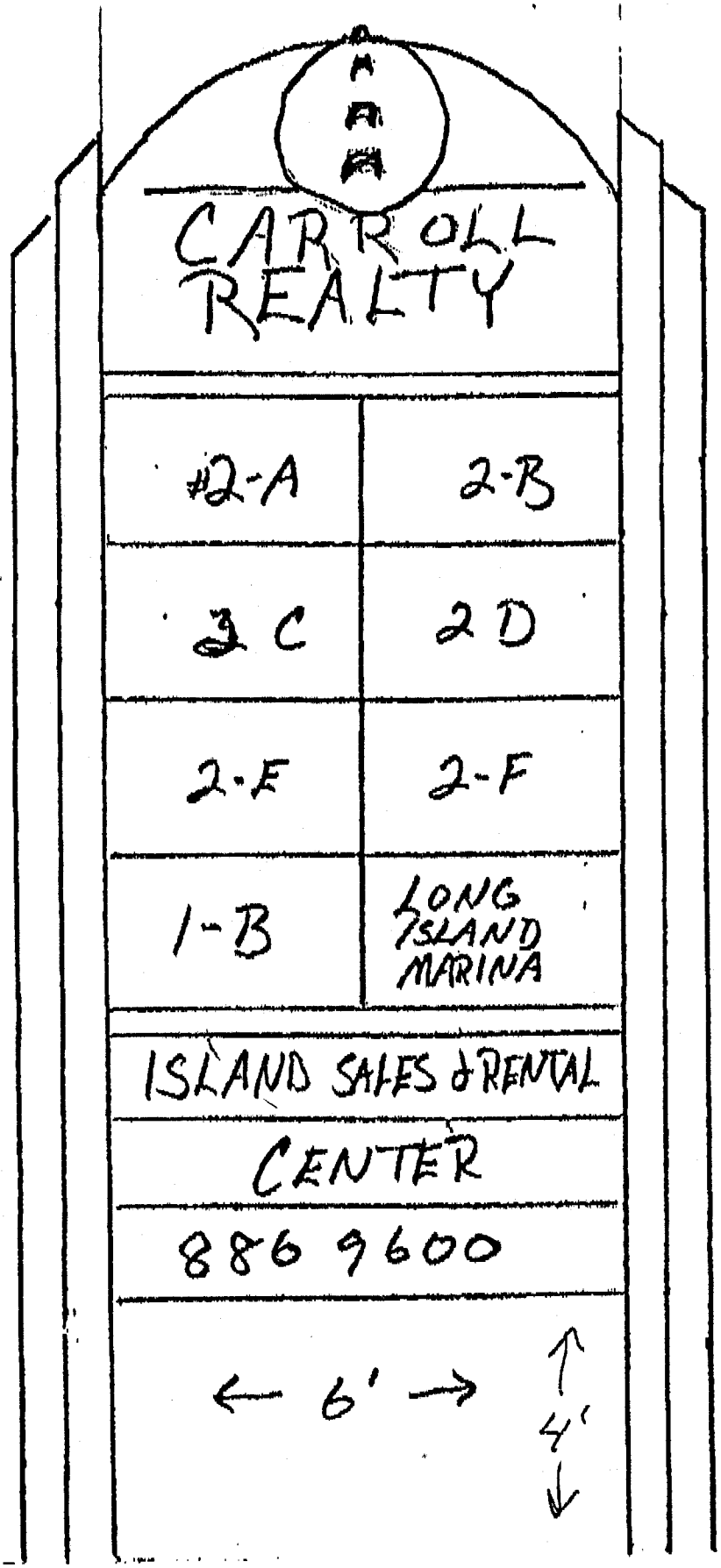
SKETCH OF ACTUAL INSTALLATION



THIS CERTIFICATE OF FINAL APPROVAL IN NO WAY GUARANTEES THE LIFE OF THE SYSTEM OR THAT IT WILL FUNCTION PROPERLY UNDER ANY OR ALL CONDITIONS.

Agent ____ Date: ____ Approved By: INSPECTED PALM BLVD HARRY TOWNSEND Date: 4-11-91


MEAN WATER LINE
UPPER EDGE OF
TOP OF BANK
N 25° 30' 55" E 72.52'
N 77° 40' 16" E 120.16'
N 70° 19' 16" E
EXISTING
RIPRAP
FILL
GUNITE LINED CATTLE RAMP
18'-0"
20.0'
FILL
7 - 1.0' SPACES
10.0'
19.0'
4 - 1.0' SPACES
EXISTING
FLOOR RAMP



17'-5" total ht

total Sign Approx. 84 sq ft

103 Palm

EXHIBIT "C"

MORRIS D. ROSEN
ROBERT N. ROSEN
RICHARD S. ROSEN
H. BREWTON HAGOOD
MARK O. ANDREWS
ALICE F. PAYLOR
SUSAN C. ROSEN
SC, MA & RI
LON H. SHULL, III
DONALD B. CLARK
SC & IA
IRVIN G. CONDON
DIANE C. CURRENT
KAREN B. McCORMICK
M. THERESE TROUCHE
SC & GA
RANDY A. HORNER

ROSEN, ROSEN & HAGOOD
ATTORNEYS AND COUNSELLORS AT LAW
45 BROAD STREET
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-6726

MAILING ADDRESS
POST OFFICE BOX 893
CHARLESTON, SC 29402

FAX NUMBERS
(803) 724-8036 BROAD ST.
(803) 724-8045 CHURCH ST.

March 29, 1991

William W. Dreyfoos, Esquire
Isle of Palms City Attorney
171 Church Street, Suite 210
Charleston SC 29401

Re: Carroll Realty Revised Petition For Sign Permit

Dear Bill:

This will confirm our discussions during our meeting on Thursday, March 28, 1991 in which I advised you that I am representing Carroll Realty concerning their revised petition for a sign permit for their property located at 103 Palm Boulevard.

As you are aware, Carroll Realty's previous petition for expansion of their existing sign was denied by City Council. It is my understanding that the basis for the denial was the belief that a variance was necessary in order for Carroll Realty to have a sign in excess of fifty (50) square feet as set forth in Section 5-4-124(b)(2).

After researching the issue, I am of the opinion that Section 5-4-124(b)(4) of the Isle of Palms City Code is the controlling section in this situation. That section provides that "a shopping center may erect a maximum of two (2) free standing signs with a maximum total area of One (1) square foot per frontage foot, but not to exceed 100 square feet per sign". Carroll Realty's revised petition is specifically being requested pursuant to this section. While the term "shopping center" is not a defined term in the code, it is clear that the intent of the provision is to make certain when you have more than one (1) business located in a building, the ordinance is designed to prevent a separate sign for each business located within the building. The sources I have consulted generally define a shopping center as a parcel or parcels of land developed as one (1) unit under common management containing more than one (1) business in which the businesses share a common parking area. The building managed by Carroll Realty clearly falls within such a definition.

It is my understanding that the revised petition submitted by Jim Carroll on behalf of Carroll Realty included a sketch of the

EXHIBIT "D"

enlarged sign. Mark Williams has advised me that he has referred this revised petition to you.

I would appreciate either you or Mark Williams advising me as soon as possible as to whether the revised petition for the sign permit will be granted in order that Carroll Realty can modify the sign as soon as possible. They have tenants who are moving into the building and are desirous of resolving this situation as soon as possible.

If you have any questions, please feel free to contact me.

Sincerely yours,

ROSEN, ROSEN & HAGOOD

Brew Hagood

H. Brewton Hagood

HBH/bb

cc: Mr. Mark M. Williams
City Administrator
City of Isle Of Palms

Mr. Jim Carroll

g:\rh\hbh\let\dreyfoos.329

WILLIAM W. DREYFOOS
ATTORNEY AT LAW
171 CHURCH STREET
SUITE 210
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-2033
TELECOPIER (803) 723-3039

April 22, 1991

Mr. Mark Williams
City Administrator
City of Isle of Palms
P.O. Drawer Q
Isle of Palms, SC 29451

RE: Carroll Realty sign

Dear Mark:

This will refer to our telephone conversations and Brew Hagood's letter of March 29, 1991, regarding Carroll Realty's application for a sign permit for its property at 103 Palm Boulevard.

As you are aware, this is the second application for a sign permit for the businesses that will occupy Carroll Realty's new building. The first application assumed that City Code Section 5-4-124(b)(2) controlled; Carroll Realty applied for a variance to increase the square footage allowed under this section, and the variance was denied by City Council.

The current application is based upon Section 5-4-124(b)(4) of the City Code, which permits shopping centers to have greater sign square footage than generally available to commercial establishments under Section 5-4-124(b)(2). Under this Section, the signage requested by Carroll Realty would fall within the parameters allowed, and no variance would be needed. At issue is whether the structure meets the definition of a shopping center.

As indicated in Mr. Hagood's letter, "shopping center" is not defined in the Code. As a result, we are again faced with the situation where poor drafting of the old zoning ordinance creates a problem in interpretation. Mr. Hagood sets forth a number of criteria which might reasonably be used to define a "shopping center"; these are similar to the provisions in the ordinances of other jurisdictions which do define "shopping center" (see attached definition from Hilton Head). Mr. Hagood argues that the Carroll Realty structure meets those criteria, and therefore should be considered as a "shopping center" under the City's zoning ordinance.

EXHIBIT "E"

I find Mr. Hagood's arguments persuasive. Definitions have to be made pursuant to generally applicable criteria. The Carroll Realty structure doesn't look like the Red & White shopping center, but it is difficult to distinguish the two except in the superficial context of size and height, neither of which is used elsewhere in the ordinance to differentiate between uses. The ordinance could define a "shopping center" as having a minimum number of commercial establishments, but it doesn't. Given the lack of minimum sizes or requirements in the City Code, I believe the City lacks a firm basis for refuting Mr. Hagood's contention that 5-4-124(b)(4) applies to the structure erected on the Carroll Realty property.

I am aware that this particular issue has political overtones; and Council may again be thwarted in achieving policy objectives due to poor drafting of old ordinances relating to land use. Once again, this situation shows the need to complete the revision of all of the City's land use ordinances.

Please let me know if I can be of further assistance in this matter. With best regards, I remain

Very truly yours,

Bill

William W. Droyfoos

WWD/ab

cc: H. Brewton Hagood, Esquire

personal or household consumption. A reasonable amount of storage on premise for goods to be sold is permitted.

( ) Retention: The collection and storage of runoff without subsequent discharge to surface waters.

( ) Room: (see "habitable space")

( ) Salvage excavation: Controlled, systematic digging to preserve, recover and record as many of the archaeological resources and contextual data as possible, prior to their anticipated destruction.

( ) Secondary Dune: A sand dune occuring behind the primary dune.

( ) Sediment: Fine particulate material, whether mineral or organic, that is temporarily in suspension or has settled to the bottom of a water body.

( ) Setback: An area measured inward from the property line, right-of-way line or a specified line defining the limits within which no structure or obstruction not otherwise authorized in this chapter shall be located above ground.

( ) Shopping Center: A group of three (3) or more architecturally unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and types of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

( ) Sight triangle: A triangular area abutting two intersecting streets or the intersection of a street and a driveway, where vision shall be unobstructed. The sight triangle is formed by a line connecting the points along the intersecting street lines which represent the distance from the intersection of the unobstructed vision.

( ) Sign: (see definition in Section 16-7-1005 of this chapter).

( ) Single-family detached residence: A structure containing one dwelling unit that is free-standing.

( ) Single-family attached residence: A structure containing more than one single-family dwelling unit in which the units are physically attached, and each has its own separate exterior entrance way and a

ROSEN,ROSEN & HAGOOD
45 BROAD STREET
P. O. BOX 893
CHARLESTON, SOUTH CAROLINA 29402
(803) 577-6726

MULTIFAX IMAGEMASTER COVER SHEET

DATE: May 22, 1991 TIME: _____

PLEASE DELIVER THE DOCUMENT(S) TRANSMITTED HEREWITH TO:

NAME: Mr. Mark W. Williams

COMPANY OR LOCATION: Isle of Palms City Hall

REFERENCE: Carroll Realty, Inc., - Appeal

THIS FAX DOCUMENT IS BEING FORWARDED AT THE REQUEST OF:

H. Brewton Hagood

OPERATOR: Gerry
TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 17

WE ARE TRANSMITTING FROM A MULTIFAX IMAGEMASTER

OUR FAX NUMBER IS: (803) 724-8036

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE REPORT AS SOON AS POSSIBLE TO (803) 577-6726 TO THE OPERATOR LISTED ABOVE

WARNING! The information contained in this transmission is subject to attorney-client privilege and/or attorney work product privilege. This confidential information is intended only for the use of the addressee. Any distribution or copy made of the information contained in this communication is strictly prohibited. If you have received this facsimile message in error, please call the sender by telephone immediately and return the original fax page(s) and cover sheet to us at the above address via U.S. Mail. Thank you.

ADDITIONAL MESSAGE: _____

CLIENT NUMBER: 1900 CLIENT NAME: Carroll Realty, Inc.
FAX NUMBER: 886-8005 MINUTES: _____
FORMS\FAX.COV

EXHIBIT B 5/23/91 Copy to Mark Councilmembers W/S Comm.

MOUNT PLEASANT WATERWORKS AND SEWER COMMISSION

Commissioners
W. L. Golightly, Jr., Ph.D., Chairman
Charles H. Hindman
Dana W. Love, Jr., P.E.
Warren T. Player
Harmon I. Shade

Manager
H. Clay Duffie

Phone (803) 884-9626
FAX (803) 884-4858

May 22, 1991

The Honorable Carmen Bunch, Mayor
City of Isle of Palms
Post Office Drawer Q
Isle of Palms, SC 29451

The Honorable Melvin Anderegg, Mayor
Town of Sullivan's Island
Post Office Box 427
Sullivan's Island, SC 29482

Dear Mayor Bunch and Mayor Anderegg:

The Commission is contemplating construction of a 30" outfall line from Ben Sawyer Boulevard to our Charleston Harbor outfall line on Center Street. This line has been upsized from a 24" to the proposed 30" in order to accommodate the flows from Sullivan's Island and Isle of Palms in keeping with the current 201 plan. The Commission would like to determine your intentions of using this outfall in the near future before expending the necessary funds to enlarge this line.

We received bids on the pipeline on May 15, 1991 and the apparent low bidder's prices are listed below:

Outfall line (30")	$481,374.10
Alternate Outfall line (24")	$420,908.80
Cost Difference	$ 60,463.30

We would ask that the Islands consider paying this cost difference on a pro rata formula based on flow if you intend to use the line in the future. If you choose not to fund this upsizing now and the Commission funds the cost difference, interest of no less than prime would be added if you elect to use the line later. If the Island's elect not to fund the upsizing of the line and the Commission elects not to provide the interim funding, a new line would be required for the Islands use later. This line would certainly cost more than $60,463.30.

I am attaching information for your use as you consider this matter and will be glad to discuss it with you at your convenience. We need a quick answer as to whether you are interested in pursuing the upsizing or not. Please let us hear from you by June 3rd. Exact cost will be calculated as soon as we hear from you. Refusal to participate at this time would certainly not lock you out of participating a sometime in the future, so your options remain open.

Should you need additional information, please do not hesitate to contact me.

Yours truly,

MOUNT PLEASANT WATERWORKS
AND SEWER COMMISSION

Clay Duffie
Manager

CD:sim
Enclosures

cc: Tom Hansen, COG
Foster Coleman, DHEC
Commissioners

MEMORANDUM

TO: Clay Duffie, Manager

FROM: Tom Wright, Wastewater Manager/Chief Engineer

DATE: May 21, 1991

RE: Effluent Force Main from Rifle Range Road
Wastewater Treatment Plant

The Rifle Range Road effluent force main needs to be at least 24"ø. During the design we increased the pipeline size from Coleman Boulevard to Waterworks Boulevard to accommodate effluent from Sullivan's Island. The larger pipeline (30'ø) will cost an additional $60,465.

In order to complete the project by December 19, 1991 we must award the contract no later than June 17, 1991.

If we install the 24"ø line (Base Bid minus Alt A) and Sullivan's Island wishes to discharge to us at a later time, it will require 4000 LF of 10"ø pipe (≈ $68,000 at todays cost).

If no commitment is received from Sullivan's Island, I recommend we proceed with the 24"ø line (Base Bid Minus Alt A). If Sullivan's Island wants us to handle their discharge at a later time, they should pay the additional pipeline work required.

TW:rlb

WASTEWATER EFFLUENT FORCE MAIN

MOUNT PLEASANT WATERWORKS AND SEWER COMMISSION

Bids to be received until 2:00 p.m., local time, May 15, 1991

CONTRACTOR	AMOUNT BID
Anson Construction Charleston, SC	481,374.10 $ 427,580.40
Charleston Constructors Charleston, SC	496,250.80 $ 444,740.80
Hobby Construction Newberry, SC	$
B.F. McMahon, Inc. Columbia, SC	496,685.30 $ 420,908.80
R.H. Moore Company Murrells Inlet, SC	509,295.80 $ 466,665.80
Don Moorhead Construction Anderson, SC	710,726.80 $ 666,026.80
James F. Pedersen Co., Inc. Hollywood, SC	552,918.80 $ 479,423.80
Harold A. Pickens & Sons, Inc. Anderson, SC	$
Southern Champion Construction Tucker, GA	$
Superior Utilities Moncks Corner, SC	519,302.80 $ 458,102.80
Surf Pine, Inc. Myrtle Beach, SC	$
Tideland Utilities, Inc. Summerville, SC	519,100.80 $ 455,800.80
Tri-County Utilities, Inc. Charleston, SC	585,226.80 $ 541,769.30
Yates Construction Co., Inc. Stokesdale, NC	$ 514,321.80 $ 466,821.80

TOMMY GRIFFITH

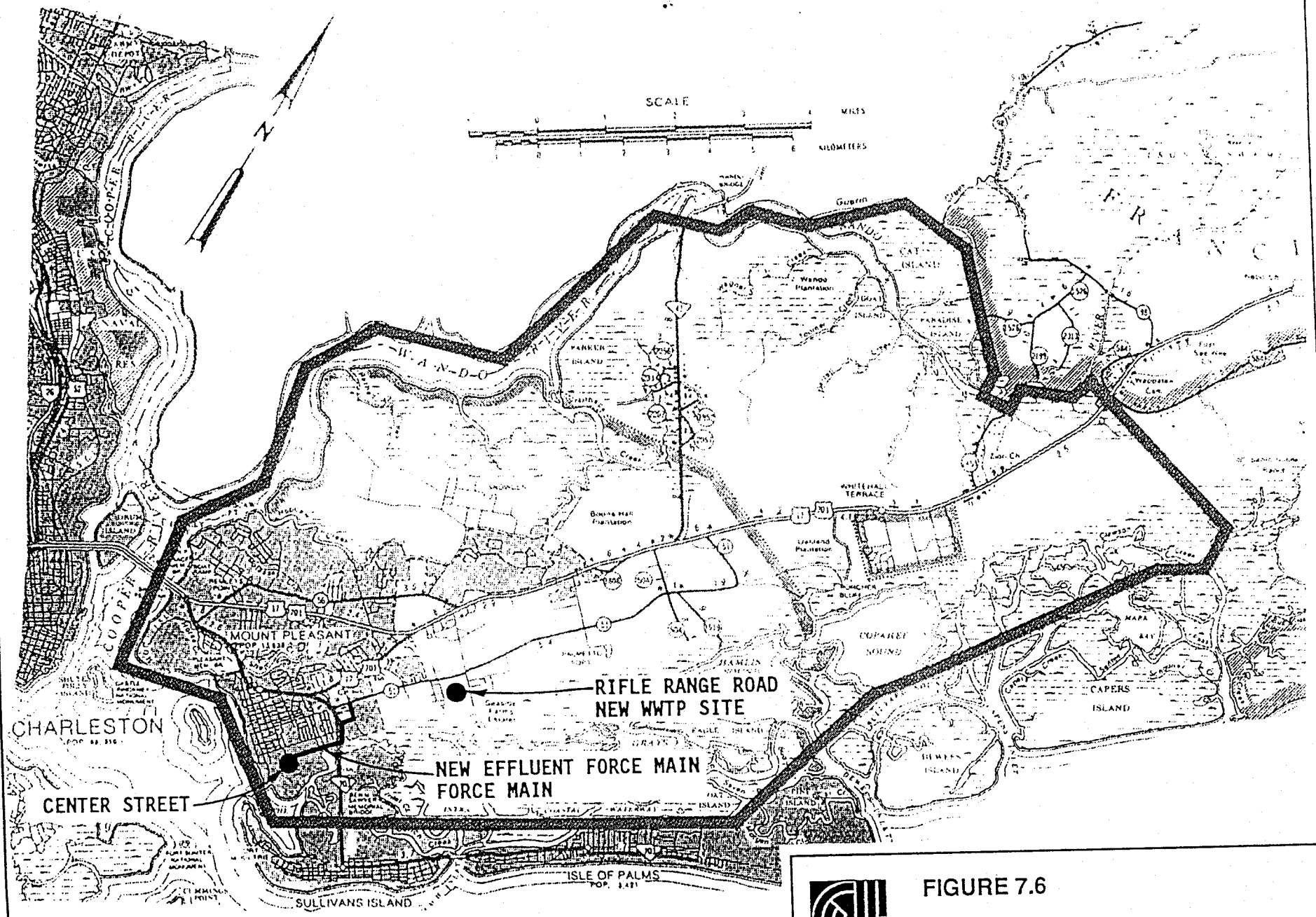


FIGURE 7.6

New WWTP Site Location and Effluent Force Main

would support the reason for phasing even further. Figure 9.1 identifies Phase 1 and 2 components.

- New effluent force main to connect the Rifle Range Road WWTP to the existing Harbor Outfall system.

  The routing of this pipeline is shown in Figure 7.6. The preliminary sizing is 24-inch from the Rifle Range WWTP to Ben Sawyer Blvd. (SC Hwy. 703) and 30-inch from Ben Sawyer Blvd. to Center Street. The change to 30-inch size is to allow for the possible tie-in to the Harbor outfall by the Town of Sullivan's Island sometime in the future. Velocities in the 24-inch main would be about 7 ft/sec at peak flow from the Rifle Range WWTP.

- Tie-in of Alston Point and Commonwealth systems to the central system (i.e. take Alston Point and Commonwealth WWTP package plants off-line).

  Relatively minor piping changes can accomplish this item (about $2,000). The Hobcaw Apartments and possibly Detyens Shipyard package plants may be taken off-line as collection system improvements are made in the adjacent areas.

9.4 USER CHARGE IMPACT

The current 1990 average monthly MPWSC customer charge for wastewater system services is about $21.24/month. The average MPWSC customer wastewater system charge for year 1 of the planning period (1993) is estimated to be about $23.36/month.

Study of Wastewater Alternatives for the City of Isle of Palms Charleston County, South Carolina

Prepared For:

The City of Isle of Palms
Post Office Drawer Q
Isle of Palms, South Carolina 29451

(803) 886-6428

October 1990

Prepared By:

Thomas & Hutton Engineering Co.
Post Office Box 1522
Mt. Pleasant, South Carolina 29465

(803) 849-0200

on the Isle of Palms. Poor drainage as is outlined in the Soil Conversation Services Flood Plain Management Study for the Isle of Palms is especially common.

Currently, most of the waters to the north of the Island are classified as SFH (shellfish harvesting waters) and are Restricted Shellfish Zones. A new draft survey of shellfish zones around the Isle of Palms is presently under review by the South Carolina Department of Health and Environmental Control (SCDHEC). It is believed that many of the surrounding areas will be downgraded to prohibited.

In addition to the possibility of septic tanks affecting water quality on the Island along with Point Source Discharges (i.e., treatment plants on the Isle of Palms and Sullivans Island), several non-point sources of pollutants may also be affecting water quality on the Isle of Palms. These pollutants include:

1. Agricultural activities
2. Silviculture activities
3. Construction activities
4. Residual waste disposal
5. Marinas and boat traffic
6. Wildlife
7. Solid waste
8. Dredging
9. Urban stormwater runoff
10. Domestic waste

An indicator of pollution is fecal coliform. Fecal coliform levels have historically been significant around the Isle of Palms. However, wide variations in fecal coliform counts are possible and the counts may not be totally derived from human wastes. The data to date is inconclusive.

Presently, the 201 Facilities Plan for the East Cooper Area outlines a regional solution to provide the best practicable wastewater treatment technology. The 201 Plan calls for the Isle of Palms, Sullivans Island and Mt. Pleasant to pump their wastewater to Mt. Pleasant for treatment and disposal in the Charleston Harbor. The Isle of Palms and Sullivans Island would jointly pump waste to Mt. Pleasant through one force main crossing the Intracoastal Waterway. *

Wastewater generated from the Isle of Palms is primarily domestic wastewater from residential units. The types of waste can be characterized as weak domestic waste which should not contain materials that are toxic or hazardous. Ultimate wastewater flows are projected at a daily rate of 772,500 GPD and a projected peak daily flow of 1,700 GPM.

Various wastewater collection and transmission alternatives are

Alternative	Estimated Construction Cost	Projected O & M Cost (Per Year)	Estimated Present Worth Cost (1)
#1 Upgrade Existing Treatment (3)	$5,258,000	$218,625 (2)	$6,940,334
#2 Ocean Outfall	$7,500,000	$141,625	$8,197,575
#3 Reclaimed Water	N/A	N/A	N/A
#4 Pump Treated Effluent to Mt. Pleasant	$6,260,000	$178,625	$7,579,335 *
#5 Pump Raw Wastewater to MPW&SC (5)	$6,340,000(4)	$ 54,000	$6,683,495 *

Notes:

1. Planning period is 20 years and the discount rate is 9%.

2. Includes hiring additional personnel to operate the tertiary plant and extra facilities.

3. Upgrade to tertiary treatment to stay within the existing NPDES waste load allocations.

4. Based on present MPW&SC Impact fee of $1,314.00/REU with ultimate buildout of 2575 REU's.

5. MPW&SC = Mt. Pleasant Waterworks and Sewer Commission.

The three highest priority areas on the Isle of Palms which should receive sewer service are around the Forest Trails and Hartnett Blvd. area, around Palm Blvd. and Carolina Blvd. and around Lauden Street and Chapman Ave.

As time passes, the order of priority may change but any area which is along the Intracoastal Waterway, has poor drainage or is low in elevation has greater priority.

There are many limitations and constraints on expanding sewer

service to areas on the island, but good engineering design and judgement, public education and citizen involvement can eliminate most of these. The most significant constraint is funds and treatment capacity.

The deterioration of the water quality around the Isle of Palms can be slowed if not eliminated if a coordinated effort to lessen the effects of nonpoint source pollutants is made. The control of such items as litter, refuse pickup, vegetative debris, animal wastes and attention to construction activities, existing septic systems and stormwater systems will help improve water quality around the island.

Improvements to the drainage system and proper operation and maintenance will not only curb nuisance flooding but will allow septic systems to function better and lessen the impact on surrounding waters.

The analysis of initial construction costs, operation and maintenance costs and the present worth analysis indicates the most attractive collection alternative is a conventional gravity collection system.

The analysis of the same items for the treatment of wastewater and its disposal indicates that the least initial cost alternative is to upgrade the existing treatment plant on the Isle of Palms and to provide tertiary treatment. This would not be in accordance with the 201 Plan for East Cooper and approval of this alternative is not assured.

The present worth analysis of the alternatives indicates that the operation and maintenance costs of providing tertiary treatment is far greater than if raw wastewater is pumped to Mt. Pleasant for treatment and disposal. Over the 20 year planning period, pumping to Mt. Pleasant is more cost effective and it would be in accordance with the 201 Plan and should be easier to implement approvals. *

Two issues which can significantly affect the option to pump to Mt. Pleasant are:

1. The size of the impact fee imposed by the Mt. Pleasant Waterworks and Sewer Commission
2. The availability in the future to install a force main on the proposed Isle of Palms connector bridge.

Related to this is the question of the fee charged by MPW&SC, if the City should elect to have the Commission operate and maintain the Isle of Palms water and sewer systems.

In summary, a plan to implement corrective activities should be undertaken to improve surrounding waters. The island's drainage system should be improved to reduce nuisance flooding, protect

EXHIBIT C

MINUTES OF THE WORK SESSION OF WAYS & MEANS
AND CITY COUNCIL
APRIL 29, 1990, 7:00 P.M., CITY HALL

A work session of Ways & Means and City Council was held on April 29, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Sottile, Swanson, Ward, and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary.

1. Paving in front of the Public Works Building. There was a discussion on the subject of paving the area in front of the Public Works Building that was not originally planned to be paved. Mayor Bunch made a motion to postpone making a decision on this matter until we have estimates of the cost; Mrs. Swanson seconded. Further discussion concerned drainage problems, size of area to be paved, and cost of paving.

2. Increase in fees from Sullivan's Island for dispatch service. Mayor Bunch made a motion to raise the fees to $30,000 per year; Mr. Holden seconded. Chief Arnold stated that Sullivan's Island has doubled their dispatch service the past year doing approximately 60% of what the Isle of Palms does. Sullivan's Island currently pays $2,000 per month for these services. After discussion, motion passed. Mr. Watson then made a motion to lock in the fee of $30,000 for two years; Mr. Sottile seconded; motion passed 5-2.

3. Season passes for parking lot for residents and commercial area employees. In previous seasons, Council authorized $25 per season; then raised the fee to $30 per month but no one bought a pass at the monthly rate. Mr. Holden made a motion to charge everyone $45 per season per car; Mr. Watson seconded. After discussion, Mrs. Swanson made an amendment that residents with City stickers be able to park free during weekdays and pay half price on weekends; Mr. Watson seconded. Amendment passed 7-0; motion passed 6-1.

Mr. Watson made a motion to reconsider the original motion; Mrs. Swanson seconded; motion passed unanimously. Mr. Watson then made a motion to charge commercial employees $45 per season per car and residents with a City sticker being able to park free on weekdays and at half price on weekends; Mrs. Swanson seconded; after further discussion, motion passed 6-1.

4. Cost of living adjustment for employees. Chairman Ward stated that this matter is a main basis for the budget. Mr. Williams stated that a regular step increase in salary for employees is 3.5%. Employees did not get a cost of living increase in 1990 in order to increase the insurance coverage which was a 20% increase to the City. Effective July 1, our current insurance will increase an additional 45%, unless we reduce the coverage plan, which will cause more to be taken out of the employees' pockets. Since the last cost of living increase, the consumer index has risen approximately 10%. Mr. Williams suggested a 3% cost of living increase for all employees for fiscal year 1991-92. There was extensive discussion about the number of employees on the payroll and where or if cuts could be made and the level of services that the City provides. Mrs. Swanson made a motion to give employees a 2% cost of living increase; Ms. NesSmith-Picard seconded. Mr. Watson made an amendment for a 2.5% increase, but as there was no second the amendment died. Roll call vote on the motion: Holden -Yes; NesSmith-Picard - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No; Bunch - Yes. Motion carried 6-1.

Mr. Watson made a motion that the chairman of Ways & Means call a special work session in order to study the number of employees the City needs; Mr. Holden seconded. After discussion, the motion and second were withdrawn. Mr. Watson then made a motion that as soon as prudent the chairman of Ways & Means call a special work session in order to study the number of employees the City needs; Mr. Holden seconded. Motion passed unanimously.

6. Holding cell for police building. Mr. Watson made a motion to approve the expenditure of $6,000 for a holding cell option for the police building; Mr.

Sottile seconded. Mayor Bunch stated if we added a holding cell to the building, it must be restricted to persons arrested on Isle of Palms only. Due to legal ramifications, we cannot be responsible for Sullivan's Island arrestees. After discussion of Sullivan's Island police requesting to use the holding cell, Mr. Watson amended the motion to state that it would be for the use of Isle of Palms Police Department only; Mr. Sottile seconded. There was further discussion concerning the need for a holding cell and the costs expended by the City in taking prisoners to Charleston. Chief Arnold stated that there would be a 60% savings to the City if we had a holding cell. A person can only be held for four hours; no juveniles can be held in a cell and men and women cannot share a cell. After discussion, motion passed 5-1 with 1 abstention.

Mr. Williams also reported that the architect has recommended that a special computer floor be put in the dispatch room of the building for protection of the wiring of the equipment. The estimated cost of this would be $2,982. Mr. Watson made a motion to approve the expenditure for a computer floor but to have the architect check to see if this was the lowest price available and what credits were given materials originally planned for this room; Mrs. Swanson seconded. Motion passed unanimously.

5. High costs of professional fees. Ms. NesSmith-Picard questioned the large amount of money that has been spent so far this year in professional fees. The budget had called for $35,000 and the City has spent approximately $59,000 this year. She feels that these fees are unnecessarily high and that we should cut down as much as possible. There was protracted discussion and no action was taken.

7. Length of financing term for $700,000 bond: 15-20-30 years. Mr. Watson made a motion to finance the bond for 30 years; Mrs. Swanson seconded. In discussion, Mr. Watson stated that his intention was to spread out the costs more evenly among the taxpayers taking into consideration that property changes hands several times within a thirty year period. Mr. Williams stated that the bond attorney had recommended a 15-year term financing. Mayor Bunch amended the motion to finance for 15 years; Ms. NesSmith-Picard seconded. The amendment passed 4-3. Motion was defeated 1-6 which nullified the amendment. Mayor Bunch made a motion to finance the bond for 15 years; Mr. Sottile seconded; motion passed 4-3.

8. Executive Session.

No action was taken in Executive Session; contractual matters were discussed.

Mr. Watson made a motion to adjourn; Mrs. Swanson seconded, motion passed unanimously.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT D

M E M O R A N D U M

TO: City Council

FROM: Mark Williams

SUBJECT: Business License

DATE: May 21, 1991

==========

Please look over the attached proposal for business license. This is not the same as some of the other requests that we have denied in that this is not a sale for consumption on the premises and it is proposed to be on private property with agreement of Resorts, Inc.

Again, I would appreciate allowing this to be considered for Wednesday's meeting.

Proposal For Island Shrimp Co.

Business License

Presented by:
Patrick B. Hassell
Timothy D. Wise

May 16, 1991

Island Shrimp Company

Who:

Patrick B. Hassell
5 Beachwood West
Isle of Palms, South Carolina
(803) 886-6068
- 8 year resident (I.O.P.)

Timothy D. Wise
353 Seewee Circle
Mount Pleasant, South Carolina 29464
(803) 884-7547
- 22 year resident (Mt. Pleasant)

What:

Island Shrimp Company
Fresh local shrimp to be sold at shade stand and free delivery available by phone order.

When:

Summer months *only* of 1991.
- May 27, 1991 through Labor Day 1991 (September 2, 1991)

Hours of Operation:
- Initially 2:00pm - 9:00pm Seven days/Week
  On rainy days, delivery service available only.
* sales patterns to be evaluated at end of two weeks to determine optimal times for operation.

Where:

A.) Shade Stand
- 1116 Palm Blvd. (side lot of Resorts, Inc.)

B.) Home Delivery
- to be handled from Isle of Palms residence

Why:

A.) Earn money for graduate school.

B.) Learn about starting and operating a small business.

Facilities Proposed:

A.) Two (2) A-frame signs approximately 3 feet in height to be placed on property corners during business hours *only!*

B.) Small, portable, one-man shade stand approximately 4 feet X 2 feet X 7 feet to be moved off parking area nightly if desired by Resorts, Inc.

Concerns:

A.) Trash
- All shrimp will be sold raw and in plastics bags with ice. No napkins , disposable packaging, etc..., will be distributed.

B.) Parking/Traffic
- No parking facilities will be necessary. The shade stand will be positioned so as to allow for drive-thru service. All automobiles will enter and exit the shade stand area through separate driveways to allow for continuous flow on and off of Palm Blvd.

C.) Cleanliness
- Shrimp will be stored at home residence, brought to stand in removable/detachable containers. There will be no heading of shrimp or disposal of waste on site. Containers will be removed at end of day and cleaned at home.

D.) Utilities
- No utilities (power, water, etc...) will be necessary.

E.) Professionalism
- Our goal is not only to provide top quality service and product, but we want our shade stand and signs to look

professional as well (conservative, freshly painted, clean, etc.)

Benefits:

A.) Provide professional, convenient service for Island residents and tourists.
B.) Opportunity to earn money for school.
C.) Educational experience of starting and operating a small business.

Emphasis:

CONVENIENCE!!!

A customer at the shade stand will be able to 'drive through' and never have to leave the car to purchase the shrimp.

PROFESSIONALISM!!!

Quality, guaranteed product with exceptionally friendly service.

professional as well (conservative, freshly painted, clean, etc.)

Benefits:

A.) Provide professional, convenient service for Island residents and tourists.
B.) Opportunity to earn money for school.
C.) Educational experience of starting and operating a small business.

Emphasis:

CONVENIENCE!!!

A customer at the shade stand will be able to 'drive through' and never have to leave the car to purchase the shrimp.

PROFESSIONALISM!!!

Quality, guaranteed product with exceptionally friendly service.

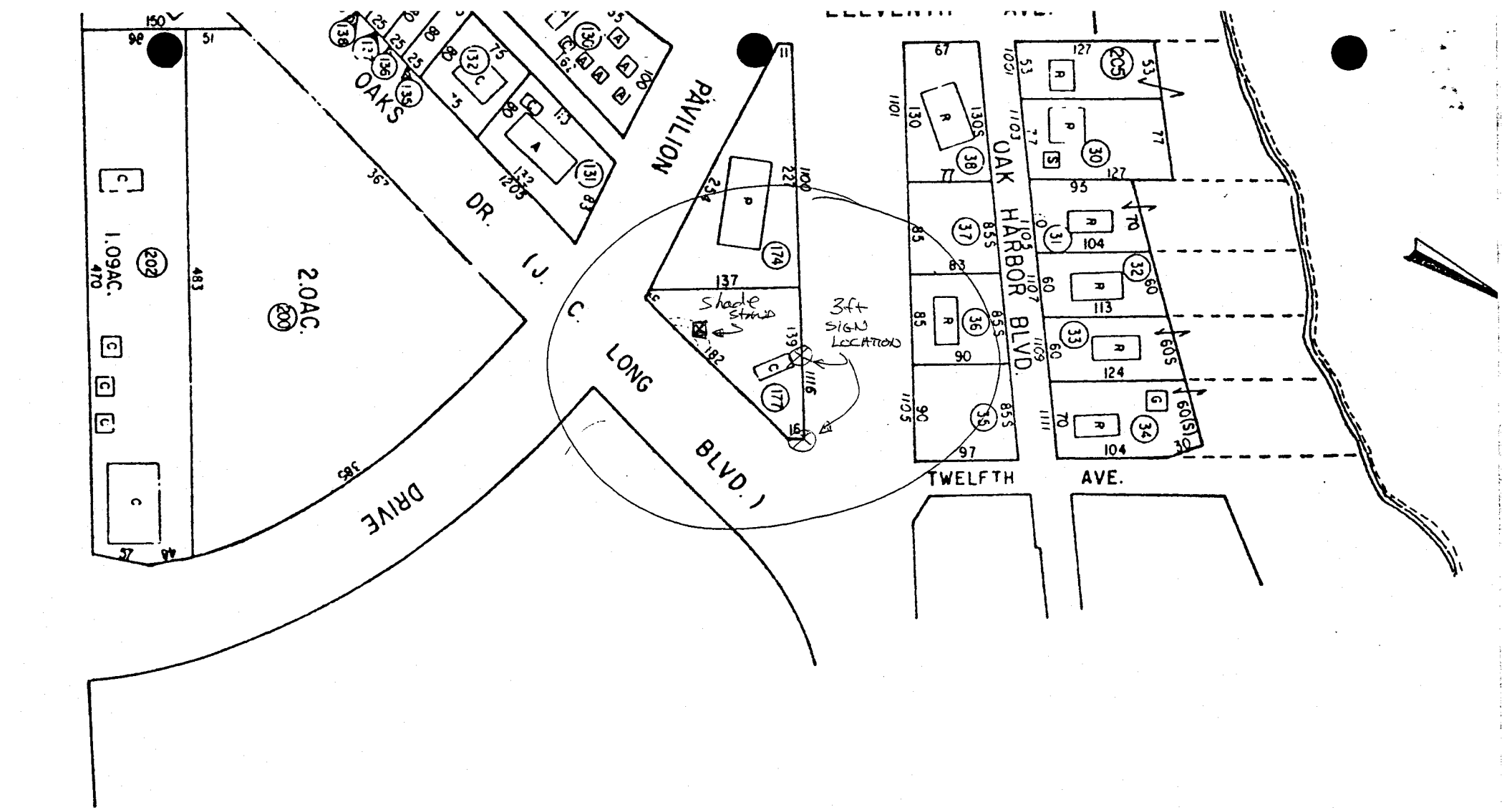

OAKS
PAVILION
DR.
J. C. LONG BLVD.
DRIVE
OAK HARBOR BLVD.
TWELFTH AVE.
2.0AC.
1.09AC.
Shade stand
3ft SIGN LOCATION
SEE TMS 568-12-0
SEE TMS 568-8-0

EXHIBIT E

M E M O R A N D U M

TO: City Council

FROM: Mark Williams

SUBJECT: Promotion

DATE: May 21, 1991

==========

The attached proposal is from radio station 95SX. They had planned this promotion for Saturday, May 25, and just learned late yesterday afternoon that City Council approval was needed for any promotion.

Would you please consider this for Wednesday night's meeting instead of Thursday night's meeting? I am sure the station would be grateful.

PROPOSAL: THE FROG ARRIVES

95SX, an extension of Faircom Communication, sponsors more promotions than any other radio station in the Charleston area. They are dedicated to serving the public in the best way possible.

Affathiarottamirs is a new concept in strategy, specifically designed to force the name of 95SX into the hearts and minds of listeners upon mention. Along with this concept, 95SX has recently decided to unveil The Frog, the newest member and beginning mascot for our institution.

On Saturday, May 25th at 12:00 noon, skydiver Bob Sinnot will jump out of a plane dressed as The Frog. He will land on a space of property owned by the Bananna Cabanna Bar on The Isle of Palms beachfront. This space will be sectioned off by ropes and 10 members of the 95SX staff, along with the added help of employees from the Cabanna. This scheduled event will last for 10 minutes and it can be assured that every precaution available will be taken to ensure everyone's safety.

EXHIBIT F

PUBLIC SAFETY COMMITTEE MEETING
MAY 16, 1990 at 5:30 P.M.

PRESENT: Committee Members: Simon, Watson, Sottile, Mayor Bunch
Also Present: Council Member Holden

FIRE DEPARTMENT:

- Chief Britton highlighted the monthly report for April.

- There were 29 service calls during the month with the majority of these calls being medical.

- 43 fire inspections were held during the month.

- Fireman Richard Bahrs rescued a swimmer with the waverunner. A letter of commendation will be put into his file.

- There was discussion pertaining to the volunteers helping to defray some of the cost on Station #1 with regards to the 14' doors. Volunteers will help with the finish work inside and also possible fund raiser.

- Rob Peffer, of the Fire Department, discussed with the Committee the salaries of our Fire Department compared to other municipalities. There was a lengthy discussion concerning the present salary structure and the Committee took no action. Chief Britton highlighted various other items on his proposed budget.

POLICE DEPARTMENT:

- Chief Arnold highlighted the monthly report for April.

- 27 arrests were made during the month.

- Parking lots are now open.

- Police department received $4,657.57 from Metro Case Unit for narcotics cases.

- Officer Fox presented the first "Scared Stiff Program" to students at Trident Academy. This program makes students aware of the dangers of drinking and driving.

- Chief Arnold advised the Committee that the 3 new vehicles are being striped with a new logo and striping. This is being done in keeping with the department's new logo. The remaining cars will be phased in as striping needs to be replaced.

- Chief Arnold highlighted his budget and advised that it contained a 6.23% increase overall.

With no further business, the meeting was adjourned.

Respectfully submitted,

Michael Sottile, Chairman
Public Safety Committee

EXHIBIT G

JOINT

PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
334 MEETING STREET - ROOM 621
P.O. BOX 919
CHARLESTON, SOUTH CAROLINA 29402
and
THE SOUTH CAROLINA COASTAL COUNCIL
and
THE SOUTH CAROLINA DEPARTMENT OF HEALTH
& ENVIRONMENTAL CONTROL

CESAC-CO-P
Refer to: P/N 91-3D-124-P

May 17, 1991

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) an application has been made to the Department of the Army by

MASSMAN CONSTRUCTION COMPANY
2000 RIFLE RANGE ROAD
MT. PLEASANT, SOUTH CAROLINA 29464

for a permit to construct a temporary construction dock in

HAMLIN CREEK

at a location near the termini of 13th. and 14th. Ave. and adjacent to the proposed Isle of Palms Connector Bridge on the Isle of Palms, Charleston County, South Carolina.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received at this office; the South Carolina Coastal Council, Office of Coastal Planning, 4130 Faber Place, Suite 300, Charleston, South Carolina 29405; and the South Carolina Department of Health and Environmental Control, Division of Water Quality and Shellfish Sanitation, 2600 Bull Street, Columbia, South Carolina 29201, until

12 O'CLOCK NOON, MONDAY, 17 JUNE 1991

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a 26' wide x 455' long fixed timber dock along the R/W of the proposed adjacent bridge. The purpose of the dock is for the applicant's use during the construction phase of the adjacent Isle of Palms Connector Bridge. Upon completion of the bridge work the dock will be removed in its entirety. The estimated time of removal is August 1993.

Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for a specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to:

U. S. ARMY CORPS OF ENGINEERS
ATTN: CESAC-CO-P
POST OFFICE BOX 919
CHARLESTON, SOUTH CAROLINA 29402-0919

The work shown on this application must be certified as consistent with the State of South Carolina Coastal Management Program. The State and Federal permits will be processed concurrently. If a request for further review is received from the South Carolina Coastal Council on this notice, the District Engineer will not process this application to a conclusion until the South Carolina Coastal Council certifies this project is consistent with the South Carolina Coastal Zone Management Program. Failing receipt of such comments, the District Engineer may issue a Department of the Army permit with a condition that it is not effective until such time as the South Carolina Coastal Council evidences certification either by issuance of a permit or a written comment.

CESAC-CO-P May 17, 1991
Refer to: P/N 91-3D-124
Massman Construction

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The District Engineer has consulted the most recently available information and has determined that the proposed project is not likely to affect the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U. S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the proposed activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The applicant is hereby advised that supplemental information may be required by the South Carolina Department of Health and Environmental Control to facilitate its certification. Persons wishing to comment or object to State Certification are invited to submit same in writing to

South Carolina Department of Health and Environmental Control
Office of Environmental Quality Control
Division of Water Quality and Shellfish Sanitation
2600 Bull Street
Columbia, South Carolina 29201

within thirty (30) days of the date of this notice.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

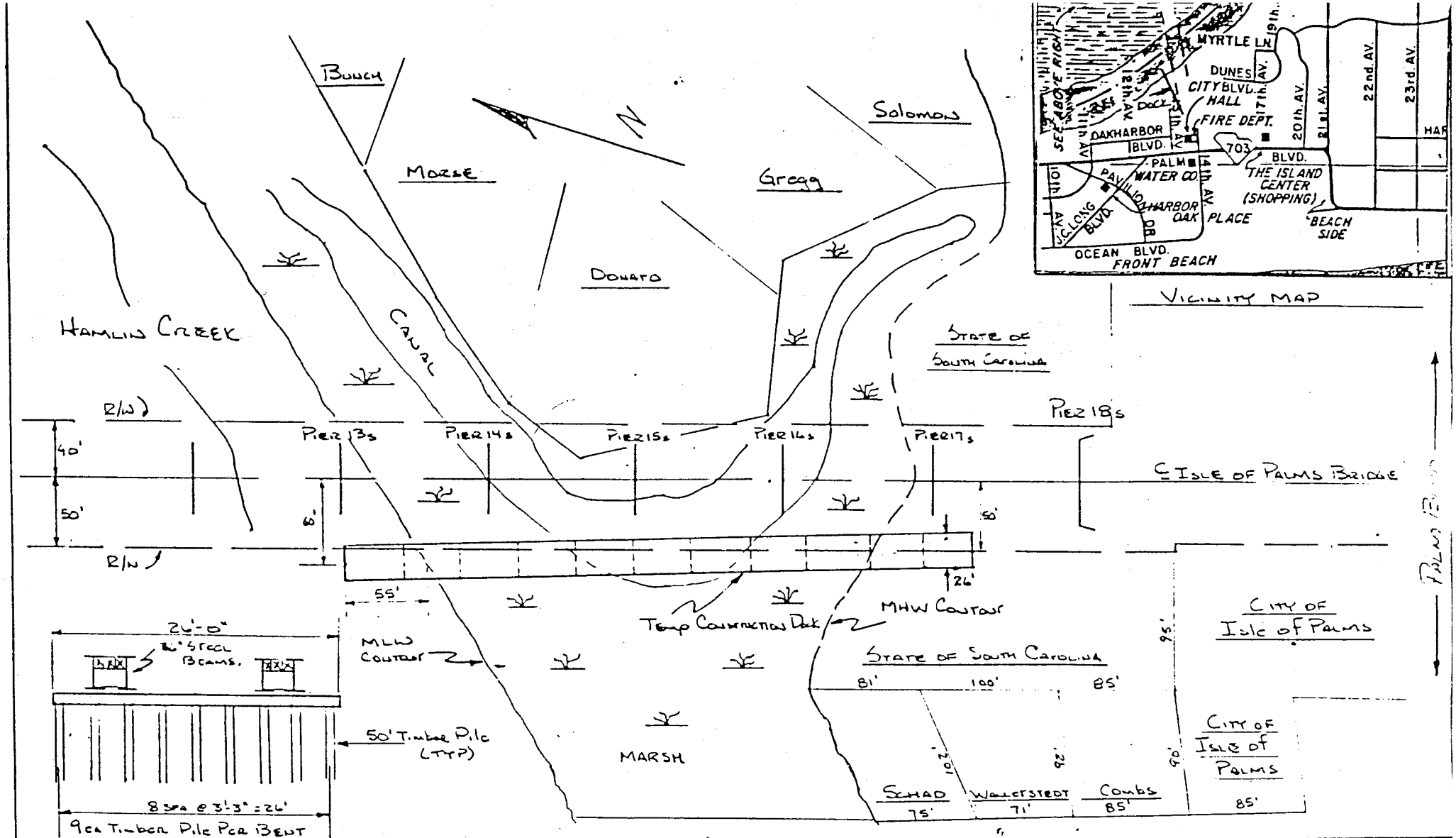
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CESAC-CO-P
Refer to: P/N 91-3D-124
Massman Construction

May 17, 1991

If there are any questions concerning this public notice, please contact me at A/C 803-724-4330.

S. Dean Herndon
Project Manager
Regulatory Branch
U. S. Army Corps of Engineers



Notes:

1. This Permit Submittal is For a Temporary Construction Dock Only
2. Proposed Dock to be Constructed in June 1991 and Remain in Place Through 1993 at which time it will Removed.

Temporary Construction Dock
In Hamlin Creek
Isle of Palms Connector Bridge
S.C. File No. 10.862.1
F.A. Project No. BR-090-1
Isle of Palms
Chas. Co., S. C.
Application by:
Mussman Construction Co.
Date: 5-7-91

Sht 1 of 2

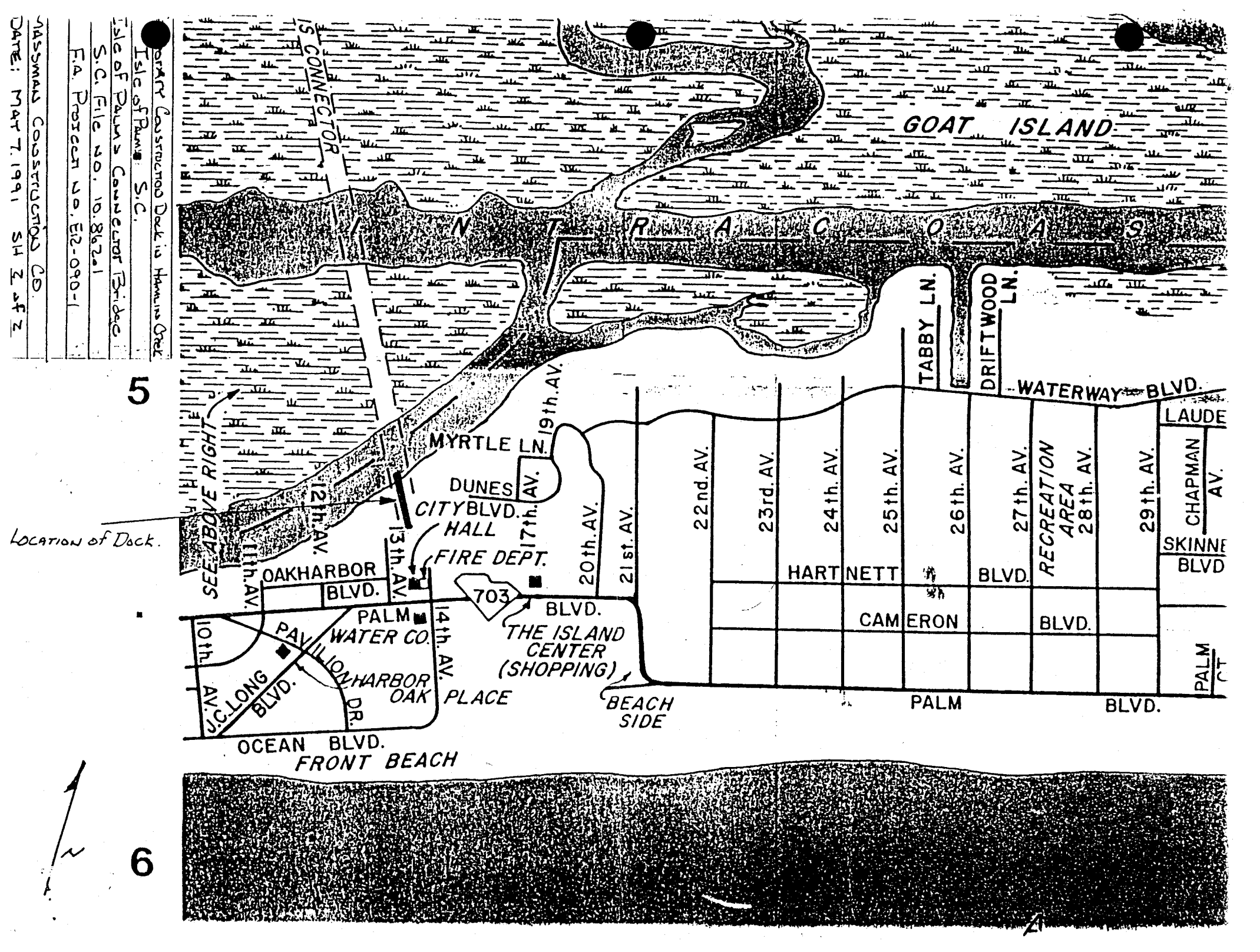

Isle of Palms S.C.
Isle of Palms Connector Bridge
S.C. File No. 10.8621
F.A. Project No. E2-090-1
Jasman Construction Co.
DATE: MAY 7, 1991 SH 2 of 2
5
6
Location of Dock.
SEE ABOVE RIGHT
GOAT ISLAND
INTRACOASTAL WATERWAY
I S CONNECTOR
TABBY LN.
DRIFTWOOD LN.
WATERWAY BLVD.
MYRTLE LN.
DUNES
19th AV.
17th AV.
12th AV.
11th AV.
13th AV.
CITY HALL
FIRE DEPT.
OAKHARBOR BLVD.
703
BLVD.
20th AV.
21st AV.
22nd AV.
23rd AV.
24th AV.
25th AV.
26th AV.
27th AV.
RECREATION AREA
28th AV.
29th AV.
CHAPMAN AV.
LAUDE
SKINNE
BLVD
HARTNETT
BLVD.
CAMERON
BLVD.
PALM
CT
PALM WATER CO.
14th AV.
10th AV.
J.C. LONG BLVD.
PAVILION
OAK HARBOR DR.
PLACE
THE ISLAND CENTER (SHOPPING)
BEACH SIDE
PALM
BLVD.
OCEAN BLVD.
FRONT BEACH

EXHIBIT 11

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., MAY 21, 1991

The meeting was called to order at 7:12 p.m. All Committee members present: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, Council Member Marge Swanson, and Public Works Department Head Andy "Sarge" Parrish. Mayor Carmen Bunch was absent.

Public Works Status Report

Sarge gave the following Public Works Status Report.

Old Business

1) Oak Harbor Drainage Problem. SCHD approved and will install storm drainage along 13th Ave and Oak Harbor to alleviate flooding problems.

2) Fuel Metering System. The City will need to install 100' of drainage pipe so that the fuel tanks can then be installed. City Administrator, Mark Williams, is investigating whether a retention pond will also be required on the PW Bldg site.

3) Construction of Public Works Bldg. Building is still not ready to move into. Latest problem is that a 4" sewer line was installed instead of the 6" sewer line shown in the drawing. The undersized line is being replaced. Some damaged tile near the wall baseboards had to be replaced. The architect forgot about 220 outlets and those have been installed now. Public Works Dept. can move in once the building is approved by the Building Inspector.

4) Status of Recycling Program. Ocean Club and Seascape, inside Wild Dunes, want to join the City's curbside recycling program. Sarge will meet with a person from Ravenel and Associates on Friday, May 24, to select location for residents to place their recyclables (aluminum cans and newspapers).

5) Connector/Roadway Project Requests. As recommended by the Public Works Committee, City Administrator, Mark Williams, requested SCHD, via memo, to provide pedestrian crosswalks, low speed limit and a bike path transition for the Palm Blvd portion of the Connector roadway project. SCHD Memo of May 29, 1991 responded that the current traffic plan includes: installation of a traffic signal, striping of wider outside traffic lanes for bicyclists, signs to denote the beginning and end of the two-way bike path, crosswalks at beginning and end of

roadway project, and at the intersection of 703 & 517, retaining the present speed limit. Further review will be conducted. There was some discussion regarding the need for striping of double left-turn lanes and installation of traffic signal as soon as Connector is opened.

6) Palm Blvd. Pedestrian Crosswalks. Ms. Swanson moved to recommend City Administrator, Mark Williams request SCHD to provide pedestrian crosswalk striping and signs between 21st Ave. and 41st Ave, along Palm Blvd. Motion passed unanimously, 3-0. (NesSmith-Picard-Yes, Sottile-Yes, Swanson-Yes.)

7) Public Works Committee Meeting Date. Chairman NesSmith-Picard asked if the Committee wanted to change the meeting date so that multiple committees could meet on the same night. Mayor Bunch expressed concern about the length of our meetings and that they, if scheduled on the same night as another meeting, might overrun. Sarge said any night was fine with him. No motion was made. Meeting date for Public Works Committee will remain third Monday of each month at 7:00 p.m. at City Hall.

New Business

1) Cameron Blvd. Street Light. Resident at 3004 Cameron Blvd. has requested that the City provide a street light. Sarge has discussed this request with the resident and neighbors. All concerned have agreed that a street light is needed. Street is not well lit and is not safe for children at play. The cost ot the city is about 6 or 7 dollars. Sarge will fill-out and submit a form to SCE&G requesting light pole installation. Next year's budget "electricity" line item of $26,000 will allow for the installation of 6 new street lights. In the event, numerous street light requests are made, only the first 6 (approved) will be installed next year.

2) Proposed Public Works 1991-92 Capital Outlay. Sarge has $4500 in the 1991-92 City budget for the following capital projects. $1500 is for replacement of storm drains that were damaged by contractors after Hugo. Drains are in the Wildwood area. There was some discussion whether this repair would qualify for FEMA mitigation grant money. The County will install the new storm drainage pipe but the City will need to provide the pipe. Approximately $1800 is needed for lawn mowers. Additional money will be used for the drain line behind Sparrow Drive and Forest Trail Road near Duck Lane that needs repair.

3) Public Works Dept. Staff. Sarge has 14 Public Works

employees: 6-garbage truck drivers, 2-Cushman drivers, and 6-sanitation laborers. There are 3 part-time refuse collectors hired each summer.

4) Cost Savings With Automated Fuel System. If fuel tanks are installed, Sarge estimated the City will be able to save 5-10% on fuel costs by being able to buy fuel in large quantities. Each department has a line item for vehicle fuel.

5) Public Bathroom Maintenance. Sarge thinks that maintenance of public restrooms will probably be contracted along with maintenance of Police and Bldg Department Bldg.

6) Beach Sweep. There was some discussion as to when the next Beach Sweep will be held. Mr. Sottile was going to look into this and try to get some information.

7) Cleaning of Ditches. County comes out twice each year to clean the ditches on the island.

8) Recycling Results. Last month 9000 lbs of newspapers were collected curbside at 2.5 cents per lb. This month we collected 400 lbs. of aluminum cans curbside at 28 cents per lb. The prices and quantities are down from previous months.

9) Compliments. Mr. Sottile complimented the Public Works crew on picking up grass clippings on a very timely basis.

10) Garbage Can Holder Design. Chairman NesSmith-Picard requested Sarge to provide suggestions for the construction of garbage can holders. If residents have guidelines to use when they build garbage can holders then they will know to provide such features as sidedoors. A sidedoor makes it easier and safer for the P.W. employee to handle the garbage cans.

11) Storm Drainage Survey. A survey was conducted to determine the drainage system needed for Isle of Palms. Sarge will provide a copy to the Committee for review. Cost is approximately $450,000 to install drainage system from Breach Inlet to 57th Ave. At their request, Wild Dunes was not included.

12) Adding Information to Neighborhood Atlas. There was some discussion about adding information to the existing Neighborhood Atlas that was prepared by Council of Govts. The Atlas was used after Hugo. Some information to add that may prove useful is: street light locations, City and SCHD roads and right of ways, water and sewer lines, fire hydrants, zoning info., etc.

Citizen Comments

None.

Meeting was adjourned at approximately 8:00 p.m.

DRAFT COPY AS OF: 06/17/91

PASSED AS FINAL MINUTES: 07/15/91

ATTESTED TO:

x Melinda NesSmith-Picard

Melinda NesSmith-Picard, Chairman

EXHIBIT I

Minutes of Engrossed Bills Committee
Regular Meeting
6:30 PM May 15, 1991 - City Hall

The meeting began at the time stated above with Councilmember Marge Swanson, Councilmember Barry Holden and Councilmember Melinda NesSmith-Picard, (who arrived a few minutes late) attending. The minutes of the April meeting were read and apporved upon motion by Councilmember Swanson, and seconded by Councilmember Holden which unanimously passed.

1991-3 - (Ban of Off-Premises Signs) Recommended for Council approval as amended last month. Motion made by Councilmember Swanson, seconded by Councilmember NesSmith-Picard, and approved unanimously.

1991-12 - (Drought Response Ordinance) Recommended as presented with previously accepted changes. Motion made by Councilmember Swanson, seconded by Councilmember NesSmith-Picard, and approved unanimously.

1990-16 - (Waterfront Zoning) Councilmember NesSmith-Picard moved for approval seconded by Councilmember Swanson with the provisions - 1) if the City Attorney has no problems with it and 2) that it not interfere with future conservation district zoning of areas. This amendment was seconded by Councilmember NesSmith-Picard. Motion and amendment passed unanimously.

There was no other business. Motion to adjourn made by Marge Swanson, seconded by Melinda NesSmith-Picard, approved unanimously.

DRAFT COPY AS OF: July 15, 1991

PASSED AS FINAL MINUTES: 6/19/91

ATTESTED TO:

x Barry C. Holden

Barry C. Holden - Chairman

Egrossed Bills Committee Meeting
6:30 P.M. - May 15, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

3. Ordinances refered/updates

   A) 1991-3 - Off Premises signs
   B) 1991-12 - Drought Response
   C) 1991-16 - Waterfront zoning
   G) others

New Business

4. Proposed ordinances

   A) Sign size - Proposed by Jimmy Ward
   B) Others

5. Miscellaneous request/information

6. Adjourn

EXHIBIT J

ORDINANCE NO. 1991-13

AUTHORIZING THE ISSUANCE AND SALE OF $700,000 GENERAL OBLIGATION BONDS, SERIES 1991, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR VARIOUS PUBLIC BUILDING PURPOSES; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE MAYOR TO PRESCRIBE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "City"), hereby finds and determines:

(a) Pursuant to Title 5, Code of Laws of South Carolina, 1976, as amended (the "Code"), the Council constitutes the governing body of the City.

(b) Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that general obligation debt may be incurred by the governing body of each city of the State for any of its corporate purposes in an amount not exceeding eight percent of the assessed value of all taxable property of such city.

(c) Pursuant to Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended (the "Municipal Bond Act"), the municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limit applicable.

(d) The Municipal Bond Act requires that an election be held prior to the issuance of general obligation bonds. Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977 ("Act No. 125") provides that if an election be prescribed by the provisions of the Municipal Bond Act, but is not required by the provisions of Article X, then in every such instance no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Municipal Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The Council has been advised that a number of capital improvements must be undertaken including, without limitation, a new municipal building for the police and building department (the "Project"). The issuance of general obligation

bonds authorized by this Ordinance for the Project is necessary for the proper functioning of City government. The Bonds will be issued for corporate purposes and public purposes of the City.

(f) The assessed value of all the taxable property in the City, as established by the last completed assessment thereof, is $31,469,850. Eight percent of such sum is $2,517,588. As of the date hereof, the outstanding bonded and general obligation debt of the City subject to the 8% limit is $1,525,000. Thus, the City can incur $700,000 of general obligation indebtedness within its constitutional debt limitation.

(g) It is now in the best interest of the City for the Council to provide for the issuance and sale of $700,000 general obligation bonds authorized by this Ordinance for the purpose of undertaking the Project.

Section 2. Pursuant to the aforesaid provisions of the Constitution, the Municipal Bond Act and Act No. 125, there is hereby authorized to be issued general obligation bonds of the City in the principal amount of $700,000 to be designated "$700,000 General Obligation Bonds, Series 1991, City of Isle of Palms, South Carolina" (the "Bonds"), for the purpose set forth in Section 1(e) hereof including any financial and legal fees relating thereto and other incidental costs of issuing the Bonds.

The Bonds shall be issued as fully registered Bonds; shall be dated as of the first day of the month in which they are delivered to the initial purchaser(s) thereof; shall be in denominations of $5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; shall be numbered from R-1 upward; shall bear interest from their date payable semiannually on February 1 and August 1 of each year, commencing February 1, 1992 (at which time interest for eight months will be due), at such rate or rates as may be determined by the Council at the time of sale thereof; and shall mature serially in successive annual installments, in numerical order, on February 1 of each of the years and in the principal amounts as follows:

YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT
1993	$25,000	2000	$45,000
1994	25,000	2001	50,000
1995	35,000	2002	50,000
1996	35,000	2003	50,000
1997	35,000	2004	80,000
1998	45,000	2005	85,000
1999	45,000	2006	95,000

The Bonds maturing on or prior to February 1, 2001, shall not be subject to redemption prior to their stated maturities. The

Bonds maturing on or after February 1, 2002, shall be subject to redemption at the option of the City on or after February 1, 2001, as a whole at any time, or in part from time to time on any interest payment date, in inverse order of maturity and by lot within a maturity, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount of the Bond to be redeemed, set forth below, together with the interest accrued thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
February 1, 2001 to January 31, 2002	102%
February 1, 2002 to January 31, 2003	101%
February 1, 2003 and thereafter	100%

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event the Bonds or any portion thereof, shall be called for redemption, notice of the redemption, describing the Bonds to be redeemed, specifying the redemption date and the redemption price payable on such redemption, shall be mailed by first-class mail, postage prepaid, to the registered owner thereof as shown on the registry books of the City kept by the Registrar not less than thirty (30) days and not more than sixty (60) days prior to the redemption date. If the Bonds or any portion thereof shall have been duly called for redemption and notice of the redemption mailed as aforesaid, and if on or before the date fixed for redemption, payment thereof shall be duly made or provided for, interest on the Bonds to be redeemed shall cease to accrue from and after the redemption date specified in such notice.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Within twenty-four (24) hours after the receipt of bids, the successful bidder, if any, for the Bonds may, subject to the approval of the Mayor, designate the registrar and paying agent (the "Registrar/Paying Agent") for the Bonds. The Registrar/Paying Agent shall be a bank, trust company, depository or transfer agent organized under the laws of the State of South Carolina or the laws of the United States of America and located either within or without the State of South Carolina. In the event the successful bidder fails to designate any such Registrar/Paying Agent within twenty-four (24) hours after the receipt of bids, or the Mayor does not approve the Registrar/Paying Agent designated by the successful bidder, the Registrar/Paying Agent shall be designated by the Mayor.

Section 3. The City shall cause its books (herein referred to as the "registry books") to be kept at the offices of

the Registrar/Paying Agent for the registration and transfer of the Bonds. Upon presentation at its office for such purpose, the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the City, which shall be kept for such purposes at the principal office of the Registrar/Paying Agent by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond, the Registrar/Paying Agent on behalf of the City shall issue in the name of the transferee a new fully registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The City and the Registrar/Paying Agent may deem or treat the person in whose name any fully registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of, interest and redemption premium, if any, on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Registrar/Paying Agent shall be affected by any notice to the contrary.

Section 4. In all cases in which the privilege of transferring Bonds is exercised, the City shall execute and the Registrar/Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. Neither the City nor the Registrar/Paying Agent shall be obligated to make any such transfer of Bonds (a) during the fifteen (15) days preceding an interest payment date on such Bonds, (b) during the fifteen (15) days preceding the giving of notice of any proposed redemption of Bonds, or (c) with respect to any particular Bond, after such Bond has been called for redemption. The City may, by written notice to the Registrar/Paying Agent, establish a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be not more than fifteen (15) days next preceding an interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall not be more than fifteen (15) days prior to the giving of notice of redemption of Bonds.

Section 5. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the City shall execute and the Registrar/Paying Agent shall authenticate and deliver at the principal office of the Registrar/Paying Agent, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the City and the Registrar/Paying Agent evidence or proof satisfactory to the City and the Registrar/Paying Agent of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the City and the Registrar/Paying Agent. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

Section 6. The Bonds shall be executed in the name of the City with the manual or facsimile signature of the Mayor of the City attested by the manual or facsimile signature of the Clerk/Treasurer of the City under a manual or facsimile of the seal of the City which shall be impressed, imprinted or reproduced thereon. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar/Paying Agent in substantially the form set forth herein.

Section 7. The Bonds and the certificate of authentication shall be in substantially the following forms:

(FORM OF BONDS)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
THE CITY OF ISLE OF PALMS
GENERAL OBLIGATION BOND, SERIES 1991

No. R-

INTEREST RATE	MATURITY DATE	ORIGINAL ISSUE DATE	CUSIP
%			

Registered Holder:

Principal Amount: Dollars

KNOW ALL MEN BY THESE PRESENTS, that the City of Isle of Palms, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date specified above (unless the within Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of the redemption price made or provided for), upon presentation and surrender of this Bond at the principal office of _____, in the City of _____, State of _____ (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the interest rate per annum specified above until the City's obligation with respect to the payment of such principal amount shall be discharged. Interest on this Bond is payable February 1, 1992 (at which time interest for eight months shall be due), and semiannually thereafter on August 1 and February 1 of each year until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by the registrar, presently _____, in _____ (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month next preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereinafter defined), nor become valid or obligatory for

any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

The terms and provisions of this Bond are continued on the reverse side hereof and such continued terms and provisions shall for all purposes have the same effect as though fully set forth at this place.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the City does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina, and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the City sufficient to pay the principal and interest of this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, has caused this Bond to be signed with the facsimile signature of the Mayor of the City and attested by the facsimile signature of the Clerk/Treasurer of the City and the seal of the City impressed, imprinted or reproduced hereon.

THE CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This Bond is one of the Bonds described in the within mentioned Ordinance of the City of Isle of Palms, South Carolina.

_____
as Registrar

_____
Authorized Officer

(REVERSE SIDE OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
THE CITY OF ISLE OF PALMS
GENERAL OBLIGATION BOND, SERIES 1991

For the payment hereof, both principal and interest, as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the City are irrevocably pledged and provision has been made to levy and collect, in the same manner as other City taxes are levied and collected, a tax, without limit, on all taxable property in the City sufficient to pay the principal and interest of this Bond as the Bonds respectively mature and to create such sinking fund as may be necessary therefor.

This Bond is one of an issue of Bonds of like date of original issue, tenor and effect, except as to number, date of maturity, rate of interest, series designation and redemption provisions, aggregating Seven Hundred Thousand Dollars ($700,000), issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended; Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended; Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977; and Ordinance No. 1991-13 duly adopted and effective on May 23, 1991 (the "Ordinance"), by the City Council and a related Resolution duly adopted by the City.

The Bonds maturing on or prior to February 1, 2001, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after February 1, 2002, shall be subject to redemption at the option of the City on or after February 1, 2001,

as a whole at any time, or in part from time to time on any interest payment date, in inverse order of maturity and by lot within a maturity, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount of the Bond to be redeemed, set forth below, together with the interest accrued thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
February 1, 2001 to January 31, 2002	102%
February 1, 2002 to January 31, 2003	101%
February 1, 2003 and thereafter	100%

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event this Bond is redeemable as aforesaid, and shall be called for redemption, notice of the redemption hereof, describing the Bond and specifying the redemption date and the redemption price payable upon such redemption shall be mailed by the Registrar by first-class mail, postage prepaid, to the registered owner thereof not less than thirty (30) days and not more than sixty (60) days prior to the redemption date at their last address appearing upon the registration books of the City. If the Bond be redeemable and shall have been duly called for redemption and notice of the redemption mailed as aforesaid, and if on or before the date fixed for such redemption, payment hereof shall be duly made or provided for, interest hereon shall cease to accrue from and after the redemption date hereof.

This Bond is transferable as provided in the Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

The following abbreviations, when used in the inscription of the face of the written Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM -	As tenants in common	UNIF GIFT MIN.
TEN ENT -	As tenants by the entireties	ACT. _____ (Cust. _____)
JT TEN -	As joint tenants with right of survivorship and not as tenants in common	Custodian _____ (Minor) under Uniform Gifts to Minors Act _____ (State)

Additional abbreviations may also be used though not in a list above.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____
(Name and address of Transferee)
the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

_____
Signature Guaranteed: (Authorizing Officer)

_____

(Bank, Trust Company, or Firm)

NOTICE: The signature to this assignment must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

A copy of the final approving legal opinion to be rendered shall be printed on the back of each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the City with a facsimile signature of the Clerk/Treasurer. Said certificate shall be in substantially the following form:

> "IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinion (except for date and letterhead) of McNair Law Firm, P.A., Attorneys & Counselors at Law, Charleston, South Carolina, approving the issue of bonds of which the within bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the bonds, and a copy of which is on file with the City Council of the City of Isle of Palms, South Carolina.
>
> THE CITY OF ISLE OF PALMS,
> SOUTH CAROLINA
>
> By:_____
> Clerk/Treasurer

Section 8. The full faith, credit and taxing power of the City are hereby irrevocably pledged for the payment of the principal and interest of the Bonds as they respectively mature, and for the creation of a sinking fund as may be necessary therefor. There shall be levied and collected annually, in the same manner as other taxes are levied and collected, a tax, without limit, on all taxable property in the City sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

The Council shall give the Auditor and Treasurer of Charleston County written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the City, a tax, without limit, sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Section 9. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-1-60 of the Code, from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 10. The Bonds shall be offered for public sale on the date and at the time designated by the Mayor. A Notice of

Sale shall be published in a newspaper of general circulation in the State of South Carolina not less than ten (10) days prior to the date set for such sale.

The Notice of Sale shall be in substantially the following form:

NOTICE OF SALE

$700,000 GENERAL OBLIGATION BONDS,
SERIES 1991, OF THE CITY OF ISLE OF PALMS,
STATE OF SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed proposals addressed to the undersigned will be received by or on behalf of the City Council of the City of Isle of Palms, South Carolina (the "City"), in City Council Chambers, Isle of Palms City Hall, 1301 Palm Boulevard, Isle of Palms, South Carolina, until 12:00 Noon, South Carolina time, on Tuesday, June 11, 1991, at which time said proposals will be publicly opened for the purchase of Seven Hundred Thousand Dollars ($700,000) General Obligation Bonds, Series 1991, of the City of Isle of Palms, South Carolina (the "Bonds").

Bonds: The Bonds will be issued in fully registered form registered as to principal and interest; will be dated June 1, 1991, will be in denominations of $5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; will be numbered from R-1 upward; and will mature serially in successive annual installments, in numerical order, on February 1 in each of the years and in the principal amounts, as follows:

YEAR	PRINCIPAL AMOUNT	YEAR	PRINCIPAL AMOUNT
1993	$25,000	2000	$45,000
1994	25,000	2001	50,000
1995	35,000	2002	50,000
1996	35,000	2003	50,000
1997	35,000	2004	80,000
1998	45,000	2005	85,000
1999	45,000	2006	95,000

The Bonds will bear interest payable on February 1, 1992, and semiannually on August 1 and February 1 of each year thereafter until they mature.

The Bonds maturing on or prior to February 1, 2001, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on or after February 1, 2002, shall be subject to redemption at the option of the City on or after February 1, 2001, as a whole at any time, or in part from time to time on any

interest payment date, in inverse order of maturity and by lot within a maturity, at the redemption prices with respect to each Bond, expressed as a percentage of the principal amount of the Bond to be redeemed, set forth below, together with the interest accrued thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
February 1, 2001 to January 31, 2002	102%
February 1, 2002 to January 31, 2003	101%
February 1, 2003 and thereafter	100%

If less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event the Bonds or any portion thereof, shall be called for redemption, notice of the redemption, describing the Bonds to be redeemed, specifying the redemption date and the redemption price payable on such redemption, shall be mailed by first-class mail, postage prepaid, to the registered owner thereof as shown on the registry books of the City kept by the Registrar not less than thirty (30) days and not more than sixty (60) days prior to the redemption date. If the Bonds or any portion thereof shall have been duly called for redemption and notice of the redemption thereof mailed as aforesaid, and if on or before the date fixed for redemption, payment thereof shall be duly made or provided for, interest on the Bonds to be redeemed shall cease to accrue from and after the redemption date specified in such notice.

Registrar/Paying Agent: Within twenty-four (24) hours after the receipt of bids, the successful bidder, if any, for the Bonds may, subject to the approval of the Mayor, designate the registrar and paying agent (the "Registrar/Paying Agent") of the Bonds. The Registrar/Paying Agent shall be a bank, trust company, depository or transfer agent organized under the laws of the State of South Carolina or the laws of the United States of America and located either within or without the State of South Carolina. The Registrar/Paying Agent shall register and transfer the Bonds on registry books kept on behalf of the City. Interest on the Bonds shall be payable by check or draft mailed to the registered owner thereof by the Registrar/Paying Agent. In the event the successful bidder fails to designate the Registrar/Paying Agent within twenty-four (24) hours after receipt of bids, or the Mayor does not approve of the Registrar/Paying Agent designated by the successful bidder, the Bonds shall be payable and registered at the principal office of a bank, trust company, depository or transfer agent located in the State of South Carolina to be designated by the Mayor.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be

expressed in multiples of 1/20 of 1% with no greater difference than two percent (2%) between the highest and lowest rates of interest named by a bidder. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to the date of such maturity date. A bid for less than all the Bonds or a bid at a price less than par, will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price. Provided that the net interest cost is less than 7.5%, the Mayor is hereby authorized to award the Bonds to the bidder or bidders offering to purchase the Bonds at the lowest net interest cost to the City, such interest cost to be determined by computing the total dollar interest cost from the date of the Bonds to the respective maturity dates and deducting therefrom the amount of the premium offered, if any, over and above the principal amount. The Council reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 4:00 p.m., South Carolina time, on the date of the sale.

Good Faith Check: Each proposal shall be accompanied by a certified check or cashier's check drawn upon an incorporated bank or trust company in the amount of $14,000 payable unconditionally to the Clerk/Treasurer of the City of Isle of Palms. The check of the successful bidder shall be applied as part payment for the Bonds or to secure the City for any loss due to the failure of such bidder to comply with the terms of his bid. Checks of unsuccessful bidders will be returned promptly. No interest will be allowed on the good faith check.

Bid Form: Each proposal should be enclosed in a sealed envelope marked "Proposal for $700,000, General Obligation Bonds, Series 1991, the City of Isle of Palms, South Carolina," and should be directed to the Mayor of the City of Isle of Palms at the address in the first paragraph hereof.

Purpose: The Bonds are issued for various public building purposes and for other corporate purposes of the City.

Security: The Bonds shall constitute binding general obligations of the City and the full faith, credit and taxing power of the City are irrevocably pledged for the payment of the Bonds. There shall be levied and collected annually, in the same manner as other city taxes are levied and collected, a tax, without limit, on all taxable property in the City, to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Legal Opinion: The Council shall furnish upon delivery of the Bonds the final approving opinion of McNair Law Firm, P.A., Attorneys and Counselors at Law, Charleston, South Carolina, which

opinion shall be printed on the back of each Bond, together with the usual closing documents, including a certificate that no litigation is pending affecting the Bonds.

Delivery: The Bonds will be delivered within thirty (30) days of the date of sale, in Charleston, South Carolina; Columbia, South Carolina; Atlanta, Georgia; or Charlotte, North Carolina. The balance of the purchase price then due, including the amount of accrued interest, must be then paid in Federal funds or other immediately available funds. The cost of printing the Bonds will be borne by the City.

Bondholder's Names: The successful bidder for the Bonds must deliver to the Registrar/Paying Agent, not later than five (5) business days prior to the date of delivery of the Bonds, the names and addresses of the registered owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit to the Registrar/Paying Agent such names, addresses and denominations by the aforesaid time, one Bond will be issued for each maturity date in the full amount maturing on such date, and the Bonds will be registered in the name of the successful bidder.

CUSIP Numbers: It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of its proposal. No CUSIP identification number shall be deemed to be a part of any Bond or a part of the contract evidenced thereby and no liability shall hereafter attach to the City or any of its officers or agents because of or on account of such numbers or any use made thereof. All expenses in relation to the printing of CUSIP identification numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder.

Additional Information: Persons seeking information should communicate with Mark M. Williams, City Administrator, the City of Isle of Palms, P.O. Drawer Q, Isle of Palms, South Carolina 29451, telephone (803) 886-6428.

s/ Mark M. Williams
City Administrator of the City of
Isle of Palms, South Carolina

Section 11. The proceeds derived from the sale of the Bonds shall be paid to the Clerk/Treasurer of the City of Isle of

Palms to be deposited in a special fund to the credit of the City, separate and distinct from all other funds, and shall be expended from time to time and made use of by the Council as follows:

(a) Any premium shall be placed in the sinking fund established pursuant to the Municipal Bond Act;

(b) Accrued interest, if any, shall be applied to the payment of the first installment of interest to become due on the Bonds; and

(c) The balance of the proceeds shall be applied upon warrant or order of the Council for the Project as set forth in this Ordinance and to defray the costs and expenses of issuing the Bonds.

Section 12. The Council hereby ratifies and approves the publication of the notice of public hearing regarding the Bonds and this Ordinance, such notice being published at least 14 days prior to April 25, 1991, in The News & Courier.

Section 13. The Council hereby delegates to the Mayor the authority to determine whether the Notice prescribed under the provisions of Section 5 of Act No. 125, relating to the initiative and referendum provisions contained in Title 4, Chapter 9, of the Code shall be given with respect to the Ordinance. If said Notice is given, the Mayor is authorized to prescribe the form of the Notice and cause such Notice to be published in a newspaper of general circulation in the City.

Section 14. The City hereby covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be "arbitrage bonds", as defined in the United States Internal Revenue Code of 1986 (the "Code"); and to that end the City hereby shall:

(a) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States;

(b) make such reports of such information at the times and places required by the Code; and

(c) take such other action as may be required in order that the Bonds and the use of the proceeds thereof comply with the provisions of the Code.

Section 15. The City hereby authorizes the Mayor of the City, the Clerk/Treasurer of the City, the City Administrator, and

the City Attorney to execute such documents and instruments as necessary to effect the issuance of the Bonds.

Section 16. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 17. The City hereby designates the Bonds as qualified tax exempt obligations within the meaning of Section 265(b)(3)(B) of the Code.

Section 18. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

THE CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

First Reading: March 28, 1991
Public Hearing: April 25, 1991
Second Reading: April 25, 1991
Third Reading: May 23, 1991

EXHIBIT K

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-3
Third Reading Draft - 4/25/91

AN ORDINANCE TO BAN OFF-PREMISE SIGNS

WHEREAS, City Code Section 5-4-124(c) allows for limited off-premise signs under specified conditions; and

WHEREAS, City Council finds that the proliferation of off-premise signs will adversely affect the aesthetic and residential characteristics of the City; and

WHEREAS, City Council further finds that existing businesses possess adequate opportunity for advertisement through the use of on-premise signs, informational signs provided by the City and promotional materials prepared under the auspices of the City and the Trident Chamber of Commerce with the use of accommodations tax funds; and

WHEREAS, City Council wishes to afford the owners of the few existing off-premise signs within the City with the opportunity to amortize their investments in said signs; and

WHEREAS, City Council is authorized to amend its zoning regulations pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to ban off-premise signs within the City of Isle of Palms.

Section 2. Section 5-4-121 Definitions, Amended.

a. The following definition shall be added to Section 5-4-121:

Off-premise sign. A sign or billboard which directs attention to a business, commodity, service or event that is conducted, sold or offered at a location other than the premises on which the sign is located.

b. The existing defition of "On-premise sign" in Section 5-4-121(b) is amended to read as follows:

On-premise sign. A sign which directs attention to a business, commodity, service or event that is conducted, sold or offered on the premises on which the sign is located.

Section 3. Section 5-4-124 Sign regulations by zoning district. Amended. Section 5-4-124(a) of the City Code is amended by inserting the following:

(5) Residential subdivisions may have one sign at the entrance identifying only the subdivision, not exceeding twenty-eight (28) square feet in total area and not more than seven (7) feet high.

Section 4. Section 5-4-124 Sign regulations by zoning district. Amended. Section 5-4-124(c) of the City Code is amended, to read as follows:

(c). Off-premise signs. Except as set forth hereinbelow, as of the effective date of this ordinance, off-premise signs shall not be allowed within the City of Isle of Palms:

(1) The City of Isle of Palms may erect off-premise signs to provide information about, or direction to areas and activities within the City. or outside

(2) All off-premise signs existing within the City as of the effective date of this ordinance which do not conform to the provisions of this ordinance shall be removed within one and one-half (1 1/2) years of said effective date.

Section 5. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 6. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 1/24/91
Second Reading: 2/28/91
Public Hearing: 3/13/91
Third Reading: _____
Ratification: _____

EXHIBIT L

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-8
SECOND READING DRAFT - 5/23/91

AN ORDINANCE TO AMEND THE PROCESS FOR APPROVING CONDITIONAL USES

WHEREAS, Section 5-4-15 of the Isle of Palms City Code provides a procedure by which the Planning Commission may approve conditional zoning uses pursuant to specified criteria; and

WHEREAS, City Council believes that the Planning Commission should review and make recommendations concerning the approval of conditional uses, and that the decision to approve should be made by City Council; and

WHEREAS, City Council is authorized to amend the City's zoning ordinance pursuant to Sections 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the process for approving conditional uses under the City's zoning ordinance.

Section 2. Section 5-4-15 Amended. Section 5-4-15 of the City Code is amended as follows:

(a) The first sentence of subsection (a) is revised to read as follows:

> Conditional uses, as defined by this chapter, may be permitted by City Council, provided that:

(b) Three new sentences are added to the beginning of subsection (b), to read as follows:

> An applicant for conditional use shall file his application with the City Administrator, who shall forward the application to the Planning Commission. The Planning Commission shall review the application, make a record of its recommendation regarding approval, and

forward its recommendation to City Council. If the application is submitted fifteen or more days prior to the next regularly scheduled Planning Commission meeting, the Commission shall review the application at its next regular meeting; if submitted less than fifteen days prior to the next Commission meeting, the Commission shall review the application no later than its following regular meeting.

(c) The following sentence is added at the end of subsection (b), to read as follows:

Written notice of both Planning Commission and City Council meetings shall be provided to the owners of abutting properties when review of a conditional use application is listed as an agenda item.

(d) In subsection (c), the word "commission" is deleted and replaced by the words "City Council".

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Public Hearing: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT M

CITY OF ISLE OF PALMS
ORDINANCE 1990-16
2ND READING DRAFT - APRIL 25, 1991

AN ORDINANCE TO AMEND THE CITY OF ISLE OF PALMS' ZONING ORDINANCE

WHEREAS, pursuant to Sections 6-7-510 et. seq. and Sections 5-23-10 et. seq. of the South Carolina Code of Laws, 1976, as amended, the City of Isle of Palms has adopted a Comprehensive Plan to guide and coordinate the future growth and development of the City; and

WHEREAS, various problems and inconsistencies with the city's present zoning in some areas and the objectives of the planning Commission, City Council, the presently properly adopted Comprehensive Plan, and the public input received prior to its adoption have become apparent following the events of Hurricane Hugo. Such problems having clearly existed but been overlooked and only now being easily identifiable due to large scale rebuilding and redevelopment following Hurricane Hugo.

WHEREAS, the creation of a waterfront classification (WF) would assist in the goal of low density residential housing in areas where the lowest possible density meets legitimate goals of the City under its present Comprehensive plan including but not limited to, (1) all those naturally associated with low density single family residential neighborhoods, (2) preservation of environmental interest by limiting use of land in sensitive areas, (3) preserving the aesthic character of a Island community by maximizing air flow, breezes and view of water from and to other areas of the City.,

WHEREAS, following extensive preparation and public input, including a public hearing held pursuant to Section 6-7-530 of the South Carolina Code of Laws, 1976, as amended, the Cities planning Commission has prepared proposed amendments to the City's Zoning Ordinance, and a new Zoning map based on said amendments, and has submitted said proposed amendments to City Council for action; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

The attached map indicates in Red the areas determined appropriate for classification in a new Waterfront Zoning District.

AND...

The following sections and modifications to existing sections of the Isle of Palms Code are hereby made:

(1) Section 5-4-21 is amended to add as item Number 9 the following:

...

(9) WF Waterfront District

(2) New section 5-4-24 is hereby created as follows:

Sec. 5-24-24 WF - Waterfront District

In addition to all other requirements mandated by this chapter and other city ordinances, the requirements for the WF district shall be as follows:

Section 1. Purpose.

(a) To provide for quiet, low density residential neighborhoods on lots having an area of 25,000 square feet or more.

(b) To require sensitive development in waterfront ares likely to be affected adversly by intensive development.

(c) To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single family use.

(d) To encourage the cessation of non-conforming uses.

(e) To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

Section 2. Permitted Uses

(a) Detached, single family residence.

(b) Customary home occupations.

(c) Acessory uses.

Section 3. Conditional uses.

(a) Elementary and secondary schools offering general education courses.

(b) Public park, playground

(c) Church, synagogue, or other place of worship.

(d) Municipal buildings, including (but not limited to) fire and police stations.

(e) Group dwellings

(f) Golf courses

Section 4. Minimum Lot Requirements

(a)	Lot Area:	25,000 square feet.
(b)	Lot Width:	70 feet measured at building line.
(c)	Lot Depth:	110 feet.
(d)	Lot Frontage:	60 feet on a public street; 30 feet on public streets on cul-de-sac.

Section 5. Minimum Yard Requirements

(a)	Frontyard:	30 feet
(b)	Sideyard:	12.5 feet
(c)	Rearyard:	30 feet

Section 6. Maximum Height: 40 feet

Section 7. Maximum Building footprint to lot ratio: 40%

(a) Compliance with this ratio shall be determined by considering only the buildable land included in the lot and its relationship to the footprint of the structure.

(b) For the purposes of this section "buildable land" means only the land not included in the Critical Area as defined and determined by the South Carolina Coastal Council.

Section 8. Double frontage lots shall be prohibited.

(3) Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

(4). Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

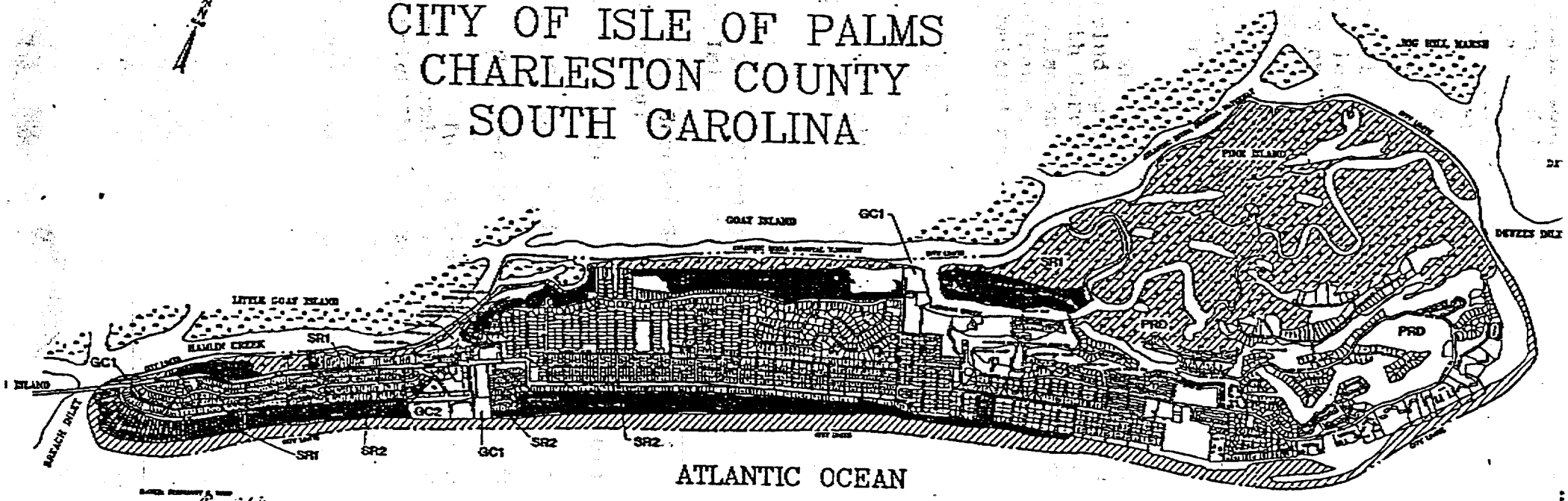
PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: , 1990
Public Hearing:
Second Reading:
Third Reading:
Ratification:

OFFICIAL ZONING MAP
CITY OF ISLE OF PALMS
CHARLESTON COUNTY
SOUTH CAROLINA



PROPOSED WATERFRONT ZONING DISTRICT

EXHIBIT N

Tournaments

RECREATION REPORT
April 23, 1991

I. *Recreation Programs* - Summer

Gymnastics - Mondays -ages 3 and older
Begins June 3rd
Tae Kwon Do - Wednesdays & Saturdays -youth & adult
Tap/Ballet/Jazz - Wednesdays -ages 2 and older
Begins June 12th
Tournaments - Fridays - youth

Keenagers Club - The end of the year picnic was held on Wednesday, May 15th in the shelter at the center. There were 25 members present and everyone brought their own picnic lunch. A slide presentation of a trip one of the members took to Russia was shown. The next meeting will be held September 18th.

CPR Class - Scott Taylor, an Isle of Palms Fireman, will instruct a course in infant, child, and adult CPR on Tuesday, June 4th and Thursday, June 6th from 6:30 pm to 10:00 p.m. The last class was held in May and there were six participants. The day camp staff will take this course.

Baton Lessons - A class will begin Wednesday, June 12th from 4:30 to 5:30 pm. for children ages six and older. There will be two 4-week sessions and Jescinda Alexander is the instructor.

II. *Sports*

Youth Baseball/Softball - Games are going very well. The season will be over the second week of June. There will be a picnic for the t-ball, coach pitch, and dixie minor teams on Tuesday, June 11th at 6:00 p.m. Everyone is invited and trophies will be given out at this time. A coach pitch tournament is being planned.

Tennis - Lessons will be held on Tuesdays and Thursdays beginning June 11th from 4:00 p.m. to 5:00 p.m. for 9 to 14 year olds. The instructor is Inga Carroll. A tennis camp will be held in July and August for 5 to 8 year olds and 9 to 14 year olds.

Church League Softball - Registration is now being held at the center. All churches in the East Cooper area were invited to play in the league. There will be a mens and womens league and possibly a co-ed league. Play will begin in July.

"Boys of Summer" Basketball - A fun league for boys ages 7 to 14 will begin June 11th. Games will be played on Tuesdays and Thursdays at 4:00 and 5:00 p.m. There is no fee and 25 youth have already signed up.

III. Special Events

"28th Avenue Dance" - The "28th Avenue" Dance was held on Friday, May 10th from 7:00 to 10:00 p.m. at the Recreation Center. The dance was co-sponsored by the Isle of Palms Police Dept. and was for youth in grades 5 through 8. Prizes were awarded for various dance contests and concessions were sold. Jay Maxwell was the DJ and admission was $2.00. There were 85 participants.

Ashley Whippet Invitational - The annual frisbee-dog competition was held on Saturday, May 18th at 3:00 p.m. on the soccer field. It was open to all purebred and mixed-breed dogs and their owners. There were 18 owners and dogs at the contest and over 125 participants. T-shirts and sportsbags were awarded to the winners. Barry Holden, and Mr. and Mrs. Pat Campbell were the judges.

Camp Summershine - Registration forms for Camp Summershine are available at the center. The camp will begin June 10th and end July 26th and be held from 9:00 to 3:00 p.m. Weekly themes include Show Biz, Splish & Splash, Nature Explorers, Talk to the Animals and more! Activities will include sports and games, arts and crafts, beach expeditions, Nintendo contests, swimming, slip 'n slide, and field trips. The fee is $35.00 per one-week session and $30.00 per child for two or more children. Camp is limited to 35 campers per week. Jescinda Alexander will be the camp director. She

is a school teacher and teaches our Ballet class. The camp is for children ages 5 to 12. Several of the sessions are full at this time.

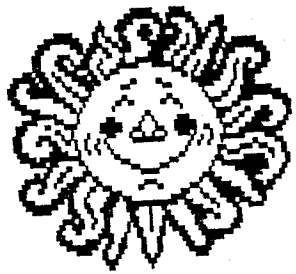
Summershine Wee Camp - A pre-school day camp for children ages 3 and 4 will be held at the center beginning June 10th and ending July 26th. There will be seven 1-week sessions on Mondays, Wednesdays, and Fridays from 9:00 to 12:00 p.m. Activities will include tumbling, teddy bear picnics, sing-a-longs, story time, nature walks, shell collecting, arts and crafts, games, and tiny tot olympics. The fee is $20.00 per week.

2nd Annual Isle of Palms Sand Sculpting Contest - The contest will be held on Saturday, June 1st starting at 12 noon on the beach in front of the Windjammer. Participants will have 2 and 1/2 hours and prizes will be awarded in adult and child age divisions. The adult first prize is a surfboard and the youth is a boogey board. Sponsors are 96 Wave, High Tide Restaurant, Image Network, Windjammer, The Surf Shop, and Onie's Trophies. Rain date will be June 8th at 11:00 am.

IV. Information -

- Marge Swanson donated a Bumper Pool table to the center.
- A youth dance and lock in will be held this summer.
- A brochure with all the summer activities is available at the center.
- Summer Shine '91 will be held August 17th.

The Isle of Palms Recreation Department has planned a special summer of fun activities for you and your family!! Our facility, located on 28th Avenue, will be open Monday through Friday from 8:30am until 7:00pm, and Saturday from 12:30pm until 7:00pm. For more information on any of our activities, call the Recreation staff at 886-8294.



Indoor facility includes:
- Basketball court
- Volleyball court
- Video games
- Pool tables
- Ping Pong table
- Board games
- Shuffleboard court

Outdoor facility includes:
- Lighted Tennis courts
- Lighted Basketball courts
- Lighted Softball field
- Youth Baseball field
- Soccer field
- Sand Volleyball court
- Picnic shelter
- Tot Lot (6 years and under)
- Playground area

Restrooms, snack machine, and drink machine are available inside gym.

SPECIAL EVENTS

2nd Annual Sand-Sculpting Contest

*June 1st at 12:00pm on the beach in front of the Windjammer
*Participants will have two and a half hours to create their "masterpieces"
*Adult and child age divisions
*No more than four per team
*Adult 1st prize: Surfboard!
*Child 1st prize: Boogey Board!
*T-shirts and trophies for 2nd and 3rd!
*Sponsored by: 96 WAVE, High Tide Restaurant, Image Network, Onie's Trophies, The Surf Shop, The Windjammer, and IOP Police and Recreation Departments!!
***Rain date: June 8th at 10:00am

Summershine Day Camp

*Seven one-week sessions starting on June 10th from 9:00am until 3:00pm
*Children ages 5 to 12
*Must register early!! $35.00 per one-week session

Summershine Wee Camp

*Mondays, Wednesdays, and Fridays starting on June 10th from 9:00am until 12:00pm
*Children ages 3 and 4
*Must register early!! $20.00 per one-week session

Summer Shine '91

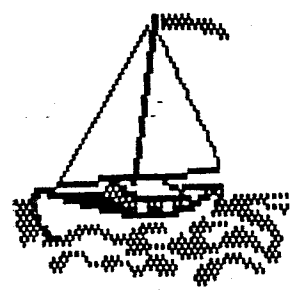
*August 17th from 11:00am to 2:00pm
*Activities: Hayrides, Pony rides, facepainting, jugglers, bicycle show
*Contests: Donut eating, Watermelon eating, Water balloon toss, and relays
*Food: Hotdogs, chips, cupcakes, and lemonade
*No fee

PROGRAMS

Gymnastics- Mondays beginning June 3
5:15pm to 6:00pm for 3 to 5 years
6:00pm to 7:00pm for 6 and older
There will be three 4-week sessions
$15.00 per session

Tennis- Lessons will be held on Tuesdays and Thursdays beginning June 11 from 4:00pm to 5:00pm for 9 to 14 years
$35.00 per session
**A tennis camp is planned for July and August. Call for dates and times.

Tap/Ballet- Wednesdays beginning on June 12. 3:30 to 4:30pm for ages 2 and older. There will be two 4-week sessions
$22.00 per session



Baton Lessons- Wednesdays beginning on June 12. 4:30 to 5:30pm for children ages 6 and older. Batons can be ordered by the instructor prior to class. There will be two 4-week sessions.
$18.00 per session

Nintendo Contests- Every other Friday beginning June 14th. These will begin at 4:00pm. No fee.

Bicycle Rodeos- Will be held on June 19, 22, July 17, and August 14 at 4:00pm. Bring your bicycle - open to all ages. No fee.

Tournaments- Every other Friday beginning June 21st. These will begin at 4:00pm and will consist of ping pong, pool, foosball, and basketball free throws. No fee.

"Boys of Summer" Basketball- A fun league for boys ages 7 to 14 years will begin June 11. Games will be played on Tuesdays and Thursdays at 4:00 and 5:00pm. No fee. Sign up now.

CPR/First Aid- Courses will be held in July and August. Call for specific dates.

Church League Softball- Registration is being held in May and June. Play will begin in July.

Fall Sports Registration- Begins in July for youth football, soccer, and cheerleading. Play will begin in September. $12.00 fee.
**A cheerleading clinic is planned for August 14 and 15 for ages 7 to 13.
**A soccer clinic is planned for August.

Tae Kwon Do- Adult classes are held every Wednesday from 7:30 to 9:00pm and Saturdays 10:00am to 12:00pm. Children ages 5 to 12 meet from 9:00am to 10:00am on Saturdays.

ISLE OF PALMS
RECREATION DEPARTMENT



ISLE OF PALMS
RECREATION DEPARTMENT

1991 Summer Programs

Located on 28th Avenue

Phone: 886-8294

EXHIBIT D

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
APRIL 23, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on April 23, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, Betsy Smiley, and David Somers. Also present were Building Inspector Ed Haselden and Secretary Janet Geary.

Mr. Fellabom announced that two of the five cases scheduled to be heard were postponed. Mr. Thomas Hyatt, 2307 Cameron Boulevard, had requested a hearing to appeal the determination made by the Building Inspector on Code Section 5-2-5(25); he requested the hearing be postponed to the May meeting. Dr. Jean Dorsett-Robinson, 406 Carolina Boulevard, had requested a variance from Section 5-4-23(5)(a) and also requested that the hearing be postponed until the May meeting.

1. John W. Dowdle, 500 Ocean Boulevard. Contractor Farris Cowart represented Mr. Dowdle who was out of town. Mr. Dowdle was asking for a variance from Section 5-2-19(5)h.1 which states that there shall be no "solid walls" below base flood elevation in a high hazard area. Mr. Dowdle had built an exterior storage area under his house that was not attached to the pilings and would "break away" in the event of another hurricane. There was discussion about FEMA flood regulations and about other alternative means of providing a secure storage area.

Vote being: Fellabom - No; Garvin - No; Schall - No; Smiley - No; and Somers - No. Variance was denied. Mr. Haselden stated to Mr. Cowart that the storage area would need to be dismantled within one week.

2. Dr. W. Pettigrew Clare, 3602 Palm Boulevard. Dr. Clare requested a variance on Section 5-4-22(5)(c) requiring a rear yard setback of 30'. Mr. Steve Heyward, project manager for the contractor, explained that due to new FEMA requirements for septic systems following Hurricane Hugo, the house had to be rebuilt farther toward the beach than the destroyed house had been. Ed Haselden granted a 24' setback in accordance with Section 5-4-36 Non-Conforming Lots. They were asking for an additional 11' in which to extend stairs from the front of the house toward the beach. Mr. Fellabom presented letters from neighbors on both sides of the property voicing no objection to Dr. Clare's request: Dr. Mike O. Tyler of 3600 Palm Boulevard and David H. Garrett of 3604 Palm Boulevard. After considerable discussion, Mr. Fellabom asked the Board if they would consider allowing a 5' extension of the stairs instead of 11'. It was decided that a NO vote would deny the variance, and a YES vote would approve the variance with the staircase extending not farther than 5' from the house.

Vote being: Fellabom - Yes; Garvin - Yes; Schall - No; Smiley - No; Somers - Yes. Variance of 5' was approved.

3. Bill Bryant, 6 - 33rd Avenue. Mr. Bryant requested a variance from Section 5-4-14(3) to allow an in-ground swimming pool to be placed in the "legal front yard" of their property. Mrs. Maureen Bryant stated that their lot was a corner lot; the address being on 33rd Avenue, but the house actually faced Cameron Boulevard. They wanted to put a small pool on the side of the house on 33rd Avenue. Their neighbor, Mr. Todd Poore of 3302 Cameron Boulevard, was present and asked that the pool not be placed on Cameron next to his house. There was discussion as to the placement of the pool on other areas of the property.

Vote being: Fellabom - No; Garvin - Yes; Schall - No; Smiley - No; Somers - No. Variance was denied.

The Board did tell Mrs. Bryant that they would waive the 6 months waiting period for a rehearing if she wanted to locate the pool behind or on the side of the house and a vairance was required.

There being no further business to come before the Board, the meeting wad adjourned at 8:15 p.m.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT P

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MAY 8, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on May 8, 1991, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, Jerry Spencer and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m.

MINUTES OF PREVIOUS MEETING

1. April 10, 1991

Motion to approve by Mr. Spencer; second by Ms. Carroll. Motion approved 6-0.

PLAT SUBMITTALS

1. Charleston Boulevard. Plat of Lot 18, Block 3, Section A, City of Isle of Palms. Presently Owned by J. Paul Traywick. TMS 568-09-00-057. Neimeyer, Jr.

Mr. Batchelder explained that this plat was to abandon the property line between the existing lot at the southwest corner of Charleston Avenue and Second Avenue and the Ocean Boulevard right-of-way. He recommended approval.

Motion to approve by Ms. Carroll; second by Ms. Wilson. Motion approved 6-0.

2. Grand Pavilion Boulevard. Plat Showing the Resubdivision of Lot 68, Tract "A", Block "T", Parcel 10, Wild Dunes. TMS 604-10-00-336. Engineering, Surveying & Planning, Inc.

Mr. Batchelder explained that the purpose of the plat is to adjust the property line to square off the lot. He stated that the plat still needed notes indicating the flood hazard area and provisions for water and sewer. With those additions, Mr. Batchelder recommended approval of the plat.

Motion to approve with information being added as stated by Mr. Batchelder by Ms. Wilson; second by Ms. Carroll. Mr. Taylor asked if Wild Dunes was abandoning the idea of an entrance at this location. Foster Clark representing Wild Dunes replied that they were indeed abandoning the idea of a future entrance. He stated that this plat would put the lot back to the way it was before. Motion approved 6-0.

3. Grand Pavilion Boulevard. Final Plat Showing Resubdivision of Tract "A", Block "T", Parcel

17 - 10 Lots. Wild Dunes. TMS 604-10-00- . Engineering, Surveying & Planning, Inc.

Mr. Batchelder explained that this plat was to reconfigure these lots going from 12 lots to 10 lots. Mr. Batchelder recommended approval with the change in the notes on the plat shown in red ink being made on the original mylar and the Coastal Council base line and dead zone line being noted on the plat.

Mr. Clark explained that this was not a Wild Dunes submittal but that they were representing the bank which owns the property. He explained that this plat will reduce the allowed number of units by two. Mr. Clark explained that the dune centerline was required by the Beach Control Board.

Motion to approve plat by Mr. Stanley with changes as recommended; second by Ms. Wilson. Motion approved 6-0.

ORDINANCES

1. Ordinance 1991-6, an ordinance to Amend Section 5-4-14, Accessory Uses of the Zoning Ordinance to Prohibit Decks from Being Constructed Within Required Setbacks.

Mr. Batchelder explained that this ordinance was prepared to address specifically the concerns of the Commission after the Engrossed Bills Committee defeated the previous amendment that was recommended by the Commission.

Mr. Batchelder stated that the proposed amendment simply adds wording to the existing ordinance to make it clear that decks are not allowed to encroach into required setbacks. He stated that the current ordinance allows accessory uses or structures to be constructed to within three feet from side and rear property lines. Mr. Stanley asked if raised pools with decks around them could be constructed within required setbacks. Mr. Batchelder stated that he did not think they could.

Mr. Batchelder stated that recommendations on ordinances by the Commission would need to be forwarded to the Engrossed Bills Committee and, if passed, given first reading at City Council and then referred back to the Commission for a public hearing.

Mr. Karig asked what the concerns of the Engrossed Bills Committee were in defeating the previous amendment. Mr. Batchelder stated that he was not at that meeting but it was his understanding that the Committee was concerned about not allowing play houses, garages and storage sheds within required setbacks.

Mr. Batchelder recommended as a possible alternative, removing the words "private recreating area" from the ordinance. Mr. Karig stated that the problem is that decks which are separated from the house by at least three inches are not considered part of the main structure. Ms. Wilson suggested changing the ordinance specify that to be separated from the house, decks would have to be 18 inches from the house. Mr. Stanley suggested requiring decks that are accessible

from the main house to be attached to the main house.

Mr. Taylor suggested sending a resolution to the Building Inspector. Mr. Taylor also supported Mr. Stanley's idea. Dr. Karig recommended defining private recreating area.

After further discussion it was decided that Chairman Taylor would talk with the building officials and see if a resolution would help. No further action was taken.

SUB-COMMITTEE REPORTS

There were no sub-committee reports.

There being no further business the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

EXHIBIT Q

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
MAY 16, 1991, 7:00 P.M., CITY HALL'

The regular meeting of the Isle of Palms Board of Beach Patrol and Control was held on May 26, 1991, at 7:00 p.m., at City Hall. Present were Chairman Smiley, members Sanderson, Jeter, Matthews, Ballow, Harper, and Council Member Simon, and Secretary Geary.

1. Beth Clifton, 3700 Palm Boulevard, requested a permit to build a gazebo on the walkway within the protection district or "limited activity zone". Also with Ms. Clifton was Rick Wood of Building Services of Charleston. Dr. Smiley gave a definition of the two areas overseen by the Beach Board: 1) the general permit area called the protection zone is the area between the mean high water mark 250' landward; 2) within that protection zone is an area called the "limited activity zone" from the crest of the most seaward stable dune 50' landward. The Board has not permitted any activity within the limited activity zone and would be very reluctant to approve this permit.

Mr. Sandeford made a motion to approve the application as presented within the limited activity zone; Mr. Matthews seconded. There was extensive discussion on this matter. Vote: unanimously denied.

Mr. Matthews made a motion to approve the permit by moving the gazebo landward to be no closer than 50' from the dune line and out of the limited activity zone; Ms. Ballow seconded. After further discussion, motion was again denied by a vote of 1-5.

Ms. Clifton stated that she understood the Board's decision, but she stated that the Board should make public their policy on gazebos so as not to waste everyone's time, and also to stick with this policy in the future.

2. Tom and Diane Schmidt, #2 - 52nd Avenue, requested a permit to construct a house within 20 feet of the seaward lot line in order to provide a wing of the house for Mrs. Schmidt's elderly, handicapped parents. Also present was Pat Ilderton, contractor for the house. Mr. Ilderton stated that the wing will not be separate quarters with a kitchen, etc., but will be specially built with ramps and an elevator to accommodate wheelchairs. This house will be farther behind the 250' line than the original house, which was destroyed in the hurricane, had been.

Dr. Smiley made a motion to approve the application with the condition that the house not be built seaward of the existing homes in this block and adjoining blocks; Mr. Matthews seconded. After disucssion, application was approved unanimously.

3. John Gardner, architect, and David Hatchell, contractor, requested the Board's opinion on a project on the front beach at Ocean Boulevard on the old Customs House property adjacent to the Palms Restaurant. Mr. Hatchell was proposing to build a 36-room inn on this property, and before committing an enormous sum of money on this project, he was asking whether the Board would approve his building to be in line with other businesses already established regardless of where the 250' line is located at the time of permitting. Dr. Smiley could only state that it was entirely likely that the permit would be approved, but could make to firm commitment until the permit application had been submitted. It is entirely possible, depending on where the 250' line is located at the time of construction, that Mr. Hatchell may not even need a permit from the Board.

4. Dr. Smiley made reference to a memo from Mark Williams dated May 16, 1991, concerning his conversation with the City Attorney about the Lenardis

revetment. He asked the Board to read the memo and it would be discussed at the next meeting.

5. Dr. Smiley reported that the Wild Dunes permit application for groins and scraping of the beach had been scheduled for today at SC Coastal Council; but the hearing had been postponed because the SCCC staff was recommending to the permit committee that groins be outlawed altogether and that was to be discussed today. Dr. Smiley also stated that he felt that our current ordinance prohibits groins and that we would have no basis for approving a permit for groins. There was a discussion on scraping the beach. Dr. Smiley reported that the periwinkles that grow on the beach are a major food source for the surf fauna, and by scraping the beach this food source is killed off for about two years severly impacting the juvenile fish.

6. Referring to Ms. Clifton's comments (#1 above), the Board discussed what could possibly be done to eliminate the problem of gazebos altogether, such as an ordinance, or an addition to the original beach protection ordinance. Mr. Simon stated that he will make City Council aware of this situation so that the problem can be studied for a possible solution. Dr. Smiley also suggested that perhaps gazebos could be denied under the current set of standards for walkways set by SCCC that walkways cannot be more than 6' wide.

7. There was discussion about The Beach Co. offering their front beach property to the property owners at $.22 per square foot. It was suggested that the City could condemn and purchase the property as a protected area, similar to what Sullivan's Island has done.

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Janet M. Geary
Secretary

MEMORANDUM

TO: Mayor, City Council Members

FROM Jeff Simon, Ex-Officio Member, Board Of Beach Patrol and Control

SUBJECT: GAZEBOS WITHIN THE PROTECTION DISTRICT

DATE: 5-17-91

At the request of the members of the board and in the interest of time I am attaching this memorandum to your minutes of the meeting of 5-16-91.

At this meeting the board denied a permit for a gazebo at 3700 Palm Blvd. This structure, separated from the house, was fully within the 250' protection district and part of a wooden walkway extending from the house to and over the dunes. The denial was unanimous. The homeowner may still build this structure if it is built outside of the protected zone.

The board has since its inception (with two exceptions) never permitted ancillary structures (pools, gazebos, extensive decking) within the protection district. It also has never denied the construction of a home within the district (in fact most houses in the area just north of the Citadel Beach Club are completely within the protection district).

It is the two exceptions that need to be called to your attention in relation to this matter. Several months after Hugo, the board approved two modest gazebos behind homes in the 3000 block area of Palm Blvd. Both of these gazebos are in the protection district. Following several discussions about this matter the board has come to the conclusion that it had erred in permitting these structures. The only explanation for this error is that in the post Hugo period the board wished to be to be as compassionate and lient as possible in dealing with fellow residents whose homes and properties were devastated and that to some degree these gazebos are part of the walkways. However, it quickly became clear that this was a Pandora's box that could only lead to lines of increasingly elaborate structures right behind the dune line. During any erosional period the beach migrates back to and under these structures and we have a series of "docks" lining the beach (this very situation existed in this area pre-Hugo). Our ordinance affords us no way to remove these structures or enforce their upkeep if they become part of the active beach. They would also present obvious problems in another severe storm.

The homeowner whose permit was denied was most gracious and understanding and wanted only to be given the same consideration and opportunities as any other property owner. An inconsistency may seem apparent at this point; however; I think the point the board wishes to make council aware of is that the two existant gazebos represent an error not a change in policy. I am sure the board will continue to receive additional requests for gazebos along this section and be questioned as to why two were permitted. The board is in unanimous agreement that gazebos in the protection district will not be permitted. The bottom line as expressed by one of the board members is that the board had the choice of admitting an error or continuing to compound it.

A second and related point is that the property in question is actually owned by the Beach Co. The two previous homeowners had letters from the Beach Co. giving them permission to use the land. This last homeowner did not, so in one sense the request and subsequent denial are a moot point. However, it appears that the Beach Co. is about to offer its property from 21st to 41st to the adjoining property owners. I realize we are up to our eyes in problems, however, it might be well worth exploring what the city's interest and options might be. This strip is one of the widest and least developed areas along the beach front and any steps we might take to preserve its open nature would be well worth it.

EXHIBIT K

County of Charleston

Charleston, South Carolina

MOSQUITO ABATEMENT PROGRAM
4370 AZALEA AVENUE
CHARLESTON HEIGHTS, S.C. 29405

May 14, 1991

Mr. Mark M. Williams
P. O. Drawer Q
Isle of Palms, S. C,. 29451

Dear Mr. Williams:

In an effort to increase our service to the citizens of Isle of Palms, Charleston County Mosquito Abatement has developed the need to perform aerial treatments by helicopter. Currently, the helicopter is being used for inspections only. In order to perform these treatments, we will require an area which we can use as a base of operations (landing zone). This area would be used to land, take-off, refuel, and reload the aircraft with additional material. These operations would primarily be conducted between the hours of 6:00 a.m. to 2:00 p.m. Treatment will be done approximately eight (8) to 12 times per year.

The area we are interested in utilizing is the large vacant lot across the street from the fire station where the motel stood before Hurricane Hugo. It will be necessary for mosquito abatement to be issued a key to the access gate of this property. It is also requested that written permission for an entire mosquito season , usually April 1 through December 31, be given.

Mosquito Abatement will notify the Isle of Palms Police Department the day prior to all helicopter operations in this area, and inform them of the areas to be sprayed by this helicopter.

Mosquito Abatement will utilize the utmost caution and professionalism during these helicopter operations and will respect any and all requests and restrictions made by Isle of Palms, its mayor and city council.

Working with the Isle of Palms, its Mayor, City Council and staff; and the citizens has always been enjoyable. Your help on this matter is greatly appreciated.

If you have any questions concerning this request, please contact this office at 745-2266 during the hours of 7:30 a.m. to 3:30 p.m. Monday through Friday.

Sincerely,

Martin G. Hyatt

Martin G. Hyatt
Manager

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 3, 1991, 6:30 P.M.
CITY HALL

A special meeting of the Isle of Palms City Council was held on June 3, 1991, at 6:30 p.m., at City Hall. The purpose of the meeting was to go over the proposed budget for fiscal year 1991-1992. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward, and Watson; City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary. Department Heads present were Chief James Arnold, Chief Laurent Britton, Supervisor Andrew Parrish, and Recreation Specialist Stacey Wilson.

Page 2. Mayor and Council:

Mr. Watson made a motion to delete the group health insurance for Council and to delete the Council Special Fund; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - No; Nessmith-Picard - Yes; Orvin - No; Simon - Yes; Sottile - No; Swanson - Abstain; Ward - Yes; Watson - Yes; Bunch - No. Motion was defeated 4-4-1.

Mrs. Swanson made a motion to look into the possibility of cutting the number of council members from 9 to 7; Mr. Watson seconded. After discussion and the consensus that this matter does not pertain to the current budget, Ms. NesSmith-Picard made a motion to postpone this matter until the next regular Council meeting; Mr. Holden seconded; motion passed 7-2.

Mr. Ward made a motion to cut the Mayors Special Fund from $2,000 to $1,000; Mr. Sottile seconded. There was discussion as to the use of this fund which the Mayor stated she spent on gift certificates for employees at Christmas and for Appreciation Day. Motion and second were withdrawn.

Ms. NesSmith-Picard made a motion to cut the Council Special Fund to zero; Mr. Sottile seconded; motion passed unanimously.

Mr. Ward made a motion to delete Vehicle Fuel & Oil and Vehicle Maintenance from this budget with the understanding that the Mayor's car will be titled over to her; Mr. Sottile seconded. Mr. Simon amended the motion to continue Vehicle Maintenance but cut Vehicle Fuel & Oil to zero since the Mayor buys her own gasoline and oil; Mr. Watson seconded. After much discussion, the amendment and second were withdrawn. Roll Call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 4-5.

Mr. Simon made a motion to cut Vehicle Fuel & Oil to zero; Mrs. Swanson seconded; motion passed unanimously.

Page 3. General Government:

Ms. NesSmith-Picard made a motion to move Recycling Expenses in the amount of $2,000 from General Government to Public Works; Mr. Ward seconded; motion passed unanimously.

Page 4. Finance Department: - No Changes.

Page 5. Police Narcotics Unit:

Mr. Ward made a motion to reduce the Narcotics Unit by one full-time employee; Ms. NesSmith-Picard seconded. There was extensive discussion on this matter during which Chief Arnold explained the need for two narcotics officers and also the fact that this department can fully fund itself. Roll call vote was taken: Holden No; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 1-8.

Mrs. Swanson made a motion to raise the revenue line item for Narcotics Seizures on page 1 to the full amount of narcotics expenditures in the amount of $59,116; Mr. Watson seconded; motion passed unanimously.

Page 6. Police Department:

Mr. Sottile made a motion to cut three positions from the Police Department, being one part-time Beach Patrol, one part-time Animal Control, and one dispatcher; Mr. Watson seconded. There was extensive discussion on this matter during which Chief Arnold explained what these personnel do, what the department would have to do to cover these positions and the costs involved with each position. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 2-7.

Mr. Ward made a motion to cut the Department by two sworn officers; Ms. NesSmith-Picard seconded. Mr. Holden amended the motion to budget the positions for three months in the hope that someone would leave; Mr. Ward seconded. After discussion, roll call vote was taken on the amendment: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Amendment was defeated 4-5. Roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 4-5.

Page 7. Fire Department:

Mr. Holden made a motion to approve the Fire Department personnel budget as presented; Mr. Watson seconded. There was lengthy discussion on this matter. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - No; Swanson - No; Ward - No; Watson - Yes; Bunch - Yes. Motion was defeated 4-5.

Ms. NesSmith-Picard made a motion to ask the Fire Chief to make budget cuts in the amount of 1 mil. As there was no second, motion died on the floor. There was extensive discussion on this department budget about where cuts could be made. Chief Britton stated that he would make cuts wherever he could to save personnel.

Ms. NesSmith-Picard made a motion to approve the Fire Department budget in its entirety as presented; Mr. Holden seconded. After discussion, motion and second were withdrawn.

Mr. Holden made a motion to approve all Fire Department personnel as presented; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - No; Sottile - No; Swanson - No; Ward -No; Watson - No; Bunch - No. Motion was defeated 1-8.

Ms. NesSmith-Picard made a motion to approve the Fire Department budget as presented; Mr. Watson seconded. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - No; Swanson - No; Ward - No; Watson - Yes; Bunch - Yes. Motion was defeated 4-5.

Mr. Ward made a motion to cut one fireman from the Department; Mr. Sottile seconded. Mr. Holden amended the motion to budget the position for three months; Mrs. Swanson seconded. The amendment was defeated by a vote of 4-5. Chief Britton stated for the Fire Department the need for the personnel that we have. Mrs. Swanson amended the motion to have the salary amount of one firemen be cut from the department's budget; Mr. Ward seconded. Mr. Holden amended the motion to cut one position in the police department; Ms. NesSmith-Picard seconded; amendment was defeated 2-7. Vote was taken on Mrs. Swanson's amendment which was defeated 4-5. Roll Call vote was taken on the original motion: Holden - No;

NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 1-8.

Mr. Sottile made a motion to have the Fire Chief cut his budget by an additional 5%; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - Yes; Ward - No; Watson - No; Bunch - Yes. Motion was defeated 4-5.

After further discussion, Mr. Ward made a motion to approve the Fire Department budget as presented; Ms. NesSmith-Picard seconded. Roll call vote was taken: Holden -No; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 6-3.

Page 8. Public Works:

Mr. Ward made a motion to approve Public Works personnel as presented; Mr. Orvin seconded; after discussion, motion passed 8-1.

Mr. Ward made a motion to approve the whole Public Works budget as presented; Mr. Orvin seconded; motion passed unanimously.

Page 9. Building/Planning Department:

Mr. Ward made a motion to approve the whole Building Department budget as presented; Mr. Orvin seconded; after discussion, motion passed unanimously.

Page 10. Recreation Department:

Mr. Ward made a motion to approve the whole Recreation budget as presented; Mr. Orvin seconded. There was some discussion about the need for a full time maintenance person and about the salary raise for the Department Head. Ms. Wilson stated that she would rather forego her raise in order to maintain personnel at its current level. Motion passed 8-2.

Page 11. Recreation Instruction Expenses:

Mr. Ward made a motion to approve the Recreation Instruction Expenses budget; Mr. Orvin seconded; motion passed unanimously.

Page 12. Judicial and Legal:

Mr. Ward made a motion to approve the Judicial & Legal budget as presented; Mr. Sottile seconded. There was discussion concerning unexpected expenses, spending beyond budgeted amounts, and keeping Council apprised of the financial situation in each department and each bank account. After discussion, motion passed 8-1.

Page 13. Parking Lot Department:

Mr. Ward made a motion to approve the Parking Lot budget as presented; Mr. Orvin seconded; motion passed unanimously.

Page 14. Hurricane Related Expenses:

Mr. Ward made a motion to approve the Hurricane Related budget as presented; Ms. NesSmith-Picard seconded; after discussion, motion passed unanimously.

Mr. Ward made a motion to approve the General Fund Total Expenditures in the amount of $2,697,968; Mr. Orvin seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - No; Watson - No; Bunch - Abstain. Motion was defeated 3-5-1.

There followed general discussion about the budget and what can be done to reduce the final figure. There was concern that the budget would not be approved.

Mr. Watson made a motion to reconsider the last motion; Mr. Ward seconded. After further discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 5-4 approving the budget.

Mr. Ward made a motion to approve the projected revenue side of the budget as presented reflecting a 16.5 millage increase in order to balance the budget; Mr. Orvin seconded. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - No; Swanson - No; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed 5-4.

Mayor Bunch moved that Council go into Executive Session; Mrs. Swanson seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no action was take; there was discussion on legal matters pertaining to two litigations.

Mr. Orvin made a motion to adjourn; Mrs. Swanson seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6-27-91.

6/3/91

THE UNDERSIGNED ISLE OF PALMS CITY COUNCIL MEMBERS REQUEST THE FOLLOWING ITEMS TO BE ADDED TO THE AGENDA FOR THE SPECIAL CITY COUNCIL MEETING OF JUNE 6, 1991.

1. LEGAL REPRESENTATION FOR SIGN ORDINANCE COMPLAINT
2. EXECUTIVE SESSION

Melinda McSmith-Picard — M. McSMITH-PICARD

Jeff Simon — JEFF SIMON

Barry Holden — BARRY HOLDEN

Mike Sottile — MIKE SOTTILE

Jimmy Ward — JIMMY WARD

_____

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_____

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MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 6, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on June 6, 1991, at 7:00 p.m., in City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary. Arriving late were Council Members Orvin and Ward.

The Mayor stated that the purpose of this meeting was to have the first reading of the budget ordinance plus other miscellaneous items.

1. First Reading - Ordinance 1991-16 - An Ordinance to Adopt a Budget for the City of Isle of Palms , South Carolina, for the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992.

Mr. Watson made a motion to approve Ordinance 1991-16 as presented; Mr. Simon seconded; motion failed 3-4 with Council Members Holden, NesSmith-Picard, Swanson and Sottile voting against it. (Exhibit A)

Ms. NesSmith-Picard brought up the fact that several Council Members had signed a request to have on the agenda a discussion concerning legal representation of the Carroll sign complaint. The Mayor stated that this would come up in Executive Session. Ms. NesSmith-Picard stated for the record that it was requested to be on the agenda but was not; the Mayor stated that it was to be discussed in Executive Session.

2. Wild Dunes Presentation - Grand Pavilion.

Bill McKenzie and Pat Tomlin from Wild Dunes presented to Council a plat for the Grand Pavilion area which shows some changes that they propose. After discussion, Mr. Sottile made a motion to suspend the rules of order to allow Guy Taylor, Chairman of Planning & Zoning, to speak; Mrs. Swanson seconded; motion passed unanimously. Mr. Taylor, after being asked if he thought this needed to be presented to Planning again, stated that he felt that Planning did not need to see it again, that there were obvious improvements made to the plan that did not affect Planning's approval of the original plan.

3. Easement for Storm Drains for Oak Harbor/13th Avenue.

Mr. Williams stated that the Highway Department has moved ahead with installation of the storm drains on 13th Avenue and had gone around our property instead of waiting for approval to cut across the property. Therefore no easement or approval is needed.

4. Tile for Police/Municipal Building.

Mr. Williams stated that Carol McGill, who has donated her services as decorator, had suggested that the entrance to the building be changed from carpet to quarry tile which would significantly increase wear and tear, but would increase the cost by $3,000. She also recommended that we upgrade the carpet from $10/sq. yd. to $15/sq. yd. which would increase the cost by approximately $2,000.
Mr. Williams also reported that they were asking contractors to reduce the price of heating/air conditioning and plumbing.

Mr. Ward made a motion to approve the expenditure of $3,000 for tile for the building and to upgrade the carpet to $15 per square yard; Mr. Orvin seconded; motion passed 5-4.

5. Resolution of Council to Apply for Hazard Mitigation Grants.

Mayor Bunch stated that she had prepared three resolutions for projects to be applied for under Hazard Mitigation Grants (see Exhibit B). Mr. Williams read one resolution and the others were passed around for Council's perusal. Upon

discussion, Mr. Williams stated that by applying for the grants does not commit the City to accept them. The possibility of receiving a grant is minimal. Mr. Ward made a motion to accept the resolutions, Mr. Orvin seconded; motion passed unanimously.

Due to the fact that some Council members were late to the meeting because of traffic tie-ups, the Mayor asked for a motion to reconsider the budget ordinance. Mr. Sottile made a motion to reconsider First Reading of Ordinance 1991-16; Mrs. Swanson seconded; motion passed 7-2 with Council members Holden and NesSmith-Picard voting in the negative.

Mr. Orvin made a motion to pass the first reading of the budget ordinance as presented; Mr. Ward seconded. Mr. Williams reported on his meeting this week with Sammy Brown of the Charleston County Auditor's Office. (see Exhibit C) After discussion, vote was taken and motion passed 5-4 with Council members Holden, NesSmith-Picard, Swanson and Sottile voting in the negative.

Mrs. Swanson requested that a work session be held between now and second reading.

Mr. Sottile made a motion to go into Executive Session; Mr. Ward seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no action was taken; legal matters were discussed concerning representation on the Carroll lawsuit.

Mr. Watson made a motion to settle the Carroll lawsuit using the criteria set forth by Mr. Williams; Mrs. Swanson seconded. After discussion the motion and second were withdrawn.

Mr. Watson made a motion to allow the City Administrator to enter into negotiations with the hopes of settling the Carroll lawsuit; Mrs. Swanson seconded. Roll call vote was taken: Holden - Abstain; NesSmith-Picard - No; Orvin - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion was defeated 4-4-1.

Mrs. Swanson made a motion to retain Carol Ervin of Young, Clement, Rivers & Tisdale; Mr. Orvin seconded. Ms. Nessmith-Picard amended the motion to retain Teddy Girard; Mr. Ward seconded. After discussion, roll call vote was taken on the amendment: Holden - Yes; Nessmith-Picard - Yes; Orvin - No; Simon - No; Sottile - yes; Swanson - No; Ward - Abstain; Watson - No; Bunch - No. Amendment was defeated 3-5-1. Roll call vote was taken on the motion: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - yes; Sottile - Yes; Swanson - Yes; Ward - Abstain; Watson - No; Bunch - Yes. Motion was passed 5-3-1.

Mr. Ward made a motion to adjourn; Mr. Orvin seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council: 6-27-91

EXHIBIT A

ORDINANCE 1991-16

AN ORDINANCE TO ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992

WHEREAS, Subsection 3 of Section 5-7-260 of the S. C. Code of Laws, 1976, as amended, requires that a municipal Council shall act by ordinance to adopt a budget pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 2. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

SECTION 3. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 4. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

_____
Carmen R. Bunch, Mayor

ATTEST:

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/6/91

Public Hearing: _____

Second Reading: _____

Ratification: _____

City of Isle of Palms, S. C.
Operating Budget for the Fiscal Year
July 1, 1991 -- June 30, 1992

Adopted by City Council ?

GENERAL FUND BUDGET

July 1, 1991 -- June 30, 1992

REVENUES

ACCT. NO.	ITEM ACCOUNT NAME	BUDGETED FY 1990-91	5/30/91 REVENUES COLLECTED YTD FY 1990-91	ESTIMATE FY 1991-92
1031004001	Property Taxes	1,063,596	1,114,358	1,624,000
1032104006	Business License Fees	280,000	220,484	225,000
1032104007	Insurance License Fees	90,000	97,309	98,000
1032104008	Public Utilities Fees	125,000	41,248	140,000
1032104009	Building Permit Fees	180,000	115,131	130,000
1032104010	Animal License Fees	300	273	300
1032104011	Vehicle ID Fees	10,000	249	0
1033004031	Narcotics Grant Revenue	37,205	19,469	0
1033004032	Narcotics Seizures	40,000	0	59,116
1034004075	Court Generated Revenue	110,000	55,738	110,000
1034504100	Beer & Wine Rebate	24,780	24,542	24,780
1034504101	Liquor Tax Rebate	17,140	15,901	17,140
1034504102	Bank Tax Rebate	210	254	210
1034504103	Motor Transport Rebate	4,980	3,066	4,980
1034504104	Income Tax Rebate	19,270	17,718	19,270
1034504105	Accommodations Tax Rebate	0	0	0
1034504106	Intergovernmental Transfers	24,000	21,925	30,000
1034504107	Intergovernmental Transfers-Narc.	0	0	0
1034504108	Broker's Premium Tax	1,590	1,842	1,590
1034504109	Disaster Relief- State	281,082	211,934	25,000
1034504110	Disaster Relief-Insurance	0	23,626	0
1034504111	Grant Income	0	30,383	0
1034504112	Gasoline Tax Rebate	12,000	16,624	13,000
1035004501	Miscellaenous Revenue	12,009	12,658	10,000
1035004502	Parking Lot Revenue	45,000	22,547	45,000
1035004503	Plat Application Fees	1,000	820	1,000
1035004504	Sale of Assets	50,500	54,522	15,000
1035004505	Interest Income	53,000	17,949	30,000
1035004506	Recreation Instructor's Income	22,300	20,187	17,000
1035004507	Recreation Program Income	13,150	27,669	26,900
1035004508	Recycling Revenue- Cans & Paper	250	2,828	4,000
1035004509	Kennel Donations	0	3,310	0
1035004510	Donations to Dare Program	0	634	2,000
1035004511	Transfer Fm Accom. Tax Fund	25,000	0	25,000
1034504113	Oper. Transfer Capital Projects	260,252	150,000	0
	TOTAL GENERAL FUND REVENUES	**$2,803,614**	**$2,345,198**	**$2,698,286**

EXPENDITURES

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	5/31/91 GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1040105001	Mayor & Council Salaries	10,800	10,500	10,800
1040105004	Fica Expense	826	793	826
1040105005	Retirement Expense	740	534	740
1040105006	Group Health Insurance	12,421	10,700	18,360
1040105007	Workman's Compensation	0	0	0
1040205015	Meetings & Seminars	500	0	0
1040205016	Vehicle Fuel & Oil	1,200	0	0
1040205017	Vehicle Maintenance	500	0	500
1040205053	Blanket Bond	100	80	100
1040205062	Insurance	2,317	1,369	1,546
1040205087	Council Special Fund	1,500	485	0
1040205088	Mayor's Special Fund	2,500	1,727	2,000
	TOTAL	**$33,404**	**$26,188**	**$34,872**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1041105001	Salaries-Supervisor	38,220	37,718	44,704
1041105002	Salaries-Employees	56,181	55,098	47,281
1041105003	Salaries-Part Time	0	467	0
1041105004	Fica Expense	7,222	7,199	7,037
1041105005	Retirement Expense	6,466	6,404	6,301
1041105006	Group Health Insurance	6,187	6,042	6,120
1041105007	Workman's Compensation	3,862	3,382	4,566
1041105008	Unemployment Compensation	500	0	0
1041205009	Debt Service- Principal	45,000	45,000	50,000
1041205010	Printing & Office Supplies	7,850	5,382	6,000
1041205011	Debt Service- Interest	56,088	56,088	78,962
1041205014	Memberships & Dues	2,247	1,433	1,890
1041205015	Meetings & Seminars	250	668	0
1041205016	Vehicle Fuel & Oil	1,200	1,125	2,000
1041205017	Vehicle Maintenance	500	503	750
1041205020	Electricity & Gas	2,000	1,486	2,100
1041205021	Telephone/ Cable	6,720	4,716	5,650
1041205022	Water & Sewer	300	359	750
1041205026	Maintenance/Service Contracts	4,080	4,243	2,000
1041205027	Machinery/Equipment Repair	500	135	300
1041205041	Uniforms	250	266	400
1041205044	Cleaning/ Sanitary Supplies	200	189	200
1041205053	Blanket Bond	100	80	100
1041205061	Advertising	2,400	5,051	4,000
1041205062	Insurance	4,925	2,074	2,106
1041205063	Rents & Leases	5,200	3,205	4,600
1041205064	Employee Training	0	0	0
1041205065	Professional Services	12,400	47,190	18,200
1041205068	Election Expenses	1,200	1,219	2,500
1041205071	Special Department Expenses	0	0	0
1041205072	Vehicle ID Expense	0	518	0
1041205079	Miscellaneous Expenses	1,500	6,083	1,500
1041205085	Capital Outlay	0	5,741	0
	TOTAL	**$273,548**	**$309,064**	**$300,017**

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1042105001	Salaries- Supervisor	26,378	24,854	30,176
1042105002	Salaries- Employees	0	0	0
1042105003	Salaries-Part Time	0	0	0
1042105004	Fica Expense	2,018	1885	2,308
1042105005	Retirement Expense	1,807	1715	2,067
1042105006	Group Health Insurance	1,547	1589	2,040
1042105007	Workman's Compensation	0	0	0
104215008	Unemployment Compensation	0	0	0
1042205010	Printing & Office Supplies	0	0	0
1042205015	Meetings & Seminars	0	0	0
1042205020	Electricity & Gas	0	0	0
1042205021	Telephone/ Cable	0	0	0
1042205022	Water & Sewer	0	0	0
1042205026	Maintenance/Service Contracts	0	0	0
1042205053	Blanket Bond	575	450	450
1042205062	Insurance	448	396	436
1042205064	Employee Training	0	0	0
1042205079	Miscellaneous Expenses	100	0	100
1042205085	Capital Outlay	0	0	0
	TOTAL	$32,873	$30,889	$37,577

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1043105002	Salaries- Employees	46,850	38,929	45,575
1043105004	Fica Expense	3,584	2,852	3,486
1043105005	Retirement Expense	3,209	4,177	3,122
1043105006	Group Health Insurance	3,094	3,202	4,080
1043205010	Printing & Office Supplies	0	0	0
1043205016	Vehicle Fuel & Oil	0	22	0
1043205017	Vehicle Maintenance	0	91	0
1043205021	Telephone & Cable	3,000	1,547	0
1043205041	Uniforms	1,000	800	0
1043205049	Medical & Lab Supplies	200	0	0
1043205062	Insurance	4,402	3,168	2,853
1043205063	Rents & Leases	0	89	0
1043205071	Special Department Expenses	0	0	0
1043205079	Miscellaneous Expenses	0	0	0
1043205080	Drug Buys	2,000	0	0
1043205085	Capital Outlay	22,460	22,086	0
	TOTAL	$89,799	$76,963	$59,116

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1044105001	Salaries- Supervisor	33,800	30,940	35,152
1044105002	Salaries- Employees	434,358	384,473	443,957
1044105003	Salaries- Part Time	11,155	13,465	10,157
1044105004	Fica Expense	36,667	32,395	37,429
1044105005	Retirement Expense	51,286	41,211	52,351
1044105006	Group Health Insurance	34,030	33,639	44,880
1044105007	Workman's Compensation	12,069	10,568	14,217
1044105008	Unemployment Compensation	1,000	0	1,000
1044205010	Printing & Office Supplies	6,500	7,297	6,500
1044205014	Memberships & Dues	650	440	800
1044205015	Meetings & Seminars	500	261	700
1044205016	Vehicle Fuel & Oil	27,205	27,695	26,314
1044205017	Vehicle Maintenance	9,200	12,463	11,000
1044205020	Electricity & Gas	4,000	2,397	5,000
1044205021	Telephone/ Cable	9,000	10,185	9,000
1044205022	Water & Sewer	600	300	1,000
1044205026	Maintenance/Service Contracts	2,500	2,823	3,000
1042205027	Machinery/Equipment Repair	4,200	3,567	4,200
1044205031	Small Hand Tools	200	8	0
1044205041	Uniforms	9,000	7,059	10,000
1044205044	Cleaning/ Sanitary Supplies	600	408	3,000
1044205049	Medical & Lab Supplies	1,000	1,087	2,500
1044205053	Blanket Bond	100	80	100
1044205062	Insurance	26,000	20,524	22,218
1042205063	Rents & Leases	8,500	6,861	7,800
1044205064	Employee Training	3,500	4,851	4,000
1044205071	Special Department Expenses	2,500	2,773	2,000
1044205074	DARE Program Expenses	0	1,177	2,000
1044205079	Miscellaneous Expenses	2,200	985	1,800
1044205081	Canine Kennel Expenses	3,500	0	500
1042205085	Capital Outlay	3,700	4,892	2,945
	TOTAL	**$739,520**	**$664,824**	**$765,520**

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1045105001	Salaries- Supervisor	33,000	30,240	34,320
1045105002	Salaries- Employees	411,098	360,716	416,656
1045105003	Salaries- Part Time	9,325	3,801	7,030
1045105004	Fica Expense	34,687	29,163	35,037
1045105005	Retirement Expense	48,516	42,261	49,007
1045105006	Group Health Insurance	32,483	33,442	42,840
1045105007	Workman's Compensation	9,787	8,570	11,571
1045105008	Unemployment Compensation	500	0	500
1045205010	Printing & Office Supplies	900	2,303	1,773
1045205014	Memberships & Dues	500	380	800
1045205015	Meetings & Seminars	660	425	1,200
1045205016	Vehicle Fuel & Oil	4,000	6,973	5,000
1045205017	Vehicle Maintenance	10,000	9,966	8,000
1045205020	Electricity & Gas	4,000	2,497	3,500
1045205021	Telephone/ Cable	4,000	5,009	5,700
1045205022	Water & Sewer	350	168	1,200
1045205026	Maintenance/Service Contracts	3,500	4,084	5,500
1045205027	Machinery/Equipment Repair	5,000	6,169	5,000
1045205031	Small Hand Tools	250	717	750
1045205041	Uniforms	5,880	3,604	6,000
1045205044	Cleaning/ Sanitary Supplies	1,000	1,843	2,000
1045205049	Medical & Lab Supplies	4,000	534	9,500
1045205053	Blanket Bond	100	120	100
1045205062	Insurance	18,343	12,125	12,979
1045205063	Rents and Leases	1,920	1,693	1,920
1045205064	Employee Training	2,000	1,839	4,500
1045205065	Professional Services	900	0	800
1045205079	Miscellaneous Expenses	4,000	3,222	4,000
1045205085	Capital Outlay	2,700	2,426	0
	TOTAL	**$653,339**	**$574,290**	**$677,183**

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1046105001	Salaries- Supervisor	30,033	27,609	31,324
1046105002	Salaries- Employees	172,406	142,671	181,615
1046105003	Salaries- Part Time	13,708	6,059	14,400
1046105004	Fica Expense	16,535	13,102	17,391
1046105005	Retirement Expense	14,806	12,041	15,573
1046105006	Group Health Insurance	23,202	24,417	30,600
1046105007	Workman's Compensation	15,624	13,682	17,472
1046105008	Unemployment Compensation	1,500	0	1,000
1046205010	Printing & Office Supplies	300	506	500
1046205016	Vehicle Fuel & Oil	16,000	17,823	22,000
1046205017	Vehicle Maintenance	24,000	28,711	22,800
1046205020	Electricity & Gas	25,000	20,664	26,000
1046205021	Telephone/ Cable	1,000	730	1,200
1046205022	Water & Sewer	250	0	1,000
1046205026	Maintenance/Service Contracts	1,000	157	500
1046205027	Machinery/Equipment Repair	1,000	668	1,000
1046205031	Small Hand Tools	750	626	650
1046205041	Uniforms	6,000	3,414	6,000
1046205044	Cleaning/ Sanitary Supplies	2,000	414	1,000
1046205049	Medical & Lab Supplies	200	187	500
1046205054	Street Signs	2,500	1,224	2,000
1046205062	Insurance	18,398	15,624	17,218
1046205063	Rents & Leases	1,500	0	1,000
1046205065	Professional Services	0	0	0
1046205067	Contracted Services	2,500	262	1,500
1046205068	Election Expenses	0	46	0
1046205073	Recycling Expense	0	1,428	2,000
1046205079	Miscellaneous Expenses	500	912	500
1046205085	Capital Outlay	0	2,046	4,500
	TOTAL	**$390,712**	**$335,023**	**$421,243**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1047105001	Salaries- Supervisor	32,063	29,360	33,345
1047105002	Salaries- Employees	87,566	71,087	47,989
1047105003	Salaries- Part Time	4,700	4,308	4,935
1047105004	Fica Expense	9,511	7,944	6,600
1047105005	Retirement Expense	8,517	7,233	5,909
1047105006	Group Health Insurance	9,281	8,863	6,120
1047105007	Workman's Compensation	526	461	622
1047105008	Unemployment Compensation	0	0	1000
1047205010	Printing & Office Supplies	3,300	2,872	2,500
1047205014	Memberships & Dues	100	110	125
1047205015	Meetings & Seminars	500	858	1,000
1047205016	Vehicle Fuel & Oil	4,000	2,439	3,000
1047205017	Vehicle Maintenance	1,000	504	1,000
1047205020	Electricity & Gas	4,000	1,477	3,000
1047205021	Telephone/ Cable	5,800	4,538	4,600
1047205022	Water & Sewer	1,000	0	1,200
1047205026	Maintenance/Service Contracts	750	147	750
1047205027	Machinery/Equipment Repair	150	0	150
1047205044	Clean/Sanitation Supplies	250	320	1,800
1047205053	Blanket Bond	100	80	100
1047205062	Insurance	3,282	2,447	2,349
1047205063	Rents and Leases	3,360	3,061	3,360
1047205064	Employee Training	1,000	0	500
1047205065	Professional Services	2,000	30	1,000
1047205079	Miscellaneous Expenses	250	0	250
1047205085	Capital Outlay	0	659	0
	TOTAL	**$183,006**	**$148,798**	**$133,204**

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048105001	Salaries- Supervisor	20,280	18,564	23,000
1048105002	Salaries- Employees	40,896	38,104	44,606
1048105003	Salaries- Part Time	0	0	0
1048105004	Fica Expense	4,680	4,329	5,172
1048105005	Retirement Expense	4,191	3,911	4,631
1048105006	Group Health Insurance	6,187	6,357	8,160
1048105007	Workman's Compensation	2,018	1,768	2,386
1048105008	Unemployment Compensation	250	0	250
1048205010	Printing & Office Supplies	1,500	1,297	2,500
1048205014	Memberships & Dues	1,700	461	2,000
1048205015	Meetings & Seminars	300	250	500
1048205016	Vehicle Fuel & Oil	750	1,072	1,000
1048205017	Vehicle Maintenance	500	57	500
1048205020	Electricity & Gas	6,000	5,204	6,000
1048205021	Telephone/ Cable	1,200	1,890	2,280
1048205022	Water & Sewer	500	437	500
1048205026	Maintenance/Service Contracts	1,500	1,928	1,700
1048205027	Machinery/Equipment Repair	800	544	800
1048205031	Small Hand Tools	75	96	100
1048205041	Uniforms	400	380	200
1048205044	Cleaning/ Sanitary Supplies	1,000	1,340	1,500
1048205049	Medical & Lab Supplies	200	0	100
1048205053	Blanket Bond	100	80	100
1048205062	Insurance	2,471	1,449	1,509
1048205063	Rents & Leases	2,400	2,121	2,400
1048205064	Employee Training	200	236	400
1048205071	Special Department Expenses	17,000	25,424	8,470
1048205079	Miscellaneous Expenses	200	142	100
1048205085	Capital Outlay	0	11,551	0
	SUB-TOTAL	**$117,298**	**$128,992**	**$120,864**

	REC. INSTRUCTION EXPENSES	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048305090	Crafts	1,500	1,250	1,200
1048305091	Gymnastics	1,500	2,692	2,300
1048305092	Mother's Morning Out	0	0	0
1048305093	Day Camp	4,200	3,553	6,000
1048305094	Dancing	1,125	1,179	1,200
1048305095	Karate	8,250	6,437	7,500
1048305096	Aerobics	600	0	600
1048305097	Adult Sports	0	0	11,000
1048305098	Youth Sports	0	0	8,500
1048305099	Tennis	600	861	1,000
	SUB-TOTAL	**$17,775**	**$15,972**	**$39,300**
	TOTAL	**$135,073**	**$144,964**	**$160,164**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1049105002	Salaries- Employees	15,470	6,530	17,447
1049105003	Salaries- Part Time	4,000	667	0
1049105004	Fica Expense	1,489	557	1,335
1049105005	Retirement Expense	1,334	500	1,195
1049105006	Group Health Insurance	1,547	649	2,040
1049205008	Unemployment Insurance	0	0	0
1049205010	Printing & Office Supplies	1,000	1,879	1000
1049205021	Telephone/ Cable	900	816	900
1049205053	Blanket Bond	100	80	100
1049205062	Insurance	490	0	0
1049205063	Rents and Leases	1,000	825	300
1049205065	Professional Services	35,000	62,904	43,600
1049205085	Capital Outlay	0	515	0
	TOTAL	**$62,330**	**$75,922**	**$67,917**

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1050105003	Salaries- Part Time	11,400	3,003	12,400
1050105004	Fica Expense	872	244	949
1050105005	Retirement Expense	0	14	0
1050105007	Workman's Compensation	0	0	0
1050105008	Unemployment Compensation	0	0	0
1050205062	Insurance	0	0	0
1050205063	Rents & Leases	200	0	0
1050205065	Professional Services	0	0	0
1050205071	Special Department Expenses	1,000	32	318
1050205085	Capital Outlay	0	0	0
	TOTAL	**$13,472**	**$3,293**	**$13,667**

ACCT. NO.	HURRICANE RELATED EXP. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1055105003	Salaries- Part Time	0	0	0
1055105004	Fica Expense	0	0	0
1055105007	Workman's Compensation	0	0	0
1055205010	Printing /Office Supplies	0	0	0
1055205016	Vehicle Fuel & Oil	0	0	0
1055205017	Vehicle Maintenance	0	11,401	0
1055205021	Telephone and Cable	0	0	0
1055205026	Maintenance/Service Contracts	4,000	139,343	0
1055205027	Machinery/Equipment Repairs	0	0	0
1055205031	Small Hand Tools	0	0	0
1055205041	Uniforms	0	0	0
1055205054	Street Signs	0	0	0
1055205063	Rents and Leases	111,456	84,346	27,806
1055205067	Contracted Expenses	81,082	15,200	0
1055205071	Special Dept. Expenses	0	0	0
1055205079	Miscellaneous Expenses	0	2,427	0
1055205085	Capital Outlay	0	39,678	0
		$196,538	**$292,395**	**$27,806**
GEN FUND TOTAL EXPENDITURES		**$2,803,614**	**$2,682,613**	**$2,698,286**

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	BUDGETED FY 1990-91	4/30/91 COLLECTED FY 1990-91	ESTIMATED FY 1991-92	
5034504105	Acc. Tax Revenue	95,000	46,802	95,000	
	Transfer to General Fund	-25,000	0	-25,000	
	Minus 25% Restricted Fund	-17,500	-11,701	-17,500	
503504505	Interest Income	3,587	4,174	2,000	
	TOTAL REVENUES	$56,087	$39,275	$54,500	-2.83%

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

		BUDGETED FY 1990-91	5/31/91 EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
	GENERAL GOVERNMENT			
5041205009	Debt Service- Principal	56,087	0	0
5041205011	Debt Service- Interest	0	0	54,500
5041205079	Miscellaneous Expenses	0	6,742	0
5041205085	Capital Outlay	0	58,722	0
5041205090	Tourism Promotion Expense	17,500	50,000	0
	DEPARTMENT TOTAL	$73,587	$115,464	$54,500
	POLICE DEPARTMENT			
5044205010	Printing & Office Supplies			
5044205016	Vehicle Fuel & Oil	10,000	0	
5044205017	Vehicle Maintenance	5,000	0	
5044205021	Telephone/ Cable	0	0	
5044205026	Maintenance/ Service Contracts	0	0	
5044205027	Machinery/ Equipment Repair	0	0	
5044205041	Uniforms	6,000	0	
5044205062	Insurance	0	0	
5044205063	Rents & Leases	2,000	0	
5044205079	Miscellaneous Expenses	0	0	
5044205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

	FIRE DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5045205010	Printing & Office Supplies	0	0	0
5045205016	Vehicle Fuel & Oil	2,000	0	0
5045205017	Vehicle Maintenance	6,500	0	0
5045205021	Telephone/ Cable	2,000	0	0
5045205026	Maintenance/ Service Contracts	2,500	0	0
5045205027	Machinery/ Equipment Repairs	3,000	0	0
5045205041	Uniforms	3,700	0	0
5045205062	Insurance	3,300	0	0
5045205079	Miscellaneous Expenses	0	0	0
5045205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

5/31/90

	PUBLIC WORKS DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5046205010	Printing & Office Supplies	0	0	0
5046205016	Vehicle Fuel & Oil	10,000	0	0
5046205017	Vehicle Maintenance	10,000	0	0
5046205026	Maintenance/ Service Contracts	0	0	0
5046205027	Machinery/ Equipment Repairs	0	0	0
5046205041	Uniforms	3,013	0	0
5046205079	Miscellaneous Expenses	0	0	0
5046205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,013	$0	$0

ACCOMMODATIONS TAX FUND TOTAL		$142,600	$115,464	$54,500	-61.78%

TOTAL REVENUES–ALL FUNDS

GENERAL FUND	$2,698,286
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,752,786

TOTAL EXPENDITURES–ALL FUNDS

GENERAL FUND	$2,698,286
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,752,786

SIGNIFCANT EXPENSES IN FY 1991-92 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS		$2,015,160
OPERATION OF VEHICLES (Gas and Repairs)		$103,364
UTILITIES (Electricity, Water, Gas, Phones)		$79,680
INSURANCE (Tort, Auto, Property)		$60,361
DEBT SERVICE (Parking Lot, '91 G. O. Bonds)		$128,962
CAPITAL OUTLAY (Equipment)		$7,445
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)		$63,600
UNIFORMS		$22,600
OTHER OPERATIONS EXPENSES		$217,114
	TOTAL	$2,698,286

EXHIBIT B

A RESOLUTION

WHEREAS, support for improvements in the drainage system on the Isle of Palms is an objective of the City; and

WHEREAS, the City of Isle of Palms has undertaken a comprehensive storm drain study to address the problems with the City's drainage system; and

WHEREAS, the City is committed to providing local matching funds to the Governor's Office Disaster Funds Program and the Hazard Mitigation Grant Program should it be required to do so in order to secure funds to improve the City's drainage system;

NOW, THEREFORE, BE IT RESOLVED THAT, Carmen R. Bunch, in her capacity as Mayor of the City of Isle of Palms, is authorized to apply for $650,000.00 from the State Hazard Mitigation Program and $500,000.00 from the Governor's Office Disaster Recovery Funds by signing the appropriate required documents.

BE IT ADDITIONALLY RESOLVED THAT the City of Isle of Palms understands that the City must provide local matching funds from City sources.

ADOPTED this 6th day of June, 1991.

Carmen R. Bunch

Carmen R. Bunch, Mayor
City of Isle of Palms

ATTEST:

Nellie S. McDuffie

Nellie S. McDuffie
Clerk-Treasurer

A RESOLUTION

WHEREAS, support for the purchase of emergency generators for public utilities on the Isle of Palms is an objective of the City; and

WHEREAS, the City of Isle of Palms regards the purchase of these generators as an important component of the City's overall emergency plan; and

WHEREAS, the City is committed to providing local matching funds to the Governor's Office Disaster Funds Program and the Hazard Mitigation Grant Program should it be required to do so in order to secure funds to purchase the generators;

NOW, THEREFORE, BE IT RESOLVED THAT, Carmen R. Bunch, in her capacity as Mayor of the City of Isle of Palms, is authorized to apply for $90,000.00 from the State Hazard Mitigation Program and $90,000.00 from the Governor's Office Disaster Recovery Funds by signing the appropriate required documents.

BE IT ADDITIONALLY RESOLVED THAT the City of Isle of Palms understands that the City must provide local matching funds from City sources.

ADOPTED this 6th day of June, 1991.

Carmen R. Bunch

Carmen R. Bunch, Mayor
City of Isle of Palms

ATTEST:

Nellie S. McDuffie

Nellie S. McDuffie
Clerk-Treasurer

A RESOLUTION

WHEREAS, support for the construction of an elevated City Hall building on the Isle of Palms is an objective of the City; and

WHEREAS, the City of Isle of Palms regards the construction of an elevated City Hall as an important component of the City's overall emergency plan; and

WHEREAS, the City is committed to providing local matching funds to the Governor's Office Disaster Funds Program and the Hazard Mitigation Grant Program should it be required to do so in order to secure funds to construct the building;

NOW, THEREFORE, BE IT RESOLVED THAT, Carmen R. Bunch, in her capacity as Mayor of the City of Isle of Palms, is authorized to apply for $100,000.00 from the State Hazard Mitigation Program and $100,000.00 from the Governor's Office Disaster Recovery Funds by signing the appropriate required documents.

BE IT ADDITIONALLY RESOLVED THAT the City of Isle of Palms understands that the City must provide local matching funds from City sources.

ADOPTED this 6th day of June, 1991.

Carmen R. Bunch

Carmen R. Bunch, Mayor
City of Isle of Palms

ATTEST:

Nellie S. McDuffie

Nellie S. McDuffie
Clerk-Treasurer

EXHIBIT C

M E M O R A N D U M

TO: Mayor and City Council

FROM: Mark M. Williams

SUBJECT: Budget for 1991-1992

DATE: June 4, 1991

==========

This morning Council Member Dan Watson and I met with Sammy Brown, Assistant Charleston County Auditor. Sammy provided us with the most recent tax base information available dated June 1, 1991. The information he provided calculates out for a mil to be worth only $28,000 as opposed to the $29,777 that we were working with previously. Consequently, to generate the tax revenues to balance against expenditures, the millage rate would have to be set at approximately 58 mills. The recalculation has penalized us approximately 3.5 mills.

With everything that I know at the present time about the tax base, I am very uncomfortable in trying to establish the millage rate as of July 1, when all of us generally agree that the tax base is recovering from Hurricane Hugo and may very well increase significantly based on figures to be released by the Charleston County Tax Assessor later this summer or early this fall.

Sammy Brown indicates to me that there is some chance that we will see the tax bills mailed out as early as September which could be some 45-60 days sooner than is typical. The Auditor's Office will be depending on the assessor to provide them with updated tax information for property on the Isle of Palms. However, that information is not available now, according to Mike Huggins, the Assistant Charleston County Tax Assessor. He is hoping, however, that the information will be available within the next 60 days.

In my conversation with him today, Mr. Huggins agreed that the Assessor's Office will be picking up quite a few properties on the Isle of Palms, returning them to the tax rolls since they have been repaired or renovated. You will recall that I had made no effort to identify the values of the repaired or renovated houses to add those back to the tax book for my projections, because I simply don't know what they are and have no means of identifying what they are. If, however, the number of renovations and repairs added back to the tax rolls is a meaningful number, the effect will be that we have set the millage rate at an unnecessarily high level to generate the amount of budgeted revenues we need.

Therefore, it would be my recommendation that the Council make first reading of an ordinance to adopt the revenues and

expenditures as proposed, but then later, some 60 days perhaps, when the Tax Assessor's Office can provide us with an updated view of our tax base, that we then adopt a separate ordinance to establish the millage rate. Obviously, this would have to be done before the tax bills go out whether it be in September or later.

Also, at Dan Watson's suggestion, Sammy Brown agreed to allow the City to separate its millage into one component for normal operation and another figure to be shown representing a post-Hugo special assessment made necessary by the decline in the tax base. These two figures would be shown independently on the tax bills that would go out in September or later if City Council would like to show the millage in this way.

I think that there is a very real chance, and although this is based on nothing more than an educated guess, that the tax base will significantly increase over the numbers I have worked with to arrive at the value of a mill at $28,000. That being the case, we certainly wouldn't want to establish the millage rate higher than it needs to be.

I will be prepared to discuss this matter in more detail at our scheduled meeting on Thursday night. In case you want to approach the budget in this matter, I have taken the liberty of having the budget ordinance revised so that you can choose either or the two versions of the ordinance to make first reading Thursday night.

M E M O R A N D U M

TO: Councilman Sottile
FROM: Chief Britton
DATE: 10 June 1991
RE: Effects of proposed Fire Dept. personnel cuts

The Isle of Palms Fire Department is currently rated as an I.S.O. class 5. In August 1989, a consultant was contracted at a fee of approximately $2,800.00 to review current status and make recommendations to achieve a class 3 or class 2 rating. The consultant's primary concern was manpower. The review confirmed our class 5 rating and recommended adding manpower both to keep up with current building growth and to achieve a class 3 or 2. An additional twelve firefighters would be required to have ten firefighters on duty per day. Since this evaulation, we have only added one firefighter with two budgeted positions left vacant due to Hurricane Hugo. Personnel cuts could cause Isle of Palms to go to a higher I.S.O. class which could create substantial insurance increases for property owners

The loss of personnel would result in increased expense due to overtime pay to cover vacation, sick leave, etc. Currently, overtime pay is at a minimum.

Because we are a small department, the loss of personnel would greatly effect our fireground capabilities. The current save ratio would decrease with a larger loss to savings ratio. This has already been shown in statistics dating back to 1987.

The majority of houses are now above required flood elevations which now require the Fire Department to perform additional laddering of the building. This requires additional personnel. Bases on the consultant's recommendations, A typical fire scene for a single family dwelling would require the following: One Engineer on the pumper, two firefighters on the attack crew, two firefighters on the safety line, two firefighters for ladder and ventilation procedures, and one fireground commander. Two firefighters would be required for a relief crew. At this time with present staffing, we are providing less than the recommended level of manpower. By cutting back on our current personnel, this would greatly compromise our ability to fight fires with any degree of safety for our personnel, and increase the possibility of losing our current I.S.O. rating. This situation is further compromised during the daytime hours due to the limited response of volunteer firefighters.

ISLE OF PALMS POLICE DEPARTMENT

TO: MIKE SOTTILLE
CHAIRMAN, PUBLIC SAFETY COMMITTEE

FROM: JAMES B. ARNOLD, JR.
CHIEF OF POLICE

DATE: JUNE 10, 1991

Mike,

The following is the list of potential problems within the police department and how services will be affected should personnel be cut due to budget difficulties:

Beach Patrol - employed from mid-April to October. This job splits the budget year each year. Total budgeted $3,360.00 per year salary. The beach patrol employee handles all calls on the beach such as lost and missing children, minor injuries, violations of littering, alcohol, and controls parking on Ocean Boulevard between 10th and 14th Avenue.
Estimated revenue generated: approximately $8,000.00

Assistant Animal Control - works weekends and other days as required. Total budgeted salary $3,600.00 per year. Primary function is to answer animal complaints on weekends and supervise community service workers. Writes violations of animal leash law and other related violations such as vicious dog.
Estimated annual revenue generated: approximately $5,000.00

As you are aware, in order to make any substantial reductions in the police budget, the money would have to come from the police officers' salary. To accomplish this the following would take place.

Reduction by 1 Patrol Officer - City annual cost approximately $30,000.00. Special enforcement position would be dissolved immediately. This position is a third man back-up unit for regular two man patrol functions. Works Friday, Saturday, Sunday and Monday. The three busiest days are Friday, Saturday and Sunday where at least three officers are needed on duty and usually schedule four if possible. This officer has court on Monday. This position handles all traffic related problems such as accidents, speeders, parking violations and sign enforcement. This position is not an additional position. It was rescheduled out of the regular patrol division to enhance the patrol capabilities. This change was made in May, 1991 and 79 tickets (traffic related and littering) and 5 arrests were made during May.

The police department currently has two patrol officers on duty per shift. Additionally we have a split shift officer that overlaps part of both shifts. This officer works from 3:00 pm to 3:00 am during the week and 12:00 pm to 12:00 midnight on weekends. This gives us 3 officers during the week and at certain times with the beach traffic we can have 4.

The split shift officer also works when someone calls in sick, is on vacation or is at training which is usually the case. We normally end up with only 2 officers on duty during the weak and 3 on the weekends.

These minimum levels are required to handle the crime problems and traffic. Last weekend over 20 arrests were made and this past weekend 9 arrests were made but the officers were so busy (4) that at many times during the day we had all officers busy and more calls waiting to be handled.

The police department will average 16,000 calls this year which is up from 14,000 last year with no additional personnel. That equates to 1,454 calls per officer. By reducing by 1 officer the rest pick up this slack and become overworked and develop greater overtime.

The average officer brings in $1,800.00 per month in revenue (potential) average during the year or $21,600.00 per year. This alone comes close to paying the officer's salary.

Of course, the officers respond to assistance calls and stop about 5,200 cars a year or 472 per officer. This prevents a lot of crime in itself.

When officers are reduced all officers will work more and create more overtime. Programs that the department currently provide for the residents may have to be dissolved. [redacted]. The officers will not have the time to work these programs.

A reduction of two officers would mean that we would not be able to maintain a 2 officer per shift minimum level. Crime would increase and go undetected, calls would back up, response time would increase, overtime would increase and turn over would probably increase. All this will have a greater adverse affect on the residents than a tax increase.

JBA:mlw

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
AND WAYS & MEAN COMMITTEE
JUNE 10, 1991, 6:30 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on June 10, 1991, at 6:30 p.m., at City Hall. The meeting was called as a joint meeting with the Ways & Means Committee as a budget work session. As Council Member Jimmy Ward, Chairman of the Ways & Means Committee, had been delayed, the meeting was postponed until 7:30. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward, and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary.

The Mayor called the meeting to order stating that this was a budget work session and that she would call a special meeting every night until a budget had been adopted. She turned the meeting over to Mr. Ward who opened the meeting with an open discussion of what each Council Member would like to cut from the budget in order to help balance it. After discussion, it was the consensus that Council should consider each item individually. The Mayor passed out copies of the minutes from the June 3rd meeting and suggested that each motion made at that meeting be brought up again for possible changes or confirmation.

Mr. Ward made a motion to cut one part-time animal control officer from the Police Department; Mr. Watson seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion was defeated 2-7.

Mr. Ward made a motion to cut the beach patrol officer from the Police Department; Mr. Watson seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion was defeated 3-6.

Mr. Ward made a motion to cut one uniformed police officer; Mr. Sottile seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion passed 5-4.

Mr. Ward made a motion to cut one additional uniformed police officer; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; Nessmith-Picard - Yes; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion was defeated 4-5.

Mr. Ward made a motion to cut one dispatcher from the Police Department; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion was defeated 4-5.

Mr. Ward made a motion to cut one fireman from the Fire Department; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No; Bunch - No. Motion passed 5-4.

Mr. Watson made a motion to cut Council's group health insurance; Mr. Simon seconded. After discussion, roll call vote was taken: Holden - Abstain; NesSmith-Picard - Yes; Orvin - No; Simon - Yes; Sottile - Yes; Swanson - Abstain; Ward - Yes; Watson - Yes; Bunch -No. Motion passed 5-2-2.

Mr. Simon made a motion to reinstate $200 for vehicle fuel and oil for the Mayor's car; Mr. Orvin seconded. Mr. Simon stated that since the City provides the Mayor with a car, it should provide a minimum amount of fuel and oil for out of City trips. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No;

Bunch - No. Motion passed 5-4.

Mr. Holden made a motion to cut one personnel from Public Works in the form of calculating an average salary and cutting that amount from the personnel budget; Mr. Watson seconded. Mayor Bunch amended the motion to cut $12,000 from the Public Works budget; Mr. Sottile seconded. Roll call vote on the amendment: Holden - No; NesSmith-Picard - Yes; Orvin - No; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - No; Bunch - Yes. Amendment passed 6-3. Motion was defeated by voice vote 8-1.

Since defeating the foregoing motion also defeats the amendment, Mayor Bunch again moved to cut the Public Works budget by $12,000; Mr. Sottile seconded, motion passed 7-2.

Mrs. Swanson made a motion to approve the Public Works budget as amended; Mr. Watson seconded, motion passed 8-1.

Ms. NesSmith-Picard made a motion to cut 10% from the Building/ Planning Department; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - No; Watson - Yes; Bunch - No. Motion was defeated 4-5.

Mr. Holden made a motion to budget a clerk for the Building Department for three months only; Ms. NesSmith-Picard seconded; motion was defeated 3-6.

Mrs. Swanson made a motion to cut one half salary from the Building Department; Mr. Sottile seconded, motion passed 8-1.

Mr. Holden made a motion to cut one half position from Recreation Department; Ms. NesSmith-Picard seconded. Melinda amended the motion to cut $8,000 from the budget; No second and the amendment died on the floor. After discussion, roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 2-7.

Mrs. Swanson made a motion to cut one quarter position from Recreation Department; as there was no second the motion died on the floor.

In light of reducing personnel in some departments, Mr. Simon made a motion that the raise for the Recreation Supervisor over and above the 4% allowed all department heads be deleted; Mrs. Swanson seconded. Upon discussion, it was determined that this should be discussed in Executive Session at the end of the meeting.

Mr. Ward began a discussion of the Water Department budget. Mayor Bunch indicated that the water rates had not been established yet and therefore there could not be any idea of revenues. Mr. Williams stated that this department was a separate entity with its own budget anyway which did not affect the general operating budget of the city.

Mr. Holden made a motion to go into Executive Session; Ms. Nessmith-Picard seconded. Mr. Watson moved for a five minute recess; Mr. Sottile seconded, recess was unanimously approved. Motion to go into Executive Session was unanimously approved.

Coming out of Executive Session, the Mayor stated that no action was taken, that personnel matters were discussed.

Mrs. Swanson made a motion that the salary for the Recreation Supervisor be $21,091; Mr. Simon seconded. Upon discussion, it was decided that in a year when Council is putting people on the street, it was inappropriate to single out any one person for a 13% salary increase, but it was the consensus that the position

warranted the raise and it would be brought up again later in the year. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed 8-1.

Mr. Watson made a motion to approve the expenditure of $7,000 to perform a personnel compensation study; Mr. Ward seconded. After discussion about spending money after cutting personnel, both the motion and second were withdrawn.

Mr. Williams reported that Ed Haselden had indicated that he would be willing to move into the current City Hall and allow City Hall personnel to move into the new building. Council asked Mr. Williams what it would cost to make these changes and what it would save in the long run and report back at the next meeting.

Ms. NesSmith-Picard reported that she had received several phone calls concerning the parking of the garbage trucks behind City Hall and the stench that bothers the neighbors. She made a motion that the garbage trucks be parked behind the Water Department on weekends; Mr. Ward seconded; motion passed unanimously.

Mr. Ward made a motion to approve the expenditures of the budget; Mr. Watson seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - Yes; Bunch - Yes. Motion was defeated 3-6.

It was decided that another budget work session be called. The Mayor stated that everyone would be contacted.

Mr. Ward made a motion to adjourn; Mr. Orvin seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6-27-91

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 12, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on June 12, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, and Watson. Council Member Orvin was absent. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary.

The purpose of the meeting was to discuss the 1991-92 budget. The Mayor opened the meeting asking all Council members that if they had proposals to make on the budget to please come forward and put them out on the table.

Mr. Holden made a motion to calculate an average salary for a full time person in the department and cut an amount equal to 2.5 police men, 2 firemen, 1 public works, .5 recreation and 1.5 from the rest of government to include a 90-day period of adjustment from approval of the budget; Mr. Watson seconded. This plan would replace the cuts already made. After extensive discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 2-6.

Ms. NesSmith-Picard made a motion to cut $30,000 from the police department; $8,000 from recreation and cut the cash equivalent of 3 mils from the rest of government or capital projects; Mr. Simon seconded. Mrs. Swanson made an amendment to cut from the fire department instead of the police department; Mr. Simon seconded. After discussion, roll call vote was taken on the amendment: Holden - No; NesSmith-Picard - No; Simon - No; Sottile - No; Swanson - Yes; Ward - No; Watson - No; Bunch - No. Amendment was defeated 1-7. Roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - Abstain; Bunch - Abstain. Motion was defeated 2-4-2.

Mr. Ward made a motion to approve the budget as it stands; Mr. Watson seconded. Mr. Ward asked the Police Chief to present to Council his plan to cut the equivalent of one salary from his staff instead of firing someone. Chief Arnold stated that (1) the part-time animal control officer has quit to go to college; (2) all department employees voluntarily agreed to forego their 2% cost of living increase; (3) they agreed to reduce overtime by 20%; and (4) one full-time dispatcher is being released due to disciplinary action to be replaced by a part-time dispatcher through the summer; this will save the $30,000+. Mr. Ward amended his motion to accept the Police Chief's proposal; Mr. Watson seconded. Roll call vote was taken on the amendment: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - No. Amendment passed 7-1.

After further discussion, in which it was the consensus that Council member NesSmith-Picard should be allowed to propose certain budget cuts, Mr. Ward and Mr. Watson withdrew their motion and second.

Referring to the budget dated 6/11/91 (copy attached), Ms. Nessmith-Picard made a motion to reduce the budget on page 12, Judicial and Legal, Professional Services, to $35,000; Mrs. Swanson seconded. After discussion of these services, roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - Yes; Ward - No; Watson - No; Bunch - No. Motion was defeated 2-6.

Ms. NesSmith-Picard made a motion to reduce the budget on page 9, Building/ Planning, by $1,725; Mr. Holden seconded. After discussion, motion and second were withdrawn.

Ms. NesSmith-Picard made a motion to reduce the Building/Planning budget by 1%; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - Abstain; Bunch - No. Motion was defeated 2-5-1.

Ms. NesSmith-Picard made a motion to reduce page 3, line 65, Professional Services, General Government, to $12,400; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - Abstain; Bunch - No. Motion was defeated 1-6-1.

Ms. NesSmith-Picard made a motion to take 2 mils from the $250,000 capital projects reserve fund and put into the general fund in order to reduce the millage increase; Mr. Holden seconded. Mr. Ward stated that the accountant had recommended this reserve amount. After further discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 2-6.

Ms. NesSmith-Picard began a discussion of the restroom project. She then proposed that the City not build the dune walk-over and tie into Beach Biz boardwalk. Upon discussion, the Mayor stated that Charleston County gave the City $12,000 specifically for the boardwalk. Ms. NesSmith-Picard made a motion to have the Mayor check with the County to determine if the City does not build the boardwalk, if we can use the money for something else; Mr. Ward seconded. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Abstain. Motion passed 7-1.

Ms. NesSmith-Picard made a motion to postpone building the holding cell until the next fiscal year; Mr. Sottile seconded. Mr. Williams stated that the City has already paid for part of the holding cell. Motion and second were withdrawn.

After further discussion, Mr. Ward made a motion to approve the budget as amended; Mr. Sottile seconded. Roll Call vote was taken: Holden - No; NesSmith-Picard - No; Simon - Yes; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - Abstain. Motion was defeated 4-3-1.

Mr. Ward made a motion to suspend the rules of order to allow a discussion on Mr. & Mrs. Bailey's wine and beer permit; Ms. NesSmith-Picard seconded; motion passed unanimously. Mr. Ward asked the Mayor to please write a letter to ABC clarifying that she was protesting mini bottles and not beer & wine. The Mayor agreed to do so.

Mr. Williams spoke on the issue of switching City Hall personnel to the new building and using the current City Hall for the Building Department and Water Department offices. It would cost approximately $3,500 to make these changes to the new building and $2,500 to make changes to City Hall. However, it would avoid the expenditure of $14,500 to add to City Hall, saving the City $8,500. Mr. Ward made the motion to approve the changes as proposed; Mr. Simon seconded. After discussion, motion passed 7-1.

Mr. Ward made a motion to adjourn; Ms. Nessmith-Picard seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6/27/91.

GENERAL FUND BUDGET

July 1, 1991 -- June 30, 1992

REVENUES

ACCT. NO.	ITEM ACCOUNT NAME	BUDGETED FY 1990-91	5/30/91 REVENUES COLLECTED YTD FY 1990-91	ESTIMATE FY 1991-92
1031004001	Property Taxes	1,063,596	1,114,358	1,548,715
1032104006	Business License Fees	280,000	220,484	225,000
1032104007	Insurance License Fees	90,000	97,309	98,000
1032104008	Public Utilities Fees	125,000	41,248	140,000
1032104009	Building Permit Fees	180,000	115,131	130,000
1032104010	Animal License Fees	300	273	300
1032104011	Vehicle ID Fees	10,000	249	0
1033004031	Narcotics Grant Revenue	37,205	19,469	0
1033004032	Narcotics Seizures	40,000	0	59,116
1034004075	Court Generated Revenue	110,000	55,738	110,000
1034504100	Beer & Wine Rebate	24,780	24,542	24,780
1034504101	Liquor Tax Rebate	17,140	15,901	17,140
1034504102	Bank Tax Rebate	210	254	210
1034504103	Motor Transport Rebate	4,980	3,066	4,980
1034504104	Income Tax Rebate	19,270	17,718	19,270
1034504105	Accommodations Tax Rebate	0	0	0
1034504106	Intergovernmental Transfers	24,000	21,925	30,000
1034504107	Intergovernmental Transfers-Narc.	0	0	0
1034504108	Broker's Premium Tax	1,590	1,842	1,590
1034504109	Disaster Relief- State	281,082	211,934	25,000
1034504110	Disaster Relief-Insurance	0	23,626	0
1034504111	Grant Income	0	30,383	0
1034504112	Gasoline Tax Rebate	12,000	16,624	13,000
1035004501	Miscellaenous Revenue	12,009	12,658	10,000
1035004502	Parking Lot Revenue	45,000	22,547	45,000
1035004503	Plat Application Fees	1,000	820	1,000
1035004504	Sale of Assets	50,500	54,522	15,000
1035004505	Interest Income	53,000	17,949	30,000
1035004506	Recreation Instructor's Income	22,300	20,187	17,000
1035004507	Recreation Program Income	13,150	27,669	26,900
1035004508	Recycling Revenue- Cans & Paper	250	2,828	4,000
1035004509	Kennel Donations	0	3,310	0
1035004510	Donations to Dare Program	0	634	2,000
1035004511	Transfer Fm Accom. Tax Fund	25,000	0	25,000
1034504113	Oper. Transfer Capital Projects	260,252	150,000	0
	TOTAL GENERAL FUND REVENUES	**$2,803,614**	**$2,345,198**	**$2,623,001**

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 17, 1991, 6:30 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on June 17, 1991, at 6:30 p.m., at City Hall. The purpose of the meeting was to discuss the water and sewer rates recommended by the Water & Sewer Committee to be implemented with the next billing, and other water department business. Present were Mayor Bunch, Council Members Holden, Simon, Sottile, Swanson, and Watson, City Administrator Williams, Finance Director Stonesifer, Clerk-Treasurer McDuffie, and Secretary Geary. Council Members NesSmith-Picard and Ward arrived late, and Council Member Orvin was absent.

Also present were members of the Water & Sewer Committee: Chairman Stanley, Cochrane, Dehoney, Hann, O'Neal, and Voorhees.

The Mayor opened the meeting and asked John Stanley to discuss with the Council the rates recommended by the committee and the reasons for setting them. The water rate structure must accommodate the operating expenses of the system along with some retainage for capital improvements. The revenues are usually divided into two parts; one a facilities charge and one a commodities charge. Facilities charge includes debt service, maintenance of tanks and meters, reading of meters, etc. The commodities charge includes amount of usage and water treatment chemicals, electricity, etc. which vary with amount of usage. The committee decided that a reasonable basic facilities charge along with a rise in cost of the commodity charge would be something the customers could live with, and felt that it was reasonable and fair to all customers. The committee also felt that when R.O. comes on line, the rates should be raised again in order to accommodate these additional costs.

Mr. Williams passed out a new Water & Sewer Department budget (see Exhibit A). This budget included the recommended rates.

After further discussion, Mr. Watson made a motion to accept and implement the water and sewer rates recommended by the committee (see Exhibit B) with the exception of R.O. rates; Mr. Simon seconded. Mrs. Swanson amended the motion to include first reading of the budget; Mr. Watson seconded, but after discussion, the amendment and second were withdrawn. Motion was passed 7-1, Mr. Ward abstaining.

The Mayor asked for a motion to suspend the rules of order to allow first reading of the Water & Sewer Department budget; Ms. NesSmith-Picard so moved; Mrs. Swanson seconded, motion passed unanimously.

Ms. NesSmith-Picard made a motion to accept first reading of the Water & Sewer Department budget by title only; Mr. Sottile seconded; motion passed 7-1, with Mr. Ward abstaining.

Mr. Watson made a motion to accept and implement the additional charges recommended by the committee per Mr. Williams memo of June

17, 1991, (see Exhibit C); Mr. Sottile seconded, motion passed unanimously.

Mayor read a letter from DHEC concerning a proposed consent order about the Forest Trail Treatment plant. (see Exhibit D) Mr. Williams stated that there were some problems with the plant that needed repair, installation of a better dechlorination system, and keeping up the monthly flow reports and laboratory tests. Since the City has just purchased the system, DHEC has extended the consent order and given the City until December 31, 1991, to get these repairs made.

Mayor Bunch asked to have a short special meeting to discuss the Water & Sewer Department budget. It was decided to have the meeting immediately after the Public Hearing on Wednesday, June 19, 1991.

Mr. Ward asked for another special meeting to try to get a positive vote on the entire 1991-92 general fund budget. It was determined that a meeting would be called for 7:00 p.m., on Monday, June 24.

Mr. Ward made a motion to adjourn which was seconded and passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6-27-91

ENTERPRISE FUND BUDGET
WATER & SEWER DEPARTMENT
July 1,1991 -- June 30, 1992

	ITEM	REVENUES BUDGETED	5/31/90 REVENUES COLLECTED YTD	ESTIMATE
ACCT. NO.	ACCOUNT NAME	FY 1990-91	FY 1990-91	FY 1991-92
6036004601	Residential Sale of Water	0	0	640,627
6036004602	Residential Sale of Sewer	0	0	176,397
6036004603	Commercial Sale of Water	0	0	36,519
6036004604	Commercial Sale of Sewer	0	0	22,595
6036004605	Water Tap Fees	0	0	4,000
6036004606	Sewer Tap Fees	0	0	6,000
6036004607	New Customer Charges	0	0	5,350
6035004501	Miscellaneous Revenue	0	0	0
	Sub-total	0	0	891,488
	Non-Operating Revenue			
6037004505	Interest Revenue			25,000
6037004901	Operating Transfer In			0
	Sub-total			25,000
	TOTAL			**$916,488**

EXHIBIT A

EXPENDITURES

ACCT. NO.	WATER & SEWER DEPT. ACCOUNT NAME	ENT. FUND BUDGETED FY 1990-91	ENT. FUND EXPENDED YTD FY 1990-91	ENT. FUND ESTIMATE FY 1991-92
	Payroll and Personnel			
6060105001	Salaries-Supervisor			36,358
6060105002	Salaries-Employees			150,585
6060105003	Salaries-Part Time			13,520
6060105004	Fica Expense			15,335
6060105005	Retirement Expense			13,732
6060105006	Group Health Insurance			12,240
6060105007	Workman's Compensation			8,750
6060105008	Unemployment Compensation			1,000
	Sub-total			**251,520**
	Operating Expenses			
6060205014	Memberships & Dues			800
6060205015	Meetings & Seminars			1,200
6060205049	Medical & Lab			11,500
6060205053	Blanket Bond			500
6060205062	Insurance			3,000
6060205064	Employee Training			2,500
6060205065	Professional Services			39,000
6060205067	Contracted Services			51,000
6060205071	Special Dept. Expenses			0
6060205079	Miscellaneous			5,000
	Sub-total			**114,500**
	Capital Outlay			
6060405085	Capital Outlay			**12,000**
	Supplies			
6060455010	Printing and Office Supplies			10,000
6060455016	Vehicle Fuel & Oil			13,000
6060455041	Uniforms			2,500
6060455044	Water & Sewer Supplies			18,000
	Sub-total			**43,500**
	Heat,Light & Power			
6060505020	Electricity & Gas			48,000
6060505021	Telephone/Cable			6,000
6060505022	Water & Sewer			0
	Sub-total			**54,000**

	Repairs & Maintenance	
6060605017	Vehicle Maintenance	3,000
6060605026	Maintenance & Service Contracts	5,000
6060605027	Machinery & Equipment Repair	10,000
6060605031	Small Hand Tools	1,000
	Sub-total	**19,000**
	Rent	
6060705063	Rents & Leases	**500**
	Depreciation	
6060805501	Depreciation	**50,000**
	Advertising	
6060905061	Advertising	**2,500**
	Non-Operating Expenses	
6060205009	Debt Service- Principal	13,296
6060205011	Debt Service- Interest	228,039
6060955013	Debt Service- Service Charges	2,500
6060955901	Operating Transfers Out	0
6027003226	Capital Reserve	125,133
	Sub-total	**368,968**
	TOTAL	**$916,488**

WATER & SEWER DEPARTMENT
CAPITAL PROJECTS BUDGET

Priority	Item	Completion Date	Estimated Cost
1	Safety Equipment		
	Scott Air Paks @ $1,500/ chlorine installation	Dec 31, 1991	4,500
	Chlorine Patch kit (2) @ $700/kit		1,400
2	WWTP Improvements	Dec 31, 1991	
	-(1)standby power 70KW gen sets	Dec 31, 1992	35,000
	-replace catwalks & railing	Dec 31, 1991	25,000
	-sand blasting & painting	Dec 31, 1991	35,000
	-replace V-notch weir	Dec 31, 1991	250
	-rehabilitate chlorine chamber	Dec 31, 1991	3,500
	-install effluent flow meter	Dec 31, 1991	3,000
	-install grit chamber/bar screen	Dec 31, 1991	10,000
	-install de-chlorination equipment	Dec 31, 1991	25,000
	-relocate sludge drying beds	Feb 28, 1992	90,000
3	BAN rollover to long-term debt	Mar 1, 1992	496,850
4	Reverse Osmosis or EDR & associated		
	water distribution improvements	May 30, 1992	1,600,000
	-eliminate bottleneck		3,450
	-12" water line to tank		7,000
5	Back-up fire flow pump; well #1	Dec 31, 1993	8,500
	Bond issue costs	7% @ 30 yrs	79,560
	Bonded Debt Service reserve fund		224,000
	(includes contingency)		0
	Total for fiscal year 1991-92		**$2,652,010**
6	Renovation of office building	May 31, 1993	15,000
	10% contingency		1,500
	Total for fiscal year 1992-93		**$16,500**
7	Water line improvements	Dec 31, 1995	350,000
	-15,000' of 12" WL; Palm Blvd. (21st-53rd)		
	-8,000' of 8" WL between Waterway & Palm(even streets)		
	21st to 41st Avenues		
8	Sewer line infiltration & inflow inspection	Dec 31, 1995	10,000
	10% contingency		36,000
	Total for fiscal year 1995-96		**$396,000**

9	Pipe overflow from well #2 to storm drain	Dec 31, 1996	2,500
10	Elevated 150,000 gal. storage tank for N end of island	Dec 31, 1996	375,000
	10% contingency		37,750
	Total for fiscal year 1996-97		**$415,250**
11	WWTP expansion and collection system	Dec 31, 2001	14,000,000
	10% contingency		1,400,000
			$15,400,000
	Total of all capital improvements		**$18,879,760**

EXHIBIT B

RECOMMENDED WATER RATES

Residential: Water: $15 per month basic facility charge; plus $1.50 per 1,000 gallon usage
Sewer: $20 per month basic facility charge; plus $1.50 per 1,000 gallon usage

When R.O. comes on line: Water: $22 per month basic facility charge; plus $2.00 per 1,000 gallon usage
Sewer: same as above

Residential rates include apartments and condominiums which will be billed on the above rates per unit.

Irrigation: $10 per month up to 5,000 gallons; plus $2.00 per 1,000 gallon usage over 5,000 gallons

When R.O. comes on line: $15 per month up to 5,000 gallons; plus $3.00 per 1,000 gallon usage over 5,000 gallons

Commercial: Water: For a 3/4" water meter; $15 per month basic facility charge; plus $1.50 per 1,000 gallon usage

For a 1" water meter; $25.50 per month basic facility charge; plus $1.50 per 1,000 gallon usage

For a 1-1/2" water meter; $49.50 per month basic facility charge plus $1.50 per 1,000 gallon usage

For a 2" water meter; $79.50 per month basic facility charge plus $1.50 per 1,000 gallon usage

For a 3" water meter; $156 per month basic facility charge plus $1.50 per 1,000 gallon usage

For a 4" water meter; $250.50 per month basic facility charge plus $1.50 per 1,000 gallon usage

Sewer charges would be the same.

EXHIBIT C

M E M O R A N D U M

TO: City Council

FROM: Mark M. Williams

SUBJECT: Water & Sewer Rates

DATE: June 17, 1991

==========

The following rates pertaining to water and sewer service also need to be approved:

Disconnect - owner's request.....$30.00

Disconnect - non-payment..... 50.00

Meter reread - original reading correct..... 20.00
- original reading incorrect..... -0-

Check meter - owner's request, if meter okay.... 30.00
- faulty meter..... -0-

Delinquent payments - 1.5% of delinquent amount per month on unpaid balance

Bills due 22 days after rendered

2nd bill plus interest due 15th of following month

Returned check charge..... 20.00

Cross connection inspection..... 50.00

For rentals, property owner must be responsible party for water bill

EXHIBIT D

South Carolina
DHEC
Department of Health and Environmental Control
2600 Bull Street, Columbia, SC 29201

Commissioner: Michael D. Jarrett

Board: John B. Pate, MD, Chairman
William E. Applegate, III, Vice Chairman
John H. Burriss, Secretary
Toney Graham, Jr., MD
Richard E. Jabbour, DDS
Henry S. Jordan, MD
Currie B. Spivey, Jr.

Promoting Health, Protecting the Environment

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 24, 1991

Mr. Mark M. Williams
City Administrator
City of Isle of Palms
Post Office Drawer Q
Isle of Palms, S.C. 29451

Re: Proposed Consent Order
City of Isle of Palms d/b/a
Forest Trail Subdivision
Charleston County

Dear Mr. Williams:

Enclosed is the proposed Consent Order which we discussed in our meeting on May 16, 1991. Read it carefully and, if acceptable, sign and return it within fifteen (15) days of receipt. When the Order is fully executed, a copy will be returned to you for your records.

If you have questions concerning the Order, you may telephone me at 734-5304. I will be glad to assist you.

Sincerely,

Sandra L. Hursey

Sandra L. Hursey
Environmental Quality Manager
Water Quality Assessment and
Enforcement Division

SLH/jh
Enclosure

cc: Foster Coleman
Marion Sadler

recycled paper

THE STATE OF SOUTH CAROLINA
BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

IN RE: City of Isle of Palms d/b/a
Forest Trail Subdivision
Charleston County

CONSENT ORDER

WHEREAS, on February 20, 1991, the City of Isle of Palms (Respondent) purchased the wastewater treatment system which serves Forest Trail Subdivision in Charleston County, South Carolina; and,

WHEREAS, the South Carolina Department of Health and Environmental Control (Department) has issued NPDES Permit SC0025283 for the purpose of regulating Forest Trail's wastewater treatment system; and,

WHEREAS, the Permit requires, in part, that the wastewater treatment system meet specified effluent limits and that it be properly operated and maintained at all times; and,

WHEREAS, discharge monitoring reports, i.e., self-monitoring reports, submitted to the Department and Compliance Sampling Inspections conducted by the Department indicate the treatment system is unable to meet the total coliform and total residual chlorine limits of the NPDES Permit; and,

WHEREAS, Facility Evaluation Inspections conducted by the Department have resulted in the assignment of unsatisfactory ratings due to deficiencies in operation and maintenance; and,

WHEREAS, the Respondent's failure to meet the requirements of the NPDES Permit places it in violation of the Pollution Control Act, Sections 48-1-90 and 48-1-110 of the South Carolina Code of Laws (1987), as amended; and,

WHEREAS, the Respondent, recognizing the importance of compliance with NPDES Permit requirements, has begun measures to obtain funds through bond issuance; and,

WHEREAS, in a May 16, 1991 meeting with the Department, the Respondent expressed a desire to comply with State law.

NOW, THEREFORE, IT IS ORDERED, CONSENTED TO AND AGREED that the Respondent shall:

1. Begin and continue to operate and maintain the wastewater treatment system so as to maximize treatment capabilities.

2. Bring the wastewater treatment system into compliance with both the effluent limits and operation and maintenance requirements of NPDES Permit SC0025283 no later than January 1, 1992. This shall include, but not be limited to, sandblasting and painting the treatment plant, proper installation of the weir, repairing and/or replacing the walkways, and relocation of the drying beds.

IT IS FURTHER ORDERED AND AGREED that it shall be the Respondent's responsibility to obtain all permits and approvals required by the Department.

IT IS FURTHER ORDERED AND AGREED that failure to comply with any provision of this Order shall be grounds for appropriate sanctions and further enforcement action.

THE SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL

BY: _____
Michael D. Jarrett
Commissioner

BY: _____
Russell W. Sherer, Chief
Bureau of Water Pollution Control

Date: _____, 1991
Columbia, South Carolina

WE CONSENT:

_____ DATE: 6/14/91
City of Isle of Palms

_____ DATE: _____
Water Quality Assessment and
Enforcement Division

_____ DATE: _____
Attorney for the Department

EXPENDITURES

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	5/31/91 GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1040105001	Mayor & Council Salaries	10,800	10,500	10,800
1040105004	Fica Expense	826	793	826
1040105005	Retirement Expense	740	534	740
1040105006	Group Health Insurance	12,421	10,700	0
1040105007	Workman's Compensation	0	0	0
1040205015	Meetings & Seminars	500	0	0
1040205016	Vehicle Fuel & Oil	1,200	0	200
1040205017	Vehicle Maintenance	500	0	500
1040205053	Blanket Bond	100	80	100
1040205062	Insurance	2,317	1,369	1,546
1040205087	Council Special Fund	1,500	485	0
1040205088	Mayor's Special Fund	2,500	1,727	2,000
	TOTAL	**$33,404**	**$26,188**	**$16,712**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1041105001	Salaries-Supervisor	38,220	37,718	44,704
1041105002	Salaries-Employees	56,181	55,098	47,281
1041105003	Salaries-Part Time	0	467	0
1041105004	Fica Expense	7,222	7,199	7,037
1041105005	Retirement Expense	6,466	6,404	6,301
1041105006	Group Health Insurance	6,187	6,042	6,120
1041105007	Workman's Compensation	3,862	3,382	4,566
1041105008	Unemployment Compensation	500	0	0
1041205009	Debt Service- Principal	45,000	45,000	50,000
1041205010	Printing & Office Supplies	7,850	5,382	6,000
1041205011	Debt Service- Interest	56,088	56,088	78,962
1041205014	Memberships & Dues	2,247	1,433	1,890
1041205015	Meetings & Seminars	250	668	0
1041205016	Vehicle Fuel & Oil	1,200	1,125	2,000
1041205017	Vehicle Maintenance	500	503	750
1041205020	Electricity & Gas	2,000	1,486	2,100
1041205021	Telephone/ Cable	6,720	4,716	5,650
1041205022	Water & Sewer	300	359	750
1041205026	Maintenance/Service Contracts	4,080	4,243	2,000
1041205027	Machinery/Equipment Repair	500	135	300
1041205041	Uniforms	250	266	400
1041205044	Cleaning/ Sanitary Supplies	200	189	200
1041205053	Blanket Bond	100	80	100
1041205061	Advertising	2,400	5,051	4,000
1041205062	Insurance	4,925	2,074	2,106
1041205063	Rents & Leases	5,200	3,205	4,600
1041205064	Employee Training	0	0	0
1041205065	Professional Services	12,400	47,190	18,200
1041205068	Election Expenses	1,200	1,219	2,500
1041205071	Special Department Expenses	0	0	0
1041205072	Vehicle ID Expense	0	518	0
1041205079	Miscellaneous Expenses	1,500	6,083	1,500
1041205085	Capital Outlay	0	5,741	0
	TOTAL	**$273,548**	**$309,064**	**$300,017**

— 15,000 audit
1,200 bond trustee
2,000 emp. prof.

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1042105001	Salaries- Supervisor	26,378	24,854	30,176
1042105002	Salaries- Employees	0	0	0
1042105003	Salaries-Part Time	0	0	0
1042105004	Fica Expense	2,018	1885	2,308
1042105005	Retirement Expense	1,807	1715	2,067
1042105006	Group Health Insurance	1,547	1589	2,040
1042105007	Workman's Compensation	0	0	0
104215008	Unemployment Compensation	0	0	0
1042205010	Printing & Office Supplies	0	0	0
1042205015	Meetings & Seminars	0	0	0
1042205020	Electricity & Gas	0	0	0
1042205021	Telephone/ Cable	0	0	0
1042205022	Water & Sewer	0	0	0
1042205026	Maintenance/Service Contracts	0	0	0
1042205053	Blanket Bond	575	450	450
1042205062	Insurance	448	396	436
1042205064	Employee Training	0	0	0
1042205079	Miscellaneous Expenses	100	0	100
1042205085	Capital Outlay	0	0	0
	TOTAL	**$32,873**	**$30,889**	**$37,577**

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1043105002	Salaries- Employees	46,850	38,929	44,733
1043105004	Fica Expense	3,584	2,852	3,422
1043105005	Retirement Expense	3,209	4,177	3,064
1043105006	Group Health Insurance	3,094	3,202	4,080
1043205010	Printing & Office Supplies	0	0	0
1043205016	Vehicle Fuel & Oil	0	22	0
1043205017	Vehicle Maintenance	0	91	0
1043205021	Telephone & Cable	3,000	1,547	0
1043205041	Uniforms	1,000	800	0
1043205049	Medical & Lab Supplies	200	0	0
1043205062	Insurance	4,402	3,168	2,853
1043205063	Rents & Leases	0	89	0
1043205071	Special Department Expenses	0	0	0
1043205079	Miscellaneous Expenses	0	0	0
1043205080	Drug Buys	2,000	0	0
1043205085	Capital Outlay	22,460	22,086	0
	TOTAL	**$89,799**	**$76,963**	**$58,152**

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1044105001	Salaries- Supervisor	33,800	30,940	34,476
1044105002	Salaries- Employees	434,358	384,473	430,202
1044105003	Salaries- Part Time	11,155	13,465	6,797
1044105004	Fica Expense	36,667	32,395	36,068
1044105005	Retirement Expense	51,286	41,211	50,448
1044105006	Group Health Insurance	34,030	33,639	44,880
1044105007	Workman's Compensation	12,069	10,568	14,217
1044105008	Unemployment Compensation	1,000	0	1,000
1044205010	Printing & Office Supplies	6,500	7,297	6,500
1044205014	Memberships & Dues	650	440	800
1044205015	Meetings & Seminars	500	261	700
1044205016	Vehicle Fuel & Oil	27,205	27,695	26,314
1044205017	Vehicle Maintenance	9,200	12,463	11,000
1044205020	Electricity & Gas	4,000	2,397	5,000
1044205021	Telephone/ Cable	9,000	10,185	9,000
1044205022	Water & Sewer	600	300	1,000
1044205026	Maintenance/Service Contracts	2,500	2,823	3,000
1042205027	Machinery/Equipment Repair	4,200	3,567	4,200
1044205031	Small Hand Tools	200	8	0
1044205041	Uniforms	9,000	7,059	10,000
1044205044	Cleaning/ Sanitary Supplies	600	408	3,000
1044205049	Medical & Lab Supplies	1,000	1,087	2,500
1044205053	Blanket Bond	100	80	100
1044205062	Insurance	26,000	20,524	22,218
1042205063	Rents & Leases	8,500	6,861	7,800
1044205064	Employee Training	3,500	4,851	4,000
1044205071	Special Department Expenses	2,500	2,773	2,000
1044205074	DARE Program Expenses	0	1,177	2,000
1044205079	Miscellaneous Expenses	2,200	985	1,800
1044205081	Canine Kennel Expenses	3,500	0	500
1042205085	Capital Outlay	3,700	4,892	2,945
	TOTAL	**$739,520**	**$664,824**	**$744,465**

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1045105001	Salaries- Supervisor	33,000	30,240	34,320
1045105002	Salaries- Employees	411,098	360,716	399,023
1045105003	Salaries- Part Time	9,325	3,801	7,030
1045105004	Fica Expense	34,687	29,163	33,689
1045105005	Retirement Expense	48,516	42,261	47,120
1045105006	Group Health Insurance	32,483	33,442	42,840
1045105007	Workman's Compensation	9,787	8,570	11,571
1045105008	Unemployment Compensation	500	0	500
1045205010	Printing & Office Supplies	900	2,303	1,773
1045205014	Memberships & Dues	500	380	800
1045205015	Meetings & Seminars	600	425	1,200
1045205016	Vehicle Fuel & Oil	4,000	6,973	5,000
1045205017	Vehicle Maintenance	10,000	9,966	8,000
1045205020	Electricity & Gas	4,000	2,497	3,500
1045205021	Telephone/ Cable	4,000	5,009	5,700
1045205022	Water & Sewer	350	168	1,200
1045205026	Maintenance/Service Contracts	3,500	4,084	5,500
1045205027	Machinery/Equipment Repair	5,000	6,169	5,000
1045205031	Small Hand Tools	250	717	750
1045205041	Uniforms	5,880	3,604	6,000
1045205044	Cleaning/ Sanitary Supplies	1,000	1,843	2,000
1045205049	Medical & Lab Supplies	4,000	534	9,500
1045205053	Blanket Bond	100	120	100
1045205062	Insurance	18,343	12,125	12,979
1045205063	Rents and Leases	1,920	1,693	1,920
1045205064	Employee Training	2,000	1,839	4,500
1045205065	Professional Services	900	0	800
1045205079	Miscellaneous Expenses	4,000	3,222	4,000
1045205085	Capital Outlay	2,700	2,426	0
	TOTAL	**$653,339**	**$574,290**	**$656,314**

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1046105001	Salaries- Supervisor	30,033	27,609	31,324
1046105002	Salaries- Employees	172,406	142,671	181,615
1046105003	Salaries- Part Time	13,708	6,059	14,400
1046105004	Fica Expense	16,535	13,102	17,391
1046105005	Retirement Expense	14,806	12,041	15,573
1046105006	Group Health Insurance	23,202	24,417	30,600
1046105007	Workman's Compensation	15,624	13,682	17,472
1046105008	Unemployment Compensation	1,500	0	1,000
1046205010	Printing & Office Supplies	300	506	500
1046205016	Vehicle Fuel & Oil	16,000	17,823	19,000
1046205017	Vehicle Maintenance	24,000	28,711	21,000
1046205020	Electricity & Gas	25,000	20,664	23,000
1046205021	Telephone/ Cable	1,000	730	1,200
1046205022	Water & Sewer	250	0	1,000
1046205026	Maintenance/Service Contracts	1,000	157	500
1046205027	Machinery/Equipment Repair	1,000	668	750
1046205031	Small Hand Tools	750	626	650
1046205041	Uniforms	6,000	3,414	5,000
1046205044	Cleaning/ Sanitary Supplies	2,000	414	1,000
1046205049	Medical & Lab Supplies	200	187	500
1046205054	Street Signs	2,500	1,224	2,000
1046205062	Insurance	18,398	15,624	17,218
1046205063	Rents & Leases	1,500	0	500
1046205065	Professional Services	0	0	0
1046205067	Contracted Services	2,500	262	1,500
1046205068	Election Expenses	0	46	0
1046205073	Recycling Expense	0	1,428	2,000
1046205079	Miscellaneous Expenses	500	912	500
1046205085	Capital Outlay	0	2,046	2,000
	TOTAL	**$390,712**	**$335,023**	**$409,193**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92	
1047105001	Salaries- Supervisor	32,063	29,360	33,345	
1047105002	Salaries- Employees	87,566	71,087	47,989	
1047105003	Salaries- Part Time	4,700	4,308	4,935	
1047105004	Fica Expense	9,511	7,944	6,600	
1047105005	Retirement Expense	8,517	7,233	5,909	
1047105006	Group Health Insurance	9,281	8,863	6,120	
1047105007	Workman's Compensation	526	461	622	
1047105008	Unemployment Compensation	0	0	1000	
1047205010	Printing & Office Supplies	3,300	2,872	2,500	
1047205014	Memberships & Dues	100	110	125	- 100
1047205015	Meetings & Seminars	500	858	1,000	- 500
1047205016	Vehicle Fuel & Oil	4,000	2,439	3,000	-
1047205017	Vehicle Maintenance	1,000	504	1,000	- 750
1047205020	Electricity & Gas	4,000	1,477	3,000	
1047205021	Telephone/ Cable	5,800	4,538	4,600	
1047205022	Water & Sewer	1,000	0	1,200	
1047205026	Maintenance/Service Contracts	750	147	750	- 300
1047205027	Machinery/Equipment Repair	150	0	150	
1047205044	Clean/Sanitation Supplies	250	320	1,800	
1047205053	Blanket Bond	100	80	100	
1047205062	Insurance	3,282	2,447	2,349	
1047205063	Rents and Leases	3,360	3,061	3,360	
1047205064	Employee Training	1,000	0	500	
1047205065	Professional Services	2,000	30	1,000	- 500
1047205079	Miscellaneous Expenses	250	0	250	
1047205085	Capital Outlay	0	659	0	
	TOTAL	**$183,006**	**$148,798**	**$133,204**	

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048105001	Salaries- Supervisor	20,280	18,564	21,091
1048105002	Salaries- Employees	40,896	38,104	44,606
1048105003	Salaries- Part Time	0	0	0
1048105004	Fica Expense	4,680	4,329	5,026
1048105005	Retirement Expense	4,191	3,911	4,500
1048105006	Group Health Insurance	6,187	6,357	8,160
1048105007	Workman's Compensation	2,018	1,768	2,386
1048105008	Unemployment Compensation	250	0	250
1048205010	Printing & Office Supplies	1,500	1,297	2,500
1048205014	Memberships & Dues	1,700	461	2,000
1048205015	Meetings & Seminars	300	250	500
1048205016	Vehicle Fuel & Oil	750	1,072	1,000
1048205017	Vehicle Maintenance	500	57	500
1048205020	Electricity & Gas	6,000	5,204	6,000
1048205021	Telephone/ Cable	1,200	1,890	2,280
1048205022	Water & Sewer	500	437	500
1048205026	Maintenance/Service Contracts	1,500	1,928	1,700
1048205027	Machinery/Equipment Repair	800	544	800
1048205031	Small Hand Tools	75	96	100
1048205041	Uniforms	400	380	200
1048205044	Cleaning/ Sanitary Supplies	1,000	1,340	1,500
1048205049	Medical & Lab Supplies	200	0	100
1048205053	Blanket Bond	100	80	100
1048205062	Insurance	2,471	1,449	1,509
1048205063	Rents & Leases	2,400	2,121	2,400
1048205064	Employee Training	200	236	400
1048205071	Special Department Expenses	17,000	25,424	8,470
1048205079	Miscellaneous Expenses	200	142	100
1048205085	Capital Outlay	0	11,551	0
	SUB-TOTAL	**$117,298**	**$128,992**	**$118,678**

	REC. INSTRUCTION EXPENSES	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048305090	Crafts	1,500	1,250	1,200
1048305091	Gymnastics	1,500	2,692	2,300
1048305092	Mother's Morning Out	0	0	0
1048305093	Day Camp	4,200	3,553	6,000
1048305094	Dancing	1,125	1,179	1,200
1048305095	Karate	8,250	6,437	7,500
1048305096	Aerobics	600	0	600
1048305097	Adult Sports	0	0	11,000
1048305098	Youth Sports	0	0	8,500
1048305099	Tennis	600	861	1,000
	SUB-TOTAL	**$17,775**	**$15,972**	**$39,300**
	TOTAL	**$135,073**	**$144,964**	**$157,978**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1049105002	Salaries- Employees	15,470	6,530	17,447
1049105003	Salaries- Part Time	4,000	667	0
1049105004	Fica Expense	1,489	557	1,335
1049105005	Retirement Expense	1,334	500	1,195
1049105006	Group Health Insurance	1,547	649	2,040
1049205008	Unemployment Insurance	0	0	0
1049205010	Printing & Office Supplies	1,000	1,879	1000
1049205021	Telephone/ Cable	900	816	900
1049205053	Blanket Bond	100	80	100
1049205062	Insurance	490	0	0
1049205063	Rents and Leases	1,000	825	300
1049205065	Professional Services	35,000	62,904	43,600
1049205085	Capital Outlay	0	515	0
	TOTAL	**$62,330**	**$75,922**	**$67,917**

33,000 city atty
2,500 labor atty.
1,500 carpenter
6600 municipal recorder

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1050105003	Salaries- Part Time	11,400	3,003	12,400
1050105004	Fica Expense	872	244	949
1050105005	Retirement Expense	0	14	0
1050105007	Workman's Compensation	0	0	0
1050105008	Unemployment Compensation	0	0	0
1050205062	Insurance	0	0	0
1050205063	Rents & Leases	200	0	0
1050205065	Professional Services	0	0	0
1050205071	Special Department Expenses	1,000	32	318
1050205085	Capital Outlay	0	0	0
	TOTAL	**$13,472**	**$3,293**	**$13,667**

ACCT. NO.	HURRICANE RELATED EXP. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1055105003	Salaries- Part Time	0	0	0
1055105004	Fica Expense	0	0	0
1055105007	Workman's Compensation	0	0	0
1055205010	Printing /Office Supplies	0	0	0
1055205016	Vehicle Fuel & Oil	0	0	0
1055205017	Vehicle Maintenance	0	11,401	0
1055205021	Telephone and Cable	0	0	0
1055205026	Maintenance/Service Contracts	4,000	139,343	0
1055205027	Machinery/Equipment Repairs	0	0	0
1055205031	Small Hand Tools	0	0	0
1055205041	Uniforms	0	0	0
1055205054	Street Signs	0	0	0
1055205063	Rents and Leases	111,456	84,346	27,806
1055205067	Contracted Expenses	81,082	15,200	0
1055205071	Special Dept. Expenses	0	0	0
1055205079	Miscellaneous Expenses	0	2,427	0
1055205085	Capital Outlay	0	39,678	0
		$196,538	**$292,395**	**$27,806**
GEN FUND TOTAL EXPENDITURES		**$2,803,614**	**$2,682,613**	**$2,623,001**

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	BUDGETED FY 1990-91	4/30/91 COLLECTED FY 1990-91	ESTIMATED FY 1991-92	
5034504105	Acc. Tax Revenue	95,000	46,802	95,000	
	Transfer to General Fund	-25,000	0	-25,000	
	Minus 25% Restricted Fund	-17,500	-11,701	-17,500	
503504505	Interest Income	3,587	4,174	2,000	
	TOTAL REVENUES	$56,087	$39,275	$54,500	-2.83%

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

		BUDGETED FY 1990-91	5/31/91 EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
	GENERAL GOVERNMENT			
5041205009	Debt Service- Principal	56,087	0	0
5041205011	Debt Service- Interest	0	0	54,500
5041205079	Miscellaneous Expenses	0	6,742	0
5041205085	Capital Outlay	0	58,722	0
5041205090	Tourism Promotion Expense	17,500	50,000	0
	DEPARTMENT TOTAL	$73,587	$115,464	$54,500
	POLICE DEPARTMENT			
5044205010	Printing & Office Supplies			
5044205016	Vehicle Fuel & Oil	10,000	0	
5044205017	Vehicle Maintenance	5,000	0	
5044205021	Telephone/ Cable	0	0	
5044205026	Maintenance/ Service Contracts	0	0	
5044205027	Machinery/ Equipment Repair	0	0	
5044205041	Uniforms	6,000	0	
5044205062	Insurance	0	0	
5044205063	Rents & Leases	2,000	0	
5044205079	Miscellaneous Expenses	0	0	
5044205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

	FIRE DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5045205010	Printing & Office Supplies	0	0	0
5045205016	Vehicle Fuel & Oil	2,000	0	0
5045205017	Vehicle Maintenance	6,500	0	0
5045205021	Telephone/ Cable	2,000	0	0
5045205026	Maintenance/ Service Contracts	2,500	0	0
5045205027	Machinery/ Equipment Repairs	3,000	0	0
5045205041	Uniforms	3,700	0	0
5045205062	Insurance	3,300	0	0
5045205079	Miscellaneous Expenses	0	0	0
5045205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

5/31/90

	PUBLIC WORKS DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5046205010	Printing & Office Supplies	0	0	0
5046205016	Vehicle Fuel & Oil	10,000	0	0
5046205017	Vehicle Maintenance	10,000	0	0
5046205026	Maintenance/ Service Contracts	0	0	0
5046205027	Machinery/ Equipment Repairs	0	0	0
5046205041	Uniforms	3,013	0	0
5046205079	Miscellaneous Expenses	0	0	0
5046205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,013	$0	$0

	ACCOMMODATIONS TAX FUND TOTAL	$142,600	$115,464	$54,500	-61.78%

TOTAL REVENUES--ALL FUNDS

GENERAL FUND	$2,623,001
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,677,501

TOTAL EXPENDITURES--ALL FUNDS

GENERAL FUND	$2,623,001
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,677,501

SIGNIFCANT EXPENSES IN FY 1991-92 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS		$1,951,725
OPERATION OF VEHICLES (Gas and Repairs)		$98,564
UTILITIES (Electricity, Water, Gas, Phones)		$76,680
INSURANCE (Tort, Auto, Property)		$60,361
DEBT SERVICE (Parking Lot, '91 G. O. Bonds)		$128,962
CAPITAL OUTLAY (Equipment)		$4,945
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)		$63,600
UNIFORMS		$21,600
OTHER OPERATIONS EXPENSES		$216,564
	TOTAL	$2,623,001

PUBLIC HEARING
BUDGET FY 1991-1992
JUNE 19, 1991

The Mayor called the meeting to order and stated that the purpose of this Public Hearing was to hear remarks from citizens of the island as to our proposed budget. Council will listen to citizens input and will vote on the budget at the regular meeting on June 27, 1991. The Mayor asked that each speaker stand and give their name and address.

1. Jack Tracey, 104 Shady Lane. Mr. Tracey stated that he had been a resident of the island since 1979 and has been a coach for the past seven years. He implored Council not to make any cuts in the Recreation Department which has great facilities and programs primarily for children of the island. He felt that if programs were cut from teenagers, in particular, there would be more crimes of mischievous nature. He felt that an increase in taxes was not out of line and that cuts could be made in other places.

2. Lawrence Picard, 521 Carolina Boulevard. Mr. Picard stated that since the water and sewer rates will be increased and property will be re-assessed causing County taxes to rise, a tax increase would place a hardship of many of the residents with fixed incomes. Our services are increasing to meet seasonal needs and he felt that there should be alternative taxation of the tourists and not to local residents. There should be no tax increase this year.

3. Mary Hair, 245 Forest Trail. Mrs. Hair surely does not want a cut in the police and fire departments. She felt that the City should be very proud of their services and that she would be in favor of a tax increase in order to keep our employees and services.

4. John Reidenbach, 20 - 30th Avenue. Mr. Reidenbach moved to the island in 1989 from the City of Charleston. He stressed that there should be no cuts in public safety as the residents have a safe place to raise children which draws people to the island. He felt that there should be some type of revenue that the City can tap into without cutting these services. If raising taxes is necessary, then he is in agreement with it.

5. Richard Hair, 245 Forest Trail. Mr. Hair felt the cheapest way to go in children's upbringing is to keep them busy and the Recreation Department provides a well-managed program for our children. Also the cheapest way to go in crime is to have good crime prevention and our police have a fine reputation in that department. It would be a big mistake to cut any of these kinds of services on the island. He would rather we raise taxes than jeopardize the services we have on the island.

6. Harold Mackey, 8 Sand Dollar Drive. Mr. Mackey asked Council to make a comparison of our services and percentage of money spend

in each department and make adjustment per our needs. Don;t let costs run until there is a clear proof that they are needed.

7. Jack Steinmetz, 15 Dunecrest Lane. Mr. Steinmetz was very concerned about cutting services, in particular, fire and police which are so important. He stated that he feels very safe on this island and doesn't think we should compare our services to other communities. He felt very strongly that services should not be cut.

8. Rob Peffer, 614 Palm Boulevard. Mr. Peffer stated that he is not in favor of cutting any public services as a taxpayer and as a resident. He stated that the only department that has experienced a cut is the fire department. The houses that have been rebuilt since the hurricane and the new homes being built are being built higher and larger are will require more manpower to fight a fire. He also stated that when we do need additional police and fire personnel, the top people for the job will not apply here if they see that personnel are cut when budget time comes around. He asked Council not to move backwards; the City is growing and we must provide services to cover this growth.

9. Harry Beswick, 8 Chapman Avenue. Mr. Beswick stated that he was in favor of a tax increase in order to continue the services that we have. He felt that our services are top-rate and should continue.

10. Andy Parrish, 26 - 29th Avenue. Mr. Parrish has been a taxpayer on this island for 22 years and he felt this Council was going backwards not forwards. We need to continue the service we have; the response time to emergencies is quick and efficient. The Recreation Department is a necessary department for our children. If taxes need to be raised, then he will pay them and hope Council will continue to help the residents by providing good services.

11. Mr. Williams read a letter from Mr. & Mrs. Donald D. Grieg who were unable to attend the public hearing. (see Exhibit A) The Griegs support a tax increase.

As there were no other speakers, the hearing was closed.

23-42nd Avenue
Isle of Palms, SC 29451
June 17, 1991

The Honorable Carmen Bunch
City Hall
Isle of Palms, SC

Re: Proposed Isle of Palms Tax Increase

Dear Mayor Bunch,

Since we are unable to attend the forthcoming meeting we would like to express our thoughts concerning the proposed tax increase, hence this letter.

All of us Islanders have suffered through the devastation caused by Hurricane Hugo and we are all too familiar with the personal economic costs that resulted. But many of us may have forgotten that the City has suffered severe economic hardships as well. Businesses were shut down and fee income reduced as a result. Rateables suffered when houses disappeared or were seriously damaged. Income from tourism to the island was eliminated. There were costs for extra policing, monitoring of transient contractors and personnel, and demands on municipal services skyrocketed.

We believe the administration should be congratulated for the job done in moderating and controlling these extraordinary expenses. But despite these efforts we are now faced with the difficult problem of paying for these past one-time costs.

Eliminating critical personnel and reducing required services to try to solve this problem we believe is counter-productive and short sighted. Particularly since a tax increase will still be required despite such cuts. More important our island is now on the mend, revenues are approaching normal or greater and we will require the full infrastrucure that has been so painfully built up.

No one enjoys the prospect of a pending tax increase particularly in these difficult economic times. But we do understand the special need for one caused by events beyond yours or anyone elses control. We fully support your efforts to accomodate the difficult past and look forward to a more normal and progressive future.

Sincerely,

Diana H. Grieg
Dr. Diana Grieg (Ph.D)

Donald D. Grieg

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 24, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on June 24, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Sottile, Swanson, and Watson. Council Member Simon was out of town and Council Member Ward arrived late. Also present were City Administrator Williams, Finance Director Stonesifer, Clerk-Treasurer McDuffie and Secretary Geary.

The Mayor stated that the purpose of the meeting was a final work session on the budget. She began an in-depth discussion of the budget for the Water & Sewer Department during which Council Members asked questions of the City Administrator concerning these figures. (see Exhibit A)

Ms. NesSmith-Picard made a motion to recommend that Council approve second reading of the Water & Sewer Budget; Mr. Orvin seconded; motion passed unanimously.

Council then moved on to the Operating Budget.

Mr. Watson made a motion to accept an employee's offer to purchase the Public Works trailer at a cost of $1,000; Mrs. Swanson seconded. Upon discussion, Mr. Williams stated that this employee had lost his trailer during Hurricane Hugo and that he would be able to move the trailer right away; the City needs to begin construction of the dog kennels on the current site of the trailer. After discussion, motion passed unanimously.

Mr. Watson made a motion to freeze immediately appropriations for copier rentals by the Police Department; Mrs. Swanson seconded. It was determined that with the combination of the Police Department and City Hall in the new building, the two departments would share the City Hall copier and the police department would no longer need a separate copier. After discussion, motion passed unanimously.

Mr. Orvin made a motion to restore the 5th dispatcher to a full-time position; Mr. Watson seconded. After discussion, motion was defeated 2-5.

Mr. Orvin made a motion to fill the vacancy in the fire department instead of eliminating the position; Mrs. Bunch seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Sottile - No; Swanson - No; Watson - Yes; Bunch - Yes. Motion was defeated 3-4.

Mr. Orvin made a motion to restore the group health insurance to the budget for Council members; Mr. Holden seconded. Mayor Bunch amended the motion to fund $3,950 for two persons if needed; Mr. Orvin seconded. After discussion, in which it was the consensus that either all Council members or none should have insurance available, both amendment and second were withdrawn. Roll call

vote was taken on the motion: Holden - Yes; NesSmith-Picard - No; Orvin - Yes; Sottile - Yes; Swanson - Abstain; Watson - No; Bunch - Yes. Motion passed 4-2-1.

Mr. Watson made a motion that no City employee positions be filled without approval of Council until it has been decided what the appropriate staffing levels should be, and that Council reinstate the 2% cost of living raise to the police employees; Mr. Holden seconded. Mr. Holden amended that this motion be separated into two questions; Mr. Sottile seconded; amendment passed unanimously.

On the question of restoring the 2% cost of living raise for police employees, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Sottile - No; Swanson - Yes; Watson - Yes; Bunch - Yes. Motion passed 4-3.

On the question of the hiring freeze, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 6-2.

Mr. Orvin made a motion to adjourn, Mr. Holden seconded, meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 7/25/91

ENTERPRISE FUND BUDGET
WATER & SEWER DEPARTMENT
July 1,1991 -- June 30, 1992

ITEM		REVENUES BUDGETED	5/31/90 REVENUES COLLECTED YTD	ESTIMATE
ACCT. NO.	ACCOUNT NAME	FY 1990-91	FY 1990-91	FY 1991-92
6036004601	Residential Sale of Water	0	0	640,627
6036004602	Residential Sale of Sewer	0	0	176,397
6036004603	Commercial Sale of Water	0	0	36,519
6036004604	Commercial Sale of Sewer	0	0	22,595
6036004605	Water Tap Fees	0	0	4,000
6036004606	Sewer Tap Fees	0	0	6,000
6036004607	New Customer Charges	0	0	5,350
6035004501	Miscellaneous Revenue	0	0	0
	Sub-total	0	0	891,488
	Non-Operating Revenue			
6037004505	Interest Revenue			25,000
6037004901	Operating Transfer In			0
	Sub-total			25,000
	TOTAL			**$916,488**

EXHIBIT A

EXPENDITURES

ACCT. NO.	WATER & SEWER DEPT. ACCOUNT NAME	ENT. FUND BUDGETED FY 1990-91	ENT. FUND EXPENDED YTD FY 1990-91	ENT. FUND ESTIMATE FY 1991-92	
	Payroll and Personnel				
6060105001	Salaries-Supervisor			36,358	
6060105002	Salaries-Employees			150,585	- 6 full time
6060105003	Salaries-Part Time			13,520	- 2 part time
6060105004	Fica Expense			15,335	
6060105005	Retirement Expense			13,732	
6060105006	Group Health Insurance			12,240	
6060105007	Workman's Compensation			8,750	
6060105008	Unemployment Compensation			1,000	
	Sub-total			**251,520**	
	Operating Expenses				
6060205014	Memberships & Dues			800	
6060205015	Meetings & Seminars			1,200	
6060205049	Medical & Lab			11,500	
6060205053	Blanket Bond			500	
6060205062	Insurance			3,000	
6060205064	Employee Training			2,500	
6060205065	Professional Services			39,000	- legal, audit + engineering
6060205067	Contracted Services			51,000	- replace water lines
6060205071	Special Dept. Expenses			0	
6060205079	Miscellaneous			5,000	
	Sub-total			**114,500**	
	Capital Outlay				
6060405085	Capital Outlay			**12,000**	
	Supplies				
6060455010	Printing and Office Supplies			10,000	
6060455016	Vehicle Fuel & Oil			13,000	
6060455041	Uniforms			2,500	
6060455044	Water & Sewer Supplies			18,000	
	Sub-total			**43,500**	
	Heat,Light & Power				
6060505020	Electricity & Gas			48,000	
6060505021	Telephone/Cable			6,000	
6060505022	Water & Sewer			0	
	Sub-total			**54,000**	

	Repairs & Maintenance	
6060605017	Vehicle Maintenance	3,000
6060605026	Maintenance & Service Contracts	5,000
6060605027	Machinery & Equipment Repair	10,000
6060605031	Small Hand Tools	1,000
	Sub-total	**19,000**
	Rent	
6060705063	Rents & Leases	500
	Depreciation	
6060805501	Depreciation	50,000
	Advertising	
6060905061	Advertising	2,500
	Non-Operating Expenses	
6060205009	Debt Service- Principal	13,296
6060205011	Debt Service- Interest	228,039
6060955013	Debt Service- Service Charges	2,500
6060955901	Operating Transfers Out	0
6027003226	Capital Reserve	125,133
	Sub-total	**368,968**
	TOTAL	**$916,488**

- Beech Co. due 2/20/92

WATER & SEWER DEPARTMENT
CAPITAL PROJECTS BUDGET

Priority	Item	Completion Date	Estimated Cost
1	Safety Equipment		
	Scott Air Paks @ $1,500/ chlorine installation	Dec 31, 1991	4,500
	Chlorine Patch kit (2) @ $700/kit		1,400
2	WWTP Improvements	Dec 31, 1991	
	-(1)standby power 70KW gen sets	Dec 31, 1992	35,000
	-replace catwalks & railing	Dec 31, 1991	25,000
	-sand blasting & painting	Dec 31, 1991	35,000
	-replace V-notch weir	Dec 31, 1991	250
	-rehabilitate chlorine chamber	Dec 31, 1991	3,500
	-install effluent flow meter	Dec 31, 1991	3,000
	-install grit chamber/bar screen	Dec 31, 1991	10,000
	-install de-chlorination equipment	Dec 31, 1991	25,000
	-relocate sludge drying beds	Feb 28, 1992	90,000
3	BAN rollover to long-term debt	Mar 1, 1992	496,850
4	Reverse Osmosis or EDR & associated		
	water distribution improvements	May 30, 1992	1,600,000
	-eliminate bottleneck		3,450
	-12" water line to tank		7,000
5	Back-up fire flow pump; well #1	Dec 31, 1993	8,500
	Bond issue costs	7% @ 30 yrs	79,560
	Bonded Debt Service reserve fund		224,000
	(includes contingency)		0
	Total for fiscal year 1991-92		**$2,652,010**
6	Renovation of office building	May 31, 1993	15,000
	10% contingency		1,500
	Total for fiscal year 1992-93		**$16,500**
7	Water line improvements	Dec 31, 1995	350,000
	-15,000' of 12" WL; Palm Blvd. (21st-53rd)		
	-8,000' of 8" WL between Waterway & Palm(even streets)		
	21st to 41st Avenues		
8	Sewer line infiltration & inflow inspection	Dec 31, 1995	10,000
	10% contingency		36,000
	Total for fiscal year 1995-96		**$396,000**

9	Pipe overflow from well #2 to storm drain	Dec 31, 1996	2,500
10	Elevated 150,000 gal. storage tank for N end of island	Dec 31, 1996	375,000
	10% contingency		37,750
	Total for fiscal year 1996-97		**$415,250**
11	WWTP expansion and collection system	Dec 31, 2001	14,000,000
	10% contingency		1,400,000
			$15,400,000
	Total of all capital improvements		**$18,879,760**

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 27, 1991, 7:00 P.M.
EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on June 27, 1991, at 7:00 p.m., at the Exchange Club. After the Pledge of Allegiance and Invocation, roll call was taken. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson and Watson. Arriving late were Council Members Orvin and Ward. Also present were City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS.

1. April 18, 1991 - Special City Council Meeting
2. May 23, 1991 - Regular City Council Meeting
3. June 3, 1991 - Special City Council Meeting
4. June 6, 1991 - Special City Council Meeting
5. June 10, 1991 - Special City Council Meeting
6. June 12, 1991 - Special City Council Meeting
7. June 17, 1991 - Special City Council Meeting
8. June 19, 1991 - Public Hearing on the Budget

The Mayor asked if there were any changes to the minutes. Mrs. Swanson made two changes to the minutes of May 23, 1991: page 3, section 3, paragraph 2, vote should be changes from "81-" to "8-1"; and on page 4, section J.1, motion to ratify passed 7-1 as she did not vote for it.

Mrs. Swanson made a motion to approve all the minutes as changed; Mr. Sottile seconded; motion passed unanimously.

C. CITIZENS' COMMENTS

1. Dave Lewis and Ken Lesto representing SCDHPT and the Isle of Palms Connector Project gave a status report on the construction of the connector and road improvements. Mr. Lewis stated that they were now working on the drainage on Palm Boulevard as well as curb and gutter work. He stated that there were two issues that need council's approval soon: 1) the closing of the Palm Boulevard entrance to Beachside; and 2) the intersection of J.C. Long Boulevard, Carolina Boulevard and Pavilion Drive with Palm Boulevard.

2. Charlie Yawn passed out to council a Special Notice of Water Rate Rehearing on the Wild Dunes utility system which will be held on July 11, 1991, at 7:00 p.m., at Stella Maris Church on Sullivan's Island, and urged everyone to attend.

3. Carol Allen spoke concerning the budget since she and her husband were unable to attend the public hearing. They urged the City to continue with the level of services that the city currently has and to prepare for the growth that will inevitably come.

4. Clay Cable spoke concerning the issue of the budget and the high costs that the city has incurred and his feeling that the city is overspending and overstaffed suggesting that the city cut the police department by 10 officers.

5. Sandy Sandeford spoke in response to a letter to the editor by Council Member NesSmith-Picard that appeared in the newspaper concerning the budget. CAPT Sandeford stated that having 70% of the budget related to personnel expenses is not out of line for a service organization and that he had never seen anyone "fiscally irresponsible" as far as the city is concerned. He urged Council not to turn the services of this island into second class services.

D. REPORTS FROM STANDING COMMITTEES

1. Ways & Means - Chairman Ward stated that due to budget sessions, there was no actual Ways & Means meeting this month. He did ask the City Administrator that status of the dog kennels to which Mr. Williams responded that the Public Works trailer was slated to be moved on Monday and that construction could begin immediately thereafter.

2. Police & Public Safety - Chairman Sottile presented the minutes from the June 20, 1991, meeting (see Exhibit A). There was some discussion about the problem of jet skis and the upcoming ordinance to ban them entirely. It was the consensus of Council that the rules should be made more stringent as opposed to banning them.

3. Public ~~Safety~~ Works - Chairman NesSmith-Picard highlighted the minutes from the June 18, 1991, meeting (see Exhibit B). The committee requested that Mr. Williams write to SCDHPT requesting a minimum of four painted crosswalks on Palm Boulevard between 21st and 41st Avenues.

Mr. Sottile made a motion that the garbage trucks be parked on the parking lot under the water tanks, Mr. Ward seconded. After discussion that this issue had been passed at the June 10th meeting, motion and second were withdrawn.

Mr. Sottile asked if there were any way that the impound area could also be moved to another part of the parking lot. Mr. Williams will look into this.

Ms. NesSmith-Picard made a motion that no city construction be allowed to continue on weekends, Mr. Ward seconded. After discussion it was determined that the ordinances would not allow this and Mr. Williams could take care of of the problem.

Mr. Orvin asked the status of the roadside "Shrimp Shack" business license which had been denied at the last meeting. Mr. Williams stated that they were granted a license because they are now located within a small building and that their nonconforming signs will be corrected. The Mayor asked that Engrossed Bills committee look at the ordinances pertaining to the issuance of business licenses.

4. Engrossed Bills - Chairman Holden highlighted the meeting of June 19, 1991, (see Exhibit C). The committee recommended approval of Ordinances 1991-8 and 1991-12.

The Mayor asked the committee to look into the need for a resolution or emergency ordinance concerning trailers on the island especially since hurricane season is now here.

Mr. Ward asked about the legality of the hotel project planned for the front beach area and the parking requirements. Mr. Williams stated that it would be a 36 room inn with no food services and that parking would be under the building or on J.C. Long Boulevard.
Sewer capacity would be the same as allowed the previous building which limited the number of rooms to 36.

5. Recreation - Chairman Orvin presented a report on the meeting of June 11, 1991, and the month's activities (see Exhibit D). The Mayor stated that she had received requests for dancing lessons and asked Mr. Orvin to check into this project.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - see minutes attached as Exhibit E.

2. Planning Commission - Planning Consultant Lee Batchelder presented a report from the meeting of June 12, 1991, (see Exhibit F). Mr. Batchelder made reference to a memo from Attorney Dreyfoos concerning the proposed beachfront conveyances by The Beach Company (see Exhibit G). He proposed plat restrictions that would require rewording of the setback requirements and changes to the Conservation District ordinance.

There followed discussion about the possible use of this property and setback requirements. There was concern about what would happen to the property if someone other than the adjacent property owner purchased it. Mr. Orvin asked if there were anything that could be done to prevent the proliferation of dune walk-overs all along the beachfront.

Ms. NesSmith-Picard stated that she had contacted the American Society of Civil Engineers about designing structurally sound dune walk-overs that would survive storm surges. She made a motion to place a moratorium on granting permits for dune walk-overs for the next 60 days; Mr. Orvin seconded; and after discussion, motion passed unanimously.

Plats received:

A. Plat of Lots 8A-12A, Block 50, Section B; Lots 1A-10A, Block 57, Section B; Lots 1A-10A, Block 61, Section B; Lots 1A-12A, Section C-1; Lots 13A-36A, Section C-2; and Lots 37A-85A, Owned by The Beach Co. (21st Ave. to 41st Ave.)

There was further discussion concerning The Beach Company conveyances and Mr. Simon made a motion to suspend the rules of order to allow representatives of The Beach Company to answer questions; Mrs. Swanson seconded; motion passed unanimously. Attorney Rob Wilson spoke. He stated that the lots are presently subject to view easements which may or may not be enforceable. Mr. Dreyfoos stated that there was also the question of access to the property if purchased by a third party. Mr. Wilson stated that the deeds would include building restrictions. Mr. Dreyfoos also pointed out that it was the intention to abandon the rear property line of each parcel once the plats have been approved and property transferred. Once this abandonment has been done, there could be no further building on the lot because the zoning ordinance only permits one primary dwelling per lot. It was suggested that the property be made a conservation district right away so that no development would be allowed.

The Beach Company reported that 72% of the property owners had already agreed to purchase these lots (88 of the 122). Broker Robert Reagen stated that they were recommending to all property owners to purchase the property, that he had spoken with 109 property owners to date and has not received a negative comment on the sale. This additional property will increase the value of their property and will enable the property owner to protect their interests in the property.

It was also reported that beach access property would be quit-claim deeded to the City by The Beach Company.

After further discussion, Ms. NesSmith-Picard made a motion to approve the plat of lots between 21st and 42nd Avenues with the condition of the added restriction suggested by Attorney Dreyfoos; Mr. Ward seconded. Mrs. Swanson amended the motion that The Beach Company identify public accesses with stakes and requested signs; Mr. Simon seconded; amendment passed 5-4. Roll call vote was taken on the motion to approve the plat: Holden - Abstain; NesSmith-Picard - Yes; Orvin - No; Simon - Yes; Sottile - yes; Swanson - No; Ward - Yes; Watson - No; Bunch - Yes. motion passed 5-3-1.

B. Plat of Lots 1A and 6A, Block B1, Section D; Lots 1A and 6A, Block C1, Section D; Lots 1A and 6A, Block D1, Section D; Lots 1A and 6A, Block 75, Section D; Lots 1A and 5A, Block 74, Section D; Lot X, Block 73, Section D;

Lots 5A, 6A, 7A and 8A, Block 64, Section D; Lots 1A and 6A, Block 63, Section D; Lots 1A and 6A, Block 61, Section D; Lots 1A and 6A, Block 60, Section D; Lots 7A, 8A, 9A, 10A and 11A, Block A, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block B, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block C, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block D, Tract A; Owned by The Beach Co. (42nd Ave. to 53rd Ave.)

Mr. Ward made a motion to approve the plat of lots between 42nd and 53rd Avenues with the same notation as on the previous plat; Mr. Sottile seconded. Mrs. Swanson amended the motion that public accesses be identified; Ms. NesSmith-Picard seconded; amendment passed 5-4. Motion passed 5-3-1.

C. Acreage Plat Showing Resubdivision of Tract "A", Block "T", Parcels 112, 12, 12a, 14, 20 & 21, Wild Dunes, City of Isle of Palms, Charleston County, South Carolina. (Grand Pavilion Blvd.)

Mr. Ward made a motion to approve the said plat; Mr. Orvin seconded; motion passed unanimously.

Mr. Batchelder announced that the Planning Commission has set September 19, 1991, as a special meeting to hear a proposal by Council Member NesSmith-Picard about the creation of a waterfront district.

3. Water & Sewer Committee - see minutes attached as Exhibit H.

4. Building Committee - None.

5. Beach Patrol & Control Board - no meeting this month.

6. Personnel Committee - None.

7. Dewees (ad hoc) Committee - None.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None.

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None.

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Second Reading - Ordinance 1991-18 - An Ordinance to Establish Customer Charges, Raise Revenues, Make Appropriations, Adopt a Current Expense (Operating) Budget and Capital Budget and Program for the Isle of Palms Water and Sewer Department for Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992. (see Exhibit I)

Mr. Ward made a motion to approve second reading of Ordinance 1991-18; Mr. Sottile seconded. After discussion, Ms. NesSmith-Picard amended the motion to suspend the rules of order and not read the ordinance word by word; Mr. Ward seconded; amendment passed unanimously. Motion passed unanimously.

Mr. Ward made a motion to suspend the rules of order to suspend third reading and ratify Ordinance 1991-18; Mr. Simon seconded; motion passed unanimously.

2. Second Reading - Ordinance 1991-16 - An Ordinance to Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992.

The Mayor gave a rebuttal to Ms. NesSmith-Picard's letter to the editor concerning "fiscally irresponsible" council members. She stated that she resented the term as applied to any current or past council members and she also resented the statements that the city's savings have disappeared. She urged anyone to review the audits and any city statements to see where the funds have

gone. She praised the city's police and fire departments and is proud of the services this city provides.

Ms. NesSmith-Picard made a motion to approve the budget ordinance as presented; Mr. Ward seconded. Extensive discussion followed.

Ms. NesSmith-Picard stated that there had been two paragraphs left out of her letter to the editor (see Exhibit K) after the third paragraph: "The City's capital projects fund, the cushion set up to absorb large unbudgeted was pilfered from until the tap went dry last year. At that time $260,000 was transferred to the general fund to balance the budget despite my objections and those of two other council members. This "rob from Peter to pay Paul" principle, along with years of unfettered spending, has produced, I admit, state-of-the-art departments. Some, though, are fraught with gadgets and gizmos galore. However, one important thing is missing - money to maintain these build-up departments." She stated that she felt some people took out of context her comments on savings being depleted because of the deletion of this portion of her letter. She further defended other points made in her letter.

As far as the budget is concerned, Ms. NesSmith-Picard stated that she had not advocated cutting services, that our services are outstanding, but that there were too many "bodies" doing these services which in turn forced the city to pay less in wages than other municipalities do. She did not want to cut quality or level of services, merely positions.

Mr. Holden apologized to all employees for the discussions that have caused so much unrest concerning staffing levels and "playing with people's lives". He said that many employees are worried about having jobs and felt that there is no excuse for making your employees feel that way. He is not in favor of cutting positions, but in finding other ways to cut back in the budget. He advocated reducing personnel through natural attrition. He stated that if you assume the level of service needs to be what it is today on this island to satisfy the residents, then we have a good budget and you should vote for it.

Mr. Ward stated that he would like to go ahead and have second reading and then had a resolution to offer.

Mr. Orvin made an amendment to the motion to empower the Chief of the Fire Department to reinstate the fireman he lost due to attrition to fill the void; Mrs. Bunch seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - Abstain; Bunch - Yes. Amendment was defeated 6-2-1.

Mr. Simon stated that this council looks real bad by not managing to bring in a budget. The people elected us to come into this council and do the best we could and not flaunt political egos. He stated that it was Melinda's right to put the letter in the paper, but felt that it was destructive to the budget process and unnecessary to take this out in public. However, he felt that she needed to bring forth a budget to be voted on. He stated that voting for a budget that you don't agree on in order to serve the best interests of the city is commendable, rather than putting the city and employees into chaos. He felt that those on council who supported the council form of government should take the initiative and move ahead in this government instead of letting this council be the side show of local politics.

Mr. Sottile stated that he thinks the city can perform good services with fewer employees.

Mr. Watson asked council to vote the budget down tonight, take a week off and come back ready to compromise.

Mrs. Swanson stated that she felt there were areas where cuts can be made without cutting across the board and stated that council needed to work together to come up with a workable budget.

Mr. Simon wanted to clarify his statement about injecting politics into the issue. Several members of this council said to the voters of this island, if you would allow a restructuring of the way this city is run, it will run better. It has run into a brick wall. The blame cannot be apportioned into any individual's lap. This entire council is directly responsible for preparing a budget and it has not done so because it lacks leadership and cohesion. He was told in January that he couldn't be a committee chairman because he was not in favor of the change in government and could not assure that he would support the things necessary to make that change work. However, no one is making it work now and someone is going to have to step forward to create a coalition to create a budget and he feels that those who said the power in this government should lie in the council should have that responsibility.

At this point, Mr. Ward stated that this has gotten dirtier than he thought it would be.

Roll call vote on passing the budget: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - No; Sottile - No; Swanson - No; Ward - Yes; (at which time Mr. Ward walked out of the meeting); Watson - No; Bunch - Yes. Motion was defeated 3-6.

3. Second Reading - Ordinance 1991-12 - An Ordinance to Adopt Regulations Concerning the Use of Water by Customers of the City of Isle of Palms Water and Sewer Department During Times of Moderate, Severe or Extreme Drought. (see Exhibit L)

Ms. NesSmith-Picard made a motion to approve second reading of Ordinance 1991-12; Mr. Sottile seconded. Ms. NesSmith-Picard amended the motion to suspend the rules and not read it word by word; Mr. Holden seconded; amendment passed unanimously. After discussion, motion passed unanimously.

4. Third Reading - Ordinance 1991-8 - An Ordinance to Amend the Process for Approving Conditional Uses. (see Exhibit M)

Ms. NesSmith-Picard made a motion to approve third reading of Ordinance 1991-8; Mr. Orvin seconded, motion passed unanimously.

Ms. Nessmith-Picard made a motion to suspend the rules and ratify Ordinance 1991-8; Mr. Holden seconded; motion passed unanimously.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

Mrs. Swanson made a motion to suspend the rules of order and procedure to allow new ordinances to be brought before council; Mr. Orvin seconded; motion passed unanimously.

1. First Reading - Ordinance 1991-19 - An Ordinance to Ban the Operation of Jet Skis. (see Exhibit N)

Mrs. Swanson made a motion to refer the ordinance back to Engrossed Bills for review without first reading; Mr. Watson seconded; motion passed unanimously.

2. Emergency Ordinance No. 1991-20.E - An Ordinance to Prohibit Swimming and Wading in the Waters at Breach Inlet. (see Exhibit O)

Ms. NesSmith-Picard made a motion to approve Emergency Ordinance 1991-20.E; Mr. Sottile seconded; and after discussion, motion passed 7-1 abstention.

3. First Reading - Ordinance 1991-20 - An Ordinance to Prohibit Swimming and Wading in the Waters at Breach Inlet. (see Exhibit P)

Mrs. Swanson made a motion to send the first reading draft to Engrossed Bills for review; Ms. NesSmith-Picard seconded; and after discussion, motion passed unanimously.

4. First Reading - Ordinance 1991-21 - An Ordinance to Re-Zone Property to Conservation District. (see Exhibit Q)

Mrs. Swanson made a motion to approve first reading of Ordinance 1991-21 by title only and refer to Planning & Zoning and Engrossed Bills; Mr. Watson seconded; motion passed unanimously.

5. Continuing Budget Resolution (see Exhibit R)

Mr. Holden made a motion to approve a resolution to continue the current funding levels of the 1990-1991 budget in the event that city council does not pass a new budget by the end of June, 1991, with the addition of an insurance adjustment requirement; Mr. Watson seconded; motion passed unanimously.

L. MISCELLANEOUS BUSINESS

Mr. Holden made a motion that any positions that become vacant from this date forward not be refilled without the approval of Council; Mr. Sottile seconded; motion passed 7-1.

Mr. Williams reported that the Beachfront Management Plan will not be ready by the due date. If the city does not prepare one, Coastal Council will prepare one for us. We have received a proposal for $6,700 to prepare the plan for the city. Chris Brooks told Mr. Williams that as long as we showed intent to prepare the plan, SCCC would let it ride for a while. Ms. NesSmith-Picard asked that Mr. Williams inform SCCC that we have intent of developing a Beachfront Management Plan but that it will have to be post approval of our budget.

Mr. Orvin made a motion to adjourn which was seconded and unanimously passed.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 7/25/91

EXHIBIT H

CITY OF ISLE OF PALMS
PUBLIC SAFETY COMMITTEE
JUNE 20, 1991 5:30 P.M.

Present: Committee members Simon, Watson, Sottile and Mayor Bunch. Also present were Councilmember Holden, Chief Arnold, and Chief Britton.

Pat Campbell, a resident and a member of the Isle of Palms Commerce Association spoke to the Committee about the Commerce Association's Annual Party in September. The date for the event is September 21, 1991, from 1 - 7 p.m. Ocean Boulevard will again be closed from 14th Street to 10th Avenue.

Mr. Campbell introduced Paul King of the Charleston Triathlon Association. Mr. King asked that the Committee consider a triathlon event the morning of the Commerce Association Party. There was much discussion about this and the Committee feels at this time not to recommend this event to Council because of the condition of the roads and the police manpower that would be needed. The Committee does feel this is something we could look at in the future.

Police Report:

Chief Arnold highlighted the monthly report for May.

-- Narcotics Division in conjunction with the DEA successfully completed investigation in Houston, Texas, where agents seized 100 lbs. of marijuana with a street value of $325,000. This was in conjunction with arrests made on Isle of Palms recently.

-- Isle of Palms received $6,149.35 from Metro in seized funds.

-- Chief Arnold advised the Committee of problem with jet skis in the Ocean and Breach Inlet. It is a growing problem and getting worse. There was a lengthy discussion about the jet ski problem. Dan Watson made a motion that the Chairman talk to the Administrator about passing a stricter ordinance or even looking into the legality of banning jet skis on the Island. Seconded by Jeff Simon. There was also concern as to whether the jet ski rental at Breach Inlet was legal. The Administrator will advise the Committee of his opinion.

Fire Department:

Chief Britton highlighted the monthly report for May.

-- There were a total of 38 alarms for the month.

-- 27 of the 38 calls were for medical assistance.

-- 43 fire inspections during the month.

-- Chief Britton brought to the attention of the Committee that there was a building in Wild Dunes being used to store massive amounts of lawn and garden fertilizer and chemicals. The building does not meet the code for storing this material. The Chief told the Committee this was a serious safety problem with residents living close by. Dan Watson made a motion, seconded by Jeff Simon that the Chairman instruct the Administrator to have the proper authorities notify Wild Dunes and Joseph Griffith to immediately remove the fertilizer and chemicals from the building or the City would shut the building down in accordance with our laws.

With no further business the meeting was adjourned.

Respectfully submitted,

F. Michael Sottile
Chairman

CITY OF
ISLE
OF
PALMS
South Carolina

Laurent W. Britton
Fire Chief

June 19, 1991

To: City of Isle of Palms

Ref: Chemicals, fertilizers, fumigants, and pesticides, stored in a wood frame structure with sheet metal skin, located in Wild Dunes.

The structure in question is being used to store massive amounts of lawn and garden fertilizers, fumigants as well as liquid pesticides, some of which are oil based and flammable, beginning 6 months ago I first discovered what was being stored there and at that time I confronted Mr. Ed Haseldon, the building inspector for the City of Isle of Palms to see why these products were in a building that is not constructed for that type storage. He was unaware of the storage and stated the occupancy permit for that building was issued for a parking structure. I then approached Mr. Fabrizo concerning this, he is the manager of the property. He assured me that those products were okay to be there. After obtaining copies of the labels on most of the products, I approached Chief Britton with the problem and he and myself went to the site and he confirmed what I had established to be wrongful use of the building, I advised Mr. Frabrizo that he should contact the building department to see what type building he could store these chemicals in. As of this date to my knowledge he has not. He says, he is working with the city on what alternatives he has, but that also is incorrect, as I have discussed this matter with the building inspector, the city manager and Chief Britton and no one has approached them with this matter.

Residence of the area near this building are very concerned with the possibility of children getting into the area. Twice in the past 6 months I have found the door to the storage area unsecured. The chemicals have also been left outside overnight. One major concern with the fire department are the chemicals such as nitrogen, soluable potash, magnesium, sulfur, calcium, copper, iron and zinc, together producing toxic smoke that the public would be subjected to, as well as the firefighters. Also the possibility of the water and ground contamination.

It appears the property manager is simply ignoring our request to either remove the products or building a structure to store these products, if by location and codes it is acceptable. As of today, after a meeting with the city manager, the building inspector and myself, we are in agreement that we will seek advice from the city attorney as to the legal steps to take to remedy this situation.

Respectfully submitted,

Frank E. Adams
Inspector IOPFD

Attach: Map

FEA/crc

EXHIBIT D

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., JUNE 18, 1991

The meeting was called to order at 7:06 p.m. Committee members present were: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, and Public Works Department Head Andy "Sarge" Parrish. Mayor Carmen Bunch and Council Member Marge Swanson were absent. Council Member Dan Watson also attended.

The Chairman prepared and presented a Public Works Active Projects Listing (See Attachment "A") for use by the Committee. The purpose will be to track ongoing Public Works projects so outstanding items will not be forgotten and not have to be included in each month's meeting minutes.

Public Works Status Report

Sarge gave the following Public Works Status Report.

Old Business

1) Approval of Minutes. Council Member Sottile made the motion to approve the minutes of the 18 Mar 91 and 15 Apr 91 Public Works Committee Meeting and to defer consideration of the 21 May 91 minutes until next month. Motion carried unanimously.

2) Fuel Metering System. The City will need to install 100' of drainage pipe so that the fuel tanks can then be installed. City Administrator, Mark Williams, is investigating whether a retention pond will also be required on the PW Bldg site. DHEC is withholding approval until the stormwater management plan, being prepared by Mickey Seabrook, is completed. This is holding up the installation of the fuel tanks.

3) Status of Recycling Program. 7780 lbs of newspaper were collected in May and 400 lbs of aluminum cans were collected in June.

4) Completed PW Projects.

6/12/91 Public Works Bldg is complete.

6/14/91 SCHD drainage pipe has been installed at Oak Harbor as requested.

6/18/91 SCHD has completed road repairs on Palm Blvd, near 20th Ave.

New Business

1) Street lights. The street light request that was approved for 3004 Cameron will not be installed due to budget cuts. Sarge is considering eliminating 50 to 100 more in order to meet budget constraints. Additional street lights along Ocean and Palm Blvds will be removed, unless shields are installed on the lights as required by the City's Turtle Ordinance.

2) Dump Truck and Front-end Loader. There was some discussion regarding the damage to the hydraulics portion of garbage trucks being caused rigid items being compacted. In the long run trucks are being damaged by the compaction of tree trimmings even though the size is limited to 4' lengths by 4" diameter. There was some concern regarding the cost of purchasing a dump truck and front-end loader.

3) Waterway Blvd. Appliance Storage. Sarge stores discarded appliances such as washers, dryers, refrigerators, lawn mowers, etc., off of Waterway Blvd., until there is enough for a full load, 20-25 items. These items are sold as scrap metal. The appliances are stored outside but children can not get inside appliances because the doors are secured.

4) RO Water Dispensing Station. Sarge stated that he thinks people who are not customers of the Isle of Palms Water Co. should have to pay for the RO Water that is available at the dispensing station. There was some discussion about the difficulty and cost of converting to a pay-for-water dispensing station. The Committee suggested referring the matter to the City Administrator for research and his input as to the feasibility.

5) Painting of the Garbage Trucks. Sarge stated that the garbage trucks need to be painted during the winter but that there is not enough money in this year's budget.

6) Effects of Budget Cuts. Sarge stated that although no positions were cut that he thinks some of the line items will be overspent this year. One full-time and one part-time position remain unfilled due to a hiring freeze. There are 6 garbage trucks and 6 drivers. Levels of garbage drop off after September. Trash quantities remain constant. The City provides garbage and trash pickup for Wild Dunes.

7) Cleaning of Beach. Sarge says that the City picks up garbage from and around the trashcans on the beach. However, the City does not do a "beach sweep" due to lack of manpower. There was some discussion regarding the feasibility of having aluminum can collection drums next to the trash cans on the beach. There are a lot of aluminum cans thrown into the trash cans however Sarge is not sure whether separate recycling drums will make his job easier or more difficult.

Sarge will provide information to the Committee about a machine that cleans the beach by combing the sand and sifting the trash out.

Citizen Comments

None.

Meeting was adjourned at 7:55 p.m.

DRAFT COPY AS OF: 06/27/91

PASSED AS FINAL MINUTES: 07/15/91

ATTESTED TO:

x Melinda NesSmith-Picard

Melinda NesSmith-Picard, Chairman

EXHIBIT C

Engrossed Bills Committee Meeting
Regular Meeting
5:30 PM June 19, 1991 - City Hall

The meeting began at the time above which had been changed from the regular time to allow for a special Budget Work Session to be held later by the Ways and Means Committee. In attendance were Councilmember Holden, Councilmember NesSmith-Picard and also Councilmember Sottile and City Administrator Williams. The meeting was held in the Administrators Office and was quite informal.

Committee business discussed consisted primarily of affirming previous recommendations of Ordinances which had been previously considered, but not yet acted upon by Council. Such included the unanimous recommendation to pass Ordinance 1991-12 (Drought Response Ordinance) as amended.

No other of the standing recommendations of the Committee found in previous minutes were changed or altered in any way. It was noted several other Ordinances are still under consideration by the Planning Commission that should be reported out at the next Council Meeting.

There being no further business, the meeting adjourned by motion by Councilmember NesSmith-Picard and unanimous vote.

DRAFT COPY AS OF: 6/23/91

PASSED AS FINAL MINUTES: JULY 17, 1991

ATTESTED TO:

x Barry C. Holden

Barry C. Holden - Chairman

Egrossed Bills Committee Meeting
5:30 P.M. - June 19, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

3. Ordinances refered/updates

New Business

4. Proposed ordinances

5. Miscellaneous request/information

6. Adjourn

EXHIBIT D

ISLE OF PALMS
RECREATION DEPARTMENT

RECREATION REPORT
June 25th, 1991

I. *Recreation Programs* - Summer

Gymnastics - Mondays -ages 3 and older
Tae Kwon Do - Wednesdays & Saturdays -youth & adult
Tournaments - Fridays - youth

CPR Class - Scott Taylor, an Isle of Palms Fireman, will instruct a course in infant, child, and adult CPR in July. The last class was held in June and there were six participants. All the recreation staff are certified.

Bicycle Rodeo - A bicycle rodeo was held on Wednesday, June 19th at 10:00 a.m. An Isle of Palms Police Officer came and talked about bike safety to the day camp children. Afterwards, the children went through a bicycle obstacle course and prizes were awarded. There were over 30 participants. A rodeo will be held in July and August.

II. *Sports*

Tennis Camp - A tennis fun camp for children ages 6 to 10 and youth ages 11 to 15 will be held this summer for six weeks. The camp will be Mondays through Thursdays from 9:00 a.m. to 12 noon. The first session begins July 1st. The instructor is Shawn Nettles.

Soccer Camp - A soccer camp will be held for boys and girls ages 5 to 10. There will be three sessions: July 22nd - July 26th, July 29th - Aug. 2nd, and Aug. 5th - Aug. 8th. The camp is for players of all skill levels and will be held from 8:30 to 11:30 a.m. each day. Children should bring their own soccer ball. Rick Raycroft, assistant varsity coach and head junior varsity coach for soccer at Wando High School, will be the instructor.

"Boys of Summer" Basketball - A fun league for boys ages 7 to 14 began June 18th. Games are played on Tuesdays and Thursdays at 4:00 and 5:00 p.m. There are five teams in the league and each team consists of eight players.

Church League Softball - There are ten mens teams and five womens teams registered. The men will play on Mondays and Thursdays and the women on Tuesdays. Play will begin July 8th.

Mens Softball - There were ten teams in the league this year. The tournament is being held now and the season will end July 2nd.

III. Special Events

Camp Summershine - We are in the third session of Camp Summershine. There are 35 children signed up for this week. The theme is Splish and Splash and the field trip is to the Waterfront Park and to Wild Dunes to swim. There are five more sessions this summer and all of them are full except the week of 4th of July. The fee is $35.00 per one-week session and $30.00 per child for two or more children. Camp is limited to 35 campers per week. Mike Shaw is the camp director and there are two other counselors. The camp is for ages 5 to 12.

Summershine Wee Camp - A Camp for boys and girls ages 3 and 4 began June 10th at the center. There are seven 1-week sessions on Mondays, Wednesdays, and Fridays from 9:00 to 12 p.m. Activities include tumbling, teddy bear picnics, sing-a-longs, story time, nature walks, and arts and crafts. The fee is $20.00 per week. There are five more sessions this summer. The attendance has been from 6 to 12 children per week.

2nd Annual Isle of Palms Sand Sculpting Contest - The contest was held on Saturday, June 1st at 12 noon on the beach in front of the Windjammer. Participants had 2 and 1/2 hours and prizes were awarded in adult and child age divisions. The adult first prize was a surfboard and the youth was a boogey board. Sponsors were 96 Wave, High Tide Restaurant, Image Network, Windjammer, The Surf Shop, and Onie's Trophies. There were 16 teams with a total of 60 participants.

IV. Information -

- We have a new maintenance supervisor - Allen Aden. He is doing a great job.
- The mower has been broken for two weeks so the grass has not been cut.
- Summer Shine '91 will be held August 17th.
- Registration for youth soccer, football, and cheerleading will begin July 22nd and end August 31st.

EXHIBIT E

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
MAY 28, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on May 28, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, and David Somers; Betsy Smiley was on vacation. Also present were Building Inspector Ed Haselden and Secretary Janet Geary.

Mr. Fellabom announced that the two cases which had been postponed from April's meeting, Dr. Jean Dorsett-Robinson (406 Carolina Boulevard) and Mr. Thomas E. Hyatt (2307 Cameron Boulevard), had been withdrawn. There was a brief discussion concerning the Thomas E. Hyatt variance request and the sequence of events leading up to the case.

1. Rick and Gail Pohl, 2 Live Oak Drive. Mr. & Mrs. Pohl requested a variance from Section 5-4-22(5) b,c - rear yard setback of 25' and side yard setback of 10'. Mr. Pohl stated that the intent was to enlarge their house and they were asking for a variance of 10'8" rear yard setback because the property behind the house is Wild Dunes property which cannot be developed; and a variance of 3'1" side yard setback because the property to the left is an 80' utility easement which cannot be developed. The house sits on a non-conforming lot. Mr. Fellabom spoke as next door neighbor to the Pohls stating that he had no objection to their plans.

After discussion, vote was taken: Fellabom - Yes; Garvin - yes; Schall - Yes; Somers - Yes. Variance was granted.

There being no further business to come before the Board, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT F

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JUNE 12, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on June 12, 1991, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, John Gardner, Jerry Spencer and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m.

MINUTES OF PREVIOUS MEETING

1. May 8, 1991

Motion to approve by Dr. Karig; second by Mr. Spencer. Motion approved 5-0.

PUBLIC HEARING:

1. An ordinance to Amend the Process for Approving Conditional Uses - Ordinance 1991-8.

Mr. Batchelder explained that this was an amendment to the Zoning Ordinance of a procedural nature. The proposed amendment would require City Council to approve conditional use applications upon a recommendation by the Planning and Zoning Commission. The current ordinance allows the Planning and Zoning Commission to approve conditional uses. The amendment would also require property owners abutting property where a conditional use had been applied for, to be notified of the application. Mr. Batchelder then opened the public hearing and asked if there was anyone who would like to speak on the proposed ordinance.

Hearing no reply, Mr. Batchelder closed the public hearing.

Motion to recommend approval of the ordinance by Mr. Spencer; second by Ms. Wilson. Motion approved 5-0.

Kathryn Carrol arrives.

PLAT SUBMITTALS

1. Plat of Lots 8A - 12 A, Block 50, Section B; Lots 1A - 10A, Block 57, Section B; Lots 1A - 10A, Block 61, Section B; Lots 1A - 12A, Section C-1; Lots 13A - 36A, Section C-2; and Lots 37A - 85A, Owned by The Beach Company. TMS 568-12-00-230, 231, 298 and portions of 571-09-00, 571-10-00, 571-11-00. Seabrook.

Mr. Batchelder explained that this item and the next item on the agenda under plat submittals were part of the same application dealing with the subdivision of the accreted beach area between 21st Avenue and 53rd Avenue.

Lewis Seabrook stated that his firm was hired by The Beach Company to do the subdivision of this property. He stated that The Beach Company owns the land between the high water line of the Atlantic Ocean and the ocean side property lines of the existing lots along Palm Boulevard. Due to restrictions placed on this property when the adjoining lots were conveyed to the purchasers, the owner cannot do anything with this property. He said they would like to get rid of it to avoid lawsuits where people walking across the property may get injured and sue even though they may be trespassing.

He stated that the process of surveying the property included locating the mean high water line on a certain date and this was done in late March or early April. He then introduced Bob Ragin who was handling the sale of the property, and Rob Wilson and Bruce Berlinsky who are the attorneys who have been working on development of the deeds, covenants and so forth.

Mr. Ragin referred to the summary sheet he passed out stating that there are 101 lots from "Beachside" to 41st Avenue. The Beach Companies aim is to offer these lots to the adjoining property owners first. Each owner has already been contacted by certified mail and has 45 days to decide to purchase. The total is 124 lots which represents 94.5 acres of land in front of the existing platted lots. He stated that this included about 2.2 miles of beach. He said The Beach Company has offered this to the adjacent land owners for .22 ¢ a square foot which he believed was a very reasonable offer. He said the intent of the plats was to convey all the beach access points on the plats to the City of Isle of Palms. He said there were a total of 33 beach access points.

Chairman Taylor asked a question to clarify whether the term "Atlantic Ocean" used in the covenants was the same as the "mean high water mark" term used on the plats so that as the beach accretes or erodes the property line will shift accordingly. Mr. Seabrook answered affirmatively and stated that the intent of the Beach Company was that as the beach accretes the property owner would claim that. Chairman Taylor again asked if the mean high water mark was the same as the Atlantic Ocean. Mr. Seabrook answered affirmatively.

Rob Wilson stated that he drafted the quit-claim deed and that he believed that that language would mean that whoever took possession of this property pursuant to this deed would have claim for any accreted property from that time forward. Chairman Taylor stated that he believed that it was important to hear the applicants state this so that everyone would have a common understanding for the record.

Mr. Ragin stated that he would be happy to answer any questions and that so far, he had received 26 signed contracts and about another 20 ready to come in. Mr. Spencer asked what would happen if adjoining property owners did not purchase the adjacent property. Mr. Ragin said there were many possibilities and referred the question to Rob Wilson. Mr. Wilson stated that The Beach Company has not made a decision as to what to do in this event. He said the owners tried to price the property is such a way that they felt the adjoining property owners could

purchase the land.

Chairman Taylor referred to the letter written in 1975 by J.C. Long which addressed the question of whether this property could be developed. He stated a hypothetical situation where someone, other than an adjoining property owner, might purchase one of these landlocked lots thereby making it mandatory for the property owner on Palm Boulevard to provide access in a dominant- subserviant situation. Mr. Wilson stated that the lots being conveyed would be restricted so that no one could build with the exception of dune crossovers or gazebos. He stated that under the hypothetical situation stated by Chairman Taylor, there may be an argument for an easement of necessity but he had not researched this point enough to be able to give an opinion.

Walter Poor of 4000 Palm Boulevard stated that it was his understanding that regardless of who owns the land, nothing could be built. Mr. Wilson stated that there are easements of view over the property which means that no one could block your view of the ocean. Chairman Taylor said that people may wonder why they should buy this property if there is already an easement of view. He stated that there may be many things someone could do with this property if they owned it. He said someone may want to buy a lot just to go out and park on it and he gave an example of where this had happened when a jeep drove down the beach access and then parked on what was that persons property.

Mr. Poor stated that he spoke with Mr. Long in 1975 and that Mr. Long stated exactly what was in the letter presented by Chairman Taylor. He stated that his concern was that if The Beach Company sold the lot adjoining him to someone else, what could that owner do with it. Chairman Taylor recommended consulting a lawyer and that this meeting was to get information. Mr. Ragin stated that The Beach Company stated in the letter to the property owners that they had 45 days to purchase the property and that the Beach Company reserves the right to convey the property to another party. He said the property would be conveyed, the question was to whom would it be conveyed. He stated that he has had one adjoining property owner call him and offer to buy five lots for friends in Summerville. He said it was in the best interest of these people to buy the adjacent lot and get it over with.

Blake Hughes of 51st Avenue stated that he was very inclined to buy the adjacent lot, however he wanted to make sure he purchased the lot from someone who really owned it. He stated that there is such a thing as adverse occupancy and that it might apply in this case. Chairman Taylor stated that this was a legal question and that the Commission could not comment on it. Mr. Hughes then asked how the price was determined. Mr. Ragin stated that the Beach Company came up with this figure that could be uniformly applied. Mr. Hughes asked what might be done with one of these lots other than building a cross-over or gazebo. Mr. Ragin said that he would gladly pay for one of these lots to put a picnic table on it or something similar. Mr. Hughes asked that if he bought a lot but others did not, he understood that the offer could be withdrawn which worried him. Mr. Ragin said the Beach Company did not want to end up with pockets of lots that it still owned. He said they want to deed them all to the adjoining property owners.

A question was asked whether they had considered giving the property to the Nature Conservancy or other similar organization. Mr. Ragin said that many things had been considered. Councilmember Nesmith-Picard asked whether unsold lots might be conveyed to

the City for conservation purposes. Mr. Ragin stated that he believed the property was best in the hands of a private property owner. He said if it was given to the City or other agency, the property would be public and he did not think that that is what the adjacent property owners would want. Ms. Nesmith-Picard asked what would happen to the property if the adjoining property owners did not purchase it. Mr. Ragin said he could not answer this.

Chairman Taylor read a letter received from Don P. Kornharens who owns a home at 3900 Palm Boulevard. Mr. Kornharens wrote that he is concerned about the possibility after the sale of this property, of homes being constructed on vacant lots closer to the ocean than existing houses because the setback requirements on existing lots may no longer apply. Mr. Wilson read the section of the quit-claim deed which limits new construction on the new lots. He suggested adding language to the plats that would keep existing setbacks in effect in the event that property lines are abandoned to combine lots.

Chairman Taylor stated that this plat would not abandoning any property lines. Mr. Spencer asked if the new lots could be used for septic tanks thus possibly allowing larger homes. Mr. Wilson said he did not know the answer to this question.

Mr. Hughes asked what is meant by unrestricted view. Chairman Taylor said that no one new exactly what this meant.

Motion to discuss by Mr. Gardner; second by Ms. Wilson. Motion approved 6-0.

Mr. Batchelder stated that he was concerned about the possibility of existing setbacks from the rear property line being removed once the two lots were combined. He stated that he did not see in the Zoning Ordinance where plats to abandon property lines were required to be approved by the City. He said that since setback requirements were measured from lot lines that the abandonment of these lines could create a problem.

Motion to approve by Mr. Spencer with conditions that the zoning of SR-1 is listed on the plat, the erosion control statement is noted on the plat, the language proposed by Mr. Wilson is added to the plat and final approval is subject to the approval by the City Attorney that the concerns expressed during the meeting are adequately addressed; second by Ms. Carrol. Motion approved 5-1 with Dr. Karig voting against.

2. Plat of Lots 1A and 6A, Block B-1, Section D; Lots 1A and 6A, Block C-1, Section D; Lots 1A and 6A, Block D-1, Section D; Lots 1A and 6A, Block 75, Section D; Lots 1A and 5A, Block 74, Section D; Lot X, Block 73, Section D; Lots 5A, 6A, 7A and 8A, Block 64, Section D; Lots 1A and 6A, Block 63, Section D; Lots 1A and 6A, Block 62, Section D; Lots 1A and 6A, Block 61, Section D; Lots 1A and 6A, Block 60. Owned by The Beach Company. Portions of TMS 571-12-00, 604-09-00 and 604-10-00. Seabrook.

Mr. Batchelder stated that sheet two had been revised to remove a portion of the property which was determined to be owned by another party.

Jan Picote of 4008 Palm Boulevard stated that Sea Oats houses do extend closer to the ocean

than other properties in the area and she wondered if the abandonment of the property lines did affect this. Chairman Taylor said it depended on what was platted at the time.

Motion to approve with same conditions to apply as on the previous plat submittal by Mr. Spencer; second by Mr. Gardner. Motion approved 5-1 with Dr. Karig voting against.

Chairman Taylor explained the process for receiving final approval of the plats and explained that they would be asking the City Attorney if the language proposed for these plats would firm up the position that setbacks could not be altered in the future.

3. Acreage Plat Showing Resubdivision of Tract "A", Block "T" Parcels 11, 12, 12A, 14, 20 and 21. Wild Dunes. TMS 604-10-00. Engineering, Surveying and Planning Inc.

Mr. McKenzie said this was the Grand Pavilion site. He said conceptual plans were submitted to City Council in late 1986 that involved 178 condominiums and 67 single-family homes around the Grand Pavilion area and that they started out with 5-story buildings on the ocean front and stepped back down. He stated that they had subsequently revised that plan and now are preparing a plan that will be 186 units and 75 single-family homes with the home sites already having been subdivided and sold. He said he thought they had improved the plan by stepping the property back in more of a horseshoe shape and create more units on the ocean and take the units from directly off the ocean.

Mr. McKenzie stated that what he was asking was for phasing purposes; adding the line to create parcel 12A where there will be a building and moving the line on Parcel 20 and 21 more to the center. He said there would be a building on each of those pads and presented a plat and drawing showing how the buildings would be situated.

Chairman Taylor asked about the 250 foot setback line being seaward of the Coastal Council lines. Mr. McKenzie stated that these lines were field measured.

Mr. Batchelder asked for clarification of where the current property lines were located and whether there would be street names on the cul-de-sacs. Mr. McKenzie stated that all streets have Grand Pavilion Boulevard addresses.

Motion to approve by Dr. Karig; second by Ms. Wilson. Motion approved 6-0.

SUB-COMMITTEE REPORTS

There were no sub-committee reports.

The Commission set the date of Thursday, September 19, 1991, at 7 p.m. for a special meeting of the Planning and Zoning Commission.

Chairman Taylor stated that he had spoken with the Chief Building Official about the deck issue and that they realize that there is no way to write an ordinance that is clean but that an advisory

memo to the Chief Building Official and Board of Adjustment which says in effect that the Commission interprets a deck to be a deck when it is directly accessible from a house would solve the problem.

MISCELLANEOUS BUSINESS

Chairman Taylor introduced Councilmember Nesmith-Picard and presented the Isle of Palms Comprehensive Plan map and Zoning map.

Councilmember Nesmith-Picard addressed the Planning and Zoning Commission and explained the intent of the Waterfront District. She explained that she had identified all lots over 30,000 square feet and 40,000 square feet and had proposed to go to 17,500 square feet for a minimum lot size for SR-1 to prevent subdivisions. She said this was passed with the understanding that this was a quick fix.

She explained that the Waterfront District included waterfront areas with existing large lots to produce a high compliance at the suggestion of Bill Dreyfoos. She said this district would also protect environmentally sensitive areas and that simply rezoning these areas to Conservation would not stand up in court.

She stated that there were several other issues which needed to be addressed in the future including expansion of the Conservation district, establishment of a second waterfront district which includes the remaining waterfront lots excluding PRD, evaluate the Multi-family and Limited Commercial Districts and possibly revise all zoning districts. She also suggested changing the 20 percent setback rule.

Chairman Taylor explained that City Council had agreed to wait 60 days before a final decision would be made on the proposed Waterfront District and that the Planning and Zoning Commission would review this proposal and make a recommendation at its next meeting.

There being no more business, the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Zoning Administrator

D. P. Kornahrens
2108 Bob White Lane
West Columbia, SC 29169
June 7, 1991

Isle of Palms Planning Commission
c/o Mr. Mark M. Williams
City Administrator
1301 Palm Blvd.
Isle of Palms, S.C. 29451

Dear Commissioners:

I own a home at 3900 Palm Blvd., Isle of Palms, and have received, with other property owners on the ocean side of Palm Blvd., an offer to purchase adjoining ocean side property owned by the Beach Company. The offer is an opportunity to limit unnecessary development of barrier areas that protect the natural shorelines.

In considering this opportunity, the question of construction set-backs became a concern to me. Over the years, homes constructed were required to be situated in line with each other. Most homes are located well back from the ocean side property lines. Presently there are relatively few undeveloped lots on Palm Blvd.

The question is whether vacant lot owners will see this as an opportunity to build homes on the property lines, using their newly acquired lot as the setback. Obviously, if existing setbacks are not continued, there will be new homes located much further beachward than others.

I have been told by Mr. Robert Ragin, broker for the Beach Company, that there have been inquiries in this regard. In turn, he advised me to contact the Isle of Palms Planning Commission and Mr. Mark Williams. Through this letter, I request that every consideration be given to preserving the uniformity of home locations in these areas.

Your time and efforts are greatly appreciated.

Sincerely,

Don Kornahrens

Don P. Kornahrens

DPK/cpg
cc: Mr. Robert Ragin

WILLIAM W. DREYFOOS
ATTORNEY AT LAW

171 Church Street
Suite 300
Charleston, South Carolina 29401
(803) 577-2033
FAX (803)722-1788

June 25, 1991

MEMORANDUM

TO: Mayor Carmen R. Bunch

FR: William W. Dreyfoos

RE: Proposed Beachfront Conveyances by the Beach Company

Per your memorandum of May 20, 1991 and subsequent communications with Mark Williams and Lee Batchelder, I have reviewed the proposed form contracts, deed restrictions and plat conditions associated with the Beach Company's proposed conveyances of beachfront property to adjoining property owners between 21st and 57th Avenues.

I believe the following recommendations will address the concerns which have been expressed to me concerning this proposed action.

1. Plat Conditions. In order to maintain the existing 30-foot setback from rear property lines, the proposed plat condition could be re-worded as follows:

> In the event that any of the lots shown on this plat is added to the lot which bounds such lot on the north, the boundary line between such lots shall nevertheless be deemed to exist for purposes of establishing the line from which the zoning code setback requirements shall be measured or determined.

To ensure enforceability, slight re-wording of the setback requirements for the adjoining zoning districts are desirable, and this condition should be combined with the following recommendation.

2. Zoning/Enforcement. The general rule is that the City cannot enforce deed restrictions. In looking for mechanisms that the City can use to ensure that property owners abide with the no-construction deed restrictions, it appears that the best enforcement mechanism is to zone all the restricted area as CO - Conservation, pursuant to City Code Section 5-4-30.

Given the proposed deed restriction, there should be no problem with the taking issue. However, the City may want to amend Section 5-4-30(3) to permit the limited uses that are allowed under the deed restriction: i.e., dune crossover, walkway, open-air gazebo. Note that the existing list of permitted uses in this section presumes that the area zoned CO is either beach or water/wetlands, not upland property as is the case here.

3. Unpurchased Lots. The proposed contracts stipulate that the conveyances may be voided if some property owners decide not to purchase the adjoining property. I am aware of some discussion about modification of this provision. Particularly if the City chooses to re-zone this area to CO, it would be desirable for all of the property to be subject to the deed restrictions. The City might consider enlisting the cooperation of an entity such as the Lowcountry Land Trust to assist in the resolution of this problem.

Please let me know how I can be of further assistance in this matter.

THE BEACH CO.

REAL ESTATE INVESTMENTS

90 BROAD STREET
P.O. BOX 242
CHARLESTON, SOUTH CAROLINA 29402
(803) 722-2615
FAX (803) 722-6449

May 22, 1991

HAND DELIVERED

Mr. Mark M. Williams
City Administrator
City of Isle of Palms
1301 Palm Boulevard
Isle of Palms, S.C. 29451

In Re: Accreted Property Located between
21st Avenue and 57th Avenue
Five plats for Accreted area
Isle of Palms, South Carolina

Dear Mr. Williams:

Enclosed please find two plats, dated April 2, 1991 and three plats, dated April 19, 1991. The plats were prepared by E. M. Seabrook, Jr., Inc., Engineers, Surveyors and Planners. The platted land area is from near 21st Avenue to near 57th Avenue on the Isle of Palms. The plats show 37 access points to the ocean for the public. In connection with the approval of the enclosed plats and the sale of the lots described therein, The Beach Co. intends to offer to convey all means of beach access, as shown on the enclosed plats, to the City of Isle of Palms.

The indicated lots are being offered to the adjacent lots owners for a nominal fee and if they elect to purchase same, they will be required in the future to convey the indicated lot with their existing lot ownership. Also enclosed please find "sample" contract and Indenture Quit-Claim Deed.

Pursuant to City policy, we have enclosed eleven sets of the above.

With the date of this letter, we have simultaneously mailed a certifed letter to each of the 144 respective adjacent lot owners, i.e., a letter of offer including a copy of the pending plat for approval, "sample" contract and Indenture Quit-Claim Deed. All contracts for purchase are subject to approval of the plat by the City and recording of the approved plat in the Register of Mense Conveyance Office for Charleston County.

We are requesting approval of these plats as soon as possible. As you will note on the plats, Mr. Lewis E. Seabrook has signed them. The Beach Co. has appointed Mr. Robert W. Ragin as our Licensed Real Estate Broker for the sale of the indicated lots.

Messrs. Ragin (884-0942) and Seabrook (884-4496) have been appointed as agents for The Beach Co. and we are requesting that you notify them of the date, place and time for all meetings for the plat approval process so that they may be present to answer questions.

We look forward to working with you and other City Officials.

With kindest personal regards, I am

Very sincerely yours,

Charles S. Way
President

cc: Mr. Robert W. Ragin
Mr. Lewis E. Seabrook
Enclosures

THE BEACH CO

June 12, 1991

SUMMARY FROM FIVE SEABROOK PLATS

I. From "Beachside" near 21st Avenue to 41st Avenue

101 lots to be conveyed, representing 84 acres

8,322 linear feet for about 1.6 miles

21 Beach Access Points

II. From 42nd Avenue to 53rd Avenue *

23 lots to be conveyed, representing 10.5 acres

2,984 linear feet for about 0.6 miles

12 Beach Access Points

III. Summary of above

124 lots to be conveyed, representing 94.5 acres

11,306 linear feet for about 2.2 miles

33 Beach Access Points

* Note: Property between 41st Avenue and 42nd Avenue previously conveyed to the high water mark of the Atlantic Ocean.

983 Scottland Drive, Mt. Pleasant, South Carolina 29464

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

INDENTURE QUIT-CLAIM DEED

WHEREAS, (lot owner(s)) is/are the record owner(s) of Lot ___, Block ____, in the City of Isle of Palms; and

WHEREAS, pursuant to a ruling rendered by the Supreme Court for the State of South Carolina as reported in State v. The Beach Co., 271 S.C. 425, 248 S.E.2d 115 (1978), The Beach Co. is the owner of Lot ___ A, Block ____ in the City of Isle of Palms, Charleston County, South Carolina (the "Premises") which lies between the property of (lot owner(s)) and the Atlantic Ocean; and

WHEREAS, The Beach Co. desires to convey the Premises to (lot owner(s)) upon the terms provided herein and subject to the restrictions set forth below;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that The Beach Co. in the State aforesaid, in consideration of the foregoing premises and the sum of _____ Dollars ($_____) to it in hand paid at and before the sealing of these presents by (lot owners)), the receipt of which is hereby acknowledged, has remised, released and forever quit-claimed, and by these presents does hereby remise, release and forever quit-claim unto the said (lot owner(s)), His/Her/Their Heirs and Assigns forever, the following described property to wit:

> ALL that certain lot, piece or parcel of land situate, lying and being in Charleston County, shown and designated as Lot ____ A, Block ___, City of Isle of Palms, on a plat by Lewis E. Seabrook, CE & LS, dated _____, entitled "_____", recorded in the R.M.C. Office for Charleston County in Book _____, at page ____; reference to which is craved as forming a part and parcel hereof.
>
> IT being the intent of the Grantor herein to convey unto Grantee any and all of its right, title and interest in and to any land which has, or may accrete between the southern boundary line of Lot ___A and the mean high water mark of the Atlantic Ocean as it may vary from time to time.
>
> TMS # _____.

DISCLOSURE STATEMENT PURSUANT TO COASTAL MANAGEMENT ACT, SOUTH CAROLINA CODE OF LAWS, SECTION 48-39-330, AS AMENDED.

BECAUSE OF THE PROXIMITY OF THIS PROPERTY TO THE ATLANTIC OCEAN, ITS USE AND ENJOYMENT ARE REGULATED BY THE COASTAL MANAGEMENT ACT, SOUTH CAROLINA CODE ANN. 48-39-10, ET. SEQ. (1976), AS AMENDED. DEPENDING ON THE LOCATION OF THE BASE LINE, AND SET BACK LINE IN RELATION TO THE PROPERTY, CONSTRUCTION, REPAIR, RECONSTRUCTION, AND MODIFICATION OF HABITABLE STRUCTURES, IMPROVEMENTS AND EROSION CONTROL DEVICES ARE EITHER PROHIBITED OR SEVERELY RESTRICTED.

THIS PROPERTY IS FULLY SHOWN ON A PLAT PREPARED BY LEWIS E. SEABROOK, CE & LS, DATED _____, WHICH PLAT IS RECORDED IN THE R.M.C. OFFICE FOR CHARLESTON COUNTY IN PLAT BOOK ____, AT PAGE ____.

AS SHOWN ON THE PLAT, PART OF THIS PROPERTY IS LOCATED _____ FEET SEAWARD OF THE BASE LINE AND APPROXIMATELY ___ FEET SEAWARD OF THE SET BACK LINE. THE EROSION RATE IS BETWEEN ____ AND ____ FEET PER YEAR AND THIS PROPERTY IS LOCATED IN A VELOCITY ZONE AND SUBJECT TO WAVE ACTION AND FLOODS, EROSION RATE, BASE LINE AND SET BACK LINES ARE BASED ON THE SOUTH CAROLINA COASTAL COUNCIL'S DETERMINATION AS OF _____. THE EROSION RATE, BASE LINE AND SET BACK LINES ARE SUBJECT TO READJUSTMENT BY THE SOUTH CAROLINA COASTAL COUNCIL. THE VELOCITY ZONE IS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND SUBJECT TO ADJUSTMENT BY THAT AGENCY.

THE ABOVE DESCRIBED PROPERTY is conveyed subject to the following restrictions, which shall run with the land and be binding upon (lot owner(s)) and his/her/their Heirs, Personal Representatives, Successors and Assigns: (1) no building or structure of any kind whatsoever shall be constructed or erected on the said premises; such restriction, however, shall not be construed to prevent the construction of a dune crossover, walkway, open-air gazebo or erosion control device subject to obtaining the necessary permits from appropriate governmental agencies; and (2) any and all easements and restrictions of record, including, without limitation, any view easements, which may further restrict the ability of (lot owner(s)) to construct any improvements whatsoever.

IT is the intention of the parties hereto that after the conveyance effected hereby, Lot ___ and Lot ___ A will become one lot, and (lot owner(s) hereby convenant(s),

for themselves/himself/herself and their/his/her Heirs, Personal Representatives, Successors and Assigns, that the new combined lot shall not be subdivided regardless of whether such subdivision may be permitted by local ordinances.

BY the acceptance of this deed and by the recording thereof, (lot owner(s)) accept(s) the above-described property subject to the restrictions contained herein and specifically acknowledge(s) that The Beach Co. has made no representations with respect to the use of the said premises, including without limitation, the construction of dunes crossovers, walkways, open-air gazebos or erosion control devices.

GRANTEE'S ADDRESS: _____

_____

_____

TOGETHER with all and singular, the rights, members hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the said (lot owner(s)), His/Her/Their Heirs and Assigns forever so that neither The Beach Co., nor Its Successors and Assigns, nor any other person or persons, claiming under it, shall at any time hereafter, by any way or means, have, claim, or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

* * *

IN WITNESS WHEREOF, (the lot owner(s), The Beach Co., by Charles S. Way, Jr., its president and by Betty R. Crow, its secretary, have caused these presents to be executed this ___ day of _____, in the year of our Lord one thousand nine hundred and ninety-one in the two hundredth and fifteenth year of Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

_____

_____

THE BEACH CO.

By _____
Charles S. Way, Jr.,
President

and

By _____
Betty R. Crow, Secretary

_____

_____

_____
LOT OWNER(S)

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the within named The Beach Co., by Charles S. Way, Jr., President and by Betty R. Crow, Secretary, sign, seal and as its act and deed deliver the within written Indenture Quit-Claim Deed, and that (s)he with the other witness above named witnessed the execution thereof.

_____

SWORN to before me this
____ day of _____, 1991.

_____
Notary Public for South Carolina
My Commission Expires:

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the within named (Lot Owner(s) sign, seal and as his/her/their act and deed deliver the within written Indenture Quit-Claim Deed, and that (s)he with the other witness above named witnessed the execution thereof.

_____

SWORN to before me this
____ day of _____, 1991.

_____
Notary Public for South Carolina
My Commission Expires:

c:\435\11\08DE003.rw

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

CONTRACT
(21st Avenue - 41st Avenue)

This contract is made at Charleston, South Carolina, on _____, 1991, by The Beach Company hereinafter referred to as "Seller" and _____ hereinafter referred to as "Purchaser".

In consideration of the covenants made to the other, as herein set forth, the parties agree as follows:

SECTION 1. PREMISES: Seller shall sell and convey and Purchaser shall purchase on the terms and conditions hereinafter set forth, the real property shown and designated as Lot ___-A, Block _____, City of Isle of Palms, South Carolina, shown on a plat of E.M. Seabrook, Jr., Inc., dated April 19, 1991, entitled "Plat of Lots 8A-12A, Block 50, Section B; Lots 1A-10A, Block 57, Section B; Lots 1A-10A, Block 61, Section B; Lots 1A-12A, Section C-1; Lots 13A-36A, Section C-2; Lots 37A-85A, owned by The Beach Company".

SECTION 2. PURCHASE PRICE; TERMS OF PAYMENT: The full purchase price for the property is _____ Dollars, payable as follows:

a) $500.00 earnest money deposit to be paid at the time of execution of this instrument.

b) The balance to be due and payable in cash at closing.

SECTION 3. TIME IS OF THE ESSENCE: Unless extended by written agreement of the parties, this Contract shall be completed and the transaction closed on or before August 1, 1991.

Time is of the essence of this Contract.

SECTION 4. CLOSING COSTS: Seller shall pay pro-rata share of 1991 Charleston County Property Taxes, deed stamps, and deed preparation fees. Purchaser shall be responsible for any and all other closing costs.

SECTION 5. SPECIAL STIPULATIONS:

a) In the event that 100% of the lots set forth on the plat of E.M. Seabrook Jr., Inc. dated April 19, 1991, and more fully described in Section 1 of this document, are not purchased by the owners of the respective adjacent lots, this contact shall be voidable by Seller at its sole option.

b) This contract shall be null and void if the plat of E.M. Seabrook, Jr., Inc. dated April 19, 1991, and more fully described in Section 1 of this document, is not approved for recording by the appropriate governmental authorities.

c) This Contract is subject to the following:

1) Any and all restrictions, easements or matters affecting the conveyance premises are shown on the plat of E.M. Seabrook, Jr., Inc. referred to herein.

2) The Federal Coastal Zone Management Act and South Carolina Coastal Zone Act of 1977 (as codified in Title 48, Cpater 39 of the Code of Laws of South Carolina 1976, as amended, specifically, but not limited to Section 48-39-120) to the extent that any of the provisions of said Acts affect title, ownership, marketability or use of the conveyed premises.

3) The lot conveyed herein is subject to the Building Code, Subdivision Regulations, Beach and Sand Dune Protection Ordinance of 1974, and zoning ordinances and other ordinances of the City of the Isle of Palms.

4) Possible rights of the public to use that portion of the conveyed premises commonly known as "beach front area", (i.e. areas seaward to the mean high water mark of the Atlantic Ocean).

5) This Contract is subject to restrictions set forth in the proposed deed of conveyance which is attached hereto as Exhibit "A" and incorporated by reference.

SECTION 6. RECEIPT OF EARNEST MONEY: This offer is accompanied by an earnest money deposit of $500.00. Buyer and

Seller authorize the listing broker, as escrow agent, to hold the earnest money in trust, in a non-interest bearing account, and to disburse the same in accordance with the terms of this instrument and hereby release the escrow agent from all liability for such action. At the consummation of this sale, the earnest money shall be credited to the Buyer. If any contingency of this Contract cannot be satisfied, the earnest money will be refunded. Listing broker is Robert W. Ragin & Associates.

SECTION 7. DEFAULT: If Purchaser fails or refuses to comply with the conditions assumed by him or to perform all his obligation hereunder, Seller may at its option: (1) hold and retain the initial deposit money and any additional funds paid or deposited by Purchaser as liquidated damages for breach of this Contract and rescind and terminate this Contract whereupon all rights and obligations hereunder shall cease and terminate; or, (2) enforce this contract by appropriate action, including an action for specific performance or for damages for breach and retain all moneys paid or deposited by Purchaser pending the termination of such action.

SECTION 8. ASSIGNMENT: No right or interest of Purchaser hereunder shall be assigned.

SECTION 9. ENTIRE AGREEMENT: This instrument constitutes the entire agreement between the parties. No modification of this Contract shall be valid or binding unless such modification is in writing, duly dated and signed by both parties. Neither party shall be bound by any terms, conditions, statements or representations, oral or written, not herein contained. Each

party hereby acknowledges that in executing this Contract, he has not been induced, persuaded or motivated by any promise or representation made by the other party, unless expressly set forth herein. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument.

IN WITNESS WHEREOF, the parties have executed this instrument, in duplicate, on the day and year first above written.

WITNSSES:

THE BEACH COMPANY

_____

By_____
Charles S. Way, President

_____

PURCHASER:

_____ _____

_____ _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

CONTRACT
(42nd Avenue - 57th Avenue)

This contract is made at Charleston, South Carolina, on _____, 1991, by The Beach Company hereinafter referred to as "Seller" and _____ hereinafter referred to as "Purchaser".

In consideration of the covenants made to the other, as herein set forth, the parties agree as follows:

SECTION 1. PREMISES: Seller shall sell and convey and Purchaser shall purchase on the terms and conditions hereinafter set forth, the real property shown and designated as Lot ___-A, Block _____, City of Isle of Palms, South Carolina, shown on a plat of E.M. Seabrook, Jr., Inc., dated April 2, 1991, entitled "Plat of Lots 1A and 6A, Block B1, Section D; Lots 1A and 6A, Block C1, Section D; Lots 1A and 6A, Block D1, Section D; Lots 1A and 6A, Block 75, Section D; Lots 1A and 5A, Block 74, Section D; Lot X, Block 73, Section D; Lots 5A, 6A, 7A, and 8A, Block 64, Section D; Lots 1A and 6A, Block 63, Section D; Lots 1A and 6A, Block 62, Section D; Lots 1A and 6A, Block 61, Section D; Lots 1A and 6A, Block 60, Section D; Lots 7A, 8A, 9A, 10A and 11A, Block A, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block B, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block C, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block D, Tract A, owned by The Beach Company".

SECTION 2. PURCHASE PRICE; TERMS OF PAYMENT: The full purchase price for the property is _____ Dollars, payable as follows:

a) $500.00 earnest money deposit to be paid at the time of execution of this instrument.

b) The balance to be due and payable in cash at closing.

SECTION 3. TIME IS OF THE ESSENCE: Unless extended by written agreement of the parties, this Contract shall be completed and the transaction closed on or before August 1, 1991. Time is of the essence of this Contract.

SECTION 4. CLOSING COSTS: Seller shall pay pro-rata share of 1991 Charleston County Property Taxes, deed stamps, and deed preparation fees. Purchaser shall be responsible for any and all other closing costs.

SECTION 5. SPECIAL STIPULATIONS:

a) In the event that 100% of the lots set forth on the plat of E.M. Seabrook, Jr., Inc. dated April 2, 1991 and more fully described in Section 1 of this document, are not purchased by the owners of the respective adjacent lots, this contact shall be voidable by Seller at its sole option.

b) This contract shall be null and void if the plat of E.M. Seabrook, Jr., Inc. dated April 2, 1991 and more fully described in Section 1 of this document, is not approved for recording by the appropriate governmental authorities.

c) This Contract is subject to the following:

1) Any and all restrictions, easements or matters affecting the conveyance premises are shown on the plat of E.M. Seabrook, Jr., Inc. referred to herein.

2) The Federal Coastal Zone Management Act and South Carolina Coastal Zone Act of 1977 (as codified in Title 48, Cpater 39 of the Code of Laws of South Carolina 1976, as amended, specifically, but not limited to Section 48-39-120) to the extent that any of the provisions of said Acts affect title, ownership, marketability or use of the conveyed premises.

3) The lot conveyed herein is subject to the Building Code, Subdivision Regulations, Beach and Sand Dune Protection Ordinance of 1974, and zoning ordinances and other ordinances of the City of the Isle of Palms.

4) Possible rights of the public to use that portion of the

conveyed premises commonly known as "beach front area", (i.e. areas seaward to the mean high water mark of the Atlantic Ocean).

5) This Contract is subject to restrictions set forth in the proposed deed of conveyance which is attached hereto as Exhibit "A" and incorporated by reference.

SECTION 6. RECEIPT OF EARNEST MONEY: This offer is accompanied by an earnest money deposit of $500.00. Buyer and Seller authorize the listing broker, as escrow agent, to hold the earnest money in trust, in a non-interest bearing account, and to disburse the same in accordance with the terms of this instrument and hereby release the escrow agent from all liability for such action. At the consummation of this sale, the earnest money shall be credited to the Buyer. If any contingency of this Contract cannot be satisfied, the earnest money will be refunded. Listing broker is Robert W. Ragin & Associates.

SECTION 7. DEFAULT: If Purchaser fails or refuses to comply with the conditions assumed by him or to perform all his obligation hereunder, Seller may at its option: (1) hold and retain the initial deposit money and any additional funds paid or deposited by Purchaser as liquidated damages for breach of this Contract and rescind and terminate this Contract whereupon all rights and obligations hereunder shall cease and terminate; or, (2) enforce this contract by appropriate action, including an action for specific performance or for damages for breach and retain all moneys paid or deposited by Purchaser pending the termination of such action.

SECTION 8. ASSIGNMENT: No right or interest of Purchaser hereunder shall be assigned.

SECTION 9. ENTIRE AGREEMENT: This instrument constitutes the entire agreement between the parties. No modification of this Contract shall be valid or binding unless such modification is in writing, duly dated and signed by both parties. Neither party shall be bound by any terms, conditions, statements or representations, oral or written, not herein contained. Each party hereby acknowledges that in executing this Contract, he has not been induced, persuaded or motivated by any promise or representation made by the other party, unless expressly set forth herein. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument.

IN WITNESS WHEREOF, the parties have executed this instrument, in duplicate, on the day and year first above written.

WITNSSES:

THE BEACH COMPANY

_____

By_____
Charles S. Way, President

_____

PURCHASER:

_____ _____

_____ _____

EXHIBIT H

MINUTES OF THE MEETING OF THE ISLE OF PALMS
WATER & SEWER COMMITTEE
JUNE 13, 1991, 7:00 P.M., CITY HALL

A meeting of the Isle of Palms Water & Sewer Committee was held on June 13, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, Bob Dehoney, John Voorhees, Harry O'Neal, John Hann, and adviser Clay Duffie. Also present were City Administrator Mark Williams and Mark Yodice from Thomas & Hutton Engineering Co.

Mr. Yodice passed out Rate Study Supplemental Information booklet prepared by his company and discussed the contents with the committee members. There was extensive discussion about how to set the rates to include maintenance and bond payments.

Mr. O'Neal Made a motion to establish the rates for residential users (including apartments and condominiums) as follows: Water - $15 per month basic facility charge plus $1.50 per 1,000 gallon usage; and Sewer - $20 per month basic facility charge plus $1.50 per 1,000 gallon usage; then when R.O. comes on line the water rates would be raised to $22 per month basic facility charge plus $2.00 per 1,000 gallon usage with sewer rates remaining the same. Mr. Hann seconded, and the motion passed unanimously.

Mr. O'Neal made a motion to establish the rates for commercial users as follows: For a 3/4" water meter, basic facility charge would be $15 per month plus $1.50 per 1,000 gallon usage; then pply the American WaterWorks Association factor for meter equivalency charge; Mr. Hann seconded, motion passed unanimously.

Mr. O'Neal made a motion to establish the rates for irrigation users as follows: $10.00 per month basic facility charge up to 5,000 gallons usage plus $2.00 per 1,000 gallon usage over 5,000 gallons; then when R.O. comes on line the rates would be raised to $15 per month up to 5,000 gallons plus $3.00 per 1,000 gallon usage over 5,000 gallons. Mr. Dehoney seconded, and motion passed unanimously.

There was discussion concerning the Isle of Palms Marina and Carroll Realty requesting sewer service at Breach Inlet. It was the consensus of the committee that instead of each facility having its own line and grinder pumps, that the City require the two businesses to work out an agreement whereby they share one line with a duplex grinder. Mr. Stanley asked if the Isle of Palms Marina was collecting waste from boats, and if they do, this should be taken into consideration when setting rates. Mr. Williams was to check into this matter.

Mr. Williams was also asked to request The Beach Co. to run the water rates to get an idea if the recommended rates will bring in the needed revenue.

Mr. Williams will call another committee meeting in a couple of weeks.

Mr. O'Neal made a motion to adjourn, which was seconded and unanimously passed.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT 1

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-18
Second Reading Draft - 6/27/91

AN ORDINANCE TO ESTABLISH CUSTOMER CHARGES, RAISE REVENUES, MAKE APPROPRIATIONS, ADOPT A CURRENT EXPENSE (OPERATING) BUDGET AND CAPITAL BUDGET AND PROGRAM FOR THE ISLE OF PALMS WATER AND SEWER DEPARTMENT FOR FISCAL YEAR BEGINNING JULY 1, 1991 AND ENDING JUNE 30, 1992

WHEREAS, Section 5-31-670 of the South Carolina Code of Laws of 1976, as amended, authorizes the City to furnish water to persons for reasonable compensation and to charge a minimum and reasonable sewerage charge for maintenance or construction of such system within such City; and

WHEREAS, the Isle of Palms City Council has established an operating budget for the said fiscal year and has determined a schedule of rates necessary to insure operation of the utility;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. Budget and Estimated Revenue. The prepared budget and estimated revenue for the payment of same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 2. Normal Service Charges and Rates. The following customer charges, rates, and fees to raise the estimated revenue to support the appropriations noted in Section 1 are hereby adopted:

WATER

Meter Size	Service	Monthly Basic Facilities Charge	$ per 1000 gallons
n/a	Residential	$15.00	$1.50
	Irrigation	$10.00	0 first 5000; $2.00 over 5000
3/4"	Commercial	$15.00	$1.50
1"	Commercial	$25.50	$1.50
1.5"	Commercial	$49.50	$1.50
2"	Commercial	$79.50	$1.50
3"	Commercial	$156.00	$1.50
4"	Commercial	$250.50	$1.50

SEWER

Meter Size	Service	Monthly Basic Facilities Charge	$ per 1000 gallons
n/a	Residential	$20.00	$1.50
3/4"	Commercial	$20.00	$1.50
1"	Commercial	$30.50	$1.50
1.5"	Commercial	$54.50	$1.50
2"	Commercial	$84.50	$1.50
3"	Commercial	$161.00	$1.50
4"	Commercial	$255.50	$1.50

Sewer charges are based on water consumption.

ADDITIONAL CHARGES

Disconnect service at owner's request.....$30.00
Disconnect service for non-payment.....$50.00

Water meter re-read - original reading correct.....$20.00
Water meter re-read - original reading incorrect..... -0-

Returned check charge.....$20.00

Cross connection inspection.....$50.00

Backflow preventor test.....fee based on meter size $25/inch

Delinquent payments...1.5% of delinquent amount per month on unpaid balance

Tap-In Fees for Water:
- 5/8" or 3/4" meter.....$525.00
- 1" meter.....$650.00
- 1.5" meter.....$800.00
- Larger than 1.5" meter.....$800.00 plus cost
- For any meter serving more than one unit, $400.00 per unit plus cost.

Tap-In Fees for Sewer:
- Per Unit.....$700.00

ADDITIONAL POLICIES

Utility bills will be considered past due if payment is not received within 22 days after due date.

Water service will be terminated and disconnect fee assessed when unpaid balance and delinquent fees are not paid within 37 days of due date.

Owners of rental properties will be responsible for payment of water bills.

Multiple uses on a single meter will generate additional monthly Basic Facility Charges. Each identifiable separate use will be charged a monthly Basic Facility Charge.

SECTION 3. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 4. Severability. If any part of this ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass such ordinance without such unconstitutional provision, and the remainder of said ordinance shall be deemed to be valid as if such provision had not been included. If said ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstance.

SECTION 5. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

_____

Carmen R. Bunch, Mayor

ATTEST:

_____

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/17/91
Second Reading: 6/27/91
Public Hearing: _____
Third Reading: _____
Ratification: _____

ENTERPRISE FUND BUDGET
WATER & SEWER DEPARTMENT
July 1,1991 -- June 30, 1992

	ITEM	REVENUES BUDGETED	5/31/90 REVENUES COLLECTED YTD	ESTIMATE
ACCT. NO.	ACCOUNT NAME	FY 1990-91	FY 1990-91	FY 1991-92
6036004601	Residential Sale of Water	0	0	640,627
6036004602	Residential Sale of Sewer	0	0	176,397
6036004603	Commercial Sale of Water	0	0	36,519
6036004604	Commercial Sale of Sewer	0	0	22,595
6036004605	Water Tap Fees	0	0	4,000
6036004606	Sewer Tap Fees	0	0	6,000
6036004607	New Customer Charges	0	0	5,350
6035004501	Miscellaneous Revenue	0	0	0
	Sub-total	0	0	891,488
	Non-Operating Revenue			
6037004505	Interest Revenue			25,000
6037004901	Operating Transfer In			0
	Sub-total			25,000
	TOTAL			**$916,488**

EXPENDITURES

ACCT. NO.	WATER & SEWER DEPT. ACCOUNT NAME	ENT. FUND BUDGETED FY 1990-91	ENT. FUND EXPENDED YTD FY 1990-91	ENT. FUND ESTIMATE FY 1991-92
	Payroll and Personnel			
6060105001	Salaries-Supervisor			36,358
6060105002	Salaries-Employees			150,585
6060105003	Salaries-Part Time			13,520
6060105004	Fica Expense			15,335
6060105005	Retirement Expense			13,732
6060105006	Group Health Insurance			12,240
6060105007	Workman's Compensation			8,750
6060105008	Unemployment Compensation			1,000
	Sub-total			**251,520**
	Operating Expenses			
6060205014	Memberships & Dues			800
6060205015	Meetings & Seminars			1,200
6060205049	Medical & Lab			11,500
6060205053	Blanket Bond			500
6060205062	Insurance			3,000
6060205064	Employee Training			2,500
6060205065	Professional Services			39,000
6060205067	Contracted Services			51,000
6060205071	Special Dept. Expenses			0
6060205079	Miscellaneous			5,000
	Sub-total			**114,500**
	Capital Outlay			
6060405085	Capital Outlay			**12,000**
	Supplies			
6060455010	Printing and Office Supplies			10,000
6060455016	Vehicle Fuel & Oil			13,000
6060455041	Uniforms			2,500
6060455044	Water & Sewer Supplies			18,000
	Sub-total			**43,500**
	Heat,Light & Power			
6060505020	Electricity & Gas			48,000
6060505021	Telephone/Cable			6,000
6060505022	Water & Sewer			0
	Sub-total			**54,000**

	Repairs & Maintenance	
6060605017	Vehicle Maintenance	3,000
6060605026	Maintenance & Service Contracts	5,000
6060605027	Machinery & Equipment Repair	10,000
6060605031	Small Hand Tools	1,000
	Sub-total	**19,000**
	Rent	
6060705063	Rents & Leases	**500**
	Depreciation	
6060805501	Depreciation	**50,000**
	Advertising	
6060905061	Advertising	**2,500**
	Non-Operating Expenses	
6060205009	Debt Service- Principal	13,296
6060205011	Debt Service- Interest	228,039
6060955013	Debt Service- Service Charges	2,500
6060955901	Operating Transfers Out	0
6027003226	Capital Reserve	125,133
	Sub-total	**368,968**
	TOTAL	**$916,488**

WATER & SEWER DEPARTMENT
CAPITAL PROJECTS BUDGET

Priority	Item	Completion Date	Estimated Cost
1	Safety Equipment		
	Scott Air Paks @ $1,500/ chlorine installation	Dec 31, 1991	4,500
	Chlorine Patch kit (2) @ $700/kit		1,400
2	WWTP Improvements	Dec 31, 1991	
	-(1)standby power 70KW gen sets	Dec 31, 1992	35,000
	-replace catwalks & railing	Dec 31, 1991	25,000
	-sand blasting & painting	Dec 31, 1991	35,000
	-replace V-notch weir	Dec 31, 1991	250
	-rehabilitate chlorine chamber	Dec 31, 1991	3,500
	-install effluent flow meter	Dec 31, 1991	3,000
	-install grit chamber/bar screen	Dec 31, 1991	10,000
	-install de-chlorination equipment	Dec 31, 1991	25,000
	-relocate sludge drying beds	Feb 28, 1992	90,000
3	BAN rollover to long-term debt	Mar 1, 1992	496,850
4	Reverse Osmosis or EDR & associated		
	water distribution improvements	May 30, 1992	1,600,000
	-eliminate bottleneck		3,450
	-12" water line to tank		7,000
5	Back-up fire flow pump; well #1	Dec 31, 1993	8,500
	Bond issue costs	7% @ 30 yrs	79,560
	Bonded Debt Service reserve fund		224,000
	(includes contingency)		0
	Total for fiscal year 1991-92		**$2,652,010**
6	Renovation of office building	May 31, 1993	15,000
	10% contingency		1,500
	Total for fiscal year 1992-93		**$16,500**
7	Water line improvements	Dec 31, 1995	350,000
	-15,000' of 12" WL; Palm Blvd. (21st-53rd)		
	-8,000' of 8" WL between Waterway & Palm(even streets)		
	21st to 41st Avenues		
8	Sewer line infiltration & inflow inspection	Dec 31, 1995	10,000
	10% contingency		36,000
	Total for fiscal year 1995-96		**$396,000**

9	Pipe overflow from well #2 to storm drain	Dec 31, 1996	2,500
10	Elevated 150,000 gal. storage tank for N end of island	Dec 31, 1996	375,000
	10% contingency		37,750
	Total for fiscal year 1996-97		**$415,250**
11	WWTP expansion and collection system	Dec 31, 2001	14,000,000
	10% contingency		1,400,000
			$15,400,000
	Total of all capital improvements		**$18,879,760**

EXHIBIT J

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-16
Second Reading Draft - 6/27/91

AN ORDINANCE TO ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992

WHEREAS, Subsection 3 of Section 5-7-260 of the S. C. Code of Laws, 1976, as amended, requires that a municipal Council shall act by ordinance to adopt a budget pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 2. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

SECTION 3. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 4. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

_____
Carmen R. Bunch, Mayor

ATTEST:

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading:	6/6/91
Public Hearing:	6/19/91
Second Reading:	6/27/91
Ratification:	

City of Isle of Palms, S. C.
Operating Budget for the Fiscal Year
July 1, 1991 -- June 30, 1992

Adopted by City Council ?

GENERAL FUND BUDGET

July 1, 1991 -- June 30, 1992

REVENUES

ITEM ACCT. NO.	ACCOUNT NAME	BUDGETED FY 1990-91	5/30/91 REVENUES COLLECTED YTD FY 1990-91	ESTIMATE FY 1991-92
1031004001	Property Taxes	1,063,596	1,114,358	1,580,491
1032104006	Business License Fees	280,000	220,484	225,000
1032104007	Insurance License Fees	90,000	97,309	98,000
1032104008	Public Utilities Fees	125,000	41,248	140,000
1032104009	Building Permit Fees	180,000	115,131	130,000
1032104010	Animal License Fees	300	273	300
1032104011	Vehicle ID Fees	10,000	249	0
1033004031	Narcotics Grant Revenue	37,205	19,469	0
1033004032	Narcotics Seizures	40,000	0	59,116
1034004075	Court Generated Revenue	110,000	55,738	110,000
1034504100	Beer & Wine Rebate	24,780	24,542	24,780
1034504101	Liquor Tax Rebate	17,140	15,901	17,140
1034504102	Bank Tax Rebate	210	254	210
1034504103	Motor Transport Rebate	4,980	3,066	4,980
1034504104	Income Tax Rebate	19,270	17,718	19,270
1034504105	Accommodations Tax Rebate	0	0	0
1034504106	Intergovernmental Transfers	24,000	21,925	30,000
1034504107	Intergovernmental Transfers-Narc.	0	0	0
1034504108	Broker's Premium Tax	1,590	1,842	1,590
1034504109	Disaster Relief- State	281,082	211,934	25,000
1034504110	Disaster Relief-Insurance	0	23,626	0
1034504111	Grant Income	0	30,383	0
1034504112	Gasoline Tax Rebate	12,000	16,624	13,000
1035004501	Miscellaenous Revenue	12,009	12,658	10,000
1035004502	Parking Lot Revenue	45,000	22,547	45,000
1035004503	Plat Application Fees	1,000	820	1,000
1035004504	Sale of Assets	50,500	54,522	15,000
1035004505	Interest Income	53,000	17,949	30,000
1035004506	Recreation Instructor's Income	22,300	20,187	17,000
1035004507	Recreation Program Income	13,150	27,669	26,900
1035004508	Recycling Revenue- Cans & Paper	250	2,828	4,000
1035004509	Kennel Donations	0	3,310	0
1035004510	Donations to Dare Program	0	634	2,000
1035004511	Transfer Fm Accom. Tax Fund	25,000	0	25,000
1034504113	Oper. Transfer Capital Projects	260,252	150,000	0
	TOTAL GENERAL FUND REVENUES	**$2,803,614**	**$2,345,198**	**$2,654,777**

EXPENDITURES

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	5/31/91 GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1040105001	Mayor & Council Salaries	10,800	10,500	10,800
1040105004	Fica Expense	826	793	826
1040105005	Retirement Expense	740	534	740
1040105006	Group Health Insurance	12,421	10,700	18,360
1040105007	Workman's Compensation	0	0	0
1040205015	Meetings & Seminars	500	0	0
1040205016	Vehicle Fuel & Oil	1,200	0	200
1040205017	Vehicle Maintenance	500	0	500
1040205053	Blanket Bond	100	80	100
1040205062	Insurance	2,317	1,369	1,546
1040205087	Council Special Fund	1,500	485	0
1040205088	Mayor's Special Fund	2,500	1,727	2,000
	TOTAL	**$33,404**	**$26,188**	**$35,072**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1041105001	Salaries-Supervisor	38,220	37,718	44,704
1041105002	Salaries-Employees	56,181	55,098	47,281
1041105003	Salaries-Part Time	0	467	0
1041105004	Fica Expense	7,222	7,199	7,037
1041105005	Retirement Expense	6,466	6,404	6,301
1041105006	Group Health Insurance	6,187	6,042	6,120
1041105007	Workman's Compensation	3,862	3,382	4,566
1041105008	Unemployment Compensation	500	0	0
1041205009	Debt Service- Principal	45,000	45,000	50,000
1041205010	Printing & Office Supplies	7,850	5,382	6,000
1041205011	Debt Service- Interest	56,088	56,088	88,242
1041205014	Memberships & Dues	2,247	1,433	1,890
1041205015	Meetings & Seminars	250	668	0
1041205016	Vehicle Fuel & Oil	1,200	1,125	2,000
1041205017	Vehicle Maintenance	500	503	750
1041205020	Electricity & Gas	2,000	1,486	2,100
1041205021	Telephone/ Cable	6,720	4,716	5,650
1041205022	Water & Sewer	300	359	750
1041205026	Maintenance/Service Contracts	4,080	4,243	2,000
1041205027	Machinery/Equipment Repair	500	135	300
1041205041	Uniforms	250	266	400
1041205044	Cleaning/ Sanitary Supplies	200	189	200
1041205053	Blanket Bond	100	80	100
1041205061	Advertising	2,400	5,051	4,000
1041205062	Insurance	4,925	2,074	2,106
1041205063	Rents & Leases	5,200	3,205	4,600
1041205064	Employee Training	0	0	0
1041205065	Professional Services	12,400	47,190	18,200
1041205068	Election Expenses	1,200	1,219	2,500
1041205071	Special Department Expenses	0	0	0
1041205072	Vehicle ID Expense	0	518	0
1041205079	Miscellaneous Expenses	1,500	6,083	1,500
1041205085	Capital Outlay	0	5,741	0
	TOTAL	**$273,548**	**$309,064**	**$309,297**

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1042105001	Salaries- Supervisor	26,378	24,854	30,176
1042105002	Salaries- Employees	0	0	0
1042105003	Salaries-Part Time	0	0	0
1042105004	Fica Expense	2,018	1885	2,308
1042105005	Retirement Expense	1,807	1715	2,067
1042105006	Group Health Insurance	1,547	1589	2,040
1042105007	Workman's Compensation	0	0	0
104215008	Unemployment Compensation	0	0	0
1042205010	Printing & Office Supplies	0	0	0
1042205015	Meetings & Seminars	0	0	0
1042205020	Electricity & Gas	0	0	0
1042205021	Telephone/ Cable	0	0	0
1042205022	Water & Sewer	0	0	0
1042205026	Maintenance/Service Contracts	0	0	0
1042205053	Blanket Bond	575	450	450
1042205062	Insurance	448	396	436
1042205064	Employee Training	0	0	0
1042205079	Miscellaneous Expenses	100	0	100
1042205085	Capital Outlay	0	0	0
	TOTAL	**$32,873**	**$30,889**	**$37,577**

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1043105002	Salaries- Employees	46,850	38,929	45,575
1043105004	Fica Expense	3,584	2,852	3,486
1043105005	Retirement Expense	3,209	4,177	3,122
1043105006	Group Health Insurance	3,094	3,202	4,080
1043205010	Printing & Office Supplies	0	0	0
1043205016	Vehicle Fuel & Oil	0	22	0
1043205017	Vehicle Maintenance	0	91	0
1043205021	Telephone & Cable	3,000	1,547	0
1043205041	Uniforms	1,000	800	0
1043205049	Medical & Lab Supplies	200	0	0
1043205062	Insurance	4,402	3,168	2,853
1043205063	Rents & Leases	0	89	0
1043205071	Special Department Expenses	0	0	0
1043205079	Miscellaneous Expenses	0	0	0
1043205080	Drug Buys	2,000	0	0
1043205085	Capital Outlay	22,460	22,086	0
	TOTAL	**$89,799**	**$76,963**	**$59,116**

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1044105001	Salaries- Supervisor	33,800	30,940	35,152
1044105002	Salaries- Employees	434,358	384,473	432,206
1044105003	Salaries- Part Time	11,155	13,465	6,797
1044105004	Fica Expense	36,667	32,395	36,273
1044105005	Retirement Expense	51,286	41,211	50,735
1044105006	Group Health Insurance	34,030	33,639	44,880
1044105007	Workman's Compensation	12,069	10,568	14,217
1044105008	Unemployment Compensation	1,000	0	1,000
1044205010	Printing & Office Supplies	6,500	7,297	6,500
1044205014	Memberships & Dues	650	440	800
1044205015	Meetings & Seminars	500	261	700
1044205016	Vehicle Fuel & Oil	27,205	27,695	26,314
1044205017	Vehicle Maintenance	9,200	12,463	11,000
1044205020	Electricity & Gas	4,000	2,397	5,000
1044205021	Telephone/ Cable	9,000	10,185	9,000
1044205022	Water & Sewer	600	300	1,000
1044205026	Maintenance/Service Contracts	2,500	2,823	3,000
1042205027	Machinery/Equipment Repair	4,200	3,567	4,200
1044205031	Small Hand Tools	200	8	0
1044205041	Uniforms	9,000	7,059	10,000
1044205044	Cleaning/ Sanitary Supplies	600	408	3,000
1044205049	Medical & Lab Supplies	1,000	1,087	2,500
1044205053	Blanket Bond	100	80	100
1044205062	Insurance	26,000	20,524	22,218
1042205063	Rents & Leases	8,500	6,861	7,800
1044205064	Employee Training	3,500	4,851	4,000
1044205071	Special Department Expenses	2,500	2,773	2,000
1044205074	DARE Program Expenses	0	1,177	2,000
1044205079	Miscellaneous Expenses	2,200	985	1,800
1044205081	Canine Kennel Expenses	3,500	0	500
1042205085	Capital Outlay	3,700	4,892	2,945
	TOTAL	**$739,520**	**$664,824**	**$747,636**

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1045105001	Salaries- Supervisor	33,000	30,240	34,320
1045105002	Salaries- Employees	411,098	360,716	399,023
1045105003	Salaries- Part Time	9,325	3,801	7,030
1045105004	Fica Expense	34,687	29,163	33,689
1045105005	Retirement Expense	48,516	42,261	47,120
1045105006	Group Health Insurance	32,483	33,442	42,840
1045105007	Workman's Compensation	9,787	8,570	11,571
1045105008	Unemployment Compensation	500	0	500
1045205010	Printing & Office Supplies	900	2,303	1,773
1045205014	Memberships & Dues	500	380	800
1045205015	Meetings & Seminars	600	425	1,200
1045205016	Vehicle Fuel & Oil	4,000	6,973	5,000
1045205017	Vehicle Maintenance	10,000	9,966	8,000
1045205020	Electricity & Gas	4,000	2,497	3,500
1045205021	Telephone/ Cable	4,000	5,009	5,700
1045205022	Water & Sewer	350	168	1,200
1045205026	Maintenance/Service Contracts	3,500	4,084	5,500
1045205027	Machinery/Equipment Repair	5,000	6,169	5,000
1045205031	Small Hand Tools	250	717	750
1045205041	Uniforms	5,880	3,604	6,000
1045205044	Cleaning/ Sanitary Supplies	1,000	1,843	2,000
1045205049	Medical & Lab Supplies	4,000	534	9,500
1045205053	Blanket Bond	100	120	100
1045205062	Insurance	18,343	12,125	12,979
1045205063	Rents and Leases	1,920	1,693	1,920
1045205064	Employee Training	2,000	1,839	4,500
1045205065	Professional Services	900	0	800
1045205079	Miscellaneous Expenses	4,000	3,222	4,000
1045205085	Capital Outlay	2,700	2,426	0
	TOTAL	**$653,339**	**$574,290**	**$656,314**

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1046105001	Salaries- Supervisor	30,033	27,609	31,324
1046105002	Salaries- Employees	172,406	142,671	181,615
1046105003	Salaries- Part Time	13,708	6,059	14,400
1046105004	Fica Expense	16,535	13,102	17,391
1046105005	Retirement Expense	14,806	12,041	15,573
1046105006	Group Health Insurance	23,202	24,417	30,600
1046105007	Workman's Compensation	15,624	13,682	17,472
1046105008	Unemployment Compensation	1,500	0	1,000
1046205010	Printing & Office Supplies	300	506	500
1046205016	Vehicle Fuel & Oil	16,000	17,823	19,000
1046205017	Vehicle Maintenance	24,000	28,711	21,000
1046205020	Electricity & Gas	25,000	20,664	23,000
1046205021	Telephone/ Cable	1,000	730	1,200
1046205022	Water & Sewer	250	0	1,000
1046205026	Maintenance/Service Contracts	1,000	157	500
1046205027	Machinery/Equipment Repair	1,000	668	750
1046205031	Small Hand Tools	750	626	650
1046205041	Uniforms	6,000	3,414	5,000
1046205044	Cleaning/ Sanitary Supplies	2,000	414	1,000
1046205049	Medical & Lab Supplies	200	187	500
1046205054	Street Signs	2,500	1,224	2,000
1046205062	Insurance	18,398	15,624	17,218
1046205063	Rents & Leases	1,500	0	500
1046205065	Professional Services	0	0	0
1046205067	Contracted Services	2,500	262	1,500
1046205068	Election Expenses	0	46	0
1046205073	Recycling Expense	0	1,428	2,000
1046205079	Miscellaneous Expenses	500	912	500
1046205085	Capital Outlay	0	2,046	2,000
	TOTAL	**$390,712**	**$335,023**	**$409,193**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1047105001	Salaries- Supervisor	32,063	29,360	33,345
1047105002	Salaries- Employees	87,566	71,087	47,989
1047105003	Salaries- Part Time	4,700	4,308	4,935
1047105004	Fica Expense	9,511	7,944	6,600
1047105005	Retirement Expense	8,517	7,233	5,909
1047105006	Group Health Insurance	9,281	8,863	6,120
1047105007	Workman's Compensation	526	461	622
1047105008	Unemployment Compensation	0	0	1,000
1047205010	Printing & Office Supplies	3,300	2,872	2,500
1047205014	Memberships & Dues	100	110	125
1047205015	Meetings & Seminars	500	858	1,000
1047205016	Vehicle Fuel & Oil	4,000	2,439	3,000
1047205017	Vehicle Maintenance	1,000	504	1,000
1047205020	Electricity & Gas	4,000	1,477	3,000
1047205021	Telephone/ Cable	5,800	4,538	4,600
1047205022	Water & Sewer	1,000	0	1,200
1047205026	Maintenance/Service Contracts	750	147	750
1047205027	Machinery/Equipment Repair	150	0	150
1047205044	Clean/Sanitation Supplies	250	320	1,800
1047205053	Blanket Bond	100	80	100
1047205062	Insurance	3,282	2,447	2,349
1047205063	Rents and Leases	3,360	3,061	3,360
1047205064	Employee Training	1,000	0	500
1047205065	Professional Services	2,000	30	1,000
1047205079	Miscellaneous Expenses	250	0	250
1047205085	Capital Outlay	0	659	0
	TOTAL	**$183,006**	**$148,798**	**$133,204**

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048105001	Salaries- Supervisor	20,280	18,564	21,091
1048105002	Salaries- Employees	40,896	38,104	44,606
1048105003	Salaries- Part Time	0	0	0
1048105004	Fica Expense	4,680	4,329	5,026
1048105005	Retirement Expense	4,191	3,911	4,500
1048105006	Group Health Insurance	6,187	6,357	8,160
1048105007	Workman's Compensation	2,018	1,768	2,386
1048105008	Unemployment Compensation	250	0	250
1048205010	Printing & Office Supplies	1,500	1,297	2,500
1048205014	Memberships & Dues	1,700	461	2,000
1048205015	Meetings & Seminars	300	250	500
1048205016	Vehicle Fuel & Oil	750	1,072	1,000
1048205017	Vehicle Maintenance	500	57	500
1048205020	Electricity & Gas	6,000	5,204	6,000
1048205021	Telephone/ Cable	1,200	1,890	2,280
1048205022	Water & Sewer	500	437	500
1048205026	Maintenance/Service Contracts	1,500	1,928	1,700
1048205027	Machinery/Equipment Repair	800	544	800
1048205031	Small Hand Tools	75	96	100
1048205041	Uniforms	400	380	200
1048205044	Cleaning/ Sanitary Supplies	1,000	1,340	1,500
1048205049	Medical & Lab Supplies	200	0	100
1048205053	Blanket Bond	100	80	100
1048205062	Insurance	2,471	1,449	1,509
1048205063	Rents & Leases	2,400	2,121	2,400
1048205064	Employee Training	200	236	400
1048205071	Special Department Expenses	17,000	25,424	8,470
1048205079	Miscellaneous Expenses	200	142	100
1048205085	Capital Outlay	0	11,551	0
	SUB-TOTAL	**$117,298**	**$128,992**	**$118,678**

	REC. INSTRUCTION EXPENSES	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048305090	Crafts	1,500	1,250	1,200
1048305091	Gymnastics	1,500	2,692	2,300
1048305092	Mother's Morning Out	0	0	0
1048305093	Day Camp	4,200	3,553	6,000
1048305094	Dancing	1,125	1,179	1,200
1048305095	Karate	8,250	6,437	7,500
1048305096	Aerobics	600	0	600
1048305097	Adult Sports	0	0	11,000
1048305098	Youth Sports	0	0	8,500
1048305099	Tennis	600	861	1,000
	SUB-TOTAL	**$17,775**	**$15,972**	**$39,300**
	TOTAL	**$135,073**	**$144,964**	**$157,978**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1049105002	Salaries- Employees	15,470	6,530	17,447
1049105003	Salaries- Part Time	4,000	667	0
1049105004	Fica Expense	1,489	557	1,335
1049105005	Retirement Expense	1,334	500	1,195
1049105006	Group Health Insurance	1,547	649	2,040
1049205008	Unemployment Insurance	0	0	0
1049205010	Printing & Office Supplies	1,000	1,879	1000
1049205021	Telephone/ Cable	900	816	900
1049205053	Blanket Bond	100	80	100
1049205062	Insurance	490	0	0
1049205063	Rents and Leases	1,000	825	300
1049205065	Professional Services	35,000	62,904	43,600
1049205085	Capital Outlay	0	515	0
	TOTAL	**$62,330**	**$75,922**	**$67,917**

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1050105003	Salaries- Part Time	11,400	3,003	12,400
1050105004	Fica Expense	872	244	949
1050105005	Retirement Expense	0	14	0
1050105007	Workman's Compensation	0	0	0
1050105008	Unemployment Compensation	0	0	0
1050205062	Insurance	0	0	0
1050205063	Rents & Leases	200	0	0
1050205065	Professional Services	0	0	0
1050205071	Special Department Expenses	1,000	32	318
1050205085	Capital Outlay	0	0	0
	TOTAL	**$13,472**	**$3,293**	**$13,667**

ACCT. NO.	HURRICANE RELATED EXP. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1055105003	Salaries- Part Time	0	0	0
1055105004	Fica Expense	0	0	0
1055105007	Workman's Compensation	0	0	0
1055205010	Printing /Office Supplies	0	0	0
1055205016	Vehicle Fuel & Oil	0	0	0
1055205017	Vehicle Maintenance	0	11,401	0
1055205021	Telephone and Cable	0	0	0
1055205026	Maintenance/Service Contracts	4,000	139,343	0
1055205027	Machinery/Equipment Repairs	0	0	0
1055205031	Small Hand Tools	0	0	0
1055205041	Uniforms	0	0	0
1055205054	Street Signs	0	0	0
1055205063	Rents and Leases	111,456	84,346	27,806
1055205067	Contracted Expenses	81,082	15,200	0
1055205071	Special Dept. Expenses	0	0	0
1055205079	Miscellaneous Expenses	0	2,427	0
1055205085	Capital Outlay	0	39,678	0
		$196,538	**$292,395**	**$27,806**
GEN FUND TOTAL EXPENDITURES		**$2,803,614**	**$2,682,613**	**$2,654,777**

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	BUDGETED FY 1990-91	4/30/91 COLLECTED FY 1990-91	ESTIMATED FY 1991-92	
5034504105	Acc. Tax Revenue	95,000	46,802	95,000	
	Transfer to General Fund	-25,000	0	-25,000	
	Minus 25% Restricted Fund	-17,500	-11,701	-17,500	
503504505	Interest Income	3,587	4,174	2,000	
	TOTAL REVENUES	$56,087	$39,275	$54,500	-2.83%

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

		BUDGETED FY 1990-91	5/31/91 EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
	GENERAL GOVERNMENT			
5041205009	Debt Service- Principal	56,087	0	0
5041205011	Debt Service- Interest	0	0	54,500
5041205079	Miscellaneous Expenses	0	6,742	0
5041205085	Capital Outlay	0	58,722	0
5041205090	Tourism Promotion Expense	17,500	50,000	0
	DEPARTMENT TOTAL	$73,587	$115,464	$54,500
	POLICE DEPARTMENT			
5044205010	Printing & Office Supplies			
5044205016	Vehicle Fuel & Oil	10,000	0	
5044205017	Vehicle Maintenance	5,000	0	
5044205021	Telephone/ Cable	0	0	
5044205026	Maintenance/ Service Contracts	0	0	
5044205027	Machinery/ Equipment Repair	0	0	
5044205041	Uniforms	6,000	0	
5044205062	Insurance	0	0	
5044205063	Rents & Leases	2,000	0	
5044205079	Miscellaneous Expenses	0	0	
5044205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

	FIRE DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5045205010	Printing & Office Supplies	0	0	0
5045205016	Vehicle Fuel & Oil	2,000	0	0
5045205017	Vehicle Maintenance	6,500	0	0
5045205021	Telephone/ Cable	2,000	0	0
5045205026	Maintenance/ Service Contracts	2,500	0	0
5045205027	Machinery/ Equipment Repairs	3,000	0	0
5045205041	Uniforms	3,700	0	0
5045205062	Insurance	3,300	0	0
5045205079	Miscellaneous Expenses	0	0	0
5045205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

5/31/90

	PUBLIC WORKS DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5046205010	Printing & Office Supplies	0	0	0
5046205016	Vehicle Fuel & Oil	10,000	0	0
5046205017	Vehicle Maintenance	10,000	0	0
5046205026	Maintenance/ Service Contracts	0	0	0
5046205027	Machinery/ Equipment Repairs	0	0	0
5046205041	Uniforms	3,013	0	0
5046205079	Miscellaneous Expenses	0	0	0
5046205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,013	$0	$0

	ACCOMMODATIONS TAX FUND TOTAL	$142,600	$115,464	$54,500	-61.78%

TOTAL REVENUES--ALL FUNDS

GENERAL FUND	$2,654,777
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,709,277

TOTAL EXPENDITURES--ALL FUNDS

GENERAL FUND	$2,654,777
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,709,277

SIGNIFCANT EXPENSES IN FY 1991-92 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS		**$1,974,221**
OPERATION OF VEHICLES (Gas and Repairs)		**$98,564**
UTILITIES (Electricity, Water, Gas, Phones)		**$76,680**
INSURANCE (Tort, Auto, Property)		**$60,361**
DEBT SERVICE (Parking Lot, '91 G. O. Bonds)		**$138,242**
CAPITAL OUTLAY (Equipment)		**$4,945**
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)		**$63,600**
UNIFORMS		**$21,600**
OTHER OPERATIONS EXPENSES		**$216,564**
	TOTAL	**$2,654,777**

ENTERPRISE FUND BUDGET
WATER & SEWER DEPARTMENT
July 1,1991 -- June 30, 1992

		REVENUES	5/31/90 REVENUES	
	ITEM	BUDGETED	COLLECTED YTD	ESTIMATE
ACCT. NO.	ACCOUNT NAME	FY 1990-91	FY 1990-91	FY 1991-92
6036004601	Residential Sale of Water	0	0	640,627
6036004602	Residential Sale of Sewer	0	0	176,397
6036004603	Commercial Sale of Water	0	0	36,519
6036004604	Commercial Sale of Sewer	0	0	22,595
6036004605	Water Tap Fees	0	0	4,000
6036004606	Sewer Tap Fees	0	0	6,000
6036004607	New Customer Charges	0	0	5,350
6035004501	Miscellaneous Revenue	0	0	0
	Sub-total	0	0	891,488
	Non-Operating Revenue			
6037004505	Interest Revenue			25,000
6037004901	Operating Transfer In			0
	Sub-total			25,000
	TOTAL			**$916,488**

ACCT. NO.	WATER & SEWER DEPT. ACCOUNT NAME	ENT. FUND BUDGETED FY 1990-91	ENT. FUND EXPENDED YTD FY 1990-91	ENT. FUND ESTIMATE FY 1991-92
	Payroll and Personnel			
6060105001	Salaries-Supervisor			36,358
6060105002	Salaries-Employees			150,585
6060105003	Salaries-Part Time			13,520
6060105004	Fica Expense			15,335
6060105005	Retirement Expense			13,732
6060105006	Group Health Insurance			12,240
6060105007	Workman's Compensation			8,750
6060105008	Unemployment Compensation			1,000
	Sub-total			**251,520**
	Operating Expenses			
6060205014	Memberships & Dues			800
6060205015	Meetings & Seminars			1,200
6060205049	Medical & Lab			11,500
6060205053	Blanket Bond			500
6060205062	Insurance			3,000
6060205064	Employee Training			2,500
6060205065	Professional Services			39,000
6060205067	Contracted Services			51,000
6060205071	Special Dept. Expenses			0
6060205079	Miscellaneous			5,000
	Sub-total			**114,500**
	Capital Outlay			
6060405085	Capital Outlay			**12,000**
	Supplies			
6060455010	Printing and Office Supplies			10,000
6060455016	Vehicle Fuel & Oil			13,000
6060455041	Uniforms			2,500
6060455044	Water & Sewer Supplies			18,000
	Sub-total			**43,500**
	Heat,Light & Power			
6060505020	Electricity & Gas			48,000
6060505021	Telephone/Cable			6,000
6060505022	Water & Sewer			0
	Sub-total			**54,000**

	Repairs & Maintenance	
6060605017	Vehicle Maintenance	3,000
6060605026	Maintenance & Service Contracts	5,000
6060605027	Machinery & Equipment Repair	10,000
6060605031	Small Hand Tools	1,000
	Sub-total	**19,000**
	Rent	
6060705063	Rents & Leases	500
	Depreciation	
6060805501	Depreciation	**50,000**
	Advertising	
6060905061	Advertising	**2,500**
	Non-Operating Expenses	
6060205009	Debt Service- Principal	13,296
6060205011	Debt Service- Interest	228,039
6060955013	Debt Service- Service Charges	2,500
6060955901	Operating Transfers Out	0
6027003226	Capital Reserve	125,133
	Sub-total	**368,968**
	TOTAL	**$916,488**

WATER & SEWER DEPARTMENT
CAPITAL PROJECTS BUDGET

Priority	Item	Completion Date	Estimated Cost
1	Safety Equipment		
	Scott Air Paks @ $1,500/ chlorine installation	Dec 31, 1991	4,500
	Chlorine Patch kit (2) @ $700/kit		1,400
2	WWTP Improvements	Dec 31, 1991	
	-(1)standby power 70KW gen sets	Dec 31, 1992	35,000
	-replace catwalks & railing	Dec 31, 1991	25,000
	-sand blasting & painting	Dec 31, 1991	35,000
	-replace V-notch weir	Dec 31, 1991	250
	-rehabilitate chlorine chamber	Dec 31, 1991	3,500
	-install effluent flow meter	Dec 31, 1991	3,000
	-install grit chamber/bar screen	Dec 31, 1991	10,000
	-install de-chlorination equipment	Dec 31, 1991	25,000
	-relocate sludge drying beds	Feb 28, 1992	90,000
3	BAN rollover to long-term debt	Mar 1, 1992	496,850
4	Reverse Osmosis or EDR & associated		
	water distribution improvements	May 30, 1992	1,600,000
	-eliminate bottleneck		3,450
	-12" water line to tank		7,000
5	Back-up fire flow pump; well #1	Dec 31, 1993	8,500
	Bond issue costs	7% @ 30 yrs	79,560
	Bonded Debt Service reserve fund		224,000
	(includes contingency)		0
	Total for fiscal year 1991-92		**$2,652,010**
6	Renovation of office building	May 31, 1993	15,000
	10% contingency		1,500
	Total for fiscal year 1992-93		**$16,500**
7	Water line improvements	Dec 31, 1995	350,000
	-15,000' of 12" WL; Palm Blvd. (21st-53rd)		
	-8,000' of 8" WL between Waterway & Palm(even streets)		
	21st to 41st Avenues		
8	Sewer line infiltration & inflow inspection	Dec 31, 1995	10,000
	10% contingency		36,000
	Total for fiscal year 1995-96		**$396,000**

9	Pipe overflow from well #2 to storm drain	Dec 31, 1996	2,500
10	Elevated 150,000 gal. storage tank for N end of island	Dec 31, 1996	375,000
	10% contingency		37,750
	Total for fiscal year 1996-97		**$415,250**
11	WWTP expansion and collection system	Dec 31, 2001	14,000,000
	10% contingency		1,400,000
			$15,400,000
	Total of all capital improvements		**$18,879,760**

EXHIBIT K

Isle of Palms taxes

Someone once said, "If Patrick Henry thought that taxation without representation was bad, he should see how bad it is with representation." Just look at Isle of Palms.

If five council members have their way, island taxpayers will pay 45 percent more property taxes. Those same council members say: 1) they want to be fair, 2) they don't want to reduce the level of service, and 3) the island's still recovering from Hurricane Hugo. My responses are: 1) fair to whom, paid employees or taxpayers?, 2) more bodies on the payroll doesn't necessarily mean better service, and 3) that hurricane excuse has grown old, almost two years old.

During the past six years, under the Bunch administration, the city budget, as well as staffing costs, has more than doubled. While staffing costs have grown from $800,000 to over $1.9 million, the city's "savings" have disappeared.

Payroll comprises a formidable 74 percent of the proposed 1991-92 city budget of $2.6 million. So what does all this add up to? A budget with over 70 percent payroll plus five members of council unwilling to cut positions equals one hefty tax increase.

My position has always been that I want a balanced budget without a tax increase, but that would require extraordinary cuts that would find little if any support from council. So, I compromised and agreed to vote for a budget that would require only a 30 percent increase.

Islanders now pay 38 mills and under my budget plan would pay only an additional 12 mills instead of council's plan of an additional 17 mills. I even proposed a means to accomplish the "30 percent plan": Cut or postpone 3 mills' worth of costs from ongoing construction projects and cut 2 mills' worth, a paltry 2 percent, from the city budget. Unfortunately, council can't seem to stomach budget cuts, only budget abrasions. So, we have a $476,000 deficit that, if cuts aren't made, taxpayers will pay for next year and for years to come.

What can you do to put the brakes on local fiscal irresponsibility? Contact your mayor and City Council to voice your concerns — but you only have until June 30. After that, you may have to vote some of the fiscally irresponsible out of office in November.

MELINDA NesSMITH-PICARD
City Council member
521 Carolina Blvd.
Isle of Palms

The News and Courier, Charleston, S.C., Wednesday, June 26, 1991

The News and Courier, Charleston, S.C., Friday, June 28, 19

Palms budget hits a snag

By DAVID QUICK
Of the Post-Courier staff

With only three days left before the start of the 1991-92 fiscal year, Isle of Palms City Council on Thursday again failed to pass a budget for the new year.

Council has been divided over the budget the past two months, meeting about a dozen times without a majority agreeing on a spending plan. First reading of a proposed budget was approved only to help move along the process.

But second reading on the $2.8 million budget failed Thursday by a 6-3 vote, with only Mayor Carmen Bunch and Councilmen Jimmy Ward and Heath Orvin voting in favor of it.

To keep the city running, council passed a resolution funding services at current levels until a budget can be approved. Council also voted not to fill any vacated staff positions until a budget is passed.

Discussion over the city's budget woes turned political Thursday, as Councilman Jeff Simon asked the five council members who successfully campaigned for a strong council form of government last year to come up with a budget of their own.

Council members Orvin, Ward, Barry Holden, Melinda NesSmith-Picard and Mike Sottile strongly advocated the switch from a strong mayor form to a council form. Islanders approved the change last year.

Simon said council had become "the laughing stock and sideshow of local politics."

"We look real bad," he said. "I've read the newspaper every day. Every city has managed to bring forth a budget ... This council, and I include myself, has become a sad group of midgets."

Simon charged that the five council members supporting the change in government had run the city into a brick wall.

The comment angered Ward, who said, "This has gotten much dirtier than I ever thought it would be." After voting in favor of the budget, Ward walked out of the meeting.

Many council members took exception to comments made by Ms. NesSmith-Picard in a letter in Wednesday's News and Courier that said "... you may have to vote some of the fiscally irresponsible out of office in November."

EXHIBIT L

CITY OF ISLE OF PALMS
ORDINANCE NO 1991-12
SECOND READING DRAFT - JUNE 27, 1991

AN ORDINANCE TO ADOPT REGULATIONS CONCERNING THE USE OF WATER BY CUSTOMERS OF THE CITY OF ISLE OF PALMS WATER AND SEWER DEPARTMENT DURING TIMES OF MODERATE, SEVERE OR EXTREME DROUGHT

WHEREAS, Section 49-23-70 of the South Carolina Code of Laws, 1976 as amended, authorizes the South Carolina Water Resources Commission to adopt and enforce regulations relating to conservation of water in the event of drought conditions; and

WHEREAS, the City of Isle of Palms is required under said regulations to adopt a drought response ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This ordinance is adopted to establish regulations concerning the use of water by customers of the City of Isle of Palms Water & Sewer Department during times of moderate, severe, or extreme drought.

Section 2. TITLE 4, Chapter 3

Section 4-3-1 Definitions

For the purposes of this Ordinance, the following definitions shall apply:

(a) Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools and waterfalls.

(b) Commercial and industrial water use: water use integral to the production of goods and/or services by any establishment having profit as their primary aim.

(c) Conservation: reduction in water use to prevent depletion or waste of the resource.

(d) Customer: any person, company, or organization using water supplied by the City of Isle of Palms Water & Sewer Department.

(e) Domestic water use: water use for personal needs or for household purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

(f) Drought Alert Phases:

1. Moderate Drought: when the Palmer Index reaches the -1.50 to -12.99 range and moderate drought conditions have been verified by best available information, and conditions indicate this situation is expected to persist.

2. Severe Drought: when the Palmer Index reaches the -3.00 to -2.99 range and severe drought conditions have been verified by best available information.

3. Extreme Drought: when the Palmer Index falls below -4.00 and extreme drought conditions have been verified by best available information.

(g) Essential water use: water used specifically for fire fighting, maintaining instream flow requirements, and to satisfy federal, state, or local public health and safety requirements. All other uses are deemed non-essential.

(h) Even numbered addresses: street addresses ending in the numbers 0, 2, 4, 6, 8, and rural routes A through M.

(i) Institutional water uses: water used by government, public and private educational institutions, public medians and rights of way, churches and places of worship, water utilities, and any lands, buildings, and organizations within the public domain.

(j) Landscape water use: water used to maintain gardens, trees, lawns, shrubs, flowers, athletic fields, rights of ways and medians.

(k) Odd numbered addresses: street addresses ending in the numbers 1, 3, 5, 7, 9 and rural routes N through Z, and addresses that have names of the property as the legal address.

(l) Palmer Index: a measure of the severity of a drought or a wet spell in an area. Dry conditions are associated with negative values, wet conditions with positive values, and normal conditions have a value of zero.

(m) Water shortage: Lack of adequate available water to meet normal demands due to lower than normal precipitation, reduced stream flows or soil moisture, and/or lowering the potentiometric surface in wells which causes water supplies to be less than usual.

Section 4-3-2 Response to Moderate Drought Alert:

If conditions indicate that a moderate drought condition is present in this jurisdiction, and is expected to persist, the City Administrator, or assignee acting in his absence, shall notify by publication of notice, a copy of which shall be posted at City Hall and the Business Office of the Water and Sewer Department, and a copy of which shall be forwarded the day of the notice to the South Carolina Water Resources Commission Drought Information Center, customers within the water system encouraging them to voluntarily limit their use of water. The City Administrator shall further contact all non-residential customers and urge them to eliminate any non-essential water use.

Section 4-3-3 Response to Severe Drought Alert:

If conditions indicate that a severe drought condition is present in this jurisdiction, and is expected to persist, the City Administrator, or assignee acting in his absence, shall notify by publication of notice, a copy of which shall be posted at City Hall and the Business Office of the Water and Sewer Department, and a copy of which shall be forwarded the day of the notice to the South Carolina Water Resources Commission Drought Information Center, customers that the following uses of water are prohibited:

(a) Aesthetic water use;

(b) New recreational facilities that require filling, such as swimming pools, water slides and other water related activities, and maintenance of existing recreational facilities such as swimming pools, and other water related activities;

(c) Sprinklers and other remote broadcast devices and water runoff in landscape design and maintenance;

(d) Low volume hand-held watering for landscape purposes, except on Wednesday and Saturday for odd numbered addresses and Thursday and Sunday for even numbered addresses;

(e) Flushing and/or cleaning of asphalt or concrete surfaces;

(f) Washing of automobiles, trucks, bicycles, motorcycles, motorbikes, boats, trailers, mobile homes, airplanes, or other such vehicles or structures;

(g) No applications for new or expanded service shall be granted. Subsequent to the date of this Ordinance, all correspondence regarding water availability, pipeline extension agreements and applications requesting service, shall make reference to conditions relating to water shortages.

Section 4-3-4 Response to Extreme Drought Alert:

If conditions indicate that an extreme drought condition is present in this jurisdiction, and is expected to persist, the City Administrator, or assignee acting in his absence, shall notify by publication of notice, a copy of which shall be posted at City Hall and the Business Office of the Water and Sewer Department, and a copy of which shall be forwarded the day of the notice to the South Carolina Water Resources Commission Drought Information Center, customers that the following additional restrictions shall apply:

(a) All commercial or industrial users shall reduce consumption levels to the minimum levels necessary to maintain health and safety;

(b) Residential customers shall be limited to seventy-five (75) gallons per person per day, and a mixture of three hundred (300) gallons per household per day;

(c) The Water & Sewer Department shall monitor water use and if necessary shall request City Council to authorize water rationing if necessary to preserve the public health and safety;

(d) Agricultural users shall implement water conservation techniques and restrict the use of water for irrigation to the hours between 7:00 p.m. Eastern Standard Time to 7:00 a.m. Eastern Standard Time. Any agricultural use which results in water runoff shall be prohibited.

Section 4-3-5 Variances:

Customers not capable of immediate water use reduction or curtailment, shall commence gradual reduction of water use within twenty-four (24) hours of the proclamation that water use restrictions are in effect, and shall apply for a variance within three (3) days after such restrictions become effective. Requests for variance shall be filed with the Water & Sewer Department and shall contain the following:

(a) Name and address of the petitioner(s);

(b) Purpose of water use;

(c) Specific provision from which the petitioner is requesting relief;

(d) Detailed statement as to how the curtailment declaration adversely affects the petitioner;

(e) Description of the relief desired;

(f) Period of time for which the variance is sought;

(g) Economic value of the water use;

(h) Damage or harm to the petitioner or others if petitioner complies with this Ordinance;

(i) Restrictions with which the petitioner is expected to comply and the compliance date;

(j) Steps the petitioner is taking to meet the restrictions from which variance is sought and the expected date of compliance;

(k) Other pertinent information.

The variance shall not be granted unless the petitioner can show one or more of the following conditions exist:

(a) Compliance with this Ordinance cannot be technically accomplished during the duration of the water shortage;

(b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

No variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to the issuance of the variance. Any variances granted shall include a timetable for compliance.

Section 4-3-6 Penalties and Enforcement:

(a) Any person violating this Ordinance shall, upon conviction, be subject to a fine not exceeding Two Hundred Dollars ($200.00) per violation.

(b) All employees of the City of Isle of Palms are hereby charged with the enforcement of this Ordinance, and are granted all powers allowed by law to fulfill this duty.

Section 3. Severability. In any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. The Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 3/11/91
Second Reading: 6/27/91
Public Hearing: _____
Third Reading: _____
Ratification: _____

EXHIBIT M

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-8

THIRD READING DRAFT - 6/27/91

AN ORDINANCE TO AMEND THE PROCESS FOR APPROVING CONDITIONAL USES

WHEREAS, Section 5-4-15 of the Isle of Palms City Code provides a procedure by which the Planning Commission may approve conditional zoning uses pursuant to specified criteria; and

WHEREAS, City Council believes that the Planning Commission should review and make recommendations concerning the approval of conditional uses, and that the decision to approve should be made by City Council; and

WHEREAS, City Council is authorized to amend the City's zoning ordinance pursuant to Sections 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the process for approving conditional uses under the City's zoning ordinance.

Section 2. Section 5-4-15 Amended. Section 5-4-15 of the City Code is amended as follows:

(a) The first sentence of subsection (a) is revised to read as follows:

> Conditional uses, as defined by this chapter, may be permitted by City Council, provided that:

(b) Three new sentences are added to the beginning of subsection (b), to read as follows:

> An applicant for conditional use shall file his application with the City Administrator, who shall forward the application to the Planning Commission. The Planning Commission shall review the application, make a record of its recommendation regarding approval, and

forward its recommendation to City Council. If the application is submitted fifteen or more days prior to the next regularly scheduled Planning Commission meeting, the Commission shall review the application at its next regular meeting; if submitted less than fifteen days prior to the next Commission meeting, the Commission shall review the application no later than its following regular meeting.

(c) The following sentence is added at the end of subsection (b), to read as follows:

Written notice of both Planning Commission and City Council meetings shall be provided to the owners of abutting properties when review of a conditional use application is listed as an agenda item.

(d) In subsection (c), the word "commission" is deleted and replaced by the words "City Council".

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____

CARMEN R. BUNCH, MAYOR

_____

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 2/28/91

Public Hearing: 6/12/91

Second Reading: 5/23/91

Third Reading: 6/27/91

Ratification: 6/27/91

EXHIBIT N

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-19
First Reading Draft - 6/27/91

AN ORDINANCE TO BAN THE OPERATION OF JET SKIS

WHEREAS, City Council finds that the operation of jet skis within the waters of the City of Isle of Palms has endangered the health, safety and welfare of residents and visitors using these waters for swimming, boating, fishing and other recreational purposes; and

WHEREAS, City Council further finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses; and

WHEREAS, City Council further finds that the operation of jet skis has resulted in serious physical injury to individuals using the waters of the City of Isle of Palms for recreational purposes; and

WHEREAS, City Council wishes to eliminate this hazard to public health, safety and welfare; and

WHEREAS, City Council further finds that the limitations placed on the operation of jet skis in Ordinance No. 1988-20, adopted September 14, 1988, and codified in Sections 7-3-6 and 7-3-7 of the City Code, have failed to safeguard the recreating public from the hazards associated with the use of jet skis; and

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting from the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public health, safety and welfare pursuant to Section 5-7-30, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the health, safety and welfare of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-6 Amended.

a. Section 7-3-6(a) of the City Code is revised, to read as follows:

(a) No person shall operate any motorboat within any designated swimming areas or the beach, except in case of emergency.

b. Section 7-3-6(b) of the City Code is revised, to read as follows:

(b) No person shall operate a jet ski, or similar type of water craft, within the jurisdiction of the City of Isle of Palms, except in case of emergency or by City police officers in enforcing the City Code.

Section 3. Section 7-3-7 Amended.

a. In the heading to Section 7-3-7, the words "and jet skis" are deleted.

b. In subsections (a), (b) and (c), the words "or jet ski" are deleted every time they occur.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS * DAY OF *, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

M E M O R A N D U M

TO: Mayor and Council

FROM: Mark M. Williams

SUBJECT: Jet Skis

DATE: June 21, 1991

==========

As a result of the last Public Safety Committee meeting, members of the committee have asked that we look into the possibility of outlawing jet skis either along the front beach area or within the entire jurisdiction of the City. I have discussed this matter with Bill Dreyfoos and he is preparing such an ordinance which would be introduced at the next council meeting on the 27th.

As for the jet ski leasing operation on the Isle of Palms Marina property, if we do indeed act to ban the jet skis, I think it would be appropriate that we refund their business license fee. I have reason to believe that their operation in leasing the jet skis on the beach is not in full compliance with our zoning ordinance which contains a provision that all businesses must be conducted within a structure. If we contact them, they are most likely to move their leasing operation into Bill Bailey's structure at the Marina, and I would rather not approach them on that matter until we decide what our policy regarding jet skis in general is likely to be.

I had heard at one time that the Town of Hilton Head Island had banned jet skis and I am seeking a copy of their ordinance, perhaps as a model to be used in preparing our own, especially if their ordinance may have survived any legal challenges.

WILLIAM W. DREYFOOS
ATTORNEY AT LAW

171 Church Street
Suite 300
Charleston, South Carolina 29401
(803) 577-2033
FAX (803)722-1788

June 21, 1991

MEMORANDUM

TO: Mark Williams, City Administrator

FR: William W. Dreyfoos WWD

RE: Proposed Ordinance No. 1991-19

Per your request, I have drafted a proposed ordinance to ban the operation of jet skis within the City's jurisdiction, except in case of emergency or for police enforcement activities. A copy is enclosed.

From discussions with you and Chief Arnold, I believe there may be some confusion about the City's current limitations on the operation of jet skis. Section 7-3-6(b) of the City Code restricts the operation of jet skis "within the beach". "Beach" is defined in Section 7-3-2(1) to include the area between the upland property and 150 yards offshore. As a result, the operation of jet skis is currently prohibited on the entire ocean side of the island (excluding the inlets), except in case of emergency. The effect of the new ordinance would be to prohibit use of jet skis in the rest of the waters within the City's jurisdiction - i.e., the inlets and as much of Hamlin Creek and the Waterway as falls within the City.

Faced with this continuing problem, you may recall that last year, the City adopted an emergency ordinance (1990-18.E) that came close to a complete ban on the use of jet skis. However, no permanent ordinance was ever adopted.

In reviewing this proposed ordinance, Council should consider the following points:

1. "Jet ski" is actually a brand name, though it is commonly used to describe a generic type of water craft. The best description I have seen is "jet ski or similar type of water craft". The State just considers them to fall within the definition of "boat".

2. Hilton Head has prohibited the operation of all motorized water craft, specifically including motorboats and jet skis, within the police jurisdiction of the Town. However, Hilton Head's police

jurisdiction on the sound side ends at mean low water. The effect is that jet skis (and motor boats) cannot be used in the ocean or launched from a boat ramp, but can be used on the sound side when launched from a dock or marina.

3. There continues to be some question concerning the extent of the City's authority to limit the use of water craft on the back side of the island. The Wildlife & Marine Resources Department believes that it must first issue regulations (approved by the General Assembly) before municipal action is authorized.

To summarize these concerns, the total ban on jet ski operation proposed in Ordinance No. 1991-19 singles out jet skis, and goes further than other municipal ordinances in South Carolina which I have seen, by completely prohibiting their use. If jet ski manufacturers or purveyors are concerned about such limitations on the use of their product, there may well be a legal challenge if the ordinance is adopted. Council may therefore want to consider the cost of possible litigation and the adequacy of the existing limitations in reviewing the proposed ordinance.

EXHIBIT P

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-20
First Reading Draft - 6/27/91

AN ORDINANCE TO PROHIBIT SWIMMING AND WADING IN THE WATERS AT BREACH INLET

WHEREAS, City Council finds that the waters at Breach Inlet contain dangerous currents that render this area hazardous and unsuitable for swimming and wading; and

WHEREAS, City Council recognizes the long history of drownings associated with use of the waters at Breach Inlet, and further recognizes the City's efforts over a period of years to prevent such tragic incidents from occurring; and

WHEREAS, on June 12, 1991, the Governor signed Bill S.237, thereby giving to coastal municipalities criminal jurisdiction over waters of adjoining inlets; and

WHEREAS, such authorization extends the criminal jurisdiction of the City over Breach Inlet, to the mid-point between the City and the Town of Sullivan's Island; and

WHEREAS, City Council wishes to make immediate use of such authorization to protect the public from the dangers associated with the waters at Breach Inlet; and

WHEREAS, City Council is authorized by Section 5-7-30, South Carolina Code of Laws, 1976, as amended, to adopt ordinances to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Ordinance is adopted to protect the public from the dangers associated with the waters at Breach Inlet.

Section 2. New Section 9-3-3 Created.

A new Section 9-3-3 is added to the City Code, to read as follows:

Sec. 9-3-3 Swimming and Wading at Breach Inlet

It shall be unlawful for any person to swim or wade in the waters at Breach Inlet.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS * DAY OF *, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT 4

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1991-20.E
Adopted 6/27/91

AN EMERGENCY ORDINANCE TO PROHIBIT SWIMMING AND WADING IN THE WATERS AT BREACH INLET

WHEREAS, City Council finds that the waters at Breach Inlet contain dangerous currents that render this area hazardous and unsuitable for swimming and wading; and

WHEREAS, City Council recognizes the long history of drownings associated with use of the waters at Breach Inlet, and further recognizes the City's efforts over a period of years to prevent such tragic incidents from occurring; and

WHEREAS, on June 12, 1991, the Governor signed Bill S.237, thereby giving to coastal municipalities criminal jurisdiction over waters of adjoining inlets; and

WHEREAS, such authorization extends the criminal jurisdiction of the City over Breach Inlet, to the mid-point between the City and the Town of Sullivan's Island; and

WHEREAS, City Council wishes to make immediate use of such authorization to protect the public from the dangers associated with the waters at Breach Inlet; and

WHEREAS, City Council is authorized by Section 5-7-250(d), South Carolina Code of Laws, 1976, as amended, to adopt emergency ordinances affecting the public's life, health and safety.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to protect the public from the dangers associated with the waters at Breach Inlet.

Section 2. New Section 9-3-3 Created.

A new Section 9-3-3 is added to the City Code, to read as follows:

Sec. 9-3-3 Swimming and Wading at Breach Inlet

It shall be unlawful for any person to swim or wade in the waters at Breach Inlet.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 27th DAY OF JUNE, 1991.

_____

CARMEN R. BUNCH, MAYOR

_____

NELLIE S. McDUFFIE, CLERK-TREASURER

EXHIBIT R

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-21
First Reading Draft - 6/27/91

AN ORDINANCE TO RE-ZONE PROPERTY TO CONSERVATION DISTRICT

WHEREAS, City Council had replatted property on the beachfront between 21st and 57th Avenues at the request of The Beach Company, for purposes of conveyance to the adjoining upland properties; and

WHEREAS, The Beach Company has warranted to the City that deed restrictions will be made part of all such conveyances which will preclude all construction on said parcels with the exception of dune crossovers, walkways and open-air gazebos; and

WHEREAS, City Council wishes to act to ensure that these restrictions are enforces; and

WHEREAS, City Council is allowed to amend its zoning ordinance pursuant to Sections 5-23-10, et seq, and 6-7-71, et seq, South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council duly assembled:

Section 1. This ordinance is adopted to rezone property proposed for conveyance and restriction by The Beach Company to adjoining property owners.

Section 2. The 122 lots created by City Council action of June 27, 1991, as set forth in plats of E.M. Seabrook, Jr., Inc., dated April 2, 1991, and April 19, 1991, are hereby rezoned to CO, Conservation District.

Section 3. Severability. If any part of this ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass such ordinance without such unconstitutional provision, and the remainder of said ordinance shall be deemed to be valid as if such provision had not been included. If said ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstance.

Section 4. Effective Date. This ordinance will take effect upon ratification by the Isle of Palms City Council.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on _____

First Reading: 6/27/91
Second Reading: _____
Third Reading: _____
Ratification: _____

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JULY 8, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on July 8, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, and Watson. Council Member Ward arrived late and Council Member Orvin was absent. Also present were City Administrator Williams.

1. The Mayor called the meeting to order at 7:10 p.m. and Mr. Sottile made a motion to go into Executive Session; Mrs. Swanson seconded, motion passed unanimously. The Mayor stated that the reason that Executive Session had been called before the public meeting was due to the public comments made by Clay Cable about the Police Department at last month's meeting and the fact that some council members were not aware of the case.

Coming out of Executive Session, the Mayor stated that no action had been taken and that personnel litigation was discussed.

The meeting was opened to the public and Clerk-Treasurer McDuffie, Finance Director Stonesifer, and Secretary Geary joined the meeting.

2. Budget Work Session. There was discussion about Ms. NesSmith-Picard's proposal of a 30% tax increase with a ceiling of 50 mils for tax purposes (see Exhibit A). Ms. NesSmith-Picard stated that she proposed positions be cut as of September 30, 1991.
Mr. Ward pointed out that a reduction of $3200 in professional services would cut into the costs of an audit.

Ms. NesSmith-Picard made a motion to approve a tax increase not to exceed 30% in order to provide funds for the city budget; Mr. Ward seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward- Yes; Watson - Abstain; Bunch - No. Motion was defeated 3-4-1.

Ms. NesSmith-Picard made a motion to approve the budget as it reads as of 7/2/91; Mr. Ward seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - No; Bunch - Yes. Motion was defeated 2-6.

Mrs. Swanson stated that now was the time to do the negotiating that we all said needed to be done and go position by position. The Mayor stated that she thought the people voted for council to do what we thought was the right thing to do and to vote for a budget or we're out of business. Now is the time to compromise and negotiate this budget and get down to business. She suggested that council go down Ms. NesSmith-Picard's proposal item by item.

Ms. NesSmith-Picard made a motion that the city not fill the vacant position in the Public Works Department; Mr. Simon seconded. This would be an approximate $14,000 savings. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 7-1.

Mr. Sottile made a motion to cut two police officers by not filling the position that will become vacant in August and by letting one go as of September 30; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Abstain; Bunch - No. Motion passed 4-3-1.

Mr. Ward made a motion to reconsider the previous vote; Mr. Sottile seconded; motion passed 6-2.

Roll call vote was again taken on Mr. Sottile's motion: Holden - Yes; NesSmith-Picard - Yes - Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 4-4.

Mrs. Swanson made a motion that the police vacancy coming up in August not be filled; Mr. Sottile seconded. This would be a savings of approximately $25,000. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously, 8-0.

Ms. NesSmith-Picard made a motion to sell one police car to reduce expenditures by $2,500 and increase revenues by $1,000; Mr. Holden seconded. There would be some savings in insurance, gasoline and maintenance. After discussion, roll call vote was taken: Holden -Yes; NesSmith-Picard - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 3-5.

Mrs. Swanson made a motion to remove $1,200 from the police budget for fuel and oil due to the reduction in one officer; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 7-1.

Ms. NesSmith-Picard made a motion to reduce fuel consumption by 20% for city vehicles that are used as personal vehicles; Mr. Holden seconded. This would result in an approximate $7,200 savings. After discussion, roll call vote was taken: Holden - Abstain; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 1-6-1.

Ms. NesSmith-Picard made a motion to reduce the Recreation Department budget by 1/2 maintenance position; Mr. Holden seconded. This would result in an approximate $6,000 savings. After discussion as to the need for a full time maintenance person, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 2-6.

Mr. Sottile made a motion to cut 1/2 position from the Recreation Department; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No; Bunch - No. Motion was defeated 2-6.

Ms. NesSmith-Picard made a motion to transfer $28,000 from the Capital Projects Fund to the General Fund with the condition that any excess revenue from property taxes not to exceed $28,000 be returned to the Capital Projects Fund; Mr. Ward seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson - No; Bunch - No. Motion was defeated 4-4.

Mr. Holden made a motion to cut 1/2 inspector position from the Building Department; Ms. NesSmith-Picard seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - Yes; Bunch - No. Motion was defeated 3-5.

Mr. Simon made a motion to cut council's group health insurance by half and ask that those taking the insurance to pay half the premium; Mr. Watson seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - No. Motion was defeated 3-5.

Ms. NesSmith-Picard made a motion to approve the budget as corrected; Mr. Ward seconded. After discussion, Mr. Holden made a motion to postpone the vote until Thursday so that Council can have time to see the budget; Mr. Watson seconded. After further discussion, roll call vote was taken: Holden - Yes; Nessmith-

Picard - No; Simon - Yes; Sottile - No; Swanson - yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 5-3.

Mr. Ward made a motion to adjourn; Mr. Simon seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 7/25/91

1991-92 BUDGET PROPOSAL BY 3/2/91
C M NESSMITH-PICARD. C M Nessmith Picard

GOAL: [redacted] TAX INCREASE [redacted]
WILL BE LIMITED TO 30% OR 38+12 = 50 MILL CEILING

91/92 MILLAGE → 56.446 MILL ← 91/92 ESTIMATE OF PROPERTY TAX REVENUE DIVIDED BY MILL VALUE $1,580,491 / $28,000

18.446 MILL INCREASE OVER EXISTING 38 MILL

48.54% INCREASE

30% INCREASE IS ~ 12 MIL INCREASE

12,000	1 PW POSITION
45,000	2 POLICE OFFICER POSITIONS
28,000	Dispatcher, 2 Cruisers, 1/2 Maint.
10,400	Fuel Savings by Mandatory 20%
28,000	Transfer from Capital Projects Fund
$123,400	[redacted]

SHOULD HAVE $360,252 BALANCE SINCE ONLY $150,000 IN 1990-91 BUDGET WAS TRANSFERED

Recalculate millage based on Revenues recv'd

x = $29,325 ← $1,114,358 / x = 38 MILL [Note that delinquent tax collected is negligible.]

50 MILL (12 MILL INCREASE) YIELDS
$1,466,250 REVENUES WHICH IS A
$114,241 SHORTFALL OF $1,580,491 NEEDED
UNDER THIS PROPOSAL, TOTAL CUTS = $123,400 SO HAVE
APPROX $9159 to put back (possibly) in budget.

TAX INCREASE REDUCED FROM 48½% TO 30%

30/50/90 PLAN: TAX INCREASE LIMITED TO
30%, MILLAGE CEILING OF 50 MILL & 90 DAY GRACE FOR CUTS

ITEMIZED LISTING OF PROPOSED BUDGET CUTS (ON PAGE 1)

Immediate Cuts

1 PW Position ~$12,000 Do not Fill

Fill Part-Time PW Position @ Sarge's discretion

Effective in 90 days : 9/30/91

2 Policemen Positions ~ 45K
1 Dispatcher ~ ~~18K~~ 12K
2 Police Cruisers (Sale & Savings) ~ 10K
1 Maintenance → Part-Time ~ 6K

MANDATORY 20% FUEL REDUCTION FOR CITY VEHICLES USED FOR PERSONAL USE

(Effective Immediately)

~~[All Depts except Rec, PW, Police, Bldg]~~

GG $1000
Police $5000
Fire $200 [Assuming $1000/yr for Chief's vehicle
PW $200 [" " Sarge's]
Bldg $600
Rec $200
GG $3200 ← Professional SVCS Reduction
$10,400

ADDITIONAL CUTS PROPOSED BY
HOLDEN. EFFECTIVE 9/30/91

1 FIREFIGHTER POSITION	$18,000
1/2 INSPECTOR POSITION	$12,500
1/2 POSITION IN GEN'L GOVT.	$12,000
	$42,500

N-PICARD'S PROPOSED CUTS	$123,400
HOLDEN'S " "	$42,500
	$165,900

$1580,491	91/92 BUDGETED PROP. TAX REV.
-$165,900	CUTS PROPOSED
$1,414,591 / $29,325	

48.24 MILL REQUIRED)

APPROX. 26% TAX INCREASE OR 10¼ MILL

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-16
Second Reading Draft - 7/11/91

AN ORDINANCE TO ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992

WHEREAS, Subsection 3 of Section 5-7-260 of the S. C. Code of Laws, 1976, as amended, requires that a municipal Council shall act by ordinance to adopt a budget pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 2. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

SECTION 3. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 4. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

_____
Carmen R. Bunch, Mayor

ATTEST:

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/6/91
Public Hearing: 6/19/91
Second Reading: 7/11/91
Ratification: _____

GENERAL FUND BUDGET

July 1, 1991 – June 30, 1992

REVENUES

ACCT. NO.	ITEM ACCOUNT NAME	BUDGETED FY 1990-91	5/30/91 REVENUES COLLECTED YTD FY 1990-91	ESTIMATE FY 1991-92
1031004001	Property Taxes	1,063,596	1,114,358	1,545,649
1032104006	Business License Fees	280,000	220,484	225,000
1032104007	Insurance License Fees	90,000	97,309	98,000
1032104008	Public Utilities Fees	125,000	41,248	140,000
1032104009	Building Permit Fees	180,000	115,131	130,000
1032104010	Animal License Fees	300	273	300
1032104011	Vehicle ID Fees	10,000	249	0
1033004031	Narcotics Grant Revenue	37,205	19,469	0
1033004032	Narcotics Seizures	40,000	0	59,116
1034004075	Court Generated Revenue	110,000	55,738	110,000
1034504100	Beer & Wine Rebate	24,780	24,542	24,780
1034504101	Liquor Tax Rebate	17,140	15,901	17,140
1034504102	Bank Tax Rebate	210	254	210
1034504103	Motor Transport Rebate	4,980	3,066	4,980
1034504104	Income Tax Rebate	19,270	17,718	19,270
1034504105	Accommodations Tax Rebate	0	0	0
1034504106	Intergovernmental Transfers	24,000	21,925	30,000
1034504107	Intergovernmental Transfers-Narc.	0	0	0
1034504108	Broker's Premium Tax	1,590	1,842	1,590
1034504109	Disaster Relief- State	281,082	211,934	25,000
1034504110	Disaster Relief-Insurance	0	23,626	0
1034504111	Grant Income	0	30,383	0
1034504112	Gasoline Tax Rebate	12,000	16,624	13,000
1035004501	Miscellaenous Revenue	12,009	12,658	10,000
1035004502	Parking Lot Revenue	45,000	22,547	45,000
1035004503	Plat Application Fees	1,000	820	1,000
1035004504	Sale of Assets	50,500	54,522	15,000
1035004505	Interest Income	53,000	17,949	30,000
1035004506	Recreation Instructor's Income	22,300	20,187	17,000
1035004507	Recreation Program Income	13,150	27,669	26,900
1035004508	Recycling Revenue- Cans & Paper	250	2,828	4,000
1035004509	Kennel Donations	0	3,310	0
1035004510	Donations to Dare Program	0	634	2,000
1035004511	Transfer Fm Accom. Tax Fund	25,000	0	25,000
1034504113	Oper. Transfer Capital Projects	260,252	150,000	0
	TOTAL GENERAL FUND REVENUES	**$2,803,614**	**$2,345,198**	**$2,619,935**

EXPENDITURES

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	5/31/91 GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1040105001	Mayor & Council Salaries	10,800	10,500	10,800
1040105004	Fica Expense	826	793	826
1040105005	Retirement Expense	740	534	740
1040105006	Group Health Insurance	12,421	10,700	18,360
1040105007	Workman's Compensation	0	0	0
1040205015	Meetings & Seminars	500	0	0
1040205016	Vehicle Fuel & Oil	1,200	0	200
1040205017	Vehicle Maintenance	500	0	500
1040205053	Blanket Bond	100	80	100
1040205062	Insurance	2,317	1,369	1,546
1040205087	Council Special Fund	1,500	485	0
1040205088	Mayor's Special Fund	2,500	1,727	2,000
	TOTAL	**$33,404**	**$26,188**	**$35,072**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1041105001	Salaries-Supervisor	38,220	37,718	44,704
1041105002	Salaries-Employees	56,181	55,098	47,281
1041105003	Salaries-Part Time	0	467	0
1041105004	Fica Expense	7,222	7,199	7,037
1041105005	Retirement Expense	6,466	6,404	6,301
1041105006	Group Health Insurance	6,187	6,042	6,120
1041105007	Workman's Compensation	3,862	3,382	4,566
1041105008	Unemployment Compensation	500	0	0
1041205009	Debt Service- Principal	45,000	45,000	50,000
1041205010	Printing & Office Supplies	7,850	5,382	6,000
1041205011	Debt Service- Interest	56,088	56,088	88,242
1041205014	Memberships & Dues	2,247	1,433	1,890
1041205015	Meetings & Seminars	250	668	0
1041205016	Vehicle Fuel & Oil	1,200	1,125	2,000
1041205017	Vehicle Maintenance	500	503	750
1041205020	Electricity & Gas	2,000	1,486	2,100
1041205021	Telephone/ Cable	6,720	4,716	5,650
1041205022	Water & Sewer	300	359	750
1041205026	Maintenance/Service Contracts	4,080	4,243	2,000
1041205027	Machinery/Equipment Repair	500	135	300
1041205041	Uniforms	250	266	400
1041205044	Cleaning/ Sanitary Supplies	200	189	200
1041205053	Blanket Bond	100	80	100
1041205061	Advertising	2,400	5,051	4,000
1041205062	Insurance	4,925	2,074	2,106
1041205063	Rents & Leases	5,200	3,205	4,600
1041205064	Employee Training	0	0	0
1041205065	Professional Services	12,400	47,190	18,950
1041205068	Election Expenses	1,200	1,219	2,500
1041205071	Special Department Expenses	0	0	0
1041205072	Vehicle ID Expense	0	518	0
1041205079	Miscellaneous Expenses	1,500	6,083	1,500
1041205085	Capital Outlay	0	5,741	0
	TOTAL	**$273,548**	**$309,064**	**$310,047**

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1042105001	Salaries- Supervisor	26,378	24,854	30,176
1042105002	Salaries- Employees	0	0	0
1042105003	Salaries-Part Time	0	0	0
1042105004	Fica Expense	2,018	1885	2,308
1042105005	Retirement Expense	1,807	1715	2,067
1042105006	Group Health Insurance	1,547	1589	2,040
1042105007	Workman's Compensation	0	0	0
104215008	Unemployment Compensation	0	0	0
1042205010	Printing & Office Supplies	0	0	0
1042205015	Meetings & Seminars	0	0	0
1042205020	Electricity & Gas	0	0	0
1042205021	Telephone/ Cable	0	0	0
1042205022	Water & Sewer	0	0	0
1042205026	Maintenance/Service Contracts	0	0	0
1042205053	Blanket Bond	575	450	450
1042205062	Insurance	448	396	436
1042205064	Employee Training	0	0	0
1042205079	Miscellaneous Expenses	100	0	100
1042205085	Capital Outlay	0	0	0
	TOTAL	**$32,873**	**$30,889**	**$37,577**

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1043105002	Salaries- Employees	46,850	38,929	45,575
1043105004	Fica Expense	3,584	2,852	3,486
1043105005	Retirement Expense	3,209	4,177	3,122
1043105006	Group Health Insurance	3,094	3,202	4,080
1043205010	Printing & Office Supplies	0	0	0
1043205016	Vehicle Fuel & Oil	0	22	0
1043205017	Vehicle Maintenance	0	91	0
1043205021	Telephone & Cable	3,000	1,547	0
1043205041	Uniforms	1,000	800	0
1043205049	Medical & Lab Supplies	200	0	0
1043205062	Insurance	4,402	3,168	2,853
1043205063	Rents & Leases	0	89	0
1043205071	Special Department Expenses	0	0	0
1043205079	Miscellaneous Expenses	0	0	0
1043205080	Drug Buys	2,000	0	0
1043205085	Capital Outlay	22,460	22,086	0
	TOTAL	**$89,799**	**$76,963**	**$59,116**

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1044105001	Salaries- Supervisor	33,800	30,940	35,152
1044105002	Salaries- Employees	434,358	384,473	415,553
1044105003	Salaries- Part Time	11,155	13,465	6,797
1044105004	Fica Expense	36,667	32,395	34,999
1044105005	Retirement Expense	51,286	41,211	48,953
1044105006	Group Health Insurance	34,030	33,639	43,180
1044105007	Workman's Compensation	12,069	10,568	14,217
1044105008	Unemployment Compensation	1,000	0	1,000
1044205010	Printing & Office Supplies	6,500	7,297	6,500
1044205014	Memberships & Dues	650	440	800
1044205015	Meetings & Seminars	500	261	700
1044205016	Vehicle Fuel & Oil	27,205	27,695	25,114
1044205017	Vehicle Maintenance	9,200	12,463	11,000
1044205020	Electricity & Gas	4,000	2,397	5,000
1044205021	Telephone/ Cable	9,000	10,185	9,000
1044205022	Water & Sewer	600	300	1,000
1044205026	Maintenance/Service Contracts	2,500	2,823	3,000
1042205027	Machinery/Equipment Repair	4,200	3,567	4,200
1044205031	Small Hand Tools	200	8	0
1044205041	Uniforms	9,000	7,059	10,000
1044205044	Cleaning/ Sanitary Supplies	600	408	3,000
1044205049	Medical & Lab Supplies	1,000	1,087	2,500
1044205053	Blanket Bond	100	80	100
1044205062	Insurance	26,000	20,524	22,218
1042205063	Rents & Leases	8,500	6,861	7,800
1044205064	Employee Training	3,500	4,851	4,000
1044205071	Special Department Expenses	2,500	2,773	2,000
1044205074	DARE Program Expenses	0	1,177	2,000
1044205079	Miscellaneous Expenses	2,200	985	1,800
1044205081	Canine Kennel Expenses	3,500	0	500
1042205085	Capital Outlay	3,700	4,892	2,945
	TOTAL	**$739,520**	**$664,824**	**$725,028**

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1045105001	Salaries- Supervisor	33,000	30,240	34,320
1045105002	Salaries- Employees	411,098	360,716	399,023
1045105003	Salaries- Part Time	9,325	3,801	7,030
1045105004	Fica Expense	34,687	29,163	33,689
1045105005	Retirement Expense	48,516	42,261	47,120
1045105006	Group Health Insurance	32,483	33,442	42,840
1045105007	Workman's Compensation	9,787	8,570	11,571
1045105008	Unemployment Compensation	500	0	500
1045205010	Printing & Office Supplies	900	2,303	1,773
1045205014	Memberships & Dues	500	380	800
1045205015	Meetings & Seminars	600	425	1,200
1045205016	Vehicle Fuel & Oil	4,000	6,973	5,000
1045205017	Vehicle Maintenance	10,000	9,966	8,000
1045205020	Electricity & Gas	4,000	2,497	3,500
1045205021	Telephone/ Cable	4,000	5,009	5,700
1045205022	Water & Sewer	350	168	1,200
1045205026	Maintenance/Service Contracts	3,500	4,084	5,500
1045205027	Machinery/Equipment Repair	5,000	6,169	5,000
1045205031	Small Hand Tools	250	717	750
1045205041	Uniforms	5,880	3,604	6,000
1045205044	Cleaning/ Sanitary Supplies	1,000	1,843	2,000
1045205049	Medical & Lab Supplies	4,000	534	9,500
1045205053	Blanket Bond	100	120	100
1045205062	Insurance	18,343	12,125	12,979
1045205063	Rents and Leases	1,920	1,693	1,920
1045205064	Employee Training	2,000	1,839	4,500
1045205065	Professional Services	900	0	800
1045205079	Miscellaneous Expenses	4,000	3,222	4,000
1045205085	Capital Outlay	2,700	2,426	0
	TOTAL	**$653,339**	**$574,290**	**$656,314**

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1046105001	Salaries- Supervisor	30,033	27,609	31,324
1046105002	Salaries- Employees	172,406	142,671	170,276
1046105003	Salaries- Part Time	13,708	6,059	14,400
1046105004	Fica Expense	16,535	13,102	16,524
1046105005	Retirement Expense	14,806	12,041	14,796
1046105006	Group Health Insurance	23,202	24,417	30,600
1046105007	Workman's Compensation	15,624	13,682	17,472
1046105008	Unemployment Compensation	1,500	0	1,000
1046205010	Printing & Office Supplies	300	506	500
1046205016	Vehicle Fuel & Oil	16,000	17,823	19,000
1046205017	Vehicle Maintenance	24,000	28,711	21,000
1046205020	Electricity & Gas	25,000	20,664	23,000
1046205021	Telephone/ Cable	1,000	730	1,200
1046205022	Water & Sewer	250	0	1,000
1046205026	Maintenance/Service Contracts	1,000	157	500
1046205027	Machinery/Equipment Repair	1,000	668	750
1046205031	Small Hand Tools	750	626	650
1046205041	Uniforms	6,000	3,414	5,000
1046205044	Cleaning/ Sanitary Supplies	2,000	414	1,000
1046205049	Medical & Lab Supplies	200	187	500
1046205054	Street Signs	2,500	1,224	2,000
1046205062	Insurance	18,398	15,624	17,218
1046205063	Rents & Leases	1,500	0	500
1046205065	Professional Services	0	0	0
1046205067	Contracted Services	2,500	262	1,500
1046205068	Election Expenses	0	46	0
1046205073	Recycling Expense	0	1,428	2,000
1046205079	Miscellaneous Expenses	500	912	500
1046205085	Capital Outlay	0	2,046	2,000
	TOTAL	**$390,712**	**$335,023**	**$396,210**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1047105001	Salaries- Supervisor	32,063	29,360	33,345
1047105002	Salaries- Employees	87,566	71,087	47,989
1047105003	Salaries- Part Time	4,700	4,308	4,935
1047105004	Fica Expense	9,511	7,944	6,600
1047105005	Retirement Expense	8,517	7,233	5,909
1047105006	Group Health Insurance	9,281	8,863	6,120
1047105007	Workman's Compensation	526	461	622
1047105008	Unemployment Compensation	0	0	1,000
1047205010	Printing & Office Supplies	3,300	2,872	2,500
1047205014	Memberships & Dues	100	110	125
1047205015	Meetings & Seminars	500	858	1,000
1047205016	Vehicle Fuel & Oil	4,000	2,439	3,000
1047205017	Vehicle Maintenance	1,000	504	1,000
1047205020	Electricity & Gas	4,000	1,477	3,000
1047205021	Telephone/ Cable	5,800	4,538	4,600
1047205022	Water & Sewer	1,000	0	1,200
1047205026	Maintenance/Service Contracts	750	147	750
1047205027	Machinery/Equipment Repair	150	0	150
1047205044	Clean/Sanitation Supplies	250	320	1,800
1047205053	Blanket Bond	100	80	100
1047205062	Insurance	3,282	2,447	2,349
1047205063	Rents and Leases	3,360	3,061	3,360
1047205064	Employee Training	1,000	0	500
1047205065	Professional Services	2,000	30	1,000
1047205079	Miscellaneous Expenses	250	0	250
1047205085	Capital Outlay	0	659	0
	TOTAL	**$183,006**	**$148,798**	**$133,204**

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048105001	Salaries- Supervisor	20,280	18,564	21,091
1048105002	Salaries- Employees	40,896	38,104	44,606
1048105003	Salaries- Part Time	0	0	0
1048105004	Fica Expense	4,680	4,329	5,026
1048105005	Retirement Expense	4,191	3,911	4,500
1048105006	Group Health Insurance	6,187	6,357	8,160
1048105007	Workman's Compensation	2,018	1,768	2,386
1048105008	Unemployment Compensation	250	0	250
1048205010	Printing & Office Supplies	1,500	1,297	2,500
1048205014	Memberships & Dues	1,700	461	2,000
1048205015	Meetings & Seminars	300	250	500
1048205016	Vehicle Fuel & Oil	750	1,072	1,000
1048205017	Vehicle Maintenance	500	57	500
1048205020	Electricity & Gas	6,000	5,204	6,000
1048205021	Telephone/ Cable	1,200	1,890	2,280
1048205022	Water & Sewer	500	437	500
1048205026	Maintenance/Service Contracts	1,500	1,928	1,700
1048205027	Machinery/Equipment Repair	800	544	800
1048205031	Small Hand Tools	75	96	100
1048205041	Uniforms	400	380	200
1048205044	Cleaning/ Sanitary Supplies	1,000	1,340	1,500
1048205049	Medical & Lab Supplies	200	0	100
1048205053	Blanket Bond	100	80	100
1048205062	Insurance	2,471	1,449	1,509
1048205063	Rents & Leases	2,400	2,121	2,400
1048205064	Employee Training	200	236	400
1048205071	Special Department Expenses	17,000	25,424	8,470
1048205079	Miscellaneous Expenses	200	142	100
1048205085	Capital Outlay	0	11,551	0
	SUB-TOTAL	**$117,298**	**$128,992**	**$118,678**

	REC. INSTRUCTION EXPENSES	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048305090	Crafts	1,500	1,250	1,200
1048305091	Gymnastics	1,500	2,692	2,300
1048305092	Mother's Morning Out	0	0	0
1048305093	Day Camp	4,200	3,553	6,000
1048305094	Dancing	1,125	1,179	1,200
1048305095	Karate	8,250	6,437	7,500
1048305096	Aerobics	600	0	600
1048305097	Adult Sports	0	0	11,000
1048305098	Youth Sports	0	0	8,500
1048305099	Tennis	600	861	1,000
	SUB-TOTAL	**$17,775**	**$15,972**	**$39,300**
	TOTAL	**$135,073**	**$144,964**	**$157,978**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1049105002	Salaries- Employees	15,470	6,530	17,447
1049105003	Salaries- Part Time	4,000	667	0
1049105004	Fica Expense	1,489	557	1,335
1049105005	Retirement Expense	1,334	500	1,195
1049105006	Group Health Insurance	1,547	649	2,040
1049205008	Unemployment Insurance	0	0	0
1049205010	Printing & Office Supplies	1,000	1,879	1000
1049205021	Telephone/ Cable	900	816	900
1049205053	Blanket Bond	100	80	100
1049205062	Insurance	490	0	0
1049205063	Rents and Leases	1,000	825	300
1049205065	Professional Services	35,000	62,904	43,600
1049205085	Capital Outlay	0	515	0
	TOTAL	**$62,330**	**$75,922**	**$67,917**

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1050105003	Salaries- Part Time	11,400	3,003	12,400
1050105004	Fica Expense	872	244	949
1050105005	Retirement Expense	0	14	0
1050105007	Workman's Compensation	0	0	0
1050105008	Unemployment Compensation	0	0	0
1050205062	Insurance	0	0	0
1050205063	Rents & Leases	200	0	0
1050205065	Professional Services	0	0	0
1050205071	Special Department Expenses	1,000	32	318
1050205085	Capital Outlay	0	0	0
	TOTAL	**$13,472**	**$3,293**	**$13,667**

ACCT. NO.	HURRICANE RELATED EXP. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1055105003	Salaries- Part Time	0	0	0
1055105004	Fica Expense	0	0	0
1055105007	Workman's Compensation	0	0	0
1055205010	Printing /Office Supplies	0	0	0
1055205016	Vehicle Fuel & Oil	0	0	0
1055205017	Vehicle Maintenance	0	11,401	0
1055205021	Telephone and Cable	0	0	0
1055205026	Maintenance/Service Contracts	4,000	139,343	0
1055205027	Machinery/Equipment Repairs	0	0	0
1055205031	Small Hand Tools	0	0	0
1055205041	Uniforms	0	0	0
1055205054	Street Signs	0	0	0
1055205063	Rents and Leases	111,456	84,346	27,806
1055205067	Contracted Expenses	81,082	15,200	0
1055205071	Special Dept. Expenses	0	0	0
1055205079	Miscellaneous Expenses	0	2,427	0
1055205085	Capital Outlay	0	39,678	0
		$196,538	**$292,395**	**$27,806**
GEN FUND TOTAL EXPENDITURES		**$2,803,614**	**$2,682,613**	**$2,619,935**

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	BUDGETED FY 1990-91	4/30/91 COLLECTED FY 1990-91	ESTIMATED FY 1991-92	
5034504105	Acc. Tax Revenue	95,000	46,802	95,000	
	Transfer to General Fund	-25,000	0	-25,000	
	Minus 25% Restricted Fund	-17,500	-11,701	-17,500	
503504505	Interest Income	3,587	4,174	2,000	
	TOTAL REVENUES	$56,087	$39,275	$54,500	-2.83%

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

		5/31/91 BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
	GENERAL GOVERNMENT			
5041205009	Debt Service- Principal	56,087	0	0
5041205011	Debt Service- Interest	0	0	54,500
5041205079	Miscellaneous Expenses	0	6,742	0
5041205085	Capital Outlay	0	58,722	0
5041205090	Tourism Promotion Expense	17,500	50,000	0
	DEPARTMENT TOTAL	$73,587	$115,464	$54,500
	POLICE DEPARTMENT			
5044205010	Printing & Office Supplies			
5044205016	Vehicle Fuel & Oil	10,000	0	
5044205017	Vehicle Maintenance	5,000	0	
5044205021	Telephone/ Cable	0	0	
5044205026	Maintenance/ Service Contracts	0	0	
5044205027	Machinery/ Equipment Repair	0	0	
5044205041	Uniforms	6,000	0	
5044205062	Insurance	0	0	
5044205063	Rents & Leases	2,000	0	
5044205079	Miscellaneous Expenses	0	0	
5044205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

	FIRE DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5045205010	Printing & Office Supplies	0	0	0
5045205016	Vehicle Fuel & Oil	2,000	0	0
5045205017	Vehicle Maintenance	6,500	0	0
5045205021	Telephone/ Cable	2,000	0	0
5045205026	Maintenance/ Service Contracts	2,500	0	0
5045205027	Machinery/ Equipment Repairs	3,000	0	0
5045205041	Uniforms	3,700	0	0
5045205062	Insurance	3,300	0	0
5045205079	Miscellaneous Expenses	0	0	0
5045205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

5/31/90

	PUBLIC WORKS DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5046205010	Printing & Office Supplies	0	0	0
5046205016	Vehicle Fuel & Oil	10,000	0	0
5046205017	Vehicle Maintenance	10,000	0	0
5046205026	Maintenance/ Service Contracts	0	0	0
5046205027	Machinery/ Equipment Repairs	0	0	0
5046205041	Uniforms	3,013	0	0
5046205079	Miscellaneous Expenses	0	0	0
5046205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,013	$0	$0

	ACCOMMODATIONS TAX FUND TOTAL	$142,600	$115,464	$54,500	-61.78%

TOTAL REVENUES--ALL FUNDS

GENERAL FUND	$2,619,935
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,674,435

TOTAL EXPENDITURES--ALL FUNDS

GENERAL FUND	$2,619,935
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,674,435

SIGNIFCANT EXPENSES IN FY 1991-92 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS		**$1,939,829**
OPERATION OF VEHICLES (Gas and Repairs)		**$97,364**
UTILITIES (Electricity, Water, Gas, Phones)		**$76,680**
INSURANCE (Tort, Auto, Property)		**$60,361**
DEBT SERVICE (Parking Lot, '91 G. O. Bonds)		**$138,242**
CAPITAL OUTLAY (Equipment)		**$4,945**
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)		**$64,350**
UNIFORMS		**$21,600**
OTHER OPERATIONS EXPENSES		**$216,564**
	TOTAL	**$2,619,935**

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JULY 11, 1991, 6:30 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on July 11, 1991, at 6:30 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, Watson and Orvin arrived late. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary.

The Mayor asked for a motion to suspend the rules of order and procedure to change the order of the agenda and leave item #1 for last; Mrs. Swanson so moved, Mr. Simon seconded, motion passed unanimously.

1. Discussion of the electrical, mechanical and plumbing contracts for the Municipal Building. Mr. Williams stated that the construction is at a point where a decision needs to be made as to whether to accept the bids submitted by the contractor or to go out to the F.W. Dodge Office to solicit bids in the hopes of cutting the costs further. The current bids total $126,000. Soliciting additional bids will delay the project at least 30 days and will incur additional costs in trailer rentals and the like. Mr. Sottile made a motion to accept the bids of $126,000; Mr. Ward seconded. Several Council members stated that with the cuts made in the budget, the city should try to save money wherever it can. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Orvin - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - Yes. Motion passed 5-4.

Because of a misunderstanding of the meaning of the vote, Ms. NesSmith-Picard made a motion to reconsider the vote; Mr. Holden seconded; motion passed 6-3.

Roll call vote was again taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - Yes. Motion was defeated 4-5. It was decided to solicit additional bids.

2. Discussion of the sale of a small city trailer. Mr. Williams stated that the Public Works employee who purchased the large trailer had also indicated a desire to purchase the small trailer. Upon discussion, it was the consensus that the trailer should be offered to other employees and preference not be shown to one person. Mr. Watson made a motion to approve the sale of the trailer to any city employee for $500 with preference that the purchaser be someone other than the purchaser of the other trailer; Mr. Ward seconded. Mrs. Swanson amended the motion to include any former employee; Mr. Watson seconded. Motion with amendment passed 8-1.

3. Second Reading - Ordinance 1991-16 - An Ordinance to Adopt a Budget to the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992. (see Exhibit A)

Mr. Orvin made a motion to approve second reading of the budget Ordinance 1991-16; Mr. Ward seconded.

Mr. Watson made a motion to transfer $28,000 from the Capital Projects Fund into the revenue side of the General Fund budget; Mr. Simon seconded. As there was a motion on the floor, Mr. Orvin and Mr. Ward withdrew their motion and second respectively. After discussion, roll call vote was taken on this motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Watson - Yes; Bunch - No. Motion passed 5-4.

Mr. Orvin made a motion to approve second reading of the budget Ordinance 1991-16; Mr. Ward seconded. After discussion, roll call vote was taken: Holden No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson -Yes; Bunch - Yes. Motion passed 7-2.

4. Ms. NesSmith-Picard made a motion to suspend the rules of order and procedure to allow a discussion with Mr. Bill Bailey of the Isle of Palms Marina; Mr. Watson seconded, motion passed unanimously.

Mr. Bailey spoke to council concerning the issue of sewer at the Isle of Palms Marina on Palm Boulevard. The Marina had been granted sewer capacity by The Beach Company and it was a part of the sale of the water company to the city that he still be allowed sewer service at his location. He was concerned that the city would not give him sewer service unless he install a combined system with Carroll Realty and had gone to some expense to have engineering plans prepared. He stated that it was costing the Marina $500 a day because they can't sell food.

Mr. Williams stated that it was determined by the city's Water & Sewer Committee that it was in the city's best interest to have only one force main and grinder pump system to be maintained at the area. He said it was not the intent of the committee to deny him sewer but to have the two systems combined into one, especially since the city has to be responsible for maintaining the systems.

After discussion, Mr. Holden made a motion that the Isle of Palms Marina be allowed to tie into the sewer system with their existing plans unless there is an engineering deficiency in the plans and that any remaining unscheduled commitments as of the date of the sale of the Water Company (Mr. Rios and Mrs. Carroll) not be honored at this time; Mr. Ward seconded.

There was discussion as to the Water & Sewer Committee and their recommendations; some Council members wanted to talk to the committee before making this decision as the purpose of the committee was to have professionals advise council on the system. There was also discussion about this being a political decision because of the parties involved. There were two separate issue involved in the motion, one if Mr. Bailey has a legitimate claim to tap into sewer and the second whether we are going to allocate our remaining capacity. Mr. Holden wanted the two issues tied together in his motion. Mr. Williams stated that he had an attorney prepare an agreement that would allow the city to recover any costs incurred to repair this system and the owner of the property has refused to sign the document.

After discussion, Mrs. Swanson made an amendment to the motion that approval be conditional upon Mr. Cantrell, owner of the property, signing the maintenance agreement that has been prepared by an attorney and is to be recorded in the RMC Office; Mr. Orvin seconded. Roll call vote on the amendment: Holden - yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - No. Motion passed 8-1.

Roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion passed 5-4.

Mr. Ward made a motion to adjourn; Mr. Orvin seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 7/25/91

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JULY 16, 1991, 7:15 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on July 16, 1991, at 7:15 p.m., at City Hall. Present were Mayor Bunch, Council Members NesSmith-Picard, Simon, Sottile, Swanson and Watson, Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary. Arriving late were Council Members Orvin and Ward and Holden.

1. Mr. Watson made a motion to suspend third reading and ratify Ordinance 1991-16, An Ordinance to Adopt a Budget for the City of Isle of palms for the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992; Mr. Simon seconded, motion passed 5-1.
(see Exhibit A)

2. Ms. NesSmith-Picard made a motion to suspend the rules of order to allow discussion of items not on the agenda; Mr. Sottile seconded, motion passed unanimously.

Mr. Williams stated that in May 1988 the legislature passed a statute that requires municipalities to send a $25 assessment for every litter case we made to the County General Fund. The City has not been doing this because by statute the money is to be used to offset the County's expenses for supervising clean-up activities, and the County doesn't provide these activities on the island. Now the County is asking for the number of cases and the money which amounts to $750 over the past three years. Mayor Bunch suggested that this be brought up before the County Municipal Association to see if this can be repealed or municipalities can be exempt. Mr. Simon made a motion that more information be sought from other municipalities and the Municipal Association before paying this fee; Mrs. Swanson seconded, motion passed unanimously.

3. Mr. Orvin expressed discern over the new federal recreational boat tax and asked is there was anything the City could do. After discussion, Mr. Orvin made a motion that we send a resolution to Senator Thurmond, Senator Hollings and Representative Ravenel asking to support repealing the tax; Mr. Ward seconded, motion passed unanimously.

4. Mr. Sottile made a motion to go into Executive Session for the purposes of discussing personnel matters; Ms. NesSmith-Picard seconded; motion passed 8-1. Ms. McDuffie and Ms. Geary were excused.

Coming out of Executive Session, the Mayor stated that no action was taken. The meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 7/25/91

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-16
Second Reading Draft - 7/11/91

AN ORDINANCE TO ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992

WHEREAS, Subsection 3 of Section 5-7-260 of the S. C. Code of Laws, 1976, as amended, requires that a municipal Council shall act by ordinance to adopt a budget pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 2. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

SECTION 3. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 4. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

Carmen R. Bunch

Carmen R. Bunch, Mayor

ATTEST:

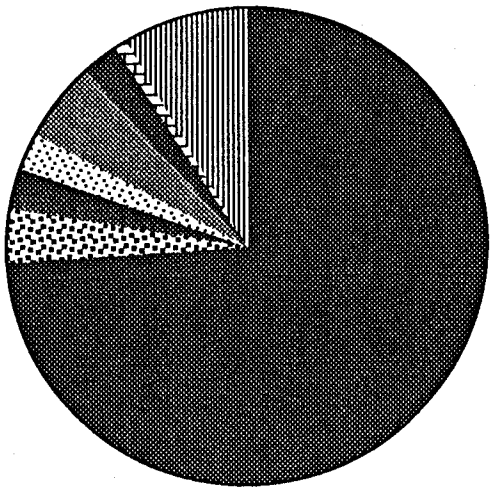
Nellie S. McDuffie, Clerk-Treasurer

First Reading:	6/6/91
Public Hearing:	6/19/91
Second Reading:	7/11/91
Ratification:	7/16/91

City of Isle of Palms, S. C.
Operating Budget for the Fiscal Year
July 1, 1991 -- June 30, 1992

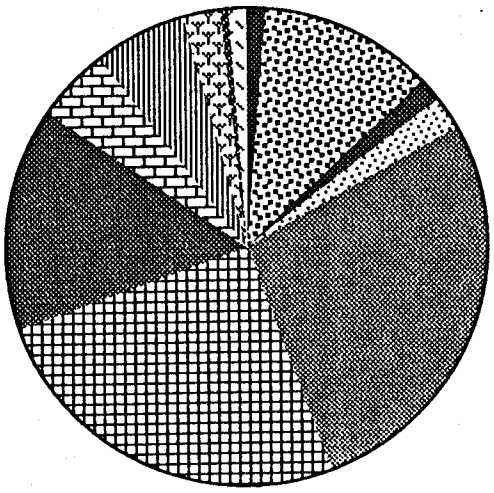
Adopted by City Council July 11, 1991

Significant Expenditures in FY '91- '92



Personnel	74.0%
Operation of Vehicles	3.7%
Utilities	2.9%
Insurance	2.3%
Debt Service	5.3%
Capital Outlay	0.2%
Professional Services	2.5%
Uniforms	0.8%
Other Operating Expenses	8.3%

Expenditures by Department



Mayor & Council	1.3%
General Government	11.8%
Finance Department	1.4%
Police Narcotics	2.3%
Police Department	27.7%
Fire Department	25.1%
Public Works Department	15.1%
Building/Planning	5.1%
Recreation	6.0%
Judicial & Legal	2.6%
Parking Lot Department	0.5%
Hurricane Related Expenses	1.1%

GENERAL FUND BUDGET

July 1, 1991 -- June 30, 1992

REVENUES

ACCT. NO.	ITEM ACCOUNT NAME	BUDGETED FY 1990-91	5/30/91 REVENUES COLLECTED YTD FY 1990-91	ESTIMATE FY 1991-92
1031004001	Property Taxes	1,063,596	1,114,358	1,517,649
1032104006	Business License Fees	280,000	220,484	225,000
1032104007	Insurance License Fees	90,000	97,309	98,000
1032104008	Public Utilities Fees	125,000	41,248	140,000
1032104009	Building Permit Fees	180,000	115,131	130,000
1032104010	Animal License Fees	300	273	300
1032104011	Vehicle ID Fees	10,000	249	0
1033004031	Narcotics Grant Revenue	37,205	19,469	0
1033004032	Narcotics Seizures	40,000	0	59,116
1034004075	Court Generated Revenue	110,000	55,738	110,000
1034504100	Beer & Wine Rebate	24,780	24,542	24,780
1034504101	Liquor Tax Rebate	17,140	15,901	17,140
1034504102	Bank Tax Rebate	210	254	210
1034504103	Motor Transport Rebate	4,980	3,066	4,980
1034504104	Income Tax Rebate	19,270	17,718	19,270
1034504105	Accommodations Tax Rebate	0	0	0
1034504106	Intergovernmental Transfers	24,000	21,925	30,000
1034504107	Intergovernmental Transfers-Narc.	0	0	0
1034504108	Broker's Premium Tax	1,590	1,842	1,590
1034504109	Disaster Relief- State	281,082	211,934	25,000
1034504110	Disaster Relief-Insurance	0	23,626	0
1034504111	Grant Income	0	30,383	0
1034504112	Gasoline Tax Rebate	12,000	16,624	13,000
1035004501	Miscellaenous Revenue	12,009	12,658	10,000
1035004502	Parking Lot Revenue	45,000	22,547	45,000
1035004503	Plat Application Fees	1,000	820	1,000
1035004504	Sale of Assets	50,500	54,522	15,000
1035004505	Interest Income	53,000	17,949	30,000
1035004506	Recreation Instructor's Income	22,300	20,187	17,000
1035004507	Recreation Program Income	13,150	27,669	26,900
1035004508	Recycling Revenue- Cans & Paper	250	2,828	4,000
1035004509	Kennel Donations	0	3,310	0
1035004510	Donations to Dare Program	0	634	2,000
1035004511	Transfer Fm Accom. Tax Fund	25,000	0	25,000
1034504113	Oper. Transfer Capital Projects	260,252	150,000	28,000
	TOTAL GENERAL FUND REVENUES	**$2,803,614**	**$2,345,198**	**$2,619,935**

EXPENDITURES

MAYOR & COUNCIL

ACCT. NO.	ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	5/31/91 GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1040105001	Mayor & Council Salaries	10,800	10,500	10,800
1040105004	Fica Expense	826	793	826
1040105005	Retirement Expense	740	534	740
1040105006	Group Health Insurance	12,421	10,700	18,360
1040105007	Workman's Compensation	0	0	0
1040205015	Meetings & Seminars	500	0	0
1040205016	Vehicle Fuel & Oil	1,200	0	200
1040205017	Vehicle Maintenance	500	0	500
1040205053	Blanket Bond	100	80	100
1040205062	Insurance	2,317	1,369	1,546
1040205087	Council Special Fund	1,500	485	0
1040205088	Mayor's Special Fund	2,500	1,727	2,000
	TOTAL	**$33,404**	**$26,188**	**$35,072**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1041105001	Salaries-Supervisor	38,220	37,718	44,704
1041105002	Salaries-Employees	56,181	55,098	47,281
1041105003	Salaries-Part Time	0	467	0
1041105004	Fica Expense	7,222	7,199	7,037
1041105005	Retirement Expense	6,466	6,404	6,301
1041105006	Group Health Insurance	6,187	6,042	6,120
1041105007	Workman's Compensation	3,862	3,382	4,566
1041105008	Unemployment Compensation	500	0	0
1041205009	Debt Service- Principal	45,000	45,000	50,000
1041205010	Printing & Office Supplies	7,850	5,382	6,000
1041205011	Debt Service- Interest	56,088	56,088	88,242
1041205014	Memberships & Dues	2,247	1,433	1,890
1041205015	Meetings & Seminars	250	668	0
1041205016	Vehicle Fuel & Oil	1,200	1,125	2,000
1041205017	Vehicle Maintenance	500	503	750
1041205020	Electricity & Gas	2,000	1,486	2,100
1041205021	Telephone/ Cable	6,720	4,716	5,650
1041205022	Water & Sewer	300	359	750
1041205026	Maintenance/Service Contracts	4,080	4,243	2,000
1041205027	Machinery/Equipment Repair	500	135	300
1041205041	Uniforms	250	266	400
1041205044	Cleaning/ Sanitary Supplies	200	189	200
1041205053	Blanket Bond	100	80	100
1041205061	Advertising	2,400	5,051	4,000
1041205062	Insurance	4,925	2,074	2,106
1041205063	Rents & Leases	5,200	3,205	4,600
1041205064	Employee Training	0	0	0
1041205065	Professional Services	12,400	47,190	18,950
1041205068	Election Expenses	1,200	1,219	2,500
1041205071	Special Department Expenses	0	0	0
1041205072	Vehicle ID Expense	0	518	0
1041205079	Miscellaneous Expenses	1,500	6,083	1,500
1041205085	Capital Outlay	0	5,741	0
	TOTAL	**$273,548**	**$309,064**	**$310,047**

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1042105001	Salaries- Supervisor	26,378	24,854	30,176
1042105002	Salaries- Employees	0	0	0
1042105003	Salaries-Part Time	0	0	0
1042105004	Fica Expense	2,018	1885	2,308
1042105005	Retirement Expense	1,807	1715	2,067
1042105006	Group Health Insurance	1,547	1589	2,040
1042105007	Workman's Compensation	0	0	0
104215008	Unemployment Compensation	0	0	0
1042205010	Printing & Office Supplies	0	0	0
1042205015	Meetings & Seminars	0	0	0
1042205020	Electricity & Gas	0	0	0
1042205021	Telephone/ Cable	0	0	0
1042205022	Water & Sewer	0	0	0
1042205026	Maintenance/Service Contracts	0	0	0
1042205053	Blanket Bond	575	450	450
1042205062	Insurance	448	396	436
1042205064	Employee Training	0	0	0
1042205079	Miscellaneous Expenses	100	0	100
1042205085	Capital Outlay	0	0	0
	TOTAL	**$32,873**	**$30,889**	**$37,577**

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1043105002	Salaries- Employees	46,850	38,929	45,575
1043105004	Fica Expense	3,584	2,852	3,486
1043105005	Retirement Expense	3,209	4,177	3,122
1043105006	Group Health Insurance	3,094	3,202	4,080
1043205010	Printing & Office Supplies	0	0	0
1043205016	Vehicle Fuel & Oil	0	22	0
1043205017	Vehicle Maintenance	0	91	0
1043205021	Telephone & Cable	3,000	1,547	0
1043205041	Uniforms	1,000	800	0
1043205049	Medical & Lab Supplies	200	0	0
1043205062	Insurance	4,402	3,168	2,853
1043205063	Rents & Leases	0	89	0
1043205071	Special Department Expenses	0	0	0
1043205079	Miscellaneous Expenses	0	0	0
1043205080	Drug Buys	2,000	0	0
1043205085	Capital Outlay	22,460	22,086	0
	TOTAL	**$89,799**	**$76,963**	**$59,116**

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1044105001	Salaries- Supervisor	33,800	30,940	35,152
1044105002	Salaries- Employees	434,358	384,473	415,553
1044105003	Salaries- Part Time	11,155	13,465	6,797
1044105004	Fica Expense	36,667	32,395	34,999
1044105005	Retirement Expense	51,286	41,211	48,953
1044105006	Group Health Insurance	34,030	33,639	43,180
1044105007	Workman's Compensation	12,069	10,568	14,217
1044105008	Unemployment Compensation	1,000	0	1,000
1044205010	Printing & Office Supplies	6,500	7,297	6,500
1044205014	Memberships & Dues	650	440	800
1044205015	Meetings & Seminars	500	261	700
1044205016	Vehicle Fuel & Oil	27,205	27,695	25,114
1044205017	Vehicle Maintenance	9,200	12,463	11,000
1044205020	Electricity & Gas	4,000	2,397	5,000
1044205021	Telephone/ Cable	9,000	10,185	9,000
1044205022	Water & Sewer	600	300	1,000
1044205026	Maintenance/Service Contracts	2,500	2,823	3,000
1042205027	Machinery/Equipment Repair	4,200	3,567	4,200
1044205031	Small Hand Tools	200	8	0
1044205041	Uniforms	9,000	7,059	10,000
1044205044	Cleaning/ Sanitary Supplies	600	408	3,000
1044205049	Medical & Lab Supplies	1,000	1,087	2,500
1044205053	Blanket Bond	100	80	100
1044205062	Insurance	26,000	20,524	22,218
1042205063	Rents & Leases	8,500	6,861	7,800
1044205064	Employee Training	3,500	4,851	4,000
1044205071	Special Department Expenses	2,500	2,773	2,000
1044205074	DARE Program Expenses	0	1,177	2,000
1044205079	Miscellaneous Expenses	2,200	985	1,800
1044205081	Canine Kennel Expenses	3,500	0	500
1042205085	Capital Outlay	3,700	4,892	2,945
	TOTAL	**$739,520**	**$664,824**	**$725,028**

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1045105001	Salaries- Supervisor	33,000	30,240	34,320
1045105002	Salaries- Employees	411,098	360,716	399,023
1045105003	Salaries- Part Time	9,325	3,801	7,030
1045105004	Fica Expense	34,687	29,163	33,689
1045105005	Retirement Expense	48,516	42,261	47,120
1045105006	Group Health Insurance	32,483	33,442	42,840
1045105007	Workman's Compensation	9,787	8,570	11,571
1045105008	Unemployment Compensation	500	0	500
1045205010	Printing & Office Supplies	900	2,303	1,773
1045205014	Memberships & Dues	500	380	800
1045205015	Meetings & Seminars	600	425	1,200
1045205016	Vehicle Fuel & Oil	4,000	6,973	5,000
1045205017	Vehicle Maintenance	10,000	9,966	8,000
1045205020	Electricity & Gas	4,000	2,497	3,500
1045205021	Telephone/ Cable	4,000	5,009	5,700
1045205022	Water & Sewer	350	168	1,200
1045205026	Maintenance/Service Contracts	3,500	4,084	5,500
1045205027	Machinery/Equipment Repair	5,000	6,169	5,000
1045205031	Small Hand Tools	250	717	750
1045205041	Uniforms	5,880	3,604	6,000
1045205044	Cleaning/ Sanitary Supplies	1,000	1,843	2,000
1045205049	Medical & Lab Supplies	4,000	534	9,500
1045205053	Blanket Bond	100	120	100
1045205062	Insurance	18,343	12,125	12,979
1045205063	Rents and Leases	1,920	1,693	1,920
1045205064	Employee Training	2,000	1,839	4,500
1045205065	Professional Services	900	0	800
1045205079	Miscellaneous Expenses	4,000	3,222	4,000
1045205085	Capital Outlay	2,700	2,426	0
	TOTAL	**$653,339**	**$574,290**	**$656,314**

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1046105001	Salaries- Supervisor	30,033	27,609	31,324
1046105002	Salaries- Employees	172,406	142,671	170,276
1046105003	Salaries- Part Time	13,708	6,059	14,400
1046105004	Fica Expense	16,535	13,102	16,524
1046105005	Retirement Expense	14,806	12,041	14,796
1046105006	Group Health Insurance	23,202	24,417	30,600
1046105007	Workman's Compensation	15,624	13,682	17,472
1046105008	Unemployment Compensation	1,500	0	1,000
1046205010	Printing & Office Supplies	300	506	500
1046205016	Vehicle Fuel & Oil	16,000	17,823	19,000
1046205017	Vehicle Maintenance	24,000	28,711	21,000
1046205020	Electricity & Gas	25,000	20,664	23,000
1046205021	Telephone/ Cable	1,000	730	1,200
1046205022	Water & Sewer	250	0	1,000
1046205026	Maintenance/Service Contracts	1,000	157	500
1046205027	Machinery/Equipment Repair	1,000	668	750
1046205031	Small Hand Tools	750	626	650
1046205041	Uniforms	6,000	3,414	5,000
1046205044	Cleaning/ Sanitary Supplies	2,000	414	1,000
1046205049	Medical & Lab Supplies	200	187	500
1046205054	Street Signs	2,500	1,224	2,000
1046205062	Insurance	18,398	15,624	17,218
1046205063	Rents & Leases	1,500	0	500
1046205065	Professional Services	0	0	0
1046205067	Contracted Services	2,500	262	1,500
1046205068	Election Expenses	0	46	0
1046205073	Recycling Expense	0	1,428	2,000
1046205079	Miscellaneous Expenses	500	912	500
1046205085	Capital Outlay	0	2,046	2,000
	TOTAL	**$390,712**	**$335,023**	**$396,210**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1047105001	Salaries- Supervisor	32,063	29,360	33,345
1047105002	Salaries- Employees	87,566	71,087	47,989
1047105003	Salaries- Part Time	4,700	4,308	4,935
1047105004	Fica Expense	9,511	7,944	6,600
1047105005	Retirement Expense	8,517	7,233	5,909
1047105006	Group Health Insurance	9,281	8,863	6,120
1047105007	Workman's Compensation	526	461	622
1047105008	Unemployment Compensation	0	0	1,000
1047205010	Printing & Office Supplies	3,300	2,872	2,500
1047205014	Memberships & Dues	100	110	125
1047205015	Meetings & Seminars	500	858	1,000
1047205016	Vehicle Fuel & Oil	4,000	2,439	3,000
1047205017	Vehicle Maintenance	1,000	504	1,000
1047205020	Electricity & Gas	4,000	1,477	3,000
1047205021	Telephone/ Cable	5,800	4,538	4,600
1047205022	Water & Sewer	1,000	0	1,200
1047205026	Maintenance/Service Contracts	750	147	750
1047205027	Machinery/Equipment Repair	150	0	150
1047205044	Clean/Sanitation Supplies	250	320	1,800
1047205053	Blanket Bond	100	80	100
1047205062	Insurance	3,282	2,447	2,349
1047205063	Rents and Leases	3,360	3,061	3,360
1047205064	Employee Training	1,000	0	500
1047205065	Professional Services	2,000	30	1,000
1047205079	Miscellaneous Expenses	250	0	250
1047205085	Capital Outlay	0	659	0
	TOTAL	**$183,006**	**$148,798**	**$133,204**

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048105001	Salaries- Supervisor	20,280	18,564	21,091
1048105002	Salaries- Employees	40,896	38,104	44,606
1048105003	Salaries- Part Time	0	0	0
1048105004	Fica Expense	4,680	4,329	5,026
1048105005	Retirement Expense	4,191	3,911	4,500
1048105006	Group Health Insurance	6,187	6,357	8,160
1048105007	Workman's Compensation	2,018	1,768	2,386
1048105008	Unemployment Compensation	250	0	250
1048205010	Printing & Office Supplies	1,500	1,297	2,500
1048205014	Memberships & Dues	1,700	461	2,000
1048205015	Meetings & Seminars	300	250	500
1048205016	Vehicle Fuel & Oil	750	1,072	1,000
1048205017	Vehicle Maintenance	500	57	500
1048205020	Electricity & Gas	6,000	5,204	6,000
1048205021	Telephone/ Cable	1,200	1,890	2,280
1048205022	Water & Sewer	500	437	500
1048205026	Maintenance/Service Contracts	1,500	1,928	1,700
1048205027	Machinery/Equipment Repair	800	544	800
1048205031	Small Hand Tools	75	96	100
1048205041	Uniforms	400	380	200
1048205044	Cleaning/ Sanitary Supplies	1,000	1,340	1,500
1048205049	Medical & Lab Supplies	200	0	100
1048205053	Blanket Bond	100	80	100
1048205062	Insurance	2,471	1,449	1,509
1048205063	Rents & Leases	2,400	2,121	2,400
1048205064	Employee Training	200	236	400
1048205071	Special Department Expenses	17,000	25,424	8,470
1048205079	Miscellaneous Expenses	200	142	100
1048205085	Capital Outlay	0	11,551	0
	SUB-TOTAL	**$117,298**	**$128,992**	**$118,678**

	REC. INSTRUCTION EXPENSES	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1048305090	Crafts	1,500	1,250	1,200
1048305091	Gymnastics	1,500	2,692	2,300
1048305092	Mother's Morning Out	0	0	0
1048305093	Day Camp	4,200	3,553	6,000
1048305094	Dancing	1,125	1,179	1,200
1048305095	Karate	8,250	6,437	7,500
1048305096	Aerobics	600	0	600
1048305097	Adult Sports	0	0	11,000
1048305098	Youth Sports	0	0	8,500
1048305099	Tennis	600	861	1,000
	SUB-TOTAL	**$17,775**	**$15,972**	**$39,300**
	TOTAL	**$135,073**	**$144,964**	**$157,978**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1049105002	Salaries- Employees	15,470	6,530	17,447
1049105003	Salaries- Part Time	4,000	667	0
1049105004	Fica Expense	1,489	557	1,335
1049105005	Retirement Expense	1,334	500	1,195
1049105006	Group Health Insurance	1,547	649	2,040
1049205008	Unemployment Insurance	0	0	0
1049205010	Printing & Office Supplies	1,000	1,879	1000
1049205021	Telephone/ Cable	900	816	900
1049205053	Blanket Bond	100	80	100
1049205062	Insurance	490	0	0
1049205063	Rents and Leases	1,000	825	300
1049205065	Professional Services	35,000	62,904	43,600
1049205085	Capital Outlay	0	515	0
	TOTAL	**$62,330**	**$75,922**	**$67,917**

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1050105003	Salaries- Part Time	11,400	3,003	12,400
1050105004	Fica Expense	872	244	949
1050105005	Retirement Expense	0	14	0
1050105007	Workman's Compensation	0	0	0
1050105008	Unemployment Compensation	0	0	0
1050205062	Insurance	0	0	0
1050205063	Rents & Leases	200	0	0
1050205065	Professional Services	0	0	0
1050205071	Special Department Expenses	1,000	32	318
1050205085	Capital Outlay	0	0	0
	TOTAL	**$13,472**	**$3,293**	**$13,667**

ACCT. NO.	HURRICANE RELATED EXP. ACCOUNT NAME	GEN. FUND BUDGETED FY 1990-91	GEN. FUND EXPENDED YTD FY 1990-91	GEN. FUND ESTIMATE FY 1991-92
1055105003	Salaries- Part Time	0	0	0
1055105004	Fica Expense	0	0	0
1055105007	Workman's Compensation	0	0	0
1055205010	Printing /Office Supplies	0	0	0
1055205016	Vehicle Fuel & Oil	0	0	0
1055205017	Vehicle Maintenance	0	11,401	0
1055205021	Telephone and Cable	0	0	0
1055205026	Maintenance/Service Contracts	4,000	139,343	0
1055205027	Machinery/Equipment Repairs	0	0	0
1055205031	Small Hand Tools	0	0	0
1055205041	Uniforms	0	0	0
1055205054	Street Signs	0	0	0
1055205063	Rents and Leases	111,456	84,346	27,806
1055205067	Contracted Expenses	81,082	15,200	0
1055205071	Special Dept. Expenses	0	0	0
1055205079	Miscellaneous Expenses	0	2,427	0
1055205085	Capital Outlay	0	39,678	0
		$196,538	**$292,395**	**$27,806**
GEN FUND TOTAL EXPENDITURES		**$2,803,614**	**$2,682,613**	**$2,619,935**

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	BUDGETED FY 1990-91	4/30/91 COLLECTED FY 1990-91	ESTIMATED FY 1991-92	
5034504105	Acc. Tax Revenue	95,000	46,802	95,000	
	Transfer to General Fund	-25,000	0	-25,000	
	Minus 25% Restricted Fund	-17,500	-11,701	-17,500	
503504505	Interest Income	3,587	4,174	2,000	
	TOTAL REVENUES	$56,087	$39,275	$54,500	-2.83%

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

		BUDGETED FY 1990-91	5/31/91 EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
	GENERAL GOVERNMENT			
5041205009	Debt Service- Principal	56,087	0	0
5041205011	Debt Service- Interest	0	0	54,500
5041205079	Miscellaneous Expenses	0	6,742	0
5041205085	Capital Outlay	0	58,722	0
5041205090	Tourism Promotion Expense	17,500	50,000	0
	DEPARTMENT TOTAL	$73,587	$115,464	$54,500
	POLICE DEPARTMENT			
5044205010	Printing & Office Supplies			
5044205016	Vehicle Fuel & Oil	10,000	0	
5044205017	Vehicle Maintenance	5,000	0	
5044205021	Telephone/ Cable	0	0	
5044205026	Maintenance/ Service Contracts	0	0	
5044205027	Machinery/ Equipment Repair	0	0	
5044205041	Uniforms	6,000	0	
5044205062	Insurance	0	0	
5044205063	Rents & Leases	2,000	0	
5044205079	Miscellaneous Expenses	0	0	
5044205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

	FIRE DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5045205010	Printing & Office Supplies	0	0	0
5045205016	Vehicle Fuel & Oil	2,000	0	0
5045205017	Vehicle Maintenance	6,500	0	0
5045205021	Telephone/ Cable	2,000	0	0
5045205026	Maintenance/ Service Contracts	2,500	0	0
5045205027	Machinery/ Equipment Repairs	3,000	0	0
5045205041	Uniforms	3,700	0	0
5045205062	Insurance	3,300	0	0
5045205079	Miscellaneous Expenses	0	0	0
5045205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,000	$0	$0

5/31/90

	PUBLIC WORKS DEPARTMENT	BUDGETED FY 1990-91	EXPENDED YTD FY 1990-91	ESTIMATE FY 1991-92
5046205010	Printing & Office Supplies	0	0	0
5046205016	Vehicle Fuel & Oil	10,000	0	0
5046205017	Vehicle Maintenance	10,000	0	0
5046205026	Maintenance/ Service Contracts	0	0	0
5046205027	Machinery/ Equipment Repairs	0	0	0
5046205041	Uniforms	3,013	0	0
5046205079	Miscellaneous Expenses	0	0	0
5046205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,013	$0	$0

	ACCOMMODATIONS TAX FUND TOTAL	$142,600	$115,464	$54,500	-61.78%

TOTAL REVENUES--ALL FUNDS

GENERAL FUND	$2,619,935
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,674,435

TOTAL EXPENDITURES--ALL FUNDS

GENERAL FUND	$2,619,935
ACCOMMODATIONS TAX FUND	$54,500
TOTAL	$2,674,435

SIGNIFCANT EXPENSES IN FY 1991-92 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS		**$1,939,829**
OPERATION OF VEHICLES (Gas and Repairs)		**$97,364**
UTILITIES (Electricity, Water, Gas, Phones)		**$76,680**
INSURANCE (Tort, Auto, Property)		**$60,361**
DEBT SERVICE (Parking Lot, '91 G. O. Bonds)		**$138,242**
CAPITAL OUTLAY (Equipment)		**$4,945**
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)		**$64,350**
UNIFORMS		**$21,600**
OTHER OPERATIONS EXPENSES		**$216,564**
	TOTAL	**$2,619,935**

ENTERPRISE FUND BUDGET
WATER & SEWER DEPARTMENT
July 1,1991 -- June 30, 1992

		REVENUES	5/31/90 REVENUES	
	ITEM	BUDGETED	COLLECTED YTD	ESTIMATE
ACCT. NO.	ACCOUNT NAME	FY 1990-91	FY 1990-91	FY 1991-92
6036004601	Residential Sale of Water	0	0	640,627
6036004602	Residential Sale of Sewer	0	0	176,397
6036004603	Commercial Sale of Water	0	0	36,519
6036004604	Commercial Sale of Sewer	0	0	22,595
6036004605	Water Tap Fees	0	0	4,000
6036004606	Sewer Tap Fees	0	0	6,000
6036004607	New Customer Charges	0	0	5,350
6035004501	Miscellaneous Revenue	0	0	0
	Sub-total	0	0	891,488
	Non-Operating Revenue			
6037004505	Interest Revenue			25,000
6037004901	Operating Transfer In			0
	Sub-total			25,000
	TOTAL			**$916,488**

EXPENDITURES

ACCT. NO.	WATER & SEWER DEPT. ACCOUNT NAME	ENT. FUND BUDGETED FY 1990-91	ENT. FUND EXPENDED YTD FY 1990-91	ENT. FUND ESTIMATE FY 1991-92
	Payroll and Personnel			
6060105001	Salaries-Supervisor			36,358
6060105002	Salaries-Employees			150,585
6060105003	Salaries-Part Time			13,520
6060105004	Fica Expense			15,335
6060105005	Retirement Expense			13,732
6060105006	Group Health Insurance			12,240
6060105007	Workman's Compensation			8,750
6060105008	Unemployment Compensation			1,000
	Sub-total			**251,520**
	Operating Expenses			
6060205014	Memberships & Dues			800
6060205015	Meetings & Seminars			1,200
6060205049	Medical & Lab			11,500
6060205053	Blanket Bond			500
6060205062	Insurance			3,000
6060205064	Employee Training			2,500
6060205065	Professional Services			39,000
6060205067	Contracted Services			51,000
6060205071	Special Dept. Expenses			0
6060205079	Miscellaneous			5,000
	Sub-total			**114,500**
	Capital Outlay			
6060405085	Capital Outlay			**12,000**
	Supplies			
6060455010	Printing and Office Supplies			10,000
6060455016	Vehicle Fuel & Oil			13,000
6060455041	Uniforms			2,500
6060455044	Water & Sewer Supplies			18,000
	Sub-total			**43,500**
	Heat,Light & Power			
6060505020	Electricity & Gas			48,000
6060505021	Telephone/Cable			6,000
6060505022	Water & Sewer			0
	Sub-total			**54,000**

	Repairs & Maintenance	
6060605017	Vehicle Maintenance	3,000
6060605026	Maintenance & Service Contracts	5,000
6060605027	Machinery & Equipment Repair	10,000
6060605031	Small Hand Tools	1,000
	Sub-total	**19,000**
	Rent	
6060705063	Rents & Leases	**500**
	Depreciation	
6060805501	Depreciation	**50,000**
	Advertising	
6060905061	Advertising	**2,500**
	Non-Operating Expenses	
6060205009	Debt Service- Principal	13,296
6060205011	Debt Service- Interest	228,039
6060955013	Debt Service- Service Charges	2,500
6060955901	Operating Transfers Out	0
6027003226	Capital Reserve	125,133
	Sub-total	**368,968**
	TOTAL	**$916,488**

WATER & SEWER DEPARTMENT
CAPITAL PROJECTS BUDGET

Priority	Item	Completion Date	Estimated Cost
1	Safety Equipment		
	Scott Air Paks @ $1,500/ chlorine installation	Dec 31, 1991	4,500
	Chlorine Patch kit (2) @ $700/kit		1,400
2	WWTP Improvements	Dec 31, 1991	
	-(1)standby power 70KW gen sets	Dec 31, 1992	35,000
	-replace catwalks & railing	Dec 31, 1991	25,000
	-sand blasting & painting	Dec 31, 1991	35,000
	-replace V-notch weir	Dec 31, 1991	250
	-rehabilitate chlorine chamber	Dec 31, 1991	3,500
	-install effluent flow meter	Dec 31, 1991	3,000
	-install grit chamber/bar screen	Dec 31, 1991	10,000
	-install de-chlorination equipment	Dec 31, 1991	25,000
	-relocate sludge drying beds	Feb 28, 1992	90,000
3	BAN rollover to long-term debt	Mar 1, 1992	496,850
4	Reverse Osmosis or EDR & associated		
	water distribution improvements	May 30, 1992	1,600,000
	-eliminate bottleneck		3,450
	-12" water line to tank		7,000
5	Back-up fire flow pump; well #1	Dec 31, 1993	8,500
	Bond issue costs	7% @ 30 yrs	79,560
	Bonded Debt Service reserve fund		224,000
	(includes contingency)		0
	Total for fiscal year 1991-92		**$2,652,010**
6	Renovation of office building	May 31, 1993	15,000
	10% contingency		1,500
	Total for fiscal year 1992-93		**$16,500**
7	Water line improvements	Dec 31, 1995	350,000
	-15,000' of 12" WL; Palm Blvd. (21st-53rd)		
	-8,000' of 8" WL between Waterway & Palm(even streets)		
	21st to 41st Avenues		
8	Sewer line infiltration & inflow inspection	Dec 31, 1995	10,000
	10% contingency		36,000
	Total for fiscal year 1995-96		**$396,000**

9	Pipe overflow from well #2 to storm drain	Dec 31, 1996	2,500
10	Elevated 150,000 gal. storage tank for N end of island	Dec 31, 1996	375,000
	10% contingency		37,750
	Total for fiscal year 1996-97		**$415,250**
11	WWTP expansion and collection system	Dec 31, 2001	14,000,000
	10% contingency		1,400,000
			$15,400,000
	Total of all capital improvements		**$18,879,760**

MEETING OF COUNCIL; DISCUSSION CONCERNING APPOINTMENT OF ATTORNEY

There was a meeting of Council on July 22, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Sottile, Swanson, Ward, and Watson, City Administrator Williams, Attorney Dennis Rhoad, Detective Sergeant McCurdy and Police Chief Arnold. Council Member Simon was on vacation and Orvin was absent.

The Administrator opened the meeting advising council members of his meeting with Mr. Rhoad regarding his appointment as City Attorney for the City of Isle of Palms. Introductions were made and Mr. Rhoad gave the members a resume of his education and career and stated that he was the attorney for Kiawah Island and has handled legal matters pertaining to planning, bond issues, ordinances, in addition to various litigations. Shortly following his discussion, the Mayor requested to address the issue prior to council members asking questions of Mr. Rhoad.

The Mayor reiterated that she had suggested to the Administrator that he contact Mr. Rhoad since he had sent his resume to the city early in the year applying for the position of City Attorney. The Mayor acknowledged that due to City Attorney Dreyfoos' heavy workload and the fact that he was presently on vacation through July 28th, legal advice was needed and she had no problem with the city retaining Mr. Rhoad to handle pressing legal matters, mainly the Isle of Palms Marina and its forthcoming meeting scheduled for Wednesday regarding various discrepancies in their business license. The Mayor advised that since Bill Dreyfoos was out of town and was not aware of what was taking place, she hoped that appointment of Mr. Rhoad as City Attorney could be postponed until Mr. Dreyfoos returned and the matter was discussed with him. It was her feeling that newspaper accounts of this meeting should not reflect unfavorably towards Mr. Dreyfoos or give the impression that he was being "fired".

Mr. Rhoad was then asked if he would take up the slack and help the Administrator in the urgent legal matters now pending. Mr. Rhoad advised that he would work with council and was acquainted with Mr. Dreyfoos and there would be no hard feelings on whatever council decided to do.

Council members proceeded to ask Mr. Rhoad various questions, i.e., Who would he be working for? Did he know we had a change of government? Whether an item was omitted from an ordinance, would it be considered an affirmative or negative side of the question?, etc. Mr. Rhoad answered all questions assertively and to the apparent satisfaction of members present. A few council members expressed their opinion that Mr. Rhoad should be hired at this time as our full time City Attorney.

Shortly thereafter, Mrs. Swanson made a motion that Dennis Rhoad be retained to serve the City as needed by the Administrator on all pressing issues until Mr. Dreyfoos returns; Mr. Watson seconded.

Roll Call vote was requested by Mr. Ward: Holden - Yes; NesSmith-Picard - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 6-1.

Following the vote, motion was made by Mr. Ward to go into Executive Session to discuss legal matters pertaining to the Isle of Palms Marina business license, seconded by Mr. Sottile, and unanimously passed.

Coming out of Executive Session, the Mayor stated that no action was taken on the discussion held.

A discussion followed on the business license and conditions regarding parking, loading zone, jet ski operations, etc., at the Isle of Palms Marina. Motion was made by Mr. Sottile, seconded by Mr. Holden, that instead of having a meeting to show cause why the business license at the Isle of Palms Marina should not be revoked, that an informal meeting be held to discuss these matters with Mr. Bailey to see if amicable solutions to their problems could be met. It was suggested that this meeting be held in closed session at which time the Mayor advised she would not attend if closed and Mr. Ward also objected to Executive Session on this matter. When questioned on the matter of Executive Session, Mr. Rhoad advised it may be best to have it in open session. Vote was taken and all members voted to have the open session on Wednesday.

Mr. Sottile made a motion that Council proceed with its protest for mini bottles due to public safety reasons at the Breach Inlet area; Mr. Ward seconded. Mrs. Swanson amended the motion to read on all available grounds; Mr. Watson seconded. All members voted yes with Mr. Holden and Ms. NesSmith-Picard voting no on both the amendment and motion.

Motion was made by Mr. Ward, seconded by Mr. Watson, and unanimously passed, to adjourn.

Respectfully submitted,

Carmen R. Bunch

Carmen R. Bunch, Mayor

Approved by City Council on 9/22/91

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JULY 24, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on July 24, 1991, at 7:00 p.m., at City Hall, for the purpose of discussing the business operations of the Isle of Palms Marina. Present were Mayor Bunch, Councilmembers Holden, NesSmith-Picard, Sottile, Swanson, Ward, and Watson, City Administrator Williams, Attorney Dennis Rhoad, Clerk-Treasurer McDuffie, and Secretary Geary. Representing the Isle of Palms Marina were Attorney Guerard, John Cantrell, property owner, and Elizabeth Bailey, manager of the facility.

Mr. Williams opened the discussion by explaining the City's position on the problems at the marina. Mr. Bailey attempted to reestablish the presence of the Isle of Palms Marina post- Hurricane Hugo through the installation of a temporary modular building. He obtained business licenses to operate a variety store and a marina. Subsequently, the City learned that they were attempting to use this building as a bar and had not obtained a business for this operation, nor were there sufficient parking spaces required for the three operations. The other problem was in their application to ABC for a minibottle license, which the City protested at the ABC hearing. The situation is now whether or not the City is in a position to accept the marina's proposed operation of the lounge, the marina and the variety store and jet skis in one location, and ask the owner to show that he can or cannot meet the City's parking requirements at this location. There is also a need to address the situation of sewer service.

Mr. Guerard, attorney for the marina, spoke on behalf of Bill Bailey. He gave a short history of the business activities at this site over the past several years. The property was originally a Texaco station, and eventually a snack bar with beer was added. After Hurricane Hugo, the property was improved considerably. When it was leased to the Baileys, they obtained three business permits: (1) sublease for jet ski operation for which there are no parking requirements; (2) the marina operation for which there are no parking requirements in the City Code; and (3) a variety store with a beer & wine license requiring six parking spaces plus one employee space.

Mr. Guerard presented the plans drawn by Architect John Gardner for the permanent facility which is to be constructed by next March. There will be a retail store downstairs, with a restaurant and lounge upstairs. Mr. Haselden has preliminarily approved this plan which will include 27 parking spaces.

Mr. Guerard also presented a site plan prepared by Charles Dawley, surveyor, showing the current building and 27 parking spaces. (see attached). He stated that their position is that they have a valid business license duly granted by the City, that there is nothing on the property that wasn't there before the hurricane, that they have substantially improved the property; that another business license is not required; and that there are sufficient parking spaces on the premises. As far as sewer is concerned, he stated that Mr. Cantrell will address this situation.

Mayor Bunch stated that one of the things she remembers about the property several years ago was that there was no entertainment or outside seating before. Mr. Cantrell said that there was a large deck on the old property and that there was some entertainment.

Mr. Guerard stated that the Bailey's would address any problem with noise and would work with the neighbors to keep the noise down. The Mayor was concerned about entertainment drawing more people and the fact that cars have been stacked 3-4 deep at times in the parking lot.

Councilmember Sottile spoke, as Chairman of Public Safety, about the concern of the number of pedestrians, jet ski operation, etc., and the safety of others when someone tries to leave the marina after having been drinking. He felt that there

would have been more objections had Council known that there was going to be a bar and not just a variety store. There have already been several accidents at the area in recent weeks. With the parking of cars 3-4 deep, there is a concern about emergency access; and there is a problem with a loading zone and trucks parking over the bike path. Mr. Sottile asks that the owners get in compliance with city ordinances as far as licenses and parking.

Mr. Guerard responded that the property was zoned commercial. He stated that only the State of South Carolina can regulate the sale of alcoholic beverages. The ABC Commission sets the rules and applies them strictly and that cities can input their opinion on whether a license should or should not be granted.

Councilmember Holden asked how many parking spaces were required for a bar with ten formal seats, to which Mr. Williams responded that two spaces were required for each four seats. Therefore the number of parking spaces required would hinge on the number of seats. As far as the sewer situation, Mr. Holden stated that the City has granted sewer allocation to the marina, but that there is no allocation for boat pump outs.

Mr. Cantrell stated that he had received a letter from Coastal Council that boat pump outs was a condition for live-aboards. Marine chemicals introduce agents into the system that the island's process cannot take out. He stated that an alternative to that would be to have trucks come in to pump out the boats. He stated that they did not want to create any problems for the city. Mr. Cantrell stated that he had been an island resident for many years living at Breach Inlet on Charleston Blvd. and had prided himself in being a good neighbor. He did not want to cause problems for anyone else and has not complained about things that have happened in the vicinity of his property, like the parking lot, catwalk, well, increased traffic, etc. Mr. Cantrell stated that he felt that the dock and bulkhead had been done properly and that it was the best that it could be. He said that he would be more than happy to sit down and discuss any problems that the city has with the property in an effort to cooperate and comply with the city requirements.

Mayor Bunch stated her appreciation of the dock and fence around it, but one of her complaints was the machines outside the building and the portalets. A representative of DHEC had told her that DHEC would not have permitted the marina to have an on-premise beer license without two restrooms.

Mr. Cantrell placed the portalets outside and has them serviced twice a week, because he was told that they were exceeding their gallon usage. They are used by anyone in the area, including fisherman, etc., and they are documenting the usage as they are being pumped. The portalets are temporary.

Councilmember Ward asked Mr. Cantrell when the permanent building would be constructed. Mr. Cantrell stated that he anticipated construction to begin in the fall; there is a JEDA loan which needs to be signed off on also. Mr. Ward asked if there would be any variances needed for the new building to which Mr. Cantrell replied that one would be needed to maintain the temporary building while constructing the new building because of the number of parking spaces required. This would also be a temporary situation. Mr. Ward then asked if the new building would be as large as the Carroll Realty building, to which Mr. Cantrell replied that it would not. Mr. Ward stated that he had only two concerns: (1) he didn't want to see variances given as they were next door; and (2) he didn't want to see three and four cars stacked like they have been.

Mr. Cantrell went through the process by which his business licenses were obtained. The license for the marina was obtained first. When he applied for the permit for the store, he stated that he did tell the clerk that there would be on and off premise beer. Mayor Bunch stated that the Building Inspector was not aware of the bar until he went in to make an inspection of the premises; Mr. Cantrell agreed that Mr. Haselden did not know, but stated that he did tell the

Building Department of his intention when applying for the permit and was issued a permit for a variety store.

Councilmember Holden made a statement that if the problem was the minibottle license at this particular location, it should be addresses now and not force another meeting like this one when the permanent structure is completed and a restaurant and lounge is opening.

Councilmember NesSmith-Picard stated that the main problem was that there were so many activities at Breach Inlet and that the safety of persons crossing the street was in jeopardy. Another problem is the jet ski operation which is being addressed by Council at this time. She feels that if the number of operations is reduced, then the safety issue will be reduced. She felt that as long as proper steps are taken with ABC and the city ordinances are complied with, then council should allow the business to proceed as is.

After further discussion, Councilmember Swanson made a motion to suspend the rules of order to allow Mr. Sandeford, neighbor of Mr. Cantrell, to speak, Ms. Nessmith-Picard seconded, motion passed unanimously.

Mr. Sandeford spoke on behalf of the residents of the area about their concerns with the commercialization of Breach Inlet and the additional traffic and noise.

The Mayor stated that it was her opinion that with the entertainment, etc., that wasn't there before the hurricane, she felt it was an operation that required another business license.

Councilmember Swanson stated that she felt safety would be influenced by alcoholic beverages being consumed at that area, that the off loading situation could be improved and that we should work together and help to keep the neighbors from being upset until the permanent building goes up and the noise won't be outside. She stated that if everyone would be happy if the marina obtained another business license, then they should get the other license.

Mr. Guerard stated that the issue of another business license would be another layer of needless bureaucracy imposed on the marina which would come under a separate set of health and sewer regulations. He felt this would be unfair because they did not have a bar, merely a room where persons could drink a beer and not be outside, and when they applied for their business license, they did tell the city they would have on and off premise beer. He also stated that there was only one live-aboard at the marina, just as there had been one before the hurricane.

Mayor Bunch introduced Dennis Rhoad, attorney representing the city on this matter, who gave his opinion on this issue. According to the Isle of Palms Business License ordinance, when you operate different classifications of operations in one building, a license is needed for each classification of business. The Council needs to determine whether or not the marina is operating a bar or lounge. In his opinion, the operation looks like a bar with counters, stools and a TV, and would require a business license for such. He also did not feel that another license would require more bureaucratic permits.

Mr. Williams stated that all of the correspondence from the regulatory agencies refer to the operation as a bar or lounge. He said that the owners shouldn't expect to use it as a bar and not have the city recognize it as a bar.

Mr. Guerard spoke about the classification of "variety store" which was the basis on which this license was issued. At the time of application, the Building Department was told that beer was to be sold on and off premise; the clerk went through the classification manual and determined that variety store fit the use of the business. Mr. Williams noted that the business license application noted variety store which is what the clerk looked up. Mr. Guerard contended that the

clerk helped to define that this was a variety store by looking through the classifications.

Mr. Ward asked Mr. Cantrell if it was his understanding that the clerk, acting as an agent for the city, had the authority to tell [you] what the right classification was and that [you] represented to them truthfully what [you] were going to do there; and it appeared to [you], behind the counter and took your money, that they had an agency responsibility in acting for the city. Mr. Cantrell answered yes. Mr. Ward said that it appears that the clerk put down the wrong classification and that council cannot hold the licensee responsible for that.

Mr. Williams stated that the sequence by which some of this occurred related directly to the issue. Mr. Cantrell did not get the business license before he built the building. When he got the building permit, he stated what the use of the building would be. After the building was built, the building inspector makes an inspection and sees a bar. At that point a business license is applied for by telling the clerk what he is going to do. It is not the clerk's responsibility to say whether or not it is a bar.

The Mayor asked that the councilmembers talk to Mr. Haselden, who was not at the meeting, to discuss this.

After further discussion, Mr. Sottile stated that it appeared that they were basically operating the same type of operation that they had before the hurricane, and have agreed to work with the city to make it something nice, have the parking spaces, will work with the police on the off loading situation, and therefore he stated that he didn't feel they had to get another business license.

Ms. NesSmith-Picard made a motion that the variety store business license is adequate and that no further licenses are required; Mr. Ward seconded. After further discussion, Mr. Ward amended the motion that before construction begins on the permanent structure, the minimum of 27 parking spaces be maintained by the owner; Mr. Sottile seconded. The amendment passed unanimously. Roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion passed 4-3.

Mr. Guerard stated that he appreciated the effort that council put into this. He said that he hoped that any questions arising in the future be dealt with in an open and orderly manner. Please let us know if there is a concern and we promise to address it responsibly and quickly. Mr. Guerard asked the city to withdraw the four tickets against Mr. Bailey so that there will be no consequences.

Chief Arnold stated that in light of the circumstances, he will take steps to see that the tickets are dismissed.

Mr. Ward made a motion to adjourn, motion was seconded, and passed 5-2.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on _____

M E M O R A N D U M

To: City Council, City of Isle of Palms

From: Dennis J. Rhoad

Date: July 23, 1991

Re: Mr. Bill Bailey d/b/a Isle of Palms Marina

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At your request I have reviewed the City's file with regard to the above referenced matter and offer the following comments:

1. On January 4, 1991 Mr. Bill Bailey applied for a License to Engage in Business or Profession. The description of the business provided on the application simply reads "Marina." The City of the Isle of Palms subsequently issued a business license to the applicant, Mr. Bailey.

2. On May 24, 1991 Mr. Bill Bailey applied for a License to Engage in Business or Profession. The description of the business provided on the application simply reads "Variety Store." The City subsequently issued a business license to the applicant.

3. Subsequent to May 24, 1991, Elizabeth A. Bailey applied for an On Premises Beer and Wine Permit/ (Business) Sale and Consumption License from the Alcoholic Beverage Control Commission. It is my understanding that this license has been granted without objection from the City of Isle of Palms.

4. On July 23, 1991 representatives from the City of Isle of Palms attended a hearing before the Alcoholic Beverage Control Commission to protest Elizabeth A. Bailey's application for an On Premises Mini-Bottle Permit/ (Business) Sale and Consumption License. By Council's vote of 5/2 the City of Isle of Palms was to protest this application on all available grounds to include public safety concerns, inadequate parking and loading concerns and health concerns involving waste water disposal.

5. Mr. Bailey is presently operating a (40) seat lounge/bar operation at the same location of his Marina and Variety Store. He has not applied for a business license for such operation. He must have a separate business license to operate a lounge/bar, this being a different activity from the Marina and Variety Store.
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. Based upon the above recitation of factual matters, I make the following conclusions:

a. Should Mr. Bailey be required to have a separate business license for his lounge/bar operation?

Yes. Section 7-1-9 of the City's Code requires that "where two (2) or more classifications of business are conducted in one (1) establishment.. a license shall be charged and collected for each classification of business so conducted..."

Section 7-1-9 further reads "where branches of business are conducted in separate buildings, both are to be licensed separately." In my opinion, this reference would include identical classifications of the same business being operated in separate buildings, a controlling distinction from the Bailey Marina/Variety Store/Lounge situation.

b. Is Mr. Bailey in violation of Title 7, Chapter One of the City's Code?

Yes. If Mr. Bailey has not complied with the parking requirements contained in the City's Zoning Ordinance (and it is my understanding from the City Administrator that he must have 27 spaces), the health requirements (and it is my understanding from the City Administrator that there is a problem with his waste water disposal process), then he is in violation of Section 7-1-3.

There needs to be a clear distinction drawn between Mr. Bailey's Marina/Variety Store operation and his Lounge/Bar operation. Except for the possible health department requirements, misrepresentations and the possibilities listed in (c) below, I have no information that the business licenses issued for the Marina/Variety Store are not in full compliance with the City's ordinances.

c. Can the City revoke Mr. Bailey's business licenses for the Variety-Marina on other grounds?

Yes. Section 7-1-22 reads in relevant portion "the city council reserves the right to revoke any licenses previously granted upon evidence satisfactory to the city council that such licensee is engaged in any business activity at the place for which the license was secured..."

1. which is detrimental to the security, welfare, convenience, health, peace of good government of the city;

2. which tends to encourage violations of this code or other ordinances of the city;

3. which permits the violation of any provision of this code or other ordinances of the city or of any state law.

From the above factual accounting of the situation it would seem that Mr. Bailey's business operations are in violation of each of these subsections.

d. Should the City revoke Mr. Bailey's business licenses:

At this time, no. Council decided on July 22, 1991 to rescind the revocation proceedings against Mr. Bailey until Council has had the opportunity to hear from Mr. Bailey.

e. What are the suggested actions Council might take regarding this matter?

1. Inform Mr. Bailey that he must comply with all local and state law requirements, to include parking, DHEC requirements, local public works requirements, obtaining a proper business license for the lounge/bar.

2. Give Mr. Bailey ample time to comply with these requirements.

3. Decide if Mr. Bailey should cease his lounge/bar operations until all requirements have been met.

4. If number 3 above is decided in the affirmative, and Mr. Bailey ceases to operate his lounge/bar, then abandon the revocation proceedings.

5. If Mr. Bailey does not cease to operate his lounge/bar until all requirements are met, decide if the revocation proceedings should continue.

SITE PLAN

SHOWING PROPOSED PARKING FOR LOT 1, AT BREACH INLET, IN THE CITY OF ISLE OF PALMS, S.C.

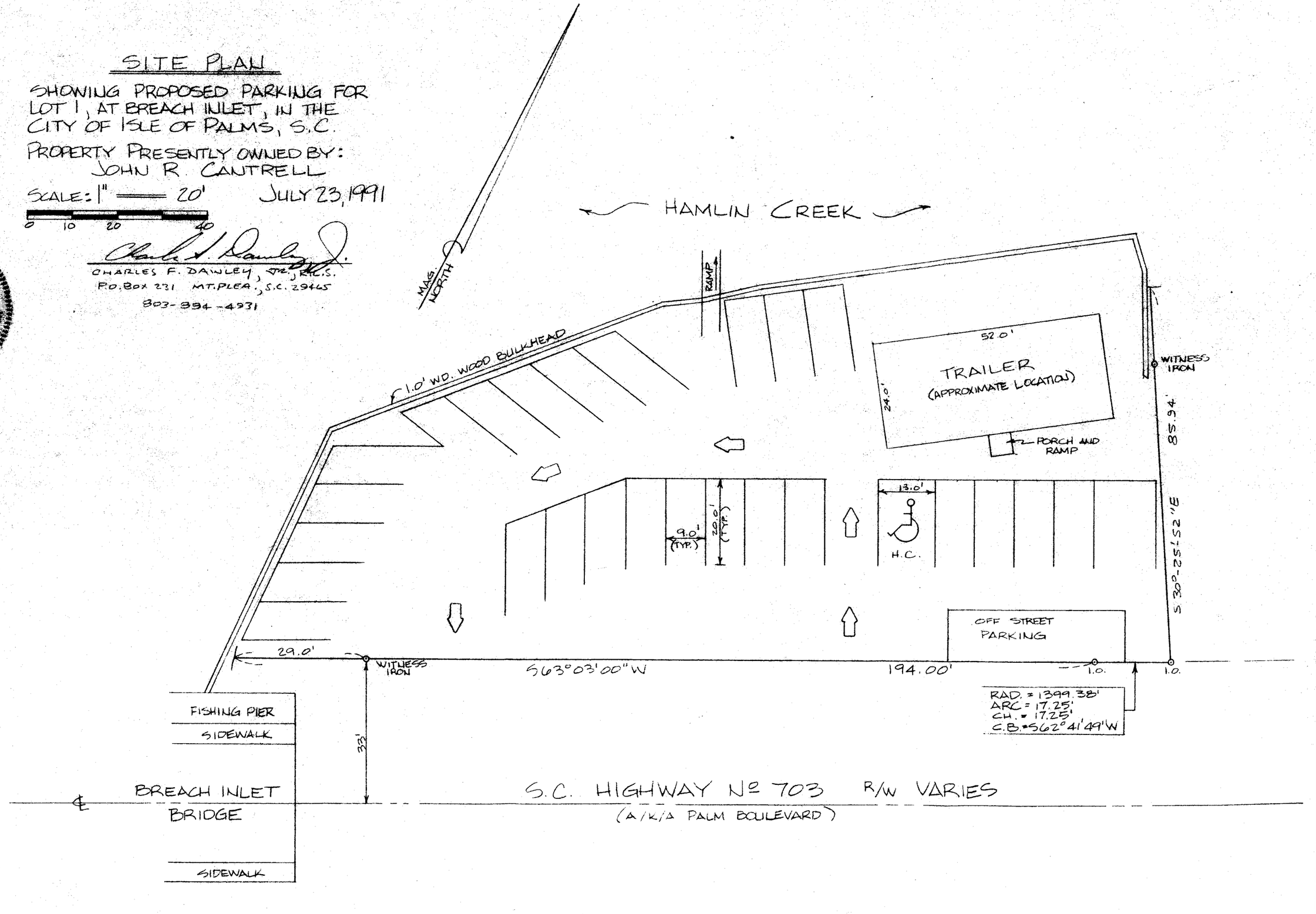
PROPERTY PRESENTLY OWNED BY:
JOHN R. CANTRELL

SCALE: 1" = 20' JULY 23, 1991

0 10 20 40

SOUTH CAROLINA REGISTERED NO. 9314 LAND SURVEYOR CHARLES F. DAWLEY, JR.

CHARLES F. DAWLEY, JR., R.L.S.
P.O. BOX 231 MT. PLEA., S.C. 29465
803-884-4931



MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
JULY 25, 1991, 7:00 P.M.
EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on July 25, 1991, at 7:00 p.m., at the Exchange Club. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Sottile, Swanson, Watson, and Orvin arrived late. Absent were Council Members Simon and Ward who were out of town. Also present were City Administrator Williams, Finance Director Stonesifer, Clerk-Treasurer McDuffie, and Secretary Geary.

A. INTRODUCTION OF MEETING

Mayor Bunch called the meeting to order and asked everyone to rise for the Pledge of Allegiance and Invocation. Roll call was then taken.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. June 24, 1991 - Special City Council Meeting
2. June 27, 1991 - Regular City Council Meeting
3. July 8, 1991 - Special City Council Meeting
4. July 11, 1991 - Special City Council Meeting
4. July 16, 1991 - Special City Council Meeting

The Mayor asked if there were any changes or corrections to the minutes. As there were none, Mrs. Swanson moved that the minutes be approved as submitted, Mr. Sottile seconded; motion passed unanimously.

C. CITIZENS' COMMENTS

1. DAVE LEWIS - SCDHPT and Ken Lesto of LPA Greiner - Mr. Lewis reported that curb and gutter construction has begun on Palm Boulevard, with sidewalk construction following closely behind that. The paving should be done in the fall and the completion of Palm Boulevard is scheduled by the end of the year. The bridge construction is under way and is due to be completed in August 1993 at a cost of $35 million. Mr. Lewis stated that there were two issues that needed Council's decisions tonight: (1) entrance to Beachside Subdivision (see Exhibit A plat), and (2) closing of Pavilion Drive as it angles off Palm Boulevard.

2. BACHMAN SMITH - and Rob Wilson, attorneys for The Beach Company - Mr. Smith spoke about the accreted land between 21st and 53rd Avenues which is being sold by The Beach Co. to property owners. Concerning the Conservation District ordinance introduced by Council last month, Mr. Smith stated that he felt the concerns of Council could be satisfied by assigning the deed restrictions and enforcement of these restrictions to Council. Planning & Zoning Commission recommended doing this, and City Attorney Dreyfoos said that it would be legal to do so (see Exhibit B). Mr. Smith answered questions of Council concerning the restrictions, landscaping, preservation, etc. of the property.

3. JANE LAREAU - Conservation League - Ms. Lareau addressed Council about the suit filed against DHEC on the Dewees Island septic permit. She was asking Council for money for the suit since the island is a party to the suit. Environmentally, this super septic system servicing 85 homes, would affect the water table, shellfish beds, and fish. Ms. Lareau requested up to $5,000 from the city. The Mayor stated that Council has approved $2,000 during the last fiscal year which was not spent, and that we needed to approve an expenditure for this year.

4. DEBBY JETER - Ms. Jeter spoke to Council about her concerns of the jet ski business at Breach Inlet, the ordinances, and the misuse of jet skis around the island. She stated that operators are not licensed and that anyone, even

children, can rent them. Operators are careless and dangerous to swimmers, boaters and dolphins. She stated that there have been numerous complaints about jet skis and that there is an increasing number of jet ski accidents. Ms. Jeter said that the city was negligent and irresponsible for issuing a business license to this business at the Breach Inlet area and asked Council to revoke their license right away. She stated that she and other residents think of this business as incompatible with the way islanders want this island to be.

5. BREW HAGOOD - attorney for Carroll Realty - Mr. Hagood asked Council to reconsider the issue of sewer service for the Carroll Realty building. He stated that Carroll Realty had been corresponding with the Isle of Palms Water Co. since 1988 in order to obtain sewer service. Further, Charlie Way of The Beach Company has recently agreed to transfer 1,000 gallons of his reserved capacity from the old motel site to Carroll Realty in order to accomplish this. This solution would not deplete the city's capacity which was a concern on Council.

6. DAVID SOMERS - Mr. Somers spoke concerning the results of the special meeting last night with the Isle of Palms Marina. He said that voting to allow the marina to continue to operate on the basis of its present license as a marina/variety store, requires the city to take the position that it is not a bar. Since the Council vote was split as to whether or not it was a bar, he visited the place and stated that it is obviously a bar and invited all Council members to see for themselves.

7. SANDY SANDEFORD - Mr. Sandeford also spoke concerning last night's meeting. Mr. Sandeford reiterated that an attorney representing the city, the City Administrator, the Mayor and some Council Members agreed that the marina operation should be licensed as a bar. He stated that The Pantry was a variety store, but the Isle of Palms Marina is a bar.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - There was no meeting this month.

a. The Mayor reported on the Municipal Association Meeting - they passed a 4% Accommodations Tax for 1992; passed resolution not to limit court system fees; and to form neighborhood groups (see Exhibit C).

b. Mr. Orvin made a motion to offer $2,000 for the Dewees Island suit; Mr. Watson seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - No; Orvin - Yes; Sottile - No; Swanson - Yes; Watson - Yes; Bunch - Yes. Motion passed 5-2.

2. Police and Public Safety - (see Exhibit D) - Chairman Sottile reported that there was no meeting this month but presented a short report of the month's activities, commending Curt Gibbons for his action in saving the life of an infant.

a. Mr. Watson made a motion to revoke the business license of the Tidal Waverunners unless they come into compliance with city ordinances; Mrs. Swanson seconded. After discussion, motion and second were withdrawn with the intention of the subject coming up later in the meeting in conjunction with ordinances.

b. Concerning the letter to Council dated June 28, 1991, from concert promoter Rick Tisdale (see Exhibit E), Mr. Orvin made a motion to accept the proposal and to have a concert at the old Isle of Palms Motel site now owned by County PRC; Ms. NesSmith-Picard seconded. After discussion, Ms. NesSmith-Picard amended the motion to defer the decision until Council can hear from Mr. Tisdale in person; Mr. Orvin seconded. Roll call vote was taken: Holden - Yes;

NesSmith-Picard - Yes; Orvin - Yes; Sottile - No; Swanson - Yes; Watson - No; Bunch - No. Motion to postpone passed 4-3.

c. Mayor Bunch discussed the closing of the entrance to Beachside Subdivision and she showed Council a plat (Exhibit A) showing the property lines. Mr. Orvin made a motion to deny Beachside Subdivision to close their access off Palm Boulevard; Mr. Sottile seconded; after discussion concerning the safety aspects of closing this intersection, etc., motion passed unanimously.

d. Mr. Holden made a motion to approve the Highway Department's proposals concerning Pavilion Drive, Palm Boulevard and Carolina Boulevard with the condition of leaving an opening for bicycles; Mr. Sottile seconded. Upon discussion, Chief Arnold concurred that it would be a much safer area. Motion passed unanimously.

3. Public Works - (see Exhibit F) - Chairman NesSmith-Picard highlighted important points from the July 15th meeting.

a. Ms. NesSmith-Picard made a motion that the City Administrator write a letter to Charleston County to address the parking situation for residents of Goat Island; Mr. Orvin seconded, motion passed unanimously.

b. Mr. Orvin began a discussion of city property at 41st Avenue next to the sludge beds to be used for Goat Island parking. He proposed giving them individual stickers for their personal vehicles. Mayor Bunch stated that this is a County problem as they are not residents of Isle of Palms.

Ms. NesSmith-Picard made a motion to offer the Goat Island residents parking on city property at the end of Marginal Road with the condition that they sign a liability release; Mr. Orvin seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Orvin - Yes; Sottile - No; Swanson - No; Watson - No; Bunch - No. Motion denied 2-5.

c. Ms. NesSmith-Picard made a motion that when funds are available, the Public Works truck driver position that was abolished be filled first. Motion died due to the lack of a second.

d. Ms. NesSmith-Picard made a motion to investigate designating a prorata share of capital projects money for road repairs to roads owned by the City of Isle of Palms and refer it to Ways & Means; Mr. Holden seconded, motion passed unanimously.

e. Ms. NesSmith-Picard made a motion to urge the County via a letter from the City Administrator to relocate the Goat Island dumpster to an off-island County site; Mrs. Swanson seconded. After discussion, motion passed unanimously.

f. Ms. NesSmith-Picard made a motion to have the City Administrator write a letter to SC Department of Highways and Public Transportation requesting that a pedestrian crosswalk be striped in the vicinity of the public restroom on Ocean Boulevard; Mr. Holden seconded. After discussion, motion passed unanimously.

g. Ms. NesSmith-Picard asked the Mayor for a status of the inquiry to County Council about the use of funds for the boardwalk at the public restroom site. The Mayor stated that we could spend the money for a walk-over and she has been negotiating with the Navy Department, Seabees and National Guard to do the labor to replace the handicapped walk-over at 21st Avenue. However, the Mayor stated that in discussing this with Mr. Williams, she thinks he has the right solution of what to do on this matter.

Mr. Williams reported that the contractor has already ordered the materials for the boardwalk and were proceeding with plans to construct it. The City's

relationship with the neighboring property owner is deteriorating rapidly and he thinks we would be better off not trying to share with him. There is also the question of who would have liability for damages and injury.

Mr. Holden stated that he was not comfortable with the idea of having separated entrances to both facilities from the sidewalk at Ocean Boulevard. Mr. Holden made a motion to consolidate with joint property line with Beach Biz at the same elevation so that we have a continuous front between the two buildings if funds are available from somewhere else, but that the search from the funds will not hold up construction if it gets to that phase; Ms. NesSmith-Picard seconded. Mr. Williams stated that the cost would be approximately $2,000 additional funds to change the plans; there could be a problem in the future on building maintenance, etc., and there should be a separation between the two activities. Mr. Williams stated for the record that he thinks the problems that we will experience down the line in trying to work out joint incorporation of entrances and dune walk-over, will far outweigh the monetary savings. Upon vote, the motion was defeated 2-5.

h. Ms. NesSmith-Picard made a motion to tie the public restroom boardwalk into the existing boardwalk with Beach Biz at minimum cost and that the lumber that the contractor has purchased be retained for a future walk-over at 21st Avenue; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Sottile - No; Swanson - No; Watson - No; Bunch - No. Motion was defeated 2-5.

i. Mr. Orvin requested that the City Administrator write to the Highway Department asking them to repair the bike path on 41st Avenue.

Mrs. Swanson made a motion to suspend the rules of order and procedure and move on to Item E2, Planning Commission, on the agenda; Mr. Orvin seconded; motion passed unanimously.

E.2. Planning Commission - Mr. Sottile made a motion to accept the Planning Commission's recommendation to accept the authority the Beach Co. will give us to enforce the deed restrictions; Ms. NesSmith-Picard seconded. Ms. NesSmith-Picard amended the motion to require that the city redo the zoning ordinances; Mr. Holden seconded. Mrs. Swanson further amended the motion to state that acceptance of enforcement of the deed restrictions and covenants in no way changes the Isle of Palms City Council's firm stance against the use of rip rap or other hard erosion control devices along any portion of the Isle of Palms beach; Mr. Holden seconded. Ms. NesSmith-Picard's amendment passed unanimously; Mrs. Swanson's amendment passed unanimously. Roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Sottile - Yes; Swanson - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously.

Mr. Holden made a motion that the Beach Board, either by zoning or other protection ordinances, seek some protection of natural vegetation and natural landscaping backing up from the primary dunes that the city can enforce; Mrs. Swanson seconded; motion passed unanimously.

Returning to the original agenda:

4. Engrossed Bills - (see Exhibit F) Chairman Holden gave a report of their July 17th meeting.

Mr. Holden made a motion to proceed to Item J. on the agenda; seconded; motion passed unanimously.

J.1. Third Reading and Ratification - Ordinance 1991-12 - An Ordinance to Adopt Regulations Concerning the Use of Water by Customers of the City of Isle of Palms Water and Sewer Department During Times of Moderate, Severe or Extreme Drought. (see Exhibit G)

Mr. Sottile made a motion to approve third reading and ratify Ordinance 1991-12; Mr. Watson seconded; motion passed unanimously.

2. Third Reading and Ratification - Ordinance 1991-5 - An Ordinance to Prohibit the Deposition of Materials. (see Exhibit H)

Mrs. Swanson made a motion to approve third reading and ratify Ordinance 1991-5; Mr. Watson seconded; motion passed unanimously.

3. Second Reading - Ordinance 1991-19 - An Ordinance to Restrict the Use of Jet Skis in Specific Areas. (see Exhibit I)

Mr. Sottile made a motion to approve Emergency Ordinance 1991-19.E (see Exhibit J); Mr. Watson seconded. Mr. Williams read the ordinance in full.

Mr. Orvin stated that he never thought that he would support a ban of any type of water craft, but that last week he had seen two kids not much bigger than his seven-year old come up to the marina on jet skis, pulled out a $100 bill and told Dennis to fill up the jet skis, then ran the ski into a dock and didn't know how to turn it off. The same day, another kid came around on a jet ski, didn't know how to turn it off and ran headlong into a concrete wall. He felt that the restriction would be hard to enforce and urged to ban them.

There was discussion concerning the enforceability of this ordinance. Chief Arnold stated that in the interest of public safety, banning them would be the safest thing to do; however, the department does not have enough personnel to enforce the ordinance in full whether they be banned or restricted. He said that whatever Council does tonight will be a problem enforcing, but that the lesser of two evils, the restriction ordinance, would be more fair, but at the same time from a total public safety aspect, banning them would be the safe thing to do.

The Mayor suggested that the city pass this emergency ordinance to restrict the jet skis and then contact communities in Florida and elsewhere to see how they went about banning jet skis within the law and to see if we can do the same for next year.

After further discussion, Mr. Orvin made an amendment to the emergency ordinance to ban all jet skis as written in first reading; Mr. Watson seconded. Mr. Williams read the language from first reading to ban jet skis. The Mayor and Mr. Williams stated that we could expect the ban to be tested in court. Mr. Williams then read in full the emergency ordinance to ban the use of jet skis (see Exhibit K).

Mr. Sottile and Mr. Watson withdrew their motion and second; Mr. Orvin and Mr. Watson withdrew their amendment and second.

Mr. Orvin made a motion to pass emergency ordinance 1991-19.E as read by Mr. Williams; Mr. Watson seconded. Roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Orvin - Yes; Sottile - No; Swanson - Yes; Watson - Yes; Bunch - Yes. Motion passed 5-2.

4. Second Reading - Ordinance 1991-20 - An Ordinance to Prohibit Swimming and Wading in the Waters at Breach Inlet. (see Exhibit L)

Ms. NesSmith-Picard made a motion to approve second reading of Ordinance 1991-20; Mr. Sottile seconded, motion passed 6-1.

D.5. Recreation - Chairman Orvin gave his report to the secretary (see Exhibit M) and gave a short report.

E.1. Board of Adjustment - see Exhibit N.

2. Planning Commission - (see Exhibit O) Planning Consultant Lee Batchelder gave a report on the meeting of July 10.

3. Water & Sewer Committee - (see Exhibit P) Chairman Stanley gave a report on the meeting of July 23.

Ms. NesSmith-Picard made a motion to proceed take necessary steps to establish an elected Water & Sewer Commission in accordance with State Law to be scheduled for the November election; Mr. Holden seconded; after discussion, motion passed unanimously.

Ms. NesSmith-Picard made a motion that the City Administrator place ads for a new manager of the department; Mr. Orvin seconded; motion passed unanimously.

Mr. Orvin made a motion that if it is determined that Mr. Way has an excess sewer capacity of 1,000 gallons, the capacity should be designated to the first in line which is Carroll Realty; Mr. Watson seconded. After extensive discussion, Ms. NesSmith-Picard amended the motion that council postpone the decision for 7 days until we have a chance to consider it and get legal counsel; Mr. Holden seconded. Roll Call vote was taken on the amendment: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Sottile - No; Swanson - No; Watson - No; Bunch - No. Amendment was defeated 2-5. Roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - No; Orvin - Yes; Sottile - No; Swanson - Yes; Watson - Yes; Bunch - Yes. Motion passed 5-2.

There was extensive discussion about Carroll Realty and Isle of Palms Marina sharing a sewer system.

Mrs. Swanson made a motion that Carroll Realty and the Isle of Palms Marina share a force main across Palm Boulevard, utilize a duplex grinder pump, and a single wet well, and that this be facilitated as soon as possible; Mr. Orvin seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - Yes; Sottile - Yes; Swanson - Yes; Watson - Yes; Bunch - Yes. Motion passed 5-2.

4. Building Committee - No report.

5. Beach Patrol & Control Board - see Exhibit Q.

6. Personnel Committee - No report.

7. Dewess (ad hoc) Committee - No report.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Resolution concerning trailers and mobile homes. (see Exhibit R) Mr. Williams read the resolution. Mr. Holden made a motion to approve said resolution; Mr. Orvin seconded; after discussion and the addition of the date February 1, 1992, motion passed unanimously.

2. Resolution concerning the federal boat tax. (see Exhibit S) Mr. Williams read the resolution and it was unanimously approved.

3. First Reading - Ordinance 1991-14 - An Ordinance to Amend Section 7-2-1, Alcoholic Beverages. (see Exhibit T)

Ms. NesSmith-Picard made a motion to approve Ordinance 1991-14 by title only; Mr. Holden seconded; motion passed unanimously.

4. First Reading - Ordinance 1991-22 - An Ordinance to Amend the City of Isle of Palms Zoning Ordinance (Waterfront District) (see Exhibit U)

Ms. NesSmith-Picard made a motion to disapprove Ordinance 1990-16 in order to take the ordinance back to first reading; Mr. Watson seconded; motion passed unanimously.

Ms. NesSmith-Picard made a motion to approve first reading of Ordinance 1991-22 by title only; Mr. Watson seconded. After discussion, motion passed unanimously.

Ms. NesSmith-Picard made a motion that we conduct a public hearing to be held one-half hour prior to Council's next regular meeting; Mr. Watson seconded; motion passed unanimously.

Mrs. Swanson made a motion that we go into Executive Session; Mr. Holden seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no action was taken, that it was a personnel briefing by the City Administrator.

Mr. Holden made a motion to adjourn; Ms. NesSmith-Picard seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 8/22/91

BK 50 PG 64

BEACHSIDE SUBDIVISION

ISLE OF PALMS , CHARLESTON COUNTY , SOUTH CAROLINA

PLAT SHOWING LOTS 1-34, BLOCK A
AND LOTS 1-28, BLOCK B.

APRIL 10, 1985
REVISED: NOVEMBER 19, 1985

SCALE: 1" = 50'

Charleston, South Carolina
Office of Register Mesne Conveyance
Plat recorded this 12 day of Dec 1985
at 12:48 o'clock in Plat Book BE Page 30 and tracing cloth copy filed in File 5 Drawer — Folder 2 Drawing No. 17 Original plat (or xerox print) delivered to Purchaser, Surveyor, Engineer, or Attorney at Law

Robert N King
Register Mesne Conveyance

PALM BLVD. 100' R/W

OCEAN PARK COURT 50' R/W

SANDSHELL COURT 50' R/W

SAND DUNE LANE 50' R/W

BEACHSIDE DRIVE

OLD R/W

100' R/W

LAGOON AREA
2.03 AC.
(BEACHSIDE COMMUNITY ASSOCIATION, INC.)

BLOCK B

BLOCK "A"

AMENITY AREA
0.71 ACRES
(BEACHSIDE COMMUNITY ASSOCIATION, INC.)

TRACT "B" - 2.666 AC.
(BEACHSIDE COMMUNITY ASSOCIATION, INC.)

THE BEACH CO.

ASSOCIATED MOTELS, INC.

PROPERTY LINES ABANDONED

20' DRAINAGE EASEMENT

15' EASEMENT FOR BEACH ACCESS & DRAINAGE

NOTES:

1. T.M. 568-12-0-25,49.
2. TOTAL ACREAGE = 17.21 ACRES.
3. OWNER OF THIS PROPERTY IS BRUMLEY McKINNEY COMPANY, INC. AND ASSOCIATED MOTELS, INC.
4. ALL PROPERTY CORNERS MARKED WITH IRON PIPES.
5. CMF DENOTES CONCRETE MONUMENT FOUND.
6. IPF DENOTES IRON PIPE FOUND.
7. REFERENCE PLAT BY ENGINEERING, SURVEYING, & PLANNING, INC., DATED NOV. 21, 1984, RECORDED IN P.B. BC PG. 91.
8. REFERENCE PLAT BY PRECISION LAND SURVEYING, CO. - CONDITIONAL PLAT DATED APRIL 10, 1985, RECORDED IN P.B. BE PG. 74.
9. PORTIONS OF THE PROPERTY SHOWN ON THIS PLAT MAY LIE WITHIN 250' OF THE HIGH WATER MARK OF THE ATLANTIC OCEAN AND THEREBY BE SUBJECT TO THE DUNE ORDINANCE OF THE CITY OF ISLE OF PALMS.
10. NO HARD STRUCTURE WILL BE BUILT WITHIN THE 250' SETBACK FROM THE HIGH WATER MARK.
11. THE STREETS ARE CONSTRUCTED TO STATE STANDARDS AND ARE NOT DEDICATED TO THE CITY OF ISLE OF PALMS AND NO ACCEPTANCE IS PROVIDED HEREIN NOR TO BE INFERRED HEREFROM.

CURVE	△	RAD	TAN	ARC	CHORD	CH. BEARING
(A)	90° 00' 00"	20.00'	20.00'	31.42'	28.28'	AS SHOWN
(B)	63° 00' 00"	50.00'	28.87'	52.36'	50.00'	AS SHOWN
(C)	13° 10' 16"	284.85'	32.89'	65.48'	65.34'	AS SHOWN
(D)	13° 10' 16"	234.85'	27.11'	53.99'	53.87'	AS SHOWN
(E)	90° 00' 00"	70.00'	70.00'	109.96'	98.99'	N 77° 19' 20" W
(F)	41° 01' 41"	88.40'	25.59'	48.98'	47.94'	N 37° 09' 50" E
(G)	41° 01' 41"	118.40'	44.30'	84.78'	82.98'	S 37° 09' 50" W
(H)	41° 12' 36"	68.40'	25.71'	49.19'	48.14'	S 37° 15' 17" W
(J)	41° 12' 36"	118.40'	44.51'	85.16'	83.33'	N 37° 15' 17" E
(K)	86° 17' 24"	20.00'	18.75'	30.12'	27.35'	N 14° 42' 53" E
(L)	93° 42' 36"	20.00'	21.34'	32.71'	29.18'	S 75° 17' 07" E
(M)	93° 53' 30"	70.00'	74.92'	114.71'	102.30'	S 75° 22' 35" E
(N)	93° 53' 30"	20.00'	21.41'	32.77'	29.23'	N 75° 22' 35" W

Subdivision Final
Approved by City Council
of the City of Isle of Palms
this 11 day of December
Nellie S. McKnight
Clerk

I, KEITH K. RUDDY, a Registered Land Surveyor in the State of South Carolina, hereby certify that I have surveyed the property shown hereon, that this plat shows its true dimensions, that all necessary markers have been installed, and the precision of the survey is 1:21,000.

Keith K Ruddy
KEITH K. RUDDY R.L.S.
S.C. REG. NO. 9479

SOUTH CAROLINA REG. NO. 9479 LAND SURVEYOR KEITH K RUDDY

PRECISION LAND SURVEYING, CO.
1512 SAVANNAH HWY., SUITE 201-B
CHARLESTON, S.C. 29407
(803) 556-1575

SARGENT ... your single source of responsibility to all ARCHITECTURAL HARDWARE

WILLIAM W. DREYFOOS
ATTORNEY AT LAW

171 Church Street
Suite 300
Charleston, South Carolina 29401
(803) 577-2033
FAX (803)722-1788

July 19, 1991

MEMORANDUM

TO: Isle of Palms City Council

FROM: William W. Dreyfoos

RE: Accreted property located between 21st and 53rd Avenues, owned by The Beach Co.

Per the Planning Commission's and Mayor Bunch's request, I have reviewed the letter dated July 10, 1991, to Mayor Bunch from The Beach Co. concerning the above-referenced matter. As detailed in the attachments to the letter, and discussed at the July 10 Planning Commission meeting, The Beach Co. proposes to assign to the City its rights to enforce the deed restrictions (limiting construction), as contained in the deeds from The Beach Co. to individuals who are purchasing lots abutting their properties. The intent is to provide the city with an enforcement mechanism in lieu of re-zoning these properties to a conservation district.

As Council members are aware, the general law is that the enforcement of deed restrictions and covenants occurs privately, outside the scope of municipal action. In this instance, The Beach Co. proposes to assign its private property rights of enforcement to the City, thereby giving to the City powers which it would not otherwise have authority to exercise. While this proposal is unusual, my research has disclosed no reason why this cannot be done. I have asked both the Attorney General's staff (informally) and the attorneys representing The Beach Co. to confirm my research, and neither have identified any constraints on this proposed action.

Accordingly, it is my opinion that the City is empowered to accept the Assignment of Rights proposed by The Beach Co., and that the exercise of these rights will enable the City to enforce the restrictions on construction without having to re-zone these properties. Inasmuch as re-zoning to conservation would most likely result in a reduction of assessed values of these properties, this approach may have the further advantage of maintaining the tax base.

Council member Swanson has questioned whether City acceptance of the Assignment from The Beach Co. would imply support for the construction activities which are allowed under the deed

restrictions. From a legal standpoint, the answer is no. The restrictions are imposed pursuant to the deed from The Beach Co., and are explicitly agreed to by the property owners - in other words, the City is not involved in the establishment of these restrictions. Assignment of enforcement rights relates only to this transaction, and not to any actions of the City or its representatives (such as the Beach Patrol Board) independent of these documents. In other words, City enforcement of the restrictions does not limit any other valid exercise of the City's authority.

Should Council agree to accept the assignments discussed above, when proffered by The Beach Co., I would suggest that Council adopt an oral resolution at its July 25 meeting authorizing the Mayor or the City Administrator to accept and record such assignments on behalf of the City. If Council agrees that such action will eliminate the need for rezoning action at this time, it might so note in the resolution, and leave the proposed ordinance in committee without bringing it back to Council for further readings.

I regret I will be unable to attend the July 25 meeting, but trust this opinion will suffice for Council's review of this issue. I will be back in the office on July 29, and will be happy to address this issue in greater detail at that time.

EXHIBIT B

SINKLER & BOYD, P.A.

ATTORNEYS AT LAW

160 EAST BAY STREET
CHARLESTON, SOUTH CAROLINA 29401
TELEPHONE (803) 722-3366
FAX (803) 722-2266

MAILING ADDRESS:
POST OFFICE BOX 340
CHARLESTON, SOUTH CAROLINA 29402

COLUMBIA OFFICE
THE PALMETTO CENTER
1426 MAIN STREET, SUITE 1200
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 779-3080
CABLE ADDRESS: PALMETTO
FAX (803) 765-1243

MAILING ADDRESS:
POST OFFICE BOX 11889
COLUMBIA, SOUTH CAROLINA 29211

WRITER'S DIRECT DIAL NUMBER
(803) 720-4417

H. SIMMONS TATE, JR.
KIRKMAN FINLAY, JR.
WILLIAM C. BOYD
FRANCIS P. MOOD
J. DONALD DIAL, JR.
BACHMAN S. SMITH III
MANTON M. GRIER
GEORGE S. KING, JR.
THOMAS R. GOTTSHALL
HAMILTON OSBORNE, JR.
STEPHEN E. DARLING
JOHN P. LINTON
MARGARET CHRISTIAN POPE
HAROLD E. TRASK
CHARLTON deSAUSSURE, JR.
MARVIN D. INFINGER
PALMER FREEMAN, JR.
DARYL L. WILLIAMS
JOHN C. BRUTON, JR.
F. MITCHELL JOHNSON, JR.
WALTER W. THEUS, JR.
MICHAEL D. JONES
ELIZABETH A. CARPENTIER
BENTON D. WILLIAMSON
SUE C. ERWIN
JOHN B. McARTHUR
DAVID M. SWANSON
ROBERT S. GALLOWAY III
CLARKE W. DuBOSE
TERRI MORRILL LYNCH
RANDOLPH B. EPTING

STEVE A. MATTHEWS
ROBERT Y. KNOWLTON
SUZANNE HULST CLAWSON
THEODORE B. DuBOSE
THOMAS C. HILDEBRAND, JR.
JOHN M. G. McLEOD
PHYLLIS B. BURKHARD
ROBERT W. BUFFINGTON
INEZ MOORE TENENBAUM
FRANK W. CURETON
S. MARSHALL HUEY, JR.
BERT GLENN UTSEY III
EDWARD K. PRITCHARD III
JOHN H. TILLER
ROY A. HOWELL III
VIRGINIA L. VROEGOP
ROBERT WILSON III
MARK E. ROSTICK

OF COUNSEL:
CHARLES H. GIBBS
ALBERT SIMONS, JR.
MARTIN C. McWILLIAMS, JR.

JOHN C. BRUTON 1907-1969
W. C. BOYD 1904-1975
HUGER SINKLER 1908-1987
CHARLES W. KNOWLTON 1923-1990

July 18, 1991

The Honorable Carmen R. Bunch
Mayor, City of Isle of Palms
1301 Palm Blvd.
Isle of Palms, SC 29451

RE: Accreted property located between 21st and 53rd Avenues owned by The Beach Co.

Dear Mayor Bunch:

On behalf of Charlie Way and The Beach Co., I want to thank you for your willingness to put on City Council's agenda for the Thursday, July 25th meeting the request to drop the effort to rezone the above described property (the "subject property") in return for the assignment to the City by The Beach Co. of its rights to enforce the restrictive covenants under the various deeds of conveyance of the subject property to individuals. The proposal to assign these rights was set forth in Charlie Way's letter of July 10, 1991, and was considered by the Planning and Zoning Commission at its meeting on July 10th. The recommendation of Planning and Zoning is that if the City's attorney, Bill Dreyfoos, feels that the proposal of The Beach Co. to assign its rights to enforce the restrictions is a legal, binding and effective assignment, then that should be the course of protection of the property and not rezoning.

Technically, the issue before Council is whether or not to accept the Planning and Zoning Commission's recommendation, and it is in that regard that I, on behalf of The Beach Co., am writing you. I have talked with Bill Dreyfoos and he has told me that he will advise Council under separate letter that the proposed assignment of rights is legally binding and is an effective way to protect the property.

I want you and members of Council to know that it was Charlie Way's intention to always protect this property and that it was his insistence that the most extreme restrictions be placed in the deed, as well as the note on the plat concerning the line from which building set-backs are measured. I also would like to point out that not only is no building permitted on the accreted land, with a few minor exceptions where permits must be obtained, but no city council in the future could permit a subdivision of the property because the restrictions will not allow such.

You and members of Council might be asking why not rezone the subject property to "conservation district." As stated by Bill Dreyfoos, if you rezone the subject property to CO, then there must be a companion ordinance redefining what uses are permitted in a conversation district, because the existing zoning definition of CO contemplates only beaches and marshlands. There are now 102 lot owners who have signed or agreed to sign contracts to purchase the accreted land in front of their existing property, and as such, they are equitable owners of the subject property. Why do you want to run the risk of one of those owners claiming that by rezoning the property the City of Isle of Palms has effectively condemned the property thereby entitling him to compensation. From the City's standpoint, the Charleston County Tax Assessor has been assessing all property in a conversation district at $10.00 per acre which would reduce the City's tax base. I realize that currently the tax base is minimal, however, when the accreeded land is joined with the existing adjacent lot to be come one large lot, I believe the tax assessor will deem that the total of the two lots are worth more than the two lots separately when the property is reassessed in 1992.

The goal of The Beach Co. is to preserve the property and the goal of City Council is to preserve the property. I, as attorney for The Beach Co., and Bill Dreyfoos, as attorney for the City, both feel that if The Beach Co. by assigns its rights to enforce the deed restrictions to the City, then the City's goal is accomplished without running the risk of having a disgruntled land owner cause trouble for the City and without losing tax revenues.

I sincerely hope that Council will adopt a resolution accepting the Planning Commission's recommendation and that it will

drop any attempt to rezone the subject property to a conservation district.

Yours sincerely,

Bachman S. Smith, III

cb
cc: Members of City Council
Mr. Mark M. Williams, City Admn.
c:\435\11\10bunch.bss

EXHIBIT C

Rubber Safety Report

Resolution No. 1991-21

To Encourage Municipal Officials To Form Neighborhood Groups In Their Communities.

Whereas, municipalities are created by a group of neighborhoods organizing for their collective good; and

Whereas, neighborhood organizations empower the people to participate in projects that better their community; and

Whereas, communities with active neighborhood organizations are more likely to have higher voter participation, lower crime rates and better informed citizens; and

Whereas, these benefits will accrue to the city as a whole;

Now, Therefore, Be It

Resolved, That the Membership of the Municipal Association of South Carolina, Assembled at the 51st Annual Meeting encourage municipal councils to form neighborhood groups within their municipalities.

****

Resolution No. 1991-22

To Encourage Municipal Officials To Establish Wellness Programs For Their Employees.

Whereas, the health of municipal employees is vital to efficiently providing municipal sewices for the residents of municipalities of the state; and

Whereas, this health can best be maintained if the employees are encouraged to adopt good health habits; and

Whereas, good health habits can be taught employees and will result in the prevention of illness and injury; and

Whereas, health employees will save the tax payers of municipalities the expense of absenteeism and high medical bills;

Now, Therefore, Be It

Resolved, That the Membership of the Municipal Association of South Carolina, Assembled at the 51st Annual Meeting encourage municipal councils to establish wellness programs as an integral part of employee training.

****

W/M
& Public Safety

Resolution No. 1991-9

To Urge The Members Of The General Assembly To Increase The Monetary Limit Imposed On The Municipal Court System.

Whereas, the jurisdiction of municipal courts are limited to penalties not to exceed two hundred dollars; and

Whereas, this limit has not been increased in a number of years; and

Whereas, the judicial system is being burdened with court cases that could be handled in municipal court; and

Whereas, municipal courts are an important component of the judicial system;

Now Therefore, Be It

Resolved, That the Municipal Association of South Carolina, Assembled at the 51st Annual Meeting, Urges the General Assembly to Increase the monetary limit of Municipal Courts.

****

Resolution No. 1991-10

To Urge The General Assembly To Recognize That Municipalities Should Be Given Priority Over Special Purpose Districts In The Delivery Of Public Services When Growth And Development Result In Competition Between Municipalities And Special Purpose Districts.

Whereas, municipalities are general purpose units of local government under the direction and control of elected officials who are subject to review through the election process; and

Whereas, direct accountability to the people makes municipalities more attuned to the service needs of the public, and consequently more efficient in the use of available resources; and

Whereas, fragmentation of the public service delivery system inhibits the ability of municipalities to perform the role assigned to them by law and custom, thereby increasing the cost of providing essential public services; and

Whereas, when growth and development result in competion between municipalities and special purpose districts, municipalities should be given priority over special purpose districts in the delivery of public services;

Now, Therefore, Be It

Resolved, That the Membership of the Municipal Association of South Carolina, Assembled at the 51st Annual Meeting urges the General Assembly to recognize that municipalities should be given priority over special purpose districts in the delivery of public services when growth and development result in competion between municipalities and special purpose districts.

****

W/M

Resolution No. 1991-13

To Urge The Members Of The General Assembly To Increase The Accommodations Tax Imposed On Gross Proceeds On the Rental of Transient Accommodations to Four Percent.

Whereas, the Accommodations Tax has not been increased since its enactment in 1984; and

Whereas, the beaches of South Carolina provide a high concentration of tourism activity which contributes over 500 million dollars in revenues for the tourism industry; and

Whereas, the natural resources of our coastal area are being expended and will need costly renourishment in order to continue to attract tourist; and

Whereas, the current accommodation tax rate of two percent is the lowest in the Southeast;

Now Therefore, Be It

Resolved, That the Municipal Association of South Carolina, Assembled at the 51st Annual Meeting, Urges the General Assembly to Increase the Accommodations Tax to Four Percent.

****

Resolution No. 1991-14

To Urge The Members Of The General Assembly And The Department Of Highways And Public Transportation To Increase Funding For Mass Transportation.

Whereas, the rapid growth in the population of the State has placed increased pressure on the transportation systems available to our citizens; and

Whereas, the roads and bridges of our State are becoming clogged with traffic because of the lack of reliable systems of mass transportation; and

Whereas, the concentration of employment opportunities in the urban areas of the State require a reliable mass transportation system for these employment opportunities to be available to the rural areas with high unemployment; and

Whereas, mass transportation systems will conserve fuel and decrease pollution caused by the burning of fossil fuels;

Now Therefore, Be It

Resolved, That the Municipal Association of South Carolina, Assembled at the 51st Annual Meeting, Urges the General Assembly and the Department of Highways and Public Transportation to Increase Funding for Mass Transportation Systems in our State.

****

EXHIBIT D

PUBLIC SAFETY COMMITTEE MEETING
JUNE 1991

Due to Committee Members being out-of-town, there was no Public Safety Committee Meeting this month.

All Council Members have received the reports from Police and Fire Departments for the month of June 1991.

POLICE DEPARTMENT:

- There was a total of 3,103 calls during the month.

- Total of 33 arrests during June.

- There was an auto-pedestrian accident at 21st Avenue and Palm Blvd. on June 22. Officers found that a 2 year old child had fallen out of his mother's vehicle as she rounded a curve. The mother was cited for violation of the Child Restraint Law. The child was transported to East Cooper Hospital with minor injuries.

- There were two incidents involving jet skis during the month.
  1) A swimmer was struck by a jet ski on June 29th in front beach area.
  2) Jet ski in Breach Inlet, June 21, got tangled in fishing line and pulled a fishing pole into the water.

- Assistant Animal Control Officer Jay Phillips resigned June 2. Due to budget shortfall, the position will not be reinstated.

FIRE DEPARTMENT:

- There were a total of 50 alarms during the month. 33 of these calls were medical.

- Fire inspections for the month were 38.

- At the S.C. Firemens Convention held on July 17, and attended by over 1,000 firemen, Curt Gibbons was honored and awarded the Medal of Honor for taking action that decisively saved the life of a two week old infant.

Respectfully submitted,

Michael Sottile, Chairman
Public Safety Committee

EXHIBIT E

June 28, 1991

City Council
The city of Isle of Palms
Isle of Palms, South Carolina

Dear Council,

In the past few weeks ESA Productions have been in the process of acquiring the property to stage a concert that originally going to be used in 1990 for the Beach Boys concert. As you all know because of the situation in 1990 we could not have done that concert. ESA Productions would like at this time to ask the city council for its support in going forward with another attempt to have "BEACH FEST 91" to be taken place on or about September 14, 1991. the following are. a list of particulars to take place.

1. Limit tickets sold to 7500

2. Limit complementary tickets to 250

3. Artist to perform a. Marshall Tucker Band
   b. John Kay and Steppenwolf
   c. Blood Sweat and Tears
   d. Rivieras
   e. Three Dog Night

NOTE*** Artist are subject to change based on availability.

4. Security measures will be put in place as they were for the Beach Boys Concert.

5. Porta lets (toilets) will be put in place.

6. Traffic control will be put in place to cope with traffic coming and going off of the Island. (With the help of local and off duty police officers) ESA Productions will be responsible for the cost.

7. We will sell beer, soda, and food as we did at the Beach Boys Concert last year with no apparent problems.

Again, we appreciate you support and prompt attention to this matter. I can be reached at 703 849-5015

Sincerely,

Rick Tisdale
ESA Productions

ESA PRODUCTIONS IS IN THE PROCESS OF BRINGING A CONCERT TO THE CITY OF THE ISLE OF PLAMS. WE WOULD APPRECIATE YOUR SIGNATURE ON THIS PETITION TO BE PRESENTED TO THE CITY COUNCIL OF THE ISLE OF PALMS TO SHOW YOUR SUPPORT OF THIS EVENT WITHIN THE BUSINESS COMMUNITY..

NAME	ADDRESS	PHONE
Kathleen M. Braddock	The Pyline 1010 Ocean Blvd	886 6986
[illegible]	Island Trader 1012 Ocean	886-9878
Cliff Kloc	Beach Biz	886-5262
Li McCarter	B-B's	886-9630
Mary Lawson	Rapp Edge	886 6231
Letitia Napolitano	Hearts of Palm Cafe	886 9661
Michael Fraser	Boardtown	886-9851
Tom Toms	Tom Tikis	886-5857
[illegible]	McClellan's Surf Shop	886-8912
[illegible]	Double J's Pizza	886-4241
HIGH TIDE	[illegible]	886-4975
Sandy Cuffo	16 Murray Blvd	776-0716
Patricia [illegible]	1132 Ocean	886 [illegible]
Cindie Wells	1326 Ocean Breeze	884-8417

EXHIBIT F

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., JULY 15, 1991

The meeting was called to order at 7:08 p.m. Committee members present were: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, Council Member Marge Swanson, and Public Works Department Head Andy "Sarge" Parrish. Mayor Carmen Bunch arrived late.

Public Works Status Report

Sarge gave the following Public Works Status Report.

Old Business

1) Status of Recycling Program. ---- lbs of newspapers were collected in June and 420 lbs of aluminum cans in July.

2) Approval of Minutes. Council Member Swanson made the motion to approve the minutes of the 21 May 91 Public Works Committee Meeting. Motion carried unanimously.

3) Beach Cleaning Machine. Sarge said there was a beach cleaning machine available for $7500 about 10 years ago but Council never approved the purchase. Chairman NesSmith-Picard requested Sarge to obtain some current information and present it to the Committee.

4) Fuel Tank Installation. Council Member Sottile stated that, per Mark Williams, City Administrator, fuel tank installation will begin tomorrow (7/16/91). Dog kennel construction will begin subsequently. Fuel tank site was changed by the City Administrator because the original location could have cut the roots of adjacent large oak tree and killed. Original dog kennel location also could require foundation to be elevated to meet flood requirements. Committee members expressed concern that City Administrator changed unanimous decision of Council regarding original location of fuel tank and that Council was not notified of location change. The Committee agreed that this item should be discussed at tomorrow's Council meeting. Council Member Swanson made a motion to recommend to the City Administrator that the work on the gas tanks be halted for 24 hours so that Council's can make its wishes known. Motion carried unanimously.

New Business

1) Approval of Minutes. Council Member Sottile made the motion to approve the minutes of the 18 June 91 Public Works Committee Meeting. Motion carried unanimously.

sometimes days before the garbage is picked up by P.W. By that time, especially in the summer heat, the odor is horrific (awful). Sarge asks that everyone put their seafood scraps in a freezer bag and store it in the freezer until the day of their garbage pickup. P.W. and surrounding neighbors will be greatly appreciative. No formal action required other than "pass the word."

7) Garbage Can Holder. Sarge is in the process of compiling information that residents need to construct garbage can holders, e.g., have side door on holder so that PW employees don't risk back injury by lifting full garbage cans out of the holder. A sketch could be made and this information could be made available to the public. Mayor Bunch stated that there holder designed and sketched in 1985. Sarge will try to locate this information.

8) Breach Inlet Fishing Catwalk. SCHD originally constructed fishing catwalk then transferred responsibility for it to SC Wildlife Commission. The catwalk was damaged by Hugo and SCHD is holding $100,000 to use for the catwalk. SC Wildlife Commission does not want to continue being responsible for the catwalk, neither does SCHD. SCHD is holding the money Mayor Bunch is setting up a meeting between SCHD, SC Wildlife Commission, and PRT to discuss for repair/reconstruction of fishing catwalk and plans for the Breach Inlet Bridge. Committee members expressed concern danger for people fishing on the Breach Inlet Bridge when traffic travels at 40 mph across the bridge.

9) Rusted out Trashcan at 6th Ave. Beach Access. Sarge has already replaced this and several rusted out trashcans.

10) Damaged Bike Path on Palm Blvd (10th-21st Aves). Committee agreed that nothing can be done until road construction is complete.

11) Dog Kennel Construction Status. This item will be turned over to the Police and Public Safety Committee because it falls under the cognizance of the Police Dept.

12) IOP Parking for Goat Island Residents. Chairman NesSmith-Picard apprised the committee of the research done regarding parking for Goat Island residents. SCHD would not allow parking in the right of way (along 41st Ave., near Waterway Blvd.) due to traffic congestion. SCHD stated that the area at the end of Marginal Road (runs parallel to 41st Ave.) belongs to the City. In discussion with the City Administrator, it is possible, with no objection by the two nearby residents, and with Council's approval, that all of the approximately 14 year-round Goat Island residents could park at the City-owned 41st Ave/Waterway Blvd site. To preclude possible

law suits or claims against the City, in the event of someone was injured on the site, Goat Island residents could be required to sign a release form. Upon discussion Committee members stated that the City of Isle of Palms was not responsible to solve this problem. Mayor Bunch made a motion that the City Administrator send a letter to Charleston County Council to apprise them of the Goat Island parking problem and to request that the County find a remedy. Motion carried unanimously.

13) Waterway Blvd. Appliance Storage. Some discussion regarding the unsightliness of storing junked appliances within view of motorists and pedestrians along Waterway Blvd. No recommendations made at this time.

14) Roadway Ownership. From 41st through 34th Ave on Hartnett is in Sarge's words "No Man's Land" because the road does not meet State highway requirements when it was built therefore the SCHD would not take over responsibility for them. The Beach Co. wanted the City to take them over but that was never done. Sarge wanted to inform the Committee of this situation because some people are requesting the City to provide driveways but apparently people don't realize this section of roadway does not belong to the City.

Similar situation exists for Waterway Blvd from Sparrow Drive to Forest Trail. A few years ago, the Beach Co. requested the City to upgrade this section of roadway to meet the State Highway requirements and then for the City to take over responsibility for it. Council approved this request. Sarge estimates that to pave this section will cost $40,000 to $50,000. He noted that the entire length of roadway is not centered in the right of way but estimates it would cost $250 to $300 to pave each driveway for the 60-80 homes along that section of roadway. Mayor Bunch made a motion that a pro rata share of money in the Capital Projects Fund be designated, when funds are available, for road repair, those roads being owned by the City. Motion carried unanimously.

15) Cleaning "Islands" in Forest Trail. Council Member Sottile requested that this item be taken care of as soon as possible because of the danger that motorist view is obstructed. Sarge said personnel shortages have prevented this from being done thus far.

16) Trash Bins for Goat Island. Charleston County PW has rented and set up a dumpster (that is compatible with City's PW trucks) behind the Red & White for use by Goat Island residents. 10 to 12 days ago, the County PW asked if Sarge would service the dumpster, he referred

them to City Administrator. Council Member Swanson made a motion for the City Administrator to urge Charleston County PW to relocate the subject dumpster to an off-island site. Motion carried unanimously.

17) Palm Blvd Pedestrian Crosswalks. Council Member Sottile made a motion that the City Administrator respond to the SCHD's offer to mark crosswalks along Palm Blvd. with specific desired locations. Request that existing crosswalks at 21st and 41st Aves be re-marked and that two additional crosswalks be marked (at 25th and 34th Aves). Motion carried unanimously.

Mayor Bunch made a motion that the City Administrator write a separate letter to the SCHD to mark a crosswalk on Ocean Blvd at the public bathrooms. Motion carried unanimously.

18) Lighting per Turtle Ordinance. Council Member Swanson informed the Committee that it's possible that SCE&G will select Isle of Palms as the pilot project site for the low level lighting needed for the Turtle Protection Ordinance.

19) Diminishing Beach Accesses. Oceanfront easements owned by the Beach Co. have been divided and given to the adjacent property owners. Sarge said that the City should pursue getting first option on the easement for providing beach access because residents who live near 35th are complaining because they now have to walk several blocks to get to the beach.

Citizen Comments

None.

Meeting was adjourned at 8:30 p.m.

DRAFT COPY AS OF: 09/14/91

PASSED AS FINAL MINUTES: 09/16/91

ATTESTED TO:

x Melinda NesSmith-Picard

Melinda NesSmith-Picard, Chairman

EXHIBIT G

Engrossed Bills Committee Meeting
Regular Meeting - Minutes
5:30 PM - July 17, 1991 - City Hall

The meeting began as indicated above. Present at the start were Chairman Holden, and Committeemember NesSmith-Picard, Councilmember Sottile, and Police Lt. Tommy Buchanon. Numerous members of the public were also present. Committeemember Swanson (who was excused due to a inadvertent failure to move the meeting to a more convenient time) and Mayor Bunch arrived a few minutes late.

After an introduction of the meeting's purpose and approval of minutes of the prior meeting a motion to suspend rules to address Jet Ski issue first and allow public comment passed unanimously.

John Bunch spoke in opposition to use of Jet Skis near swimmers and questioned enforceability of anything less than a total prohibition.

The owners of Tidal Wave Runners Jet Ski Rentals spoke in favor of restrictions keeping Jet Skis well away from swimmers near the shoreline of the beach, but against a total prohibition.

Ms. B.B. Weavil noted that the backside of the Island presented saftey problems as well as it quite congested only not with swimmers but rather boats and docks.

The Committee after debate dealing with numerous topics including legalities and enforcement questions, passed a recommendation to amend the total prohibition which passed 1st reading to create a zone of 300 yards from the beach in which Jet Ski use would be prohibited. Additional reccomendations were 1) for a similar emergency ordinance to be drafted 2) the police to "stripe" their ski, and 3) to commence agressive, high and visibility profile enforcement activities.

Prohibition of wading and swimming in Breech Inlet was discussed. While agreement as to the danger was unanimous Councilmember Swanson expressly noted her concern an ordinance might expose the City to liabilities it would otherwise not face and without a legal opinion on such she could not support the 1st reading draft. For this reason Councilmember Swanson was the sole dissenting vote on recommending approval of 2nd reading to Council.

Mayor Bunch noted a need to deal with the fact the City was still utilizing trailers and several ordinances conflicted with that. She presented a previous format of ordinances and resolutions used to address this concern. The committee unanimiously accepted this approach.

It was determined that the matter of the ordinance to prohibit the deposition of grease and oil was moot as it had already passed third reading and been ratified.

The other items on the agenda were touched on and determined to be best addressed when the City Attorney was present or covered by previous standing reccomendations.

DRAFT COPY AS OF: 9/1/91

PASSED AS FINAL MINUTES: 9/12/91

ATTESTED TO:

Barry C. Holden

Barry C. Holden - Chairman

Egrossed Bills Committee Meeting
5:30 P.M. - July 17, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

3. Ordinances refered/updates
   - Breech Inlet Wading
   - Conservation District & Related Issues
   - Deposition of Grease & Oil

New Business

4. Proposed ordinances
   1991-19 Jet Ski Ban

5. Miscellaneous request/information
   - Business premises/definition
   - Trailers
   - Dune Walkovers

6. Adjourn

EXHIBIT G

CITY OF ISLE OF PALMS
ORDINANCE NO 1991-12
RATIFICATION - JULY 25, 1991

AN ORDINANCE TO ADOPT REGULATIONS CONCERNING THE USE OF WATER BY CUSTOMERS OF THE CITY OF ISLE OF PALMS WATER AND SEWER DEPARTMENT DURING TIMES OF MODERATE, SEVERE OR EXTREME DROUGHT

WHEREAS, Section 49-23-70 of the South Carolina Code of Laws, 1976 as amended, authorizes the South Carolina Water Resources Commission to adopt and enforce regulations relating to conservation of water in the event of drought conditions; and

WHEREAS, the City of Isle of Palms is required under said regulations to adopt a drought response ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This ordinance is adopted to establish regulations concerning the use of water by customers of the City of Isle of Palms Water & Sewer Department during times of moderate, severe, or extreme drought.

Section 2. TITLE 4, Chapter 3

Section 4-3-1 Definitions

For the purposes of this Ordinance, the following definitions shall apply:

(a) Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools and waterfalls.

(b) Commercial and industrial water use: water use integral to the production of goods and/or services by any establishment having profit as their primary aim.

(c) Conservation: reduction in water use to prevent depletion or waste of the resource.

(d) Customer: any person, company, or organization using water supplied by the City of Isle of Palms Water & Sewer Department.

(e) Domestic water use: water use for personal needs or for household purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

(f) Drought Alert Phases:

1. Moderate Drought: when the Palmer Index reaches the -1.50 to -12.99 range and moderate drought conditions have been verified by best available information, and conditions indicate this situation is expected to persist.

2. Severe Drought: when the Palmer Index reaches the -3.00 to -2.99 range and severe drought conditions have been verified by best available information.

3. Extreme Drought: when the Palmer Index falls below -4.00 and extreme drought conditions have been verified by best available information.

(g) Essential water use: water used specifically for fire fighting, maintaining instream flow requirements, and to satisfy federal, state, or local public health and safety requirements. All other uses are deemed non-essential.

(h) Even numbered addresses: street addresses ending in the numbers 0, 2, 4, 6, 8, and rural routes A through M.

(i) Institutional water uses: water used by government, public and private educational institutions, public medians and rights of way, churches and places of worship, water utilities, and any lands, buildings, and organizations within the public domain.

(j) Landscape water use: water used to maintain gardens, trees, lawns, shrubs, flowers, athletic fields, rights of ways and medians.

(k) Odd numbered addresses: street addresses ending in the numbers 1, 3, 5, 7, 9 and rural routes N through Z, and addresses that have names of the property as the legal address.

(l) Palmer Index: a measure of the severity of a drought or a wet spell in an area. Dry conditions are associated with negative values, wet conditions with positive values, and normal conditions have a value of zero.

(m) Water shortage: Lack of adequate available water to meet normal demands due to lower than normal precipitation, reduced stream flows or soil moisture, and/or lowering the potentiometric surface in wells which causes water supplies to be less than usual.

Section 4-3-2 Response to Moderate Drought Alert:

If conditions indicate that a moderate drought condition is present in this jurisdiction, and is expected to persist, the City Administrator, or assignee acting in his absence, shall notify by publication of notice, a copy of which shall be posted at City Hall and the Business Office of the Water and Sewer Department, and a copy of which shall be forwarded the day of the notice to the South Carolina Water Resources Commission Drought Information Center, customers within the water system encouraging them to voluntarily limit their use of water. The City Administrator shall further contact all non-residential customers and urge them to eliminate any non-essential water use.

Section 4-3-3 Response to Severe Drought Alert:

If conditions indicate that a severe drought condition is present in this jurisdiction, and is expected to persist, the City Administrator, or assignee acting in his absence, shall notify by publication of notice, a copy of which shall be posted at City Hall and the Business Office of the Water and Sewer Department, and a copy of which shall be forwarded the day of the notice to the South Carolina Water Resources Commission Drought Information Center, customers that the following uses of water are prohibited:

(a) Aesthetic water use;

(b) New recreational facilities that require filling, such as swimming pools, water slides and other water related activities, and maintenance of existing recreational facilities such as swimming pools, and other water related activities;

(c) Sprinklers and other remote broadcast devices and water runoff in landscape design and maintenance;

(d) Low volume hand-held watering for landscape purposes, except on Wednesday and Saturday for odd numbered addresses and Thursday and Sunday for even numbered addresses;

(e) Flushing and/or cleaning of asphalt or concrete surfaces;

(f) Washing of automobiles, trucks, bicycles, motorcycles, motorbikes, boats, trailers, mobile homes, airplanes, or other such vehicles or structures;

(g) No applications for new or expanded service shall be granted. Subsequent to the date of this Ordinance, all correspondence regarding water availability, pipeline extension agreements and applications requesting service, shall make reference to conditions relating to water shortages.

Section 4-3-4 Response to Extreme Drought Alert:

If conditions indicate that an extreme drought condition is present in this jurisdiction, and is expected to persist, the City Administrator, or assignee acting in his absence, shall notify by publication of notice, a copy of which shall be posted at City Hall and the Business Office of the Water and Sewer Department, and a copy of which shall be forwarded the day of the notice to the South Carolina Water Resources Commission Drought Information Center, customers that the following additional restrictions shall apply:

(a) All commercial or industrial users shall reduce consumption levels to the minimum levels necessary to maintain health and safety;

(b) Residential customers shall be limited to seventy-five (75) gallons per person per day, and a mixture of three hundred (300) gallons per household per day;

(c) The Water & Sewer Department shall monitor water use and if necessary shall request City Council to authorize water rationing if necessary to preserve the public health and safety;

(d) Agricultural users shall implement water conservation techniques and restrict the use of water for irrigation to the hours between 7:00 p.m. Eastern Standard Time to 7:00 a.m. Eastern Standard Time. Any agricultural use which results in water runoff shall be prohibited.

Section 4-3-5 Variances:

Customers not capable of immediate water use reduction or curtailment, shall commence gradual reduction of water use within twenty-four (24) hours of the proclamation that water use restrictions are in effect, and shall apply for a variance within three (3) days after such restrictions become effective. Requests for variance shall be filed with the Water & Sewer Department and shall contain the following:

(a) Name and address of the petitioner(s);

(b) Purpose of water use;

(c) Specific provision from which the petitioner is requesting relief;

(d) Detailed statement as to how the curtailment declaration adversely affects the petitioner;

(e) Description of the relief desired;

(f) Period of time for which the variance is sought;

(g) Economic value of the water use;

(h) Damage or harm to the petitioner or others if petitioner complies with this Ordinance;

(i) Restrictions with which the petitioner is expected to comply and the compliance date;

(j) Steps the petitioner is taking to meet the restrictions from which variance is sought and the expected date of compliance;

(k) Other pertinent information.

The variance shall not be granted unless the petitioner can show one or more of the following conditions exist:

(a) Compliance with this Ordinance cannot be technically accomplished during the duration of the water shortage;

(b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

No variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to the issuance of the variance. Any variances granted shall include a timetable for compliance.

Section 4-3-6 Penalties and Enforcement:

(a) Any person violating this Ordinance shall, upon conviction, be subject to a fine not exceeding Two Hundred Dollars ($200.00) per violation.

(b) All employees of the City of Isle of Palms are hereby charged with the enforcement of this Ordinance, and are granted all powers allowed by law to fulfill this duty.

Section 3. Severability. In any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. The Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THIS 25TH DAY OF JULY, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading:	3/11/91
Second Reading:	6/27/91
Third Reading:	7/25/91
Ratification:	7/25/91

EXHIBIT H

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-5
Third Reading Draft - 7/25/91

AN ORDINANCE TO PROHIBIT THE DEPOSITION OF MATERIALS

WHEREAS, City Code Section 3-1-8 currently prohibits the drainage or deposition of grease, oil and similar materials onto City streets; and

WHEREAS, City Council believes such prohibition should be extended to the marshes and other areas within the jurisdiction of the City.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to prohibit the deposition of grease, oil and similar materials into the marsh, ocean or land within the City.

Section 2. Section 3-1-8 Amended. Section 3-1-8 of the City Code is hereby amended to read as follows:

Section 3-1-8. It shall be unlawful for any person to drain, deposit or discharge grease, oil, gasoline, animal waste, washing machine wastewater or other deleterious substances upon any street, ditch or ground, or into the ocean or marsh.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 25th DAY OF JULY, 1991.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 1/24/91

Second Reading: 2/28/91

Third Reading: 7/25/91

Ratification: 7/25/91

EXHIBIT I

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-19
Second Reading Draft - 7/25/91

AN ORDINANCE TO RESTRICT THE USE OF JET SKIS IN CERTAIN AREAS

WHEREAS, City Council finds that the operation of jet skis within the waters of the City of Isle of Palms has endangered the health, safety and welfare of residents and visitors using these waters for swimming, boating, fishing and other recreational purposes; and

WHEREAS, City Council further finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses; and

WHEREAS, City Council further finds that the operation of jet skis has resulted in serious physical injury to individuals using the waters of the City of Isle of Palms for recreational purposes; and

WHEREAS, City Council wishes to eliminate this hazard to public health, safety and welfare; and

WHEREAS, City Council further finds that the limitations placed on the operation of jet skis in Ordinance No. 1988-20, adopted September 14, 1988, and codified in Sections 7-3-6 and 7-3-7 of the City Code, have failed to safeguard the recreating public from the hazards associated with the use of jet skis; and

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting from the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public health, safety and welfare pursuant to Section 5-7-30, South Carolina Code of Laws, 1876, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the health, safety and welfare of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-6 Amended.

a. Section 7-3-6(a) of the City Code is revised to read as follows:

(a) No person shall operate any motorboat within any designated swimming areas or the beach, except in case of emergency.

b. Section 7-3-6(b) of the City Code is revised to read as follows:

(b) No person shall operate a jet ski or similar type of water craft, within 300 yards of the beach as defined by City Code Setion 7-3-2(1), except in case of emergency or by City Police Officers in enforcing the City Code.

Section 3. Section 7-3-7 Amended.

a. Section 7-3-7(a) of the City Code is revised to read as follows:

(a) No person shall beach any motorboat or jet ski in any designated swimming area or the beach except in case of emergency.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/27/91
Second Reading: 7/25/91
Third Reading: _____
Ratification: _____

EXHIBIT J

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1991-19.e
Adopted - 7/25/91

AN EMERGENCY ORDINANCE TO RESTRICT THE USE OF JET SKIS IN CERTAIN AREAS

WHEREAS, City Council finds that the operation of jet skis within the waters of the City of Isle of Palms has endangered the health, safety and welfare of residents and visitors using these waters for swimming, boating, fishing and other recreational purposes; and

WHEREAS, City Council further finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses; and

WHEREAS, City Council further finds that the operation of jet skis has resulted in serious physical injury to individuals using the waters of the City of Isle of Palms for recreational purposes; and

WHEREAS, City Council wishes to eliminate this hazard to public health, safety and welfare; and

WHEREAS, City Council further finds that the limitations placed on the operation of jet skis in Ordinance No. 1988-20, adopted September 14, 1988, and codified in Sections 7-3-6 and 7-3-7 of the City Code, have failed to safeguard the recreating public from the hazards associated with the use of jet skis; and

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting from the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt emergency ordinances to protect the public life, health and safety pursuant to Section 5-7-250(d), South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the health, safety and welfare of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-6 Amended.

a. Section 7-3-6(a) of the City Code is revised to read as follows:

(a) No person shall operate any motorboat within any designated swimming areas or the beach, except in case of emergency.

b. Section 7-3-6(b) of the City Code is revised to read as follows:

(b) No person shall operate a jet ski or similar type of water craft, within 300 yards of the beach as defined by City Code Setion 7-3-2(1), except in case of emergency or by City Police Officers in enforcing the City Code.

Section 3. Section 7-3-7 Amended.

a. Section 7-3-7(a) of the City Code is revised to read as follows:

(a) No person shall beach any motorboat or jet ski in any designated swimming area or the beach except in case of emergency.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its adoption for the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 25th DAY OF July, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

EXHIBIT K

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1991-19.E
Adopted - 7/25/91

AN EMERGENCY ORDINANCE TO BAN THE USE OF JET SKIS

WHEREAS, City Council finds that the operation of jet skis within the waters of the City of Isle of Palms has endangered the health, safety and welfare of residents and visitors using these waters for swimming, boating, fishing and other recreational purposes; and

WHEREAS, City Council further finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses; and

WHEREAS, City Council further finds that the operation of jet skis has resulted in serious physical injury to individuals using the waters of the City of Isle of Palms for recreational purposes; and

WHEREAS, City Council wishes to eliminate this hazard to public health, safety and welfare; and

WHEREAS, City Council further finds that the limitations placed on the operation of jet skis in Ordinance No. 1988-20, adopted September 14, 1988, and codified in Sections 7-3-6 and 7-3-7 of the City Code, have failed to safeguard the recreating public from the hazards associated with the use of jet skis; and

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting from the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt emergency ordinances to protect the public life, health and safety pursuant to Section 5-7-250(d), South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the health, safety and welfare of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-6 Amended.

a. Section 7-3-6(b) of the City Code is revised to read as follows:

(b) No person shall launch or operate a jet ski, or similar type of water craft, within the jurisdiction of the City of Isle of Palms, except in case of emergency or by City Police Officers in enforcing the City Code.

Section 3. Section 7-3-7 Amended.

a. In the heading to Section 7-3-7, the words "and jet skis" are deleted.

b. In subsections (a), (b) and (c), the words "or jet skis" are deleted every time they occur.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property,

circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This ordinance shall be effective upon its adoption for the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 25th DAY OF July, 1991.

Carmen R. Bunch, Mayor

Nellie S. McDuffie, Clerk-Treasurer

EXHIBIT L

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-20
Second Reading Draft - 7/25/91

AN ORDINANCE TO PROHIBIT SWIMMING AND WADING IN THE WATERS AT BREACH INLET

WHEREAS, City Council finds that the waters at Breach Inlet contain dangerous currents that render this area hazardous and unsuitable for swimming and wading; and

WHEREAS, City Council recognizes the long history of drownings associated with use of the waters at Breach Inlet, and further recognizes the City's efforts over a period of years to prevent such tragic incidents from occurring; and

WHEREAS, on June 12, 1991, the Governor signed Bill S.237, thereby giving to coastal municipalities criminal jurisdiction over waters of adjoining inlets; and

WHEREAS, such authorization extends the criminal jurisdiction of the City over Breach Inlet, to the mid-point between the City and the Town of Sullivan's Island; and

WHEREAS, City Council wishes to make immediate use of such authorization to protect the public from the dangers associated with the waters at Breach Inlet; and

WHEREAS, City Council is authorized by Section 5-7-30, South Carolina Code of Laws, 1976, as amended, to adopt ordinances to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Ordinance is adopted to protect the public from the dangers associated with the waters at Breach Inlet.

Section 2. New Section 9-3-3 Created.

A new Section 9-3-3 is added to the City Code, to read as follows:

Sec. 9-3-3 Swimming and Wading at Breach Inlet

It shall be unlawful for any person to swim or wade in the waters at Breach Inlet.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/27/91
Second Reading: 7/25/91
Third Reading: _____
Ratification: _____

EXHIBIT M

Jeff
Heath
Stacey

3rd Tues. of each month

ISLE OF PALMS
RECREATION DEPARTMENT

RECREATION REPORT
July 16, 1991

I. *Recreation Programs* - Summer

Gymnastics - Mondays -ages 3 and older
Tae Kwon Do - Wednesdays & Saturdays -youth & adult
Tournaments - Fridays - youth

CPR Class - Scott Taylor, an Isle of Palms Fireman, will instruct a course in infant, child, and adult CPR on July 23rd and 30th from 6:30 to to 10:30 p.m. at the Recreation Dept.

Bicycle Rodeo - A bicycle rodeo will be held on Thursday, July 18th at 10:00 a.m. An Isle of Palms Police Officer will talk about bike safety to the day camp children. Afterwards, the children will go through an obstacle course and prizes will be awarded. Another rodeo will be held in August.

II. *Sports*

Tennis Camp - A tennis fun camp for children ages 6 to 10 and youth ages 11 to 15 is being held this summer for six weeks. The camp is on Mondays through Thursdays from 9:00 a.m. to 12 noon. The first session began July 1st and and the last will begin August 5th. The instructor is Shawn Nettles. There were six participants the 1st session and 10 the second session.

Soccer Camp - A soccer camp will be held for boys and girls ages 5 to 10. There will be three sessions: July 22nd - July 26th, July 29th - Aug. 2nd, and Aug. 5th - Aug. 8th. The camp is for players of all skill levels and will be held from 8:30 to 11:30 a.m. each day. Children should bring their own soccer ball. Rick Raycroft, assistant varsity coach and head junior varsity coach for soccer at Wando High School, will be the instructor.

"Boys of Summer" Basketball - A fun league for boys ages 7 to 14 began June 18th. Games are played on Tuesdays and Thursdays at 4:00 and 5:00 p.m. There are five teams in the league and each team consists of eight players. A single elimination tournament will begin on August 25th. Trophies will be awarded to the 1st place team.

Church League Softball - There are ten mens teams and four womens teams registered. The men play on Mondays and Thursdays and the women on Tuesdays. Play began on July 8th.

please sign up early - rosters are full - no vacancy

Soccer/Football/Cheerleading Registration - We are now taking registration for these three sports. The ages for soccer are 5-11 and for football 7-14. Registration will end August 31st. If a team is full at this time, no more children will be added to the roster.

III. *Special Events*

Camp Summershine - We are in the fifth session of Camp Summershine. There are 35 children signed up for this week. The theme is Talk to the Animals and the field trip is to a farm in Awendaw and to Wild Dunes to swim. There is one more session this summer and it is full. The fee is $35.00 per one-week session and $30.00 per child for two or more children. Camp is limited to 35 campers per week. Mike Shaw is the camp director and there are two other counselors. The camp is for ages 5 to 12.

maybe go longer next yr.

Summershine Wee Camp - A Camp for boys and girls ages 3 and 4 began June 10th at the center. There are seven 1-week sessions on Mondays, Wednesdays, and Fridays from 9:00 to 12 p.m. Activities include tumbling, teddy bear picnics, sing-a-longs, story time, nature walks, and arts and crafts. The fee is $20.00 per week. There is one more session this summer. The attendance has been from 6 to 12 children per week.

End of Summer Blast

Summershine '91 - We will have an end of the summer celebration on Saturday, August 17th at the center from 11:00 a.m. to 2:00 p.m. There will be water balloon games, a donut-eating contest, tug-o-war, hotdogs, chips, lemonade and potatoe salad. Scheduled performers include a rollerblade exhibition from Vans and Stuff Skate Shop and Marvo from the Magic Shop!! Rain date:

August 24th at 11:00 a.m. No Charge.

IV. Information -

sign up now -

- We have found a new ballet teacher. Her name is Jenny Adams and she works for Trudys Dance Studio. Classes will begin in September and she will teach tap, ballet, jazz and acrobatics. She will also instruct a class on Street Funk Video Style Dance for youth 10 and older.
- Youth Dances will begin in September. They will be held the second Friday of each month.
- We will have a fall brochure available in August with all of our programs for Sept. - December.

July 1991

Isle of Palms Recreation Dept.

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1 Summershine Wee Camp (M, W, & F 9-12:00pm) Tennis Camp M-Th 9-12:00pm Gymnastics 5:15-7:00	2 Boys Summer Basketball 4:00pm	3 Tae Kwon Do 7:30pm	4 Fourth of July	5 Bumper Pool Contest 4:00pm	6 Tae Kwon Do 9:00am
7 Phone: 886-8294 Department Hours: Mon-Fri 9-7 Sat 12:30-7 Church League Softball begins July 8th	8 Tennis Camp M-Th 9-12:00pm Gymnastics 5:15-7:00 Summershine Wee Camp (M, W, & F 9-12)	9 Boys Summer Basketball 4:00pm	10 Tae Kwon Do 7:30pm	11 Boys Summer Basketball 4:00pm	12 Nintendo Contest 4:00pm	13 Tae Kwon Do 9:00am
14	15 Tennis Camp M-Th 9-12:00pm Gymnastics 5:15-7:00 Summershine Wee Camp (M, W, & F 9-12:00)	16 Boys Summer Basketball 4:00pm	17 Tae Kwon Do 7:30pm Bicycle Rodeo 10:00am	18 Boys Summer Basketball 4:00pm	19 Ping Pong Tournament 4:00pm	20 Tae Kwon Do 9:00am
21 Registration begins for Youth Soccer and Football: starts July 22nd through August 31st	22 Tennis Camp M-Th 9-12:00pm Gymnastics 5:15-7:00 Soccer Camp (M-F 8:30-11:30am)	23 Boys Summer Basketball 4:00pm	24 Tae Kwon Do 7:30pm	25 Boys Summer Basketball Tournament begins	26 Bumper Pool Tournament 4:00pm	27 Tae Kwon Do 9:00am
28 Upcoming: Summershine '91, Bicycle Rodeo, Tennis Soccer Camp: August 5-9; 8:30-11:30am	29 Tennis Camp M-Th 9-12:00pm Gymnastics 5:15-7:00 Soccer Camp (M-F 8:30-11:30am)	30 Boys Summer Basketball 4:00pm	31 Tae Kwon Do 7:30pm			

June

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						



ISLE OF PALMS
RECREATION DEPARTMENT

August

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Located on 28th Ave 886-8294

Isle of Palms Recreation

TENNIS CAMP



MONDAY-THURSDAY 9:00AM-12:00PM
INSTRUCTED BY SHAWN NETTLES $45/WEEK
AGES 6-10 JULY 1-4, 15-18, & 29-AUGUST 1
AGES 11-15 JULY 8-11, 22-25, & AUGUST 5-8
BOYS & GIRLS MUST BRING THEIR OWN RAQUET!

SOCCER CAMP



MONDAY-FRIDAY 8:30AM-11:30AM
INSTRUCTED BY RICK RAYCROFT $40/WEEK
AGES 5-10 ALL SKILL LEVELS, BOYS & GIRLS!
JULY 22-26, JULY 29-AUGUST 2, AUGUST 5-8
PLAYERS SHOULD BRING A SOCCER BALL

call 886-8294 for details!!!

EXHIBIT N

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
JUNE 25, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on June 25, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, and Betsy Smiley; David Somers was on vacation. Also present were Building Inspector Ed Haselden and Secretary Janet Geary.

Mr. Fellabom announced that their were four cases on the agenda:

1. James Botto, 605 Ocean Boulevard, had requested a vriance from Section 5-4-38(d). Mr. Ron Coish, friend of Mr. Botto appeared on behalf of the applicant, who is in the hospital, and requested that the application be withdrawn until such time as Mr. Botto has made a full recovery and decides to reapply.

2. Dr. & Mrs. William H. Marsh, 8 Tabby Lane. Dr. & Mrs. Marsh were asking for a variance from Section 5-2-19(1) which deals with solid foundation walls in flood hazard zones. Dr. Marsh stated that their son is severely handicapped and that they wanted to enclose a room under the house next to the garage in order to give them wheelchair access to the house and also a physical therapy area for their son. Mrs. Smiley made a motion that the Board grant the variance with the condition that, in the event the house is sold, it will be returned to its original condition at the time of construction in order to be in compliance with Isle of Palms and FEMA regulations; Mr. Garvin seconded. Motion passed unanimously.

3. Donald Chase, 3407 Hartnett Boulevard. Mr. Chase was asking for a variance from Section 5-4-22(5)(a), front yard setback of 30'; and from Section 5-4-14(3), accessory use. Mr. Chase was asking for a 5' variance in order to construct a free-standing garage to the left front of his existing house and using an existing driveway. Upon discussion, it was determined that the garage could be built in another location without a variance. After discussion, vote was taken: Fellabom - No; Garvin - No; Schall - No; Smiley - No. Variance was denied.

4. John Gardner, architect, requested a variance from Section 5-2-19(2). Mr. Gardner represented Cliff Rios of Beach Biz, 1120 Ocean Boulevard. Mr. Rios had received permits to construct two retail buildings behind the Beach Biz eatery on March 15, 1991. At that time the two properties were located in flood zone A-8, required elevation of 14'. He was asking to be allowed to abandon one building, and construct the other building larger to be of the same value as the two buildings combined. The one larger building would be constructed with an upgrade of the current building permit. Effective March 18, 1991, this location was upgraded to a high hazard area V-zone with a require elevation of at least 19'. After discussion, vote was taken: Fellabom - No; Garvin - Yes; Schall - No; Smiley - No. Variance was denied.

There being no further business to come before the Board, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT O

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JULY 10, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on July 10, 1991, at 5:30 p.m. Members attending included Arnold Karig, Kathryn Carroll, John Stanley and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m.

MINUTES OF PREVIOUS MEETING

1. June 12, 1991

Mr. Batchelder reviewed several changes that were necessary to correct the minutes.

Motion to approve by Ms. Carroll with changes suggested by Mr. Batchelder; second by Mr. Stanley. Motion approved 4-0.

ORDINANCES

1. Ordinance 1990-16 - Waterfront District

Chairman Taylor explained that this ordinance had been reviewed by the Commission previously and that the Commission recommended against the ordinance. City Council then discussed the ordinance and, because of several changes, recommended that the Commission again review the ordinance. At the last Commission meeting Councilmember Nesmith-Picard presented the ordinance to the Commission. Mr. Taylor explained that the changes included changing the sideyard setback requirement to 12.5 feet from 10 and setting the maximum building to lot ratio at 40 %. Mr. Taylor explained that all other proposed requirements remained the same.

Mr. Stanley asked about the background of the ordinance and noted that the information he had said 90 % of the lots would comply. He asked how many lots this would affect and how many lots were greater than 17,500 square feet or 35,000 square feet. Mr. Taylor reviewed the areas that this ordinance would affect.

Mr. Batchelder stated that under the current minimum lot size requirement of 17,500 square feet and minimum lot frontage requirements there were only approximately eight lots that could not be subdivided. Mr. Stanley said that if we already have ordinances in place that preclude subdivision of all but eight lots he did not believe that this was the major aim of the ordinance.

Mr. Taylor asked Bill Dreyfoos about the 90 % compliance ratio. Mr. Dreyfoos stated that the degree of compliance would be used to determine if the ordinance met the rational basis test although other factors would be considered in determining the legality of the ordinance.

Mr. Stanley stated that the 12.5 foot setback requirement on a large lot did not seem unreasonable and asked whether we could adopt a new setback requirement for these lots without creating a new district. Mr. Taylor explained that the current ordinance allows the building inspector to vary sideyard setbacks in certain situations which makes the proposed change less significant than it might appear and he felt that this question could be addressed at the September work session meeting.

Mr. Stanley asked why some areas were included while some were not. Councilmember Holden stated that parts of the golf course which have been platted were not included because they did not come close to meeting minimum requirements.

Dr. Karig moved that the Commission table consideration of this ordinance until the work session in September; second by Ms. Carroll. Motion approved 4-0.

2. Ordinance 1991-21 - Conservation District

Mr. Taylor explained that this ordinance originated at the June regular City Council meeting after the plat of the ocean front property owned by the Beach Company was approved. This ordinance would rezone all of the property approved for subdivision to Conservation.

Mr. Dreyfoos explained that there was some discussion during the City Council meeting as to the ability of the City to enforce the covenants. He explained that the City would not be able to enforce the proposed covenants but that the property could be rezoned to Conservation with amendments to the Conservation District to make it applicable because it currently applies to marsh or water areas. This ordinance was given 1st reading with the intent that the Conservation District would also be amended and the two amendments would be processed together.

Mr. Dreyfoos explained that there was concern expressed at the meeting about what might happen to lots that were not conveyed and that the plat did not meet requirements of the zoning ordinance because lots did not have frontage on a public street.

With regard to the idea of assigning enforcement rights to the City, Mr. Dreyfoos stated that this could provide an option to the City rather than rezoning the property although he stated that he could not give a final opinion at that time because he had not researched the proposal.

Mr. Taylor explained that the Commission had recommended that wording be added to the plats to maintain existing building setbacks. Mr. Dreyfoos explained that to help insure this there may be additional amendments to the zoning ordinance necessary.

Dr. Karig stated that he would like to see both options remain open at this time.

Ms. Carroll made a motion to accept the Beach Company's proposal regarding the assignment of rights; second by Mr. Stanley.

Mr. Stanley stated that he was concerned that this would leave room for future manipulation by

City Council and he saw conflicts between this and the Waterfront District and said he felt the building line ought to be moved to the existing ocean side property line of the lots on Palm Boulevard.

Mr. Way explained the easement for view restriction on this land and stated that he did not want to own this land because of the liability involved. He said that there may be five or six adjoining lot owners who do not want to buy but that unless there was a special circumstance that he was not aware of, he was committed to selling the property and conveying any unsold lots to the Lowcountry Land Trust with the stipulation that nothing be constructed on those lots; not even dune crossovers or open air gazebos.

Mr. Stanley explained that he was concerned that people who might have to rebuild would have to rebuild closer to the street because of setback requirements. Mr. Batchelder explained that eliminating this setback requirement would create an unfair advantage for people who build on vacant lots as compared with neighboring properties which might comply.

Dr. Karig recommended amending the motion to read that the Commission recommend that Council accept the proposal if in the opinion of City Council it will accomplish the same thing as the rezoning proposal; second by Ms. Carroll. Motion to amend approved 4-0.

Motion to recommend acceptance of Beach Company proposal as amended approved 4-0.

There being no more business, the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Zoning Administrator

EXHIBIT P

MINUTES OF THE MEETING OF THE ISLE OF PALMS
WATER & SEWER COMMITTEE
JULY 23, 1991, 7:00 P.M., CITY HALL

The regular meeting of the Isle of Palms Water & Sewer Committee was held on July 23, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, members Bob Dehoney, John Hann, and adviser Clay Duffie, City Administrator Williams and Secretary Geary.

1. Mr. Stanley advised the committee that Tim Griffith, the manager of the water department has resigned and that Mt. Pleasant Waterworks & Sewer Commission has agreed to back the City up in an advisory capacity and for emergency maintenance until the City decides what to do. Therefore, the City is without a Class A operator. There are three options open for discussion: (1) hire a new manager with the proper licenses; (2) contract with another system to provide expertise on a permanent basis; or (3) upgrade current employee while temporarily contracting with another system. Mr. Williams stated that the City is geared up to handle any administrative operations for the system and he felt that we should be able to find some good people in the market place with the salary we can offer. With advertising, it should take approximately 30-45 days to find another qualified manager. Also, when the RO system comes on line, we will need a Class A operator to run that operation.

After further discussion, Mr. Hann made a motion to recommend that the Administrator advertise immediately for a new operator/manager; and that the committee appoint two members to discuss with Mt. Pleasant Waterworks & Sewer Commission the costs of their operating the system; Mr. Dehoney seconded; motion passed unanimously. Mr. Stanley stated that he and Harry O'Neal would talk with MPWWSC.

2. New customer deposit and administrative fee. Mr. Stanley stated that at present we were charging a $50 administrative fee to new customers. Mr. Williams stated that The Beach Co. had set this fee up to avoid having to take in deposits with the intention of trying to cover for dead beat accounts who moved out on them. The City's policy is that the owner of the property is ultimately responsible for the water & sewer bill, and we need some type of protection for renters who move out leaving an unpaid bill. It was the consensus that the property owner should be responsible for the bill and that he could charge his renter a deposit. There followed discussion about how property managers handled their clients and deposits.

The committee decided that if requested by the property owner, the Water & Sewer Department could send bills to the property manager, but that the property owner would still be ultimately responsible for the bills. Also, we will not establish a new account at a service address until an old outstanding bill has been satisfied.

After discussion of administrative fees, Mr. Dehoney made a motion that these fees be established at $25 for water, $25 for sewer and $25 for transfer of service to another property; the charges would be the same for residential and commercial users; Mr. Hann seconded, motion passed unanimously.

3. Uncommitted sewer capacity. Mr. Stanley stated that we essentially have no sewer capacity available unless some capacity is found in the future after honoring those listed in the contract of sale when the City purchased the system. Mr. Williams stated that at the time of closing we had a theoretical 1955 gallons available and that the city received two requests, one for 1200 gallons (Carroll Realty) and one for 700 gallons (Beach Biz).

Mr. Stanley reminded the committee that at the last meeting, the committee had recommended to Council that the Isle of Palms Marina and Carroll Realty be forced to share a force main across Palm Boulevard, the reason being that the committee thought there would not be enough flow coming out of one force main to keep things moving down Palm Boulevard. City Council, in a special session, decided

that they would grant sewer service to the Marina but not to Carroll Realty or to Beach Biz, basically because they did not want to run the capacity down to zero and because they had not authorized the allocation of the remaining capacity.

It was the consensus that the currently proposed force main would be too small to serve both systems and that when capacity is available, Carroll Realty should be able to hook in to a combined system. Mr. Duffie stated that as the committee's adviser, he would "strongly recommend that the committee make some type of statement to Council that Council should act in the best interest of the citizens of Isle of Palms and in the best interest of the environment and not allow the Carroll situation to continue, primarily because their system is not operating properly, the Health Department has cited them for violations, and I think it would behoove the citizens of Isle of Palms to have the City allow them to tie into the system and to require that these two property owners work together so that the City will not, at some future date, have to be responsible for maintenance of two separate facilities, which is a redundancy, and I want to let it be known that as your adviser I think Council is not acting in proper terms and I think this committee has an obligation to say something to them about it."

Mr. Stanley said that it was his intention to send a memo to Council concerning this issue. He said that the Council meeting at which this was discussed had been a budget meeting and that this had not been on the agenda but came up unexpectedly. If the committee had known that this was being discussed, they could have been present to explain their reasons for recommending a shared system.

Council Member Watson, present at the committee meeting, stated that some of the Council members did not know this was coming up and that he did not think that Council members appreciated the committee's reasoning.

The Mayor stated that she felt this committee should be an elected commission which would have full operational control over the department. After discussion of the responsibilities of a commission and an advisory committee, Mr. Hann made a motion to strongly recommend that immediate steps be taken to draw up an elected Water & Sewer Commission for the City of Isle of Palms in accordance with South Carolina State Law; Mr. Dehoney seconded. After discussion, motion passed unanimously.

4. Billing Cycles. Mr. Williams stated that it was the intention of the department to go to monthly billing as soon as it can be worked out and make it cost effective. This item will be discussed again at an upcoming committee meeting.

5. System operating policies. Mr. Stanley asked how to handle main breaks outside the meter given the fact that we do have a great number of properties vacant during the wintertime. Mr. Williams stated that most utilities bring the sewer charge down to a minimum, but if water goes through the meter, they have to pay for it. Mr. Williams stated that it would be an unpopular policy, but would be especially important when RO comes on line and the water is expensive water. Mr. Duffie stated that MPWWSC will give the customer a break on sewer charges if there is a leak and they produce a plumbing bill, but they still have to pay for water consumption. In an emergency, the homeowner would be allowed to cut his own meter off. Mr. Duffie stated that both a "check valve" and a "gate valve" are installed on every meter system so that the property owner can shut it off during a leak. It was decided that the City should begin installing "gate valves" on city lines.

Mr. Williams stated that in the case where the component that has failed is the City's component, we would have some responsibility to give the customer an adjustment. Mr. Stanley stated he thought that in the case of failed component, an appeal to the city authority, Water & Sewer Committee or Council should be heard rather than have the water department automatically adjust bills.

As there was no further business to come before the meeting, Mr. Hann made a motion to adjourn, seconded by Mr. Dehoney, and passed unanimously.

Respectfully submitted,

Janet M. Geary
Secretary

M E M O R A N D U M

TO: City Council

FROM: Chairman, Water & Sewer Committee

SUBJECT: Isle of Palms Marina/Caroll Realty Sewer Connection

DATE: July 24, 1991

==========

At yesterdays Water & Sewer Committee meeting the members expressed their concern about Council's action on the request of Isle of Palms Marina for a sewer connection to the gravity line on Ocean Blvd.

The committee fully understands that the City has a contractual obligation to permit the Marina connection and no similar obligation to Caroll Realty. That obligation not withstanding we still felt that in the interest of public safety, a portion of our unobligated capacity should be granted to Caroll Realty and the two systems combined to deliver outflow to Ocean Blvd.

The rational behind the recommendation is as follows:

a. The City permitted the construction of the Caroll Realty Building without regard to the potential damage which could and in fact has occurred to the septic tank and leach line at the site.

b. The potential (and most probable) leaching of untreated septic effluent into the waters of Breach Inlet could very well result in the closing of the nearby waters to fishing and other water activities.

c. The relatively small amount of effluent discharged by the marina may not be sufficient to keep flow in the deadend of the gravity sewer on Ocean Blvd. This would continue until additional connections were made.

d. Though not required at the preaent time, it is very likely that in the near future, marinas will be required to provide boat holding tank pump out facilities. This concentrated effluent will futher complicate the gravity flow on Ocean Blvd.

e. The single grinder pump and force main which will serve the marina will not be suitable for upgrade to handle the other connection when it becomes necessary. Therefore at some future time a complete duplicate system will be necessary and the City will be responsible for two force mains instead of only one.

f. Duplex grinder pump installations are inherently more reliable than simplex installations. By directing that a duplex installation serving both businesses be installed, everyone benefits from the increased reliability. In addition the increased flow will assist in keeping the gravity line free of blockages.

After consideration of all of the above, the committee recommended that the Marina and Caroll Realty be directed that a combined duplex system be built. If agreement between the parties was not forthcoming then the City,in the public interest, should build such a system with the cost backcharged to the users.

The water & sewer Committee respecfully requests that in the interest of public safety City Council reconsider it's decision in regard to this problem.

EXHIBIT 2

MINUTES OF A SPECIAL MEETING OF THE
ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
JULY 11, 1991, 7:00 P.M.

A special meeting of the Isle of Palms Board of Beach Patrol and Control was held on July 11, 1991, at 7:00 p.m., at the Building Department trailer at Breach Inlet. Present were Chairman Smiley, members Matthews, Jeter, Ballow, and Sandeford. Mr. Harper was absent. Council Member Simon and Secretary Geary were absent due to a City Council meeting.

Dr. Smiley announced that since this special meeting had been called and that there were no other applications to come before the Board, there will be no meeting at the regularly scheduled date of July 18, 1991.

1. Tom Loveland, 712 Ocean Boulevard, requested a permit to push the house forward four feet beyond the 250' MHW line to the maximum building line. They were doing this at the request of Ocean Boulevard Properties who want all the structures on the maximum building line to keep all the houses in line on the beach side. Only the stairs would encroach beyond the 250' line.

Mr. Sandeford made a motion to approve the request as submitted; Mr. Matthews seconded. After brief discussion, motion passed 4-1, with Ms. Ballow abstaining.

2. John Cantrell, 100 Charleston Boulevard, requested a permit to construct a house up to the 50' line. Because of the fact that the current application and plat were incorrect and after discussion, Dr. Smiley asked that the applicants resubmit the plans showing correct placement of the house, and indicating decks, stairs, etc. The application was withdrawn.

3. Dr. Smiley began a discussion of the property that the Beach Company is conveying to property owners between 21st and 53rd Avenues. The Mayor and City Council are proposing that the new property be zoned Conservation District which would greatly limit any building in that area of such items as beach walk-overs and gazebos. The Mayor had asked that the Board study this proposal. There followed a discussion on the subject but no action was taken.

There being no further business to come before the board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT R

CITY OF ISLE OF PALMS
RESOLUTION

July 25, 1991

WHEREAS, in response to the destruction caused by Hurricane Hugo, City Council adopted Ordinance No. 1989-11 on March 14, 1990, to allow the temporary use of mobile homes and trailers pursuant to detailed and limiting standards; and

WHEREAS, new Section 5-4-16(c)(1) and 5-4-16(d)(1) of the City Code, created by said Ordinance, permit such temporary use of mobile homes and trailers until June 30, 1990, unless extended by resolution by City Council; and

WHEREAS, by Resolution of June 28, 1990, City Council extended such deadline until September 28, 1990; and

WHEREAS, by Resolution of September 27, 1990, City Council extended such deadline until June 1, 1991; and

WHEREAS, City Council finds that a number of residents and businesses are continuing to use mobile homes and trailers pending reconstruction of their homes and businesses; and

WHEREAS, City Council finds that the limited continuation of the use of mobile homes and trailers by residents and businesses during the process of rebuilding will not violate the spirit of City Ordinances, provided that such mobile homes and trailers comply with all applicable requirements of the City flood ordinance and any state/county regulations regarding tie-down of such facility.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Isle of Palms, in Council duly assembled,

1. That pursuant to Section 5-4-16(c)(1) of the City Code, bond fide homeowners/City residents who are in the process of rebuilding a house which was damaged by Hurricane Hugo may continue to occupy travel trailers for residential purposes until Feb 1, 1992

2. That pursuant to Section 5-4-16(c)(1) of the City Code, bona fide homeowners/City residents who are in the process of rebuilding a house which was damaged by Hurricane Hugo may continue to occupy mobile homes for residential purposes until Feb 1, 1992, provided that such mobile homes comply with all requirements of the City flood ordinance (City Code Section 5-2-1, et seq.).

3. That pursuant to Section 5-4-16(d)(1) of the City Code, the temporary commercial use of mobile homes and trailers in the City's commercial zoning districts may continue until Feb 1, 1992 provided that such mobile homes and trailers comply with all requirements of the City flood ordinance (City Code Section 5-2-1, et seq.).

RESOLVED this 25th day of July, 1991.

Carmen R. Bunch, Mayor

ATTEST:

Nellie S. McDuffie, Clerk-Treasurer

EXHIBIT S

A RESOLUTION

WHEREAS, residents of the Charleston area and tourists to the South Carolina coast enjoy the many benefits of recreational boating; and

WHEREAS, the purchase of equipment and supplies used in recreational boating is important to the economies of both region and state; and

WHEREAS, a recent user fee enacted by the United States Congress on recreational boating constitutes a tax which is unfair in its application and detrimental to the interests of all recreational boaters.

NOW, THEREFORE, BE IT RESOLVED THAT, the Mayor and City Council of the City of Isle of Palms, assembled hereby request that members of the Congressional Delegation vote to rescind the user fee on recreational boating which is scheduled to go into effect July 31, 1991.

ADOPTED this 25th day of July, 1991.

_____
Carmen R. Bunch, Mayor
City of Isle of Palms

ATTEST:

_____
Nellie S. McDuffie
Clerk-Treasurer

EXHIBIT T

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-14
First Reading Draft - / /91

AN ORDINANCE TO AMEND SECTION 7-2-1, ALCOHOLIC BEVERAGES

WHEREAS, Section 7-2-1 of the Isle of Palms City Code provides that it shall be unlawful to possess open containers of beer and alcohol on public property; and

WHEREAS, public safety interests are better promoted by making possession of opened containers of beer and alcohol on public beach unlawful;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council duly assembled, that Section 7-2-1 is amended to read as follows:

Section 1. Sec. 7-2-1 Drinking on streets, beaches, etc., prohibited.

It shall be unlawful for any person to drink or to possess open containers of beer or alcoholic liquors on the street, sidewalk, thoroughfare, public parking lots, beach areas or on any city owned property (see Exemption).

Exemption: Any person or group requesting and being permitted by the Public Safety Committee and City Council to hold a "special event" within the city limits of the Isle of Palms and further wishing to allow the consumption of beer at the "special event" may, at the discretion of City Council, receive a special permit for the consumption of beer during the "special event". Application for a special event can be made at the police department during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

It shall be unlawful for any person to possess containers of beer or alcoholic liquors on the beach area within the city.

Section 2. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 3. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: _____

Public Hearing: _____

EXHIBIT U

CITY OF ISLE OF PALMS
ORDINANCE ~~1990-16~~ 1991-22

AN ORDINANCE TO AMEND THE CITY OF ISLE OF PALMS' ZONING ORDINANCE

WHEREAS, pursuant to Sections 6-7-510, et seq., and Section 5-23-10, et seq., of the South Carolina Code of laws, 1976, as amended, the City of Isle of Palms has adopted a comprehensive Plan to guide and coordinate the future growth and development of the City; and

WHEREAS, various problems and inconsistencies with the City's present zoning in some areas and the objectives of the Planning Commission, City Council, the presently properly adopted Comprehensive Plan, and the public input received prior to its adoption have become apparent following the events of Hurricane Hugo. Such problems having clearly existed but been overlooked and only now being easily identifiable due to large scale rebuilding and redevelopment following Hurricane Hugo; and

WHEREAS, the creation of a waterfront classification (WF) would assist in the goal of low density residential housing in areas where the lowest possible density meets legitimate goals of the City under its present Comprehensive Plan including, but not limited to, (1) all those naturally associated with low density single family residential neighborhoods; (2) preservation of environmental interest by limiting use of land in sensitive areas; (3) preserving the aesthetic character of an island community by maximizing air flow, breezes and view of water from and to other areas of the City; and

WHEREAS, following extensive preparation and public input, including a public hearing held pursuant to Section 6-7-530 of the South Carolina Code of Laws, 1976, as amended, the City's Planning Commission has prepared proposed amendments to the City's Zoning Ordinance, and a new zoning map based on said amendments, and has submitted said proposed amendments to City Council for action;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the Isle of Palms, South Carolina, in City Council assembled, that:

The attached map indicates in Red the areas determined appropriate for classification in a new Waterfront Zoning District.

And the following sections and modifications to existing sections of the Isle of Palms Code are hereby made:

(1) Section 5-4-21 is amended to add as item Number 9 the following:

(9) WF - Waterfront District

(2) New Section 5-4-24 is hereby created as follows:

Sec. 5-4-24. WF - Waterfront District

In addition to all other requirements mandated by this chapter and other City ordinances, the requirements for the WF District shall be as follows:

Section 1. Purpose.

(a) To provide for quiet, low density residential neighborhoods on lots having an area of 25,000 square feet or more;

(b) To require sensitive development in waterfront areas likely to be affected adversely by intensive development;

(c) To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single family use;

(d) To encourage the cessation of non-conforming uses;

(e) To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

Section 2. Permitted Uses.

(a) Detached, single family residences;

(b) Customary home occupations;

(c) Accessary uses.

Section 3. Conditional Uses.

(a) Elementary and secondary schools offering general education courses;

(b) Public park, playground;

(c) Church, synagogue, or other place of worship;

(d) Municipal buildings, including, but not limited to, fire and police stations;

(e) Group dwellings;

(f) Golf courses.

Section 4. Minimum Lot Requirements.

(a)	Lot area:	25,000 square feet
(b)	Lot width:	70 feet measured at building line
(c)	Lot Depth:	110 feet
(d)	Lot frontage:	60 feet on a public street; 30 feet on public streets on cul-de-sac.

Section 5. Minimum Yard Requirements.

(a)	Frontyard:	30 feet
(b)	Sideyard:	12.5 feet
(c)	Rearyard:	30 feet.

Section 6. Maximum Height: 40 feet.

Section 7. Maximum building footprint to lot ratio: 40%.

(a) Compliance with this ratio shall be determined by considering only the buildable land included in the lot and its relationship to the footprint of the structure.

(b) For the purposes of this section, "buildable land" means only the land not included in the Critical Area as defined and determined by the South Carolina Coastal Council.

Section 8. Double frontage lots shall be prohibited.

(3) Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstance.

(4) Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____

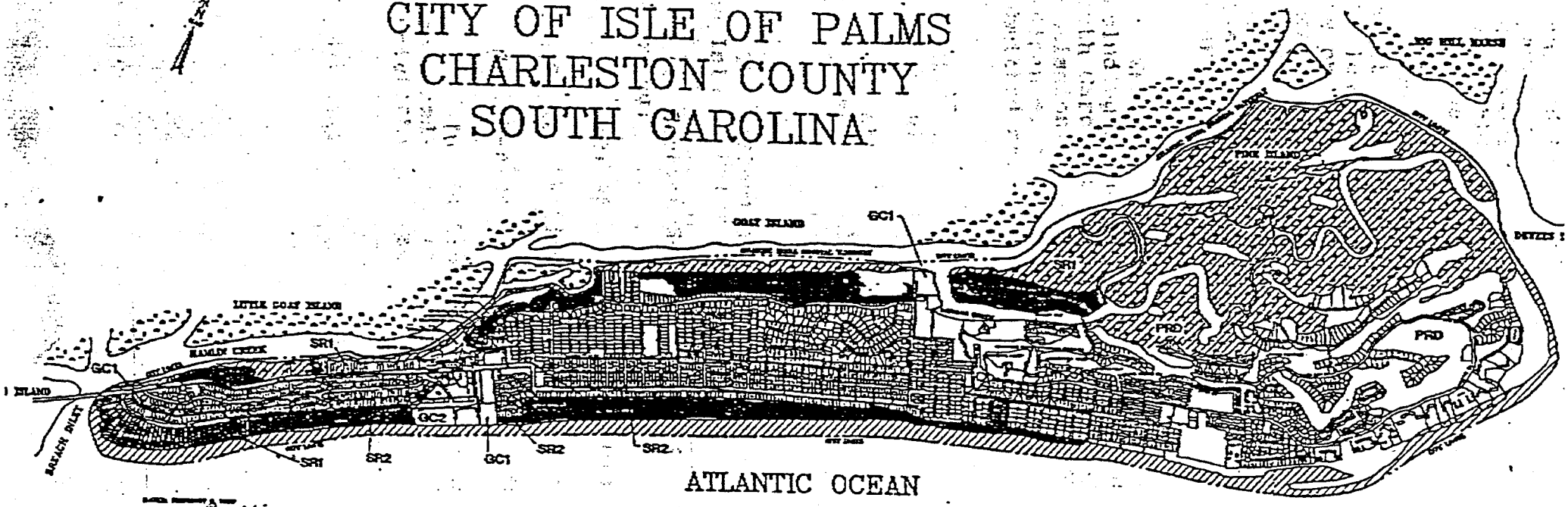
Carmen R. Bunch, Mayor

_____

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 7/26/90
Second Reading: _____
Public Hearing: _____
Third Reading: _____
Ratification: _____

OFFICIAL ZONING MAP
CITY OF ISLE OF PALMS
CHARLESTON COUNTY
SOUTH CAROLINA



PROPOSED WATERFRONT ZONING DISTRICT

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JULY 31, 1991, 6:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on July 31, 1991, at 6:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Simon, Sottile, Ward and Watson; Swanson arrived late; NesSmith-Picard was out of town; and Holden was in court; and Orvin was absent. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Secretary Geary and Police Chief James Arnold.

The Mayor stated that this special emergency meeting had been called to discuss the Isle of Palms Marina business with a briefing from Chief Arnold, and a discussion by the Administrator on the results of a court hearing being held at 5:00 p.m. today. The Mayor felt that it was important that Council hear from the Chief instead of hearing second hand about events of today's date.

1. Chief Arnold reported that Mr. Bill Bailey of the Isle of Palms Marina had been under investigation since this whole marina issue came up. The Police Department had not been able to get any consistent information on Mr. Bailey, different names, dates, etc. which seemed to be suspicious, and Mr. Bailey refused to provide them with information requested. So, the Chief initiated an intense investigation into Mr. Bailey's background. Mr. Bailey had five different social security numbers and several different aliases. His proper name is William Howard Bailey, Jr., and his Social Security No. is 254-04-4824. He has falsified all sorts of documents from his marriage license, tax records, business license permit, etc. He is now under investigation by the IRS and the SC Tax Commission. He was wanted by the FBI for bank fraud embezzlement in Georgia and today they arrested him. Kim Wise of the News & Courier was present at the police station so this will probably be in the newspapers. Mr. Bailey has served time in Georgia and when he got out on parole, he skipped out and the FBI has been looking for him for three years. Apparently, he opened an account at a bank with $100, received an ATM card and withdrew approximately $3,000, after serving time for a similar charge, and has charges of approximately $2,000 in bad checks.

The business license for the marina has the wrong SSNo. and used the name Fred Zolano is listed as his accountant. There is no accountant in Charleston with that name. The City has endorsed the application for the JEDA loan for the marina, but that his been put in John Cantrell's name (owner of the property).

There was discussion of how to handle the business license issue and it was determined that Mr. Williams should ask Elizabeth Bailey to apply for a new license solely in her name. If she doesn't do that, then the City can begin revocation proceedings. Mr. Simon stated that it wouldn't be good policy for the City to stand behind a convicted felon and that he should not be able to run the business at all. The ABC licenses are in Elizabeth Bailey's name solely.

It was the consensus that any calls Council members receive concerning this matter should be referred to the Police Department.

The Chief also reported that Mr. Cantrell would be coming to see the Chief in the morning to be apprised of the situation.

The Mayor suggested that any future business license applications have the applicant sign a statement that their background would be checked. Mr. Ward suggested that both owner and operator be listed on the application also, and that Ways & Means will work on updating the current application.

2. Dennis Rhoad arrived from Court and reported on the judge's ruling on the Restraining Order filed against the City and styled: Councilman Barry C. Holden and Cheryl Savage, Individually, and Steven W. Gerber and William H.

White, d/b/a Tidal Waverunners, Plaintiffs, vs. City of Isle of Palms, South Carolina, Defendants.

Mr. Rhoad stated that the judge asked both attorneys to submit orders tomorrow and that he would sign one of them by tomorrow night. Their argument was based on the following: (1) that this was not an emergency, (2) that it caused irreparable harm to the business by putting them out of business without notice, (3) that it was arbitrary and capricious, and (4) jurisdictional area. The judge had commented that he didn't like to interfere with legislative decisions but that he wanted to read the cases cited by both attorneys before making his decision on the temporary restraining order. The restraining order, if signed, will only last ten days, during which a permanent restraining order will be sought.

Mr. Rhoad advised council on the problems of the emergency ordinance:

(1) What constitutes an "emergency" - he stated that the General Assembly's intention was an emergency caused by an earthquake, hurricane, or something of that nature. If this issue is not deemed an emergency, it can be remedied by passing a regular ordinance.

(2) The Marina Resources & Wildlife Department licenses jet skis and considers them as watercraft and by doing so the General Assembly blesses their use and the prohibition of their use may be pre-emptive by State Law. On the other hand regulation of their use would be suitable.

(3) Ordinances passed must be reasonable in that they accomplish the purpose for what they are intended. In the case of the protection of health, safety and welfare, it could be found unreasonable to ban them entirely rather than to regulate them.

(4) The jurisdictional aspect may also be a headache for us. The problem may be Hamlin Creek, Intracoastal Waterway and Breach Inlet area may be classified as navigable bodies of water and therefore within the jurisdiction of the Coast Guard, Army Corps of Engineers, or other federal bodies.

Mr. Simon confirmed that the "irreparable harm" argument speaks to whether they could recover damages in civil suit. Mr. Rhoad stated that they have sued the city for losses in the amount of $6,250.

Mayor Bunch stated that in her opinion the emergency is that the city just got jurisdiction over Breach Inlet waters; that with Labor Day coming up, there are more and more people on the island; the catwalk was just removed from the bridge and people are fishing off the bridge itself which could cause an accident. She reiterated that the emergency ordinance was passed until council had time to work on a permanent ordinance that could be enforceable. The city has received many complaints against jet skis.

Mr. Ward stated that he had been working on this issue for two years trying to get some restrictions that everyone could live with. He was against the ban and would have voted against it if he had been at the meeting. He felt that there are responsible people who own and operate jet skis.

Mr. Rhoad stated that had he been at the meeting last week, he would have advised council against banning jet skis for legal reasons. For instance, if the case goes to court, and it could be 12-18 months before it is heard, the plaintiffs are claiming that they are losing $5,000 plus per week. This could add up to a lot of money the city would have to pay if we lost the case.

Mayor Bunch stated that if a life were lost due to an accident with a jet ski, how could we equate a life with a business. Public safety is the issue she is thinking about.

There followed some heated discussion concerning both sides of the "ban or restrict" issue.

Mr. Rhoad stated that although public safety is certainly a responsibility of the city, but in administering public safety the city shouldn't be drastic or unreasonable. He stated that he could not predict the outcome of the suit or take sides on the issue, but he is giving legal advice on the suit.

Mr. Rhoad advised that council come up with an ordinance that everyone can live with short of banning the jet skis completely, and do it as quickly as possible. Then word has to be put out to the public of the city's restrictions. He stated that he would put together a memo for council telling what he thinks the potential problems and challenges are. He also stated that council's opinion on the safety of the watercraft should be separated from the suit itself.

Mr. Rhoad was to notify Mr. Williams as soon as he knew the judge's decision.

Mr. Ward made a motion to adjourn; Mr. Sottile seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 8/22/91

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
AUGUST 5, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on August 5, 1991, at 7:00 p.m., at City Hall. The purpose of the meeting was to have a work session on an ordinance to restrict the use of jet skis and to decide on the recent bids for the Police/Municipal Building. Present were Mayor Bunch, Council Members Holden, Orvin, Simon, Sottile, Swanson, Ward; Watson was out of town and NesSmith-Picard was ill, but joined the meeting later. Also present were City Administrator Williams, Attorney Dennis Rhoad, Clerk-Treasurer McDuffie, Secretary Geary and Police Chief Arnold.

1. Work Session on Ordinance 1991-19 concerning jet skis.

The Mayor stated that she had received a letter from Buford S. Mabry, Jr., Chief Counsel for the SC Wildlife & Marine Resources Department stating that local ordinances cannot limit the type of vessel which can be operated on the waters of the State. (see Exhibit A). She also stated that she had spoken with Mac Finch of the 41st Avenue marina who indicated there may be a dock available that could be used for the jet ski operation on the Intracoastal Waterway.

Mr. Rhoad presented to council copies of a draft ordinance that he had prepared using a variety of source material from other states and communities. (see Exhibit B). He gave an overview of the ordinance and stated that it was merely something for council to work with in trying to come up with an ordinance for the city.

Mr. Sottile made a motion to repeal Emergency Ordinance 1991-19.E; Mr. Ward seconded; motion passed 6-1 with Mr. Holden abstaining as he is a party to the suit against the city challenging this ordinance.

Mr. Orvin made a motion to accept Mr. Rhoad's ordinance as first reading; Mr. Simon seconded; there followed extensive discussion about Council's intentions and how to control the problem of jet skis.

After discussion, Mr. Williams read the draft ordinance in full.

Mr. Simon made an amendment to the motion to change Section 2, Section 7-3-1(a) amended to read "three hundred (300) yards" instead of "six hundred (600) feet"; Mr. Sottile seconded. After discussion, roll call vote was taken: Holden - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Bunch - Yes. Motion passed 6-1.

Mr. Ward made an amendment to the motion to change Section 5, Section 7-3-22, to delete paragraphs (a), (c), (d), and (e); Mr. Sottile seconded. Mr. Orvin made a motion to suspend the rules of order to allow Mac Finch to speak; Mrs. Swanson seconded; motion passed 5-2. Mr. Finch stated that he was a jet ski owner and did not approve of banning them; that there was a dock at the Marina extending into the Intracoastal Waterway that may be available for use by the jet ski rental business.

After discussion, it was requested that each paragraph be dealt with in a separate motion. Mr. Ward and Mr. Sottile withdrew their motion and second.

Mr. Ward made an amendment to the motion to delete subparagraph (a) of Section 5, Section 7-3-22 Created; Mr. Sottile seconded. After discussion, roll call vote was taken: Holden - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - No; Bunch - No. Motion was defeated 2-5.

Mr. Ward made an amendment to the motion to delete subparagraph (c) of Section 5, Section 7-3-22 Created; Mr. Sottile seconded. At this point, Ms. NesSmith-Picard joined the meeting. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Abstain; Ward - Yes; Bunch - No. Motion passed 6-1-1.

Mr. Ward made an amendment to the motion to delete subparagraph (d) of Section 5, Section 7-3-22 Created; Mr. Sottile seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Bunch - Yes. Motion passed unanimously.

Mr. Ward made an amendment to the motion to delete subparagraph (e) of Section 5, Section 7-3-22 Created; Mr. Orvin seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Bunch - No. Motion was defeated 3-5.

Mr. Simon made an amendment to the motion to change Section 5, Section 7-3-22(c) to read "within 100 yards of Breach Inlet" instead of "within 500 yards of Breach Inlet"; Mr. Orvin seconded. After discussion, motion and second were withdrawn.

Mr. Simon made an amendment to the motion to reinstate Section 5, Section 7-3-22(c) and change it to read "within Breach Inlet" instead of "within 500 yards of Breach Inlet"; Mr. Orvin seconded. After discussion, roll call vote was taken: Holden - No; NesSmith-Picard -No; Orvin - Yes; Simon - Yes; Sottile -No; Swanson - Yes; Ward - No; Bunch - Yes. Motion was defeated 4-4.

Mr. Simon made an amendment to the motion to delete Section 4, Section 7-3-6(d) Created; Mr. Sottile seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Bunch - Yes. Motion passed unanimously.

Mr. Ward made an amendment to the motion to delete the words "or Breach Inlet" in Section 3, Section 7-3-6(b); Mr. Sottile seconded. Mr. Simon amended the motion to insert the words "seaward of Thomson Bridge"; Mr. Orvin seconded. After discussion, Mr. Simon and Mr. Orvin withdrew their amendment and second. After further discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Bunch - No. Motion was defeated 4-4.

Mrs. Swanson made an amendment to the motion to reconsider the last vote and remove the words "or Breach Inlet"; Mr. Simon seconded. After discussion, motion passed unanimously.

Mrs. Swanson made an amendment to the motion to create a new subsection In Section 3, stating, "No person shall operate a jet ski or similar type of watercraft within Breach Inlet, except in the case of emergency or by City Police Officers in enforcing the City Code."; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Bunch - Yes. Motion passed 5-3.

There was call for the question on the main motion, however, after discussion, Mr. Simon made a motion to postpone the main motion; Mrs. Swanson seconded. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin - No; Simon - Yes; Sottile - No; Swanson - Yes; Ward - No; Bunch - Yes. Motion was defeated 3-5.

Roll call vote on the main motion to approve this ordinance as first reading: Holden - No; NesSmith-Picard - No; Orvin - No; Simon - No; Sottile - No; Swanson - No; Ward - No; Bunch - No. Motion was defeated unanimously.

Mr. Orvin made a motion to go into Executive Session; Mrs. Swanson seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no action was taken, that there was a briefing by the attorney on legal matters.

2. Discussion of bids for electrical, plumbing and mechanical work on the Police/Municipal Building. (see Exhibit C)

After discussion of the bids, Mr. Orvin made a motion to approve the low bids as presented; Mr. Ward seconded; motion passed 5-1.

Mr. Ward made a motion to adjourn; Mr. Orvin seconded; motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 8/22/91

Dennis 724-6664 720-8877

EXHIBIT A

South Carolina Wildlife & Marine Resources Department

Equal Opportunity Agency

James A. Timmerman Jr., Ph.D.
Executive Director
Buford S. Mabry, Jr.
Chief Counsel
James A. Quinn
Deputy Chief Counsel

July 31, 1991

The Honorable Carmen R. Bunch, Mayor
P. O. Drawer Q
Isle of Palms, South Carolina 29451

Re: Regulation of Watercraft

Dear Mayor Bunch:

I recently learned that the Municipality of Isle of Palms has undertaken to pass a local ordinance which regulates watercraft on the waters of this State. According to §50-21-30, local ordinances and laws which govern the operation of watercraft must be identical to state rules and regulations. In addition, that section provides that any subdivision which needs special rules and regulations must make application to this Department and set forth the reasons why such special rules and regulations are appropriate. Currently, this Department does not limit the type vessel which can be operated on the waters of this State except in a few instances.

Please have your attorney contact me and furnish me a copy of the ordinance so that we can discuss whether or not this ordinance has been properly enacted. Thank you very much.

Very truly yours,

Buford S. Mabry, Jr.
Chief Counsel

BSMJR:msb

EXHIBIT B

~~Introduced~~

Ordinance No. 1991 - 23

8/5/91

AN ORDINANCE TO REGULATE THE USE OF JET SKIS OR SIMILAR TYPE OF WATERCRAFT WITHIN THE JURISDICTION OF THE CITY OF ISLE OF PALMS

WHEREAS, City Council does hereby declare that the public health, safety and welfare of the citizens of the city and others require designation of areas within which the operation of vessels may be regulated or prohibited, and in which swimming, skindiving and other water activity or any of them may be prohibited or regulated and;

WHEREAS, Section 50-21-30 of the South Carolina Code of Laws, 1976, as amended, contemplates the adoption by municipalities of special rules and regulations whith reference to the operation of vessels within a municipalities' territorial limits.

WHEREAS, the city is authorized under Sections 5-7-30, 5-7-140 and 5-7-150 of the South Carolina Code of Laws, 1976, as amended, to adopt such regulations as are necessary and desirable to assure the public health, safety and welfare of all individuals using the beaches and recreation areas within the City and;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the health, safety and welfare of persons using the waters of the City of Isle of Palms and in so doing to promote the recreational use of the city's beaches and waters, and to restrict uses and activities that would interfere or impede traditional recreational

uses or endanger members of the public.

Section 2. Section 7-3-1 Amended.

a. Section 7-3-1(a) of the City Code is revised, to read as follows:

(a) "Beach" shall mean that area lying between the low water mark of the Atlantic Ocean and the easternmost property line of the property owned by private individuals or corporations, lying closest in proximity to the Atlantic Ocean, and shall extend out from the mean low water mark for a distance of ~~six~~ three hundred ~~(600) feet~~ (300) yards into the water.

Section 3. Section 7-3-6 Amended.

a. Section 7-3-6(a) of the City Code is revised, to read as follows:

(a) No person shall operate any motorboat, jet ski or similar type of watercraft within any designated swimming areas or the beach, except in case of emergency or as otherwise provided herein.

b. Section 7-3-6(b) of the City Code is revised, to read as follows:

(b) No person shall operate a motorboat, jet ski, or similar type of watercraft, within the

beach, designated areas, designated swimming areas ~~or Breach Inlet~~, except in case of emergency, by City Police Officers in enforcing the City Code or as otherwise provided herein.

c. Section 7-3-6(c) of the City Code is revised, to read as follows:

(c) No person shall beach or launch any motorboat, or shall propel or cause to move any motorboat from the water onto the sand beach above mean low water, except in case of emergency or as otherwise stated herein.

Section 4. Section 7-3-6(d) Created:

d. Section 7-3-6(d) of the City Code is created, to read as follows:

(d) Any operator of a jet ski, or similar type of watercraft, shall be allowed to launch or beach said jet ski or similar type of watercraft only from those designated locations on the beach as set forth in Exhibit A attached hereto and incorporated herein.

Section 5. Section 7-3-22 Created.

Section 7-3-22 of the City Code is hereby created to read as follows:

(a) Every jet ski business owner or agent shall

have a patron boat ~~on~~ in the water supervising the operation and conduct of the renters during all hours of operation.

(b) Every jet ski business owner or agent shall obtain a signed written consent from the parent or legal guardian of any person under the age of 18 before allowing such minor to rent a jet ski or similar type of watercraft and shall by renting to said minor assume responsibility for the conduct of the minor in the use of the jet ski or similar type of watercraft.

(c) Every jet ski business owner or agent shall be prohibited from locating its rental business, launching or beaching any jet ski or similar type of watercraft within 500 yards of Breach Inlet.

(d) Every jet ski business owner or any individual owner or operator of a jet ski or similar type of watercraft shall register the vessel(s) identification number(s) assigned to it pursuant to Section 50-12-310, et. seq., of the Code of Laws of South Carolina, 1976, as amended, with the City of Isle of Palms Police Department before operation of the same within the jurisdiction of the City of Isle of Palms.

(e) Every owner and operator of a jet ski business

shall obtain and provide the City Clerk with a copy of a liability insurance policy in the amount of $500,000.00 per occurrence and the owner and operator of the jet ski business is required to comply with all Army Corps of Engineers, Coast Guard and South Carolina Marine Wildlife and Resources Department regulations concerning the operation of jet skis or similar type of watercraft.

Section 6 Section 7-3-23 Created.

Section 7-3-23 is hereby created to read as follows:

(a) City Council may adopt such further rules and regulations by Resolution as may be necessary.

Section 7. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provision thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 8. Effective Date. This Ordinance shall be effective upon the ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF THE ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie
Clerk Treasurer

First Reading: ~~8/5/91~~

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT C

Rcvd 8/5/91 mw

J.E. GARDNER & ASSOCIATES, INC.

August 2, 1991

Mr. Mark Williams, City Administrator
The City of Isle of Palms
1303 Palm Boulevard
Isle of Palms, South Carolina 29451

RE: Municipal Building
MPE work

Dear Mark:

Regarding the bids for the mechanical, electrical and plumbing work for the municipal building, I submit the following recommendations.

MECHANICAL: The Cayce Company

Base Bid Amount:	$ 34,579.00
Alternate M1:	- 1,200.00
Alternate M2:	- 200.00
Alternate M3:	- 120.00
Mechanical bid:	$ 33,059.00

ELECTRICAL: Delta Electric

Base Bid Amount:	$ 49,500.00
Alternate E2:	- 1,005.00
Alternate E3:	- 500.00
Alternate E4:	- 140.00
Alternate E5:	- 1,681.00
Electrical bid:	$ 46,174.00
Alternate E6: Romex	- 3,680.00 (potential savings)
Potential bid:	$ 42,494.00

Architects

401-B West Coleman Blvd., Mount Pleasant, S.C. 29464 (803) 884-7242 FAX (803) 884-7016

Plumbing Bid: Randy Beaty Plumbing

Base Bid Amount with all alternates: $ 18,500.00

COST SUMMARY

Mechanical work:	$ 33,059.00	
Plumbing work:	18,500.00	
Electrical work:	46,174.00	(potential $ 42,494.00)
MPE work:	97,733.00	(potential $ 94,053.00)
Contractor's O/P (15%)	14,659.00	
Performance bond (+/-)	5,375.00	(approximate)
MPE cost:	$ 117,767.00	(potential $114,087.00)

Taking into consideration the additional cost related to the 911 equipment, generator, etc. the total cost of the building is within six thousand dollars of the budget cost of $325,000.00.

I appreciate the opportunity to provide this service. If you have any questions concerning this project, please do not hesitate to contact me.

Sincerely,

JOHN E. GARDNER, AIA, President
J.E. Gardner & Associates, Inc.

BID TABULATION FORM_____***MECHANICAL WORK***_____

Date: August 1, 1991
4:00 PM

Architect: J.E. Gardner & Associates, Inc.
401B West Coleman Boulevard
Mt. Pleasant, South Carolina

Project: A New Municipal Building, Isle of Palms, South Carolina
Mechanical, Electrical and Plumbing Work

CONTRACTOR	MECHANICAL BASE BID	ALERNATE #M1	ALTERNATE #M2	ALTERNATE #M3	
Utilities Construction					
Vick Corporation					
Rick's Services	39,995	745	480	562.50	$18/1,000
Delta Electric					
Electric Supply Co					
Mt. Pleasant Mechanical	41,600	1,400	150	550	$5/1,000
Randy Beaty Plumbing					
Island Air					
Cayce Co.	34,579	1,200	200	120	3%/1,000
B & W	45,180	250	450	600	$1.50/1,000
Sun Coast	38,900	530	115	440	$20/1,000
Berkeley	34,996	-0-	365	460	$20/1,000

BID TABULATION FORM *** ELECTRICAL WORK ***

Date: August 1, 1991
4:00 PM

Architect: J.E. Gardner & Associates, Inc.
401B West Coleman Boulevard
Mt. Pleasant, South Carolina

Project: A New Municipal Building, Isle of Palms, South Carolina
Mechanical, Electrical and Plumbing Work

CONTRACTOR	ELECTRICAL BASE BID	ALTERNATE #E1	ALTERNATE #E2	ALTERNATE #E3	ALTERNATE #E4	ALTERNATE #E5	ALTERNATE #E6	
Utilities Construction	61,965	--------	200	200	1,290	100	200	$10/1,000
Vick Corporation								
Rick's Services								
Delta Electric	49,500	---------	1,005	500	140	1,681	5,361	$14.40/1,000
Electric Supply Co	50,784	---------	1,422	477	1,370	1,570	3,484	$14.40/1,000
Mt. Pleasant Mechanical								
Randy Beaty Plumbing								
Island Air								
Wilson	56,720	--------	500	170	1,086	500	1,000	1½%/1,000
Hunter HSI	58,000	--------	400	112	2,110	1,400	5,689	$14.40/1,000

BID TABULATION FORM_____*** PLUMBING WORK ***_____

Date: August 1, 1991
4:00 PM

Architect: J.E. Gardner & Associates, Inc.
401B West Coleman Boulevard
Mt. Pleasant, South Carolina

Project: A New Municipal Building, Isle of Palms, South Carolina
Mechanical, Electrical and Plumbing Work

CONTRACTOR	PLUMBING BASE BID	ALERNATE #P1	ALTERNATE #P2	ALTERNATE #P3	ALTERNATE #P4	ALTERNATE #P5	
Utilities Construction							
Vick Corporation	22,146	224	500	40			$25/1,000
Rick's Services.							
Delta Electric							
Electric Supply Co							
Mt. Pleasant Mechanical	20,902	250	600	250	150	350	$5/1,000
Randy Beaty Plumbing	18,500						
Island Air							
Quality Plumbing	26,000	120	962	225	300	960	$25/1,000
B & W	24,035	488	3,698	59.99	incl.	incl.	$1.50/1,000

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
AUGUST 22, 1991, 7:00 P.M., EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on August 22, 1991, at 7:00 p.m., at the Exchange Club. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Swanson, Ward and Watson. Council Members Orvin and Sottile arrived late. Also present were City Administrator Williams, City Attorney Dreyfoos, Attorney Rhoad, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Geary.

A. The Mayor called the meeting to order and after the Pledge of Allegiance and Invocation, roll call was taken.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. July 22, 1991 - Special City Council Meeting
2. July 24, 1991 - Special City Council Meeting
3. July 25, 1991 - Regular City Council Meeting
4. July 31, 1991 - Special City Council Meeting
5. August 5, 1991 - Special City Council Meeting

Mrs. Swanson made a motion to approve the minutes as submitted; Mr. Ward seconded; motion passed unanimously.

C. CITIZENS' COMMENTS - None

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Ward reported on the August 20, 1991 meeting (see Exhibit A).

Mr. Ward made a motion to approve a policy where employees can carry up to 360 hours of annual leave to June 30, 1992, or the City will buy back any overage above 240 hours (30 days) within the next year; Mr. Holden seconded. Mr. Williams stated that there were no more than five or six employees who have accumulated leave over the maximum limit. After discussion, Ms. NesSmith-Picard made a motion to postpone voting on this issue until the next special meeting in order to ascertain the dollar amount of leave overage; Mr. Ward seconded; motion passed unanimously.

Mr. Ward made a motion to approve the City Administrator to acquire a Tax Anticipation Note in the amount of $650,000 on a short term basis until tax revenues are received in January; Mr. Watson seconded. Mayor Bunch noted that this issue would come up in the form of a new ordinance later in the meeting. Mr. Ward made a motion to suspend the rules of order and proceed to Ordinance 1991-24; Ms. NesSmith-Picard seconded. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion passed 5-3 to suspend the rules.

Mr. Ward made a motion to approve first reading by title only of Ordinance 1991-24 (see Exhibit B) "An Ordinance Authorizing the Issuance of $630,000 Aggregate Principal Amount of Tax Anticipation Notes, 1992, of the City of Isle of Palms, South Carolina; Providing for the Payment of the Notes and the Disposition of the Proceeds Thereof; Providing for the Form of the Notes and Authorizing the Sale Thereof; and Other Matters Relating Thereto"; Mr. Holden seconded. After discussion, Mr. Ward's original motion concerning $650,000 note and Mr. Watson's second were withdrawn. This motion to approve first reading passed with a vote of 7-2.

2. Police & Public Safety - Chairman Sottile reported on their August 15, 1991, meeting (see Exhibit C).

Mr. Orvin made a motion to approve filling the vacant position in the Fire Department; Mr. Watson seconded. Mr. Sottile stated that Chief Britton said they would have to cut one truck from one shift if the position is not filled. Mrs. Swanson made an amendment to the motion to make the decision on filling the vacancy in October; Mr. Holden seconded; amendment was defeated 4-5, with Holden, NesSmith-Picard, Swanson and Ward voting in the positive. Roll call vote was taken on the motion: Holden - No; NesSmith-Picard - No; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 5-4.

Mayor Bunch stated that there were some items omitted from the report that she wanted to include that she thought were important. One was that there was a lack of radar equipment and because of budget constraints, the City could not purchase it at this time. She had spoken with Chief Greenberg of Charleston County who has offered to let the City have one radar unit.

Secondly, there was discussion at the Merchant's Association meeting about chalking the cars between 10th Avenue to 14th Avenue. The merchants suggested painting the curb green and limiting the parking time to 2 hours on the street forcing cars to use the public parking lot. Mr. Sottile stated that the Merchant's Association will be formally requesting this.

Mr. Ward gave a special thank you to City Administrator Mark Williams for proceeding with the construction of the dog kennels. They should be finished in approximately one month.

Concerning "Emergency Preparedness", Mr. Ward expressed his concern that during the recent storm Hurricane Bob that passed us by, no "Hurricane Watch" was ever posted for our area although there was a Hurricane Warning north of Little River Inlet.

Mr. Holden made a motion to disapprove the Hurricane Preparedness Plan that the City is currently distributing; Ms. NesSmith-Picard seconded. One of Mr. Holden's main concerns was language that local government officials could shut down the island or prohibit residents from returning to their property. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - No. Motion passed 8-1.

Mrs. Swanson made a motion that the plan be returned to the Emergency Preparedness Committee for rewriting and that Council form a sub-committee to form amendments to the plan to be recommended to the committee; Mr. Simon seconded. Mr. Ward amended the motion that Council members bring their changes to the special meeting next week; Mr. Holden seconded; amendment passed unanimously. After discussion, motion passed unanimously.

3. Public Works - Chairman NesSmith-Picard reported on their August 19, 1991, meeting (see Exhibit D).

Ms. NesSmith-Picard made a motion that the City Administrator write to PRC to cut and clear the lot at the site of the Isle of Palms Park; Mr. Orvin seconded; motion passed unanimously.

Ms. NesSmith-Picard made a motion to extend the moratorium on construction of new dune walkovers for an additional 60 days; Mr. Orvin seconded; motion passed 8-1.

Ms. Nessmith-Picard made a motion that the City Administrator contact the property owners at 3101 Waterway Blvd., and 2911 Waterway Blvd who have obliterated the bike path, asking them to restore the bike path; Mrs. Swanson seconded; motion passed unanimously.

4. Engrossed Bills - Chairman Holden reported on their August 21, 1991, meeting (see Exhibit E).

There was a discussion of Ordinance 1991-14, An Ordinance to Amend Section 7-2-1, Alcoholic Beverages. Mr. Watson made a motion to return the ordinance to Engrossed Bills for further work; Ms. NesSmith-Picard seconded; motion passed 6-3.

Mr. Ward made a motion that the City Council make their nominations for members of Boards and Commissions to the City Administrator and the Mayor at least one week prior to the first City Council meeting in January of each year; Mr. Holden seconded; after discussion, motion passed unanimously.

5. Recreation - Chairman Orvin reported on their August 20, 1991, meeting (see Exhibit F).

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - see minutes attached as Exhibit G.

2. Planning Commission - Lee Batchelder, Planning Consultant, reported on their August 14, 1991, meeting (see Exhibit H).

a. Plat Showing Re-Survey of Lots 26 & 27, Block "G", Tract "F", Wild Dunes, and the Establishment of an Easement for Driveway Purposes as Described by Letters "A", "B", "C", "D", "A"; Property Owned by Whaley R. Hinnant, Jr. (Morgan Place Drive)

Mr. Ward made a motion to approve the plat as submitted; Mr. Sottile seconded; after discussion, motion passed unanimously.

b. Final Plat of Tract "F", Block "E", Parcel I, Wild Dunes, City of Isle of Palms. (Morgan Court)

Mr. Ward made a motion to approve the plat as submitted; Mr. Orvin seconded; after discussion, motion passed unanimously.

c. Final Plat Prepared for Re-Habitat, Inc., Wild Dunes, Linkside Villas, Parcel b, Tract E, Block L, Lots 5 through 8, City of Isle of Palms. (Linkside Court)

Mr. Ward made a motion to approve the plat as submitted; Mr. Watson seconded; after discussion, motion passed 8-1.

d. Final Subdivision of TMS 568-11-00-116 Into Lots R and Q, Carolina Boulevard and Ninth Avenue; Property Owned by Estate of Kathryn White.

Mr. Ward made a motion to approve the plat as submitted; Mr. Orvin seconded. After discussion, Mr. Holden amended the motion to add flood zone language and zoning; Mr. Ward seconded. Motion and amendment passed unanimously.

3. Water & Sewer Committee - Chairman Stanley reported on their August 21, 1991, meeting (see Exhibit I)

Mr. Simon made a motion to affirm the recommendations made by the committee as outlined in the minutes; Mr. Watson seconded; after discussion detailing the items, motion passed unanimously.

4. Building Committee - No report.

5. Beach Patrol & Control Board - see minutes attached as Exhibit J.

6. Personnel Committee - No report.

7. Dewees (ad hoc) Committee - No report.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None.

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None.

J. BILLS ALREADY IN POSSESSION OF COUNCIL - None.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Ordinance 1991-23 - An Ordinance To Establish A Commissioners of Public Works for the City of Isle of Palms, South Carolina (see Exhibit K)

At this point in the meeting, Ms. NesSmith-Picard received a telephone call and was excused from the remainder of the meeting due to family matters.

Mr. Rhoad explained the ordinance and his memo and opened the topic for discussion.

Mr. Holden made a motion to approve Ordinance 1991-23 at first reading by title only; Mr. Simon seconded; motion passed unanimously.

Mr. Holden asked that Mr. Rhoad look into staggering the terms of commission members, and Mr. Simon asked that he look into language changing the number of commissioners from five to three.

The Mayor asked Mr. Stanley to encourage the members of the Water & Sewer Committee to run for election to the Public Works Commission.

Mayor Bunch stated that she was calling a special meeting for Wednesday, August 28, 1991, at 7:00 p.m., in order to have second reading of this ordinance and Ordinance 1991-24 as well as other items needing attention.

2. Proclamation for Constitution Week and Citizenship Day (see Exhibit L)

Mr. Williams read the proclamation and Mr. Orvin made a motion to approve the proclamation; Mr. Simon seconded; motion passed unanimously.

L. MISCELLANEOUS BUSINESS

1. The Mayor read several letters that she had received copies of which are attached as Exhibit M.

Concerning the letter from SCDHPT about reduced speed limit on Ocean Boulevard, Mr. Sottile made a motion that Mr. Williams contact the Highway Department to review and approve reducing the speed limit in the commercial area from April through Labor Day; Mr. Ward seconded; motion passed unanimously.

2. Mr. Ward made a motion to suspend the rules of order to allow Guy Taylor to speak; motion was seconded and passed unanimously. Mr. Taylor stated that the public hearing scheduled for September 11, 1991, concerning the rezoning of property on 41st Avenue, will be held at the Exchange Club instead of City Hall.

3. Mr. Williams asked Council about a request for home occupancy business license by Rob Peffer for a pest control service. Mr. Peffer has stated that there will be no stockpiling of chemicals at the premises and that he will either remove the truck sign or park his vehicle in his garage at night. Mr. Peffer gets his chemicals daily based on what he will need for that day. After

discussion, there was no objection to the business license but that it would be conditional on lack of stockpiling and parking the truck in the garage.

4. The Mayor stated that Dr. White, father of one of the owners of Tidal Wave Runners, had met with her and Mr. Williams and that they discussed several things concerning jet skis except the litigation. The Mayor expressed her disappointment that Council has not done anything about regulating jet skis and she has asked our legislative delegation to see if something can be done at the State level.

5. The Mayor spoke to Council concerning their use of secretarial services at City Hall. She stated the she resented the letter sent to Mr. Williams from Mr. Holden defaming her; that she had corresponded with DHEC on the matter of the marina and asked the secretary to attach all the letters to these minutes (see Exhibit N).

6. Mr. Sottile brought up the subject of television exposure for Council meetings. Storer Cable TV has told him that they will come out and film the meetings free of charge if we move the regular date of council meetings from the fourth Thursday to the fourth Tuesday. The Exchange Club is available that night.

Mr. Holden made a motion to have an ordinance prepared changing the date of the regular meeting to the fourth Tuesday of each month; Mr. Ward seconded. After discussion, Mr. Sottile made an amendment to the motion that Storer Cable assure us that they will make a commitment for a considerable amount of time; Mr. Simon seconded; amendment passed unanimously. Motion passed unanimously

M. EXECUTIVE SESSION

Mr. Orvin made a motion to go into Executive Session; Mrs. Swanson seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that there was a discussion with the attorney involving the three pending litigations. City Council gave Mr. Rhoad the authority to negotiate a settlement on the Tidal Wave Runners lawsuit and report back to Council.

Mr. Orvin made the motion to adjourn; Mr. Ward seconded; and the meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 9/26/91.

EXHIBIT B

ORDINANCE NO. 1991-24

AUTHORIZING THE ISSUANCE OF $630,000 AGGREGATE PRINCIPAL AMOUNT OF TAX ANTICIPATION NOTES, 1991, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; PROVIDING FOR THE FORM OF THE NOTES AND AUTHORIZING THE SALE THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "Issuer"), hereby finds and determines:

(a) Pursuant to Section 5-5-10, Code of Laws of South Carolina, 1976, as amended (the "Code"), and the results of a referendum held in accordance therewith, the Council form of government was adopted and the Council constitutes the governing body of the City.

(b) Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), authorizes municipalities to incur general obligation debt in anticipation of the collection of ad valorem taxes or license fees under such terms and conditions as the General Assembly may prescribe by general law.

(c) Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977 (codified as Section 11-27-40 of the Code), authorizes and empowers municipalities to incur general obligation debt in anticipation of the collection of ad valorem taxes or licenses (tax anticipation notes). Tax anticipation notes shall be expressed to mature not later than ninety (90) days from the date as of which such taxes or license fees shall be paid without penalty.

(d) The City, by Ordinance 1991-16 (the "Budget Ordinance"), effective for the fiscal year beginning July 1, 1991 and ending June 30, 1992, has authorized general fund expenditures of the City in the amount of $2,619,935 for said fiscal year.

(e) Notices for the collection of ad valorem taxes on real property will be mailed to the respective taxpayers of the City, by the Charleston County Treasurer, on or about October 1, 1991, and such taxes are payable without penalty before January 15, 1992.

(f) The City Administrator of the City has advised the Council that funds for general City purposes will be insufficient to meet operational expenditures of the City from September 1, 1991, to January 31, 1992.

(g) The cost of conducting the operations of the City must be met prior to the last respective date on which payment of the aforesaid ad valorem taxes are payable without penalty.

(h) No previous moneys have been borrowed by the City in anticipation of the collection of ad valorem taxes levied for fiscal year 1991-92, and no pledge of the proceeds of such ad valorem taxes has heretofore been made.

Section 2. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued $630,000 aggregate principal amount of tax anticipation notes (the "Notes") in anticipation of the collection of ad valorem taxes heretofore levied pursuant to the Budget Ordinance for the fiscal year beginning July 1, 1991, and ending June 30, 1992. Council expects an actual cash flow deficit of approximately $630,000 as reflected in the attached Exhibit A.

The Notes shall be in bearer or registered form at the option of the successful purchaser thereof; shall be dated as of September __, 1991, or such other date not later than _____, 1991; shall be in the denomination of $15,000 or any integral multiple thereof; shall be numbered from 1 or R-1 upward; shall mature on April 15, 1992; shall bear interest from their date at a rate of interest approved by subsequent resolution of the City; provided, however, that the Mayor is authorized to accept on behalf of the Council the lowest rate if such rate does not exceed 7.0% per annum; and shall not be subject to redemption prior to maturity.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts at the office of the successful purchaser of the Notes.

The Notes shall be executed in the name of the City with the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the Clerk/Treasurer of the City Council directed to authenticate the Notes. In the absence or incapacity of either or both such persons, the person and persons authorized to act in their stead are authorized to execute and authenticate the Notes.

Section 3. The Mayor is hereby authorized to solicit proposals for the purchase of the Notes.

Section 4. If requested by the purchaser, the Notes may be registered in the name of the successful purchaser thereof, as the registered owner on registry books to be kept for that purpose, in the offices of a registrar to be named by the successful purchaser and such registration shall be noted on the registration attached to the Notes, after which no transfer of such Notes shall be effective unless made on such books by the registered owner in person, or its duly authorized legal representative and similarly noted on the Notes.

Section 5. The City covenants that it has not issued, nor will it cause to be issued, any other notes or certificates of indebtedness of any type in anticipation of the collection of the ad valorem taxes pledged to the payment of the Notes, except the Notes authorized by this Ordinance; provided, however, the City may issue notes or other certificates of indebtedness junior, inferior and subordinate in all respects to the pledge herein made to secure the Notes. The Notes will be junior and inferior to the Notes authorized by this Ordinance.

Section 6. The proceeds derived from the sale of the Notes shall be deposited with the Treasurer of the City and shall be expended in the manner and for the purposes which the ad valorem taxes heretofore levied by the City are to be expended.

Section 7. For the payment of the principal of and interest on the Notes as the same respectively mature, there are hereby pledged (a) collection of the ad valorem taxes levied by the Budget Ordinance; and (b) the full faith, credit and taxing power of the City.

Section 8. Both the principal of and interest on the Notes shall be exempt, in accordance with the provisions of Section 12-1-60 of the South Carolina Code, from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 9. The City covenants that no use of the proceeds of the sale of the Notes shall be made which, if such use had been reasonably expected on the date of issue of the Notes, would have caused the Notes to be "arbitrage bonds", as defined in the United States Internal Revenue Code of 1986, as amended (the "Code"); and to that end the City hereby shall:

(a) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in

order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States;

(b) make such reports of such information at the times and places required by the Code; and

(c) take such other action as may be required in order that the Notes and the use of the proceeds thereof comply with the provisions of the Code.

Section 10. The Council ratifies all actions heretofore taken by the Mayor in connection with the sale of the Notes.

Section 11. The Council hereby authorizes the Mayor and the Clerk/Treasurer of the City (or in their absence or incapacity, anyone authorized to act in their stead) to execute such documents and instruments as necessary to effect the issuance of the Notes.

Section 12. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 13. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/ Treasurer

First Reading:
Second Reading:
Third Reading:

EXHIBIT A

PROJECTED REVENUES AND EXPENSES
FOR REMAINDER OF CALENDAR YEAR 1991

Month	Revenues	Expenses
September	$ 43,888	$199,951
October	54,698	201,451
November	38,388	201,101
December	38,388	199,118
	$175,362	$801,621

EXHIBIT C

PUBLIC SAFETY COMMITTEE MEETING
AUGUST 15, 1991 at 5:30 P.M.

PRESENT: Committee Members: Mayor Bunch, Simon, Watson, Sottile,

FIRE DEPARTMENT:

- There were a total of 52 alarms during the month of July. 41 of them were medical.

- The Department conducted 39 commercial fire inspections.

- The Annual Fish Fry put on by the volunteers was a success. 980 dinners were served. Volunteers estimate they will make $6,000 profit.

- Chief Britton advised the Committee that one of his engineers has left, which leaves him short one driver. The Chief asked the Committee to recommend to Council to allow him to fill this position. Mayor Bunch made a motion, seconded by Jeff Simon to recommend to Council that we fill the position. Motion passed unanimously.

POLICE DEPARTMENT:

In Chief Arnold's absence, Lt. Buchanan gave the monthly report.

- Chief Arnold attended a Mock Hurricane Training Course at the County EOC.

- Lt. Buchanan advised the Committee that the present breathalizer equipment was being updated. We have five officers qualified to operate a breathalizer. The new equipment will cost the city $1,000.

- There were 2,604 service calls during the month of July.

- Total of 30 arrests during July.

- An auction of 4 police cars was held during the month. The auction netted the City $2,500.

With no further business, the meeting was adjourned.

Respectfully submitted,

Michael Sottile, Chairman
Public Safety Committee

EXHIBIT D

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., AUGUST 19, 1991

The meeting was called to order at 7:03 p.m. Committee members present were: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, Council Member Marge Swanson, and Public Works Department Head Andy "Sarge" Parrish. Mayor Carmen Bunch was absent. Council Members Barry Holden and Jimmy Ward also attended.

Public Works Status Report

Sarge gave the following Public Works Status Report.

1) Cleaning and Condition of Ditches. Sarge has gotten a lot of complaints that the ditches need to be cleaned out. The County Public Works Dept. cleans some of the ditches on the island twice each year but they aren't due out until September. A work order has been requested through the SCHD for cleaning other ditches (along Palm Blvd., 41st Ave., end of 25th Ave, and along Palm at 24th and 25th Aves.). Council Member Sottile commented that there was a fuel oil odor for 2 to 3 days coming from a ditch in Forest Trail. Sarge thinks DHEC may, in the years to come, require a filter on ditches, prior to discharge of runoff into the waterway.

2) PW Truck Repairs. Sarge says 2 trucks need to be taken out of service for maintenance, brake work, and to replace a bad air valve. He estimates the cost to be $1800-2000. He is trying to hold off on this work until after Labor Day.

3) PW Personnel. A Public Works employee may have to be rehired if the State disapproves his disability retirement. Sarge is waiting until he knows more before he discusses this with the City Administrator.

4) Test Program for Differential Grease. A Summerville company would like the City to test their product, differential grease, on 3 City vehicles (1 PW truck and 2 police cars). The cost is $209. The City of Charleston has used this grease in some of their vehicles. Sarge will talk to their Maintenance supervisor regarding the results of the test. Sarge thinks that anything that will reduce the wear and tear on vehicles should be seriously considered especially if it will save the City money.

Old Business

1) Approval of Minutes. None presented.

2) Fuel Metering System. Installation of system and computer is complete. Sarge gave committee members a tour and demonstration of the new system after the meeting.

3) Status of Recycling Program. 8080 lbs of newspaper were collected in July and 520 lbs of aluminum cans were collected in August. Sarge reported that the City gets little money for newspapers but at least the papers are not hauled to be burned in the County incinerator. Sarge estimates each time recyclables are picked up [2 days each month], ties up 5 men for 5 1/2 hours. Sarge talked to Rick Fields, Chasn. Co. Public Works and found out that the County recycling dumpster earmarked for fIsle of Palms is still on order. That dumpster would be used to collect plastic and possibly glass. Chairman Picard reported that she toured the County's Recycling Center and that it appears to be an efficient plant where recyclables are received, segregated, and baled/compacted for sale via conveyer belts and 4 sorters (personnel).

4) Beach Cleaning Machine. Sarge had provided a 15 minute video he had on a beach cleaning machine. Not all committee members have had a chance to view the video. Chairman NesSmith pointed out that the machine could be used with the wastewater plant to collect dried sludge and be used to clean the beach. It may be possible to pursue funding either through BCD Council of Governments, SC Coastal Council or as a budgeted item for purchase by the City Water and Sewer Company. Sarge will inquire as to the exact cost of the machine, however his estimate is about $25-30,000.

5) Sketch of Trashcan Holder. Sarge presented a sketch of a trashcan holder equipped with sidedoor for ease of access to the trashcans and with a lid to make it animalproof. Sarge stated that lids are probably not needed except in areas on the island where raccoons/animals are typically a problem, i.e., 25th-32nd Ave., Forest Trail, Wild Dunes, and 2nd-3rd Ave. Chairman NesSmith-Picard suggested that written guidlelines be included with the sketch as well as a material list so that handouts could be made available to the the public. Sarge estimates the cost to build one is about $50 and he suggests that treated lumber be used and that neighbors share one holder since the sketch is of a a 4-can holder.

6) Completed PW Projects and Related Council Action.

8/91 Installation of automated fuel tank dispensing system and fuel tanks is complete.

7/91 Council approved motion requesting City Administrator, Mark Williams, to write a letter to

Charlston County asking them to provide an off-island (Isle of Palms) site for Goat fIsland garbage pickup.

7/91 Council approved motion designating a pro rata share of monies, when monies become available, for City owned roads.

7/91 Council approved motion that first position to be re-established or created will be the Public Works position that was cut recently.

New Business

1) Fueling of Vehicles. Chairman NesSmith-Picard asked, on behalf of a resident, who is allowed to use the City's fuel pumps. The resident had seen a red sportscar at the City pumps. Sarge stated that it was an undercover car and only City vehicles could use the City's pumps. Chairman NesSmith-Picard asked Council Member Sottile to bring this to Chief Arnold's attention that undercover cars were not going unnoticed by residents when they are fueled during daylight hours at the City's pumps.

2) Santee Cooper GOFER Program. The Give Oil For Energy Recovery (GOFER) is a used motor oil collection program offered by Santee Cooper for do-it-yourselfer oil changers. Santee Cooper got a waiver for the do-it-yourselfer waste oil in that it does not have to be handled as hazardous waste. The City has a 250 gallon tank for waste oil collection which is hauled off for free unless it contains water. Then, the City is charged 50 cents per gallon to have it hauled off. It was thought that the City may be able to contribute their oil to this program but municipal and industrial waste oil cannot be accepted under the GOFER program. Such collection is being initiated, but Santee Cooper prefers the City wait about a year, before requesting to participate, to allow time for the collection system to be worked out. Residents can drop off their used waste motor oil off at the GOFER site at Gregory's Texaco on Coleman Blvd. in Mt. Pleasant.

Citizen Comments

None.

Meeting was adjourned at 7:40 p.m.

DRAFT COPY AS OF: 11/08/91
PASSED AS FINAL MINUTES: 11/18/91
ATTESTED TO
X Melinda NesSmith-Picard
Melinda NesSmith-Picard, Chairman

EXHIBIT E

Engrossed Bills Committee Meeting
Regular Meeting - Minutes
6:15 PM - August 21, 1991 - City Hall

The meeting began at the time and place indicated above. Present were Committeemembers Holden, NesSmith-Picard and Swanson. Also present was City Attorney Dreyfoos.

At the start of the meeting it was decided unanimously that the regular meeting date of the Committee would be changed to the Thursday before the regular monthly Council Meeting at 6:30 P.M..

An Ordinance to Amend section 7-2-1 of the Isle of Palms code and further prohibit and restrict alchohol use in beach and municipally owned areas was discussed. Much debate concerning the general policy of prohibiting alchohol on the beach and the possibility this ordinance was redundant took place. Councilmember Swanson recalled an earlier ordinance addressing the same issues but it was not found in the code from the Police department or any others which were availible. Motion to reccommend dissapproval passed 2-1 with Councilmember Holden opposed.

As the remaining agenda items required further study by the City attorney such were reffered to him for a report at the next meeting

There being no further business the meeting adjourned upon motion by Councilmember Swanson and unanimous vote.

DRAFT COPY AS OF: 9/12/91

PASSED AS FINAL MINUTES: 9/12/91

ATTESTED TO:

x Barry C. Holden

Barry C. Holden - Chairman

Egrossed Bills Committee Meeting
6:15 P.M. - August 21, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

3. Ordinances refered/updates
   - Ordinance to amend Section 7-2-1

New Business

4. Proposed ordinances

5. Miscellaneous request/information
   - Business premises/definition
   - Trailers
   - Dune Walkovers

6. Adjourn

part of Exhibit E

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-14
First Reading Draft - / /91

AN ORDINANCE TO AMEND SECTION 7-2-1, ALCOHOLIC BEVERAGES

WHEREAS, Section 7-2-1 of the Isle of Palms City Code provides that it shall be unlawful to possess open containers of beer and alcohol on public property; and

WHEREAS, public safety interests are better promoted by making possession of opened containers of beer and alcohol on public beach unlawful;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council duly assembled, that Section 7-2-1 is amended to read as follows:

Section 1. Sec. 7-2-1 Drinking on streets, beaches, etc., prohibited.

It shall be unlawful for any person to drink or to possess open containers of beer or alcoholic liquors on the street, sidewalk, thoroughfare, public parking lots, beach areas or on any city owned property (see Exemption).

Exemption: Any person or group requesting and being permitted by the ~~Public Safety Committee~~ City Council to hold a "special event" within the city limits of the Isle of Palms and further wishing to allow the consumption of beer at the "special event" may, at the discretion of City Council, receive a special permit for the consumption of beer during the "special event". Application for a special event can be made at the police department during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

It shall be unlawful for any person to possess containers of beer or alcoholic ~~liquors~~ beverages on the beach area within the city.

Section 2. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 3. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: _____

Public Hearing: _____

EXHIBIT F

ISLE OF PALMS
RECREATION DEPARTMENT

RECREATION REPORT
August 20,1991

I. *Recreation Programs* -

Gymnastics - Fall gymnastics will begin on Monday, September 9th. Class starts at 3:45pm to 4:30pm for 3, 4 and 5 year olds; 4:30pm to 5:30pm for intermediates ages 6 and older; and 5:30pm to 6:30pm for beginners ages 6 and older. Tricia Tapio is the instructor.

Tae Kwon Do - Adult classes are held on Wednesdays at 7:30pm and on Saturdays at 10:00am. Classes for children ages 5 to 12 are held on Saturdays at 9:00am.

CPR Class - Scott Taylor, an Isle of Palms Fireman, will instruct First Aid and CPR once a month at the recreation department. The next class is scheduled for September 9th and 16th from 6:30 to 10:30pm.

Acrobatics/Tap/Ballet/Jazz - A new class featuring a variety of dance and acrobatics will meet on Fridays beginning September 13th. Children ages 3 to 5 will meet from 4:00pm to 5:00pm. Children ages 6 to 9 will meet from 5:00pm to 6:00pm. The instructor will be Jenny Adams.

Street Funk/Video Style Dance - This class teaches the hottest new moves on the dance floor. The class is for children 10 years old and up and meets every Friday from 6:00pm to 7:00pm starting September 13th.

Three Year Old Play Group - The group will meet on Tuesdays and Thursdays from 10:00am until 11:30am beginning September 10th. There will be a parents meeting on Sept. 5th at 10:00am. Sharon Neal is the coordinator. - No fee

Tumble-Bees - Fall Tumble-Bees will be held every

Wednesday beginning September 4th from 11:00am to 12:00 noon. This class is for 2 to 4 year olds and will be taught by Linda Leonardi.

Bathroom Workshop - This workshop will be held on Tuesday, September 17th at 7:00pm. Participants are encouraged to bring old photographs of their bathrooms and the instructor will help you redecorate. The instructor is Duval Asker of Kitchens by Design in Mt. Pleasant.

Keenagers - Keenagers is a 55 and older social club. Luncheons/meetings are held on the first Wednesday of each month and on the third Wednesday of each month field trips are taken. The first meeting is on September 18th at 11:30am. The program will be a musical satire called "Saints Alive" presented by St. Matthews Lutheran Church.

II. Sports

Soccer/Football/Cheerleading Registration - Registration is now being taken for youth soccer, football, and cheerleading. Soccer ages: 5-10: cheerleading and football ages: 7-14. Deadline to register is August 31st. Coaches are needed!!

Soccer Clinic - A soccer clinic will be held on September 4th and 5th from 4:00pm to 6:00pm. Children of all ages are welcome to attend. The instructors will be Vernon Shaw and Byron Browne.

Tennis Lessons - Tennis lessons will begin on September 12th from 5:00 to 6:30pm for youth. There will be four classes each session and the class is ongoing through the fall. Jack Fischer will be the instructor.

Tennis Clinic - There will be a tennis clinic for youth of all ages on Saturday, September 7th from 9:00am until 11:00am. The clinic is designed to introduce beginners to the basics of tennis and to offer new tips to intermediates. The instructor will be Jack Fisher.

Adult Tennis Lessons - Adult tennis lessons will begin on September 12th from 7:00pm to 8:30pm. Jack Fisher is the instructor. There will be four classes in each session.

Men's Fall Basketball - Registration for Men's Basketball is being held though the month of August. An organizational meeting for captains will be held on Tuesday, September 3rd at 7:00pm.

Teams will be required to pay the league fee by September 16th. The season is scheduled to begin September 23rd.

Co-Rec Volleyball - Registration for Co-Rec Volleyball is being held though the month of September. Play will begin Monday, October 7th. There will be an organizational meeting for captains on September 16th at 6:30pm.

III. *Special Events*

Summershine '91 - This special event was held on Saturday, August 17th from 11:00 a.m. to 2:00 p.m. at the shelter. It was an end of the summer celebration for children and their families. There was a donut eating contest, water balloon toss, hotdogs, salad, chips, and lemonade. Marvo the Magician and a rollerblade exhibition was held after lunch. Approximately 130 people participated.

"28th Avenue" Dance - It's back and better than Ever!!! The "28th Avenue " Dance will be held on the second Friday of each month starting September 13th! The youth dance is for grades 5 though 8 and will be held from 7:00pm until 10:00pm. Featured DJ: Jay Maxwell's Music By Request!! There will be dance contests for great prizes and concessions will be sold! The Isle of Palms Police Dept. DARE program is the co-sponsor. The cost of the first dance will be $2.50 and the children will receive a DARE bracelet. If they wear the bracelet to the other dances, they will get in for the regular fee of $2.00.

International Cultural Celebration - The event will be held on Saturday, September 14th at James Island County Park. There will be music, foods from different countries, dances and games. It is sponsored by the Trident United Way Recreation Committee and the Recreation Dept. is a member. Linda Leonardi is our representative and she is responsible for volunteers.

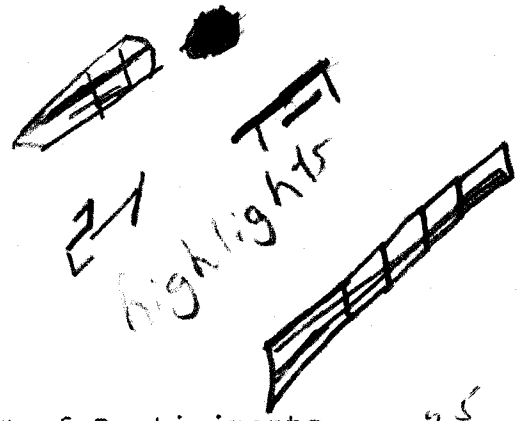
IV. Information -

- We will have a Tennis Tournament in October and are looking for volunteers to help with concessions and planning.
- We ordered new equipment for the Recreation

15 Island Resident Only

Center. (Balls, pool table equipment, etc.)
- In September, the staff will clean and polish the gym floor. This will improve the traction on the floor for youth and adult basketball.
- We have a fall brochure available for all of our programs for Sept. - Dec.
- We recieved a Ricoh copy machine from After Hours Office Machines. This is a trade for the large machine donated by AMI Hospital.

paid for by Mens basketball league.



Program Participation
June - August
1991

Program:	Date:	# of Participants
Summershine Day Camp	June 10th-14th	33
	June 17th-21st	37
	June 24th-28th	34
	July 1st-5th	25
	July 8th-12th	35
	July 15th-19th	34
	July 22nd-26th	34
Summershine Wee Camp	June 10th-14th	6
	June 17th-21st	7
	June 24th-28th	12
	July 1st-5th	6
	July 8th-12th	8
	July 15th-19th	10
	July 22nd-26th	13
	July 29th-Aug.2nd	8
	August 5th-9th	7
	August 12th-16th	10
Tennis Fun Camp	July 1st-4th	6
	July 8th-11th	6
	July 15th-18th	10
	July 22nd-25th	8
	July 29th-Aug. 1st	rain out
	August 5th-8th	7
Soccer Camp	July 22nd-26th	13
	July 29th-Aug. 2nd	6
	August 5th-9th	7
Youth Tennis Lessons	June 11th-June 25th	6
Adult Tennis Lessons	July 3rd-24th	5
Gymnastics	June 3rd-24th	17
	July 8th-29th	12
	August 5th-26th	18
Boys Summer Basketball	June 18th- July 30th	49
CPR	June 4th	6
	July 23rd	5
Men's Softball	Mar. 25th- July 2nd (12 teams)	240

Church League Softball	July 8th- August 29th	women-60 men-200
Sand Sculpting Contest	June 1st	75
Bicycle Rodeo	June 19th, 22nd & July 18th	75
Summershine '91	August 17th	130

Isle of Palms Recreation Dept.

Soccer Clinic

September 4th & 5th from 4:00 to 6:00pm
Clinic open to all ages!! $5.00/child
Players must bring their own ball!!
Instructors: Vernon Shaw & Byron Browne

Youth Soccer Registration

boys and girls ages 5 to 10 $12.00/child
Deadline to register is August 31st!!!
Play will begin in late September





Three Year Old Play Group– Tuesdays and Thursdays beginning in September 10:00am until 11:30am; $25 initial fee maximum 8; Call Sharon Neal (886-8412) for more information

Keenagers– Club for persons 55 & older. Meetings held on first Wednesday of each month; Trips are taken on the third Wednesday of each month; "Fall Roundup," the first luncheon of the year, is Sept. 18 at 11:30am

Tae Kwon Do– Wednesdays from 7:30pm to 9:00pm and Saturdays from 10:00am to 12:00pm for adults; Saturdays from 9:00am to 10:00am for children

Co-Rec Volleyball– Registration is held in September and play will begin in November; Call for more details

CPR/First Aid– Courses will be held in September, October, and November. Call for specific dates.

Bathroom Workshop– Tuesday, Sept. 17 at 7:00pm; slide presentation and individual assistance; $5/person

Isle of Palms Tennis Tournament– Adult singles tournament will be held on October 11-13 ; single elimination; Deadline to register: October 1st Play will begin at 5:00pm; $5.00 entry fee; Rain date: October 18-20th

Kitchen Workshop– Monday, November 11 at 7:00pm; slide presentation; come prepared to discuss your individual needs; $5/person

Youth Basketball Registration– Registration will be held beginning October 21 until November 30; Youths ages 5 through 19 are eligible **A clinic will be held in early December**

*****Please register in advance for all programs!!!**

ISLE OF PALMS
RECREATION DEPARTMENT



ISLE OF PALMS
RECREATION DEPARTMENT

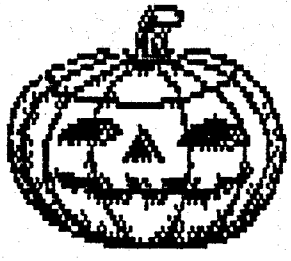
1991 Fall Programs

Located on 28th Avenue

Isle of Palms, South Carolina

Phone: 886-8294

The Isle of Palms Department of Recreation has planned a wide array of fall activities for you and your family. Our facility is located on 28th Avenue off of Palm Boulevard. Office hours are 9:00am until 7:00pm Monday through Friday, and 12:30pm until 5:30pm on Saturdays. For more information about any of our programs or facilities, call the staff at 886-8294.



SPECIAL EVENTS

Youth Dances

*Fridays from 7:00pm until 10:00pm
*Grades 5 through 8
*Dance contests! Prizes for winners!!
*DJ: Jay Maxwell's Music By Request!!
*Admission: $2.50
*Co-sponsored by IOP Police Department
*Dates: (second Friday of each month) Sept. 13th, Oct. 11th, Nov. 8th

"Happy Haunting Carnival"

*Saturday, October 26th, 11:00am-2:00pm
*Pony rides, Hay rides, facepainting
*Carnival games include Go Fishin', Duck Pond, Ring Toss, Pumpkin Toss, and Spook Shoot!!
*Costume contest at 12:30pm: prizes awarded in different age groups!!
*Hot dogs, cupcakes, lemonade, popcorn, and soft drinks for sale!!
*Volunteers needed to work games!!!
*Rain date: Same day, indoors at 1:00pm

"Ghostly Tides Tales"

*Sunday, October 27th, 6:30pm-7:30pm
*Professional storyteller Margie Clary, educator and author noted for her interpretations of Lowcountry legends, will tell chilling ghost tales of the lowcountry!!!
*Bring a blanket, flashlight, and friend!
*On the beach at 28th Ave.; Ghostly goblins will be at the Rec. Center to escort you to the beach beginning at 6:00pm
*Rain date: Oetober 28th at 6:30pm

Thanksgiving Art Contest

*Deadline for entry is 5:00pm on Friday, November 22nd
*Entries will be judged on originality, neatness, and creativity related to the theme (TBA in October)
*Ten winners will be chosen to ride in the Mt. Pleasant Christmas Parade on the IOP Recreation Department float!!

"Christmas Celebration"

*Saturday, December 14th , 5:00pm-9:30pm
*Christmas fun for the whole family!!
*Special guest: Santa Claus!!
*Refreshments and Community Dance with DJ: Jay Maxwell's Music By Request
*Isle of Palms Arts and Crafts Show and Sale from 1:00pm until 5:30pm

Santa's Hotline

*Santa will call children ages 5 and under on Monday, December 16th from 5:00pm until 7:00pm; children ages 6 and 7 will be called on Tuesday, December 17th from 5:00pm until 7:00pm
*Forms available after Thanksgiving

Sleigh Bell Days

*Holiday camp for children ages 5 to 12
*Held during Christmas break!!
*Hours are 9:30am until 12:00pm
*Activities will include games, arts and crafts, New Year's party, and more!
*Snack and juice will be provided!

PROGRAMS

Men's Fall Basketball League- Captain's meeting Sept. 3 at 7:00pm Games played on Tuesdays & Thursdays beginning Sept. 24

Youth Tennis- Saturday clinic on Sept. 7 from 9:00am until 11:00am all ages welcome; $1.00/child ~~Lessons on Thursdays beginning~~ Sept. 12 from 5:00pm until 6:30pm Sessions are 4 weeks; $35/child (all lessons are ongoing)

Gymnastics- Mondays beginning Sept. 9
3:45pm to 4:30pm for 3 to 5 years
4:30pm to 5:30pm for intermediates ages 6 and older
5:30pm to 6:30pm for beginners ages 6 and older
4 week sessions; $20 /child

Adult Tennis- Thursdays beginning Sept. 12 from 7:00pm to 8:30pm for 4 weeks; $40/adult (lessons are ongoing)



Acrobatics/Tap/Ballet/Jazz- Fridays beginning Sept. 13 ; 4:00pm to 5:00pm for 3 to 5 years; 5:00pm to 6:00pm for 6 to 9 years; monthly sessions; $30/child; initial fee--$15/child

Street Funk/Video Style Dance- Fridays beginning Sept. 13 for 10 and older 6:00pm to 7:00pm; monthly sessions $30/child; initial fee--$15

ISLE OF PALMS RECREATION DEPARTMENT

Suspension Policy

If someone is suspended from the Recreation Center, they will be barred from participating in the program and/or utilizing the facilities until the term of the suspension has been completed. The term of the suspension shall be set by the Director based on the severity of the infraction of the rules.

Appealing a Suspension

Suspension may be appealed through the following steps:

A. A formal letter of apology to the person involved with a copy sent to the Director.
B. Meet with the Director and discuss the suspension and issues addressed in the letter.
C. The Director will meet with all parties involved and determine if the suspension should be lifted.

EXHIBIT G

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
AUGUST 13, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on August 13, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, Betsy Smiley, and David Somers. Also present were Building Inspector Ed Haselden and Secretary Janet Geary.

Mr. Fellabom announced that their was one case on the agenda:

1. Joseph W. VonDohlen, 706 Palm Boulevard, had requested a variance from Section 5-4-23(5)(c), minimumyard requirements - rear yard. Mr. VonDohlen proposed to pour a cement slab at the rear of his property over which he wanted to cover with a carport type roof. A variance would be needed in order to extend the roof beyond the building lines of his house. The house falls under the definition of non-conforming structures as covered by Section 5-4-37. The board received letters from two neighboring property owners: John Fanning and Teresa Pickens of 704 Palm Boulevard who have no objections to Mr. VonDohlen's plans; and Patsy M. Clark, 705 Carolina Boulevard, who objected to the plans. Mr. VonDohlen also stated that he had discussed his plans with Mrs. Epting of 707 Carolina Boulevard, the rear property owner, who stated she had no objections, although there was no written letter for the file. After discussion, it was determined that Mr. VonDohlen was requestint a variance to extend a roof to the rear of the house within three (3) feet of the rear property line. Vote was taken: Fellabom - No; Garvin - No; Schall - No; Smiley - No; Somers - No. Variance was denied.

There being no further business to come before the Board, the meeting was adjourned at 6:55 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT H

PLANNING & ZONING COMMISSION
REGULAR MEETING
August 14, 1991

The Isle of Palms Planning & Zoning Commission met at city Hall on August 14, 1991, at 5:30 p.m. Members attending included Jerry Spencer, Kathryn Carroll, Arnold Karig, John Stanley and Chairman Guy Taylor. Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m.

MINUTES OF PREVIOUS MEETING

1. July 10, 1991

Ms. Carroll suggested one change to the minutes regarding a statement about the number of lots that could be subdivided.

Dr Karig suggested a change in the spelling of a word to make it "counsel".

Motion to approve minutes with changes was made by Ms. Carroll, seconded by Mr. Stanley. Motion approved 5-0.

PLATS

1. Request Final Subdivision of TMS 568-11-00-116 into Lots R and Q, Carolina Boulevard and Ninth Avenue. George A.Z. Johnson, Jr.

Mr. Batchelder stated that he had contacted the Building Department to find out if, in their opinion, this plat needed variances for setbacks. He said it was the opinion of the Chief Building Official that this plat did not require variances since these were originally two lots of record as shown and the property line separating the lots was never officially abandoned.

Chairman Taylor stated that he and Mark Williams had reviewed the plat and found several errors. He stated that the property lines needed to be redrawn to indicate the abandonment of the property line which separated lots "R" and "Q" from the old Charleston Boulevard right-of-way and the extension of this property line to separate the old right-of-way into lots "R" and "Q". He stated that this discrepancy resulted from a 1985 plat which was in error. There is no record of the property line separating lots "R" and "Q" ever being abandoned.

Olin Chamberlain explained that he was representing the estate of Katherine White which includes several other properties on the Isle of Palms in addition to this property. He stated that this property has one tax map number but that he would like to sell it as two lots to give each existing house its own lot. A 1914 plat shows this as two lots, "R" and "Q". But the current plat which is the 1985 plat, does not show the line separating lots "R" and "Q". Mr. Chamberlain stated that he thought he needed to have a plat approved that simply showed the end result.

Chairman Taylor recommended revising the property lines and title of the plat. Mr. Batchelder recommended approval with revisions suggested by Chairman Taylor and addition of flood hazard zone.

Motion to approve with changes by Ms. Carroll, seconded by Mr. Spencer. Motion approved 5-0.

2. Request Final Subdivision of Final Plat of Trace "F", Block "E", Parcel 1, Wild Dunes. Engineering, Surveying & Planning, Inc.

Mr. Batchelder explained that this plat was to give final approval to a lot not originally intended to be used for residential. Foster Clark explained that there was no other use for the lot and, although there is a deep well in the

area, access is still provided. He also stated that a cart path was moved as well.

Mr. Batchelder recommended approval with the size of the lot, flood hazard zone, zoning and tax map number noted on the plat. Motion to approve with changes by Dr. Karig, seconded by Mr. Stanley. Motion approved 5-0.

3. Request approval of a Plat Showing a Re-Survey of Lots 26 & 27, Block "G", Tract "F", Wild Dunes, and The Establishment of an Easement for Driveway Purposes. Charles F. Dawley, Jr.

Mr. Batchelder explained that both lots already exist. He said the purpose of the plat is to establish the driveway easement. He recommended approval with the addition of the zoning and flood zone information.

Jay Larson, representing the applicant, said he could get this information added.

Motion to approve with changes by Mr. Spender, second by Mr. Stanley. Motion approved 5-0.

4. Request Final Subdivision of a Final Plat Prepared for Re-Habitat, Inc., Wild Dunes, Linkside Villas, Parcel b, Tract E, Block L, Lots 5 through 8. Engineering, Surveying & Planning, Inc.

Mr. Batchelder explained that these lots had conditional approval because they are shown on the tax maps. He stated that the marsh setback line, flood hazard zones, zoning and tax maps needed to be added to the plat. He recommended approval with these changes.

Mr. Stanley asked what the area surrounding the lots was. It was explained that this was common area.

Motion to approve with changes by Mr. Stanley, second by Mr. Spencer. Motion approved 5-0.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lee Batchelder
Planning Consultant

EXHIBIT I

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS WATER AND SEWER COMMITTEE
AUGUST 21, 1991, 7:00 P.M., CITY HALL

The regular meeting of the Isle of Palms Water and Sewer Committee was held on August 21, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, members Cal Cochrane, Bob Dehoney, John Hann, and Jack Voorhees, City Administrator Mark Williams and Secretary Janet Geary. Members Harry O'Neal and Clay Duffie were out of town.

1. Arbitration of disputed charges.

a. Nowell Lesser, 502 Carolina Boulevard. (See Attachment A) Mr. Lesser stated that he had never received a bill for the water service and has had problems with his mail; that he had only been back in his house a few weeks; and he was disputing the $50 charge for disconnection and re-connection of water service. After discussion, Mr. Cochrane made a motion to drop the $50 charges; Mr. Dehoney seconded; motion passed unanimously.

b. Barbara Butler, 283 Forest Trail. (See Attachment B) Mr. Butler stated that they had been on vacation and returned on Sunday, August 18; they mailed their check to the City on August 19 which the City received August 21; and that because of the appearance of the cut-off notice, it had been set aside. After discussion, Mr. Cochrane made a motion to drop the $50 charges; Mr. Dehoney seconded; motion passed unanimously.

c. Gayle Kendall, 3007 Cameron Boulevard. (See Attachment C) After discussion and because of the fact that the water did not actually get turned off, Mr. Hann made a motion to waive the $50 charges; Mr. Voorhees seconded; motion passed unanimously.

There was a discussion of the cut-off notices and their appearance. Mr. Williams stated that professionally printed break-apart forms had been ordered and will be used for the next billing cycle's delinquent notices. It was discussed whether or not to send these notices by certified mail and it was decided to see how the printed forms work out before taking on this additional expense. It may be necessary to send certified notices in the future.

It was also decided that water operators should knock on the door of each house before the water is turned off and that notices should be left at each house stating why the water had been turned off and the amount due on the bill. Such notices that hang on door knobs have also been printed for our use.

2. Number of cut-off notices before termination of service.
Mr. Williams stated that there had been 40 customers who had not paid their bill and whose water was turned off.

3. Policy for penalty for unauthorized re-connection of service.
Upon discussion, it was decided that anyone who reconnects their own water after the City has cut it off will be charged double the penalty or $100. Also, once the customer turns their water back on, the water operators will turn the water off and lock it. If the lock is broken then it is considered destruction of city property and the police can be called.

4. Specifications for WWTP upgrade.
Mr. Williams stated that the city is under a consent order by DHEC to make necessary upgrades to the condition of the Wastewater Treatment Plant. He read a letter of Thomas & Hutton dated August 5th (see Attachment E) wherein they proposed to provide services for these repairs at an estimated fee of $3,500.00. He stated that the money for this work would be included in the bond issue for the RO plant at the end of September but that preliminary engineering work could begin right away. There was a discussion of the repairs and upgrade work that needed to be done. After discussion, it was decided that it was a good price and Mr. Williams should sign the agreement with Thomas & Hutton.

There was a discussion of the sludge drying beds. Mr. Williams has spoken with Clay Duffie of Mt. Pleasant Waterworks & Sewer Commission about their trucking the sludge off the island for disposal through their system and he is waiting for some cost figures from Mt. Pleasant. After discussion, it was the consensus that it would be better to have the sludge hauled off rather than having a sludge drying bed in this residential area. Mr. Williams will pursue this with DHEC to see if they will approve the hauling.

5. Reverse osmosis update.

(See Attachment F) Mr. Williams stated that DHEC has approved the plans for the reverse osmosis plant. There will be a bond issue in September, construction may begin as early as October, and it is hoped the plant will be on line by August 1992.

6. Establishment of Water & Sewer Commission

Mr. Williams stated that City Council had approved the election of a "Public Works Commission" to occur on the regular November election date. An ordinance has been written which will be presented to Council at the regular meeting August 22. The process for getting names on the ballot would be the same as election of City Council members - submitting a petition to the City Clerk with 5% of the registered voters. The number of commissioners is yet to be determined, but by State law it must be 3, 5, or 7. Terms will be staggered and elected members should take office immediately upon election. There followed a short discussion on this subject.

7. Applications for Manager of Water & Sewer Department.

Mr. Williams stated that they had received several applications for the position and that there were five with Class A licenses. He stated that the interview process should begin as soon as possible so that the new manager can be employed before the ground breaking for the RO plant. After discussion, it was decided to call the five applicants in for interviews on Monday, August 26, at 6:00 p.m. and on Tuesday, August 27, at 6:00 p.m.

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT J

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
AUGUST 15, 1991, 7:00 P.M.

A special meeting of the Isle of Palms Board of Beach Patrol and Control was held on August 15, 1991, at 7:00 p.m., at City Hall. Present were Chairman Smiley, members Harper, Jeter, Ballow, and Council Member Simon, and Secretary Geary. Mr. Sandeford and Mr. Matthews were absent.

Dr. Smiley announced that there was one permit on the agenda plus John Gardner asked to present a permit application.

1. Stephen A. Russell, architect for John R. Cantrell, proposed to construct a house entirely within the protection zone on Lot 1-3A Ocean Boulevard. Mr. Russell stated that the reason for putting the house so far forward on the lot was not to have to flatten the dunes that are on the property landward of the proposed building site. Also, the location of the house would provide as much privacy as possible from the public parking area.

Ms. Ballow made a motion to approve the permit as requested; Ms. Jeter seconded. After extended discussion as to the location of the house and the possibility of building farther landward on the lot, motion was unanimously defeated.

2. John Gardner, architect for Beach Biz, requested permission to construct an open deck which would protrude into the protection zone off of a proposed building behind Beach Biz on Ocean Boulevard. The deck would extend to the 214' line and tie into an existing boardwalk and construction needs to begin within the next two weeks or so in order to come under the existing building permit and flood elevations. After discussion, the Board asked Mr. Gardner to submit more detailed plans so that they could have time to look over the plans and to visit the property.

Dr. Smiley stated that he would call a special meeting for August 29, 1991, at 7:00 p.m. at City Hall in order to hear this application.

3. Dr. Smiley asked the Board to consider the problem of an abundance of dune walk-overs that are not in compliance with the city's regulations. It was the consensus of the Board that we should contact Ed Haselden, the building inspector, to take measures to bring these structures into compliance.

There being no further business to come before the board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT K

Ordinance 1991-23

AN ORDINANCE TO ESTABLISH A COMMISSIONERS OF PUBLIC WORKS FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

WHEREAS, Section 5-31-610 of the South Carolina Code of Laws, 1976, as amended, empowers municipalities to purchase, operate and maintain waterworks facilities, and;

WHEREAS, pursuant to Section 5-31-640 of the South Carolina Code of Laws at least 25% of the resident freeholders of the City of Isle of Palms petitioned the city that an election be held on the questions of whether the City be authorized to provide public water and public sewer service and whether the City was authorized to purchase the water and sewer facilities of the Isle of Palms Water Company, and;

WHEREAS, a Special Municipal Election was held on November 27, 1990 whereby the two (2) questions above stated received the approval of a majority of the electors, and;

WHEREAS, Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended, provides that after such election the City Council shall declare the results by ordinance, and;

WHEREAS, Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended, provides for the election of commissioners of public works who shall have the authority and powers enumerated in Sections 5-31-250, 5-31-260 and 5-31-270 of the South Carolina Code of Laws, 1976, as amended.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Isle of Palms, South Carolina, in City Council assembled that:

Section 1. Purpose. This Ordinance is adopted for the purpose of complying with Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended and for the purpose of authorizing the election of two (2) additional commissioners of public works as authorized by Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended.

Section 2. Ordinance. Pursuant to Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended, Council for the City of Isle of Palms hereby declares that the results of the November 27, 1990 election authorize the City to purchase and operate the existing water and sewer service facilities owned by the Isle of Palms Water Company.

Additionally, pursuant to Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended, Council for the City of Isle of Palms hereby authorizes that an election of five (5) persons to serve as commissioners of public works be held on November 5, 1991.

Section 3. Terms of Office. The commissioners of public works shall be elected for a term of six (6) years; provided, however, pursuant to Section 5-31-210 of the Code of Laws of South Carolina, 1976, as amended, after the election scheduled for November 5, 1991 the initial term of each person elected shall be determined by lot, specifically, to wit: one person elected as commissioner shall serve an initial term of two (2) years, one person elected as a commissioner shall serve an initial term of four (4) years and the other three elected as commissioners shall serve a term of six (6) years. Thereafter, at the first election following the two (2) year term holder, one such commissioner shall be elected for a term of six (6) years and at the next election following the four (4) year term holder one such commissioner shall be elected for a term of six (6) years.

Section 4. Method of Election. The commissioners of public works shall be elected from the city at large, on a staggered term basis as provided in Section 3 hereof.

Section 5. Nonpartisan Elections; Procedure.

(a) All regular and special elections for the offices of commissioner of public works shall be nonpartisan general elections pursuant to state law.

(b) Nomination petitions for the offices of commissioners of public works shall be filed with the municipal election commission at least 45 days prior to the date for the election and shall bear the signatures of not less than five percent (5%) of the qualified electors of the municipality. The clerk-treasurer shall certify the nominees to the municipal election commission 30 days prior to the election.

(c) A second election shall be conducted two (2) weeks after the first election between one more than the number of candidates necessary to fill offices for which no candidates received a majority of the votes cast and the second election shall be between the candidates receiving the largest number of votes in the first election. The candidates receiving the highest number of votes cast in the second election in number equal to the number of offices to be filled shall be declared elected.

(d) No political party affiliation shall be placed on any ballot for any candidate.

Section 6. Time of Elections; Notice.

(a) Elections for commissioners of public works shall be held on the first Tuesday of November of odd numbered years.

(b) The council shall give public notice of the general city election at least 60 days prior to the date of the election.

Section 7. Time of Taking Office; Contested Election.

(a) Newly elected commissioners of public works being elected at the November 5, 1991 election shall be sworn in as soon after forty-eight (48) hours following certification of the election as possible. In subsequent elections newly elected commissioners of public works shall not be qualified pursuant to state law until the first Monday of January next following the date of the general election.

(b) If the results of the election are contested, the incumbent who fills that contested office shall hold over until the contest is finally determined.

Section 8. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of person, property, kind of property, circumstances of set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 9. Effective date. This ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. MCDUFFIE,
CLERK TREASURER

FIRST READING: 8/22/91

SECOND READING: _____

THIRD READING: _____

RATIFICATION: _____

MEMORANDUM

To: City Council, City of Isle of Palms

From: Dennis J. Rhoad

Date: August 8, 1991

Re: Creation of Commissioners of Public Works

1. Section 5-31-610 of the South Carolina Code of Laws, 1976, as amended empowers municipalities to construct, purchase, operate and maintain waterworks or acquire by condemnation existing waterworks.

2. Section 5-31-640 requires that at least 25% of the resident freeholders of the city, as shown by its tax books, petition the city that an election be ordered (It is my understanding from Mark Williams that this petition prerequisite was met and an election held and passed favorably on the issue of acquiring the existing waterworks).

3. Section 5-31-650 allows for the election contemplated in Sections 5-31-620 and 5-31-630 to refer to the issue of revenue bonds to pay for the operation of the waterworks system. Did the Isle of Palms election on the issue provide for such issuance of revenue bonds?

4. Section 5-31-660 provides that if the election results are favorable the city must so declare by ordinance and proceed with the construction and/or purchase of a waterworks property.

5. Section 5-31-210 requires that at any election for bonds held to meet the costs of acquiring waterworks property the elector shall vote for three (3) citizens, the terms shall be two, four and six years initially. The terms of each person elected shall be determined after the election by lot. Thereafter, at the first election following the two year term holder, one such commissioner shall be elected for a term of six years and likewise at such election every two years thereafter. This section also provides that municipalities of less than 50,000 may by ordinance increase the number of commissioners to five (5), the terms being the same. The officers so elected shall be known as the Commissioners of Public Works.

Section 5-31-240 requires the Mayor to notify the members of

the Commissioners of Public Works within (10) days of the election. The Commissioners shall take the same oath as elected officers of the municipality. One member shall be elected by the Commission as Chairman. The clerk of the municipality shall act as secretary to the Commission. The Mayor and Council shall fill any vacancy by appointment for the unexpired terms.

6. Sections 5-31-250, 5-31-260 and 5-31-270 set forth the powers of the Commission, the power of the Commission to incur debt with the concurrence of the municipality and the requirement for monthly financial reports to the municipality, respectively.

7. Section 5-31-810 provides for the establishment of a municipal sewerage system, provided that the questions of purchase, establishment or indebtedness for such system be submitted to an election with a majority of the electors voting in favor of the same.

8. Section 5-31-820 provides that after such election the municipal council may elect (5) of (7) of its citizens as a Sewerage Commission, provided that no more than (3) members of the commission shall also be members of council. The terms shall be for two years. This provision is inapplicable should the City opt to use the commissioners of public works in the dual capacity as the water and sewer commission.

9. Section 5-31-830 provides for commissioners oaths, vacancies and removal from office.

10. Section 5-31-840 sets forth the sewerage commission duties.

I have spoken with attorneys David Jennings, Roy Bates and Lucas Padgett regarding the Commissioners of Public Works serving in the dual capacity as the waterworks and sewerage commission.

The procedure for establishing such a dual commission is as follows (this outline of the procedure presumes that the requisite petition for the acquisition of the water and sewer service facilities was presented and a municipal election held subsequently resulted in a majority of the electors voting in favor of said acquisition):

A. The requisite public notice of an election for members to serve as Commissioners of Public Works must be published in accordance with general election guidelines.

B. An ordinance authorizing the establishment of a Commissioners of Public Works must be passed prior to the election.

C. The election ballot shall contain names of persons wishing to serve as Commissioners of Public Works. The number of those elected as such shall be either three (3) or five (5) pursuant to Section 5-31-210 of the Code of Laws of South Carolina, 1976, as amended.

D. Should the City of Isle of Palms wish to issue bonds to meet the costs of acquiring or maintaining the water and sewer service facilities, that question should also be included on the ballot and in the requisite public notice.

E. Within ten (10) days after the election results are declared, City Council shall notify those elected to serve as Commissioners of the results, after which those so elected shall take the required oath and be sworn in.

EXHIBIT L

PROCLAMATION

WHEREAS, We the People did ordain and establish a Constitution for the United States of America to secure the blessings of liberty for ourselves and our posterity; and

WHEREAS, it is important that all citizens fully understand the provisions, principles, and meaning of the Constitution so they can support, preserve, and defend it against encroachment; and

WHEREAS, the President and the Congress of the United States have designated September 17 as **Citizenship Day** and the week of September 17-23 as **Constitution Week**; and

WHEREAS, Constitution Week and **Citizenship Day** provide the opportunity for all Americans to learn about and to reflect upon the rights and privileges of citizenship and its responsibilities; and

WHEREAS, the people of the City of Isle of Palms do enjoy the blessings of liberty, the guarantees of the Bill of Rights, equal protection of the law under the Constitution, and the freedoms derived from it;

NOW, THEREFORE, I, Carmen R. Bunch, Mayor of the City of Isle of Palms, do hereby PROCLAIM September 17 as **Citizenship Day** and the week of September 17-23 as **Constitution Week**, and invite every citizen and institution to join in the national commemoration.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed hereto on this 22nd day of August, 1991.

_____

Carmen R. Bunch, Mayor
City of Isle of Palms

SEAL:

EXHIBIT M

ERNEST F. HOLLINGS
SOUTH CAROLINA

OFFICES:
1835 ASSEMBLY STREET
COLUMBIA, SC 29201
803-765-5731

103 FEDERAL BUILDING
SPARTANBURG, SC 29301
803-585-3702

126 FEDERAL BUILDING
GREENVILLE, SC 29603
803-233-5366

112 CUSTOM HOUSE
200 EAST BAY STREET
CHARLESTON, SC 29401
803-724-4525

United States Senate

125 RUSSELL OFFICE BUILDING
WASHINGTON, DC 20510-4002
202-224-6121

August 6, 1991

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION: CHAIRMAN
APPROPRIATIONS
COMMERCE, JUSTICE, STATE AND THE JUDICIARY: CHAIRMAN
DEFENSE
LABOR, HEALTH AND HUMAN SERVICES, EDUCATION
ENERGY AND WATER DEVELOPMENT
INTERIOR
BUDGET
INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE
OFFICE OF TECHNOLOGY ASSESSMENT
NATIONAL OCEAN POLICY STUDY

Honorable Carmen R. Bunch
Mayor-Isle of Palms
P. O. Drawer Q
Isle of Palms, SC 29451

Dear Carmen:

I've been traveling the state but wanted to respond to your letter and the resolution which you sent relative to the boat tax. On July 30, 1991, the Coast Guard authorization bill was reported out of committee. It contains an amendment proposed by Senator Breaux and myself to repeal the tax. This measure will be considered by the full Senate in September. In addition, there's talk that a repeal measure might be placed on the Transportation appropriations bill which also will be considered when we get back. I'm doing my level best to get rid of this thing and will keep it up.

With warm regards, I am

Sincerely,

Ernest F. Hollings

EFH/kk

State of South Carolina

Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

POST OFFICE BOX 11369
COLUMBIA 29211

August 15, 1991

Mayor Carmen R. Bunch
City of Isle of Palms
Post Office Drawer Q
Isle of Palms, SC 29451

Dear Carmen:

Thank you for your interest in the replacement of the Grace Memorial Bridge in Charleston. Please be assured that I share your concerns.

The linkage between Mt. Pleasant and Charleston is vital to the economic interests of South Carolina and the safety of the occupants of the 75,000 vehicles who daily cross the Grace and Pearman bridges. The replacement of the existing bridges must be at the top of the priority list of transportation needs in South Carolina.

At my request on August 7, 1991, the SHIMS Select Oversight Committee passed a resolution supporting a high priority for solving this problem. The Highway Department will make a report at the next SHIMS meeting, outlining the various options, costs and funding sources, including SHIMS funds. I asked them to consider bridges and tunnels.

Again, thank you for your support of this important project. Please contact me if I may be of any further assistance.

Sincerely,

Carroll A. Campbell, Jr.
Governor

House of Representatives

State of South Carolina

Thomas G. Keegan
District No. 106 - Horry County
32 West Sweetbriar Trail
Surfside Beach, S.C. 29575

Committees:
Education and Public Works
Francis Marion College,
Board of Trustees

434-D Blatt Building
Columbia, S.C. 29211

Tel. (803) 734-3069

S.H.I.M.S. Oversight
Committee
Tourism Caucus
Fire Caucus

August 12, 1991

The Honorable Carmen R. Bunch
Mayor, Isle of Palms
Post Office Drawer Q
Isle of Palms, SC 29451

Dear Mayor Bunch:

Thank you for your letter in support of replacing the Grace Memorial Bridge.

You may be sure that I am acutely aware of the critical need for a new, 8-lane span that would replace both bridges over the Cooper River. I am also pleased to report that the SHIMS oversight committee was most receptive to a presentation by Senator Martschink and other Charleston leaders, at our meeting on August 8, 1991.

A resolution in support of a replacement span was unanimously adopted and I trust that we will have more encouraging news for you within the next few months.

Very truly yours,

Thomas G. Keegan

TGK/mr
K2

Public Safety

SOUTH CAROLINA
DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
ENGINEERING DISTRICT NO. 6
6355 Fain Street
~~P.O. BOX 70159~~
North Charleston, SC 29418
~~CHARLESTON HEIGHTS, S.C. 29405~~

August 2, 1991

Honorable Carmen R. Bunch
Mayor, City of Isle of Palms
Post Office Drawer Q
Isle of Palms, South Carolina 29451

Dear Mayor Bunch:

Following your recent meeting attended by Mr. Brigman of my staff, we have reviewed the request to provide warning signs for the Breach Inlet Bridge on SC 703. Based on a study of the location, we plan to install pedestrian warning signs on both approaches to the bridge.

At the present time, the signs should be adequate to advise drivers of the possible presence of fishermen on the sidewalks of the bridge. A reduced speed limit would not be respected by drivers and may create a false sense of security for those persons fishing from the bridge.

We will continue to review the location and would consider further measures should the signing not prove effective. The installation of the signs will be made as soon as our work load will permit.

Yours truly,

R. J. Weeks, Jr.
District Engineering Administrator

CC: R. F. Clair

Public Safety

SOUTH CAROLINA
DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

ENGINEERING DISTRICT NO. 6
6355 Fain Street
P.O. BOX 70159
North Charleston, SC 29418
CHARLESTON HEIGHTS, S.C. 29405

August 1, 1991

April Graham Dyar Lucy

Honorable Carmen R. Bunch
Mayor, City of Isle of Palms
Post Office Drawer Q
Isle of Palms, South Carolina 29451

Re: Request for No Parking Signs on 42nd Avenue and Speed Limit on Ocean Boulevard

Dear Mayor Bunch:

We reviewed the above items and Mr. Dyar discussed them with Chief Arnold.

No Parking signs are in place on all the dead-end streets from 42nd Avenue northward, except for 54th Avenue which is a "Tee" intersection and doesn't need the signing. In discussion with Chief Arnold, it appears the existing signing is adequate.

Reduction of the speed limit on Ocean Boulevard to 15 MPH would probably not be accepted by motorists and would be unreasonably low for most times of the day throughout the year. During the busy portion of the beach season, speeds are severely restricted due to the congestion. At these times, a posted speed limit is secondary to what traffic conditions allow and a reduced limit is redundant. Chief Arnold mentioned part-time reduced speed limits. While we do not normally do this, Mr. Dyar indicated a reduced speed limit in conjunction with active flashing beacons could be considered. This would be a unique system and would have to be reviewed and approved by the main

office. We understand Chief Arnold will review this with you further and the City may want to make a proposal to the Department.

We hope this provides the information you need at this time.

Yours truly,

R. O. Weeks, Jr.
District Engineering Administrator

CC: Chief Arnold

Public Safety

State of South Carolina
Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

August 1, 1991

The Honorable Carmen R. Bunch, Mayor
City of Isle of Palms
PO Drawer Q
Isle of Palms, SC 29451

Dear Mayor Bunch:

We regret to inform you that your application for funding of a bicycle path under the Comprehensive Bicycle Path Project has been denied.

The Governor's Division of Energy, Agriculture and Natural Resources appreciates your interest in this program and we encourage you to apply for other grant programs as they become available.

If you have any questions concerning this matter, please contact Katie Morgan at 734-0352.

Sincerely,

Carlisle Roberts, Jr.
Director

/nip

Division of Energy, Agriculture and Natural Resources
Edgar A. Brown Building, Suite 333
1205 Pendleton Street
Columbia, South Carolina 29201
(803) 734-0445/734-1740

Public Works

Mr. and Mrs. James Combs
4 - 13th Avenue
Isle of Palms, SC
August 17, 1991

To: Members of the Isle of Palms City Council

Please allow us to officially express our concern about the dead oak tree in the city's lot adjacent to our home on the north side of 13th Avenue.

We have spoken to each of you individually as well as to Mark Williams, Mayor Bunch, and Jim Burke of Emergency Preparedness, requesting that something be done about this tree which would be a hazard to our home during high winds. As hurricane season reaches its peak, our worries are compounded for we are certain that the weakened limbs would cause damage if it were to fall on our home.

Please contact us at your earliest convenience about this matter before circumstances cause any problems for which you would be responsible.

Thanks you for your consideration.

Sincerely.
James & Ellen Combs

James Combs
Ellen Combs

EXHIBIT N

Barry Craig Holden
Attorney at Law
916 Palm Boulevard, Number Seven
Isle of Palms, South Carolina 29451

Office 803-886-5844 Home 803-886-8469

August 15, 1991

B. B. Bozardt, RES
Environmental Supervisor
SCDHEC
334 Calhoun Street
Charleston, SC 29401

Re: Ms. Carmen Bunch's letter of August 13, 1991

Dear Sir:

I wish first to express my clear desire you at DHEC do your job as you see it - period. Accountability procedures exist and it is not to myself or Ms. Bunch whom you answer. I do have a concern Ms. Bunch is misleading you however. It has been quite common for her to try to imply to others, an importance and power that is no longer there, into her office of Mayor.

In the way of Isle of Palms background, Ms. Bunch won her most recent election on the basis of 16 votes, (less than 1% margin), in a legally contested election. Even this slim margin came from a pool of unusual absentee ballots allowed only by a one time, one community, judicial exception related to Hugo. She took that as a "mandate" to berate Councilmembers with 300 to 400 vote margins of victory with explanations of Council's "place" as merely her "advisors".

Upon the citizenry getting word of this they promptly changed the form of Government from Mayor-Council to Council, thereby reducing the Mayor's office to that of a ceremonial figurehead. This occured by a sizeable margin in a binding referendum.

Ms. Bunch refused to accept her new role, sued in court, lost, but still insist on meddling as if she has some reservoir of power. She is in fact, merely 1/9th of the policy setting and administrative branch of this Government. Even that power only exist within a duly assembled meeting. Upon adjournment she has no additional rights beyond those of an ordinary Councilmember such as myself. (The only exception being a few "heldover" local code sections relating to her salary, vehicle use, etc., i.e. no independent substantive policy setting/administrative powers whatsoever. A few "privileges" in the interest of "garnishing" the ceremonial role if you will).

I say all this because the Council form of Government is not all that common. Most people are much more familier with "small town" Mayor-Council cities and their "all important" executive, The Mayor. That's not us on the Isle of Palms anymore. Please don't be misled - ever. Furthermore, I personally find our Mayor is frankly one of the most ignorant, uninformed, untruthful, and intellectually limited public officials I have ever met.

Now, point by point, Ms. Bunch's letter. As to "we became aware [it was] a bar and grill", "We" does not refer to Isle of Palms Council. Council voted on the specific issue of whether to require a liscence other than "variety store" and expressly voted not to. This was not part of a "plot" to keep you at DHEC from calling it whatever you wish. It was rather a recognition of our hopelessly vague local ordinances and the historic application thereof. (The Amocco gasoline station located on the Pantry Convenience Store property is also operated as part of a "variety store" liscence for example. I'm sure this local classification has not precluded you from treating it as a gas station.) Additionally, even if we called 101 Palm a "bar" locally, I believe the ABC commission wouldn't because it does not serve Draft Beer. They use their own classification criteria just as you should do.

As to Ms. Bunch's great shocking "Discovery" in the phone book. In 1988 a big joke in our local phone book was a 1/2 page picture ad for "Mark's Seafood Lounge" a non-existent enterprise which was mostly a product of an active imagination and the 1 year lead time needed to get ads in phone books. I have a hard time declaring the phone book a "holy scripture" for these reasons and think it proves nothing other than a future intent which is already well known and not at issue.

The last sentence of Ms. Bunch's letter alludes to a "Bar & Grill being operated". Ms. Bunch is usually only arguably 1/2 correct some of the time - at best - occasionally - sometimes. Last I heard there was a $10,000.00 bounty on finding an operating "grill" up there. The "Bar" part is apparently her halfway arguable portion this time.

Bottom line; Isle of Palms Council made its call based on its local ordinances. Ms. Bunch is misconstruing what that call was. You make you own call, but don't be led or misled by her.

Please feel free to call should you have any questions.

Sincerely,

Barry C. Holden

For your information: if you are not yet aware and wonder what "piece of this puzzle" you're missing. The Mayor has an old friend and ardent supporter with a business complex next to 101 Palm. The owner and operators of 101 Palm and this individual are not on especially good terms. A "good old girl" system type of thing, I suppose.

Copy to Council

CITY OF
ISLE
OF
PALMS South Carolina

Mayor:
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

August 13, 1991

B.B. Bozardt, R.E.S.
Environmental Supervisor
SCDHEC
334 Calhoun Street
Charleston, SC 29401

RE: TMS# 568-09-00-001, 101 Palm Boulevard, City of Isle of Palms

Dear Mr. Bozardt:

I appreciate very much your letter of July 9, 1991, which was in reply to my letter of July 3, 1991, regarding the referenced property and business located thereon.

As you may know, Mr. Cantrell, the owner of the referenced property, obtained a business license from the City of Isle of Palms to operate a variety store. However, in June we became aware that the business being operated at 101 Palm Boulevard was, in reality, a bar and grill even though Mr. Cantrell, Mr. Bill Bailey and their attorney Mr. Guerrard denied it was a bar and grill.

Last Friday prior to going out to dinner with a few friends, I decided to look at the yellow pages of the telephone book in search of a new eating establishment. To my surprise, under Restaurants, I found a listing for the Isle of Palms Marina, 101 Palm Boulevard, "bar-grill-deck". Upon seeing that, I decided to look under Marina in the yellow pages. Under Marina is a listing "Isle of Palms Marina, Bar & Grill..." A copy of pages 402 and 403 with these listings is enclosed for your information. Coincidentally, in the same telephone book 1991-92 under Convenience Stores or Variety Stores I could not find a listing for the Isle of Palms Marina.

I, therefore, came to the conclusion I have always had, but am now convinced of, that what is being operated at the Isle of Palms Marina is indeed a bar and grill. On Fridays and Saturdays they have entertainment and a beautiful deck is used for the overflow of customers.

The reason I am now bringing this up is that in your letter of July 9th regarding subject business, you wrote me and I quote, "So long as the owner does not classify his facility as a bar or tavern and no food is prepared or served on premises, this agency would not

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regulate it." Additionally, your memorandum to John Cantrell dated July 10, 1991, states, "...you state that your leaser is not operating a bar or tavern at the captioned lot, you are hereby granted a 90 day extension of the temporary permit issued to you on 3/22/91. Any change in use of the facility may void this extension. Public sewer must be provided to this lot no later than October 10, 1991."

It is my understanding that Mr. Bill Bailey is no longer the leaser of this establishment, but his wife has recently taken out a business license for a "convenience store" from the City's Building Department. Although public sewer is not yet available at 101 Palm Boulevard, they have located two portalets on the property.

My reason for advising you of this matter is due to both our environmental concerns and that you were not aware of the fact that a bar & grill was being operated on this location.

Sincerely,

Carmen R. Bunch

Carmen R. Bunch
Mayor

CRB:jmg

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Hardee's Restaurant
3615 Dorchester Rd Ch Hgts ------------- 744-7372
Hardee's Restaurant
5213 Dorchester Rd N Chs ---------------- 552-1707
Hardee's Restaurant
960 Houston Northcutt Blvd Mt Pl -------- 884-5720
Hardee's Restaurant
688 Redbank Rd Gos Cr ------------------- 572-0919
Hardee's Restaurant 209 Spring St Chas---- 577-7820
Hardee's Restaurant
Marion Square Mall Chas----------------- 723-8916
Hardee's Restaurant Highway 52 Gos Cr ---- 553-7780
Hardee's Restaurant
5641 N Rhett Av N Chas------------------ 744-7501
2109 Savannah Hwy Chas ----------------- 763-8826
Harold's Cuttingboard Deli
347 King St Chas------------------------ 722-0797
Hats Inn 6275 Rivers Av N Chas ---------- 572-4187
Hearts Of Palm Cafe
1009-A Ocean Blvd IOP ------------------- 886-9661
Henry's 54 N Market St Chas ------------- 723-4363
High Tide 1021 J C Long Blvd IOP -------- 886-4975

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6601 RIVERS AV N CHAS ---------- 797-5561
1734 SAM RITTENBERG BLVD
CHAS ---------- 571-1325
Hobart's At 36 Broad 36 Broad St Chas---- 577-2132
Holiday Inn
Airport I-26 & W Aviation Av N Chs------ 744-1621
Mills House Hotel The
115 Meeting St Chas---------- 577-2400
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Riverview 301 Savannah Hwy Chas ------- 556-7100

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1769 Main Rd Jhn Is ---------- 559-5686

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824 Folly Rd Jas Is ---------- 762-1353
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2811 Ashley Phosphate Rd N Chas -------- 863-9583
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130 Mill St Mt Pl---------- 884-3410
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No 8082 1840 Reynolds Av N Chas ——— 747-0615
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No 8084 1574 Ashley Hall Rd Chas ——— 766-1079
No 8085 2284 Savannah Hwy Chas ——— 763-7309
No 8090 10 Carriage Ln Chas ——— 556-7179
No 8091 4450 Durant Av N Chas ——— 747-7047
No 8092 5270 Attaway St N Chas ——— 744-8846
No 8095 1947 Spruill Av N Chas ——— 554-0789
No 8101 2492 Savannah Hwy Chas ——— 763-7337
No 8103 3603 Maybank Hwy Jhn Is ——— 559-9918
No 8107 1738 Ashley River Rd Chas ——— 556-7769
No 8108 2745 Spruill Av N Chas ——— 554-7540
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No 155 1900 McMillan Av N Chas ——— 747-5638

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1029 Harbor View Rd Chas ——— 795-5371

Scotchman Store No 102
508 Johnnie Dodds Blvd Mt Pl ——— 884-9429

Scotchman Store No 172
1117 Savannah Hwy Chas ——— 763-7926

Scotchman Stores No 166
323 Coleman Blvd ——— 849-6534

Scotsman 165 1905 Maybank Hwy Jas Is — 762-0869

Scotty's Country Store
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No 167 1127 Savannah Hwy Chas ——— 763-1457
No 168 3564 W Montague Av N Chas —— 767-9829
No 169
4900 Ashley Phosphate Rd N Chas ——— 552-3447
No 208 1625 Remount Rd N Chas ——— 745-0521
No 261 301 N Goose Creek Blvd Gos Cr — 764-1763
No 285 2880 Ashley River Rd Chas ——— 556-1476

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South Carolina Department of Health and Environmental Control

Joe Carroll Chambers, M.D., M.P.H.
District Health Director

334 Calhoun Street
Charleston, S.C. 29401

June 6, 1991

Mr. John Cantrell
100 Charleston Blvd.
Isle of Palms, SC 29451

Re: TMS# 568-09-00-001, 101 Palm Blvd , City of Isle of Palms, SC

Dear Mr Cantrell:

This department is in receipt of your certified letter dated May 25, 1991, requesting expansion of the use of the building on the captioned lot to include the construction of an additional restroom and the serving of limited food and alcoholic beverages. A recent repair to the existing septic tank treatment and disposal system allowed for limited commercial use with a daily sewage flow not to exceed 120 gallons per day on a temporary basis.

After careful review of your request and the potential environmental impact of the expanded use of the facility, it is with regret that this department must deny any expansion of use or addition of restrooms to this building. It's proximity to environmentally sensitive waters, the absence of a suitable site for repair of the system should it malfunction, and the limited tile field installed all weighed against your proposal. It is recommended that you connect to the public sewer that is available to you at your earliest convenience

If you have any questions regarding this matter, I would appreciate you calling 724-5970 between 8:30 and 9:30 a.m., any Monday thru Friday to speak with me and, if necessary, schedule an appointment prior to making a trip into our office.

Sincerely,

B.B. Bozardt, R.E.S.
Environmental Supervisor

bg

cc: Ed Haselden, City Bldg. Inspector
Carman Bunch, Mayor, IOP

Dorchester County Division
201 Gavin Street
St. George, SC. 29477
563-2331 - 821-1624

Charleston County Division
334 Calhoun Street
Charleston, SC. 29401-1188
723-5800

Berkeley County Division
109 West Main Street
Moncks Corner, SC. 29461
761-8090

Trident Health District
South Carolina Department of Health and Environmental Control

Joe Carroll Chambers, M.D., M.P.H.
District Health Director

334 Calhoun Street
Charleston, S.C. 29401

July 9, 1991

Carmen R. Bunch, Mayor
City of Isle of Palms
P.O. Drawer Q
Isle of Palms, S.C. 29451

Re: TMS# 568-09-00-001, 101 Palm Blvd., City of Isle of Palms

Dear Mayor Bunch:

I am in receipt of your letter dated 7/3/91, regarding the captioned property and business located thereon. The following is submitted per your request to clarify S.C. DHEC's position regarding use of the facility.

This department permitted the facility as a convenience store and tackle shop with a daily sewer flow not to exceed 120 gallons/day on a temporary basis pending connection of the facility to public sewer. We will not be able to determine daily water usage until we are able to check the facility's water use. Since they have been open only a few weeks, it will be a while before daily water use can be determined. Regarding on site beer and wine consumption, the following is submitted:

S.C. DHEC no longer issues permits for bars and taverns unless food is prepared and served on premises and therefore, would have no input with the Alcohol and Beverage Commission regarding on site consumption of beer and wine. So long as the owner does not classify his facility as a bar or tavern and no food is prepared or served on premises, this agency would not regulate it.

Mayor Bunch, we share your concern regarding the misuse or possible abuse of the very fragile system presently servicing this site and will continue to closely monitor water usage and any other public health problems that may arise.

However, unless the septic tank system malfunctions and creates a potential health hazard or food is served and prepared at the facility, no action can be taken by this department.

If I can be of further assistance, please call me at 724-5970 any Monday thru Friday.

Sincerely,

B.B. Bozardt, R.E.S.
Environmental Supervisor

bg

CITY OF
ISLE
OF
PALMS South Carolina

Mayor:
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

July 3, 1991

B. B. Bozardt, R.E.S.
Environmental Supervisor
SCDHEC
334 Calhoun Street
Charleston, SC 29401-1188

RE: TMS# 568-09-00-001, 101 Palm Boulevard, City of Isle of Palms

Dear Mr. Bozardt:

Thank you for the copy of your letter to Mr. John Cantrell dated June 6, 1991, in which you advise him that his septic tank treatment and disposal system, which is used for commercial purposes, cannot exceed 120 gallons per day on a temporary basis. Your letter of May 16, 1991, to Mr. Bill Bailey, who, I understand, is going to operate the business on Mr. Cantrell's property, advised him that no "food preparation or food handling is permitted in this facility until public sewer is connected."

Mr. Haselden, our Building Inspector, issued a permit to this commercial facility to operate a convenience store and tackle shop and it was his understanding, as it was mine, that there would be no beer or wine consumption on the site. Notwithstanding the fact that I advised the ABC Commission on June 13, 1991, that DHEC has advised the Building Inspector and myself that there should not be on-site beer and wine consumption, they were issued a license and are now serving beer and wine at this establishment.

My concern is that their daily sewage flow is not supposed to exceed 120 gallons per day, but, with this establishment now being used as more than a convenience store and tackle shop, they will exceed this amount.

In order to clarify DHEC's position on what can and cannot be served at the referenced site, I would appreciate your advising whether or not DHEC has given them approval for on-site beer and wine consumption notwithstanding the fact that they were denied a permit to build an additional restroom.

Sincerely,

Carmen R. Bunch

Carmen R. Bunch
Mayor

CRB:jmg
Enclosure

P.O. Drawer Q • Isle of Palms, South Carolina 29451 • (803) 886-6428
FAX (803) 886-8005

Barry Craig Holden
Attorney at Law
916 Palm Boulevard, Number Seven
Isle of Palms, South Carolina 29451

Telephone 803
Office: 886-5844
Home: 886-8469

Law
Tax Preparation
Consultation

August 22, 1991

Isle of Palms City Councilmembers
Isle of Palms, City Hall
1301 Palm Boulevard
Isle of Palms, SC 29451

Re: Secretarial Services Memo from Mark Williams

Dear Fellow Councilmembers:

Each of you have received with the above referenced memo a copy of my requested text as of August 15, 1991. I would like to take a moment to clarify a point.

Getting a policy on this from the administrator has been a "mini-project" of mine for some time. I wrote the text you have assuming, based on previous requests and discussions, that Mr. Williams would not establish any policy at this time. I was also quite outraged at the contents of the Mayor's letter to DHEC. Basically given these two facts I "cut loose" a little.

My intent by "contradicting", (and asserting entitlement to city resources to do such), the Mayor's personal positions, when without formal council approval, she expresses them in a way which implies she is expressing the formal position of the City is not, and never will be to embarrass or compromise the City's integrity. I believe that, unrefined, my text as of August 15 would do such. Incumbent with rights and privileges are great responsibilities. Rest assured I know and intend to respect that. For these reasons I have refined the earlier text to the attached.

I would note, however, that I do not want good judgment and discretion on my part to be confused with "waffling" or lack of resolve. I fully believe every word written on August 15. I also believe the concepts they reflect need to be expressed in some appropriate manner. Not for the public "hysteria" such may generate, but for the calm cool contemplation of those who consciously and unconsciously defer to the Mayor's judgment in instances they feel underinformed or have ambivalent feelings. "Airing of dirty laundry" on City letterhead is not that forum. I doubt any of us would have been elected if we failed to understand that.

Sincerely,

Barry C. Holden

CITY OF
ISLE
OF
PALMS South Carolina

Mayor
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

August 28, 1991

B. B. Bozardt, RES
Environmental Supervisor
SCDHEC
334 Calhoun Street
Charleston, SC 29401

RE: Ms. Carmen Bunch's letter of August 13, 1991

Dear Sir:

I wish first to express my clear desire you at DHEC do your job as you see it - period. Accountability procedures exist and it is not to myself or Ms. Bunch whom you answer. I do have a concern Ms. Bunch is misleading you however. It has been quite common for her to try to imply to others, an importance and power that is no longer there, into her office of Mayor.

We on the Isle of Palms have a Council form of Government which is not all that common. Most people are much more familiar with "small town" Mayor-Council cities and their "all important" executive - The Mayor. That's not us on the Isle of Palms anymore. Please don't be misled - ever.

Now, a few points about Ms. Bunch's letter. As to "we became aware ... [it was] a bar and grill". "We" does not refer to Isle of Palms Council. Council voted on the specific issue of whether to require a liscense other than "variety store" and expressly voted not to. This was not part of a "plot" to keep you at DHEC from calling it whatever you wish. It was rather a recognition of our hopelessly vague local ordinances and the historic application thereof. (The Amocco gasoline station located on the Pantry Convenience Store property is also operated as part of a "variety store" liscense for example. I'm sure this local classification has not precluded you from treating it as a gas station.) Additionally, even if we called 101 Palm a "bar" locally, I believe the ABC commission wouldn't because it does not serve Draft Beer. They use their own classification criteria just as you should do.

As to Ms. Bunch's great shocking "discovery" in the phone book. In 1988 a big joke in our local phone book was a 1/2 page picture ad for "Mark's Seafood Lounge" a non-existent enterprise which was mostly aproduct of an active imagination and the 1 year lead time needed to get ads in phone books. I have a hard time declaring the phone book a "holy scripture" for these reasons and think it proves nothing other an a future intent which is already well known and not at issue.

The last sentence of Ms. Bunch's letter alludes to a "Bar & Grill being operated". Last I heard there was a $10,000.00 bounty on finding an operating "grill" up there.

Bottom line; Isle of Palms Council made its call based on its local ordinances. Ms. Bunch is misconstruing what that call was. You make you own call, but don't be led or misled by her.

P.O. Drawer Q • Isle of Palms, South Carolina 29451 • (803) 886-6428
FAX (803) 886-8005

For your information there are some interesting "personalities" and relationships involved up in the Breach Inlet area and if you sometimes feel like you are missing pieces to a puzzle I would suggest that might well explain it.

Please feel free to call should you have any questions.

Sincerely,

Barry C. Holden
Isle of Palms Councilmember

SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
AUGUST 28, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on August 28, 1991, at 7:00 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, Simon, Sottile, Swanson, Ward and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, Finance Director Stonesifer, Attorney Rhoad, and Secretary Geary. Council Members Orvin and NesSmith-Picard were absent.

The Mayor called the meeting to order and asked for a motion to suspend the rules of order to move item #6 on the agenda to come before item #2; Mr. Sottile so moved; Mrs. Swanson seconded; motion passed unanimously.

1. Mr. Ward made a motion to go into Executive Session; Mr. Sottile seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that legal matters were discussed concerning pending lawsuits and personnel matters were discussed.

2. First Reading - Ordinance 1991-25 - An Ordinance to Change The Regular Meeting Date of City Council (see Exhibit A)

Mr. Ward made a motion to approve first reading of Ordinance 1991-25 by title only; Mr. Sottile seconded; motion passed unanimously.

Mr. Sottile stated that it was his understanding that Storer Cable TV was committed to televise our meetings free of charge, but that Mr. Williams was waiting for firm confirmation from Storer at this time.

3. Second Reading - Ordinance 1991-24 - An Ordinance Authorizing the Issuance of $630,000 Aggregate Principal Amount of Tax Anticipation Notes, 1991, ... (see Exhibit B)

Mr. Sottile made a motion to approve second reading of Ordinance 1991-24; Mr. Simon seconded; There was extensive discussion on the need for the money after which motion passed 6-1.

Mr. Watson made a motion to suspend the rules of order to waive third reading and ratify Ordinance 1991-24; Mr. Sottile seconded; motion passed 6-1, with Mrs. Swanson voting in the negative. Mrs. Swanson stated for the record that her reason for voting against this motion was that she was against not taking $200,000 out of the building fund first.

4. Second Reading - Ordinance 1991-23 - An Ordinance to Establish A Commissioners of Public Works for the City of Isle of Palms (see Exhibit C)

Mr. Ward made a motion to approve Ordinance 1991-23 for a five member commission; Mr. Holden seconded.

Mr. Williams discussed some problems that he was concerned with referencing his memo of today's date about a commission (see Exhibit D). Mr. Williams stated that there were questions about how the transition would take affect as to the debt owed The Beach Co., the status of the employees, etc. He stressed that a CPW would have the same authority as City Council has and that the only authority Council would have over the CPW would be upon the need to incur bonded debt. There could be times when the CPW and the Council disagree on policies which could cause problems. Mr. Rhoad stated that upon discussions with Bill Regan and Roy Bates, the City would be creating another level of bureaucracy. Mr. Williams also stated that when the CPW pulls away from City Council, they will need their own administrative support which could be obtained by raising water rates again. He also stated that running the Water & Sewer Department currently is not an unmanageable burden on the City and that we can work well for a number of years, but he also felt that it was inevitable that a commission be created at some point in the future.

Mr. Holden stated that he wanted elected officials involved in running the department and that a committee making recommendations to an uninformed Council doesn't serve the purpose since none of the elected officials are "in the game" of experience in running a utility. He suggested that we have a standing committee of council.

Mr. Williams stated that in discussing this with John Stanley, there needs to be a committee accountable to Council with a Council subcommittee created to oversee the committee, or there needs to be a separate body with elected officials. Council had stated that they didn't want to deal with these decisions and supported the committee and then a commission. Mr. Williams realized only recently how difficult it would be to make the transition from the City department to a CPW. A CPW will be an extra level of bureaucracy and an extra cost. Mr. Rhoad advised against the creation of a CPW.

Mr. Sottile stated that he would like to keep his hands on everything for a while with RO coming on line and the Wild Dunes issue in the future. He felt that council should remain in control.

Mr. Williams suggested that the City create a subcommittee of council that also includes members of the public. The Mayor suggested that a member of council sit on the committee as done with Board of Beach Patrol.

Mr. Williams stated that we got to this point of the creation of a CPW because of the level of expertise needed to run the utility. Mr. Rhoad reiterated that he spoke with attorney Roy Bates and that it was perfectly legal to create a CPW, but that Council needs to understand that it would be a separate entity with separate needs.
A special election could be set up at a future time if the city decided to have a CPW.
Mr. Williams apologized for bringing these issues up at such a late date.

Upon further discussion, it was the consensus of Council that this matter should be studied further before making a decision as to whether it would be best for the City to have an elected commission. Motion was defeated unanimously.

5. Third Reading and Ratification - Ordinance 1991-20 - An Ordinance to Prohibit Swimming and Wading in the Waters of Breach Inlet (see Exhibit E)

Mr. Ward made a motion to approve and ratify Ordinance 1991-20; Mr. Watson seconded; after discussion, motion passed 5-2.

6. Leave overages for four employees - this was discussed in Executive Session.

7. Emergency Preparedness Plan. Several Council members turned in to the City Administrator changes that they would like to make to the Hurricane Preparedness Plan. Mr. Williams will see that these changes are given to the Emergency Preparedness Committee at their meeting on September 3, 1991, at the Lutheran Church.

There was extensive discussion concerning the aftermath of Hurricane Hugo and the feelings of the residents and property owners after the storm. Mr. Ward stated that the main problem with the current plan was that the Mayor had the power to ban people from returning to their homes after a disaster. He never wants to deny people access to their homes ever again. Mr. Ward made the point that he had heard from many residents who said that they would never again leave their property during a storm knowing they could be refused entry back to the island for several days. He felt that if residents didn't think they would be banned from the island, they would be more willing to leave during an emergency. He stated he would rather have to deal with several injuries on the island of persons coming back to their property than finding dead bodies because people wouldn't leave. He felt the language needed to be changed.

The Mayor stated that she felt it was wrong in saying that the Governor couldn't order evacuation and that she would have much rather stayed on the island instead of leaving. As Mayor she had a different role than as a citizen.

Mrs. Swanson agreed that the plan needed to be changed. She said that lives were more important than property, but that the citizens should have the right to make the decision of when to return and that a release form could be provided releasing liability from the City for injury.

Mr. Williams iterated that there could be circumstances where it may be necessary to ban people from the island and that we should never say never. He felt that the Mayor made the right decision after Hugo and that with 440 LP gas tanks leaking, one person with one cigarette could have burned the island to the ground with no water available to put a fire out. He stated that the Council elected when the time comes should make the decision of what to do.
They are going to have to adapt to conditions as they occur.

Mrs. Swanson stated that if persons were allowed to return to the island sooner, the neighborhoods would have been in better shape like they were on Folly Beach. Mr. Williams stated that the difference was that Folly Beach had access to equipment which we did not, and the citizens would have been a hindrance to the City in clearing the streets and removing fuel tanks from danger.

Mr. Holden stated that because of the sensitivity level to which people have been exposed to this, there will be a mass refusal of an exodus if we give any implication that we would repeat the ban after Hugo. He didn't feel that the local government had the right to ban people from their property, that only state or federal government could do that.

The Mayor stated that it was the Governor who sent in the National Guard to protect the island after Hugo and to keep the people off until the island was deemed safe for residents to return.

After further discussion, it was the consensus of Council that the plan had to be revised.

There being no further business, the meeting, upon motion duly made by Mr. Ward. and seconded by Mr. Holden, was adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk/Treasurer

Approved by City Council on 10/22/91

EXHIBIT A

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-25

First Reading Draft - 08/28/91

AN ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Ordinance 1990-6 of the City Code provides that regular meetings of City Council shall be held the fourth Thursday of each month; and

WHEREAS, City Council desires to move its regular monthly meetings to the fourth Tuesday of each month; and

WHEREAS, City Council is authorized to set its regular monthly meeting dates and amend City Code Section 1-3-1 pursuant to the authority granted inn Sections 5-7-250 and 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose

This ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Sec. 1-3-1 Regular Meetings.

The regular meeting of City Council shall be held the fourth Tuesday of each month; provided that when such Tuesday shall fall on a legal holiday, the meeting for such month shall be held the following Tuesday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability. If any part of this ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said ordinance without such unconstitutional provision, and the remainder of said ordinance shall be deemed to be valid as if such portion had not been included. If said ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms, South Carolina.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: _____
Second Reading: _____
Third Reading: _____
Ratification: _____

EXHIBIT B

ORDINANCE NO. 1991-24

AUTHORIZING THE ISSUANCE OF $630,000 AGGREGATE PRINCIPAL AMOUNT OF TAX ANTICIPATION NOTES, 1991, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; PROVIDING FOR THE FORM OF THE NOTES AND AUTHORIZING THE SALE THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "Issuer"), hereby finds and determines:

(a) Pursuant to Section 5-5-10, Code of Laws of South Carolina, 1976, as amended (the "Code"), and the results of a referendum held in accordance therewith, the Council form of government was adopted and the Council constitutes the governing body of the City.

(b) Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), authorizes municipalities to incur general obligation debt in anticipation of the collection of ad valorem taxes or license fees under such terms and conditions as the General Assembly may prescribe by general law.

(c) Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977 (codified as Section 11-27-40 of the Code), authorizes and empowers municipalities to incur general obligation debt in anticipation of the collection of ad valorem taxes or licenses (tax anticipation notes). Tax anticipation notes shall be expressed to mature not later than ninety (90) days from the date as of which such taxes or license fees shall be paid without penalty.

(d) The City, by Ordinance 1991-16 (the "Budget Ordinance"), effective for the fiscal year beginning July 1, 1991 and ending June 30, 1992, has authorized general fund expenditures of the City in the amount of $2,619,935 for said fiscal year.

(e) Notices for the collection of ad valorem taxes on real property will be mailed to the respective taxpayers of the City, by the Charleston County Treasurer, on or about October 1, 1991, and such taxes are payable without penalty before January 15, 1992.

(f) The City Administrator of the City has advised the Council that funds for general City purposes will be insufficient to meet operational expenditures of the City from September 1, 1991, to January 31, 1992.

(g) The cost of conducting the operations of the City must be met prior to the last respective date on which payment of the aforesaid ad valorem taxes are payable without penalty.

(h) No previous moneys have been borrowed by the City in anticipation of the collection of ad valorem taxes levied for fiscal year 1991-92, and no pledge of the proceeds of such ad valorem taxes has heretofore been made.

Section 2. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued $630,000 aggregate principal amount of tax anticipation notes (the "Notes") in anticipation of the collection of ad valorem taxes heretofore levied pursuant to the Budget Ordinance for the fiscal year beginning July 1, 1991, and ending June 30, 1992. Council expects an actual cash flow deficit of approximately $630,000 as reflected in the attached Exhibit A.

The Notes shall be in bearer or registered form at the option of the successful purchaser thereof; shall be dated as of September 25, 1991, or such other date not later than September 30 1991; shall be in the denomination of $15,000 or any integral multiple thereof; shall be numbered from 1 or R-1 upward; shall mature on April 15, 1992; shall bear interest from their date at a rate of interest approved by subsequent resolution of the City; provided, however, that the Mayor is authorized to accept on behalf of the Council the lowest rate if such rate does not exceed 7.0% per annum; and shall not be subject to redemption prior to maturity.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts at the office of the successful purchaser of the Notes.

The Notes shall be executed in the name of the City with the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the Clerk/Treasurer of the City Council directed to authenticate the Notes. In the absence or incapacity of either or both such persons, the person and persons authorized to act in their stead are authorized to execute and authenticate the Notes.

Section 3. The Mayor is hereby authorized to solicit proposals for the purchase of the Notes.

Section 4. If requested by the purchaser, the Notes may be registered in the name of the successful purchaser thereof, as the registered owner on registry books to be kept for that purpose, in the offices of a registrar to be named by the successful purchaser and such registration shall be noted on the registration attached to the Notes, after which no transfer of such Notes shall be effective unless made on such books by the registered owner in person, or its duly authorized legal representative and similarly noted on the Notes.

Section 5. The City covenants that it has not issued, nor will it cause to be issued, any other notes or certificates of indebtedness of any type in anticipation of the collection of the ad valorem taxes pledged to the payment of the Notes, except the Notes authorized by this Ordinance; provided, however, the City may issue notes or other certificates of indebtedness junior, inferior and subordinate in all respects to the pledge herein made to secure the Notes. The Notes will be junior and inferior to the Notes authorized by this Ordinance.

Section 6. The proceeds derived from the sale of the Notes shall be deposited with the Treasurer of the City and shall be expended in the manner and for the purposes which the ad valorem taxes heretofore levied by the City are to be expended.

Section 7. For the payment of the principal of and interest on the Notes as the same respectively mature, there are hereby pledged (a) collection of the ad valorem taxes levied by the Budget Ordinance; and (b) the full faith, credit and taxing power of the City.

Section 8. Both the principal of and interest on the Notes shall be exempt, in accordance with the provisions of Section 12-1-60 of the South Carolina Code, from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 9. The City covenants that no use of the proceeds of the sale of the Notes shall be made which, if such use had been reasonably expected on the date of issue of the Notes, would have caused the Notes to be "arbitrage bonds", as defined in the United States Internal Revenue Code of 1986, as amended (the "Code"); and to that end the City hereby shall:

(a) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in

order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States;

(b) make such reports of such information at the times and places required by the Code; and

(c) take such other action as may be required in order that the Notes and the use of the proceeds thereof comply with the provisions of the Code.

Section 10. The Council ratifies all actions heretofore taken by the Mayor in connection with the sale of the Notes.

Section 11. The Council hereby authorizes the Mayor and the Clerk/Treasurer of the City (or in their absence or incapacity, anyone authorized to act in their stead) to execute such documents and instruments as necessary to effect the issuance of the Notes.

Section 12. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 13. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

CITY OF ISLE OF PALMS,
SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/ Treasurer

First Reading: 8/22/91
Second Reading: 8/28/91
Third Reading:

EXHIBIT A

PROJECTED REVENUES AND EXPENSES
FOR REMAINDER OF CALENDAR YEAR 1991

Month	Revenues	Expenses
September	$ 43,888	$199,951
October	54,698	201,451
November	38,388	201,101
December	38,388	199,118
	$175,362	$801,621

EXHIBIT C

Ordinance 1991-23

AN ORDINANCE TO ESTABLISH A COMMISSIONERS OF PUBLIC WORKS FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

WHEREAS, Section 5-31-610 of the South Carolina Code of Laws, 1976, as amended, empowers municipalities to purchase, operate and maintain waterworks facilities, and;

WHEREAS, a Special Municipal Election was held on November 27, 1990 on the questions of whether the City be authorized to provide public water and public sewer service and whether the City was authorized to purchase the water and sewer facilities of the Isle of Palms Water Company, whereby the (2) questions so stated received the approval of a majority of the electors, and;

WHEREAS, Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended, provides that after such election the City Council shall declare the results by ordinance, and;

WHEREAS, Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended, provides for the election of commissioners of public works who shall have the authority and powers enumerated in Sections 5-31-250, 5-31-260 and 5-31-270 of the South Carolina Code of Laws, 1976, as amended.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Isle of Palms, South Carolina, in City Council assembled that:

Section 1. Purpose. This Ordinance is adopted for the purpose of complying with Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended and for the purpose of authorizing the election of two (2) additional commissioners of public works as authorized by Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended.

Section 2. Ordinance. Pursuant to Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended, Council for the City of Isle of Palms hereby declares that the results of the November 27, 1990 election authorize the City to purchase and operate the existing water and sewer service facilities owned by the Isle of Palms Water Company.

Additionally, pursuant to Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended, Council for the City of Isle of Palms hereby authorizes that an election of five (5) persons to serve as commissioners of public works be held on November 5, 1991.

Section 3. Terms of Office. The commissioners of public works shall be elected for a term of six (6) years; provided, however, pursuant to Section 5-31-210 of the Code of Laws of South Carolina, 1976, as amended, after the election scheduled for

November 5, 1991 the initial term of each person elected shall be determined by lot, specifically, to wit: two persons elected as commissioners shall serve an initial term of two (2) years, two persons elected as commissioners shall serve an initial term of four (4) years and the other one elected as a commissioner shall serve a term of six (6) years. Thereafter, at the first election following the two (2) year term holders, two such commissioners shall be elected for a term of six (6) years and at the next election following the four (4) year term holders two such commissioners shall be elected for a term of six (6) years.

Section 4. Method of Election. The commissioners of public works shall be elected from the city at large, on a staggered term basis as provided in Section 3 hereof.

Section 5. Nonpartisan Elections; Procedure.

(a) All regular and special elections for the offices of commissioner of public works shall be nonpartisan general elections pursuant to state law.

(b) Nomination petitions for the offices of commissioners of public works shall be filed with the municipal election commission at least 45 days prior to the date for the election and shall bear the signatures of not less than five percent (5%) of the qualified electors of the municipality. The clerk-treasurer shall certify the nominees to the municipal election commission 30 days prior to the election.

(c) A second election shall be conducted two (2) weeks after the first election between one more than the number of candidates necessary to fill offices for which no candidates received a majority of the votes cast and the second election shall be between the candidates receiving the largest number of votes in the first election. The candidates receiving the highest number of votes cast in the second election in number equal to the number of offices to be filled shall be declared elected.

(d) No political party affiliation shall be placed on any ballot for any candidate.

Section 6. Time of Elections; Notice.

(a) Elections for commissioners of public works shall be held on the first Tuesday of November of odd numbered years.

(b) The council shall give public notice of the general city election at least 60 days prior to the date of the election.

Section 7. Time of Taking Office; Contested Election.

(a) Newly elected commissioners of public works being elected at the November 5, 1991 election shall be sworn in as soon after forty-eight (48) hours following certification of the election as

possible. In subsequent elections newly elected commissioners of public works shall not be qualified pursuant to state law until the first Monday of January next following the date of the general election.

(b) If the results of the election are contested, the incumbent who fills that contested office shall hold over until the contest is finally determined.

Section 8. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of person, property, kind of property, circumstances of set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 9. Effective date. This ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
CARMEN R. BUNCH, MAYOR

_____
NELLIE S. MCDUFFIE,
CLERK TREASURER

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

RATIFICATION: _____

EXHIBIT D

MEMORANDUM

TO: Mayor and Council

FROM: Mark M. Williams

SUBJECT: Commission of Public Works

DATE: August 28, 1991

==========

I have expressed to a couple of you my philosophical problems with the creation of a Commission of Public Works because I believe that it will become a duplicitous level of bureaucracy with attendant additional cost. However, this is a policy matter for council to decide.

However, I wanted to advise you of some of the possible ramifications that I can foresee in the creation of the CPW and its future relationship, vis-a-vis the City Council. Only last night, sitting with the members of the Water & Sewer Committee, interviewing prospective job applicants, did it fully dawn on me the implications of the creation of the CPW and how it may come to affect the administrative operation of the City.

Depending on the personalities who are elected to the Commission, it is easy to envision a scenario where members of the commission and the City Council cannot agree on policy making regarding the water & sewer resources in the community. But my more specific concern has to deal with the separation of administrative affairs. It would seem necessary upon creation of the CPW that the commission establish its own retirement accounts, IRS tax accounts, insurance accounts, payroll accounts and, of course, accompanying sets of books, so that they may operate independently of City administration. Inevitably, that is going to involve some duplication of personnel and effort.

A recent position created with the city, that of Finance Director, was predicated on th0e basis of the new Finance Director working to assist in keeping the books of the General Fund as well as the Water & Sewer Department. What is to be the status of this employee as well as the other department employees? If they become employees of the CPW, they will no longer be under the direction of City Council.

Also the new computer system and software were purchased through the Water & Sewer Department, but are also used for the general fund. How sill the value and uses of these assets be separated?

Additionally, it would appear that the City would have to go through the process of conveying all of the assets of the utility

that were acquired in the City's name to the CPW.

While none of these items are insurmountable, they are matters which I think need to at least be in you mind as we approach the creation of the CPW. I have talked with Dennis Rhoad as well as Bill Regan and there is a possibility that we can carry on our existing administrative affairs with a minimum of disruption if the commission were to contract with the City of Isle of Palms for management and administrative services related to the operation of the waterworks. But, remember that the CPW will be a completely autonomous entity able to decide itw own policies, personnel and finances (except bonding, which will require City Council's approval). I am convinced that there is a potential of City Council creating "a Frankenstein" which won't be apparent until the time when the interests of the City and those of the CPW diverge.

Obviously this is a policy question for City Council to decide. However, I feel it is my duty to advise you of certain implications and ramifications of the creation of the CPW. I do not want to throw cold water on the idea at this late date and, frankly, if Council is committed to creation of the CPW, we must go ahead and adopt the ordinance at the special Council meeting tonight in order to hold the CPW election at the November 5th General Election.

If you have any questions about any of this, I will be more than happy to talk with you about them.

EXHIBIT B

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-20
Third Reading Draft - 8/28/91

AN ORDINANCE TO PROHIBIT SWIMMING AND WADING IN THE WATERS AT BREACH INLET

WHEREAS, City Council finds that the waters at Breach Inlet contain dangerous currents that render this area hazardous and unsuitable for swimming and wading; and

WHEREAS, City Council recognizes the long history of drownings associated with use of the waters at Breach Inlet, and further recognizes the City's efforts over a period of years to prevent such tragic incidents from occurring; and

WHEREAS, on June 12, 1991, the Governor signed Bill S.237, thereby giving to coastal municipalities criminal jurisdiction over waters of adjoining inlets; and

WHEREAS, such authorization extends the criminal jurisdiction of the City over Breach Inlet, to the mid-point between the City and the Town of Sullivan's Island; and

WHEREAS, City Council wishes to make immediate use of such authorization to protect the public from the dangers associated with the waters at Breach Inlet; and

WHEREAS, City Council is authorized by Section 5-7-30, South Carolina Code of Laws, 1976, as amended, to adopt ordinances to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Ordinance is adopted to protect the public from the dangers associated with the waters at Breach Inlet.

Section 2. New Section 9-3-3 Created.

A new Section 9-3-3 is added to the City Code, to read as follows:

Sec. 9-3-3 Swimming and Wading at Breach Inlet

It shall be unlawful for any person to swim or wade in the waters at Breach Inlet.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/27/91
Second Reading: 7/25/91
Third Reading: _____
Ratification: _____

EXHIBIT F

Isle of Palms



hurricane preparedness plan

ISLE OF PALMS HURRICANE PREPAREDNESS PLAN

ORGANIZATION

The Isle of Palms Hurricane Preparedness Committee is a committee operating under the authority of the Mayor and City Council of the City of Isle of Palms.

Committee members and primary assignments;

Assignment	Name	Telephone #
Chairman.....	Jim Burke	886-6204
Secretary.....	Gary Haglund	886-8025
Mayor..IOP.....	Carmen Bunch	886-6428
Fire Chief..IOP	Larry Britton	886-4410
Police Chief..IOP	Jim Arnold	886-6522
Construction equipment ...	Gerald Johnson	886-6996
Supplies management	Col Cochrane	886-6275
Service referals	Robert Timmons	886-8123
Engineer coordinator.....	Tom Murph	886-8588
Medical coordinator	Tom Gibbons Jr.	886-5152
Engineering surveys	[redacted]	
Media communications	Gary Haglund and [redacted]	886-8025

The Isle of Palms, because of its very low elevation and large number of trees, is particularly vulnerable to extreme danger from torrential rains which may precede tropical storm winds by as much as 24 hours or more. These rains may cause trees to fall and block roadways. Combined with high tides these rains may cause exiting from the island to become difficult or impossible. Because of this vulnerability, the Charleston County Emergency Preparedness Agency may recommend early voluntary evacuation of the island as much as 24 hours or more before the arrival of tropical storm winds.

Of particular concern is the Sullivans Island Causeway to Mt. Pleasant. This roadway has an elevation of only a very few feet above sea level and could quickly become submerged.

RESPONSIBILITY FOR EVACUATION

It is up to the individual resident or guest as to whether he or she will evacuate when evacuation is recommended. Recommendations will always be on the safe side, and it may turn out that evacuation was not necessary. Hurricanes behave erratically and strength, speed, and direction can change from hour to hour.

The Governor or the Mayor may order MANDATORY evacuation.

INFORMATION

PROCEDURE FOR STORM ALERTS.

Each family or individual should maintain a personalized hurricane preparedness plan for use as the storm approaches;

The Isle of Palms hurricane preparedness program foresees one or more of the following three stages: 1 Storm alert, 2 Voluntary evacuation, 3 Mandatory evacuation.

ACTION

PERSONALIZING YOUR HURRICANE PLAN

1. Visit your local City Hall or call Tel.#886-6428.

2. When you need to evacuate the area, list here the roads which you have selected for voluntary evacuation.

   _____ to _____ then

   _____ to _____ then

   _____ to _____ then

3. Determine where the family is going to evacuate to.

   Motel/Hotel...Home of Relative or Friend...Public Shelter

   _____ Tel.#_____

4. Do you have special transportation problems such as a family member who is not ambulatory? If so, be sure to discuss this with your City Hall at this time and make any necessary arrangements. Use the reverse side of this page to write down what arrangements you have made and the names and phone numbers of the contacts.

5. Pick up a copy of the safety rules, (do's and don'ts) and terminology used (Watch, Warning, Storm surge, etc.). These may be obtained from City Hall or many of the local businesses.

6. Review your current insurance coverage with your agent.

INFORMATION

STORM ALERT ..... STAGE ONE

AREA ACTION

The National Weather Service office in Charleston will identify all storms which present a real or potential danger to the area and alert the Charleston County Emergency Preparedness Agency who, in turn, will alert all municipalities and County agencies. Off duty police and firemen will be recalled to duty. The County Emergency Preparedness Headquarters will commence 24 hour operation.

LOCAL ACTION

As soon as the Mayor of Isle of Palms notifies the chairman of the hurricane Preparedness Committee of a storm alert the following actions will be set in motion;

A. A Storm Headquarters will be established at Police Headquarters Phone #886-6522, and will be staffed on a continuous basis until the alert is over, or until a mandatory evacuation is ordered.

B. Emergency personnel will be called in to the storm headquarters and brought up to date on storm progress and probable strength and landfall. Zone Captains will be kept informed of a storms progress on a continuous basis.

C. Storm headquarters will alert island businesses and rental agencies. Island businesses are responsible for alerting their own employees. Rental agencies will be responsible for alerting their guests.

D. Storm alert notices will be provided by Storm Headquarters to Zone captains and Wild Dunes security. Zone Captains will distribute these in their areas, and Wild Dunes security will distribute to all vehicles passing through their gates. Storm Headquarters will appoint substitute Zone Captains for Captains off the island as manpower permits.

E. South Carolina Electric & Gas Co. - Once a voluntary evacuation has been called, and at such time as they are informed by Isle of Palms Storm Headquarters that evacuation is essentially complete, SCE & G may turn off all power to Isle of Palms at its substation. This is necessary to minimize the fire threat.

PLANNING TO LEAVE

THINGS TO DO DURING STORM ALERT PERIOD.

AT THIS POINT IN TIME, YOU SHOULD BEGIN TO CONSIDER EVACUATION AND BEGIN MAKING PRELIMINARY PREPARATIONS.

ACTION: **PERSON ASSIGNED**

1. **Checking on official bulletins and storm progress.** _____

2. **Fuel and service automobiles.** _____

3. **Notify Neighbors and next of kin of our plans and where we may be reached.** _____

PERSONS TO NOTIFY	PHONE NUMBER	DONE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. **Move light weight objects upstairs or put on bed or cabinet tops.**

Item to be moved	done	Item	done
Television	_____	Camera equipment	_____
Dresser/chest drawers	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. Fill containers with at least 3 days supply of drinking water and put them in a high place. You will need one gal per person for each day.

6. Turn your freezer to maximum cold.

7. Check and replenish supply of prescription medications. You should have a minimum of 10 days to 2 weeks supply.

8. Turn off LP Gas at tanks.

ACTION

Now is the time to inventory available supplies and prepare a list of things to buy.

FOOD items should be easy to prepare things which require no cooking and no refrigeration. Food supplies should be sufficient to feed your family for one week.

ITEM	AMOUNT	ITEM	AMOUNT
Peanut butter		Bread	
Soft drinks		Baby formula	
Crackers		Pet food	

NON-FOOD ITEMS

Paper plates & cups		Plastic trash bags	
Plastic utensils		Duct or masking tape	
Diapers		Paper towels / Napkins	
Cooler		Manual can opener	

FIRST AID SUPPLIES

Bandaids		Aspirin	
Prescription medications			

CHECK TYPE AND SUPPLY OF BATTERIES FOR THE FOLLOWING

Flashlight		Lanterns	
Radio		Portable T. V.	

PERSONAL ITEMS

Eye glasses	Camera
Rainsuit	Insurance papers
Small valuables	Photographs / albums etc
CASH	Credit cards

Loose light weight objects should now be moved into shelters before the strong winds arrive.

Lawn furniture		Trash cans	
Toys		Boats	

Taping and boarding of windows and wedging of sliding glass doors should be accomplished at this time before the strong winds arrive.

Bring pets inside before heavy winds and rains arrive .

Prepare a supply of towels, blankets, throw rugs and plastic waterproof covering in case leaks or water seepage occur.

STAGE TWO

VOLUNTARY EVACUATION

Based on National Weather Service forecasts the County Emergency Preparedness Agency may issue a recommendation to evacuate outer islands such as Isle of Palms. Once this recommendation is issued the following action will be taken;

A. Radio and T. V. will broadcast the recommendation.

B. All Zone Captains still on the island will be informed and asked to contact by phone residents in their areas.

C. Wild Dunes Security will issue leaflets to all vehicles passing through the gate in either direction advising of the recommended evacuation.

D. The Island Fire Department will dispatch trucks throughout the island broadcasting the recommendation for voluntary evacuation.

E. Storm Headquarters will notify island businesses and rental agencies.

Residents are reminded that Zone Captains are volunteers and are not obligated to remain on the island for any specified period after an alert. It is incumbent on all residents, permanent or temporary to keep themselves informed, by any means available.

IF YOU NEED HELP DURING EVACUATION

Should assistance be needed for removal of a tree or other object blocking a road or driveway call Storm Headquarters at telephone number 886-6522 and report the need. All requests for this type of assistance will be handled through Storm Headquarters

IF YOU HAVE ANY TYPE MEDICAL EMERGENCY

Call 911 for medical emergencies. (59 if you are on the Wild Dunes Tritec system.)

ACTION

At this time during an actual alert you should

1. Put food and water out for the family pet if you can't take it with you. Pets are not allowed in public shelters. _____

2. Place bath towels and throw rugs around windows and doors to prevent water seepage. _____

3. Place insecticides and herbicides in watertight containers and in a high spot. _____

4. Unplug small appliances and place them in plastic trash bags or other waterproof containers. _____

Toaster _____	Coffee maker _____	Computers _____
Radio/TV _____	_____	_____
_____	_____	_____

5. Place waterproof plastic coverings over items which may be damaged from leaking or damaged roofs.

Piano _____	Lamps _____	Paintings/artwork _____
_____	_____	_____
_____	_____	_____

6. TURN OFF ..... ONLY IF YOU KNOW HOW.....	ACTION COMPLETE
Main Electric Breaker	_____
Gas	_____
Water	_____
Hot Water Heater.	_____
7. LOCK ALL WINDOWS AND DOORS.	_____

DRIVE SAFELY

USE DESIGNATED EVACUATION ROUTES

WATCH FOR DANGLING ELECTRIC WIRES AND FLOODED LOW SPOTS.

INFORMATION

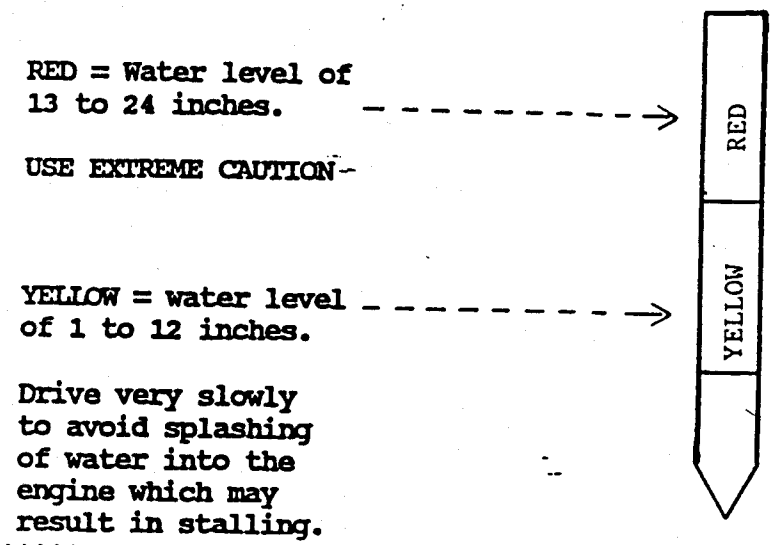
ROADWAY FLOOD MARKING; - The Isle of Palms emergency personnel will place flood level markers along exit routes from the island to indicate water levels on the roadways and to mark the edges of pavement when the roadway is underwater to assist residents and guests in evacuation from the sea islands during storm conditions.

RED = Water level of 13 to 24 inches. ----------→

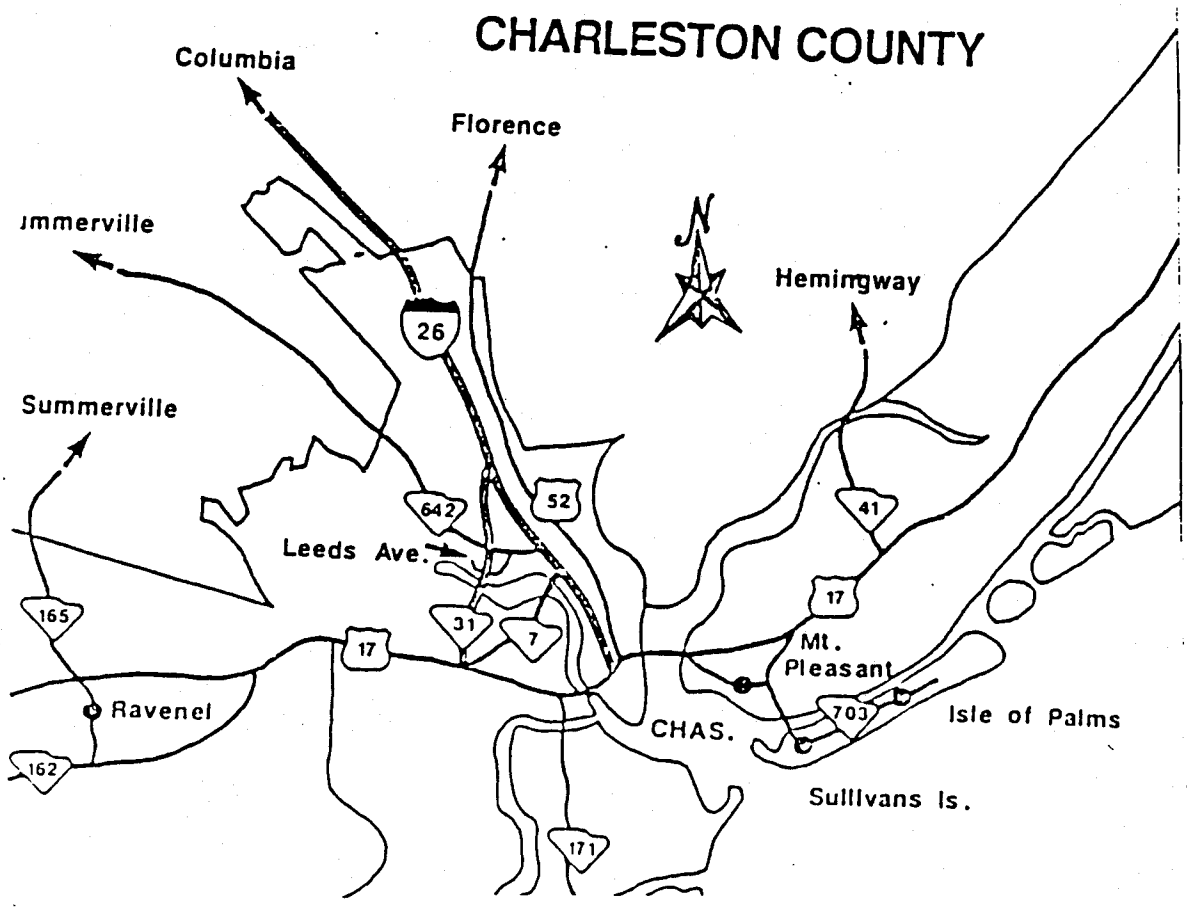
USE EXTREME CAUTION-

YELLOW = water level of 1 to 12 inches. ----------→

Drive very slowly to avoid splashing of water into the engine which may result in stalling.



****



MANDATORY EVACUATION

STAGE THREE

If and when mandatory island evacuation is ordered the following actions will be taken.

A. **Police will block Island access at the Breech Inlet Bridge to all except emergency and official vehicles. Emergency and official vehicles do not include private vehicles.**

It is possible that by the time a mandatory evacuation order is issued authorities will already be blocking island bound traffic from the Mt. Pleasant causeway.

B. **Providing its equipment is not responding to emergency calls, the Island Fire Department will broadcast the order to evacuate throughout the island.**

C. **Radio and Television will carry the evacuation order.**

D. **The Mayor,s office and Storm Headquarters will move to the Lutheran Retreat Center and remain with that headquarters as long as it is deemed prudent or necessary to do so.**

E. **The Island Fire and Police Department personnel will remain on the island until they must evacuate for the safety of personnel and equipment.**

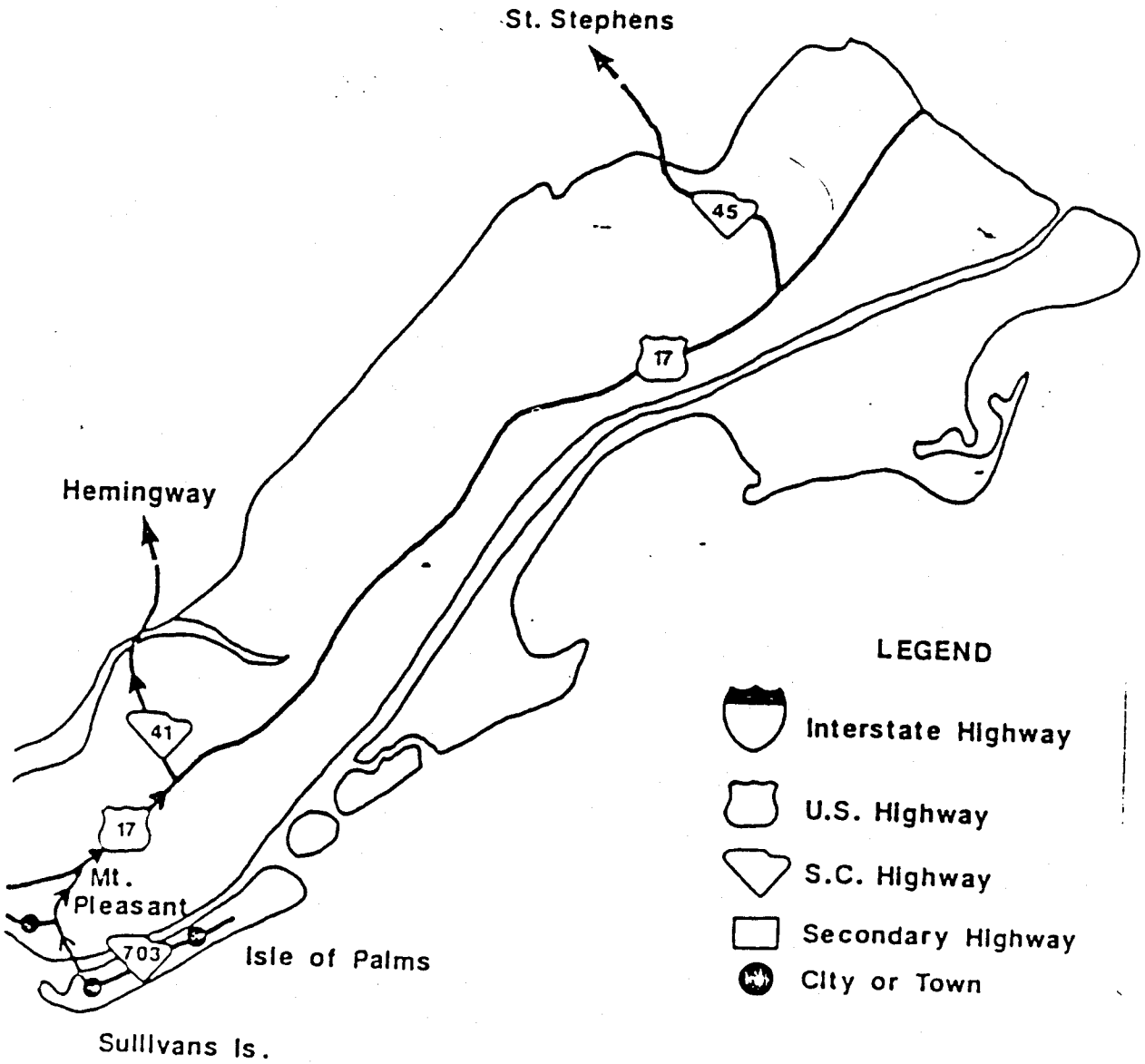
Residents and guests must understand that once the Fire department evacuates, there will be NO FIRE OR EMERGENCY MEDICAL ASSISTANCE AVAILABLE ON THE ISLAND.

Residents and guests should also know that if they wait for an evacuation order it is very unlikely that they will be able to evacuate to a location of their choice, but will be directed to the nearest available public storm shelter.

In the event of an actual mandatory evacuation order, you should now turn to page 11 of this packet and follow the mandatory evacuation route.

The evacuation route (after mandatory evacuation is ordered) will be across Sullivans Island on to the Mt. Pleasant causeway to Rt. 17 North at the Sea Island shopping center. Then take Rt 17 North to state route 41. State route 41 will then be followed northwest to route 52. There are a large number of trees and low areas along the evacuation route so make your escape plans accordingly.

SEE MAP BELOW



AFTER THE STORM

Local authorities consisting of Police, Fire department, and citizens from the disaster committee will perform a survey of the Island and determine when you may safely return to the island. You will be allowed to return when roadways are passable and emergency medical assistance is available. Depending on the severity of a storm and resulting damage incurred, this could be several days. Do not return to the island until you have confirmation that you will be permitted on the island. This information will be broadcast on radio and T V. or may be obtained from the Island information center set up at the Holiday Inn in Mt. Pleasant.

You may call Storm Headquarters at the Lutheran center or the Island information center at the Holiday Inn in Mt. Pleasant for this information if you are beyond range of local news media. Please be brief when you call. It will be some time before individual property damage assessments can be made.

ISLE OF PALMS WATER COMPANY - The Isle of Palms Water Company monitors supplied water on a Continuous basis and is prepared to re-chlorinate as necessary. In cases where pipes are broken and it is necessary to boil water for a short period the residents affected will be notified. If you have any questions about the condition of the water supply, call the Isle of Palms water Co. at 886-6148.

Electric power may be badly affected by a storm, so be prepared to function for several days with intermittent or no power. Water supplies may be limited.

Be very watchful on your return for wild animals, snakes or insects (such as bees, wasps etc.) which may have taken refuge in your garages, storage areas, or homes.

Emergency personnel cannot keep up with absentee owners or rental house guests. Property owners who are on the island infrequently should advise Storm Headquarters of their presence on the island as soon as a storm alert is announced. Owners should leave a copy of this plan in their units for their personal or house guests use.

Rental agencies are responsible for their rental guests and should develop their own policies with respect to notification of storm alerts. Rental agencies can get storm updates by calling Storm Headquarters.

ENGINEERS, after their return to the island, will make visual inspections of the building exteriors and report their findings to Storm Headquarters. This information will also be available at the Island information center which will be established at the Holiday Inn in Mt. Pleasant.

In case return to the Island is held up for any reason a video and photography recording team will be promptly dispatched around the island to photograph streets and area as the roadways are cleared and access is available. These video tapes and photographs will be forwarded to the Island information center in Mt. Pleasant where they will be available for viewing by island residents on a continuous basis.

As electrical power comes on, please be judicious in use. Power may fluctuate widely and these surges can damage air conditioners and other type appliances.

Your debris should be placed on the front of your property so it will not obstruct the roadways and streets. Your debris may not be removed for some time and you will be informed of any disposal policies and proceedures as they develop.

Keep storm drains clear and use water sparingly as sewage and water systems may not be functioning properly or at full capacity.

The security forces, street clearing people, SCE&G, and disaster survey personnel have first priority on the island. Please cooperate with these people and help us institute a quick and orderly return to the island.

A Curfew may be initiated by the Mayor as deemed necessary to maintain safety and security of property and residents.

1. As power comes on, please be judicious in use. We advise you not to use your air conditioner as power surges can damage it.

2. Your debris may be placed only on your easement, not your neighbors, and not on the streets. Or have your debris delivered to the designated burn site.

3. We may have significant sewage problems on the Island. Keep storm drains clear and use water judiciously.

4. The security force, tree removal people, fire department, and SCE&G Electricians have first priority on the Island. Please stay out of their way and stay off the main thoroughfares if at all possible.

5. Beware of snakes and other animals, which may be dis-oriented and dangerous, in your cleanup efforts.

HURRICANE TRACKING CHART

REMEMBER, hurricanes are large powerful storms that can suddenly change direction. Check frequently on the storm's progress until all Watches and Warnings for your area from the National Weather Service are canceled.

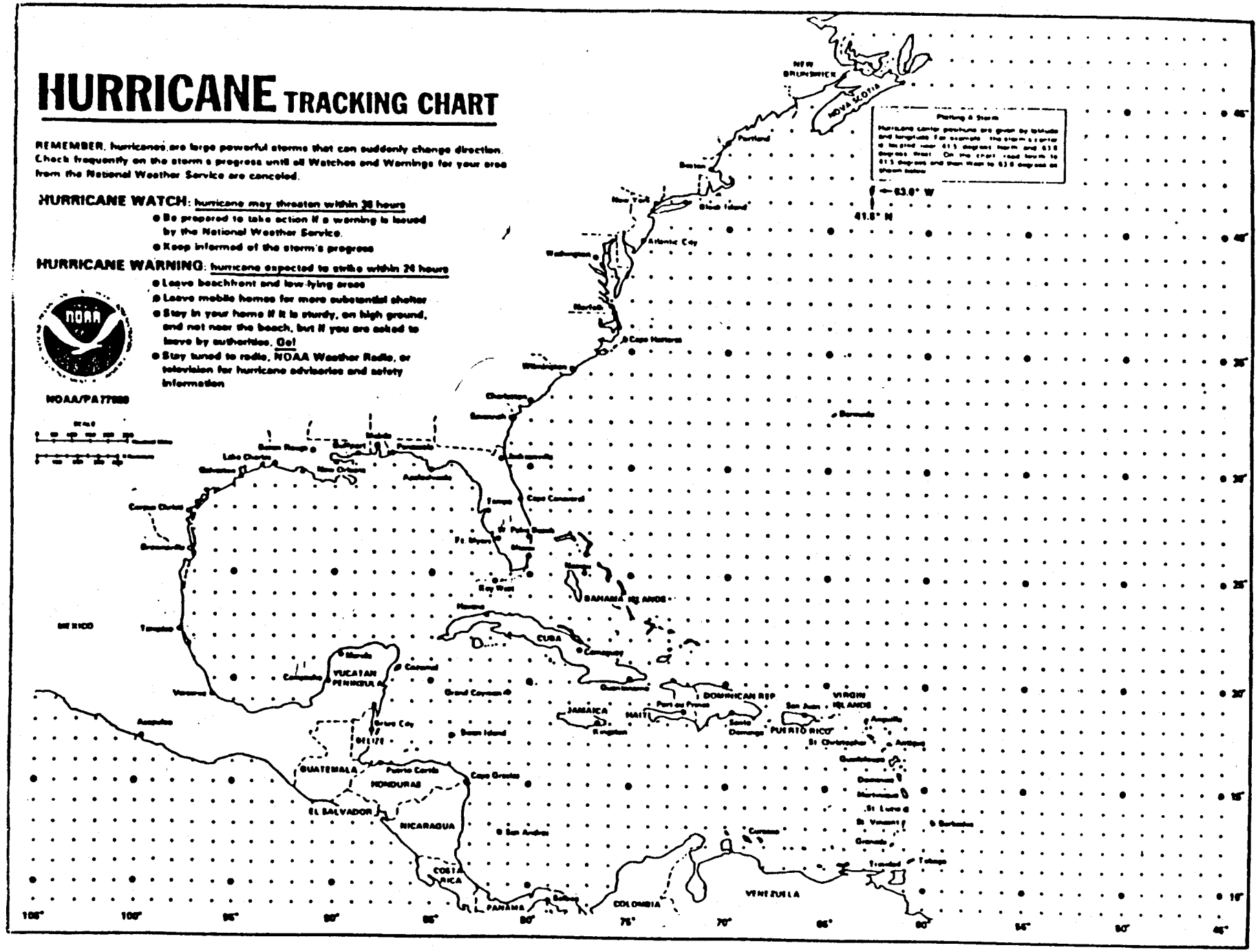
HURRICANE WATCH: hurricane may threaten within 36 hours

- Be prepared to take action if a warning is issued by the National Weather Service.
- Keep informed of the storm's progress

HURRICANE WARNING: hurricane expected to strike within 24 hours

- Leave beachfront and low-lying areas
- Leave mobile homes for more substantial shelter
- Stay in your home if it is sturdy, on high ground, and not near the beach, but if you are asked to leave by authorities, Go!
- Stay tuned to radio, NOAA Weather Radio, or television for hurricane advisories and safety information

NOAA/PA77009



MARCH 1982

IF YOU ARE INTERESTED IN VOLUNTEERING TO ASSIST WITH THE RECOVERY EFFORTS UPON RETURN TO THE ISLAND AFTER ANY FUTURE DISASTER, PLEASE COMPLETE THE FOLLOWING INFORMATION AND GIVE THIS FORM TO ANY DISASTER PREPAREDNESS COMMITTEE MEMBER, OR DROP IT OFF AT CITY HALL.

NAME _____

ADDRESS _____

PHONE NUMBER _____

OCCUPATION _____

SPECIAL SKILLS _____

_____

_____

_____

AGE _____ SEX _____

OVER ALL PHYSICAL CONDITION FAIR ____ GOOD ____ EXCELLENT ____

SPECIAL CONDITIONS _____

_____

_____

NEXT OF KIN NAME _____

ADDRESS _____

_____

PHONE No. _____

HOURS AVAILABLE _____ _____

DO YOU PLAN TO EVACUATE THE ISLAND. YES __ NO __ MAYBE __

WHEN DO YOU PLAN TO RETURN _____

_____

SIGNATURE _____ DATE _____

2000 Waterway Boulevard
Isle of Palms, S. C. 29451
August 26, 1991

City Council
Isle of Palms, S. C.

This letter is in response to the item in the Friday August 23, 1991 issue of the News and Courier in regards changing the emergency plan for hurricanes.

We may need an emergency plan for the Isle of Palms. However, I don't approve of this City Council or of any future City Council making a decision as to when I should leave or return to my home. I consider myself as capable as any Council member or all of them collectively in making that decision. I know the tide tables. I follow the information disseminated by the Hurricane Centers. I provide my own emergency supplies. If, after my analysis of the situation I feel safe I'll stay, if I feel threatened I'll leave. Should I stay, I defy anyone to try to force me off my property after a storm. Should I leave, only an Honest, Legal Declaration of Martial Law will keep me from returning.

City Council could make a creditable plan by providing for an alternate City Hall on the mainland. There should be a Communication Center capable of dispensing electronic and printed information. There should be a designated person, preferably a member of the Council, present 24 hours a day with authority to speak for the city and to allocate such resources as available.

I firmly believe that the citizens of the Isle of Palms are intelligent enough, resourceful enough and capable enough to make their own decisions without the continual monitoring, harassment and denial of civil rights by any governmental agency.

Sincerely,

M. S. Updegrave

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
SEPTEMBER 26, 1991, 7:00 P.M.
EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on September 26, 1991, at 7:00 p.m., at the Exchange Club. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, Watson, and Orvin arrived late. Also present were City Administrator Williams, Clerk-Treasurer McDuffie, Attorney Rhoad and Secretary Geary.

The Mayor called the meeting to order and after the Pledge of Allegiance and the Invocation by the Reverend Joyce Ebeling, roll call was taken.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. August 22, 1991 - Regular City Council Meeting

Mrs. Swanson made a motion to approve the minutes as submitted; Mr. Sottile seconded. Mr. Ward asked to change the work "recommendations" to "nominations" on page 3, paragraph 3. Ms. NesSmith-Picard amended the motion to strike all dissenting votes by name if it not a roll call vote; Mr. Ward seconded. Motion with change and amendment passed unanimously.

C. CITIZENS COMMENTS

1. SCDHPT was not present.

2. Jim Burke - Mr. Burke is the chairman of the Emergency Preparedness Committee and presented to council copies of the current hurricane preparedness plan that had been "marked up" by members of council. (see attachment A) He stated that this plan was just the public information portion of the disaster plan as a whole and that each of the committee members listed in the plan have assured him that they can have their committees and responsibilities ready within 48 hours after a disaster. Some council members have a problem with local officials being able to order evacuation and Mr. Burke stated that somebody has to be in the position to order the evacuation in certain emergency situations. The plan also states that as soon as it is "safe" to do so, residents will be allowed back on the island. The Committee voted at the last meeting to present this plan to Council as written and let Council do what they want with it. Mr. Burke also stated that since he submitted the plan to Council, he felt that he was finished with the project and presented Mayor Bunch with his letter of resignation (see Exhibit B).

3. Patricia Jones - Ms. Jones presented to Council a series of photographs of the dune walk-over at 21st Avenue and discussed how unsafe this beach access was and has been since Hurricane Hugo. There is a 3' drop at the end and she has seen people fall off of it and handicapped persons having to be carried over the dunes to the beach. She urged Council to take some kind of action on this right away.

Mayor Bunch stated that the city is planning to repair this walk-over as soon as possible, perhaps as early as next week. Mr. Williams stated that the money will come out of Capital Projects Fund. Mr. Williams also stated that he would have the walk blocked off in the morning.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means. Chairman Ward reported on their September 23rd meeting. (see Exhibit C). Mr. Ward thanked Carol Walters and the young people who volunteered their time and helped paint the new dog kennels last weekend and thanked everyone who has made this project come true.

There was a discussion of Storer Cable's request to renegotiate the franchise and whether or not to raise the franchise fee or ask for some improvements. Mr. Williams will enter into franchise negotiation with them.

Mr. Ward made a motion to approve $6,500 for repair of the 21st Avenue dune walk-over, if free repairs were not arranged by funding & volunteer labor; Mr. Simon seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously.

Mr. Holden made a motion to approve the additional $10,000 for an upgraded generator for the new municipal building; Mr. Ward seconded. There was discussion as to the necessity of a larger generator and what the actual needs would be for the building during an emergency. The main issue seemed to be the need for air conditioning which was pushing the requirement up for a larger generator. Another concern was how the heat and humidity would affect the computer systems. Roll call vote was taken: Holden - No; NesSmith-Picard - No; Orvin -Yes; Simon - No; Sottile - No; Swanson - No; Ward - Yes; Watson - No; Bunch - Yes. Motion was defeated 3-6.

3. Police and Public Safety - Chairman Sottile reported from their September 19th meeting (see Exhibit D).

Mr. Sottile made a motion that the Highway Department reduce the speed limit on Ocean Boulevard between 9th Avenue and 14th Avenue to 20 mph between April 1st and Labor Day with flashing beacons, and to approve the expenditure of money to pay for electricity and maintenance of the beacons; Mr. Ward seconded. After discussion, motion passed unanimously.

4. Public Works - Chairman NesSmith-Picard reported on their September 16th meeting (see Exhibit E). Ms. NesSmith-Picard reported that the Highway Department has a work order in for repair of the bike path on Waterway Boulevard between 21st and 41st Avenues and that work should begin within 30 days. They do have future plans to repave the entire bike path when funds are available.

Ms. NesSmith-Picard also asked to refer to Police and Public Safety the issue of lower speed limits in residential areas.

5. Engrossed Bills - Chairman Holden reported on their September 12th meeting (see Exhibit F)

The Mayor asked committee chairmen to try and get their minutes to City Hall early enough to go into the council packages so that members can be aware of issues before the meeting.

6. Recreation - Chairman Orvin reported on their September 17th meeting and programs coming up for October (see Exhibit G).

The Mayor stated that once again the City will participate in Toys for Tots and that a box will be available at the Recreation Department as well as City Hall for donations.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - (see Exhibit H)

2. Planning Commission - (see Exhibit I) - Lee Batchelder stated that there were no plats being presented for approval.

3. Water & Sewer Committee - (see Exhibit J) - Chairman Stanley was not present but Mr. Williams discussed actions taken at the meeting.

Mr. Williams reported that a new water line would be installed next week between 21st and 53rd Avenues which will cause temporary outages of water pressure and service. There will be a notice in the newspaper and it will be announced on a few radio stations.

Ms. NesSmith-Picard made a motion to adopt the guidelines recommended by the committee for application of basic facility charges for residential units; Mr. Ward seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously.

Ms. NesSmith-Picard made a motion that the only charge applied to businesses by the basic facility charge based on the size of the meter; Mr. Sottile seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed 8-1.

Ms. NesSmith-Picard made a motion to establish the rate for a 6" meter at $500 per month; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - No; Ward - Abstain; Watson - Yes; Bunch - Yes. Motion passed 7-1-1.

Mr. Holden made a motion to approve the relocation of the 12" water line between 14th Avenue and 21st Avenue; Mr. Sottile seconded. After discussion, motion passed unanimously.

4. Building Committee - No report.

5. Beach Patrol & Control Board - Mr. Simon explained the case as presented in the minutes. (see Exhibit K)

6. Personnel Committee - No report.

7. Dewees (ad hoc) Committee - no report.

Mr. Ward made a motion to suspend the rules of order to discuss the Emergency Preparedness Committee; Ms. NesSmith-Picard seconded, motion passed unanimously.

8. Emergency Preparedness Committee - Mr. Ward showed Council the emergency plan for Sullivan's Island and asked the secretary to make copies for all of council and the committee. He stated that this was a very good plan and suggested that council study this plan as a basis for our plan.

Mr. Ward made a motion to have a meeting of all Council, with the Emergency Preparedness Committee invited, on Monday, September 30, at 7:00 p.m., at City Hall; Ms. NesSmith-Picard seconded. Roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Abstain. Motion passed 8-1.

Mr. Orvin stated that he had been asked by turtle watchers on the island to have the street lights turned or shaded from shining on the beaches and disturbing the turtles. These lights are basically from 35th to 50th Avenues.

Mr. Williams opened discussion of a sign request by the Lutheran Retreat Center (see Exhibit L). Mr. Herbert Loadholt of the Retreat Center was present and stated that this sign had been designed and donated by a church member from out of town. The center is requesting a 32 sq. ft. sign. By ordinance, they are entitled to two 20 sq. ft. signs. After discussion, it was decided that Mr. Loadholt should go back to the designer and ask for one 20 sq. ft. sign that comes within the ordinance requirements and does not need Council approval.

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Second Reading - Ordinance 1991-25 - An Ordinance to Change the Regular Meeting Date of City Council. (see Exhibit M) Ms. NesSmith-Picard made a motion to approve second reading of Ordinance 1991-25; Mr. Ward seconded. Mayor Bunch suggested that this decision be postponed until after the election to make sure that any new council members don't have a conflict on that particular day. It was the consensus that anyone running for council should be available to attend meetings on any date and that council should not lose the opportunity to have the meeting televised by Storer Cable. After discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Abstain. Motion was passed 8-1.

Mr. Sottile made a motion to suspend the rules of order to suspend third reading and to ratify Ordinance 1991-25; Mr. Ward seconded; motion passed 8-1.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Crime Prevention Month Proclamation (see Exhibit N)
2. Red Ribbon Week Proclamation (see Exhibit O)

Mr. Williams read the proclamations. Mr. Watson made a motion to endorse both proclamations; Mrs. Swanson seconded; motion passed unanimously.

L. MISCELLANEOUS

1. Mayor Bunch read a letter from Mayor Kathleen Cantwell of Sullivan's Island (se Exhibit P) concerning an emergency mutual aid agreement which would allow Sullivan's Island to procure water from the Isle of Palms Breach Inlet well on a temporary basis during an emergency.

Ms. NesSmith-Picard made a motion to approve this agreement; Mrs. Swanson seconded. After discussion, motion passed unanimously.

2. Mayor Bunch read a letter from Admiral Katz concerning the crew of the Exultant which cleaned the Isle of Palms beachfront the day after Labor Day (see Exhibit Q).

M. EXECUTIVE SESSION

Ms. NesSmith-Picard made a motion to go into Executive Session; Mr. Orvin seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that legal and personnel matters were discussed.

Mr. Simon made a motion to authorize Mr. Williams to issue a sign permit to Carroll Realty in line with the terms discussed in Executive Session; Mrs. Swanson seconded. Roll Call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - No; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed 8-1.

Upon motion duly made by Mr. Ward, seconded, and unanimously passed, the meeting was adjourned.

Respectfully submitted,

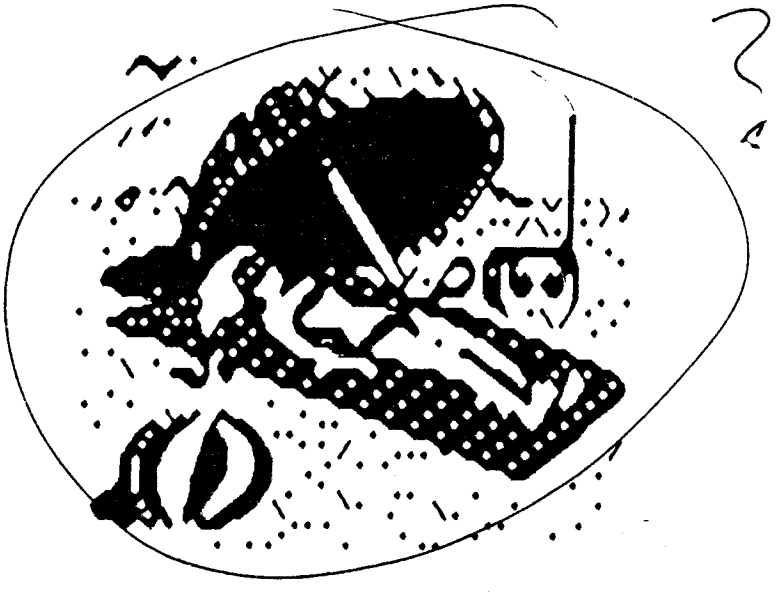
Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 10/22/91.

ATTACHMENT A

Isle of Palms



hurricane preparedness plan

ISLE OF PALMS HURRICANE PREPAREDNESS PLAN

ORGANIZATION

The Isle of Palms Hurricane Preparedness Committee is a committee operating under the authority of the Mayor and City Council of the City of Isle of Palms.

Committee members and primary assignments;

Assignment	Name	Telephone #
Chairman.....	Jim Burke	886-6204
Secretary.....	Gary Haglund	886-8025
Mayor..IOP.....	Carmen Bunch	886-6428
Fire Chief..IOP	Larry Britton	886-4410
Police Chief..IOP	Jim Arnold	886-6522
Construction equipment ...	Gerald Johnson	886-6996
Supplies management	Col Cochrane	886-6275
Service referals	Robert Timmons	886-8123
Engineer coordinator.....	Tom Murph	886-8588
Medical coordinator	Tom Gibbons Jr.	886-5152
Engineering surveys	[redacted]	
Media communications	Gary Haglund and [redacted]	886-8025

Evacuate Early !! Void This Mandatory & Voluntary Can She or Can't She Be Entirely Throughout The Plan

The Isle of Palms, because of its very low elevation and large number of trees, is particularly vulnerable to extreme danger from torrential rains which may precede tropical storm winds by as much as 24 hours or more. These rains may cause trees to fall and block roadways. Combined with high tides these rains may cause exiting from the island to become difficult or impossible. Because of this vulnerability, the Charleston County Emergency Preparedness Agency may recommend ~~early~~ voluntary evacuation ~~of the island~~ as much as 24 hours or more before the arrival of tropical storm winds.

Of particular concern is the Sullivans Island Causeway to Mt. Pleasant. This roadway has an elevation of only a very few feet above sea level and could quickly become submerged.

RESPONSIBILITY FOR EVACUATION

It is up to the individual resident or guest as to whether he or she will evacuate when evacuation is recommended. Recommendations will always be on the safe side, and it may turn out that evacuation was not necessary. Hurricanes behave erratically and strength, speed, and direction can change from hour to hour.

The Governor, or the Mayor may order MANDATORY evacuation.

[redacted] by Mayoral Proclamation, may recommend

INFORMATION

PROCEDURE FOR STORM ALERTS.

Each family or individual should maintain a personalized hurricane preparedness plan for use as the storm approaches;

The Isle of Palms hurricane preparedness program foresees one or more of the following three stages: 1 Storm alert, 2 Voluntary evacuation, 3 Mandatory evacuation.

ACTION

PERSONALIZING YOUR HURRICANE PLAN

1. Visit your local City Hall or call Tel.#886-6428.

2. When you need to evacuate the area, list here the roads which you have selected for voluntary evacuation.

   _____ to _____ then

   _____ to _____ then

   _____ to _____ then

3. Determine where the family is going to evacuate to.

   Motel/Hotel...Home of Relative or Friend...Public Shelter

   _____ Tel.#_____

4. Do you have special transportation problems such as a family member who is not ambulatory? If so, be sure to discuss this with your City Hall at this time and make any necessary arrangements. Use the reverse side of this page to write down what arrangements you have made and the names and phone numbers of the contacts.

5. Pick up a copy of the safety rules, (do's and don'ts) and terminology used (Watch, Warning, Storm surge, etc.). These may be obtained from City Hall or many of the local businesses.

6. Review your current insurance coverage with your agent.

INFORMATION

STORM ALERT ..... STAGE ONE

AREA ACTION

The National Weather Service office in Charleston will identify all storms which present a real or potential danger to the area and alert the Charleston County Emergency Preparedness Agency who, in turn, will alert all municipalities and County agencies. Off duty police and firemen will be recalled to duty. The County Emergency Preparedness Headquarters will commence 24 hour operation.

LOCAL ACTION

As soon as the Mayor of Isle of Palms notifies the chairman of the hurricane Preparedness Committee of a storm alert the following actions will be set in motion;

A. A Storm Headquarters will be established at Police Headquarters Phone #886-6522, and will be staffed on a continuous basis until the alert is over, or until ~~a mandatory evacuation is ordered~~ or recommended

B. Emergency personnel will be called in to the storm headquarters and brought up to date on storm progress and probable strength and landfall. Zone Captains will be kept informed of a storms progress on a continuous basis.

C. Storm headquarters will alert island businesses and rental agencies. Island businesses are responsible for alerting their own employees. Rental agencies will be responsible for alerting their guests.

D. Storm alert notices will be provided by Storm Headquarters to Zone captains and Wild Dunes security. Zone Captains will distribute these in their areas, and Wild Dunes security will distribute to all vehicles passing through their gates. Storm Headquarters will appoint substitute Zone Captains for Captains off the island as manpower permits.

E. South Carolina Electric & Gas Co. - Once a voluntary evacuation has been called, and at such time as they are informed by Isle of Palms Storm Headquarters that evacuation is essentially complete, SCE & G may turn off all power to Isle of Palms at its substation. This is necessary to minimize the fire threat.

PLANNING TO LEAVE

THINGS TO DO DURING STORM ALERT PERIOD.

AT THIS POINT IN TIME, YOU SHOULD BEGIN TO CONSIDER EVACUATION AND BEGIN MAKING PRELIMINARY PREPARATIONS.

ACTION: PERSON ASSIGNED

1. Checking on official bulletins and storm progress. _____

2. Fuel and service automobiles. _____

3. Notify Neighbors and next of kin of our plans and where we may be reached. _____

PERSONS TO NOTIFY	PHONE NUMBER	DONE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Move light weight objects upstairs or put on bed or cabinet tops.

Item to be moved	done	Item	done
Television	_____	Camera equipment	_____
Dresser/chest drawers	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. Fill containers with at least 3 days supply of drinking water and put them in a high place. You will need one gal per person for each day.

6. Turn your freezer to maximum cold.

7. Check and replenish supply of prescription medications. You should have a minimum of 10 days to 2 weeks supply.

8. Turn off LP Gas at tanks.

ACTION

Now is the time to inventory available supplies and prepare a list of things to buy.

FOOD items should be easy to prepare things which require no cooking and no refrigeration. Food supplies should be sufficient to feed your family for one week.

ITEM	AMOUNT	ITEM	AMOUNT
Peanut butter		Bread	
Soft drinks		Baby formula	
Crackers		Pet food	

NON-FOOD ITEMS

Paper plates & cups		Plastic trash bags	
Plastic utensils		Duct or masking tape	
Diapers		Paper towels / Napkins	
Cooler		Manual can opener	

FIRST AID SUPPLIES

Bandaids		Aspirin	
Prescription medications			

CHECK TYPE AND SUPPLY OF BATTERIES FOR THE FOLLOWING

Flashlight		Lanterns	
Radio		Portable T. V.	

PERSONAL ITEMS

Eye glasses	Camera
Rainsuit	Insurance papers
Small valuables	Photographs / albums etc
CASH	Credit cards

Loose light weight objects should now be moved into shelters before the strong winds arrive.

Lawn furniture		Trash cans	
Toys		Boats	

Taping and boarding of windows and wedging of sliding glass doors should be accomplished at this time before the strong winds arrive.

Bring pets inside before heavy winds and rains arrive . & Prepare To Take Them With You. Sure Shelters won't Take Them but if you own an animal you are responsible for it you'll just have To make arrangements That allow for its safety or youre a Sorry excuse for a Human

Prepare a supply of towels, blankets, throw rugs and plastic waterproof covering in case leaks or water seepage occur.

INFORMATION

STAGE TWO

VOLUNTARY EVACUATION

Based on National Weather Service forecasts the County Emergency Preparedness Agency may issue a recommendation to evacuate outer islands such as Isle of Palms. Once this recommendation is issued the following action will be taken;

A. Radio and T. V. will broadcast the recommendation.

B. All Zone Captains still on the island will be informed and asked to contact by phone residents in their areas.

C. Wild Dunes Security will issue leaflets to all vehicles passing through the gate in either direction advising of the recommended evacuation.

D. The Island Fire Department will dispatch trucks throughout the island broadcasting the recommendation for voluntary evacuation.

E. Storm Headquarters will notify island businesses and rental agencies.

Residents are reminded that Zone Captains are volunteers and are not obligated to remain on the island for any specified period after an alert. It is incumbent on all residents, permanent or temporary to keep themselves informed, by any means available.

IF YOU NEED HELP DURING EVACUATION

Should assistance be needed for removal of a tree or other object blocking a road or driveway call Storm Headquarters at telephone number 886-6522 and report the need. All requests for this type of assistance will be handled through Storm Headquarters

IF YOU HAVE ANY TYPE MEDICAL EMERGENCY

Call 911 for medical emergencies. (59 if you are on the Wild Dunes Tritec system.)

If You intend To rely on CEPA what was The nonsense about Mayors & Governors anyway? a gift To Carmen? Just say our Evacuation Recommendations will be made by Experts and fully integrated with The County!!! Else Too many Cooks You've got Carmen The Governor The CEPA & Probably The Pope all doing their own thing?

ACTION

At this time during an actual alert you should

1. Put food and water out for the family pet if you can't take it with you. Pets are not allowed in public shelters. _____

2. Place bath towels and throw rugs around windows and doors to prevent water seepage. _____

3. Place insecticides and herbicides in watertight containers and in a high spot. _____

4. Unplug small appliances and place them in plastic trash bags or other waterproof containers. _____

Toaster _____	Coffee maker _____	Computers _____
Radio/TV _____	_____	_____
_____	_____	_____

5. Place waterproof plastic coverings over items which may be damaged from leaking or damaged roofs.

Piano _____	Lamps _____	Paintings/artwork _____
_____	_____	_____
_____	_____	_____

6. TURN OFF ..... ONLY IF YOU KNOW HOW..... ACTION COMPLETE

Main Electric Breaker	_____
Gas	_____
Water	_____
Hot Water Heater.	_____

7. LOCK ALL WINDOWS AND DOORS. _____

DRIVE SAFELY

USE DESIGNATED EVACUATION ROUTES

WATCH FOR DANGLING ELECTRIC WIRES AND FLOODED LOW SPOTS.

INFORMATION

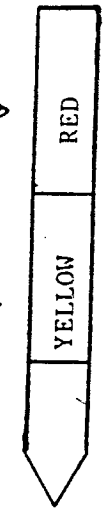
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RED = Water level of 13 to 24 inches. - - - - - - - - - - →

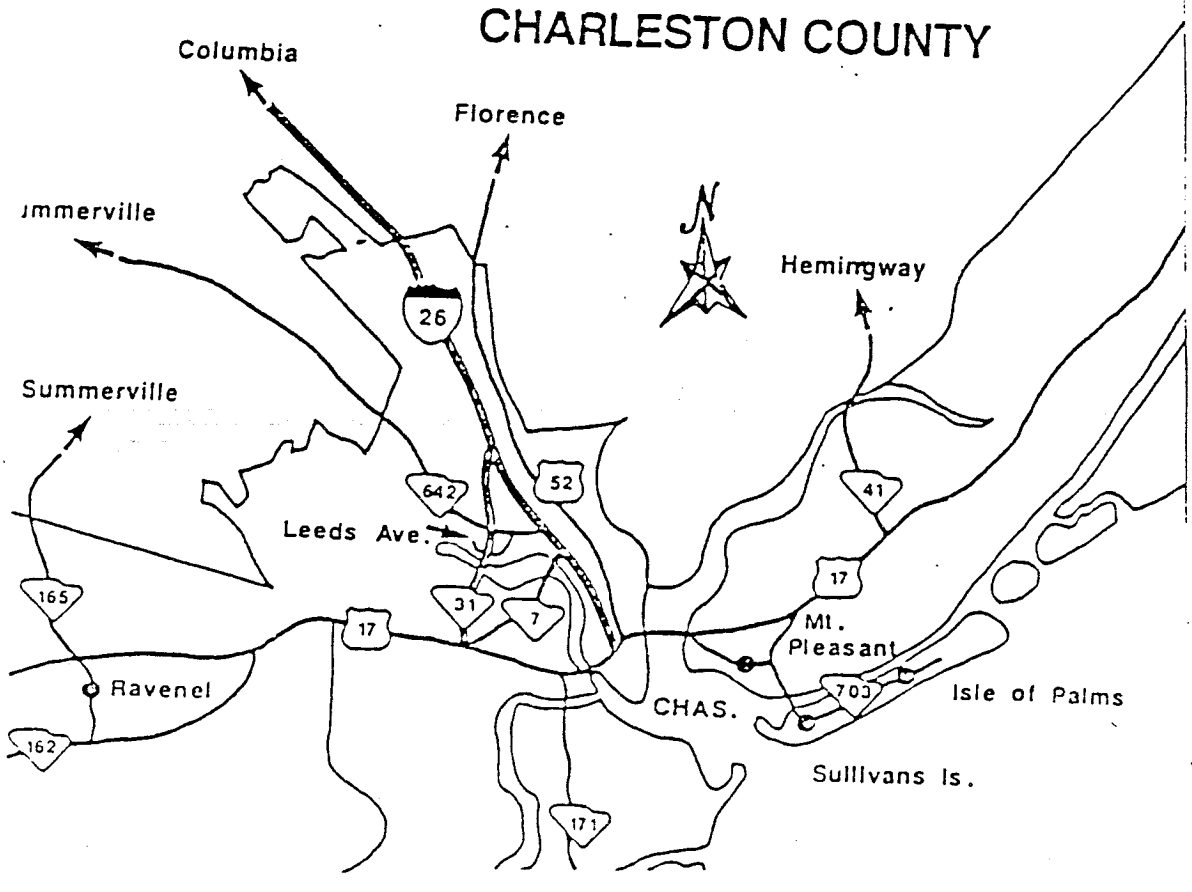
USE EXTREME CAUTION-

YELLOW = water level of 1 to 12 inches. - - - - - - - - - →

Drive very slowly to avoid splashing of water into the engine which may result in stalling.



****



INFORMATION

MANDATORY EVACUATION

STAGE THREE

If and when mandatory island evacuation is ordered the following actions will be taken.

A. Police will block Island access at the Breech Inlet Bridge to all except emergency and official vehicles. Emergency and official vehicles do not include private vehicles.

It is possible that by the time a mandatory evacuation order is issued authorities will already be blocking island bound traffic from the Mt. Pleasant causeway.

B. Providing its equipment is not responding to emergency calls, the Island Fire Department will broadcast the order to evacuate throughout the island.

C. Radio and Television will carry the evacuation ~~order~~.

D. ~~The Mayor's office~~ and Storm Headquarters will move to the Lutheran Retreat Center and remain with that headquarters as long as it is deemed prudent or necessary to do so.

E. The Island Fire and Police Department personnel will remain on the island until they must evacuate for the safety of personnel and equipment.

Residents and guests must understand that once the Fire department evacuates, there will be NO FIRE OR EMERGENCY MEDICAL ASSISTANCE AVAILABLE ON THE ISLAND.

Residents and guests should also know that if they wait for an evacuation ~~order~~ it is very unlikely that they will be able to evacuate to a location of their choice, but will be directed to the nearest available public storm shelter.

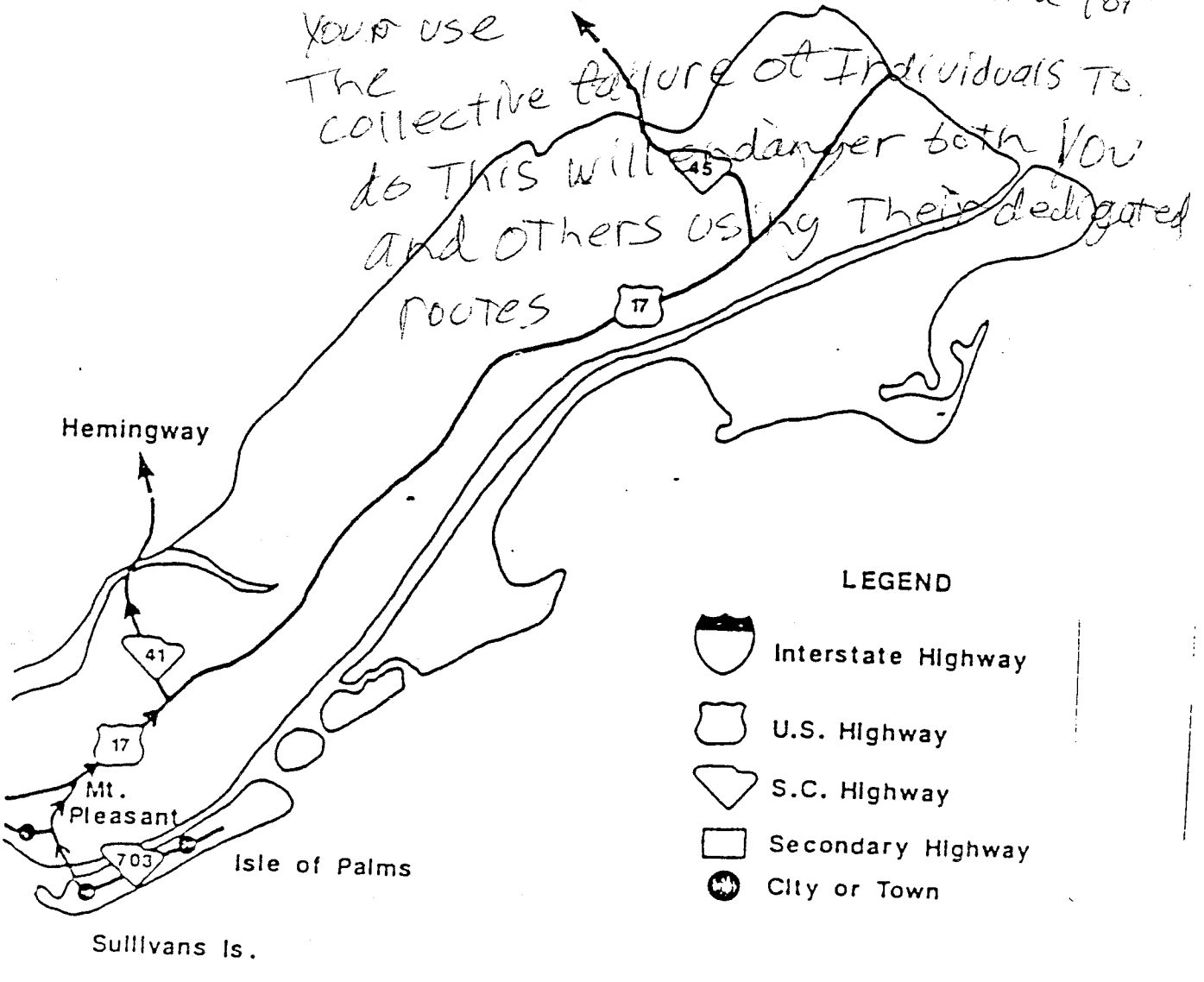
In the event of an actual mandatory evacuation order, you should now turn to page 11 of this packet and follow the mandatory evacuation route.

The evacuation route (after mandatory evacuation is ordered) will be across Sullivans Island on to the Mt. Pleasant causeway to Rt. 17 North at the Sea Island shopping center. Then take Rt 17 North to state route 41. State route 41 will then be followed northwest to route 52. There are a large number of trees and low areas along the evacuation route so make your escape plans accordingly.

SEE MAP BELOW

Gimme a Break

Please use This route as Traffic patterns have been analysed and it dedicated for your use The collective failure of Individuals To do This will endanger both You and Others using Their dedicated routes



INFORMATION

AFTER THE STORM

Local authorities consisting of Police, Fire department, and citizens from the disaster committee will perform a survey of the Island and determine when you may safely return to the island. You will be allowed to return when roadways are passable and emergency medical assistance is available. Depending on the severity of a storm and resulting damage incurred, this could be several days. Do not return to the island until you have confirmation that you will be permitted on the island. This information will be broadcast on radio and T V. or may be obtained from the Island information center set up at the Holiday Inn in Mt. Pleasant. & make recommendations

Hd
Hd
Hd

You may call Storm Headquarters at the Lutheran center or the Island information center at the Holiday Inn in Mt. Pleasant for this information if you are beyond range of local news media. Please be brief when you call. It will be some time before individual property damage assessments can be made.

strongly implies You residents will be in Mt. Pleasant I don't care if Carmen's control center is on Mars, (I would prefer it would be as a matter of fact) But remove Implication of Banning

ok

ISLE OF PALMS WATER COMPANY - The Isle of Palms Water Company monitors supplied water on a Continuous basis and is prepared to re-chlorinate as necessary. In cases where pipes are broken and it is necessary to boil water for a short period the residents affected will be notified. If you have any questions about the condition of the water supply, call the Isle of Palms water Co. at 886-6148.

ok

Electric power may be badly affected by a storm, so be prepared to function for several days with intermittent or no power. Water supplies may be limited.

good

Be very watchful on your return for wild animals, snakes or insects (such as bees, wasps etc.) which may have taken refuge in your garages, storage areas, or homes.

good

Emergency personnel cannot keep up with absentee owners or rental house guests. Property owners who are on the island infrequently should advise Storm Headquarters of their presence on the island as soon as a storm alert is announced. Owners should leave a copy of this plan in their units for their personal or house guests use.

ok

Rental agencies not really are responsible for their rental guests and should develop their own policies with respect to notification of storm alerts. Rental agencies can get storm updates by calling Storm Headquarters.

ENGINEERS, after their return to the island, will make visual inspections of the building exteriors and report their findings to Storm Headquarters. This information will also be available at the Island information center which will be established at the Holiday Inn in Mt. Pleasant.

In case return to the Island is held up for any reason a video and photography recording team will be promptly dispatched around the island to photograph streets and area as the roadways are cleared and access is available. These video tapes and photographs will be forwarded to the Island information center in Mt. Pleasant where they will be available for viewing by island residents on a continuous basis.

As electrical power comes on, please be judicious in use. Power may fluctuate widely and these surges can damage air conditioners and other type appliances.

Your debris should be placed on the front of your property so it will not obstruct the roadways and streets. Your debris may not be removed for some time and you will be informed of any disposal policies and proceedures as they develop.

Keep storm drains clear and use water sparingly as sewage and water systems may not be functioning properly or at full capacity.

The security forces, street clearing people, SCE&G, and disaster survey personnel have first priority on the island. Please cooperate with these people and help us institute a quick and orderly return to the island.

A Curfew may be initiated by the Mayor as deemed necessary to maintain safety and security of property and residents.

1. As power comes on, please be judicious in use. We advise you not to use your air conditioner as power surges can damage it.

2. Your debris may be placed only on your easement, not your neighbors, and not on the streets. Or have your debris delivered to the designated burn site.

3. We may have significant sewage problems on the Island. Keep storm drains clear and use water judiciously.

4. The security force, tree removal people, fire department, and SCE&G Electricians have first priority on the Island. Please stay out of their way and stay off the main thoroughfares if at all possible.

5. Beware of snakes and other animals, which may be dis-oriented and dangerous, in your cleanup efforts.

good Idea but Same Implicatio of Banning

see!!!

In case you personall decide Not To return immediat

OK

OK

OK

Who The heck is This? Black Berets or what

Comeby Boat, car Plane Truck any way you can Walk, Swim crawl

city

You are dark

OK, redundant however

OK, Redundant

OK, redundant

So Dar Determined you say it Twice.

OK, redundant

HURRICANE TRACKING CHART

REMEMBER, hurricanes are large powerful storms that can suddenly change direction. Check frequently on the storm's progress until all Watches and Warnings for your area from the National Weather Service are canceled.

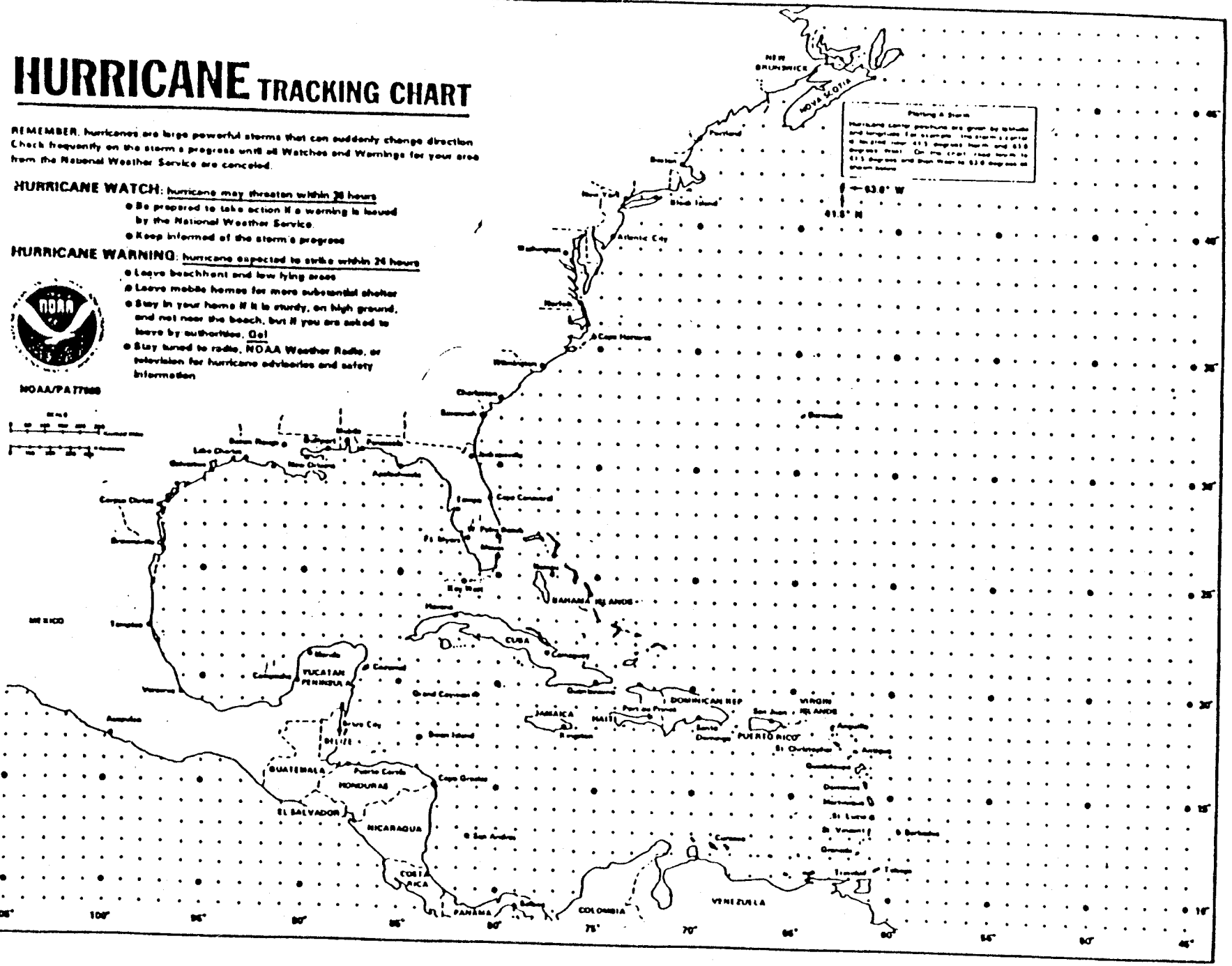
HURRICANE WATCH: hurricane may threaten within 36 hours

- Be prepared to take action if a warning is issued by the National Weather Service.
- Keep informed of the storm's progress

HURRICANE WARNING: hurricane expected to strike within 24 hours

- Leave beachfront and low lying areas
- Leave mobile homes for more substantial shelter
- Stay in your home if it is sturdy, on high ground, and not near the beach, but if you are asked to leave by authorities, Go!
- Stay tuned to radio, NOAA Weather Radio, or television for hurricane advisories and safety information

NOAA/PA77088



MARCH 1983

IF YOU ARE INTERESTED IN VOLUNTEERING TO ASSIST WITH THE RECOVERY EFFORTS UPON RETURN TO THE ISLAND AFTER ANY FUTURE DISASTER, PLEASE COMPLETE THE FOLLOWING INFORMATION AND GIVE THIS FORM TO ANY DISASTER PREPAREDNESS COMMITTEE MEMBER, OR DROP IT OFF AT CITY HALL.

NAME _____

ADDRESS _____

PHONE NUMBER _____

OCCUPATION _____

SPECIAL SKILLS _____

_____

_____

_____

AGE _____ SEX _____

OVER ALL PHYSICAL CONDITION FAIR ____ GOOD ____ EXCELLENT ____

SPECIAL CONDITIONS _____

_____

_____

NEXT OF KIN NAME _____

ADDRESS _____

_____

PHONE No. _____

HOURS AVAILABLE _____ _____

DO YOU PLAN TO EVACUATE THE ISLAND. YES __ NO __ MAYBE __

WHEN DO YOU PLAN TO RETURN _____

_____

SIGNATURE _____ DATE _____

Basically I refuse to plan to remove or prevent people from staying on their property and the public thoroughfares related thereto. period.

Given Carmen's previous mistakes, otherwise acceptable language now tends to imply that and is thus offensive to me. Life cannot be viewed in a vacuum as we shall find when, someday 20, 50, 100 years from now, someone refuses to leave and is killed because they feared not being allowed back more than they feared a hurricane.

"Imminent Peril" is one thing, as in a burning building or sinking ship, the broad class of general danger associated with a hurricane and its aftermath is [redacted] type of [redacted] risk americans tend to [redacted] desire to self assess and their government tends to let them unless they are nuts. Speaking of nuts. In Hugo it was painfully obvious who

Melanie M-Heard

THESE ARE SIMILAR TO MY COMMENT I

OFFICIAL

Isle of Palms

MARKED CITY COPY AS APP. W/ HR ACC.

APPROVED BY CITY COUNCIL

DATE



1991 hurricane preparedness plan

ISLE OF PALMS HURRICANE PREPAREDNESS PLAN

ORGANIZATION

The Isle of Palms Hurricane Preparedness Committee is a committee operating under the authority of the Mayor and City Council of the City of Isle of Palms.

Committee members and primary assignments;

Assignment	Name	Telephone #
Chairman.....	Jim Burke	886-6204
Secretary.....	Gary Haglund	886-8025
Mayor..IOP.....	Carmen Bunch	886-6428
Fire Chief..IOP	Larry Britton	886-4410
Police Chief..IOP	Jim Arnold	886-6522
Construction equipment ...	Gerald Johnson	886-6996
Supplies management	Col Cochrane	886-6275
Service referals	Robert Timmons	886-8123
Engineer coordinator.....	Tom Murph	886-8588
Medical coordinator	Tom Gibbons Jr.	886-5152
Engineering surveys	[redacted]	
Media communications	Gary Haglund and	886-8025
	[redacted]	

BACKGROUND

The Isle of Palms, because of its very low elevation and large number of trees, is particularly vulnerable to extreme danger from torrential rains which may precede tropical storm winds by as much as 24 hours or more. These rains may cause trees to fall and block roadways. Combined with high tides these rains may cause exiting from the island to become difficult or impossible. Because of this vulnerability, the Charleston County Emergency Preparedness Agency may recommend early voluntary evacuation of the island as much as 24 hours or more before the arrival of tropical storm winds.

Of particular concern is the Sullivans Island Causeway to Mt. Pleasant. This roadway has an elevation of only a very few feet above sea level and could quickly become submerged.

RESPONSIBILITY FOR EVACUATION

It is up to the individual resident or guest as to whether he or she will evacuate when evacuation is recommended. Recommendations will always be on the safe side, and it may turn out that evacuation was not necessary. Hurricanes behave erratically and strength, speed, and direction can change from hour to hour.

The Governor ~~or the Mayor~~ may order MANDATORY evacuation.

INFORMATION

PROCEDURE FOR STORM ALERTS.

Each family or individual should maintain a personalized hurricane preparedness plan for use as the storm approaches;

The Isle of Palms hurricane preparedness program foresees one or more of the following three stages: 1 Storm alert, 2 Voluntary evacuation, 3 Mandatory evacuation.

ACTION

PERSONALIZING YOUR HURRICANE PLAN

1. Visit your local City Hall or call Tel.#886-6428.

2. When you need to evacuate the area, list here the roads which you have selected for voluntary evacuation.

_____ to _____ then

_____ to _____ then

_____ to _____ then

3. Determine where the family is going to evacuate to.

Motel/Hotel...Home of Relative or Friend...Public Shelter

_____ Tel.#_____

4. Do you have special transportation problems such as a family member who is not ambulatory? If so, be sure to discuss this with your City Hall at this time and make any necessary arrangements. Use the reverse side of this page to write down what arrangements you have made and the names and phone numbers of the contacts.

5. Pick up a copy of the safety rules, (do's and don'ts) and terminology used (Watch, Warning, Storm surge, etc.). These may be obtained from City Hall or many of the local businesses.

6. Review your current insurance coverage with your agent.

WITH?

WHY?

GIVE BROCHURE NAME →

OF FAMILY MEMBERS HANDICAPPED, DIABETICS, ON OXYGEN OR W/ OTHER [illegible]

REDO LIST --- SIMPLIFY

SUCH AS PERSONAL HURRICANE ACTION PACKET

1) HIGHLIGHT AN EVACUATION MAP
- REFER TO OFFICIAL NUMBERED PREP. MAP FOR DESIGNATED ROUTES
- DETERMINE WHERE YOU WILL EVACUATE TO

OVER

PERSONAL HURRICANE ACTION PACKET (CONT'D)

2) GET HURRICANE INFORMATION CHAIN
   A) TRACKING MAP, PENS - EM. PREP OR NWS
   B) INFO. BROCHURES

3) INSURANCE

VERIFY YOU HAVE ADEQUATE COVERAGE FOR FLOODING, WIND & HAIL
(FIND OUT IF YOUR STRUCTURE IS COVERED AND IF CONTENTS ARE COVERED)

~~PROPERTY PROTECTION~~

4) DOCUMENTS

HAVE ALL YOUR IMPORTANT DOCUMENTS SUCH AS BIRTH CERTIFICATES, WILLS, ADOPTS BOOKS ETC TOGETHER OR READILY ACCESSIBLE IF EVACUATION NEEDED.

5) HOME SVCS

WATER
GAS
ELEC

LEARN HOW TO SHUT OFF SAFELY

CALL ION FOR DOCS IF YOUR HOME [illegible]

LIST ALL STAGES & 1 SENTENCE OF WHAT IT MEANS

INFORMATION

STORM ALERT ..... STAGE ONE

AREA ACTION

The National Weather Service office in Charleston will identify all storms which present a real or potential danger to the area and alert the Charleston County Emergency Preparedness Agency who, in turn, will alert all municipalities and County agencies. Off duty police and firemen will be recalled to duty. The County Emergency Preparedness Headquarters will commence 24 hour operation.

HOW?

PH #

LOCAL ACTION

NO!

As soon as the Mayor of Isle of Palms notifies the chairman of the hurricane Preparedness Committee of a storm alert the following actions will be set in motion;

A. A Storm Headquarters will be established at Police Headquarters Phone #886-6522, and will be staffed on a continuous basis until the alert is over, ~~or until a mandatory evacuation is ordered.~~

BY WHO?

B. Emergency personnel will be called in to the storm headquarters and brought up to date on storm progress and probable strength and landfall. Zone Captains will be kept informed of a storms progress on a continuous basis.

C. Storm headquarters will alert island businesses and rental agencies. Island businesses are responsible for alerting their own employees. Rental agencies will be responsible for alerting their guests.

PUT ASIDE @ PRIMARY LOCATION ONLY

D. Storm alert notices will be provided by Storm Headquarters to Zone captains and Wild Dunes security. Zone Captains will distribute these in their areas, and Wild Dunes security will distribute to all vehicles passing through their gates. Storm Headquarters will appoint substitute Zone Captains for Captains off the island as manpower permits.

E. South Carolina Electric & Gas Co. - Once a voluntary evacuation has been called, and at such time as they are informed by Isle of Palms Storm Headquarters that evacuation is essentially complete, SCE & G may turn off all power to Isle of Palms at its substation. This is necessary to minimize the fire threat.

IF POWER IS LOST WHAT HAPPENS

I DON'T THINK THIS IS NECESSARY NOR DONE @ ANY OTHER HURRICANE PRONE AREAS. MORE OF AN INCONVENIENCE FOR THOSE WHO STAY ON THE

Need Blues to be checked so w/ I change you know what's been done

PLANNING TO LEAVE

THINGS TO DO DURING STORM ALERT PERIOD.

AT THIS POINT IN TIME, YOU SHOULD BEGIN TO CONSIDER EVACUATION AND BEGIN MAKING PRELIMINARY PREPARATIONS.

ACTION: PERSON ASSIGNED

1. Checking on official bulletins and storm progress. _____

2. Fuel and service automobiles. _____

3. Notify Neighbors and next of kin of our plans and where we may be reached. _____

PERSONS TO NOTIFY	PHONE NUMBER	DONE
_____	_____	____
_____	_____	____
_____	_____	____
_____	_____	____

4. Move light weight objects upstairs or put on bed or cabinet tops. such as T.V., Radio, lamps etc

Item to be moved	done	Item	done
Television	____	Camera equipment	____
Dresser/chest drawers	____	_____	____
_____	____	_____	____
_____	____	_____	____

5. Fill containers with at least 3 days supply of drinking water and put them in a high place. You will need one gal per person for each day. such as bath tub & large pots Cover w/ lids

6. Turn your freezer to maximum cold.

7. Check and replenish supply of prescription medications. You should have a minimum of 10 days to 2 weeks supply.

8. Turn off LP Gas at tanks. shut off valve

If power already off this won't do any good

ACTION PUT BLOCKS TO CHECK OF

Now is the time to inventory available supplies and prepare a list of things to buy. ← THIS SHOULD BE DONE IN ADVANCE

FOOD items should be easy to prepare things which require no cooking and no refrigeration. Food supplies should be sufficient to feed your family for one week.

ITEM	AMOUNT	ITEM	AMOUNT
Peanut butter		Bread	
Soft drinks		Baby formula	
Crackers		Pet food	

NON-FOOD ITEMS

Paper plates & cups		Plastic trash bags	
Plastic utensils		Duct or masking tape	
Diapers		Paper towels / Napkins	
Cooler		Manual can opener	

FIRST AID SUPPLIES

Bandaids		Aspirin	
Prescription medications			
Batteries			

CHECK TYPE AND SUPPLY OF BATTERIES FOR THE FOLLOWING — ADD TO LIST AS SEPERATE ITEM

Flashlight		Lanterns	
Radio		Portable T. V.	
CAMERA			

FUEL FOR GENERATOR

PUT CHECK OF ACTION PLANS IN THEIR JUST WHERE TO CHECK OF LIST

PERSONAL ITEMS

Eye glasses	Camera
Rainsuit	Insurance papers
Small valuables	Photographs / albums etc
CASH	Credit cards

Loose light weight objects should now be moved into shelters before the strong winds arrive.

Lawn furniture		Trash cans	
Toys		Boats	

Taping and boarding of windows and wedging of sliding glass doors should be accomplished at this time before the strong winds arrive.

Bring pets inside before heavy winds and rains arrive .

Prepare a supply of towels, blankets, throw rugs and plastic waterproof covering in case leaks or water seepage occur.

ALL S/B DONE IN ADVANCE W/ ACTION PACKET ESPECIALLY PLYWOOD CUT TO SIZE FOR WINDOWS. WOOD & PLASTIC WILL NOT BE AVAILABLE W/ APPROACHING STORM. HUGE TARGET OF THAT MUCH!

INFORMATION

STAGE TWO
STORM WARNING
~~VOLUNTARY EVACUATION~~

Based on National Weather Service forecasts the County Emergency Preparedness Agency may issue a recommendation to evacuate outer islands such as Isle of Palms. Once this recommendation is issued the following action will be taken;

A. Radio and T. V. will broadcast the recommendation.

ZONE CAPT'S NOT NEEDED. PEOPLE WILL KNOW

B. All Zone Captains still on the island will be informed and asked to contact by phone residents in their areas.

TEST SIGNS ONLY

C. Wild Dunes Security will issue leaflets to all vehicles passing through the gate in either direction advising of the recommended evacuation.

D. The Island Fire Department will dispatch trucks throughout the island broadcasting the recommendation for voluntary evacuation.

DELETE

E. Storm Headquarters will notify island businesses and rental agencies.

DELETE

Residents are reminded that Zone Captains are volunteers and are not obligated to remain on the island for any specified period after an alert. It is incumbent on all residents, permanent or temporary to keep themselves informed, by any means available.

IF YOU NEED HELP DURING EVACUATION

Should assistance be needed for removal of a tree or other object blocking a road or driveway call Storm Headquarters at telephone number 886-6522 and report the need. All requests for this type of assistance will be handled through Storm Headquarters

IF YOU HAVE ANY TYPE MEDICAL EMERGENCY

Call 911 for medical emergencies. (59 if you are on the Wild Dunes Tritec system.)

ACTION

At this time during an actual alert you should

1. Put food and water out for the family pet if you can't take it with you. Pets are not allowed in public shelters. _____

2. Place bath towels and throw rugs around windows and doors to prevent water seepage. _____

3. Place insecticides and herbicides in watertight containers and in a high spot. _____

4. Unplug small appliances and place them in plastic trash bags or other waterproof containers. _____

Toaster _____	Coffee maker _____	Computers _____
Radio/TV _____	_____	_____
_____	_____	_____

5. Place waterproof plastic coverings over items which may be damaged from leaking or damaged roofs. PUT RUGS, TILE ON BRICK IF HOUSE HAS GROUND FLOOR

Piano _____	Lamps _____	Paintings/artwork _____
_____	_____	_____
_____	_____	_____

6. TURN OFF ..... ONLY IF YOU KNOW HOW.....

Main Electric Breaker
Gas
Water
Hot Water Heater.

ACTION COMPLETE

_____
_____
_____
_____

7. LOCK ALL WINDOWS AND DOORS. _____

DRIVE SAFELY

USE DESIGNATED EVACUATION ROUTES

WATCH FOR DANGLING ELECTRIC WIRES AND FLOODED LOW SPOTS.

INFORMATION

SPECIFY Wirtable.

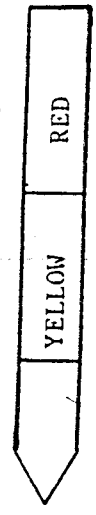
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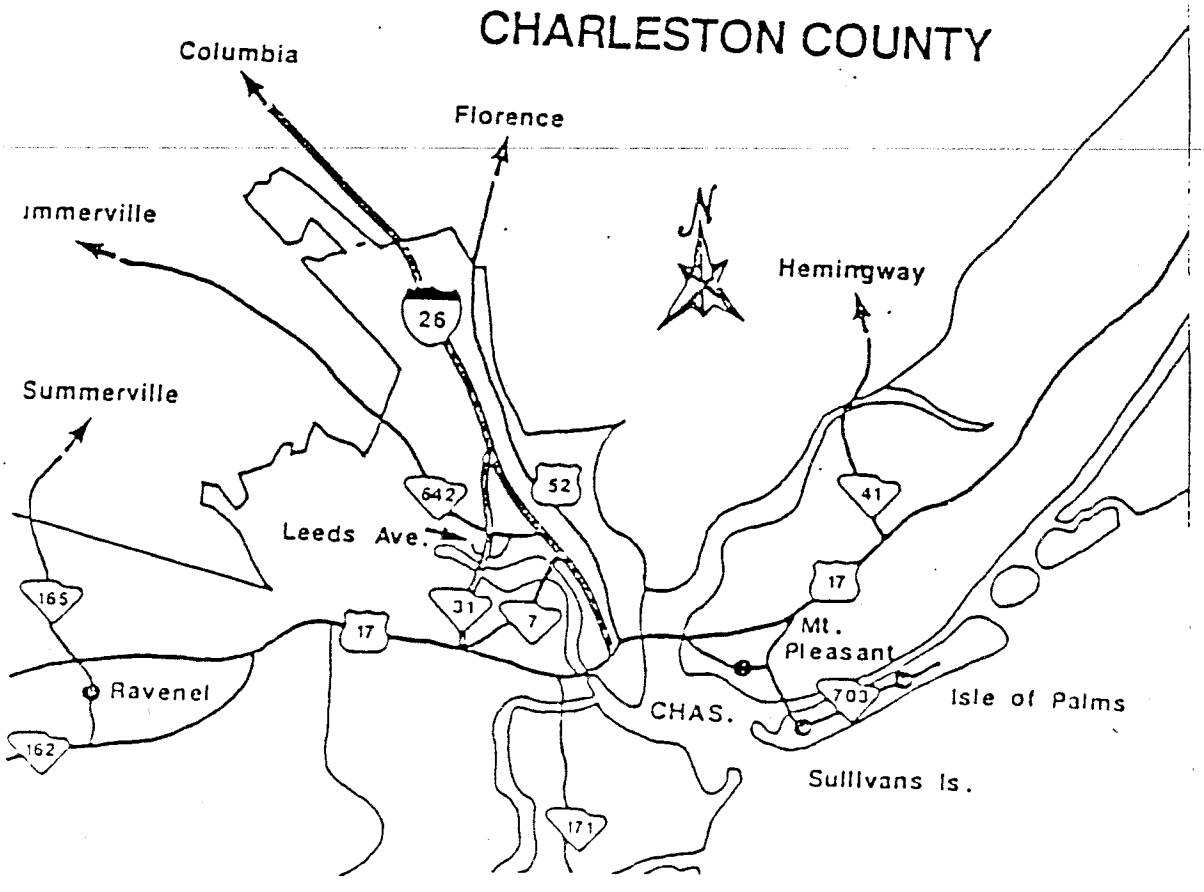
USE EXTREME CAUTION-

YELLOW = water level of 1 to 12 inches. - - - - - - - - - →

Drive very slowly to avoid splashing of water into the engine which may result in stalling.



****



NOT CLEAR. HAVE ON FULL PAGE FLOOD MARKING RULES

INFORMATION

NO SUCH THING!

~~MANDATORY EVACUATION~~

STAGE THREE

STORM LANDFALL W/IN 24 HOURS

If and when mandatory island evacuation is ordered the following actions will be taken.

A. Police will block Island access at the Breech Inlet Bridge to all except emergency and official vehicles. Emergency and official vehicles do not include private vehicles.

It is possible that by the time a mandatory evacuation order is issued authorities will already be blocking island bound traffic from the Mt. Pleasant causeway.

B. Providing its equipment is not responding to emergency calls, the Island Fire Department will broadcast the order to evacuate throughout the island.

C. Radio and Television will carry the evacuation order.

D. The ~~Mayor's office~~ and Storm Headquarters will move to the Lutheran Retreat Center and remain with that headquarters as long as it is deemed prudent or necessary to do so.

E. The Island Fire and Police Department personnel will remain on the island until they must evacuate for the safety of personnel and equipment.

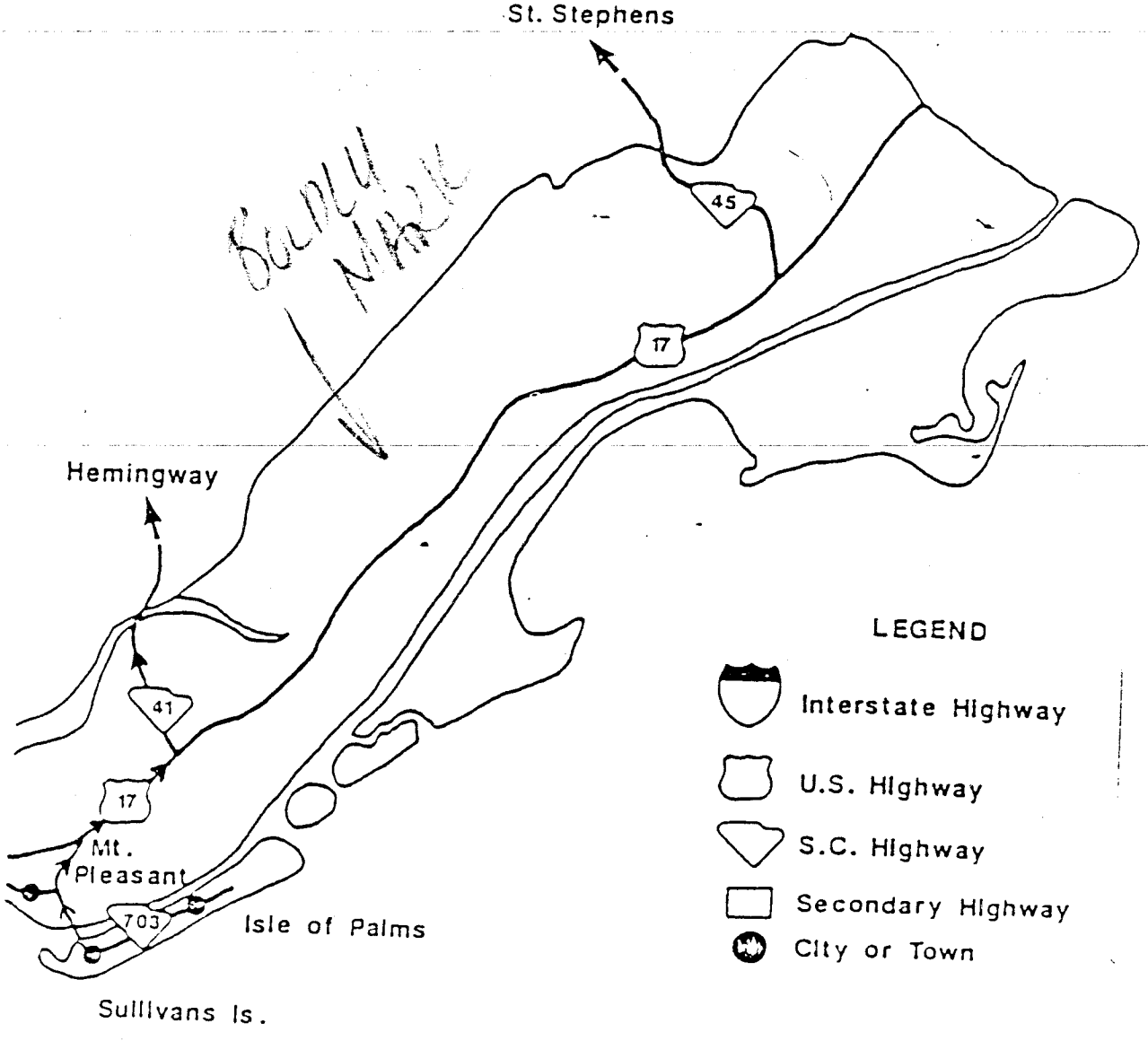
Residents and guests must understand that once the Fire department evacuates, there will be NO FIRE OR EMERGENCY MEDICAL ASSISTANCE AVAILABLE ON THE ISLAND. THEY ACKNOWLEDGE ALSO THEY STAY AT THEIR OWN RISK.

Residents and guests should also know that if they wait for an evacuation order it is very unlikely that they will be able to evacuate to a location of their choice, but will be directed to the nearest available public storm shelter.

In the event of an ~~actual mandatory evacuation order~~, you should now turn to page 11 of this packet and follow the mandatory evacuation route.

The evacuation route ~~(after mandatory evacuation is ordered)~~ will be across Sullivans Island on to the Mt. Pleasant causeway to Rt. 17 North at the Sea Island shopping center. Then take Rt 17 North to state route 41. State route 41 will then be followed northwest to route 52. There are a large number of trees and low areas along the evacuation route so make your escape plans accordingly.

SEE MAP BELOW



INFORMATION

AFTER THE STORM

~~Local authorities consisting of Police, Fire department,~~ and citizens ~~from the disaster committee~~ will perform a survey of the Island and determine when you may safely return to the island. You will be allowed to return when roadways are passable and emergency medical assistance is available. Depending on the severity of a storm and resulting damage incurred, this could be several days. Do not return to the island until you have confirmation that you will be permitted ~~on the island~~. ~~This~~ information will be broadcast on radio and T V. or may be obtained from the Island information center set up at the Holiday Inn in Mt. Pleasant.

You may call Storm Headquarters at the Lutheran center or the Island information center at the Holiday Inn in Mt. Pleasant for this information if you are beyond range of local news media. Please be brief when you call. ~~It will be some time before individual property damage assessments can be made.~~

→ INCLUDE STEPS FOR IMMEDIATE RECOVERY

ISLE OF PALMS WATER COMPANY - The Isle of Palms Water Company monitors supplied water on a Continuous basis and is prepared to re-chlorinate as necessary. In cases where pipes are broken and it is necessary to boil water for a short period the residents affected will be notified. If you have any questions about the condition of the water supply, call the Isle of Palms water Co. at 886-6148.

Electric power may be badly affected by a storm, so be prepared to function for several days with intermittent or no power. Water supplies may be limited.

Be very watchful on your return for wild animals, snakes or insects (such as bees, wasps etc.) which may have taken refuge in your garages, storage areas, or homes.

Emergency personnel cannot keep up with absentee owners or rental house guests. Property owners who are on the island infrequently should advise Storm Headquarters of their presence on the island as ~~soon as a storm alert is announced~~. Owners should leave a copy of this plan in their units for their personal or house guests use.

Rental agencies are responsible for their rental guests and should develop their own policies with respect to notification of storm alerts. Rental agencies can get storm updates by calling Storm Headquarters.

INFORMATION

ENGINEERS, after their return to the island, will make visual inspections of the building exteriors and report their findings to Storm Headquarters. This information will also be available at the Island information center which will be established at the Holiday Inn in Mt. Pleasant.

In case return to the Island is held up for any reason a video and photography recording team will be promptly dispatched around the island to photograph streets and area as the roadways are cleared and access is available. These video tapes and photographs will be forwarded to the Island information center in Mt. Pleasant where they will be available for viewing by island residents on a continuous basis.

As electrical power comes on, please be judicious in use. Power may fluctuate widely and these surges can damage air conditioners and other type appliances.

Your debris should be placed on the front of your property so it will not obstruct the roadways and streets. Your debris may not be removed for some time and you will be informed of any disposal policies and proceedures as they develop.

Keep storm drains clear and use water sparingly as sewage and water systems may not be functioning properly or at full capacity.

~~The security forces, street clearing people, SCE&G, and disaster survey personnel have first priority on the island. Please cooperate with these people and help us institute a quick and orderly return to the island.~~

~~A Curfew may be initiated by the Mayor as deemed necessary to maintain safety and security of property and residents.~~

1. As power comes on, please be judicious in use. We advise you not to use your air conditioner as power surges can damage it.

2. Your debris may be placed only on your easement, not your neighbors, and not on the streets. Or have your debris delivered to the designated burn site.

3. We may have significant sewage problems on the Island. Keep storm drains clear and use water judiciously.

4. The security force, tree removal people, fire department, and SCE&G Electricians have first priority on the Island. Please stay out of their way and stay off the main thoroughfares if at all possible.

5. Beware of snakes and other animals, ~~which may be dis-oriented~~ and dangerous, in your cleanup efforts.

HURRICANE TRACKING CHART

REMEMBER, hurricanes are large powerful storms that can suddenly change direction. Check frequently on the storm's progress until all Watches and Warnings for your area from the National Weather Service are canceled.

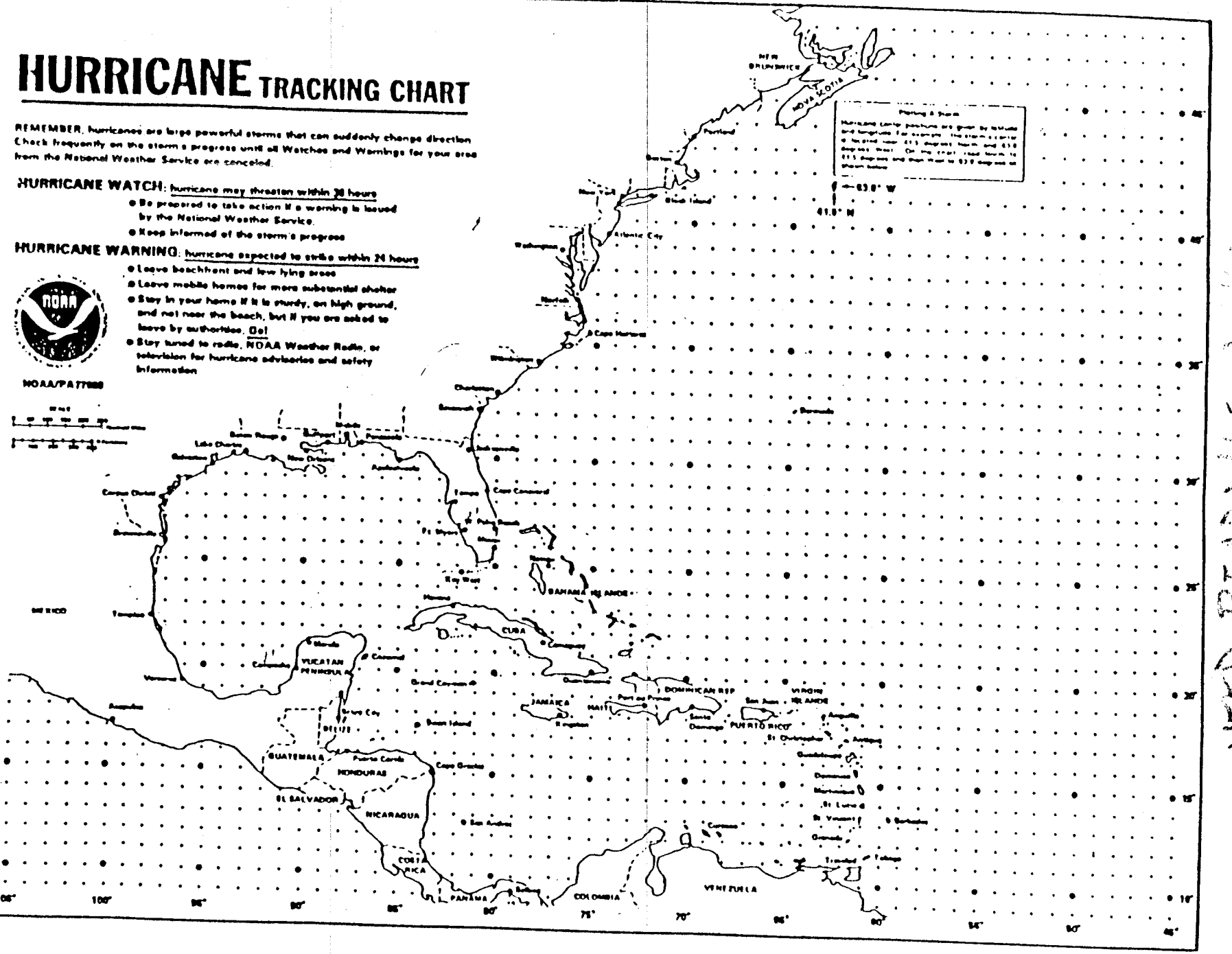
HURRICANE WATCH: hurricane may threaten within 36 hours

- Be prepared to take action if a warning is issued by the National Weather Service.
- Keep informed of the storm's progress

HURRICANE WARNING: hurricane expected to strike within 24 hours

- Leave beachfront and low lying areas
- Leave mobile homes for more substantial shelter
- Stay in your home if it is sturdy, on high ground, and not near the beach, but if you are asked to leave by authorities, Go!
- Stay tuned to radio, NOAA Weather Radio, or television for hurricane advisories and safety information

NOAA/PA77088



MARCH 1982

NEED REPRINT ONLY

IF YOU ARE INTERESTED IN VOLUNTEERING TO ASSIST WITH THE RECOVERY EFFORTS ~~UPON RETURN TO THE ISLAND~~ AFTER ANY FUTURE DISASTER, PLEASE COMPLETE THE FOLLOWING INFORMATION AND ~~GIVE THIS FORM TO ANY DISASTER PREPAREDNESS COMMITTEE MEMBER, OR~~ DROP IT OFF AT CITY HALL.

NAME _____

ADDRESS _____

PHONE NUMBER _____

OCCUPATION _____

SPECIAL SKILLS _____

_____

_____

_____

AGE _____ SEX _____

OVER ALL PHYSICAL CONDITION FAIR ____ GOOD ____ EXCELLENT ____

SPECIAL CONDITIONS _____

_____

_____

NEXT OF KIN NAME _____

ADDRESS _____

_____

PHONE No. _____

HOURS AVAILABLE _____ _____

DO YOU PLAN TO EVACUATE THE ISLAND. YES __ NO __ MAYBE __

WHEN DO YOU PLAN TO RETURN _____

_____

SIGNATURE _____ DATE _____

IF YOU ARE INTERESTED IN VOLUNTEERING TO ASSIST WITH THE RECOVERY EFFORTS ~~UPON RETURN TO THE ISLAND~~ AFTER ANY FUTURE DISASTER, PLEASE COMPLETE THE FOLLOWING INFORMATION AND ~~GIVE THIS FORM TO ANY DISASTER PREPAREDNESS COMMITTEE MEMBER, OR~~ DROP IT OFF AT CITY HALL.

NAME _____

ADDRESS _____

PHONE NUMBER _____

OCCUPATION _____

SPECIAL SKILLS _____

_____

_____

_____

AGE _____ SEX _____

OVER ALL PHYSICAL CONDITION FAIR ____ GOOD ____ EXCELLENT ____

SPECIAL CONDITIONS _____

_____

_____

NEXT OF KIN NAME _____

ADDRESS _____

_____

PHONE No. _____

HOURS AVAILABLE _____ _____

DO YOU PLAN TO EVACUATE THE ISLAND. YES __ NO __ MAYBE __

WHEN DO YOU PLAN TO RETURN _____

_____

SIGNATURE _____ DATE _____

EXHIBIT B

23 Sept. 1991

To: Mayor Carmen Bunch
From: Jim Burke
Subj: Committee Assignment

Madam Mayor, due to changing careers and life styles, I find myself overwhelmed with details, work assignments, overtime, and various volunteer work to the extent that each endeavor suffers from lack of dedicated effort on my part.

I do consider each task worthy of more attention than I am now at liberty to devote, therefore I am forced to lighten the load.

Having served as chairman of the Disaster Preparedness Committee since its conception, and now seeing Council members trying to use it as a political issue, I have decided that it will be one of the projects which I will have to let go.

It has been a pleasure working for you, and with each of the dedicated and knowledgeable members of the committee. I have learned from each person serving on the committee.

If there is any way I can be of assistance to the new chairman, whoever you select, let them know that I will be available.

Thank you again for allowing me to serve with these people.

Jim Burke
Chairman
Emergency Preparedness Committee

EXHIBIT C

ISLE OF PALMS WAYS AND MEANS COMMITTEE MEETING
SEPTEMBER 23, 1991

THE ISLE OF PALMS WAYS AND MEANS COMMITTEE MEETING WAS CALLED TO ORDER IN CITY HALL AT 7:04PM BY CHAIRMAN JIMMY WARD. IN ATTENDANCE WERE CITY ADMINISTRATOR MARK WILLIAMS, FINANCE DIRECTOR LYNN STONESIFER, MAYOR BUNCH, COMMITTEEMEMBERS HOLDEN AND WATSON AND COUNCILMAN SOTTILE.

THERE WAS A SHORT DISCUSSION ON THE PROGRESS OF THE DOG KENNELS. ESTIMATED COMPLETION DATE IS UNCLEAR BUT THE KENNELS SHOULD BE READY SOON.

MR. WILLIAMS GAVE THE COMMITTEE AN UPDATE ON THE FINANCIAL STATUS OF THE CITY. THE TAX ANTICIPATION NOTE PROCEEDS WILL COME IN WEDNESDAY, SEPTEMBER 25. THE NOTE WAS ACQUIRED AT AN INTEREST RATE OF 5.11% . THE MONEY CAN BE INVESTED AT 5.5-5.9% UNTIL IT IS NEEDED.

A SHORT DISCUSSION WAS HELD ABOUT POSSIBLE FUTURE AUDITS OF BUSINESS LICENSE HOLDERS IN THE CITY. A MOTION WAS PASSED INSTRUCTING THE FINANCE DIRECTOR TO DO A COMPARISON STUDY OF SOME OTHER MUNICIPALITIES' PROCEDURES REGARDING BUSINESS LICENSES.

THE WORKING TRAIL BALANCE FOR AUGUST WAS DISCUSSED FOR UNUSUAL ITEMS. THE CITY STILL DOES NOT HAVE NUMBERS FROM THE COUNTY ASSESSOR'S OFFICE IN ORDER FOR THE CITY TO SET THE MILLAGE RATE. IT WAS NOTED HOWEVER THAT THE EXPECTED REVENUES TAX CREDIT FROM THE LOCAL OPTION SALES TAX PROJECTIONS ARE NOT GOING TO BE AS HIGH AS ORIGINALLY CALCULATED.

THE COMMITTEE TALKED ABOUT FUTURE HOUSING ALLOWANCES FOR THE POLICE AND FIRE CHIEFS. NO RECOMMENDATIONS WERE MADE BUT IT WAS CLEAR THAT IT WILL NOT HAPPEN THIS BUDGET YEAR.

MR WILLIAMS REVIEWED THE CAPITAL PROJECTS FUND CASH DISBURSEMENTS JOURNAL. HE PRESENTED A DESCRIPTION OF A CONSOLE FOR THE NEW POLICE STATION FOR THE COMMITTEE'S CONSIDERATION. THE COST FOR THE CONSOLE IS $ 43,000.

COUNCILMAN WATSON MADE A MOTION THAT THE COMMITTEE RECOMMEND AN EXPENDITURE OF $ 35,000 FOR AN EMERGENCY GENERATOR. MOTION PASSED.

MAYOR BUNCH RECOMMENDED TO THE COMMITTEE THAT THE UPCOMING FRANCHISE FEE CONTRACT WITH STORER CABLE BE RAISED TO 5% . NO ACTION WAS TAKEN BY THE COMMITTEE.

MAYOR BUNCH INFORMED THE COMMITTEE THAT A GRANT FROM THE SC FORESTRY COMMISSION WAS RECEIVED BY THE CITY IN THE AMOUNT OF $ 9,000. SHE ALSO REQUESTED A FUTURE MEETING TO DISCUSS ADMINISTRATION PURCHASES GUIDELINES.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:55PM .

RESPECTFULLY SUBMITTED,

Jimmy Ward

JIMMY WARD, CHAIRMAN

EXHIBIT D

PUBLIC SAFETY COMMITTEE MEETING
SEPTEMBER 19, 1991 at 5:30 P.M.

PRESENT: Committee Members: Mayor Bunch, Simon, Watson, Sottile,

FIRE DEPARTMENT:

Chief Britton highlighted the month of August.

- There were a total of 74 alarms during the month of August. 52 of these calls were EMS.

- A man working on Station #1 was electrocuted and transported to MUSC where he is now in good condition. Island medical technicians should be commended.

- October 5 will begin Fire Prevention Week. There will be a demonstration of equipment in the Red & White parking lot that day.

- The Department is currently training on the defibulator equipment.

- September 15 was the last day to have a County EMS unit stationed on the island for the beach season.

- There was discussion concerning the marking of the Fire Chief's car and the Department's van. The Committee feels that since these vehicles respond in emergency situations, they should be marked vehicles. The Fire Chief stated that he lives in Snee Farm Gardens, and the Homeowner's Association will not allow commercial vehicles to be parked in his subdivision. Mayor Bunch made a motion with a second from Dan Watson that the administrator write the Homeowner's Association President and ask that Chief Britton be allowed to park his vehicle in Snee Farm Gardens. Motion passed unanimously.

POLICE DEPARTMENT:

Chief Arnold highlighted the month of August.

- There were a total of 24 arrests during the month.

- The department dispatched 2,582 calls for service.

- A 56 year old female school teacher was found dead in her home. Autopsy revealed no cause of death, no foul play. The death is still under investigation.

- On September 15, 1991, a body was found in Breach Inlet. Death was from drowning. A suicide note was found in his car.

- Narcotics. The Narcotics Unit received $2,249.01 from the Charleston County Metro Major Case Unit for participation in various drug transactions and arrests.

- A reported abduction on August 26 of an 11 year old boy triggered a roadblock on the Island and caused departments statewide to check all major roads out of the state until it was discovered that the mother had taken the son during a custody dispute.

- August 22 was the last day for PFC Jennifer Myers. With her resignation, the department force has been reduced to 16 officers.

- August 30, Officer Jan Stewart participated in a D.A.R.E. graduation in which she was the instructor for new D.A.R.E. Officers. Officer Stewart trained 30 officers for the State of South Carolina.

- The department is enforcing the handicapped parking on the island. There has been a problem at the front beach area and shopping center. The fine is $100.00

- The City has received a letter from the Highway Department agreeing to reduce the speed limit on the front beach to 20 mph (9th Avenue to 14th Avenue). The reduction will require flashing beacons and an overhead installation because it is an unusual application of traffic control devices. Since this was a special request of the City, approval was granted provided the City agree to pay for the electric current to operate the flashing beacons and to provide routine maintenance (which would basically include replacement of bulbs as needed). The Department would install the system, and it would be turned on about April 1 and turned off after Labor Day. These dates could, of course, be adjusted as needed and as agreed upon with the Department. The signs would carry the message "Congested Area, Speed Limit 20 When Flashing." Motion made by Mayor Bunch, seconded by Dan Watson to recommend to Council that we proceed with the reduction of the speed limit to 20 mph from 9th Avenue to 14th Avenue. Motion passed unanimously.

- Chief Arnold advised the Committee that Mr. Jack Steinmetz, a resident, has helped the department in many ways and has willed a memorial to the police department. The Chief will present a plaque to Mr. Steinmetz making him an honorary police officer.

With no further business, the meeting was adjourned.

Respectfully submitted,

Michael Sottile, Chairman
Public Safety Committee

EXHIBIT E

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., SEPTEMBER 16, 1991

The meeting was called to order at 7:00 p.m. Committee members present were: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, and Public Works Department Head Andy "Sarge" Parrish. Mayor Carmen Bunch and Council Member Marge Swanson were absent.

Old Business

1) Status of Recycling Program. 9720 lbs of newspaper were collected in August and 400 lbs of aluminum cans were collected in September. Newspaper price came up from 1 to 3 cents per pound.

2) Approval of Minutes. Council Member Sottile made the motion to approve the minutes of the 15 Jul 91 Public Works Committee Meeting. Motion carried unanimously.

3) Breach Inlet Bridge Fishing Catwalk. Discussion deferred until Mayor Bunch can update the committee on the status of this item. A memo was sent to all members of Council regarding a meeting held in July that Mayor Bunch attended to discuss this item with SCHD and the SC Wildlife.

4) Differential Grease Test Program. Mark Williams said to hold off on this until next year. Cost will be about $200 to test grease in 3 vehicles for 6 months.

5) Beach Cleaning Machine. This item deferred until next month.

6) PW Truck Repair. Two trucks under repair. one had the bearings locked up. Cost about $400. Sarge said this is just the beginning because all PW trucks were flooded with salt water during Hugo. Cost of new truck, including packer is approximately $25-35,000. All six trucks currently have packers: one 30cy, one 25cy, two 20cy, two 18cy. The committee discussed the need for a master plan for PW equipment, especially money needed for body work/painting of trucks. Sarge doesn't foresee need to replace any trucks in the near future.

7) Trashcan Holder Sketch. Deferred discussion until next month. Architect prepared a sketch gratis but dimensions still need to be added.

8) Santee Cooper Waste Oil Collection Program. Santee Cooper is just starting a waste collection program for municipalities and industries. They suggested that we

wait at least a year before we ask to participate because they want work out the methodology first. Therefore, this item will be addressed again in September 1992.

9) Completed PW Projects and Related Council Action.

8/91 Council approved motion requesting the City Administrator to write a letter to two Waterway homeowners notifying them that they have damaged the bike path with SCHD right of way. [Letter written, repairs still pending.]

8/91 Council approved motion requesting City Administrator, Mark Williams, to write a letter to Charlston County asking them to provide an boat trailer/launch site for Goat Island residents.

New Business

1) Informing the Residents About Public Works. Committee discussed the need to inform the public about trash pickup, recycling, and other Public Works services. Sarge is concerned that 25% of island residents are new and they know little about the trash and garbage pickup schedule and ordinances. Some suggestions include providing an information flyer mail-out, handout available at City Hall, newspaper ad, etc. No decision made. Will discuss again next month. Sarge would like this information provided to the public by next year.

2) Waterway Bike Path Damage. Chairman NesSmith-Picard reported that a resident had complained (the day before the August Council meeting) that a section of the Waterway bike path had been sodded over. In fact, two sections have been destroyed by Waterway homeowners and there are two washouts due to Hugo. At the August Council meeting, under New Business, Council requested a letter be written by the City Administrator, to notify and request corrective action by the two Waterway homeowners. City Administrator thinks SCHD will replace/repair the bikepath from 21st-41st Ave. soon. [The Waterway bike path is within SCHD right of way and authority.] However, NesSmith-Picard is concerned that this does not address the immediate problems: SCHD had not authorized any alteration to the bike path and the bikepath is unusable at the two places where it has been sodded over and destroyed. Sarge stated that he had reported this problem as he does with any encroachment on the bike path, however he got no response. Sarge said he will follow up on this.

3) Dead Trees Behind City Hall. Sarge suggests that a professional tree service be obtained to safely remove

some dead trees behind City Hall. The City owns Forest Trail right of way and there are 20-25 dead trees that need to be removed. Lightning hit a large oak at 210 Forest Trail. We could get a refund from FEMA for $3125 and Sarge. Council member Sottile made a motion to recommend that Council approve the B&G Tree Service bid of $3125 to remove dead trees. Motion carried unanimously.

4) Driver Vision Blocked at 41st Ave. Council member Sottile reported that residents have complained about overgrown weeds in that their vision is block when they try to pull out onto 41st Ave. from Forest Trail. Sarge said if the County will not cut the weeds then he will take care of it.

5) Fire Hydrants in Forest Trail. Council member Sottile reported that fire hydrants are not readily visible because of weeds. Sarge said the Fire dept. has always been responsible for keeping the area around hydrants clear of weeds. Council member Sottile will address this item with the Police and Public Safety Committee. No action required by PW Committee.

Public Works Status Report

Sarge gave the following Public Works Status Report.

1) PW Employee Pay Comparability. Sarge reported that Mt. Pleasant Public Works starting labor rate is $5.32/hr and a driver starts at $5.92/hr. The City's starting labor rate is $4.76 and our driver starts at $5.45/hr. [Our rates are about 50 cents per hour less than Mt. Pleasant.] Sarge will check with Folly Beach. Sullivan's Island contracts out weekly trash pickup.

2) Posting "Children At Play" Signs. SCHD will not allow Sarge to post these signs within their right-of-way. Chairman NesSmith-Picard reported that a resident complained about people driving fast along Hartnett Blvd near 26th Ave. and the neighbors are very concerned that children are going to be injured. Sarge stated that in the past, 4-way stops have been prohibited by SCHD. Per the Police Dept., there is no speed limit posting in this area, so according to SC law, the speed limit is 30 mph unless otherwise posted. Police Lt. Buckhannon is aware of a small town that has a blanket speed limit posting that is less than 30 mph. He thinks it might be possible for Isle of Palms to do the same. The resident was referred to Police Chief Arnold to apprise him of the situation. The committee thinks that the speed limit in the neighborhoods needs to be reduced for the safety of children. This item (children at play signs and blanket speed limit) was referred for consideration to the Police

and Public Safety Committee.

3) Table Setup at Exchange Club. Sarge sets up the tables at the Exchange Club for Bingo on Friday mornings following Council meetings on Thursday night. He has some difficulty in getting the tables setup by 9:30 a.m. because he has to pull men off the trash pickup runs. Council member Sottile volunteered to informally discuss this work it the scheduling with the Exchange Club.

Citizen Comments

None.

Meeting was adjourned at 7:50 p.m.

DRAFT COPY AS OF: 11/11/91

PASSED AS FINAL MINUTES: 11/18/91

ATTESTED TO:

x Melinda NesSmith-Picard

Melinda NesSmith-Picard, Chairman

EXHIBIT F

Engrossed Bills Committee Meeting
Regular Meeting - Minutes
6:30 PM - September 12, 1991 - City Hall

The meeting began at the time and place noted above with Councilmembers NesSmith-Picard, Swanson, Holden and police Chief Arnold in attendance. The minutes of previous meetings were presented and passed unanimously. It was noted that the minutes correctly reflected the new meeting time decided on but that from the calender it didn't appear that would work after all. It was determined the true intention of the committee had been and was to meet the second Thursday of each month.

Ordinance 7-2-1 dealing with achoholic beverages was presented. Police Chief Arnold offered comments on his feeling the ordinance would close some gaps in the existing ordinance. While the overriding policy behind the ordinance seemed unsettled, committee debate eventually focused on specific wording. Ultimately it became apparent that without the City attorney present further discussion would be fruitless. Motion to refer this ordinance to the Attorney made by Councilmember Swanson passed unanimously.

Before proceeding to the proposed ordinances section of the agenda it was agreed to discuss the Agenda item relating to City Attorney attendance. Councilmember Holden stated his belief that without the City attorney present, committee business would not be completed and most work done at this level would be challenged at the Council level and thus a needless waste of time would result. It was noted the attendance by the City attorney would create an expense but that properly managed with his work scheduled first, it was in the judgment of the committee necessary and justified. Motion by Councilmember NesSmith-Picard, seconded by Councilmember Swanson to convey this to administrator Williams passed unanimously.

Next Councilmember Swanson noted her desire to get back to work on Jet Skis. She suggested we begin with the original approach of Bill Dreyfoos embodied in 1991-19 7/25/91 2nd draft which created a 300 yard zone to be extended from the code definition of the "Beach". This being in lieu of a later approach redefining the "Beach" itself as being enlarged for all purposes. She also requested whatever sections "consensus was arrived at on" from subsequent meetings be included as well. This matter was unanimously referred to the city attorney for our work at the next meeting.

Councilmember NesSmith-Picard requested we analyze the possibilities of precluding privately owned "Dune Walkovers". This matter was also referred to the city attorney for opinion at the next meeting.

No comment was made on 1991-25 changing the meeting date of council and the issue of defining business "premises" was deffered to the next meeting. The meeting adjourned upon unanimous vote.

DRAFT COPY AS OF: 10/10/91

PASSED AS FINAL MINUTES: 10/10/91

ATTESTED TO:

x _____

Barry C. Holden - Chairman

Engrossed Bills Committee Meeting
6:30 P.M. - September 12, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

3. Ordinances refered/updates
   - Ordinance to Amend Section 7-2-1

New Business

4. Proposed ordinances

5. Miscellaneous request/information
   - Business premises/definition
   - City Attorney attendance
   - Dune Walkovers
   - Ordinance 1991-25 - Meeting Date

6. Adjourn

EXHIBIT G

Meeting called to order - 6:30 P.M.

Present - Mayor Burel
Jeff Sinon
Linda Ahn
Jimmy Neal



ISLE OF PALMS
RECREATION DEPARTMENT

RECREATION REPORT
September 17, 1991

I. *Recreation Programs* -

Gymnastics - Gymnastics began on Monday, September 9th and will be held each Monday throughout the year. Class starts at 3:45pm to 4:30pm for 3, 4 and 5 year olds; 4:30pm to 5:30pm for intermediates ages 6 and older; and 5:30pm to 6:30pm for beginners ages 6 and older. Tricia Tapio is the instructor.

Tae Kwon Do - Adult classes are held on Wednesdays at 7:30pm and on Saturdays at 10:00am. Classes for children ages 5 to 12 are held on Saturdays at 9:00am.

CPR Class - Scott Taylor, an Isle of Palms Fireman, instructs a monthly First Aid and CPR course at the Recreation department. The September class was held on the 9th and 16th from 6:30 to 10:30pm.

Acrobatics/Tap/Ballet/Jazz - A new class featuring a variety of dance and acrobatics began on Friday, September 13th. Children ages 3 to 5 meet from 4:00pm to 5:00pm. Children ages 6 to 9 meet from 5:00pm to 6:00pm. The instructor is Jenny Adams from Trudy's School of Dance.

Street Funk/Video Style Dance - This class teaches the hottest new moves on the dance floor. The class is for children 10 years and older and meets every Friday from 6:00pm to 7:00pm. The first class began September 13th and the instructor is Jenny Adams.

Three Year Old Play Group - This is a play group that meets every Tuesday and Thursday from 10:00 to 11:30am. for 2 1/2 to 3 year olds. Sharon Neal is the coordinator.

Tumble-Bees - Fall Tumble-Bees began on Sept. 4th and will be held on Wednesdays from 11:00am. to 12:00 noon. This class is for 2 to 4 year olds and will be taught by Linda Leonardi.

Bathroom Workshop - This workshop will be held on Tuesday, September 17th at 7:00pm. Participants are encouraged to bring old photographs of their bathrooms and the instructor will help you redecorate. The instructor is Duval Asker of Kitchens by Design in Mt. Pleasant.

Keenagers - Keenagers is a 55 and older social club. Luncheons/meetings are held on the first Wednesday of each month and fields trips on the third Wednesday of each month. The first meeting is on September 18th at 11:30am. The program will be a musical satire called "Saints Alive" presented by St. Matthews Lutheran Church.

II. *Sports -*

Youth Soccer - Registration was held through the month of August for ages 5 to 10. There are six teams from the island.

Team	Ages	Coach
Ocean One Realty	5-7	Mike Stritch
Pelican Cleaners	5-7	Jerry Ebeling
Windjammer	5-7	Roger Heide
Cooper/Fulcher	5-7	Kerry Hood
Resort Maintenance	8-9	Kevin Colson
Wild Dunes Real Estate	9-10	Griff Brame

The 5 to 7 year olds are playing on the island on Tuesdays, beginning September 24th at 5:30pm and 6:15pm. The two older teams will play in Mt. Pleasant on Tuesdays and Thursdays. There will be a soccer Jamboree on Tuesday, Sept. 24th at 5:30pm. The games will immediately follow.

Tennis Lessons - Tennis lessons began on September 12th for youth 7 to 14 years of age. They are held on Thursdays from 5:00 to 6:30pm. There are four classes in each session and the class is ongoing through the fall. Jack Fischer is the instructor.

Adult Tennis Lessons - Adult tennis lessons began on September 12th and will be held every Thursday from 7:00 to 8:30pm. The sessions will be ongoing and Jack Fischer is the instructor.

Men's Fall Basketball - The season will begin on Monday, September 23rd and will go through November. There are approximately 14 teams participating. The games will be played on Mondays, Tuesdays, and Thursdays.

Co-Rec Volleyball - Registration for Co-Rec Volleyball will be held through the month of October. Play will begin in December.

III. Special Events -

"28th Avenue" Dance - The "28th Avenue" Dance was held on Friday, September 13th at the Recreation center from 7:00 to 10:00pm. for grades 5 through 8. The DJ was Jay Maxwell's Music By Request. There were dance contests and prizes were given out. We also sold concessions. The Isle of Palms Police Dept. DARE program is the sponsor. DARE visors and frisbees were given out. The cost of the dance was $2.50 and a DARE bracelet was given to each child. If they wear the bracelet to the other dances, they will get in for the regular fee of $2.00. Dances will be held the second Friday of each month. The next one is October 11th.

100 kids

First Union Bank - sponsor $350.00

Isle of Palms Tennis Tournament - To be held on October 11th, 12th, and 13th at the tennis courts on 28th Avenue. It will be an adult singles, single elimination tournament for men and women. Age divisions are Open, 35 to 54, and 55 and older. The tournament is restricted to Sullivan's Island and Isle of Palms residents only! Registration deadline is October 4th and the entry fee is $5.00. Trophies will be awarded in all age divisions. The event is co-sponsored by First Union Bank. Rain date - October 18-20th.

cp (1 Charlie Anderegg - cp11 Joel Ford Randy Chambers

2nd Annual Goodbye, Hugo Party - The Recreation Dept. staff will provide games for the Goodbye Hugo Party on Saturday, September 21st. There will be facepainting, relay races, sand sculpting contest, and many more fun events.

IV. Upcoming Events -

- Happy Haunting Carnival - Saturday, October 26th Carnival games include duck pond, pumpkin ring toss, go fishin', football throw and many more fun booths. There will also be pony rides, hay rides, facepainting, hotdogs, popcorn and soft drinks for sale. 11:00 to 2:00 p.m.

Costume contest at 12:30pm.

- Ghostly Tides Tales - Sunday, October 27th Professional storyteller Margie Clary will tell ghost tales of the lowcountry on the beach at 28th Avenue. It will be from 6:30 to 7:30pm. and there is no fee.

- Haunted House - Thursday, October 31st at the recreation center. A youth group called New Generation will transform the gym into a Haunted House. It will start at 6:30pm and there will be a small fee.

Bobby Watson

V. *Information* -

- The gym floor will be stripped, a permaguard put down, then a finish put on the floor. This will be down on Saturday and Sunday, Sept. 21st and 22nd. The gym will be closed on Saturday.
- We will need volunteers for the Halloween Carnival. If anyone can help or you know of anyone, please let me know.

– Basketball program paid for.

Call David Crosby - About 2-shirts sale at Hugo party -

Isle of Palms Recreation Dept.
Program Participation
Fall
1991

Program:	Start Date:	# of Participants
Tumble Bees	Sept.4th	8
Three-year Old Play Group	Sept.10th	6
Gymnastics	Sept. 9th	38
Dance (Tap/Ballet)	Sept. 13th	5
Street Funk Dance	Sept. 13th	4
Youth Dance	Sept. 13th	100
Youth Tennis Lessons	Sept. 12th	6
Adult Tennis Lessons	Sept. 12th	8
CPR	Sept. 9th	7
Soccer Clinic	Sept. 4th	52
Soccer	Sept. 24th	77
Men's Basketball	Sept. 23rd	17 teams

Purpose: To ensure safe and secure environment for all persons using the Isle of Palms Recreation Dept. facilities.

Offenses: Offenses will be divided into two categories:
1) Type 1: Violations of Recreation Department rules and regulations
2) Type 2: Violations of State and/or City law(s)

Penalties: Penalties will be assessed progressively, according to the type of infraction.

Type 1 Offenses
1st Offense- Warning
2nd Offense- Suspension for remainder of the day
3rd Offense- Suspension for 30 days
4th Offense- Suspension for 90 days
5th Offense- Permanent Suspension

Type 2 Offenses
1st Offense- Suspension for 30 days
2nd Offense- Permanent Suspension

Note: The Isle of Palms Recreation Department reserves the right to file criminal charges for any Type 2 Offense.

Appeal: The Appeal Procedure will be as follows

Type 1 Offense- Any suspension for 30 days or more may be appealed in writing to the City Administrator

Type 2 Offense- Any suspension may be appealed in writing to the City Administrator Once criminal charges have been filed, all appeals must be done through court.

EXHIBIT H

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
SEPTEMBER 10, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on September 10, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Betsy Smiley, and David Somers, and Secretary Janet Geary. Mary Schall was on vacation and Building Inspector Ed Haselden was unable to attend.

Mr. Fellabom announced that their were three cases on the agenda but that Mary M. Rumph of 512 Palm Boulevard was out of town and that it would be determined later if her case would be recalled.

1. Jerome E. Kurent, 613 Ocean Boulevard, requested a variance from Section 5-4-23(5)(b), minimum side yard requirement of ten (10) feet. Mr. Kurent explained that after his house was approximately 37% completed, his builder left town with $40,000 of his money and leaving the house unfinished. Mr. Kurent had worked with the Building Department on a regular basis to complete the house himself. He showed the Board a letter that he received from his neighbor Edward B. Lockwood of 615 Ocean Boulevard, who stated that he had no objection to the variance being requested. Mr. Fellabom stated that he had received a telephone call from Oregon from Mr. Heckathorn of 610 Carolina Boulevard who was concerned with the chimney obstructing his view; however, the chimney was on the opposite side of the house from the Heckathorn house and would not affect his view at all. The chimney extends 4'6" from the house, but Section 5-4-13(a) only allows for a 2' extension into the side yard setback. The chimney had been partially constructed when the builder left town and the fire boxes needed for the fireplaces require the extension from the house. Mr. Kurent was asking for a 2'6" variance in order not to have to move the chimney. There was extensive discussion as to the original plans of the house, the time that the builder left and the stage of construction when the builder left, and the options available to correct the situation. After discussion vote was taken: Fellabom - No; Garvin - Yes; Smiley - No; Somers - No. Variance was denied.

2. Mr. Jack Burton, representing the owner at 118 Ocean Boulevard, requested a variance from Section 5-2-19(5)(1), no solid walls allowed below base flood elevation. Present with Mr. Burton were Joe Tucker, architect, of Tucker Associates, and Mr. Russell Voorhees, owner. The problem stems from the placement of solid wall planters at the front of the house around the staircase which is also solid. Mr. Fellabom noted that on the original plans submitted to the Building Department, Ed Haselden had red-lined certain solid walls in this design that were below base flood elevation. Subsequently, the plans were revised and Mr. Haselden had approved the revised plans. However, the front staircase area of the house did not meet the specifications of the revised plans. There was discussion as to the lack of lattice work, the placement

of the planters abutting the stairs, and the inability of water surge to flow out from under the stairs. It was determined that if the builder would change the present design to meet with the approved revised plans, there would be no need for a variance. In addition, the left planter was to be detched from the steps and walls and moved back to stand separately. Certain modifications were to be made in the stair risers to permit the flow of water. Mr. Burton agreed to make the necessary changes to comply with the revised plans and the foregoing stipulations. He requested his request for a variance be withdrawn.

At this point, Mr. Kurent returned to the meeting with Linda Austin who had been unable to attend earlier because of an emergency at the hospital. They again pleaded with the Board to reconsider their variance request and explained the hardship involved with losing everything during Hugo, losing a builder in mid construction, and being financially strapped having to move the chimney. They requested that they be allowed to return before the Board with another proposal without having to wait the allotted six months. Mr. Somers requested that Mr. Fellabom check with the attorney to see if the Board had the authority to do that and Mr. Fellabom stated that he would do so the next day.

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT I

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
September 11, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on September 11, 1991, at 5:40 p.m. Members attending included Arnold Karig, Kathryn Carroll, John Stanley, Jerry Spencer, Jan Wilson, John Gardner and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:40 p.m.

MINUTES OF PREVIOUS MEETING

1. August 14, 1991

Motion to approve by Dr. Karig; second by Mr. Stanley. Motion approved 7-0.

PLATS

1. Plat of the Abandonment of the Right-of-way of the Undeveloped Portion of 38th Avenue Between Lot 10, Block U, Section BC-2-E, City of Isle of Palms. Huff.

Chairman Taylor explained that the City and the Beach Company got together several years ago to determine what to do with the unpaved rights-of-way on the island. He said they decided it would be best to encourage adjacent property owners to acquire these rights-of-way. He explained that this block already included a six foot walkway from Hartnet and that this plat would simply extend the walkway. Mr. Taylor explained that he had reservations with the way the plat was drawn.

Mr. Stanley asked who would own the walkway. David Huff, surveyor, explained that this plat would relinquish the dedicated right-of-way but he did not know who owned it. Foster Clark explained that in Wild Dunes, all walkways were identified as easements which were centered on property lines.

Ms. Carroll said she thought Nick Sottile recommended the plat presented because he did not want a liability problem for the adjacent property owners. Mr. Stanley asked to see how the other six foot walkway was shown. Ms. Carroll said she had talked to the Fioramonti's and that they did not object to an easement. Motion to approve by Ms. Carroll; second by Ms. Wilson.

Ms. Carroll stated that she would prefer one property line with an easement. Ms. Wilson agreed.

Mr. Gardner stated that he believed the plat as presented was a better solution because the walkway would be better defined. Dr. Karig recommended alternative with one property line and an easement. Mr. Stanley was concerned that the Commission's recommendation should be consistent with what the City had done with other walkways. He thought that maybe the City

ought to take responsibility for the walkway.

Mr. Batchelder recommended changing the title of the plat to read "Plat showing the adjustment of property lines of the undeveloped portion of 38th Avenue . . ." and that the location map, flood hazard area and zone and zoning of SR-2 be added to the plat.

First motion is withdrawn.

Ms. Wilson motions for approval with changes to plat to show one property line with six foot easement centered on property line, a change in the wording of the paragraph relating to the walkway so as to change "walkway" to "pedestrian access easement" and clarify ownership, and changes and additions recommended by Mr. Batchelder; second by Ms. Carroll. Motion approved 7-0.

PUBLIC HEARING

1. Rezoning application for property located on the west side of 41st Avenue across from the Wild Dunes Yacht Harbor was withdrawn by the applicants prior to the meeting.

There being no more business, the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

EXHIBIT J

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS WATER AND SEWER COMMITTEE
SEPTEMBER 18, 1991, 7:00 P.M., CITY HALL

The regular meeting of the Isle of Palms Water and Sewer Committee was held on September 18, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, members Cal Cochrane, Bob Dehoney, and Harry O'Neal, and City Administrator Mark Williams and Secretary Janet Geary. Members John Hann, Jack Voorhees and Clay Duffie were unable to attend.

1. Appeal of multi-unit facility charges. The issue is the interpretation of charging of a separate basic facility charge when there are two separate uses off of a single meter. Before discussion, the Committee heard the following appeals:

a. Don Stone, Island Realty, 1304 Palm Boulevard. (See Attachment A) Mr. Stone explained that there was one small office in his building that he was renting out until such time as his business needed the space. This office has no separate bathroom, has only one employee there part time, has no separate electric meter and actually has very little, if any, effect on water usage for the entire building. Mr. Stone stated that it was his understanding that the basic facility charge would be based on meter size which related to usage and that the number of businesses or business licenses within one location should not affect the basic facility charge.

b. Vincent Sottile, Isle of Palms Pest Control, 15 - 30th Avenue. Mr. Sottile stated that the record shows that there are three uses in this location and he felt that this was determined because there are three business licenses involved. There are two side businesses which are family run businesses that do not pay rent and the utilities are in the name of Isle of Palms Pest Control only. He did not think it was fair to charge separate basic facility charges for each business license as each of the businesses are on Isle of Palms Pest Control payroll and do not create any more water usage.

c. Kathy Carroll, Carroll Realty, 103 Palm Boulevard. Mrs. Carroll stated that the basic facility charge should relate to the water usage. There are eight offices in her building but only used $14 worth of water last quarter. She thought it was unfair to charge separate facility charges for each business; there were no kitchens and only half baths in the building and most of the time there were very few persons in the building.

d. Marvin Judy, 2305 Cameron Boulevard. Mr. Judy represented his family and stated that although the house had a separate apartment with a separate electric meter, there was only one water meter and he felt there should be only one basic facility charge. He also recommended that this should be based on usage.

e. Joseph VonDohlen, 706 Palm Boulevard. Mr. VonDohlen also has a separate apartment in his residence. He stated that charging two basic facility charges was unfair coming off of one meter. He does have two electric meters also.

The Committee then began a discussion of the situation. Mr. Stanley said that there was a need to determine whether or not commercial property was intended to be treated the same as residential property. He did not think it was the intention to charge two facility charges to commercial property when two businesses operated off the same meter, rather the facility charge was to be based on the size of the meter. He thought that when the additional policy of identifying separate use was mentioned, it was intended to be used against multi-unit residential units.

Mr. Cochrane stated that his understanding was that in residential units, if there was a separate electric meter, it was a separate identifiable living unit and should be charged a separate water facility charge. He did not think that businesses were to be considered in this same manner. His opinion was that each individual apartment unit should be treated as an individual unit for all utilities.

Mr. O'Neal stated that living space that is identifiable as separate living quarters and could be available as a complete rental unit with bathroom and kitchen, it should be treated as a separate unit for basic facility charge.

Mr. Dehoney agreed with Mr. O'Neal stating if a unit could be sensibly charged with multiple meters, it should be charged multiple charges.

After further discussion, Mr. O'Neal made a motion that we recommend to Council they adopt the guides set out in the zoning ordinance for the application of separate use as means to separate units for residential space and application of the facility charge for the water department; Mr. Cochrane seconded; motion passed unanimously.

The discussion then turned to commercial property. Mr. Stanley stated that he thought the Committee intended for the meter size feeding a commercial business was in fact the basic facility charge that was to remain on that meter and that it was not the intention to charge additional fees based on the number of businesses located within that building. It was the consensus that the size of the meter should be the only determining factor as that would also determine usage. There are businesses on the island, for instance the laundry, that have and need larger water meters and use considerably more water.

Mr. Williams stated that in contrasting residential and commercial usage, a duplex with a single meter and a commercial building such as Carroll Realty both have the same meter size, and the potential is that they could use the same amount of water, but that the

duplex is being charged two basic facility charges. Mrs. Carroll pointed out that a residence is occupied 24 hours a day and an office is only occupied 8-9 hours a day with no bathing, washing or cooking, etc. which makes a lot of difference in water usage.

Mr. O'Neal made a motion that the only charge applied to businesses be the basic facility charge based on the size of the meter; Mr. cochrane seconded; motion passed unanimously.

2. Review of meter size driven facility charges in special circumstances.

a. Sea Oats has a 1" meter which serves the pool and restrooms. Normally swimming pools should be set up as irrigation meters, but the problem is that this meter also serves the restrooms which are on sewer. They are currently being charged water and sewer facility charges on a 1" meter rate. It was decided that the owner should be charged one facility charge on the sewer and treat the other part as irrigation or tell them they will have to put in another meter.

b. Oceanside and Sea Cabins Condos - should be charged for a master meter or a basic facility charge per the number of units. Also, the charge for the unit behind the meter should not be less than the charge for the master meter.

c. Ocean Inn Apartments - should be charged on a commercial basis.

d. Citadel Beach Club - 2" meter is irrigation, 4" meter is everything else - commercial enterprise.

e. Island Cleaning Ventures - Pelican Cleaners - they have a 6" meter and the committee has not established a rate for a 6" meter. Based on the rates established to date, this charge would be $499 per month. After discussion, Mr. O'Neal made a motion to establish the rate for a 6" meter at $500 per month water and sewer; Mr. Cochrane seconded, motion passed unanimously.

There was discussion as to the amount of water that the cleaners use and the laundromat use, and also if this business should be grandfathered. It was decided that Mr. Williams contact Mr. Taylor about these charges and discuss with him whether or not he can reduce the size of his meter. It was also recommended that if the cost of changing meter size is too high at this time, the committee grandfather him based on the amount of usage he needs. Records show that he is not using an amount of water to necessitate such a large meter.

3. Mr. Stanley showed the committee the new door hangers that will be used when a customer has his water turned off for non-payment of bill. The tag states that business hours are Monday - Friday from 8:00 a.m. to 5:00 p.m. No water will be turned off on Fridays so that customers will have water over the weekend.

4. Mr. Williams stated that there was some asbestos cement pipe along Palm Boulevard that has broken in two places during the road construction being done. This line needs to be abandoned and it was the City's intention to do so when upgrading lines for the RO system. The Highway Department is getting ready to resurface Palm Boulevard and the City would like to lay new 12" pipe between 14th Avenue and 21st Avenue before the paving is done so that we will not have to tear up new road. There followed discussion of the new line and where it will go. The committee recommended that the new 12" line be installed immediately.

5. Filling of manager/operator position. It was decided that this should be discussed in an Executive Session since salary will be discussed and therefore the committee asked any non-members to please leave.

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT K

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
SEPTEMBER 19, 1991, 7:00 P.M.

A special meeting of the Isle of Palms Board of Beach Patrol and Control was held on September 19, 1991, at 7:00 p.m., at City Hall. Present were Chairman Smiley, members Harper, Jeter, Ballow, and Secretary Geary. Council Member Simon, Mr. Sandeford and Mr. Matthews were absent.

Dr. Smiley announced that there was one permit on the agenda.

1. Cliff Rios, Beach Biz, requested a permit to construct a deck 14' into the protection zone. Mr. Rios presented two letters to the Board, one from John Gardner and one from Lewis Seabrook (see attached) concerning this beachfront area. There was extensive discussion as to the location of the 250' line. Dr. Smiley made a motion to approve the permit application for the deck to extend no more than 14' into the protection zone as determined by the survey of March 14, 1991, and stipulated that the permit would not be issued until Mr. Rios presented to the Board a current survey showing the present location of the 250' line; Ms. Ballow seconded, motion passed unanimously.

There being no further business to come before the board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary
Secretary

EXHIBIT L

M E M O R A N D U M

TO: Mayor and Council

FROM: Mark M. Williams

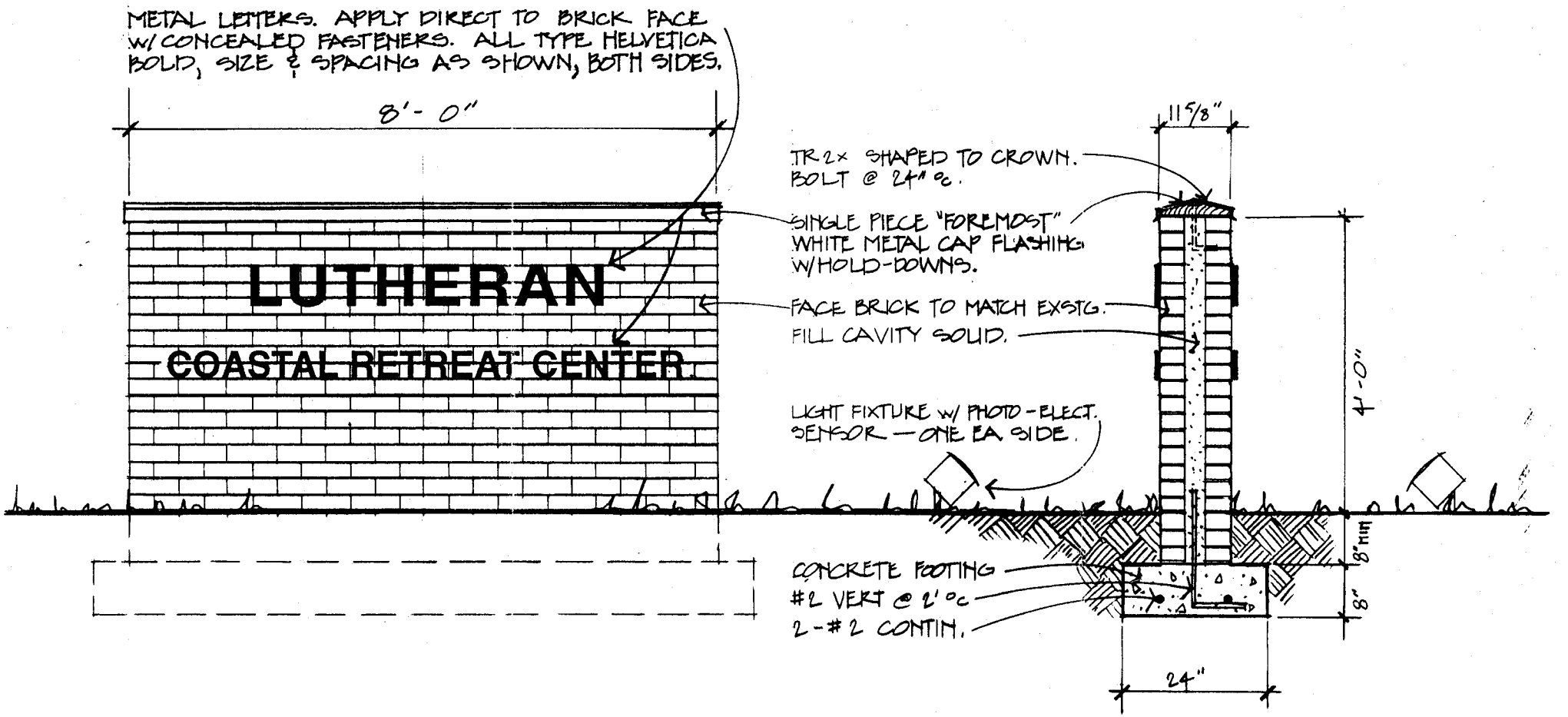
SUBJECT: Sign Request for Lutheran Retreat Center

DATE: September 19, 1991

==========

The Lutheran Retreat Center has requested to construct a 32 square foot sign as proposed is the attached design. I have notified the Retreat Center that I rejected their application for the sign permit because the City's sign ordinance says that an institution or church in a residential district may have up to a 20 square foot sign. The provisions of the ordinance, which are enclosed, also allow for an institution with more than 100 linear feet of street frontage to have more than one 20 foot sign. The problem here is that they have requested a 32 square foot sign which technically does not comply with the sign ordinance, although the sign ordinance would allow them to have more than one 20 square foot sign. We have dealt with a similar issue in the past.

This sign permit will then be coming before you as an appeal of my decision to reject the application at the next council meeting. If you have any questions concerning the application between now and then, please let me know.



ELEVATION
1/2" = 1'-0"

SECTION
1/2" = 1'-0"

SK-1 LUTHERAN COASTAL RETREAT CENTER SIGN

DRAWN BY: MJO'R 12 JULY 91

EXHIBIT M

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-25

Second Reading Draft - 09/26/91

AN ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Ordinance 1990-6 of the City Code provides that regular meetings of City Council shall be held the fourth Thursday of each month; and

WHEREAS, City Council desires to move its regular monthly meetings to the fourth Tuesday of each month; and

WHEREAS, City Council is authorized to set its regular monthly meeting dates and amend City Code Section 1-3-1 pursuant to the authority granted inn Sections 5-7-250 and 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council Members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose

This ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Sec. 1-3-1 Regular Meetings.

The regular meeting of City Council shall be held the fourth Tuesday of each month; provided that when such Tuesday shall fall on a legal holiday, the meeting for such month shall be held the following Tuesday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability. If any part of this ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said ordinance without such unconstitutional provision, and the remainder of said ordinance shall be deemed to be valid as if such portion had not been included. If said ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms, South Carolina.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 8/28/91
Second Reading: _____
Third Reading: _____
Ratification: _____

EXHIBIT N

P R O C L A M A T I O N

WHEREAS, it has been proved that community crime and drug prevention efforts are reducing victimization and helping to rebuild a sense of mutual responsibility and shared pride in community; and

WHEREAS, crime and drug prevention depends on effective partnerships among law enforcement, concerned individuals, governmental agencies, schools, community groups, business, and neighbors; and

WHEREAS, crime and drug prevention are more than self-protection and security, but encompass the promotion of positive alternatives to delinquency and drug use among young people and encourage youth to recognize their personal stake in their schools and neighborhoods; and

WHEREAS, it is essential to raise public awareness of crime and drug prevention and increase involvement in crime prevention and related community service programs;

NOW, THEREFORE, I, Carmen R. Bunch, Mayor of the City of Isle of Palms, do hereby proclaim the month of October, 1991, as

CRIME PREVENTION MONTH

in the City of Isle of Palms, and call upon all citizens, ~~governmental agencies,~~ public and private institutions, and businesses to increase their participation in our community's crime and drug prevention efforts.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed hereto on this 26th day of September, 1991.

Carmen R. Bunch, Mayor
City of Isle of Palms

SEAL:

EXHIBIT D

PROCLAMATION

BY

MAYOR CARMEN R. BUNCH

ON

RED RIBBON WEEK

WHEREAS, the NATIONAL RED RIBBON CAMPAIGN will be celebrated in every community in America during "RED RIBBON WEEK", October 19 - 27, 1991; and

WHEREAS, President George Bush and Mrs. Barbara Bush will be the Honorary Chairmen of this community focus on a DRUG - FREE AMERICA; and

WHEREAS, the National Federation of Parents for Drug - Free Youth, and the Drug - Free Youth of America are coordinating this grassroots community awareness program in a united effort with NFP representatives in each state, in cooperation with National Drug - Free America Week, October 19 - 27, 1991; and

WHEREAS, business, government, law enforcement, schools, religious institutions, service organizations, youth, medical, senior citizens, military, sports teams and individuals will demonstrate their commitment to drug - free healthy lifestyles by wearing and displaying red ribbons during this weeklong campaign; and

WHEREAS, the Town of the Isle of Palms further commits its resources to ensure the success of the RED RIBBON CAMPAIGN.

NOW, THEREFORE, I, Carmen R. Bunch, Mayor of the Town of the Isle of Palms, do hereby declare the week of October 19 - 27, 1991 as:

RED RIBBON WEEK

in Isle of Palms, South Carolina, and commend this observance to all citizens.

Carmen R. Bunch
Mayor

Town of the Isle of Palms
Office of the Mayor

EXHIBIT P
mine -

KATHLEEN I. CANTWELL
MAYOR

TOWN COUNCIL
J. MARSHALL STITH, MAYOR PRO-TEM
DAVID A. DeANTONIO
DEBRA HAZEN-MARTIN
MEG G. HOWLE
WILLIAM J. WOOD

TOWN OF SULLIVAN'S ISLAND

P.O. BOX 427
SULLIVAN'S ISLAND, S.C. 29482

LAWRENCE A. DODDS
TOWN ATTORNEY

LINDA L. TUCKER
ADMIN. ASSISTANT

CAROLYN R. KRUGER
TOWN CLERK

J.E. LILIENTHAL
CHIEF OF POLICE

M.A. STITH
FIRE CHIEF

TELEPHONE
(803) 883-3198

September 19, 1991

Carmen Bunch, Mayor
City of Isle of Palms
Post Office Drawer Q
Isle of Palms, SC 29451

RE: Emergency Water

Dear Carmen:

The Town of Sullivan's Island would like to request your assistance during a particularly stressful situation related to the public water system. As you know, the Town is in the process of constructing a second well to have a back-up source of water. The Town had expected construction to be completed the latter part of July; however, the contractor has encountered some rather difficult obstacles and completion will be delayed until November.

In that regard, if the Town's existing well were to fail, it is expected that the Town would have 24 hours of stored water. However, repairs could take a minimum of 48 hours. We would like to work out an emergency mutual aid agreement which will allow Sullivan's Island to procure water from Isle of Palm's Breach Inlet well on a temporary basis (possibly utilizing large fire hoses) until water service could be restored.

Please let me know if this is acceptable to you.

Very truly yours,

Kathleen

Kathleen I. Cantwell
Mayor

cc Dr. Debra Hazen-Martin, Water & Sewer Committee Chairperson
Leo Truesdell, Water & Sewer Supervisor
Lawrence Dodds, Town Attorney

EXHIBIT Q

Miss

Commander Cruiser-Destroyer Group Two

11 September 1991

Dear Mayor Bunch,

Just a short note to thank you for your letter of 6 September. I have written a note to CAPT Dave Vail (Commander, Mine Squadron TWO), to pass on my praise for a job well done to all aboard EXULTANT.

LCDR Powell and his crew are just another example of the pride the Navy has for Charleston and the low country. We here at the waterfront feel it's important to continue our reputation as the "best homeport on the east coast" and welcome any opportunity to contribute to the community where it's a genuine pleasure for all of us to live and work.

Again, thank you for your letter and taking time out to recognize LCDR Powell and his crew. I look forward to seeing you again soon.

Sincerely,

D. J. KATZ
Rear Admiral, U.S. Navy

The Honorable Carmen C. Bunch
Office of the Mayor
City of Isle of Palms
Isle of Palms, South Carolina
29541

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
OCTOBER 16, 1991, CITY HALL

A special meeting of the Isle of Palms City Council was held on October 16, 1991, at 6:30 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Ward, and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary. Council Members Orvin and Swanson were absent.

The Mayor called the meeting to order and stated that the purpose of the meeting was to pass a resolution concerning a bond issue for the Water and Sewer Department.

1. Mr. Williams read the resolution (see Exhibit A) concerning a $2,700,000 bond issue which would include construction of the Reverse Osmosis Water Treatment Plant, improvements to the Wastewater Treatment Plant, water line improvements, and payment of a short-term bond anticipation note due in February 1992.

Mr. Simon made a motion to approve the resolution; Mr. Watson seconded. There followed extensive discussion concerning the borrowing of this sum.

Some Council members felt that we could do the same operation and improvements for less money by not making "cadillac" improvements and doing only what is absolutely necessary.

Mr. Williams stated that this project was an on-going project even before the system was acquired last February; Council had voted to purchase the water utility and knew what its financial capabilities were, adopted the budget, adopted the rates necessary to operate it. We are under a consent order to make improvements to the Wastewater Treatment Plant and to construct the R.O. system. The engineers have estimated the costs and identified the project. If this resolution does not pass tonight, this could push the improvements back quite a while and DHEC would not look favorably on that.

Mayor Bunch reminded Council that when talking to Charlie Way, he had indicated that he was getting rid of the Water Company because he couldn't afford to run something that was taking a loss. He knew that improvements must be made and the consent order must be met, and he was going to apply before the commission for a rate increase. He was planning to sign with Mt. Pleasant until the City negotiated to purchase the system.

Mr. Sottile asked if DHEC had mandated a date by which we had to break ground on the R.O. plant. Mr. Williams stated that their expectation was that as soon as the plans were finished, they would expect us to break ground. We had told DHEC that the plant would be built by November 1992.

Mr. Sottile asked if the recent rate increase included the R.O. plant to which Mr. Williams stated that there wouldn't be another increase until after R.O. came on line and that after we have been operating the system for a year, we can get a better idea of what will be needed - there may not be a need for another increase.

Mr. Simon asked for an explanation of the South Carolina Resources Authority. Mr. Williams stated that it was an agency created by the legislature to put infrastructure projects such as this together under the aegis of the State of SC through the Jobs Economic Development Authority of the Governor's Office. When they put these projects together, they can afford organizations like ourselves a AA bond rating because they have the moral obligation backing of the State government, which comes from if the City were to default on the payment of the bonds, the State would then divert any State shared revenue that the city would get toward the repayment of the bond. The rating agencies give them a much higher rating than we could get on our own. In the open market, our bond counselor, Bill Youngblood, stated that we would end up with an unrated issue. This offer is usually done once a year and this one is coming up in November.

Our package must be in their office by October 22 and all we need to complete the package is this resolution.

Ms. NesSmith-Picard stated that she was very concerned about borrowing an amount of money equal to the entire city budget and that she was not ready to vote on this tonight. She stated that the recent rate increase was going to pay for the operation of the system and that we are not qualified operators of the system and that we would raise the rates again for R.O. system. She felt that we did not have all the answers and was not comfortable making a decision at this time. She felt that we could get an R.O. plant for less money and thought it was not fair to the residents to add this debt to their bill.

Mayor Bunch stated that Council had voted to purchase the system, voted for each step of the process, and now when it comes to the end you want to reverse yourselves. She suggested we let Wild Dunes buy the utility and let them show us how to raise a water bill.

Ms. NesSmith-Picard stated that she was not objecting to borrowing money, but not such a large amount.

Mr. Simon asked what the likely interest rate would be on the bond to which Mr. Williams replied 7-7.5%. Mr. Williams stated that the Governor's Office would hold the money and would send us money as we sent them vouchers and that the money would have to go towards the projects identified in our application.

Mr. Williams reiterated that we were aware when we purchased the system that an R.O. plant would have to be built. The engineers have assured him that we are not building a "cadillac" plant but a "chevrolet" plant and are making numerous savings in the plant.

Mr. Holden again called for a committee of council to deal with issues of the Water & Sewer Department.

Mr. Sottile recommended that we ask the engineers to come and talk to council before making a decision on this bond issue.

Mr. Williams stated that if the resolution is not passed before October 22, we will have to withdraw from the Authority's bond issue. Mayor Bunch stated that if we withdrew, it would mean higher interest rates, and asking for another extension from DHEC.

Mr. Williams stated that DHEC's position would probably be that if we didn't recognize all of the responsibilities and obligations, then we shouldn't have gotten in the water and sewer business.

Mr. Simon stated that one of the things the citizens of this island expected was that we would move forward to create drinkable tap water with all haste. We have an opportunity to borrow the money through a State pool and we should go forward while we have the chance and get our residents drinkable water. Whatever efficiencies need to be made in the operation of the system need to be made as we go along.

Mr. Watson stated that he felt both sides were right on this issue and if there are Council members who think we can do it better and more efficiently and want to relook at it, then he will support them to delay it for a week and still be able to get in on the State pool.

After further discussion, it was decided to have another meeting that Mr. Williams will provide Council with written information to study between now and then.

Roll call vote was taken on the motion: Holden - No; NesSmith-Picard - No; Simon - Yes; Sottile - No; Ward - No; Watson - No; Bunch - Yes. Motion to pass the resolution was defeated 2-5.

Mayor Bunch respectfully suggested that we be embarrassed and say that we don't know what we are doing and go back to Mt. Pleasant to take it over or ask Wild Dunes to buy the system.

2. Chief Arnold reported that the department was in need of a part time Animal Control and Community Service worker. He asked to allow Tony Couturier to remain as part time employee through the end of the year and then become full time as of the first of the year. Council stated that they would like to study the request and make a decision at the regular Council meeting next week after discussing at the Public Safety meeting Thursday night.

Mr. Ward made a motion to schedule another special Council meeting on Monday to discuss the bond resolution; Mr. Holden seconded. Mr. Holden made an amendment to the motion to also discuss a sub-committee of Council for water and sewer issues; Mr. Ward seconded. Motion was dropped and the Secretary was asked to call everyone to schedule a meeting.

Mr. Williams stated that he just spoke with Bill Youngblood, the bond counsel, who strongly advises that we do not miss this opportunity for financing; that there will not be another bond offering before the bond anticipation note becomes due; and that we may not be able to sell our bonds at all in the uninsured market or even obtain financing on the open market. Mr. Williams will provide Council with an information package on the utility issue.

Mr. Ward made a motion to adjourn which was seconded and unanimously passed.

Respectfully submitted,

_____

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on _____

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
OCTOBER 21, 1991, 7:00 P.M., EXCHANGE CLUB

A special meeting of the Isle of Palms City Council was held on October 21, 1991, at 7:00 p.m., at the Exchange Club. Present were Mayor Bunch, Council Members NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson, City Administrator Williams, Clerk-Treasurer McDuffie, and Secretary Geary. Council Member Holden was absent.

The meeting had been called in order to hear a presentation concerning the bond issue for the Water & Sewer Department and to vote on the Resolution required for bond financing. Present at the meeting were Mark Yodice of Thomas & Hutton Engineering, the designers of the R.O plant, and Bill Youngblood, the City's bond counsel.

Mayor Bunch passed out to Council copies of a package she had put together with copies of minutes from meetings where Council had approved each step of the process in purchasing the utility and making necessary repairs. (Exhibit A)

Mark Yodice gave a short presentation about the necessity of the $2,700,000 loan and the items included in the loan. He stated that the cost of the R.O. plant itself was very affordable and asked for questions from Council. Mr. Sottile asked about the sewer improvements that were to be made and Mr. Yodice explained what they were. Mr. Sottile also asked about the design of the R.O. plant in that there was a kitchen, two bathrooms, a lab and a training room included in the plans and whether or not these were needed in this building. Mr. Yodice explained that the department would need to daily testing of the water and the lab would be needed in the future as we become more experienced in the operation of the system. As for the restrooms and kitchen, the future plan was to use the existing building as a storage facility and workshop.

Mayor Bunch read a letter that she had received from DHEC (Exhibit B) concerning the City's failure to submit approvable plans under the consent order. She stated that any changes in the plans now would further delay the plant which DHEC would not look favorably upon.

Mr. Ward stated that his concern in not voting for the resolution last week was that he wanted a breakdown of the costs to review and that he now is ready to vote for it.

Mr. Williams stated that it was critical in passing this resolution tonight because there was a "drop-dead" date in applying for the SC Resources Authority bond issue and that date was October 22, tomorrow. Our ability to market our own bonds is severely limited by our short-term possession of the utility and our lack of track record in operating a utility. He also stated that when we acquired the utility, the City was not aware that repairs needed to be made to the Wastewater Treatment Plant and that the consent order for this was a surprise. Also the utility had not been maintained through the years and we have been in a position where certain repairs were necessary. The City will never hold $2.7 million, the funds will be drawn as stages are completed and funds needed.

Bill Youngblood gave a short presentation about the bond issue. He stated that contacts had been made with investment firms in the hope that our bonds could be marked in the private market, but because we are so new in ownership, we didn't get the kind of level of confidence at acceptable rates. Therefore, he had suggested that the City apply to the South Carolina Resources Authority in their upcoming bond issue. Mr. Youngblood stated that the SCRA bonds carry a AA credit rating which in turn substantially lowers the borrowing costs. If we borrow for 30 years at 7.5%, the annual payment would be approximately $228,000. We must also pay off the bond anticipation not of $475,000 in February and the City cannot afford to let this payment lapse. He also stated that what makes this a AA bond rating is (1) the moral obligation of the State of South Carolina; (2)

the State Treasurer is delegated to withhold any State revenues that the municipality might be entitled to if they should default; and (3) a capital reserve fund in an amount of the average annual debt service is held by the State.

Ms. NesSmith-Picard asked several questions of Mr. Youngblood concerning the bond which he answered to her satisfaction. She then presented some questions to Mr. Williams concerning the expenditures of the funds and stated that she would vote for the $2.7 million bond only if it is determined to be valid and for absolutely necessary expenditures that must be made now.

After further discussion, Ms. NesSmith-Picard stated that she had three motions to make and made a motion that in the future, council be the sole authority for entering consent orders; Mr. Ward seconded.

Upon discussion, it was determined that Council was meeting tonight to pass the Resolution and not to hear discussion and motions concerning the water and sewer department. Ms. NesSmith-Picard and Mr. Ward withdrew their motion and second.

Mr. Williams then read the Resolution.

Mr. Ward made a motion to approve the Resolution as read; Mr. Orvin seconded. Roll Call vote was taken: NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously.

Mr. Orvin made a motion to adjourn; Mr. Ward seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 11/26/91

EXHIBIT A

PROJECTED USES OF BOND PROCEEDS:

REVERSE OSMOSIS SYSTEM	$1,620,000.00
SEWER IMPROVEMENTS	226,750.00
BOND ANTICIPATION NOTE	496,850.00
BOND ISSUE COSTS	79,560.00
BONDED DEBT RESERVE FUND (REQUIRED)	224,000.00
NEW WATER LINE - PALM BLVD	52,840.00
TOTAL	$2,700,000.00

SPECIAL CITY COUNCIL MEETING
MONDAY, OCTOBER 21, 1991
7:00

AGENDA

1. Introduction of principles involved with bond issue and requirements for construction of the RO system and comments, etc.

2. Resolution for Water & Sewer Department, Reverse Osmosis Plant, in the amount of $2,700,000.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF AUGUST 13, 1990

A special meeting of the Isle of Palms City Council was held on August 13, 1990 at City Hall. The meeting was called to order at 6:00 p.m. by Mayor Carmen Bunch with Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson and Ward present. Council members Orvin and Watson were absent. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill.

Others attending included Charles Way, President of The Beach Company (owner of the Isle of Palms Water Company); Jim Matthews, employee of The Beach Company; Bill Rowell of DHEC; Marvin Ruddy of Muckenfuss & Associates, the City's accounting firm; Mark Yodice of Thomas & Hutton Engineering who are conducting the wastewater survey for the City; Mickey Seabrook of E.M. Seabrook, engineers for The Beach Company; Timmy Griffin, manager of the Isle of Palms Water Company; Bachman Smith of Sinkler & Boyd, attorneys for The Beach Company; Guy Taylor, chairman of the Isle of Palms Planning & Zoning Commission and commission members Kathy Carroll, Arnold Karig and John Stanley.

The Mayor gave an update on discussions through the years concerning the possible acquisition by the City of the water company before introducing Charles Way. Mr. Way advised Council of his understanding of the situation, stating that discussions with the City started some fifteen years ago when first mention was made about the City's purchase of the water company. Advising that an agreement had been reached some three weeks ago between The Beach Company and Mt. Pleasant Waterworks, Mr. Way stated that price, terms and assets to be sold have been agreed upon.

Stating that it would cost close to $2,000,000 to bring the Isle of Palms Water Company in compliance with the Safe Drinking Water Act, a sum in addition to the acquisition cost, Mr. Way cited some of the expenses involved in operating a reverse osmosis system, but advised that Mt. Pleasant Waterworks has the expertise and manpower to operate such a system. While costs of $4.75 - $5.00 per/thousand gallons of water may be expected if The Beach Company were to continue providing the service, Mr. Way advised that Mt. Pleasant could offer rates of approximately $3.60 per/thousand gallons.

Mr. Way further advised that it was his understanding that Mt. Pleasant would operate the sewer system under the wastewater plan currently being designed for the Isle of Palms, stating that the Island would be sewered only as requested or required by the City. With reference to the franchise agreement which would be required between Mt. Pleasant and Isle of Palms, Mr. Way stated that adherence to the stipulations contained in such an agreement would be required.

Advising Council of the two reasons The Beach Company wants and intends to sell the water company to Mt. Pleasant, Mr. Way stated (1) the day of the small water company operator is over because of the necessity of a large customer base, the required expertise, and expensive manpower; and (2) whoever owns the water company must spend some $2,000,000, as previously mentioned, and The Beach Company will not commit family assets of this magnitude to the water system.

Billy Rowell of the Department of Health and Environmental Control, in agreeing with the statements of Mr. Way, advised Council that the water company was under a consent order for flouride violation. Mr. Rowell further advised that the Safe Drinking Water Act is causing expensive changes and is impacting all water systems, stating that water rates may be expected to triple and quadruple; further expressing his belief that the larger companies will be able to provide water/sewer much more reasonably than small companies. Explaining

that DHEC wants to see this situation resolved as quickly as possible, Mr. Rowell advised that the water company's conformance to the Safe Drinking Water Act was expected by his agency in some fifteen months or so.

Mark Yodice of Thomas & Hutton Engineers stated that problems exist all along the coast, requiring more testing, more paperwork, etc.; therefore, rates are going up accordingly. Stating that the systems on the Island are old and were damaged by Hugo, Mr. Yodice agreed that the cost of upgrading would be in the neighborhood of $2,000,000.

Marvin Ruddy expressed concern for the cost of acquisition, operation and maintenance of the system, stating that in his opinion, Mt. Pleasant can operate the system less expensively.

Council members voiced concern over the costs involved, but cited need for input and control, particularly regarding sewer expansion. Guy Taylor and John Stanley, members of the Planning Commission, expressed the need to sewer the Island, citing the existing problems in some low-lying areas with septic tanks.

The Mayor mentioned the possibility of a town meeting at which time residents could hear what the experts have to say about the water company situation, but recommending that Council should take initiative since the people have entrusted the decision to their elected officials. Council member NesSmith-Picard asked could the attorney draft a franchise agreement for Council's consideration. Council member Ward inquired if a worksession could be held with accountants so figures could be seen. After further discussion, it was agreed that Attorney Dreyfoos would contact the necessary parties for the purposes of discussing a franchise agreement.

There being no further discussion, Council member Simon moved to adjourn; second by Council member Swanson. Motion carried and meeting ended.

Respectfully Submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk/Treasurer

APPROVED: Carmen R. Bunch

Carmen R. Bunch, Mayor

* Water & Sewer Budget & Rates

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
JUNE 17, 1991, 6:30 P.M., CITY HALL

A special meeting of the Isle of Palms City Council was held on June 17, 1991, at 6:30 p.m., at City Hall. The purpose of the meeting was to discuss the water and sewer rates recommended by the Water & Sewer Committee to be implemented with the next billing, and other water department business. Present were Mayor Bunch, Council Members Holden, Simon, Sottile, Swanson, and Watson, City Administrator Williams, Finance Director Stonesifer, Clerk-Treasurer McDuffie, and Secretary Geary. Council Members NesSmith-Picard and Ward arrived late, and Council Member Orvin was absent.

Also present were members of the Water & Sewer Committee: Chairman Stanley, Cochrane, Dehoney, Hann, O'Neal, and Voorhees.

The Mayor opened the meeting and asked John Stanley to discuss with the Council the rates recommended by the committee and the reasons for setting them. The water rate structure must accommodate the operating expenses of the system along with some retainage for capital improvements. The revenues are usually divided into two parts; one a facilities charge and one a commodities charge. Facilities charge includes debt service, maintenance of tanks and meters, reading of meters, etc. The commodities charge includes amount of usage and water treatment chemicals, electricity, etc. which vary with amount of usage. The committee decided that a reasonable basic facilities charge along with a rise in cost of the commodity charge would be something the customers could live with, and felt that it was reasonable and fair to all customers. The committee also felt that when R.O. comes on line, the rates should be raised again in order to accommodate these additional costs.

* Mr. Williams passed out a new Water & Sewer Department budget (see Exhibit A). This budget included the recommended rates.

After further discussion, Mr. Watson made a motion to accept and implement the water and sewer rates recommended by the committee * (see Exhibit B) with the exception of R.O. rates; Mr. Simon seconded. Mrs. Swanson amended the motion to include first reading of the budget; Mr. Watson seconded, but after discussion, the amendment and second were withdrawn. Motion was passed 7-1, Mr. Ward abstaining.

* The Mayor asked for a motion to suspend the rules of order to allow first reading of the Water & Sewer Department budget; Ms. NesSmith-Picard so moved; Mrs. Swanson seconded, motion passed unanimously.

* Ms. NesSmith-Picard made a motion to accept first reading of the Water & Sewer Department budget by title only; Mr. Sottile seconded; motion passed 7-1, with Mr. Ward abstaining.

Mr. Watson made a motion to accept and implement the additional charges recommended by the committee per Mr. Williams memo of June

17, 1991, (see Exhibit C); Mr. Sottile seconded, motion passed unanimously.

Mayor read a letter from DHEC concerning a proposed consent order about the Forest Trail Treatment plant. (see Exhibit D) Mr. Williams stated that there were some problems with the plant that needed repair, installation of a better dechlorination system, and keeping up the monthly flow reports and laboratory tests. Since the City has just purchased the system, DHEC has extended the consent order and given the City until December 31, 1991, to get these repairs made.

Mayor Bunch asked to have a short special meeting to discuss the Water & Sewer Department budget. It was decided to have the meeting immediately after the Public Hearing on Wednesday, June 19, 1991.

Mr. Ward asked for another special meeting to try to get a positive vote on the entire 1991-92 general fund budget. It was determined that a meeting would be called for 7:00 p.m. on Monday, June 24.

Mr. Ward made a motion to adjourn which was seconded and passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 6-27-91

was held at Regular Council Meeting 27 June where Rates & Budget passed.

M E M O R A N D U M

TO: City Council

FROM: Mark M. Williams

SUBJECT: Water & Sewer Rates

DATE: June 17, 1991

==========

The following rates pertaining to water and sewer service also need to be approved:

Disconnect - owner's request.....$30.00

Disconnect - non-payment..... 50.00

Meter reread - original reading correct..... 20.00
- original reading incorrect..... -0-

Check meter - owner's request, if meter okay.... 30.00
- faulty meter..... -0-

Delinquent payments - 1.5% of delinquent amount per month on unpaid balance

Bills due 22 days after rendered

2nd bill plus interest due 15th of following month

Returned check charge..... 20.00

Cross connection inspection..... 50.00

For rentals, property owner must be responsible party for water bill

June 27th meeting of Council
* (approved rate & Water Budget)

Lots 5A, 6A, 7A and 8A, Block 64, Section D; Lots 1A and 6A, Block 63, Section D; Lots 1A and 6A, Block 61, Section D; Lots 1A and 6A, Block 60, Section D; Lots 7A, 8A, 9A, 10A and 11A, Block A, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block B, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block C, Tract A; Lots 7A, 8A, 9A, 10A and 11A, Block D, Tract A; Owned by The Beach Co. (42nd Ave. to 53rd Ave.)

Mr. Ward made a motion to approve the plat of lots between 42nd and 53rd Avenues with the same notation as on the previous plat; Mr. Sottile seconded. Mrs. Swanson amended the motion that public accesses be identified; Ms. NesSmith-Picard seconded; amendment passed 5-4. Motion passed 5-3-1.

C. Acreage Plat Showing Resubdivision of Tract "A", Block "T", Parcels 112, 12, 12a, 14, 20 & 21, Wild Dunes, City of Isle of Palms, Charleston County, South Carolina. (Grand Pavilion Blvd.)

Mr. Ward made a motion to approve the said plat; Mr. Orvin seconded; motion passed unanimously.

Mr. Batchelder announced that the Planning Commission has set September 19, 1991, as a special meeting to hear a proposal by Council Member NesSmith-Picard about the creation of a waterfront district.

3. Water & Sewer Committee - see minutes attached as Exhibit H.

4. Building Committee - None.

5. Beach Patrol & Control Board - no meeting this month.

6. Personnel Committee - None.

7. Dewees (ad hoc) Committee - None.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None.

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None.

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Second Reading - Ordinance 1991-18 - An Ordinance to Establish Customer Charges, Raise Revenues, Make Appropriations, Adopt a Current Expense (Operating) Budget and Capital Budget and Program for the Isle of Palms Water and Sewer Department for Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992. (see Exhibit I)

Mr. Ward made a motion to approve second reading of Ordinance 1991-18; Mr. Sottile seconded. After discussion, Ms. NesSmith-Picard amended the motion to suspend the rules of order and not read the ordinance word by word; Mr. Ward seconded; amendment passed unanimously. Motion passed unanimously.

Mr. Ward made a motion to suspend the rules of order to suspend third reading and ratify Ordinance 1991-18; Mr. Simon seconded; motion passed unanimously.

2. Second Reading - Ordinance 1991-16 - An Ordinance to Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992.

The Mayor gave a rebuttal to Ms. NesSmith-Picard's letter to the editor concerning "fiscally irresponsible" council members. She stated that she resented the term as applied to any current or past council members and she also resented the statements that the city's savings have disappeared. She urged anyone to review the audits and any city statements to see where the funds have

EXHIBIT D 14/13 11
Mark =
Please Reply
in men Info Rec'd

South Carolina
DHEC
Department of Health and Environmental Control
2600 Bull Street, Columbia, SC 29201

Commissioner: Michael D. Jarrett

Board: William E. Applegate, III, Chairman
John W. Burriss, Vice Chairman
Richard E. Jabbour, DDS, Secretary
Toney Graham, Jr., MD
Henry S. Jordan, MD
John B. Pate, MD
Robert J. Stripling, Jr.

Promoting Health, Protecting the Environment

Return Reply
Reg. Mail
Thanks
CHB

Bureau of Drinking Water Protection

October 17, 1991

Certified Mail

The Honorable Carmen R. Bunch
Mayor of the City of Isle of Palms
Post Office Drawer Q
Isle of Palms, South Carolina 29451

Re: Notice of Violation of Consent Order 91-32-DWP

Dear Mayor Bunch:

Department of Health and Environmental Control (Department) Consent Order 91-32-DWP required, in part, that the City of Isle of Palms submit to the Department approvable plans and specifications for the installation of the proposed RO treatment system and any associated piping, water distribution lines, water system modifications, etc., that will be involved in the addition of the proposed treatment facilities. The approvable plans and specifications were due to the Department by July 1, 1991.

Even though plans and specifications have been submitted to the Department for the proposed treatment system, Department staff has determined that the submittal was not approvable. Since the engineering submittal was not approvable, the City of Isle of Palms is in violation of the requirements of Consent Order 91-32-DWP.

In order to prevent additional enforcement action on this matter, on or before November 1, 1991, you must submit approvable plans and specifications, as required by the Consent Order.

The City's failure to satisfactorily respond to this letter by November 1, 1991, will likely result in the issuance of an administrative order which will likely include the assessment of a civil penalty.

If you have any questions concerning this matter, please call me at 734-5372.

Sincerely,

Valerie A. Betterton
Enforcement Section
Bureau of Drinking Water Protection

cc: Mr. Marvin Murray
Mr. Greg Sams
Ms. Cathy Montgomery
Mr. Foster Coleman

recycled paper

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
OCTOBER 22, 1991, EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on October 22, 1991, at 7:00 p.m., at the Exchange Club. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson, City Administrator Williams, Attorney Rhoad, Clerk-Treasurer McDuffie and Secretary Geary.

After the Pledge of Allegiance and Invocation, roll call was taken.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. August 28, 1991 - Special City Council Meeting
2. September 26, 1991 - Regular City Council Meeting
3. October 16, 1991 - Special City Council Meeting

Ms. NesSmith-Picard asked for a correction to the minutes of September 26, 1991, page 2, "Mr. Ward made a motion to approve $6,500 for repair of the 21st Avenue dune walk-over {ADD: if free repairs were not arranged by funding and volunteer labor}.

Mr. Sottile made a motion to approve all minutes as presented with correction noted; Mr. Watson seconded; motion passed unanimously.

Mayor Bunch introduced Don Hayes, former council member from North Charleston, and welcomed him to the Isle of Palms.

C. CITIZENS' COMMENTS

1. SCDHPT - Harry Mills - Mr. Mills reported that during the next month, the ocean side of Palm Boulevard will be paved, curbs and sidewalks will be added. After that is done, the entire road will be paved again and, weather permitting, they hope to complete paving in December. The Connector bridge is still on schedule and working towards completion in the Fall of 1993.

2. Peter Dilling - Mr. Dilling spoke to Council concerning an incident in which he was given a dog-at-large ticket which to took to court, was found guilty, and paid his fine. Mr. Dilling stressed that he felt there were too many policemen involved and that he was treated unfairly. He felt that something should be done about the current leash law.

3. Jane Lareau - Ms. Lareau, from the South Carolina Coastal Conservation League, gave a report on the Dewees Island sewer suit which is being settled. She also presented a listing of the suit costs showing the Isle of Palms portion of costs at $993 instead of the $2,000 that Council had previously approved.

4. Beni Sturcken - Ms. Sturcken spoke about the leash law and suggested that an amendment be made that would allow dogs to be walked on the beach unleashed during certain hours of the day.
Mayor Bunch asked Mr. Rhoad to look into this matter and Mr. Orvin expressed his agreement to this proposal.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Ward highlighted the meeting of October 14, 1991 (see Exhibit A), and presented a series of motions for Council's approval.

Mr. Orvin made a motion to approve inquiring about bids for professionally moving the Police Station and City Hall into the new building; Mr. Sottile seconded; motion passed unanimously.

Mr. Ward made a motion to approve the expenditure of up to $4,000 to construct a truck wash area with grease separator next to the Public Works Building to clean the garbage trucks; Mr. Orvin seconded; after discussion, motion passed unanimously.

Mr. Ward made a motion to replace narcotics surveillance audio equipment that was destroyed in Hurricane Hugo; Mr. Watson seconded; after discussion, motion passed unanimously.

Mr. Ward made a motion to approve the expenditure of up to $3,600 to be reimbursed by FEMA to cut down dead trees in City owned rights-of-way; Mr. Simon seconded; after discussion, motion passed unanimously.

Mr. Ward thanked Council Member Sottile for obtaining donations and getting the audio/video equipment for taping of City Council meetings.

Ms. NesSmith-Picard made a motion that all draws requested on the $2.7 million revenue bond be pre-approved by City Council; Mr. Ward seconded; motion passed unanimously.

2. Police and Public Safety - Mr. Sottile stated that the audio/video equipment was donated by residents and businesses on the Isle of Palms and it will be donated to the City and can be permanently installed in the new Municipal Building. Chairman Sottile read the report from the October 17, 1991 meeting (see Exhibit B).

Mr. Sottile commented that he was very concerned about what he is hearing on the street about the tactics used by our policemen. He felt that there are some areas that need to be addressed in the near future concerning the way the department is responding to certain instances, such as using young teenagers. He asked that in the future he, as chairman of the Public Safety Committee, receive copies of letters written to the Mayor or Police Chief concerning complaints about the department.

Mayor Bunch stated that there was a daily file in the Council chambers at City Hall in which are put copies of letters such as the above for everyone to read. Upon discussion, she also suggested that Council members ask the chief for information on each officer including letters received praising our policemen and letters of commendation written to the officers.

3. Public Works - Chairman NesSmith-Picard stated that there was no meeting this month. She reported that in the recycling program, there were 360 pounds of aluminum cans and around 8,000-10,000 pounds of newspapers collected.

Mayor Bunch announced that Joan Olsen, Chairman of the Recycling Committee, had been recommended for Channel 5's "Charlie Hall of Fame" and was presented an award at City Hall this week. The City also presented her with a dozen red roses and thanked her for all her work in the recycling program.

4. Engrossed Bills - Chairman Holden reported on the meeting of October 10, 1991 (see Exhibit C).

Mr. Orvin made a motion to extend the moratorium on dune walk-overs for another 60 days; Ms. NesSmith-Picard seconded. After discussion, Mr. Orvin amended his motion to reduce the moratorium for 30 days; Mr. Holden seconded. After discussion, roll call vote was taken: Holden - Yes; Picard - Yes; Orvin - Yes; Simon - No; Sottile - No; Swanson - No; Ward - No; Watson - No. Motion was defeated 3-6.

Mr. Holden made a motion that the attorney be directed to research the restriction of dune walk-overs; Ms. NesSmith-Picard seconded; roll call vote was

taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile - Yes; Swanson - Yes; Ward - No; Watson - Yes; Bunch - Yes. Motion passed 8-1.

5. Recreation - Chairman Orvin gave a brief report of the month's activities (see Exhibit D).

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - Chairman Fellabom gave a synopsis of the meeting of October 15, 1991 (see Exhibit E). Mr. Fellabom also told Council that there were many cases being heard because of non-conforming lots and structures caused by the change in zoning ordinances in February 1989, and urged Council members to attend the meetings and see the problems caused by these ordinances.

2. Planning Commission - Chairman Taylor reported that the only thing coming before Council was one plat:

> Plat of Lot 6, Block 10, Section A, Containing 8424 SF, Owned by Elizabeth Halfacre and a 1605 SF Lot Owned by Ocean Boulevard Properties About to be Conveyed to Elizabeth Halfacre (Lewis E. Seabrook).

Mr. Ward made a motion to approve the plat; Mr. Sottile seconded; motion passed unanimously.

3. Water & Sewer Committee - Chairman Stanley gave a brief synopsis of the meeting of October 16, 1991 (see Exhibit F).

Ms. NesSmith-Picard made a motion to approve the committee's actions; Mr. Ward seconded; after discussion, motion passed unanimously.

Mayor Bunch stated that the City had received a letter from Wallace Burgis' attorney requesting that Mr. Burgis be given sewer service as he has already paid a $300 tap fee. There was discussion on this matter. Mr. Rhoad stated that since the tap fees were paid before Council decided not to allocate the remaining capacity, he was legally entitled to the sewer service.

Mr. Holden made a motion to approve the tap-in for Mr. Burgis; Mr. Sottile seconded; after further discussion, motion passed 8-1, with one abstention.

4. Building Committee - No report.

5. Beach Patrol & Control Board - Mr. Simon reported that as shown on the minutes (see Exhibit G) there is a problem at Wild Dunes with erosion around the golf course. They did go before Coastal Council and were denied their request to place sandbag groins on the beach. This may come back before the Beach Board.

6. Personnel Committee - No report.

7. Dewees (ad hoc) Committee - No report.

8. Emergency Preparedness Committee - Mr. Ward made a motion to postpone any discussion on the plan to give Council members time to study Mr. Rhoad's proposal; Mr. Orvin seconded; motion passed unanimously.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

J. BILLS ALREADY IN POSSESSION OF COUNCIL - None

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Charleston Area Arts Council Month
2. Elks Veterans Remembrance Month

Mr. Williams read the two proclamations. Mrs. Swanson made a motion to approve both proclamations; Mr. Sottile seconded; motion passed unanimously.(see Exhibit H)

L. MISCELLANEOUS BUSINESS

Mayor Bunch mentioned three letters that she had received (see Exhibit I) concerning JEDA loans and a recycling grant that was turned down.

M. EXECUTIVE SESSION

Mr. Ward made a motion to go into Executive Session; Mr. Sottile seconded; motion passed unanimously.

Coming out of Executive Session, the Mayor stated that no action was taken; there was discussion of legal and personnel matters.

Ms. NesSmith-Picard made a motion to form a standing committee of four members made up of Mayor Bunch, Sottile, Watson and Picard to look at the plans for the R.O. Plant and make a recommendation to Council; Mr. Ward seconded. Mayor Bunch recommended that the full Council review the plans. Mr. Ward amended the motion to include full Council; Mr. Holden seconded; amendment passed 6-3. Motion passed unanimously.

Mr. Ward made a motion to adjourn; Mr. Orvin seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 11/26/91

EXHIBIT A

ISLE OF PALMS WAYS AND MEANS COMMITTEE

The meeting was called to order in City Hall by Jimmy Ward at 7:09 PM on October 14. In attendance were Mayor Bunch, Administrator Williams, Finance Director Stonesifer and Councilmembers Holden and Watson. Also in attendance were Tom Murph and Carl Mathais of CP Communications, and Police Chief Jim Arnold.

The police chief presented the plans for the proposed communication console for the new police station. He also stated that the city will incur about $10-15K to move existing equipment if the new system is not acquired. Mr. Murph and Mr. Mathais gave a presentation about the new console.

Mr. Williams asked the committee about having professional movers move the police city hall and building inspector's office. The committee then voted 3-1 to inquire about bids from movers.

Brief discussions were held on leased phone systems for the fire stations versus acquiring the systems and what to do when the leases on the building department vehicles expire in November.

A motion was made to construct a truck wash area with grease separator next to the public works building. Motion passed 4-0.

A motion was made to replace narcotics surveillance audio equipment that was destroyed in Hurricane Hugo. Motion passed 4-0.

A motion was made to cut down dead trees in city owned right of ways. Expense not to exceed $3600 to be reimbursed by FEMA. Motion passed 4-0.

Mr. Williams stated that he thought it might be a good idea to have a spokesperson for the SC Utility Billing Committee speak to city employees in the future concerning water company bills. He will get a bid from the committee.

There was a motion to go into Executive session, motion approved.

Coming out of executive session there was a motion to recommend to full council to pay the Water Company manager $32K in lieu of $30K with 2 weeks accrued leave. Motion passed 3-1.

The committee then reviewed the local option sales tax receipt as compared to the SC Tax Commission estimates. Actual receipts versus estimates are very low.

Meeting adjourned at 9:18PM

Respectfully submitted,

Jimmy Ward

Jimmy Ward, Chairman

EXHIBIT B

PUBLIC SAFETY COMMITTEE MEETING
OCTOBER 17, 1991 at 5:30 P.M.

PRESENT: Committee Members: Mayor Bunch, Simon, Watson, Sottile. Also present was Councilmember Holden.

FIRE DEPARTMENT:

Chief Britton highlighted the month of September.

- There were a total of 27 alarms during the month of September. 15 of these were for medical assistance.

- Fireplace inspections are now being conducted. Residents should be encouraged to have these inspections done, as it is free and only takes about 15 minutes.

- At the September committee meeting, there was some concern as to whether the City insurance would cover personnel using the defibulator. Chief Britton confirmed that personnel using this equipment are covered for liability.

- Hazardous material classes are now being conducted so personnel can be properly trained in this area.

- Chief Britton attended the State Fire Chief's Conference in Sumter during the month, and was nominated to run for 2nd vice president.

POLICE DEPARTMENT:

Chief Arnold highlighted the month of September.

- There were a total of 1,349 calls during the month.

- Chief Arnold and Lieutenant Buckhannon attended Data Master training. The Data Master will be replacing the Model 900 Breathalyzer machine.

- Chief Arnold attended a Hurricane Awareness meeting at Saint Marks Church.

- The Police Department coordinated Med-U-Care helicopter training for police and fire personnel on how to set up and prepare a landing site in emergency situations.

- Chief Arnold and Sergeant McCurdy attended ABC training on new laws and decisions concerning alcohol violations.

- Officer Jan Stewart was a guest instructor for new D.A.R.E officers for the state of Florida.

- Chief Arnold advised the Committee that a new drug administration task force has been created county-wide of which our police department is a member. We will benefit by having access to shared information and not having jurisdiction problems. We will also share in the proceeds from the task force.

- There was a complaint by residents from the 8th Avenue area about delivery trucks using 8th and 9th Avenues as through streets to get to the front beach area. Chief Arnold has requested from the highway department, signs stating "No Through Trucks" be placed at 8th and 9th Avenues.

- The Committee discussed, at length, a complaint letter which was sent to all council members by a resident. The discussion centered around various tactics used by the department. Chief Arnold will answer the complaint in writing to the Committee and the Chairman will send a copy to the resident who made the compliant.

- Chief Arnold requested that $3,000 be added to his budget because of payroll demand. Overtime has increased drastically, and his Animal Control Officer is in the hospital. There was a lengthy discussion about this, however, the Committee felt that due to budget restraints, this additional money would have to come out of the department's capital improvements.

With no further business, the meeting was adjourned.

Respectfully submitted,

Michael Sottile, Chairman
Public Safety Committee

EXHIBIT C

Engrossed Bills Committee Meeting
Regular Meeting - Minutes
6:30 PM - October 10, 1991 - City Hall

The meeting began at the time and place noted above with Committeemembers NesSmith-Picard and Holden and Councilmember Sottile in attendance. Attorney Dennis Rhoad at approximately 7:00 P.M. which allowed for preliminary and introductory work to be completed, (agenda sections 1 through 4). After explanation of this intention by the chairman, the minutes of previous meetings were presented and passed with the correction to the meeting date noted last month and the substitution of the word "precluding" for "banning" in one place, (see attachment). This vote, (as all other passing motions at this meeting), was upon motion of Councilmember NesSmith-Picard, seconded by Councilmember Holden and passed unanimously. It was again affirmed the meeting date would be the second Thursday of each month.

The Memorandum from Mark Williams regarding the sign ordinance Lee Batchelder had submitted was discussed as a proposed ordinance. Given Mr. Williams significant misgivings, it was decided time should be given for councilmember to review this ordinance and memo in detail at which time a "work session" type meeting could be called to deal with the issues presented by these items. The status of this will again be taken up next month. Attorney Rhoad arrived at the end of this discussion.

There were no miscellaneous request or items.

Ordinance 7-2-1 dealing with achoholic beverages was presented. Attorney Rhoad was updated as to the status and previous comments of the police department regarding this ordinance. Specific wording as indicated on the following attachment was approved. and such ordinance being substantially unchanged recommended for approval.

Next Jet Ski regulation was discussed. The committee again reaffirmed its longstanding support of a 300 yard zone extending outward from the beach in which no Jet Ski or similar personal watercraft use would be allowed, (see attachment). No other restrictions were incorporated into this recommendation. .

Privately owned "Dune Walkovers" were discussed next. It was decided that several contacts with the Coastal Council and other agencies would be made regarding this. Attorney Rhoad was also still seeking further information regarding Sullivan's Island's ordinance. The moriturium on building of these walkovers which was set to expire this month was also discussed. Attorney Rhoad desired to check further but was inclined to suggest extension of the moritorium if this was a policy council wished to achieve.

A brief discussion of the definition of business "premises" and citation to several code sections was made and the matter left for Attorney Rhoad's future consideration in ordinance drafting.

The meeting adjourned upon unanimous vote.

DRAFT COPY AS OF: 10/18/91

PASSED AS FINAL MINUTES: _____

ATTESTED TO:

X_____
Barry C. Holden - Chairman

Egrossed Bills Committee Meeting
6:30 P.M. - October 10, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

New Business

3. Proposed ordinances

4. Miscellaneous request/information

OLD & NEW BUSINESS
(involving City Attorney)

5. Ordinances refered/updates
   - Ordinance to Amend Section 7-2-1
   - Jet Skis
   - Dune Walkovers
   - Business / premises definition
   - other

6. Adjourn

ATTACHMENT #4

CITY OF ISLE OF PALMS, SC
ORDINANCE 1991-14
First Reading Draft - / /91

AN ORDINANCE TO AMEND SECTION 7-2-1, ALCOHOLIC BEVERAGES

WHEREAS, Section 7-2-1 of the Isle of Palms City Code provides that it shall be unlawful to possess open containers of [illegible] on public property; and

WHEREAS, public safety interests are better promoted by making possession of opened containers of Alchoholic Beverages on public beach unlawful;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council duly assembled, that Section 7-2-1 is amended to read as follows:

Section 1. Sec. 7-2-1 Drinking on streets, beaches, etc., prohibited.

It shall be unlawful for any person to drink or to possess open containers of Alchoholic Beverages [illegible] on the street, sidewalk, thoroughfare, public parking lots, beach areas or on any [illegible] owned [illegible] (see Exemption).

Exemption: Any person or group requesting and being permitted by the City Council following consideration and recommendation By The Public Safety Committo hold a "special event" within the city limits of the Isle of Palms and further wishing to allow the consumption of beer at the "special event" may, at the discretion of City Council, receive a special permit for the consumption of Beer or Wine during the "special event". Application for a special event can be made at the police department during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

It shall be unlawful for any person to possess containers of Alchoholic Beverages [illegible] on the beach area within the city.

Section 2. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 3. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: _____

Public Hearing: _____

Attachment #3

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1991-19
Second Reading Draft - 7/25/91

AN ORDINANCE TO RESTRICT THE USE OF JET SKIS IN CERTAIN AREAS

WHEREAS, City Council finds that the operation of jet skis within the waters of the City of Isle of Palms has endangered the health, safety and welfare of residents and visitors using these waters for swimming, boating, fishing and other recreational purposes; and

WHEREAS, City Council further finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses; and

WHEREAS, City Council further finds that the operation of jet skis has resulted in serious physical injury to individuals using the waters of the City of Isle of Palms for recreational purposes; and

WHEREAS, City Council wishes to eliminate this hazard to public health, safety and welfare; and

WHEREAS, City Council further finds that the limitations placed on the operation of jet skis in Ordinance No. 1988-20, adopted September 14, 1988, and codified in Sections 7-3-6 and 7-3-7 of the City Code, have failed to safeguard the recreating public from the hazards associated with the use of jet skis; and

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting from the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public health, safety and welfare pursuant to Section 5-7-30, South Carolina Code of Laws, 1876, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to protect the health, safety and welfare of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-6 Amended.

a. Section 7-3-6(a) of the City Code is revised to read as follows:

(a) No person shall operate any motorboat within any designated swimming areas or the beach, except in case of emergency.

b. Section 7-3-6(b) of the City Code is revised to read as follows:

(b) No person shall operate a jet ski or similar type of water craft, within 300 yards of the beach as defined by City Code Setion 7-3-2(1), except in case of emergency or by City Police Officers in enforcing the City Code.

Section 3. Section 7-3-7 Amended.

a. Section 7-3-7(a) of the City Code is revised to read as follows:

(a) No person shall beach any motorboat or jet ski in any designated swimming area or the beach except in case of emergency.

Section 4. Severability. If any part of this ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1991.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie, Clerk-Treasurer

First Reading: 6/27/91
Second Reading: 7/25/91
Third Reading: _____
Ratification: _____

EXHIBIT D

Meeting called to order - Sharon Neal
Stacey Wilson
Jeff Simons
Chm. Hunt Ward

ISLE OF PALMS
RECREATION DEPARTMENT

RECREATION REPORT
October 15, 1991

I. *Recreation Programs* -

Gymnastics - Gymnastics is held on Mondays from 3:45 to 4:30pm for 3,4, and 5 years olds; 4:30 to 5:30pm for intermediates ages 6 and older; and 5:30 to 6:30pm for beginners ages 6 and older. There are 35 participants in the classes. A new session began on October 7th. Tricia Tapio is the instructor.

Tae Kwon Do - Adult classes are held on Wednesdays at 7:30pm and on Saturdays at 10:00am. Classes for children ages 5 to 12 are held on Saturdays at 9:00am.

CPR Class - Scott Taylor, an Isle of Palms Fireman, instructs a monthly First Aid and CPR course at the Recreation department. The September class was held on the 9th and 16th from 6:30 to 10:30pm. and there were 7 participants. The next class will be Nov. 20th and 26th.

Acrobatics/Tap/Ballet/Jazz - A new class featuring a variety of dance and acrobatics is held on Fridays at the center. Children ages 3 to 5 meet from 4:00 to 5:00pm; and ages 6 to 9 meet from 5:00pm to 6:00pm. The instructor is Jenny Adams from Trudy's School of Dance. 5 participants.

Street Funk/Video Style Dance - This class teaches the hottest new moves on the dance floor. The class is for children 10 years and older and meets every Friday from 6:00pm to 7:00pm. The first class began September 13th and the instructor is Jenny Adams. 6 participants.

Three Year Old Play Group - This is a play group that meets every Tuesday and Thursday from 10:00 to 11:30am. for 2 1/2 to 3 year olds. Sharon Neal is the coordinator. 8 participants.

Tumble-Bees - Fall Tumble-Bees began on Sept. 4th and will be held on Wednesdays from 10:00 to 11:00 pm. This class is for 2 to 4 year olds and is taught by Linda Leonardi. 8 participants.

Keenagers - Keenagers is a 55 and older social club. Luncheons/meetings are held on the first Wednesday of each month and fields trips on the third Wednesday of each month. The last meeting was on October 2nd at 11:30am. and the speaker was Mary Ann Larkin, and Audiologist. The first field trip will be sailing aboard the PRIDE on Wednesday, October 16th. There are fifteen people signed up.

II. *Sports -*

Youth Soccer - Registration was held through the month of August for ages 5 to 10. There are six teams from the island.

Team	Ages	Coach
Ocean One Realty	5-7	Mike Stritch
Pelican Cleaners	5-7	Jerry Ebeling
Windjammer	5-7	Roger Heide
Cooper/Fulcher	5-7	Kerry Hood
Resort Maintenance	8-9	Kevin Colson
Wild Dunes Real Estate	9-10	Griff Brame

The 5 to 7 year olds are playing on the island on Tuesdays at 5:30 and 6:15pm. The two older teams play in Mt. Pleasant on Tuesdays and Thursdays. A soccer Jamboree was held on Tuesday, Sept. 24th. Games will go through October and a single elimination tournament will be played. 79 participants.

Tennis Lessons - Tennis lessons began on September 12th for youth 7 to 14 years of age. and adults. Youth play from 5:00 to 6:30pm and adults from 7:00 to 8:30pm. There are four classes in each session. Jack Fischer is the instructor. The next session will begin October 10th.

Men's Fall Basketball - The season began on Monday, Setember 23rd and will go through the second week of December. There are 14 teams in the league. The games will be played on Sundays, Mondays, Tuesdays, and Thursdays.

Youth Basketball Registration - Registration will begin the end of October for youth basketball for ages 5 to 19.

Co-Rec Volleyball - Registration for Co-Rec Volleyball will be held in November. Play will begin in December.

III. *Special Events -*

5th-8th -
4th - 6pm
3rd - grades
request -
5th - 9th
grade
cut-off -

"28th Avenue" Dance - The "28th Avenue" Dance was held on Friday, October 11th at the Recreation center from 7:00 to 10:00pm. for grades 5 through 8. The DJ was Jay Maxwell's Music By Request. There were dance contests and prizes were given out. We also sold concessions. The Isle of Palms Police Dept. DARE program is the sponsor. DARE visors, cups and frisbees were given out. The cost of the dance was $2.50 and if you wore your DARE bracelet the cost was $2.00. There were 95 youth at this dance and 100 at the dance in Sept. The next dance will be November 8th.

total - 22 people

Isle of Palms Tennis Tournament - Was held on October 11th, 12th, and 13th at the tennis courts on 28th Avenue. It was an adult singles, single elimination tournament for men and women. Age divisions were Open, 35 to 54, and 55 and older. The registration deadline was Oct. 4th and the fee was $5.00. There will be four divisions in the tournament. Womens Open - 5 participants; Mens Open - 8 participants; Mens 35 to 54 - 7 participants; and Mens 55 and older - 2 participants. Plagues were given to the winner and runner-up in each division. First Union Bank was the sponsor and they also received a plaque thanking them. They donated frisbees and pens to give to participants. There was a pre-game party at the High Tide Restaurant for the players on Thursday night.ch other and to go over the rules Thursday night.

Winners: Womens Open - Joyce Fleming
Mens Open - David Richie
Mens 35-54 - Jim Gates
Mens 55 and older - John Selby

2nd Annual Goodbye, Hugo Party - The Recreation Dept. staff provided games for the Goodbye Hugo Party on Saturday, September 21st. We had face-painting, water balloon contests, relay races and many more fun games.

Happy Haunting Carvival - Will be held on Saturday, October 26th from 11:00am to 2:00pm. at the

call Depts.

20 volunteers — 6 14 —

the Birthday Game. There will also be face-painting, pony rides, hayrides and plenty of food. Tickets are 25c. A costume contest will be held at 12:30pm for children of all ages and prizes will be awarded. If it rains, the carnival will be moved inside and begin at 1:00pm.

will be a fire!

Ghostly Tides Tales - On Sunday, October 27th at 6:30pm, Margie Clary, local educator and author, will tell eerie ghost tales of the lowcountry on the beach at 28th Avenue. The storytelling will be for one hour and families are invited. There is no fee. low tide at 5 —

IV. *Upcoming Events* -

Barrel from Sarge —

- Thanksgiving Art Contest - Draw or paint what Thanksgiving means to you. Entries will be judged on originality, neatness, and creativity. Deadline is 5:00pm on Friday, November 15th. Ten winners will be chosen to ride in the Mt. Pleasant Holiday Parade on the IOP Recreation Dept. float!! The parade will be Sunday, November 24th.

- "28th Avenue" Dance - Friday, November 8th.

V. *Information* -

- 1991 National Red Ribbon Campaign - October 19 - 27, 1991. A program designed to present a unified and visible commitment toward the creation of a Drug Free America. The Recreation dept. will give out red ribbons during the week and at our Halloween events.

- We still need volunteers to man the booths at the Halloween Carnival. Please let me know if you can help or you know of someone.

3

Tennis lights — transformers problem —

Electric supply —

St. Matthews Lutheran Church - pool table —

Exchange club booths — for Halloween Carnival —



Isle of Palms Recreation Department
Halloween Happenings!
October 1991



1991 Happy Haunting Carnival

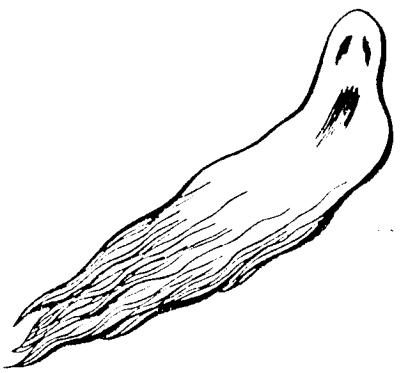
The Isle of Palms Recreation Department is sponsoring the 1991 "Happy Haunting" Carnival at the Recreation Center on 28th Avenue on Saturday, October 26th. Hours are 11:00am-2:00pm. Tickets are $.25.

There will be many carnival booths such as Duck Pond and Football Throw. Other activities include Hay rides, Pony rides, and facepainting.

At 12:30pm, there will be a costume contest for great prizes!

Concessions will be sold! Rain date is Oct. 26th at 1:00pm.



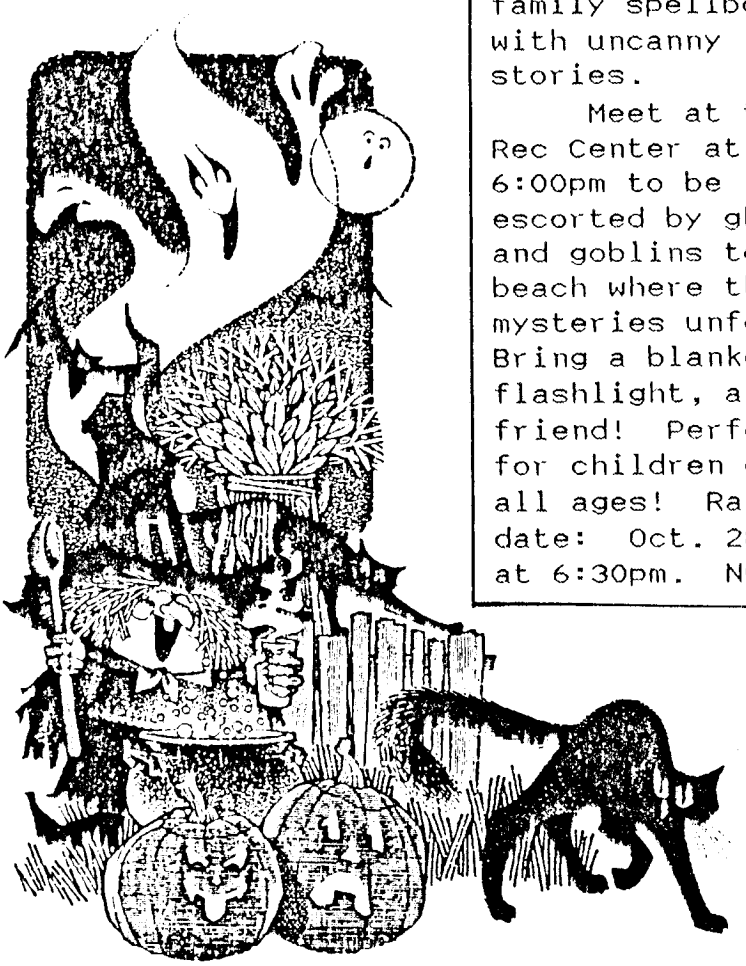


CALL the RECREATION DEPT. at 886-8294!!!!!

Ghostly Tides Tales

Come join us for a chilling hour of eerie tales of Lowcountry ghosts as we present "Ghostly Tides Tales" on Sunday, October 27th at 6:30pm. Margie Clary, local educator and author, will keep you and your family spellbound with uncanny stories.

Meet at the Rec Center at 6:00pm to be escorted by ghosts and goblins to the beach where the mysteries unfold. Bring a blanket, flashlight, and a friend! Perfect for children of all ages! Rain date: Oct. 28th at 6:30pm. NO FEE



Recreation Commission Meeting Thursday October 10, 1991

Present at the meeting were Stacy, Joan Emerick, and Sharon Neal.

The meeting was called to order by Sharon Neal, Chairperson at 6:37 PM.

Stacy discussed different programs and their status:

1. Friday dance class-not working out, must find another teacher, will recruit through ad in paper; suggestion to call Jescinda, former instructor, for ideas.

2. Street Funk-doing well with six participants.

3. Gymnastics-great; instructor needs assistant.

4. Tumblebees-great, always full.

5. Keenagers-wide interest; audiologist came to speak with 30 members in attendance. Sailing trip on "The Pride" is planned.

6. Tennis-new classes being set up; no sign-ups yet.

7. Youth basketball-great; clinic in December planned to hopefully include The Citadel's coach and team members.

8. Co-Ed volleyball-goal to make $200 for referee stand.

9. Tennis tournament planned for October 11-13.

10. Halloween Carnival-need families to volunteer for booths. Joan offered to arrange for ten gallons of drink, the proceeds of sales to go for employee for Sunday afternoon opening of Recreation Center during cold months (November-February).

11. Ghostly Tales-Sunday, October 27. On the beach with 2 bonfires (in barrels); Fire Department will be there. 6:30 PM, low tide

12. Further discussion concerned the pool table which is in poor condition and its being a liability. Attendants discussed possibility of sentimental attachments which some residents may have to the pool table, as it has been around for many years. A suggestion was made to donate it to the Jenkins Orphanage if they have the interest and resources to repair it to a safe condition. St. Matthews Lutheran Church has donated one to the Recreation Department.

Meeting was adjourned at 7:09 PM.

I respectfully submit these minutes as record of the Recreation Commission meeting of October 10, 1991.

Joan M. C. Emerick
Secretary

EXHIBIT E

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
OCTOBER 15, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on October 15, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, Betsy Smiley and David Somers. Also present were Secretary Janet Geary and Building Inspector Ed Haselden.

Mr. Fellabom announced that there were three cases on the agenda and that all persons were present.

1. Jerome E. Kurent, 613 Ocean Boulevard. Mr. Kurent was making an appeal from the September meeting when his request for a variance from Section 5-4-13(a) was denied. He had made changes to his chimney per suggestions from the Board. (Mr. Fellabom had spoken with the City Attorney to determine that it was proper to hear a denied application before the normal six-month waiting period, in accordance with Section 5-4-5(d), under special circumstances.) Mr. Kurent stated that the chimney had been reduced by approximately two feet and that he was asking for a variance of six inches as the chimney now extends only 2'6" off the house. The chimney had been trimmed to the maximum extent that it could stand structurally. After discussion, vote was taken: Fellabom - Yes; Garvin - Yes; Schall -No; Smiley - Yes; Somers - Yes. Variance was granted 4-1.

2. Louis J. Kruger, 1 Allie Court. Mr. Kruger was asking for a variance from Section 5-4-22(5)(a) and (c) which require a 30' front yard setback and 30' rear yard setback. In order to construct the house facing Allie Court instead of 30th Avenue, Mr. Kruger was asking for a front yard setback of 20' (a variance of 10') and a rear yard setback of 17' (a variance of 13'). The property had been purchased in 1985 before the zoning ordinances had been changed in February 1989. Although the lot was small, the house to be constructed was not a large house and would line up with other houses on the block. This lot is also about one third less the depth of other lots on Allie Court. After further discussion, vote was taken: Fellabom - Yes; Garvin - Yes; Schall - Yes; Smiley - Yes; Somers - Yes. Variance was granted 5-0.

3. Ray Passailaigue, 915 Palm Boulevard. Mr. Passailaigue was also represented by his architect, Stephen A. Russell. They were asking for a variance from Section 5-4-64(a)(4) concerning the removal of significant trees. This property is a non-conforming lot projecting onto the marshlands. The SC Critical Line falls on the rear property line. In order to comply with DHEC requirements which dictate that no part of the septic field be within 50' of the SC Coastal Council Critical Line, placing the septic system at the rear of the property would locate the house forward of the front property line into the right-of-way. Locating the septic system at

the front of the house would push the house back on the property but would require the removal of two significant oak trees. Mr. Russell stated that the landscape plans call for the planting of several trees with a diameter of 6" around the property. It was also determined that if the trees were not on this property, everything would meet setback requirements and no variance would be needed. After discussion of the property and landscaping plans, vote was taken: Fellabom - Yes; Garvin - Yes; Schall - Yes; Smiley - Yes; Somers - Yes. Variance was granted 5-0.

4. Mary Rumph, 512 Palm Boulevard, was present at the meeting but was not on the agenda. Mrs. Rumph had been scheduled to appear before the board in September but had been out of state. Mr. Fellabom had suggested that Mrs. Rumph provide the Board with more information, give them time to look at the property, and return to next month's meeting.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary, Secretary

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
October 9, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on October 9, 1991, at 5:30 p.m. Members attending included Arnold Karig, Kathryn Carroll, John Stanley, Jerry Spencer, Jan Wilson and Chairman Guy Taylor. Planning Consultant Lee Batchelder was not present.

Chairman Taylor called the meeting to order at 5:30 p.m., and passed out a draft of the memo summarizing the Planning and Zoning Commission's recent special meeting.

MINUTES OF PREVIOUS MEETING

1. September 11, 1991

Motion to approve by Dr. Karig; second by Ms. Carroll. Motion approved 7-0.

PLATS

1. Plat of the Abandonment of the Right-of-way of the Undeveloped Portion of 38th Avenue Between Lot 10, Block U, Section BC-2-E, and Lot 6, Block V, SectionBC-2-E, City of Isle of Palms. David Eugene Huff, R.L.S.

Chairman Taylor read from written comments provided by Planning Consultant Lee Batchelder that the plat should be approved on the condition that the flood hazard areas and zones are noted on the plat.

Motion to approve by Ms. Carrol; second by Ms. Wilson. Motion approved 6-0.

The Commission members then discussed the draft of a proposed sign ordinance recently mailed to them. Several questions were raised and comments were made.

There being no more business, the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

EXHIBIT F

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS WATER AND SEWER COMMITTEE
OCTOBER 16, 1991, 7:00 P.M., CITY HALL

The regular meeting of the Isle of Palms Water and Sewer Committee was held on October 16, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, members Cal Cochrane, Bob Dehoney, and Jack Voorhees, and City Administrator Mark Williams and Secretary Janet Geary. Members John Hann, Harry O'Neal and Clay Duffie were unable to attend.

1. Water bill customer complaints. 1. Mr. & Mrs. John Gardner, 3907 Hartnett Boulevard, had received a bill of $814.80. According to their records, the water meter had jumped considerably recently and they suspected a problem with their meter. They had turned off all water in the house and checked the meter for leaks, showing no leaks. Mrs. Gardner had also been reading the meter on a daily basis which showed approximately 400 gallons per day. After discussion, Mr. Stanley recommended to the committee that the reading be reduced to 400 gallons per day computed at the new rates, for a total bill of $214.20; and a new meter would be installed at this residence. Committee members agreed.

2. Standardbred Housing Development hook-up fees. Mr. Ken Morgan was disputing the raise in hook-up fees for his property at 906 Ocean Boulevard. He stated that he had gone to the department on June 10th to pay his tap fees which were approximately $570. During discussion with the clerk, he was told that it was not necessary to pay the fees until he was ready to install the meter. At this point, he decided to wait but was not told that the fees would be raised. The fees now are $1,279 and he felt that it was unfair to have to pay this larger amount under the above circumstances. It was the consensus of the committee that Mr. Morgan should have known about the higher rates through publication and that as a contractor it was his responsibility to keep abreast of these things. After discussion, Mr. Cochrane made a motion to deny relief of the higher fees; Mr. Voorhees seconded; motion was passed unanimously. It was determined that Mr. Morgan could appeal to City Council and he stated that he would do so.

As none of the other people who were complaining about their bills were present, Mr. Williams suggested that the committee look at each of the appeals: (see attached letters)

1. Donna Smith, 28-30th Avenue. Water Department personnel have verified that there was a leak. After discussion, Mr. Dehoney made a motion to give Mrs. Smith relief on the sewer bill based on her past usage; Mr. Cochrane seconded; motion passed unanimously.

2. Carl Tompkins, 4-46th Avenue. There was a leak at the meter, but service had never been connected by the Department. Mr. Dehoney made a motion to deny relief to Mr. Tompkins; Mr. Cochrane

seconded; and motion passed unanimously.

3. Adrienne Lee, 2501 Cameron Boulevard. Ms. Lee was asking to have her bill pro-rated between her and the previous owner of the property. Mr. Dehoney made a motion that Ms. Lee be advised to contact the closing attorney whose responsibility should have been to prorate utilities; Mr. Voorhees seconded; motion passed unanimously.

4. Eugene West, 5-5th Avenue. No action was taken as not enough information was given. Mr. Stanley suggested that the city re-read the meter for our information.

5. Robert Pagon, 27-41st Avenue. No action was taken.

6. Jon DeCamilla, 2-12th Avenue (3 units). No action was taken. Mr. Williams suggested that the meter be re-read for our information to determine if the meter is faulty or not.

3. Mr. Cochrane showed the committee a sample of the water bill. It had been suggested that the rate schedule be stamped onto the bill for customers' information. Mr. Williams stated that we already have several years supply of forms and we did not put rates on it because the rates were changing. There was discussion as to using labels or a stamp. It was decided that if the Mayor wanted to have the stamp made, the committee had no objection.

4. Update re water line relocation on Palm Boulevard. Mr. Williams stated that this project was almost completed and that the cost of $52,000 will come out of current operating revenues.

5. Update re R.O. system design. There was discussion of Council's refusal to adopt the resolution for obtaining bond financing and the fact that Council had been aware that these funds would be needed when we acquired the system. Mr. Williams told the committee the break-down of how the $2,700,000 would be spent.

There was a general discussion as to the status of the Carroll/Cantrell sewer issue at Breach Inlet.

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary
Secretary

NOTE: There was no action taken at this meeting requiring action by City Council.

EXHIBIT G

MINUTES OF THE SPECIAL EMERGENCY MEETING OF THE
ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
OCTOBER 8, 1991, 7:00 P.M.

A special emergency meeting of the Isle of Palms Board of Beach Patrol and Control was held on October 8, 1991, at 7:00 p.m., at the Building Department. Present were Chairman Smiley, members Matthews, Sandeford, Jeter, Ballow, Council Member Simon and Secretary Geary. Mr. Harper was absent.

Dr. Smiley announced that this was an emergency meeting requested by Wild Dunes Associates to consider a request for nourishment for the beach and also a request from William Leland.

1. Wild Dunes Associates was represented by Pat Tomlin who stated that with the high tides and winds, there has been some severe erosion around the 17th green and 18th tee of the golf course. Part of the irrigation system was exposed which was covered temporarily. The request was for 5,000 cubic yards of compatible sand to renourish this area through the current season. Chris Jones of Applied Technology stated that they were working on finding a long term solution to this erosion problem and they are on the agenda of Coastal Council for next week's meeting to discuss this problem. Dr. Smiley noted certain conditions that the Board required when replacing sand and Wild Dunes responded that the sand was coming from Rifle Range Road in Mt. Pleasant and was currently being tested for compatibility with existing sand; beach access would be from Ocean Point to the golf path to the beach; the tandem trucks would deliver sand between the hours of 8:30-3:00 so as not to interfere with school buses, and tractor will be used to spread the sand on the beach. Mr. Sandeford and Ms. Ballow stated that they had seen the erosion and that it was a severe problem that was eating away the grassy area of the golf course.

After discussion, Mr. Sandeford made a motion to approve the temporary emergency action to replace 5,000 cubic yards of sand as requested; Mr. Matthews seconded; motion passed unanimously.

Dr. Smiley stated for the record that Wild Dunes had been given permission to put 500 cubic yards of sand on the eroded area last week per telephone conference of the Board as an emergency measure. The sand was available on site and was necessary to stabilize water pipe system.

2. William B. Leland requested a permit to locate a new house on Ocean Boulevard at 9th Avenue up to the 150 foot maximum building line to line up the house with other houses on the beachfront. This request was similar to other permits issued by the Board for this area of the beach. Mr. Leland explained that his family was under IRS constraint to spend money within 6 months which necessitated the urgency in getting this request before the Board and beginning construction of the house.

After discussion, Mr. Sandeford made a motion to approve the permit request; Mr. Matthews seconded; motion passed unanimously.

3. There was a discussion of the Wild Dunes request for placement of sand groins in Dewees Inlet. This permit request will come before the Board formally within the next few months. Dr. Smiley asked Mr. Simon to obtain a legal opinion from the City Attorney as to Code Section 5-3-17(c) and the definition of groin and hard structure.

There being no further business to come before the board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT H

P R O C L A M A T I O N

WHEREAS, the history of Charleston has always reflected its focus and support of the arts; and

WHEREAS, to flourish, it is necessary for citizens to encourage and stimulate interest and appreciation of the arts; and

WHEREAS, the Charleston Area Arts Council, a non-profit organization, is a group whose purpose is to create a climate in which the arts -- literary, performing and visual -- may thrive; and

WHEREAS, the Charleston Area Arts Council also serves to promote coordination and cooperation among its members to foster further development.

NOW, THEREFORE, Carmen R. Bunch, Mayor of the City of Isle of Palms, do hereby proclaim the month of November, 1991, as

CHARLESTON AREA ARTS COUNCIL MONTH

in the City of Isle of Palms, and acknowledge with appreciation and gratitude the accomplishments of the Charleston Area Arts Council and urge support for their efforts.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed hereto on this 24th day of October, 1991.

_____

Carmen R. Bunch, Mayor
City of Isle of Palms

SEAL:

P R O C L A M A T I O N

WHEREAS, The Benevolent and Protective Order of Elks made a solemn pledge!

"So long as there are veterans in our hospitals, the Benevolent and Protective Order of Elks will never forget them"; and

WHEREAS, the fulfillment of this pledge is the obligation of every Elk, as set forth in Section 13.130 of the Grand Lodge Statutes; and

WHEREAS, service to hospitalized veterans is an expression of patriotism in its purest sense;

NOW, THEREFORE, by virtue of the authority of the office of Mayor of the Isle of Palms, I hereby proclaim the month of November as **"Elks Veterans Remembrance Month"** and hereby request everyone to observe this month of recollection of the debt we owe to hospitalized veterans.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed hereto on this 22nd day of October, 1991.

Carmen R. Bunch, Mayor
City of Isle of Palms

SEAL:

FLEXIBLE SPENDING ACCOUNT ADMINISTRATION PROPOSAL

FOR

THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

FIRST BENECORP (U.S.A.), INC.

FIRST BENECORP
Risk Management

EBS/Atlanta - Administrators

Post Office Box 53055
Atlanta, Georgia 30355

FAX: 404-231-5646

United States & Canada:
800-647-3709

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PROPOSAL CONTENT

This proposal has been prepared by EBS/Atlanta for the City of Isle of Palms, South Carolina. The purpose of this proposal is to present the details for the administration of a flexible benefits program conforming to Section 125 of the Internal Revenue Code.

The key areas that will be covered are:

PREFACE	Page
- EBS/Atlanta, An Overview	3
- EBS/Atlanta, Administrative Services	4
- EBS/Atlanta, Claims Processing	5
- EBS/Atlanta, Flexible Spending Account Maintenance	7
- EBS/Atlanta, Customer Service	8
- EBS/Atlanta, Employee Communication	9
- EBS/Atlanta, Plan Management Reports (Highlighted examples of EBS/Atlanta's reports and their features)	13
- EBS/Atlanta, Client References	14
- EBS/Atlanta, Administrative Fees/Project Cost	15

EXHIBITS

- Sample Educational/Communication/Enrollment Material

  Sample Plan Announcements
  Sample Enrollment Form

OVERVIEW

EBS/Atlanta, a subsidiary of First Benecorp (USA), Inc., is a professional Third Party Administration and Risk Management firm offering consultation, risk management, implementation, and continued administration of custom designed coverages for municipal and county governments, school districts, hospitals, and medical centers nationwide.

The administration of a Flexible Benefits Plan conforming to IRC Section 125 can be rather complex. The accompanying flow chart exemplifies this complexity. EBS/Atlanta relieves your staff of the many details associated with these plans. Thus, expensive manhours are free to concentrate on internal projects important to your organization. From inception to implementation, EBS/Atlanta handles all areas of plan design, enrollment and the continued compliance with everchanging Treasury guidelines.

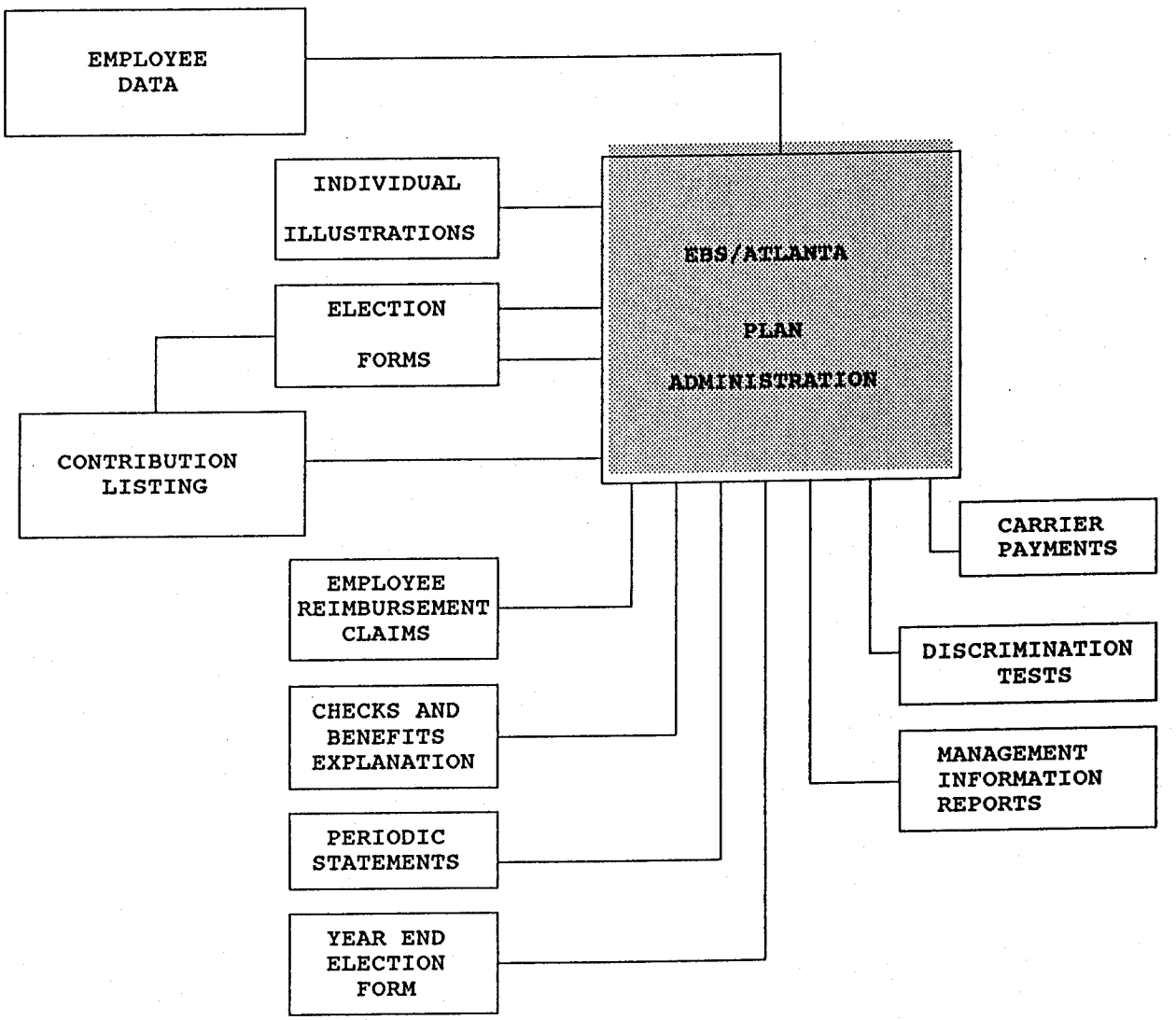
Perhaps most importantly is EBS/Atlanta's independence. As third party administrators, *EBS/Atlanta maintains no affiliation with any insurance company/provider, nor does EBS/Atlanta have any financial interest in product or benefit offerings.* Because EBS/Atlanta does not receive compensation in the form of commissions or rebates, our loyalty must remain with our clients.

This independence allows EBS/Atlanta to be objective in plan design and administration, while remaining impartial when making recommendations or providing consultation. Conversely, objectivity and impartiality become an impossibility for those administrators or insurance companies who stand to gain financially from the offering of benefits under the flexible benefit plan.

EBS/Atlanta's staff has over a decade of experience in plan design, cost considerations, and efficient administration. This combination assures not only the success of your plan, but favorable employee acceptance as well. In addition, EBS/Atlanta has uniquely positioned itself, while gaining valuable experience, by specializing in the design of benefit plans for the larger employer groups. The Firm's average client employs over 1,500 employees in varied industries throughout the country. Approximately ninety percent of these clients are comprised of local governments, school districts, and medical centers. Diversification is not new to EBS/Atlanta.

EBS/ATLANTA'S INDEPENDENCE ALLOWS US TO FOCUS ON YOUR ORGANIZATION'S PLAN AND ITS COMPLIANCE WITH THE CODE...A LONG-TERM RESPONSIBILITY.

EBS/ATLANTA
FLEXIBLE BENEFIT ACCOUNT
ADMINISTRATION SYSTEM



EBS/ATLANTA

ADMINISTRATIVE SERVICES

EBS/Atlanta will:

1. Provide a standard education and enrollment brochure tailored to your specific Plan.
2. Make staff members available to conduct employee informational/enrollment meetings if requested.
3. Maintain computer capabilities to provide individual estimates of expected tax savings under the Plan.
4. Prepare employee enrollment forms and confirmation letters.
5. Prepare monthly/quarterly management summary reports.
6. Prepare and monitor quarterly discrimination reports.
7. Provide reimbursement claim forms and return envelopes to Plan Participants.
8. Review and process claim forms.
9. Manage flexible spending accounts and disburse funds as directed.
10. Provide national toll-free customer service lines.
11. Assist your organization in any areas pertaining to the Plan and its administration.
12. Prepare annual year-end summary reports for Management and its employees.

CLAIM PROCESSING

Upon receipt of a reimbursement request, the following procedures are followed by EBS/Atlanta personnel:

1. Each claim request is date stamped and processed within 48 hours of receipt. The claim request is first screened by a Claims Examiner. In this procedure, the claim request is audited for (a) participant's eligibility, (b) expense eligibility, (c) proper documentation, (d) duplication of claim request, (e) date of expense incurrence, and (f) any other audits that may be requested by your organization.

2. Any claim request that does not pass all audits is rejected and an explanation prepared in accordance with ERISA.

3. For claim requests passing all audits, an account summary and reimbursement check are prepared and attached to the participant's file.

4. The entire file is then sent to a second Claims Examiner for completion. It is again reviewed to ascertain the accuracy of the information and check verification.

5. A disbursement register is then prepared listing all approved claims by participant name, social security number, amount of disbursement by FSA account name, check number and date processed. The disbursement register and all reimbursement checks are then forwarded in bulk to your Finance Department or other designated contact for check signature and distribution to plan participants.

THE FREQUENCY OF DISBURSEMENTS; E.G., WEEKLY, BIWEEKLY, SEMIMONTHLY, OR MONTHLY IS DETERMINED BY YOUR ORGANIZATION AT THE INCEPTION OF THE PLAN.

CLAIM REQUESTS

All employees electing to establish Medical Reimbursement and/or Dependent Care Assistance Accounts are provided Claim Kits containing an initial supply of reimbursement claim forms and pre-addressed envelopes.

Because claim requests are forwarded directly to EBS/Atlanta for processing, valuable time is saved by your organization's administrative staff.

Following is a sample reimbursement claim form.

FLEXIBLE SPENDING ACCOUNT MAINTENANCE

The following procedures are followed in establishing and maintaining the Flexible Spending Fund Account:

1. It is recommended that an account be established with a local community banking establishment selected by your organization's Finance Department. Any costs charged by the financial institution selected for the establishment and maintenance of this account would be the responsibility of your organization.

2. All disbursement checks are prepared by EBS/Atlanta for signature by an approved officer of your organization. EBS/Atlanta will not authorize any of its officers or employees to become signatories for disbursement checks.

3. *Funds are never forwarded directly to EBS/Atlanta.* All contributions remain within total control of your organization's Finance Department.

4. Continuous form checks are forwarded to EBS/Atlanta to facilitate disbursements, however, monthly account statements and deposit vouchers are retained by your organization's Finance Department.

5. Your organization's Finance Department may then reconcile the Flexible Spending Fund Account with EBS/Atlanta's check disbursement register included with the reimbursement checks. This procedure allows Finance to reconcile *prior* to participants receiving reimbursements.

THIS PROCEDURE ALLOWS YOUR ORGANIZATION TO RETAIN ALL FUNDS WITHIN THE COMMUNITY, MAINTAIN COMPLETE CONTROL OF THE FLEXIBLE SPENDING FUND ACCOUNT, AND IMMEDIATELY RECOVER ANY FUNDS NOT DISBURSED AT THE PLAN YEAR END OR AT PLAN TERMINATION.

***YOUR ORGANIZATION MAY ELECT TO HAVE EBS/ATLANTA SERVE ONLY IN THE CAPACITY OF CLAIMS EXAMINER WITH REIMBURSEMENT CHECK PREPARATION RETAINED BY YOUR FINANCE DEPARTMENT.*

CUSTOMER SERVICE

EBS/Atlanta's Customer Service Operation is among the most personalized in the industry. Utilizing interstate toll-free "800" telephone lines, clients and participants throughout the United States and Canada are assured of easy access to Claims Examiners. Examiners are available from 9:00 a.m. to 5:00 p.m., (Eastern Time Zone), Monday through Friday. To accomodate both east and west time zones, our telephones are answered via recording 24-hours, seven days a week. Messages are checked each morning, on weekends, and holidays. All telephone inquiries are returned by a Claims Examiner or Service Representative within 24-hours.

All calls that cannot be answered on the first contact generate an Action Request that is logged into a reporting system. This system provides daily reports on the status of each action request and segregates calls by plan sponsor, thus allowing EBS/Atlanta to know on a daily, weekly and monthly basis the number and type of inquiries received from a particular group.

Several keys to the success of our service program are:

- On site access to Claims Examiners;
- Weekly meetings with a Senior Claims Examiner and Management;
- On-line access to each participant's file with the ability to rectify problems the same day the inquiry is received (possibility of next business day if inquiry received after hours, on weekends, or holidays).

EMPLOYEE COMMUNICATIONS

No matter how well the plan is designed, a flexible benefits program will not achieve the desired results for any organization unless employees understand it well enough to make intelligent choices. But, the goal of any communications campaign is not just to provide understanding. It should also create enthusiasm by helping employees perceive the plan's advantages to themselves and their families.

When developing the materials necessary to communicate a flexible benefits plan, the communications goal of EBS/Atlanta is to stress understandability and sensitivity to your organization's internal climate. EBS/Atlanta can provide print, audio/visual, meeting support and enrollment services which create greater acceptance of your organization's contribution to its employees' well being.

OUR GOAL, LIKE YOURS, IS TO PROMOTE EMPLOYEE SATISFACTION AND BETTER COST MANAGEMENT.

NATIONWIDE TELEPHONE ACCESS

The communications process is not just an enrollment process. The lines of communication must remain open, not only to management, but to each individual participating employee as well. We have all, on occasion, had the unpleasant experience of being reduced to a number by a company or service provider. At EBS/Atlanta, we always remember that your employees are people, and people will have questions throughout the Plan Year.

To better serve each employee, and in an effort to reduce additional workload on your organization's staff, EBS/Atlanta maintains toll-free "800" lines accessible throughout the United States and Canada.

AT EBS/ATLANTA, EFFECTIVE COMMUNICATIONS IS AN ON-GOING SERVICE.

PRINT CAMPAIGN

EBS/Atlanta strives to meet your organization's objectives and goals. We like for you to talk to us about this project so we'll understand what your organization truly wants to accomplish. Then we offer suggestions for making your print campaign work harder to promote, inform, and even entertain employees while providing the opportunity for individual employee choice.

Following is a typical example of how EBS/Atlanta can help develop your organization's presentation from original concept through the completed print campaign and, if desired, to a finished sound-slide or video production of top professional caliber. EBS/Atlanta can also provide consultation on any of the following services individually:

Pre-Production: EBS/Atlanta's representatives will meet with your management team to talk about your organization's objectives, its employees, its budget, and related subjects, and establish the general direction of the presentation.

Research: If needed, we work with you to obtain more information to expand copy points and enhance visuals.

Concept: EBS/Atlanta then develops a campaign approach to the presentation and submits an outline for discussion and approval.

Final Composition/Printing: Type, art, individual employee data...all the ingredients of the presentation come together as the graphic elements of your organization's messages are transferred into brochures, general announcements, and benefit statements.

AUDIO/VISUAL SERVICES

In addition to designing an effective print campaign, EBS/Atlanta can provide consultation in the development of a professional audio/visual presentation.

Working with some of the top audio/visual production agencies in the Southeast, EBS/Atlanta continually monitors the production to ensure that timetables are met, enrollments begin on schedule, and final costs remain within the allocated budget range.

Few third party administration firms possess the capability to offer a completely integrated print and audio/visual campaign. EBS/Atlanta is among that select few.

**AUDIO/VISUAL SERVICES ARE PROVIDED AT AN ADDITIONAL CHARGE.*

MANAGEMENT REPORTS

Management reports will be provided to your organization to summarize the activities of the participants. These reports provide an efficient and comprehensive review of:

- Effectiveness of the Plan
- Utilization and Savings
- New Sources for Savings
- Exceptional Activities

The reports are divided into the following categories:

Employee Statement of Account

Provides a summary of all debits and credits posted to an employee's account throughout the Plan Year.

Company Statement of Account

May be provided on either a monthly or quarterly mode as requested. Provides year-to-date status of account requests to account funding by participant, account and company totals. Helpful in identifying surpluses by individual and by company.

Discrimination Report

Ensures that your organization's plan complies with the intent of IRC Section 125, Non-Discrimination Guidelines. This report complies with current discrimination testing requirements including the 25% Concentration Test and 55% Average Benefits Test.

This Report is prepared and monitored by EBS/Atlanta on a monthly basis, however, a copy of the Report will be provided at your organization's discretion on a monthly, quarterly, or annual cycle.

Year End Reports

An annual summary of the plan year provided to Management and individual summary reports provided to each participating employee. The individual summary reports to the participants provide comparative illustrations of the effects Section 125 has had on the participant and is designed to again emphasize the value of this plan its importance.

CLIENT REFERENCES

The County of Volusia, Florida
Albert Gault, Director of Finance/Assistant County Manager
Mike Lary, Director of Human Resources
904/736-5951

The City of Winchester, Virginia
Sharen Gromling, Personnel Director
703/667-1815

The City of Falls Church, Virginia
Richard Parker, Risk Manager & Benefits Manager
703/241-5129

Falls Church City Public Schools
Richard F. Sanders, Director of Business & Finance
703/241-7600

The City of Pensacola, Florida
Wayne Etheridge, Director Human Resources
Gwen Lee, Assistant Director Human Resources
904/435-1720

The City of DeLand, Florida
Harold F. Pyke, City Manager
904/736-3900

Covenant College
Chattanooga, Tennessee
Marie Henning, Director Human Resources
404/820-1560

The City of North Myrtle Beach, South Carolina
John Smithson, Assistant City Manager
803/280-5507

The Marion County School Board
Nancy J. Haydon, Risk Manager
904/732-8041

The City of Rome, Georgia
Diane Boone, Personnel Director
404/236-4450

EBS/ATLANTA

Fee Schedule For

THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

EBS/Atlanta proposes to provide administrative services in conjunction with a "Cafeteria Plan" *including Flexible Spending Accounts* and conforming to Section 125 of the Internal Revenue Code at the prices described below based on the following criteria:

Anticipated Number of Eligible Employees:	**77**
Type of Plan:	**Cafeteria Plan**
Eligibility:	**Per Plan Document**
Average Monthly Administrative Price Per "Eligible" Employee:	**$ 2.5974**
Total Anticipated Monthly Administrative Fee (assuming 77 eligibles)	**$ 200.00**
Initial Retainer:	**$ 475.00**
Plan Document Preparation:	**NO ADDITIONAL CHARGE**
Preparation/Printing of Summary Plan Descriptions (STANDARD FORMAT)	**NO ADDITIONAL CHARGE**
PRICE EFFECTIVE DATE:	**October 8, 1991**

GUARANTEE:

This bid price will be valid for sixty (60) days, and will be guaranteed for 12 months from contract date.

WARRANT:

EBS/Atlanta warrants that it will not, either in process of enrollment or at any time while the contract is in force, attempt to enroll or enroll any employee of the City of Isle of Palms in any insurance plan, savings plan, or deferred compensation plan that is not specifically provided for in this Flexible Benefits Plan. EBS/Atlanta affirms that "enroll" as used herein includes the terms sell, persuade, accept as a participant, and other like terms.

OPTIONS '91

From EBS/ATLANTA

A FLEXIBLE BENEFIT CAFETERIA PLAN EMPLOYEE NEWSLETTER

FLEXIBLE SPENDING ACCOUNT OPTIONS

OPTIONS '91 will enable employees to participate in *Flexible Spending Accounts*. This issue provides information on the Flexible Spending Account options available to you. There are two kinds:

Health Care Spending Account

Dependent Care Spending Account

Through a Flexible Spending Account you set aside dollars from your salary before you actually spend the money for medical or day care purposes. The money you set aside is pre-tax income.

The money that you authorize the Payroll Department to set aside goes into your Flexible Spending Account before Federal, State and Social Security taxes are calculated. Using a Flexible Spending Account requires that you think ahead and plan a little bit, but if you do it's like getting a big discount. Let's look at the Health Care Spending Account in more detail.

HEALTH CARE SPENDING ACCOUNT

You may instruct the Payroll Department to set aside up to $1,500 per year in a Health Care Spending Account. The money is set aside in equal amounts throughout the year. The money may be spent on yourself or anyone who qualifies as your dependent for income tax purposes. You may use the money for a wide variety of medical, dental and vision expenses that insurance does not cover or pay for. When you have an eligible expense, you obtain payment through a simple claim form. The one thing you must remember is that if you set aside money for health care, you must use it by the end of the Plan Year (which is June 30, 1992). If you don't use it, you lose it. So, be sure to set aside only as much as you know that you will use. With a little planning this isn't a big problem, and when you get started a planning worksheet and checklist will be provided to assist you.

EXHIBIT B

M E M O R A N D U M

TO: Mayor and City Council

FROM: Mark Williams & Lynne Stonesifer

SUBJECT: Flex Benefits

DATE: November 20, 1991

==========

The City would like to amend its Section 125 Plan to include flexible spending accounts related to out-of-pocket medical expenses and dependent care expenses.

Basically it works as follows:

A participant may choose under this plan to receive his full compensation for any plan year in cash or to have a portion of it applied by the City toward the cost of one or more of the following optional benefits:

1) Benefits available to the participant under the Medical Reimbursement Plan which would include, for example, eyeglasses, contact lenses, deductibles, orthodontia, and well-baby care.

2) Benefits available to the participant under the Dependent Care Assistance Plan.

Each employee will determine the amount of out-of-pocket medical expenses and dependent care expenses they expect to incur for the upcoming year. These amounts will then be divided by the number of pay periods in the year. This amount will then be deducted from each paycheck and put into a special bank account. When the medical expense or dependent care expense is incurred, the employee must submit a receipt to the third party administrators and a reimbursement check will be sent to the employee.

The benefits of a Section 125 Plan are twofold. First, the employee will receive a substantial savings of Federal Income Tax, State Income Tax and Social Security Taxes. This happens because the amount that is deducted from each paycheck for these items is also deducted from gross pay to determine taxable income. This can best be shown by the following example:

John and Jane Jones are married and have two children. John is an employee of the City and earns $20,000 a year. Jane works elsewhere and earns $20,000.

John decides to enroll in the Flex Spending Plan. He elects to redirect $3,900 ($325 per month) of his current compensation into the plan to cover out-of-pocket medical and dependent care for himself and his family.

With the plan, John is able to pay the medical expenses and dependent care expenses with dollars that are not taxed. Without the plan, John would pay these expenses with after-tax dollars. John's disposable income with and without a plan is as follows:

	With Plan	Without Plan
Gross Salary	$20,000	$20,000
Less: Compensation for Dependent Care & Medical	(3,900)	
Net Taxable Salary	$16,100	$20,000
Federal Income Tax (assume 15% bracket)	2,415	3,000
Social Security Tax	1,232	1,530
S.C. Tax	1,047	1,320
Total Taxes	$4,694	$5,850
Salary After Taxes	$11,406	$14,150
Dependent Care & Medical	---	(3,900)
Disposable Income	$11,406	$10,250

Net Savings With Plan - $1,156

John Jones receives $1,156 ($11,406 minus $10,250) more per year in disposable income if he elects to redirect his compensation to the plan. Obviously, with almost $100 per month more in take-home pay, John Jones will appreciate the additional income.

The City will also benefit from this plan. Just as the employee's Social Security Taxes will be reduced, the City's matching share of social security will be reduced by the same amount.

We have been talking over the past month with EBS/Atlanta, a third party administrator recommended to us by the City of North Myrtle Beach who has been using these services for 2 years, and they have given us a proposal to administer this plan. They have excellent references and we recommend using them. The charge for their services will be approximately $2,800 for the first year and $2,400 per year thereafter. We have estimated that the savings to the City in Social Security Taxes will more than offset the cost of these services. A third party administrator will not only relieve the City of the administrative burden, but they will ensure than our plan complies with the intent of Internal Revenue Code Section 125, Non Discrimination Guidelines. They will also be independent, which is very important when judgement calls will have to be made.

Enclosed is a copy of our flexible spending account administration proposal from EBS/Atlanta. Please read it and if you have any questions, we can discuss them at Thursday night's meeting.

EXHIBIT I

misc

State of South Carolina
Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

September 20, 1991

The Honorable Carmen R. Bunch
Mayor
City of Isle of Palms
Post Office Drawer Q
Isle of Palms, South Carolina 29451

Dear Mayor Bunch:

We regret to inform you that your application for funding of the Curbside Recycling project for for the City of Isle of Palms has not been approved.

As you know, there was a great deal of interest in this program. We received sixty-two applications requesting a total of $8,038,440 in funding. Regrettably, this was five times more than was available for funding.

The Governor's Division of Energy, Agriculture and Natural Resources appreciates your interest in this program and we encourage you to apply for other grant programs as they become available. With the passage of the Solid Waste Policy and Management Act, additional funds will be available for local government grants through this office.

If you have any questions concerning this matter, please contact Kathleen Blaydes of my staff at 734-0522.

Sincerely,

Carlisle Roberts, Jr.
Director

/laf

Division of Energy, Agriculture and Natural Resources
Edgar A. Brown Building, Suite 333
1205 Pendleton Street
Columbia, South Carolina 29201
(803) 734-0445/734-1740

South Carolina Jobs-Economic Development Authority

Elliott E. Franks, III
Chief Executive Officer

October 21, 1991

The Honorable Carmen R. Bunch
Mayor
City of Isle of Palms
1301 Palm Boulevard
Post Office Drawer Q
Isle of Palms, South Carolina 29451

RE: JEDA LOAN TO ISLAND AIR HEATING & AIR CONDITIONING COMPANY
CDBG #7-P-91-011

Dear Mayor Bunch:

The purpose of this letter is to document our telephone conversation of this morning. As we discussed, technically the time frame in which the Island Air Heating & Air Conditioning Company loan should have closed has expired. This delay was the result of unforeseen circumstances. JEDA is working with the borrower in an effort to close the loan.

Since the six (6) month time frame has expired, the City of Isle of Palms must send a written request for an extension of the loan closing period. We recommend an extension until December 31, 1991.

Please send the written request to the Authority at your earliest convenience. If you should have any questions concerning this process, please do not hesitate to call.

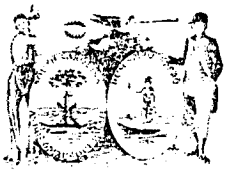
Sincerely,

Rebecca L. Youmans

Rebecca L. Youmans
Senior Loan Administration Officer

1201 Main Street, Suite 1750 Columbia, South Carolina 29201 (803) 737-0079 FAX (803) 737-0016

South Carolina Jobs-Economic Development Authority



Elliott E. Franks, III
Chief Executive Officer

Misc

October 11, 1991

Mr. Mark Williams
City Administrator
City of Isle of Palms
1301 Palm Boulevard
Isle of Palms, South Carolina 29451

SUBJECT: Notice of Meeting
DATE: October 23, 1991
TIME: 1:00 P.M.
PLACE: State Treasurer's Office
Wade Hampton Office Building, Room 118
Capital Complex
Columbia, South Carolina

Dear Mr. Williams:

As a prospective participant in the infrastructure bond pool to be funded by the South Carolina Resources Authority with its Local Government Program Revenue Bonds, Series A of 1991, you and your bond counsel are requested to attend the above referenced meeting on October 23, 1991. Your bond counsel is being notified both by telephone and by copy of this letter.

This meeting is very important, and you are asked to make every effort to attend. At the meeting we will discuss the proposed schedule to be followed, your obligations and our obligations. You will also have an opportunity to ask questions.

Sincerely,

David B. Roper, Jr.
Senior Public Finance Analyst

DBR:dg

c: Mayor Carmen Bunch
Bill Youngblood, Esquire

1201 Main Street, Suite 1750 Columbia, South Carolina 29201 (803) 737-0079 FAX (803) 737-0016

MINUTES OF A SPECIAL MEETING OF THE ISLE OF PALMS CITY COUNCIL
OCTOBER 31, 1991, 6:00 P.M.

A special meeting of the Isle of Palms City Council was held on October 31, 1991, at 6:00 p.m., at City Hall for the purpose of setting the millage rate for tax year 1991. Present were Mayor Bunch, Council Members Orvin, Simon, Sottile and Ward, City Administrator Williams, Finance Director Stonesifer and Clerk-Treasurer McDuffie. Absent were Council Members Holden, NesSmith-Picard, Swanson and Watson.

Mayor Bunch called the meeting to order.

Mr. Ward made a motion to approve first reading of Ordinance 1991-17 (An Ordinance to Raise Revenue by Establishing a Tax Millage Rate for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992) by title only; Mr. Orvin seconded; motion passed unanimously.

Mr. Ward stated that there is no tax increase this year because of the Local Option Sales Tax (LOST) and this should be made very clear to the residents. The Mayor explained that on a $100,000 house, the new rate would have been $37 higher, however, the County is giving us a decrease of $57.

Mr. Ward made a motion to approve the millage rate at 50.5 mils for tax year 1991, which is a 32.8% increase over the millage rate last year which was 38 mils; Mr. Orvin seconded. Mr. Ward stated that this was a dollar increase of 16.4%. Roll call vote was taken: Orvin - Yes; Simon - Yes; Sottile - Yes; Ward - Yes; Bunch - Yes. Motion passed unanimously.

Mr. Ward made a motion to adjourn, Mr. Orvin seconded, motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 11/26/91

ORDINANCE 1991-17

AN ORDINANCE TO RAISE REVENUE BY ESTABLISHING A TAX MILLAGE RATE FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992.

WHEREAS, Subsection 3, of Section 5-7-260 of the South Carolina Code of Laws of 1976, as amended, requires that a City Council shall act by ordinance to levy taxes pursuant to public notice; and

WHEREAS, the Isle of Palms City Council has acted by separate ordinance to adopt the Fiscal Year Operating Budget for the period July 1, 1991, to June 30, 1992;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. A tax to cover the period from July 1, 1991, to June 30, 1992, both inclusive for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Isle of Palms for the use and service thereof; i.e., a tax of 50.50 on every thousand dollars ($1,000) in assessed value of real estate and personal property of every description owned and used in the City of Isle of Palms, South Carolina, except such as is exempt from taxation under the Constitution and laws of the State of South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Isle of Palms for the corporate purposes, permanent improvements, current expenses and the payment of interest and retirement of outstanding bonds and debts of the City of Isle of Palms, making a total levy not to exceed fifty and one-half(50.5) mills for tax purposes. Such tax is levied on such property as is assessed by the Charleston County Tax Assessor for County and State purposes.

SECTION 2. By mutual agreement between the City of Isle of Palms and Charleston County, the County will bill and collect the taxes enumerated herein, and pay the same over to the treasurer of the City of Isle of Palms in the manner prescribed by both parties.

SECTION 3. The billing dates, the penalty dates and the amount of the penalty which shall be levied by delinquent taxes shall be the same as those adopted by Charleston County Council.

SECTION 4. Delinquent property taxes shall be collected by Charleston County in a manner as prescribed by State Law.

SECTION 5. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 6. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

_____

Carmen R. Bunch, Mayor

ATTEST:

_____

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 10/31/91

Second Reading: _____

Ratification: _____

SPECIAL CITY COUNCIL MEETING
November 21, 1991

A Special City Council Meeting was held on November 21, 1991, at 6:30 p.m., at City Hall. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Watson and Ward, City Administrator Williams, Finance Director Stonesifer, Clerk-Treasurer McDuffie and Secretary Geary. Council Member Orvin was absent.

The Mayor asked for a motion to change the order of the agenda in order to place item #1 in Executive Session and to add an item to the agenda. Ms. NesSmith-Picard so moved; Mr. Sottile seconded; motion passed unanimously.

1. Leased Vehicles. Mr. Williams, referring to his memo of November 14 (see Exhibit A), reported that the City would loose money in equity if they turned in the Sunbird instead of purchasing it and perhaps selling some older cars in the fleet. After discussion, Mr. Sottile made a motion to sell the four cars as recommended by Mr. Williams and keep the Sunbird; Mr. Watson seconded. Mr. Watson amended the motion to refer it back to Ways & Means after receiving title to the Sunbird; Mr. Holden seconded; amendment passed 6-2. There was discussion that if the car would be used by the DARE officer, the car could be purchased with narcotics funds. Mrs. Swanson amended the motion to purchase the car with narcotics funds or to repay the Capital Projects fund with narcotics funds when available; Ms. NesSmith-Picard seconded; amendment passed 7-1. Vote was taken on the main motion which passed 7-1.

2. Flex Benefits Plan. Mr. Williams and Mrs. Stonesifer explained the flex benefits plan and its benefit to the employees and the City. (see Exhibit B) After discussion, Ms. NesSmith-Picard made a motion to accept the flex benefits program and charge the employees a $4 per month fee; Mr. Simon seconded; motion passed unanimously.

3. Thanksgiving Holiday. Mayor Bunch reported that the Public Works Department had requested that the Friday after Thanksgiving be a holiday. She stated that the City had done this once and had received so many complaints about having four days without trash pickup, especially over a holiday, that she didn't think it should be done again. Also, adding another holiday would cost the City money in overtime. After discussion, Mr. Ward made a motion to approve November 29 as a paid holiday; Mr. Sottile seconded. Roll call vote was taken: Holden - No; NesSmith-Picard - Yes; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - Yes; Bunch - No. Motion failed with a 4-4 tie.

Ms. NesSmith-Picard made a motion to go into Executive Session; Mrs. Swanson seconded; Motion passed unanimously.

Coming out of Executive Session the Mayor stated that matters pertaining to the Municipal Building with relation to arbitration and litigation were discussed.

Ms. NesSmith-Picard made a motion to adjourn, which was seconded and passed unanimously.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 12/16/91

EXHIBIT A

14 November 1991

Memo To: Mayor and City Council

From: Mark M. Williams, City Administrator MMW

Subject: Leased vehicles

Earlier this week I discussed with the Ways 7 Means Committee and several additional council members the need to make a decision about two leased 1990 pontiac Sunbird LE's on which the lease has expired. Payoff on the lease is $4,025 on each car. Ways & Means recommended that the City keep one car now in use by the Building Department, but either sell, or allow a wholesaler to purchase the other car.

I want to recommend that the Council take a look at this issue again. The Sunbird that we were going to sell is newer than at least four other passenger vehicles in our fleet, and in considerably better shape than a couple of them now in use by the Police Dept. Since our meeting, I have learned that the loan value on the car is $5,625 and the trade-in value on the car is $6,225. Allowing a wholesaler or some other individual to acquire the car simply by paying off what is owed on it, would leave some $1,600 to $2,000 of equity on the table. Consequently, I would ask that the Council consider selling the following vehicles, and allow the 1990 Sunbird to remain in the Police Dept., where it has been in use since we eliminated one of the temporary Building Inspector's positions in April, 1991. If that is not acceptable, then I would suggest that we at least pay off the lease in order to possess title to the vehicle and then attempt to sell the car at a higher price than pay-off.

	Estimated Value
1987 Chevrolet Celebrity	$ 600.00
1988 Oldsmobile Ciera	$ 800.00
1988 Suzuki Samurai	$1,500.00
1986 Pontiac Trans Am	$2,500.00*
	$4,900.00

*the Pontiac Trans Am belongs to the narcotics dept. and was purchased with narc funds. The other vehicles are in use by the Police dept. but were paid for by the General Fund.

REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
NOVEMBER 26, 1991, EXCHANGE CLUB

The regular meeting of the Isle of Palms City Council was held on November 26, 1991, at 7:00 p.m., at the Exchange Club. Present were Mayor Bunch, Council Members Holden, NesSmith-Picard, Orvin (arriving late), Simon, Sottile, Swanson, Ward and Watson, City Administrator Williams, City Attorney Rhoad, Finance Director Stonesifer, Clerk-Treasurer McDuffie, and Secretary Geary.

The Mayor called the meeting to order and after the Pledge of Allegiance and Invocation, roll call was taken.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. October 21, 1991 - Special City Council Meeting
2. October 22, 1991 - Regular City Council Meeting
3. October 31, 1991 - Special City Council Meeting

Ms. Picard presented some additions to the October 21, 1991, meeting and Mr. Sottile made one minor correction to October 22, 1991, minutes. All minutes were approved with corrections by a voice vote.

C. CITIZENS COMMENTS

1. Dave Lewis - SCDHPT - Mr. Lewis gave a status report on the Connector Project stating that curb and gutter work was due to be completed this month and sidewalks will be continued; the old asphalt will be hauled away; and paving will be done as weather permits.

2. Leola Hanbury - Ms. Hanbury, representing the Isle of Palms Commerce Association, presented the City with Christmas banners for decoration on utility poles. (Exhibit A)

3. Suzanne Herms - Ms. Herms spoke in favor of modifying the dog leash laws in order that dogs owned by permanent residents can run free on the beach during certain hours of the day accompanied by their owners.

4. Janice Horst - Ms. Horst also spoke in favor of modifying the dog leash laws. She suggested allowing dogs to run unleased from 7-8 a.m. and from 5-6:30 p.m. Also, if a dog has a resident tag, the owner should be given a warning instead of being ticketed.

5. Ann Lauder - She is also supporting revised leash laws.

6. Joe Horst - Mr. Horst supported revised leash laws and felt there should be a time in the morning and evening that dogs can run free on the beach as long as they are under verbal command of their owner.

7. Frank Burris - Mr. Burris also urged Council to relax the leash laws. He stated that he runs the beach every morning and sees very few people and that the few dogs on the beach are very friendly.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Ward presented the minutes from the November 11, 1991, meeting (Exhibit B).

Mr. Ward made a motion to accept Mr. Williams recommendation to replace the telephone systems for the Building Department and Fire Station #1 at a cost of $2645 each; Mr. Orvin seconded. After discussion, motion passed unanimously.

Mr. Ward handed out some documentation pertaining to the cost of the dog kennels (Exhibit C) and the police storage unit in order to squelch rumors about how this building was handled from the beginning. He stated that the project was originally conceived as a free standing unit costing approximately $3500-$4000. Mr. Ward reiterated that the money given to the City as donations for the dog kennels in the amount of $3390 was towards this original design. Any upgrades and additions to this building, including a storage shed for the Police Department, were made later including the attachment of the building to City Hall. The adjusted kennel cost was only $4,758.

Mayor Bunch stated that the dog kennel was a very good thing and that she had not heard bad rumors. She said that she does remember voting unanimously not putting the dog kennel where it was and it would not have been brick. Also, when you figure the cost of the kennels, you have to figure in the time Ed Haselden has put into the project by doing some of the work himself and by supervising the workers.

Mr. Sottile congratulated Mr. Ward for his work towards this dog kennel and for his recent appointment to the SPCA board.

Mr. Youngblood gave a brief presentation of the upcoming ordinance approving the water and sewer bond issue. The ordinance is in the form required by the South Carolina Resources Authority. He stated the bonds will be sold on Tuesday, December 3, and that it will be necessary to hold a special meeting in December or to authorize the Mayor to approve the interest rates as set on December 3rd.

2. Police and Public Safety - Chairman Sottile presented the minutes of the November 21, 1991, meeting (Exhibit D).

Mr. Sottile made a motion to approve the Disaster Preparedness Plan as prepared by Dennis Rhoad; Mr. Ward seconded. (Exhibit E) There was extensive discussion on this matter.

The Mayor stated that this plan was sent to Council members by the attorney and that there has been no work session on it nor have the members of the committee seen this plan. She felt that with the new people coming on Council who will be responsible for the plan, we should defer this until next year and give everyone a chance to study the plan further. She also stated that council had disapproved the plan during hurricane season and felt it would only be fair for the new council to be able to study this before approval.

It was the consensus of several council members that it was premature to be approving this plan at this time, especially since it was not on the agenda and no one had their copies with them to look at, and that it was too important an issue to pass without further study.

After further discussion, roll call vote was taken: Holden - Yes; NesSmith-Picard - Yes; Orvin - No; Simon - No; Sottile - Yes; Swanson - No; Ward - Yes; Watson - No; Bunch - No. Motion was defeated 4-5.

Ms. NesSmith-Picard made a motion to refer the plan to the Emergency Preparedness Committee to be brought before Council in February; Mr. Watson seconded; motion passed 7-1.

Mr. Orvin commended Bob Haselden, the Animal Control Officer, for his hard work and dedication in the Police Department over the years. Mr. Haselden is retiring as of December 31, 1991.

Mr. Watson made a motion that the Mayor contact the members of the Emergency Preparedness Committee who have resigned asking them to reconsider their membership of the committee; Mr. Simon seconded; motion passed unanimously.

3. Public Works - Chairman NesSmith-Picard presented the minutes of the November 18, 1991, meeting (Exhibit F).

Ms. NesSmith-Picard made a motion that a letter be written to Charleston County Council asking that the County clean the ditches on the island quarterly instead of semi-annually; Mr. Simon seconded; motion passed unanimously.

Ms. NesSmith-Picard made a motion that the City Administrator seek legal advice to obtain or retain easements through dedicated rights-of-way on the ocean front and areas that have storm drains to the waterway for the purpose of having public beach access and drainage maintenance; Mr. Ward seconded; motion passed unanimously.

Ms. NesSmith-Picard asked that the City Administrator make arrangements with the Department of Correction for painting the Public Works trucks. Mr. Williams will check into this.

Ms. NesSmith-Picard asked that the City Administrator obtain bids for the construction of a fenced area for storage of Public Works scrap items. Mr. Williams will check into this.

Ms. Nessmith-Picard announced that the Commerce Association is promoting a fund raiser to obtain funds for the ~~construction~~ repair of the 21st Avenue dune walk-over.

Mr. Ward made a motion that the City obtain bids for the privacy fence between the new City Hall and the Coates' property under proposals a, b, and c submitted by Architect John Gardner; Mr. Orvin seconded. After discussion, Mr. Orvin amended the motion to delete the concrete wall from the selections; Mrs. Swanson seconded; amendment passed unanimously. After further discussion, roll call vote was taken on the motion: Holden - Yes; NesSmith-Picard - Yes; Orvin - Yes; Simon - Yes; Sottile -Yes; Swanson - Yes; Ward - Yes; Watson - Yes; Bunch - Yes. Motion passed unanimously.

4. Engrossed Bills - Chairman Holden reported on the meeting of November 14, 1991 (Exhibit G). Mr. Rhoad stated that there will be several ordinances ready for first reading after the December 12th Engrossed Bills meeting. The Mayor asked everyone to attend this meeting if possible to work on these upcoming ordinances.

Ms. NesSmith-Picard made a motion to direct the City Attorney to evaluate and present to Council in January a draft ordinance concerning dune preservation; that would prohibit alteration of the topography; Mr. Orvin seconded. Mr. Simon amended the motion that the attorney send Council members a memo stating generally what can be done before going into ordinance form; Mr. Ward seconded; motion and amendment passed unanimously.

Ms. NesSmith-Picard made a motion that Planning Commission come before Council in December with their recommendation of the Waterfront Zoning Ordinance; Mr. Ward seconded; motion passed unanimously.

Ms. NesSmith-Picard stated that she thought the leash law was ready to be brought before council. Mayor Bunch reiterated that ordinances cannot be prepared one night and brought before council the next night expecting a vote be taken without time to study it. She also stated that to be presented for first reading it had to be in the form of a true ordinance, not a rough draft, and that council did not have a copy of it tonight nor was it on the agenda. The Mayor asked Mr. Rhoad for a point of order and he stated that she was correct that it would be more appropriate to be prepared properly and placed on the agenda for the next meeting.

After discussion of the leash ordinance, Mr. Ward made a motion to put the revised dog leash ordinance on the agenda of the next Council meeting; Ms. NesSmith-Picard seconded; motion passed unanimously.

5. Recreation - There was no meeting in November, but Chairman Orvin reported on the events of the month (Exhibit H).

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - See minutes attached as Exhibit I.

2. Planning Commission - Planning Consultant, Lee Batchelder, presented the minutes from the November 13, 1991, meeting (Exhibit J).

a) Plat of Abandonment of the Right-of-Way of the Undeveloped Portion of 38th Avenue Between Lot 10, Block U, Section BC-2-E, and Lot 6, Block V, Section BC-2-E, City of Isle of Palms.

Mr. Ward made a motion to approve said plat; Mr. Orvin seconded; after discussion, motion passed unanimously.

b) Preliminary Plat of Tract "E", Block "E", Parcel 3b, Wild Dunes.

Mr. Ward made a motion to approve said plat; Mr. Orvin seconded; motion passed unanimously.

c) Plat Showing the Combination of Lots 13-21, Block 29, With Lots 22 & 23, Block 29, The Boardwalk Section, Situate in the City of Isle of Palms.

Mr. Ward made a motion to approve said plat; Mr. Orvin seconded. After discussion, motion passed 6-2 abstentions. For the record, Mr. Holden abstained because of previous representation of applicant on a closely related matter.

d) Plat of Lots 01 & 02, Block 6, and Lot 18, Block 3, Section A, and Portions of Old Ocean Drive and Winding Way (Second Avenue) To Be Conveyed to Respective Adjacent Property Owners by Ocean Boulevard Properties.

Mr. Ward made a motion to approve said plat; Mr. Orvin seconded. Ms. NesSmith-Picard moved to suspend the rules of order to allow the surveyor to speak; Mr. Watson seconded; motion passed unanimously. Mr. Wade spoke about the right-of-way easement shown on the plat. After further discussion, Mrs. Swanson made an amendment that the City have no responsibility for maintenance of the easement; Mr. Orvin seconded; amendment passed unanimously. The motion passed unanimously.

e) Plat of a Subdivision of the Unopened Portion of Twenty Fourth Avenue, Being Added to the Adjacent Lots As Shown.

Mr. Ward made a motion to approve said plat; Mr. Orvin seconded. After discussion, Mr. Sottile amended the motion that the City not be responsible for maintenance and to increase the easement to 30'; Mrs. Swanson seconded. There was extensive discussion on this plat. There was some concern that the City is not being offered these unopened street areas rather than quit-claiming them to property owners. Mr. Rhoad mentioned that there is pending litigation on the quit-claim of a 51st Avenue right-of-way on which the judge should make a decision in January whether or not this property should be public right-of-way.

Mr. Williams stated that when the Isle of Palms was originally platted, some of the roads and divisions were platted at that time. They have not been developed and are owned by The Beach Company. Some drainage pipe has been installed in these undeveloped rights-of-way which are the City's responsibility. The City

has approached The Beach Company in an attempt to acquire all the undeveloped rights-of-way, especially the ones with utility improvements on them.

After further discussion, the motion, amendment and seconds were withdrawn. Mr. Watson made a motion to defer any action on this plat until the judge has made a decision on the rights-of-way case; Mr. Ward seconded. Motion passed unanimously.

2. Water & Sewer Committee - Chairman Stanley presented actions and discussions from the November 6, 1991, meeting (Exhibit K) and the November 20, 1991, meeting (Exhibit L).

After discussion, Ms. NesSmith-Picard made a motion to approve recommendations made by the Water & Sewer Committee; Mr. Ward seconded; motion passed unanimously.

3. Beach Patrol and Control Board - see minutes attached as Exhibit M.

4. Emergency Preparedness Committee - No report.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

J. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Second Reading and Ratification - Ordinance 1991-17 - An Ordinance to Raise Revenue by Establishing a Tax Millage Rate for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 1991, and Ending June 30, 1992. (Exhibit N).

Mr. Orvin made a motion to approve and ratify Ordinance 1991-17; Mr. Simon seconded; after discussion, motion passed 8-1.

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. First Reading - Ordinance 1991-26 - An Ordinance Authorizing the Issuance of A $2,700,000 Water and Sewer System Revenue Bond, Series 1991B, of the City of Isle of Palms, South Carolina; To Provide for the Use of the Proceeds; To Provide for the Terms and Conditions Upon Which the Bond Will Be Issued; To Provide for the Repayment Thereof and Security Therefore; and To Provide for Other Matters in Connection Therewith. (Exhibit O)

Mr. Ward made a motion to approve first reading of Ordinance 1991-26; Mr. Sottile seconded; motion passed unanimously.

2. Jeanne C. Sink Day - Proclamation. Mr. Williams read the proclamation in full. (Exhibit P)

MISCELLANEOUS BUSINESS

1. Building Permit Fees - (Exhibit Q) Mr. Williams discussed his memo of November 21, 1991, asking that the permit fees be raised as they are currently using 1988 recommended fees. Mayor Bunch addressed the council that due to Hurricane Hugo, residents and businesses are still suffering from the effects of the storm and that business licenses should be raised also. She thought that the new council should take this up and that fees in Mt. Pleasant and other areas should be compared to ours. A concern of some Council members about raising the fees at this time was that the current recession has hurt contractors and citizens who may not be able to afford higher fees. After further discussion, Ms. NesSmith-Picard made a motion to defer action on this issue until December meeting; Mr. Ward seconded; motion passed unanimously.

2. America The Beautiful Urban and Community Forestry Grant - The Mayor reported that the city has been approved to receive a grant for planting trees in the parking lots in the amounts of $1200 in landscape architectural services, $3800 in site work, and $4000 for trees. The City's portion of the grant will be "in-kind" (labor, etc). After discussion, Ms. NesSmith-Picard made a motion to proceed with plans; Mr. Ward seconded; motion passed unanimously.

3. Plant-A-Palm on Palm - Mayor Bunch reported that since Hugo several residents have donated money to plant palms along Palm Boulevard. Robert Chestnut has offered to assist and we have a committee and have received $1370 for palm trees. Residents on Palm Boulevard are being asked to purchase two palm trees. Contributions are tax deductible.

4. Resignations - The Mayor reported that she has received a letter from John Gardner resigning his position on the Planning Commission. He will be replaced in January.

The Mayor also received a letter of resignation from George Porcher from the Code Board of Appeals. This position must be an architect and she has appointed Arthur Brooks Harlow to fill the position.

5. December Meeting - As the regular meeting date falls on Christmas Eve this year, there will be no regular meeting. Mrs. Swanson made a motion to set a special City Council meeting for Tuesday, December 17, 1991, at City Hall; Mr. Ward seconded; motion passed unanimously.

Mr. Ward made a motion to go into Executive Session which was passed unanimously. It was requested by Mr. Sottile that Ms. Awkerman, Council Member Elect, be allowed to stay through Executive Session and there was no objection.

Coming out of Executive Session, the Mayor stated that legal matters were discussed and that no action was taken.

Mr. Ward made a motion to adjourn; Mrs. Swanson seconded; meeting was unanimously adjourned.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 1/28/92

EXHIBIT H Copy: Mayor Bunch

COUNCIL MEETING - Nov. 26, 1991

THANKS . . . like playing Santa Claus.

Here on behalf of the ISLE OF PALMS COMMERCE ASSOCIATION (our local merchants and business people) to present the City of Isle of Palms with a Christmas gift. . .

25 unique Isle of Palms Christmas banners - to be installed on 25 utility poles starting next Monday - December 2nd.

Since our COMMERCE ASSOCIATION is sponsoring, for the first time, several special events as a "CHRISTMAS ON THE ISLE OF PALMS" celebration, it seemed appropriate to have the avenues of the business section of the island decorated for the holidays this year. We knew the City's budget could not be stretched to do this, so we didn't even ask you! Instead, we asked our members to sign up to ADOPT A UTILITY POLE and fund the purchase of Christmas decorations for a pole. We thought we might start this project this year--perhaps 10 poles to be decorated--and then watch the project grow in future years.

But the enthusiastic and generous response of the business community on our island has led us to this point: 25 poles will be decorated (forming a loop that ~~looks quite like a bell~~ around the main commercial section of the Isle of Palms: Palm Blvd. - up 14th Ave. to Ocean Blvd. - down Ocean to J C Long Blvd - back to Palm.)

We're excited about it--and hope you are, too.

The logo for our CHRISTMAS ON THE ISLE OF PALMS celebration is a whimsical SANTA on the beach (show brochure) -- which was designed by our local resident KIKI COFFARO, an artist. This motif will be on your Christmas

banners on the utility poles (and elsewhere on the island in December). . . thanks to another local resident--Pat Campbell, whose company, CAROLINA COLORS, reproduced the design and is hand-sewing the beautiful banners. Through his generous donations of expertise and labor, we have kept the cost reasonable for our business people.

We are so grateful to each of those people -- and to each of the 25 charter sponsors of the project. (LEAVING A LIST WITH YOU. . .)

CHRISTMAS ON THE ISLE OF PALMS is a dream about to come true--starting December 7th, Saturday and continuing on the following 2 Saturdays before Christmas, there are many special events scheduled to be enjoyed by all.

Here is a brochure for each of you--and a supply for City Hall. These brochures are already at the Visitors Reception Center in Charleston as well as at many hotels.

THANKS for this opportunity to present you with this gift from the Isle of Palms Commerce Association. . . and MERRY CHRISTMAS to each of you!

P.S. If the City doesn't have adequate storage for the banners, don't worry--we'll take care of that, too so that they'll be ready for installation next year even earlier than this year!

Leola Hanbury - Committee Chairman

Members: B. B. Weavil - Woodmark Inc.

Ken Hancuff - Wave Trade

ISLE OF PALMS COMMERCE ASSOCIATION

CONTACT: Leola Hanbury
886-6458

Isle of Palms Business Firms Participating in ADOPT-A-UTILITY POLE PROJECT - November of 1991. (Charter members.)

The Beach Company

Beachside Real Estate, Inc.

BB's

Double's Pizza

Dunes Properties

Hearts of Palm Cafe

High Tide Restaurant

Island Preservation Partnership

Island Video

Joysticks Family Arcade

Long Island Cafe

McKevlin's Surf Shop

One Eyed Parrot

The Palms Restaurant

Pelican Cleaners

Ravenel Associates

Razor's Edge

Isle of Palms Red & White

Sea Biscuit Cafe

Sea Cabin Regime

Triple A Shallow Wells

Wave Trade

Wild Dunes Resort

The Windjammer

Woodmark Inc.

GENERAL INFORMATION

INFORMATION/TICKET BOOTH - located on front beach at the corner of Ocean Blvd. and Pavilion Drive.

HOURS:

DEC 7 - 10:30 am-4:00 pm
DEC 14 - 10:30 am-4:00 pm
DEC 21 - 9:00 am-7:00 pm

ADVANCE SALE TICKETS:

Order by mail from:
Isle of Palms Commerce Assoc.
P. O. Box 12
Isle of Palms, SC 29451

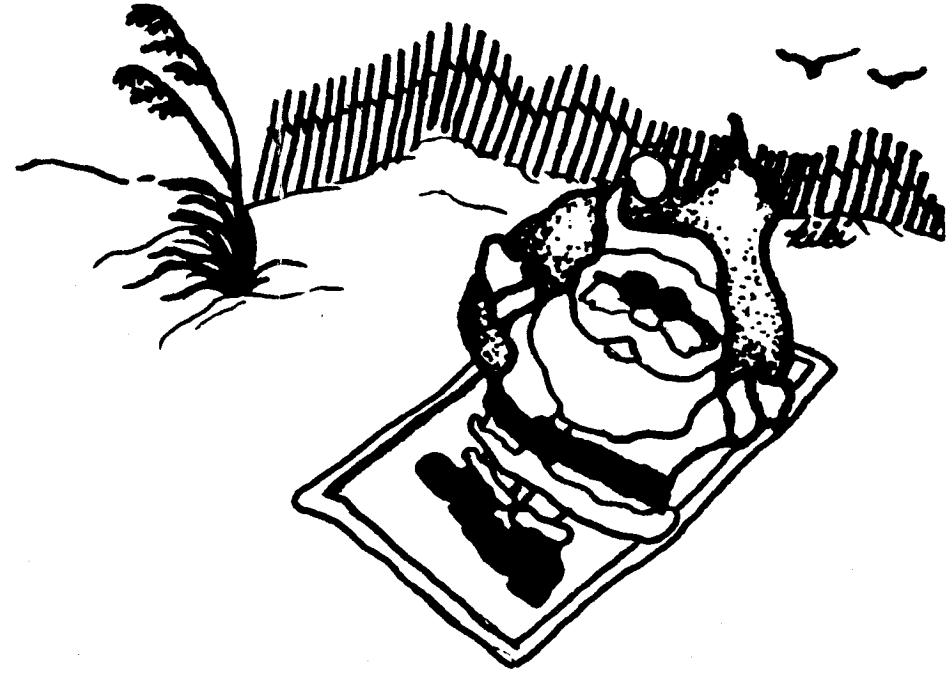
TELEPHONE INQUIRIES

886-6458

ISLAND RESTAURANTS

will feature special menus on all 3 Saturdays. Flyers announcing the featured menus will be available at the Information/Ticket Booth.

CHRISTMAS ON THE ISLE OF PALMS



December 7, 14, 21

Sponsored by the Isle of Palms Commerce Association

Schedule of Activities and Events

* Saturday, December 7

Wreath and Greens Sale

Time: 10:00 am - 4:00 pm
Place: Exchange Club Building
201 Palm Blvd. (at 2nd Ave.)

The Garden Club of the Isle of Palms sponsors this event. Club members make a variety of beautiful wreaths from greens and other materials native to the island. Roping and swags are available, as well as a huge variety of bows for decorating. Wreaths may be purchased plain or decorated.

A special feature of the sale this year is a boxed commemorative set of Hugo Christmas Ornaments, designed and handcrafted by a Garden Club member. The ornaments represent the years of Hurricane Hugo:

1989 - "Rebirth"
1990 - "Home Again"
and 1991 - "Let's Play".

The 3 ornaments may be purchased individually or as a set.

House Tours and Christmas Tree Exhibit

Time: 1:00 pm - 5:00 pm
Depart from: Information/Ticket Booth
Ocean Blvd. & Pavilion Dr.
* Fee: $5.00/person

This combined event features a tour of several beautiful homes on the island, including homes in Wild Dunes Resort. The tour has a scheduled stop at the Island House Conference Center where Christmas trees decorated by island merchants will be on display and refreshments will be available. A variety of musical programs are on tap throughout the afternoon. Van transportation will be provided from the Information/Ticket Booth. The House Tours will take approximately one hour.

* Saturday, December 14

House Tours and Christmas Tree Exhibit

(A repeat of the December 7 event)

Island Craft and Art Show and Sale

Time: 1:00 pm - 5:30 pm
SANTA arrives at 5:00!
Place: Recreation Center
#24 28th Ave.

Visitors will have a chance to admire and purchase a wide variety of local artists' work at this special event. Children of all ages need to know that **Santa Claus** will arrive late in the afternoon, and visitors are welcome to stay for a community dance beginning at 6:30 pm. Island restaurants will be offering special menus to fit this schedule.

* Saturday, December 21

Marsh Boat Tours

Time: 10:00 am - 2:00 pm
Depart from: Wild Dunes Yacht Harbor
Marina - 41st Ave.
* Donation: $10.00/person

Visitors will glide through the waterways in pontoon boats while a tour guide describes the surrounding marsh areas and the creatures that thrive in and around the waters. Approximately one hour.

Island Carriage Tours

Time: 5:30 pm - 8:30 pm
Place: Island Shopping Center
*Fee: $10.00/person

Touring the residential streets will enable visitors to enjoy the beauty of the Christmas decorations at many homes. Caroling by carriage riders is part of the plan. And passengers can be delivered to the doors of some of the island restaurants en route. Approximately 1 hour.

EXHIBIT B

WAYS AND MEANS COMMITTEE MEETING

The City of Isle of Palms Ways & Means Committee met November 11, 1991 in city hall. The meeting was called to order at 7:07 PM by Jimmy Ward. In attendance were City Administrator Mark Williams, Finance Director Lynne Stonesifer, Mayor Bunch and committee member Watson. Also in attendance were Council members Nesmith-Picard, Simon, Sottile and Swanson.

Jimmy Ward asked for a complete breakdown and allocation of costs between the city dog kennels and the police storage building. He noted that the original estimate for the dog kennels alone was $3500. Therefore that was what the fundraising campaign produced for the city. After the money was collected the police asked if they could combine the dog kennels with the police storage unit. Mr. Ward said that was fine as long as the funds raised for the dog kennel was not used to build the storage unit.

Mark Williams then updated the committee regarding SCRA Bonds for the reverse osmosis plant. Four scenarios were discussed. Motion was made to postpone further action until all committee members have a chance to study the different scenarios.

Two gentlemen presented a proposal to the committee to provide lifeguard and beach cleaning service from 10th to 21st avenue for the summer. They would also provide maintenance for the public restrooms. The committee recommended that the city attorney look at feasibility of granting a business license.

A short discussion was held regarding the two Pontiac Sunbirds leased for the Building Inspector's Office. The leases end the last of this month. The committee also discussed the purchase of a truck for the water department.

Mr. Williams then informed the committee that the leases for the building department and fire station I telephone systems soon will expire. He recommended replacing them with two Fortran Comdak at a cost of $2645 each. A motion was made to accept his recommendation. Motion passed 3-0.

The city recently received $116,525 from FEMA. There being no further business, the meeting was adjourned at 8:36 PM.

Respectfully submitted,

Jimmy Ward

Jimmy Ward, Chairman

EXHIBIT C

CITY OF ISLE OF PALMS
DOG KENNELS-POLICE STORAGE UNIT-BUILDING INSPECTION STORAGE
COST ANAYSIS
NOVEMBER 26, 1991

VENDOR	TOTAL	DOG KENNELS	POLICE	BLDG UNIT
	100%	35%	50%	15%
LITCHFIELD	$ 1215	$ 425	$ 607	$ 183
LITCHFIELD	2300	805	1150	345
LITCHFIELD	1125	394	563	168
LOWES	3671	1285	1836	550
SMITH CONCRETE	973	341	487	145
PETERS BRICK	1496	524	748	224
CONCRETE PROD.	245	86	122	37
TRI CO RENTALS	55	19	27	9
MASON CO(100%DK)	735	735		
CHRIS WATKINS	1300	455	650	195
LITCHFIELD	1650	577	825	248
LITCHFIELD	1800	630	900	270
LOWES	283	99	141	43
TRI CO RENTALS	104	36	52	16
ISLAND HEAT & AIR	485	170	242	73
WILLIAM BIRD	267	93	133	41
VAN SMITH	336	118	168	50
LOWES	188	66	94	28
TOTAL	$18228	$ 6858	$ 8745	$ 2625

LESS: COSTS 100% ALLOCATION TO KENNELS	(735)
	$17493
TIMES: 35% DOG KENNEL ALLOCATION	35%
	$ 6123
PLUS: COSTS 100% ALLOCATION TO KENNELS	735
TOTAL DOG KENNEL COSTS	$ 6858
LESS: ALLOCATED BRICK COSTS	(2100)
ADJUSTED KENNEL COSTS	$ 4758
LESS: DONATIONS COLLECTED TO DATE	(3390)
DEFICIT	$ 1368

2. Police & Public Safety - Chairman Simon read minutes of last meeting (See Attached as Appendix B). Point of order called by Council member Ward, after which he made motion to suspend rules of order and procedure allowing firemen to address Council. Motion seconded by Council member NesSmith-Picard. Motion to suspend carried. Julian Blair, Battalion Chief, introduced Keith Williams who addressed issue of rebuilding of Fire Station 2. Mr. Williams advised Council that an architect had been engaged who was willing to donate the bulk of his time but funds were needed. In order to raise the needed revenues, the fire department was considering putting on a festival at the end of the summer, and Williams advised that negotiations were nearing completion with a well-known band for a concert. Stating that some $100,000 was expected from ticket sales and concessions, Williams continued by saying that "Raise the Roof" campaign had received contributions amounting to $5,000 with more donations expected. Council member Sottile asked if commitment had been obtained from owners of property (current owner and prospective buyer) and was advised that both parties were willing to work with the fire department. Williams further advised that a blanket insurance policy could be purchased to indemnify the City. Council member Ward asked date of concert and was advised that tentative date was August 26. Council member Simon told Council that Committee had instructed the fire department to proceed with plans and come back to Council with full package. Council member Orvin asked what was fire department's position on allowing coolers inside the gate and was advised by Williams that beer might be sold within the fenced area. Mayor Bunch expressed appreciation to the firemen, but suggested parking might be a problem. Williams stated that some two dozen buses had been committed to transport people from designated parking areas in Mt. Pleasant and Sullivan's Island. Simon advised that the Committee had many reservations when approached by the firemen; however, the firemen were working their way diligently through the problems, suggesting that Council think through the idea and help cover all the bases.

3. Public Works - Chairman Ward read minutes of last meeting (See Attached as Appendix C). Ward added footnote to minutes: Isle of Palms is only community of the eighteen or so Trident area communities that has taken the lead in curbside recycling. The Chairman commended members of the Recycling Committee and Mayor Bunch for these efforts.

Council member Orvin asked the Administrator if there was a FEMA time limit on repairing a structure that has more than 50% damage. Administrator Williams advised there was no time limit; if cost of repair to a structure exceeds 50% of its value, it must be elevated out of the flood plain. Council member Watson asked if new 50% threshold started January, 1991 and was told that City ordinance was so written.

Orvin further asked about kennels for Island dogs and cats and was advised by Council member Ward that cost was the problem; however, he advised of a fund recently started to raise money to help defray this cost - starting the fund with a $200 personal contribution -and has, to date, some $1000 in donations. Administrator Williams stated that kennels could probably be constructed for $4,000 and must be sited to the right rear of the police station next to the post office because of sewer connection. Ward said he knew of several volunteers who would be willing to assist with construction.

Council member Sottile inquired about debris removal, particularly in the Forest Trail area, asking who was responsible for removing debris from in front of vacant lots. Williams advised that the City has been working with FEMA for several weeks in identifying some 126 lots slated for clearing because of hurricane debris. There are several surveys and lists now being consolidated, and the project will probably begin within the next three weeks.

7/ 190
regular council meeting

at the meeting and details of the Beach Boys concert were discussed.

3. Public Works - Chairman Ward advised that two meetings had been held since previous Council meeting and reported on meeting of May 29, advising that Council members NesSmith-Picard, Orvin, and Holden, Public Works Supervisor Andy Parrish and Mayor Bunch were in attendance as well as Recycling Chairman Joan Olsen. Ward reported that discussions were held concerning "Duck Crossings" on the Island, advising that Mr. Orvin had agreed to contact Ducks Unlimited about getting signs to be placed off the right of way, on private property, alerting motorists to the ducks crossing the road. Recycling was also discussed. Council member Orvin reported that he had spoken with Ducks Unlimited who advised him that, while they have no available signs, they will look into the matter and see if they can provide the City with appropriate signs. Mayor Bunch advised that the Highway Department has not been very cooperative about the placing of such signs.

Mr. Ward read minutes of June 25 meeting (See Attached as Appendix B), and presented checks to the City earmarked for SPCA or like approved dog kennels, such checks totalling $1700 plus $600 Council member's salary for a total of $2300. Ward advised that $3500 was the target goal for construction of the kennels, asking that the minutes show congratulations to Carol Walters who had done such a terrific job collecting money for this project. Mayor Bunch commended Council member Ward and Ms. Walters for their work on the kennel project.

Mr. Ward also passed along letter he had received from H.M. Northcutt Corporation concerning water and wastewater treatment (See Attached as Appendix C).

4. Engrossed Bills - Chairman Holden read minutes of last meeting (See Attached as Appendix D). Council member Swanson asked that lighting ordinance regarding turtles be considered by Engrossed Bills Committee. Mayor Bunch advised that the issue of protection for turtles was scheduled to be incorporated in the Beach Management Plan.

Mr. Ward asked if any action had been previously taken concerning the regulation of jet skis and was advised by the attorney that the skis and all motorized crafts are prohibited in designated swimming area from 10th to 14th Avenues; however, there has been no determination that the City has jurisdiction on the inlets or backside of the Island. The Mayor advised that she had requested the legislators to submit a bill giving the City jurisdiction at Breach Inlet.

5. Recreation - Chairman Orvin read minutes of last meeting (See Attached as Appendix E). Mr. Orvin added footnote to minutes: Concerning issue of S.C. PRT restrictions on some City property, such restrictions preventing sale of land for swimming pool, Orvin advised that land behind soccer field in wooded area is not restricted and may be purchased for the pool site, further advising that he and Council member Ward are incorporation officers.

Mayor Bunch agreed that the only land available for the pool would be the area behind the soccer field and advised that the attorney will be working on wording for the referendum, stating that she would not want to see any misunderstanding with the wording.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

APPENDIX E

ISLE OF PALMS PUBLIC WORKS
COMMITTEE MEETING
JULY 23, 1990

THE PUBLIC WOKS COMMITTEE MEETING WAS CALLED TO ORDER AT 7:10PM BY JIMMY WARD. IN ATTENDANCE WERE COMMITTEE MEMBER MELINDA NESSMITH-FICARD, PUBLIC WORKS SUPERVISOR ANDY PARISH, COUNCILMEMBERS BARRY HOLDEN AND MIKE SOITTLE.

MR PARISH GAVE THE COMMITTEE HIS REPORT ABOUT PUBLIC WORKS ACTIVITY THE LAST MONTH. ALL THE DITCHES ON THE ISLAND ARE NOW IN THE PROCESS OF BEING CLEARED. THE AREAS AROUND HARTNETT BLVD & FOREST TRAIL AND HARTNETT BLVD BETWEEN 31ST & 41ST AVENUES NEED ROAD PATCHING. MR PARISH UNDERSTANDS THAT FEMA GAVE US SOME MONEY TO HELP WITH THIS PROJECT. ALSO, MR PARISH STATED THAT IT LOOKS LIKE THE CITY WILL NEED AN EXTENSION OF ONE TO TWO WEEKS ON DEBRIS PICKUP. ESTIMATED COSTS WILL BE $18000-$36000 . THE COMMITTEE AGREED TO FORWARD THE MATTER TO MARK WILLIAMS FOR CONSIDERATION.

THE COMMITTEE DISCUSSED THE HIGHWAY DEPARTMENT'S BLACKTOPPING OF 27TH AVENUE. SOME RESIDENTS ARE UPSET ABOUT HAVING TO REMOVE PLANTS THAT ARE LOCATED IN THE RIGHT OF WAY. MR PARISH THAT THE HIGHWAY DEPARTMENT HAS THE RIGHT TO WHATEVER IN NEEDS TO DO IN PUBLIC THE RIGHT OF WAY.

A DISCUSSION WAS HELD ABOUT PUBLIC WORKS FACILITIES. MR PARISH ASKED AGAIN IF THE COUNCIL COULD MOVE AHEAD WITH AT LEAST INSTALLING GAS TANKS. THE COMMITTEE AGREED THAT THIS WAS A MUST IF FOR NO OTHER REASON TO SAVE THE CITY QUITE A LARGE SUM OF MONEY ON DELIVERIES. THE SAVINGS WOULD BE 8-11 CENTS A GALLON. AFTER FURTHER DISCUSSION ON OTHER PUBLIC WORKS BUILDING PROJECTS THE COMMITTEE VOTED TO RECOMMEND TO FULL COUNCIL THAT CONSTRUCTION OF A PUBLIC WORKS BUILDING IS OF PARAMOUNT IMPORTANCE .

JIMMY WARD REPORTED THAT HE HAS RECEIVED AN ADDITIONAL $510 FOR THE DOG KENNEL PROJECT. THE TOTAL CONTRIBUTIONS NOW TOTAL OVER $2600. MANY CONTRIBUTORS HAVE EXPRESSED CONCERNS ABOUT WHEN CONSTRUCTION OF THE FACILITY WILL TAKE PLACE HE SAID. THEY WOULD LIKE THE FACILITY TO BE CONSTRUCTED AS SOON AS POSSIBLE.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:14PM .

RESPECTFULLY SUBMITTED,

JIMMY WARD

2. James Combs - Mr. Combs asked that he be allowed to speak as had been unable to call City Hall to have his name put on the agenda. Council Member Ward made a motion to suspend the rules of order and allow Mr. Combs to speak, Watson seconded, motion approved unanimously.

Mr. Combs stated his concerns about the new Public Works Building and what it would look like to the people who have to live with it and look at it every day. He would like to encourage us to choose the larger building in order that Sarge can put all of his equipment, supplies, etc. inside out of sight of the neighbors.

D. REPORTS OF STANDING COMMITTEES

1. Ways and Means - Since Council Member Swanson was absent, Council Member Watson read the minutes from the last two meetings held in October (see Exhibits A and B). Mr. Watson passed out drawings of the combined dog kennel/storage room to be built behind the Police Station (see Exhibit C). The cost of the building should run approximately $16,000-$17,000 less donations we have received for the kennel, leaving a cost of $13,500-$14,500. Mark Williams stated that the Building Inspector said that block walls would be better instead of part masonry and part wood and that the additional difference in price would be negligible.

Council Member Watson made a motion that the City go forth with the combined kennel and storage area concept as presented to Ways & Means by Mark Williams; Council Member Sottile seconded. Council Member Ward asked the exact location of this building and Mr. Williams stated that it is directly behind the Police Station. Council Member Ward moved to amend the motion to have the dog pen side of the building next to the Connector and the storage side of the building next to the Police Station; Council Member Watson seconded. Council Member Ward stated that this was a concern of his that we have a decent facility for the island's lost pets; he would like to publicly thank Carol Walters and many of the merchants and other citizens who donated their after-tax dollars to this project way back in June and July. He had a lot of cooperation and true spirit of the animal lovers of the island and he is very appreciative that this has finally come to fruition and that construction will begin as soon as possible. Council Member NesSmith-Picard stated that she would like the opportunity to talk to some merchants about getting donations on building supplies without holding up actual construction of the building. Mr. Williams stated that he was hoping to utilize the same subcontractors on this project as on the public works building, if we decide on that building, since the subcontractors would be here anyway giving her a at least a week to make her contacts for donations. Motion and amendment were approved unanimously.

Mayor Bunch presented to Council an estimate for the cleaning and restoration of the paintings of the City's past mayors which were

3. Public Works. Chairperson Ward read the minutes of their meeting of November 28, 1990. (see Exhibit C)

Mr. Ward turned over his paycheck back to the City for use exclusively for the dog kennels. He requested that we use one of the Police evidence trailers to put Tommy Legare's tools in it so that construction of the dog kennels could commence immediately. Mr. Williams indicated that there was no room available for the tools at this time.

Mr. Ward also stated that the grading going up to the new Public Works Building was going to be too steep for the mechanic to get broken down vehicles into the building easily; he requested that we contact the architects about redesigning the slope to make it easier to get truck in and out of the building. Mr. Williams stated that the problem to extend the grade and lessen the steepness would involve taking out some of the property in front of the building and cutting into the hill but that he would investigate it.

Mr. Ward then made a statement about the raccoon problem on the island. He is very concerned about the City's position of exterminating every raccoon that is trapped and would like to have this position stopped. He also said that the problem of trash cans on the island is critical in that 90% of the residents, including myself, are in non-compliance with City Code as having proper trash can containers. The raccoons couldn't get into people's trash if the cans were animal proof. There followed extensive discussion on this problem of killing the raccoons. Everyone is sympathetic with Mr. Ward's feelings. Chief Arnold stated that it is a Wildlife Regulation that trapped raccoons be taken to the SPCA where they must be diagnosed for rabies which requires euthanazation.

Ms. NesSmith-Picard made a motion to have a thirty-day moratorium to stop the trapping of these raccoons unless there is an imminent threat to the health and safety of persons in order that we can study the problem and find out what the statutes are. Mr. Ward seconded. The consensus of Council seemed to be that the people were not aware that when Animal Control trapped a raccoon that it was killed; residents should be made aware of this and also should be made aware of the garbage can ordinance; and that the City should not have the policy of killing raccoons. Mr. Ward made an amendment to the motion that (1) if someone calls the City to trap a raccoon and the officer finds that this person's trash can is not in compliance with City Code that they be ticketed; and (2) that this person be issued a written statement that the animal will be killed. Mr. Orvin seconded. There was further discussion.

Chief Arnold talked about the Wildlife Regulations stating that if a wild animal injures or bites a person, it is the City's responsibility to trap or control that animal. State Law does say

EXHIBIT D

PUBLIC SAFETY COMMITTEE MEETING
November 21, 1991
5:30 PM

Present: Mayor Bunch, council members Sottile, Simon, and Watson.

Sgt. Tim Boyd represented the Police Department in Chief Arnold's absence.

Also present was Chief Britton of the Fire Department.

FIRE DEPARTMENT:

Chief Britton highlighted the month of October:

-- 22 alarms during the month; 9 of these were EMS calls.

-- Fire prevention display October 5 at Red and White parking lot well attended by public.

-- Hazardous Material Training is on-going -- 30 hours by employees and 22 hours by volunteers during the month.

-- Mutual Aid Agreements for hazardous material are being prepared with other departments.

-- Fishing tournament fund riser to be put on by volunteers was discussed. More information is needed by the committee.

POLICE DEPARTMENT:

Sgt. Bond highlighted the month of October:

-- 15,194 calls for IOP Police.

-- Total arrests were 15 during October.

-- Police still operating with one radar unit.

-- Now have a video camera that will be mounted in one cruiser and will be used in DUI stops.

-- D.A.R.E. Program will give the city a $1,000 mini-grant.

-- Received two cars from Texas from drug seizures. These automobiles are already in use by the city.

-- Metro Narcotics Unit conducted a drug bust in Cades, SC, resulting in $165,000 in seizure of property and currency to the City of Isle of Palms.

-- Bob Hazelton, Animal Control Officer, announced his retirement as of December 31, 1991.

Motion to adjourn made, seconded and carried. Meeting adjourned at 6:15 pm.

Respectfully submitted,

Mike Sottile

Mike Sottile, Chairman

EXHIBIT E

OCT 1 8 1991

DRAFT

CITY OF ISLE OF PALMS

DISASTER PREPAREDNESS PLAN

1991 - 1992

SCOPE OF RESPONSIBILITIES AND COMMITTEE DIRECTIVES

Council hereby authorizes and charges Committee with the following responsibilities and directives:

(1) Propose for Council approval Objectives and Strategies of the City of Isle of Palms Disaster Preparedness Plan ("Plan").

(2) Propose for Council approval a Plan setting forth information and procedures pertaining to annual pre-disaster Committee meetings, storm alerts, suggested plans for individual/family departure, storm warnings, evacuation, evacuation routes, disaster aftermath, returning after a disaster, operations manager, resident identification, disaster resources, emergency operations center, command post, medical aid station, post disaster mail delivery, aftermath meeting, and preparedness meeting.

(3) Prepare for Council approval a City of Isle of Palms Home Disaster Guide which shall be readily available to the general public in City Hall and keep the same current on a yearly basis.

(4) The above plan(s) shall include hurricanes, earthquakes and reasonable provisions for all other disasters.

OBJECTIVES

A. Maximize evacuation of the island prior to a disaster.

B. Inform residents of island conditions and access to the island in the immediate aftermath period.

C. Involve residents in evacuation efforts, assessment of island conditions, decisions regarding access to Isle of Palms in the immediate aftermath and in recovery efforts.

D. Line up potential resources for assistance to the island and its residents after a disaster.

E. Coordinate with all local, state and national government and independent disaster entities before, during and after a storm emergency.

F. Prepare citizens for a disaster.

DRAFT

PLAN STRATEGIES

OCT 1 8 1991

A. Establish communications procedures among Isle of Palms government officials and those of neighboring communities, Charleston County, the State of South Carolina and the U.S. Government.

B. Establish communications procedures to inform the media and Isle of Palms residents of island conditions and access to personal property following a disaster.

C. Establish procedures to insure that all island residents are informed of evacuation plans and that elderly or handicapped residents are assisted, where necessary, in finding shelter and making arrangements.

D. Establish procedures to assist island residents in returning home after a disaster.

E. Provide printed information on disaster preparedness to all residents and non-resident property and business owners.

F. Establish liaison procedures among other government entities and private concerns to make the island safe prior to return of residents.

I. Pre-Disaster Action:

A. Following are immediate actions by Isle of Palms government officials and residents in preparation for a disaster and to minimize response time in the aftermath.

1. Island Disaster Team
Organize a coalition of government committee and residents to plan and implement disaster preparedness and recovery activities before, during and after a disaster.

a. Organization

City government
. Mayor
. Members of City Council
. Police Department
. Waterworks Staff
. City administrator and administrative staff
. Building Inspection staff
Fire and Rescue Squad chief
Citizens Disaster Committee
Designate a minimum of 7 island residents or property owners to serve on a Citizens Disaster Committee to study, make recommendations, participate and assist in
. Assessment of island conditions
. Decision to limit or delay access to the island
. Communications among island residents
. General assistance to island residents and government officials
. Volunteers

b. Committees

All committees will consist of at least one Isle of Palms City council member.

. Debris Removal
. Construction and Inspection
. Utilities and Sanitation
. Communications
. Security and Safety
. Medical Aid
. Government Relations
. Transportation
. Human Services

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c. Evacuation Location

Evacuates, if at all possible, within the Charleston Trident area of Charleston, Berkeley and Dorchester counties.
Determine evacuation locations and obtain phone numbers for all.
Two members evacuate to the Charleston County Emergency Operations Center.

. Elected official
. Other as designated by the Disaster Team

2. Annual Pre-Hurricane Disaster Team Meeting

Island Disaster Team will meet the fist week in May at the City Hall.

Review possible changes to the island disaster plan
Determine if personnel changes are necessary to Disaster Team Committees
Set date for island disaster preparedness city meeting

3. Island Operations Manager

The City Administrator will serve as the Operations Manager, handling day-to-day aftermath operations involving the various governmental and private entities involved in aftermath activities. He will be relieved by the Mayor Pro-Tem as necessary.

. Supplies
. Volunteers
. Military

Oversees all aftermath activities on the island.
Commands and assigns military personnel and resources as is necessary.
Mans the command post

4. Island Identification System

Issue identification to all residents and non-resident business or property owners to minimize delay in return to the island either by mail or through City Meetings.
Make identification available at City Hall, after showing residents or property owners show proof of residency or property/business ownership.

a. Vehicle Decals

Decals for 2 automobiles per household will be issued. If any additional decals are necessary (for boats, etc.), they may be obtained at City Hall after showing proper i.d.

b. Personal Identification
Driver's licenses showing Isle of Palms as the resident's City will be acceptable as proof of residency following a disaster.
Non-resident property and business owners will be issued a non-photo i.d. card to be used in conjunction with their drivers' licenses. Each i.d. will bear the name of the non-resident property owner and be the same as that on the driver's license.

c. Govt. Official/Disaster Team I.D.
Government officials and disaster team members will have a special i.d. card bearing their names, of a different color than other i.d.

d. Contractors and Contract Workers
Personal identification will be issued to contractors and contract workers by the Construction and Inspection Committee.
To be matched with photo i.d. if challenged
Vehicular decal will allow access to the island within hours of curfew only.
Different color than that of residents
Two allowed per contractor

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5. Disaster Resources
Compile a list of disaster resources through input and research by all committees to include contacts and emergency phone numbers for all of the above and others, such as:
Local shrimp boat and ferry owners
Red Cross and other relief agencies
Ferry owners and operators
Simmons Seafood, Toler's Cove and other establishments near the Ben Sawyer Bridge
Southern Bell
U.S. Postal Service
Others who may have assisted the city after Hurricane Hugo
Charleston County School District, area churches and other entities which may be able to provide bus transportation.
Portolet companies

6. Emergency Operations Center Representative
Determine a rotation of City government officials and citizen representatives of the Citizens Disaster Committee to represent Isle of Palms at the Charleston County Emergency Operations Center (EOC) during the evacuation period, during a storm and following a disaster.

7. Command Post Determination
Select locations on and off-island to serve as Command posts in the disaster aftermath to be manned by the Island Disaster Team.
Use answering machines at the off-island Command Post and other locations to provide information to residents and property owners.

a. Off-Island
Coordinate with Mt. Pleasant officials to locate a command post and phone number for Isle of Palms government in the disaster aftermath.

b. On-Island

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Use City Hall as the On-Island Command Post if it is habitable, select alternate On-Island Command Post in a center location.

8. On-Island Disaster Center

Use City Hall as the On-Island Command Post if it is habitable, with the Fire Station as an alternate site.
If the fire station is not habitable, select alternate On-Island Command Post in a central location

9. Medical Aid Station Determination

Select a medical aid station on the island.

10. Island Aftermath Meeting Time and Location

Determine a time and location for an island aftermath meeting to be set as soon as possible after a disaster, following visitation to the island by the island disaster committee and officials.
Publicize meeting time and location to news media and island residents and property owners.

11. Island Return Plans

Develop plans to return residents to the island as soon as possible. (See "Immediate Aftermath")
Announce policy and plans.

12. Island Preparedness Meeting

Announce and hold a city meeting concerned with island preparedness.
- Disseminate information
- Identify special needs residents among attendees
- Request and identify volunteers to assist residents with special needs.
- Request docking permission from residents with docks who would allow other residents to use them in an aftermath.
- Recruit boat volunteers among residents to ferry other residents to and from the island.
- Recruit Good Neighbors as volunteers to aid residents with special needs.
- Answer questions.

B. Committee Responsibilities:

All committees are responsible for conducting research into appropriate contacts and phone numbers for inclusion in the Disaster Resources List (See below)

1. Debris Removal - Gerald Johnson, Chairman

Coordinate efforts with the security liaison and island operations manager.
Negotiate with various contractors
Draw up bids and contracts.
Oversee all debris removal efforts.
Procure necessary equipment for debris removal.
Establish a debris dump site on the island.

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Ensure that no debris is burned, for the safety of residents.
Identify and coordinate with residents or military installations on the island on high ground for the storage of heavy equipment during a storm disaster.
Utilize military resources as appropriate and available.

2. Construction and Inspection - Cal Cochrane, Chairman

Arrange for emergency construction supplies to be delivered as soon as possible following a disaster.
. Tarpaulins
. Plastic sheeting
. Nails, hammers, etc.
. Saws
Set up system of supply procurement, dissemination, payment and collection.
Assess damage done to structures in an aftermath.
Advise residents of structural conditions in an aftermath.
Oversee permitting operations and continuing inspection.
Identify and coordinate with resident and area contractors for voluntary usage of equipment and personnel.
Issue contractor identification in coordination with Security.

3. Utilities and Sanitation - Cal Cochrane, Chairman

Work with security liaison and island operations manager to examine and assess water, sewer, electric, propane gas and telephone needs in an aftermath.
Contact and coordinate with representatives of other municipalities and with utility providers for swift restoration of necessary utilities.
Monitor on-going repair.
Identify all active propane gas tank locations on the island through providers.
Prepare to procure portable toilet facilities on the island.
Utilize military resources where appropriate and available.

4. Communications - Tim Murph, Chairman

Research, write and disseminate disaster preparedness information to island residents.
Liaise with broadcast and other media outlets before and after a disaster.
Set up and conduct appropriate informational meetings for island residents.

Media Spokesperson

Designate a Committee member to serve as media spokesperson with availability to the media prior to and following a disaster.
. No other members of the Disaster Team are authorized to speak to the news media unless asked to do so by the spokesperson.
. Serves as chair of the Committee

Island Radio Identification

. Identify and coordinate with three radio stations to commit to broadcast Island information at

regular time periods after a disaster, located in three different areas: one in North Charleston and two outside of the Charleston Trident area.
. Publicize cellular phone information number prior to disaster

5. Security and Safety - Jim Arnold and Larry Britton, Co-Chairmen

Security Liaison
. The Chief of Police will serve as head of law enforcement and island security and safety.
Coordinate effort of other security and safety forces that may occupy the island and with those of Sullivan's Island.
. S.C. National Guard
. Highway Patrol
. Other military
. S.C. Wildlife Law Enforcement
. S.C. Law Enforcement Division
Coordinate and manage vehicular and individual return to the island after a disaster.
Coordinate with island operations manager on issues regarding safety and security.
Ensure that island residents are not removed from the island following a disaster.
Coordinate with Sullivan's Island on security and identification systems and procedures before and after a disaster.
Implement identification systems for island residents, non-resident property owners and contractors.
Identify residents with special needs, such as the elderly and the handicapped, who may require assistance in evacuation, home preparedness and transportation to an evacuation location.
. Establish an unduplicated list and location map of special needs residents.
. Coordinate efforts with the Human Services Committee.
Utilize military resources where appropriate and available.

7. Medical - Dr. Tommy Gibbons, Chairman

Provide on-going medical assistance at the medical aid station in a disaster aftermath.
Coordinate with medical professionals on the island to locate a medical aid station annually.
Locate sources of supplies.

8. Government Relations - Mayor Carmen R. Bunch, Chairperson

Liaise with U.S. and State government agencies and officials in procuring funds, supplies, etc. before and after a disaster.
Contact elected officials to procure an on-island mail facility as soon as possible following a disaster.
Determine rotation of disaster team members and government officials for the EOC.

9. Transportation - Robert Timmons, Chairman

Identify and coordinate with possible transport providers before and after a disaster.
Manage all transportation arrangements for island return by residents and supplies, where necessary.
Coordinate efforts with those of the Security Committee.

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Utilize military resources where appropriate and available.

10. Human Services - Rev. Rus Meyer, Chairman

Contact and coordinate with authorities at potential disaster center and food service sites.
Liaise with providers of food and supplies among social agencies, churches and other groups after a disaster.
Organize and manage food service after a disaster.
Organize and manage reception, storage and dissemination of food and supplies following a disaster, coordinating with the Transportation Committee and the Island Operations Manager.
Organize and assign volunteers after a disaster.
Organize a Pet Squad to take care of pets after a disaster.
. Identify and organize Good Neighbor Volunteers to assist residents with special needs before a disaster.
. Personally visit special needs residents prior to evacuation.
. Assist those residents with water, gas and electricity cut-offs, securing of property and packing of possessions to be taken to shelter.
. Identifying needs for transportation, contacting relatives, etc.
. Coordinate efforts with Security and other committees.
Utilize military resources where appropriate and available.

II. STORM ALERT/HURRICANE WATCH PERIOD

A. Area Action

A hurricane watch is issued for coastal areas when there is a threat of hurricane conditions generally within 36 hours. Based on National Weather Service forecasts, the County Emergency Preparedness Agency may issue a recommendation to evacuate Isle of Palms at this time.

B. Local Action

1. Disaster Headquarters

City Hall will serve as Disaster Headquarters during the watch period.
The Security Committee informs Mayor and Council of call for voluntary evacuation.
Council, Mayor and City staff inform Disaster Team Committees of alert.
Disaster Team meets at City Hall to finalize plans after the alert is called.
Staffed on a continuous basis until the alert or watch is over, or until a mandatory evacuation is ordered.

2. Evacuation

The Governor may order mandatory evacuation.
Security forces begin securing island.
Island Fire Department will dispatch trucks broadcasting the evacuation.
Disaster Team evacuates within the Charleston Trident area of Charleston, Berkeley and Dorchester counties if possible.
Good Neighbor volunteers visit all special needs residents and assist them with securing homes and assisting evacuation plans.

3. Security Forces

All off-duty police or fire staff will be recalled to duty.

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Volunteer fire and rescue squad members will be recalled to duty as they are able.

4. Debris Removal Committee

Rent or otherwise procure heavy equipment which will remain on the island in preparation for immediate aftermath activities.
Make contact with those in charge of the storage facility or area.

5. Emergency Operations Center Representatives

Disaster Team EOC representatives evacuate to Charleston County Emergency Operations Center.

6. Island Residents

Follow preparedness tips provided in the Home Disaster Guide in securing and providing for homes as well as evacuation.

III. Immediate Aftermath

The immediate aftermath begins as soon as the storm has passed and continues for three days. The Disaster Team, various committees and all disaster personnel should take immediate action to streamline emergency response.

A. Local Action

1. Island Aftermath Meeting

Hold a City meeting in the immediate aftermath on the hour, 6 hours following the all clear.
Inform citizens of status of the island and announce plans for returning residents.
Show photographs and tape of the island taken during the tour.
Request for volunteers for various tasks on the island.

2. Disaster Team

Contact all other Disaster Team members as is possible.
Contact disaster and other officials to gain what information is known about the status of the island.
Make contact with appropriate command post contacts to meet at post location on the hour, 2 hours after the all-clear is sounded.

3. Command Post Activation/Disaster Team-Government Meeting

All disaster team members, government officials and island operations manager meet at the off-island command post on the hour, 2 hours following the all-clear.
Select team to visit the island, leaving another team to man the command post.
Take answering machine to appropriate command post site and activate with message directing residents to the aftermath meeting and giving information on known condition of the island.
(Message will change as conditions change.)
Contact authorities of on-island disaster and medical aid centers and prepare to activate.

4. Media Contact/Spokesperson

Prepare a statement reminding island residents of the aftermath meeting time and location, as well as other information, such as island access and conditions.
Contact news media with statement.

5. Island Visitation

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Visit island, noting conditions
. Road access
. Bridge access
. Water/sewer condition
. Hazards
Polaroid or videotape familiar island scenes for viewing by residents at the aftermath meeting.
Draw up disaster needs list so that appropriate disaster resources may be contacted.
No member of the disaster visitation team will be allowed to go to their own homes or those of friends and neighbors during the visit.
Security Committee and the Island Operations Manger, as well as other essential staff will remain on the island rather than returning to the off-island command post.

6. On-Island Command Post Activation

Operations Manager activates command post.

7. Debris Committee

Utilizes available personnel and military to clear debris from main roads.

8. Security and Safety Committee

Coordinates with island operations manager and Sullivan's Island Police.
Allows island residents with identification to remain on the island.

Identifies people on the island as residents or expels them from the island.

9. On-Island Disaster Center

Coordinate with related personnel and agencies.

10. On-Island Medical Aid Station

Activate medical aid station.

11. Curfew

May be initiated by security forces to maintain safety and security.

IV. Miscellaneous

Much debate centers around the topic of mandatory evacuation. Everyone

agrees that the Governor of the State of South Carolina has the authority to order mandatory evacuation.

Under the present form of government Council for the City of Isle of Palms would also have authority to order mandatory evacuation. By official ordinance the authority to order mandatory evacuation could be delegated to the Mayor.

In the event that the Governor, Council or duly authorized Mayor order mandatory evacuation the following procedures shall be followed.

A. Providing its equipment is not responding to emergency calls, the Isle of Palms Fire Department will broadcast the order to evacuate throughout the island.

B. Radio and television will carry the evacuation order.

C. The Storm Headquarters will move to the Lutheran Retreat Center and remain with that headquarters as long as it is deemed prudent or necessary to do so.

D. The Isle of Palms Fire and Police Department personnel will remain on the island until they must evacuate for the safety of personnel and equipment.

Residents and guests must understand that once the Fire Department evacuates, there will be NO FIRE OR EMERGENCY MEDICAL ASSISTANCE AVAILABLE ON THE ISLE. THEY ACKNOWLEDGE ALSO THEY STAY AT THEIR OWN RISK.

Residents and guests should also know that if they wait for an evacuation order it is very unlikely that they will be able to evacuate to a location of their choice, but will be directed to the nearest available public storm shelter.

V. Home Disaster Guide

Attached as Exhibit "A" hereto is a proposed City of Isle of Palms Home Disaster Guide which should be made available to the general public at City Hall, local businesses, police headquarters, etc. The Disaster Contacts/Location portion of the Guide should be updated on an yearly basis.

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ISLE OF PALMS
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HOME DISASTER
GUIDE

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GENERAL PREPAREDNESS AND DURING HURRICANE SEASON

Hurricane season is June 1 to November 20, but any time is the right time to prepare you and your family for a possible disaster.

- Develop a family plan for evacuation.
- Discuss the possibility of a disaster with your family.
- Inventory personal property.
- Provide for safekeeping of important documents, such as renting a safe deposit box or storage facility.
- Check with your insurance agent to make certain that you have the right coverage.
- Assemble a portable disaster kit, home disaster supplies, a car emergency kit and first aid kit.
- Pay attention to weather forecasts.
- Remove tree limbs near electrical wires and your home.
- Know the gas, water, electricity cut-off points and how to cut them off.
- Make preparations to board or safeguard pets. (Shelters will not take pets.)
- Keep at least half a tank of gas in your car at all times.
- Check car for roadworthiness: oil level, tire pressures (including the spare).
- Replenish medications and prescriptions.
- Put Isle of Palms decals on the right front windshields of your vehicle or boat.
- If you driver's license does not show Isle of Palms as the place of residency, stop by Town Hall to pick up i.d.
- If you live in a mobile home, tie it down.

DURING A HURRICANE WATCH

A hurricane watch is issued for coastal areas when there is a threat of hurricane conditions generally within 36 hours. If you and your family intend to evacuate the island, you may want to do so during the watch period to avoid traffic jams on the bridges or highways.

- If you live in a mobile home, you must evacuate during this period.
- monitor news media for emergency information.
- Move or secure your boat. (If you plan to move it from the Intracoastal Waterway to the harbor, the Ben Sawyer Bridge may be closed to waterway traffic once a hurricane warning is declared.)
- Place valuables in plastic bags or other waterproof

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containers.

- Fill car and boat gas tanks and check batteries.
- Check mobile home tie-downs.
- Check to see that emergency equipment is working properly.
- Recheck for loose limbs and secure all loose objects outdoors that could become dangerous projectiles.
- Recheck home disaster supplies, car emergency kit, portable disaster kit and first aid kit.
- Prepare to evacuate during daylight hours and make arrangements for an evacuation location.
- Get extra cash from your bank.
- Contact your employers about job duties.
- Let your friends and loved ones know about your plans to evacuate and your location.
- Talk with your family about the warning.
- Fill freezer with ice and with plastic containers filled with drinking water.
- Wash dirty laundry that may be sitting in the hamper.
- Fill ice chests with ice.
- Store dangerous chemicals in waterproof container or heavy plastic bags in a safe place.
- Open attic doors and ceiling hatches and crack windows slightly to help equalize interior air pressure.

DURING A HURRICANE WARNING

Hurricane warnings are issued when hurricane conditions are expected within 24 hours or less. You and your family should evacuate no later than the first announcement of the warning.

- Monitor news media for official announcements.
- Evacuate when asked to do so.
- Eat a full meal before you evacuate as shelters only offer emergency rations, and you may have a long drive ahead.
- Turn your refrigerator and freezer to their coldest setting. Store plastic bottles of water and newspapers in the vacant areas of your freezer since a full freezer keeps food longer. Open doors as little as possible.
- Board up windows and glass doors, if possible, and tape those which are not boarded-up.
- Stuff towels and throw rugs against window sills to help keep water out.
- Wedge sliding glass doors shut with a bar or piece of wood.
- Draw all drapes and blinds to help stop glass flying from broken windows.
- Drape furnishings with tarpaulins or plastic sheeting to protect them from potential water damage.
- Clean sinks and bathtubs with chlorine cleanser and run a washing machine load with chlorine bleach so that they may be used for water storage. Fill them with water.
- Bring pets indoors, and make necessary preparations. If you must leave your pets at home, these tips could enable your pet

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to survive a 3- to 4-foot flood elevation for 12 to 36 hours.

If your home is elevated, place the pets in a bathroom, leaving the window cracked about 1 inch for ventilation and to avoid compression.

If your home is not elevated, place the pet in the bathroom. Protect the finish of your tub with carpet, newspaper or other padding, and stack concrete blocks in the tub in a stair step arrangement three feet high. This will allow the pet to climb up the blocks in case of rising water.

Provide bedding and large bowls of water and dry food on the floor.

Duct tape the door shut to try to prevent flooding.

- Place personal valuables and important papers or items in waterproof containers or plastic bags, and place them on a higher level.
- When the electricity goes out, cut off your home's electricity at the breaker box (all circuits) to avoid overloading the system when the electricity returns.
- Cut off propane gas at the tank.
- Cut off water if possible to avoid flooding from broken pipes when water service is restored.
- Cut off the water valve to the hot water heater.
- When winds begin to pick up, go inside and lock all doors.
- Crack windows slightly to avoid interior compression.
- Unplug all appliances with motors, including refrigerators, washers, dryers, videotape players, hairdryers, etc.
- Remove pictures and bric-a-brac from walls.
- Tie down or secure items that could become projectiles: garbage cans, grills, lawn chairs, signs, porch furniture, etc.

SHELTER EVACUATION

Take your portable disaster kit with you. (NOTE: Alcohol is not permitted in shelters.)

WHAT TO DO AT THE SHELTER

- Register at the registration desk as soon as you enter the building, listing your entire group.
- If you are able, volunteer to assist the shelter workers in any way possible. This will keep you busy an give you a sense of purpose during the waiting period.
- Keep you area clean.
- Listen to and obey shelter management during your stay.
- Stay indoors until shelter management gives the all-clear.

WHAT TO DO WHEN YOU LEAVE THE SHELTER

- Stay tuned to radio to get more information.
- Call the Isle of Palms' command post for information about

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the island or listen to designated radio stations. In the event of phone service disruption, visit the command post.
- Leave the shelter only when the "all-clear" is given.
- Drive carefully, watching for downed electric wires, flooded low spots, undermined roads and hurricane debris.
- Follow aftermath procedures.

ISLE OF PALMS' RADIO STATION PARTNERS

These stations will broadcast Isle of Palms news every hour on the quarter hour in the aftermath:

DURING A HURRICANE

If, for some reason, you are not able to leave the island during a hurricane, please take note of these precautions.

- Stay indoors until the winds have totally stopped after the eye has moved over land. (If you must go outdoors during the eye of the storm for critical emergency repairs, be cautious. In the storm's eye, wind and rain may stop for as little as a few minutes or as long as a half hour or more. Winds will pick up suddenly with full intensity from the opposite direction, possible with greater force than before.)
- Listen to radio announcements.
- Select the safest possible place in your home--usually an interior space or the room with the fewest windows. If possible, stay on the -downwind side of the house.
- Do not stay in the attic or on the second floor of your house unless you are forced to do so by rising water.
- In case of rising water, put on life preservers.
- Stay away from doors and windows, even if they are boarded-up or protected by shutters.
- If a window or door blows out, or a section of the roof is carried away, move to the safest part of your residence.
- Use your phone only for emergencies (Dial 911)
- Use your refrigerator and freezer as little as possible to keep food from spoiling.
- Do not use anything with an open flame: candles, propane or gasoline lanterns, etc.
- Breathe deeply during the storm to relax.
- Share your feelings during the storm with others.

DURING AN EARTHQUAKE

Unlike hurricanes, there is no warning that an earthquake will happen. The rule of thumb is "duck and cover".

- Duck under a strong table or desk, and hold onto it and be prepared to move with it if you must move out of the way of falling debris.

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- Cover your head and face to protect them from broken glass and falling objects.
- Stay covered until the shaking stops.
- Do NOT run outside until after the shaking stops.
- If you are driving when an earthquake strikes, move to the shoulder of the highway and away from bridge, overpasses, power lines and large buildings as quickly as is safe. Stay in your car until the shaking stops.

DISASTER AFTERMATH

Disasters can be dangerous even after they are over. Take the time to be cautious with food, sanitation and especially electricity.

Clean-Up

- Begin to clean up as soon as possible.
- Contact your insurance companies.
- Report to the island Disaster Center if you need food, medical supplies, water or have an emergency.
- If you must throw away valuables, take photographs of them for insurance purposes.
- Open all doors and windows in the house to dry and ventilate it.

Food and Water

- Avoid opening the refrigerator door unnecessarily.
- DON'T drink untreated water from taps until officials give the all-clear.
- DON'T eat fresh food or use spices or utensils that have been contaminated by flood waters.
- Eat the food most likely to spoil in your refrigerator first.
- If you suspect that food has spoiled, do not eat it.
- Conserve water used to cook with and cooking utensils. In a large cookpot, cook canned goods in their cans by opening them and removing the label, placing them in 2 inches of gently boiling water. Use oven mitts to avoid burning hands when lifting cans from hot water. Reuse that water for another meal but don't drink it.
- Disinfect water from water heater or tap if that is the only source of drinking water available.
  Boil for 5 minutes.
  Add 16 drops of liquid chlorine bleach to a gallon, provided that the bleach contains hypercloite as its only active ingredient. Let the water stand, unopened, for one hour before drinking.
- Boil water from toilet (tank only) for bath for 5 minutes before using.

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General Safety

- Wear rubber gloves when cleaning after floodwaters to avoid infection from sewage and other contaminants.
- Wear thick soled shoes or sneakers at all time to avoid injury or possible infection from floodwaters.
- Do not smoke or light matches outdoors until you determine that there are no gas leaks in the area.
- If you smell gas,
  Immediately open all windows and doors.
  Turn off the main gas valve.
  Leave the house.
  Report the leak to the Island Command post or Security.
- Don't drive your car.
- Be careful when walking around, and watch out for downed power lines, debris, animals, snakes and insects.
- Check any structure before entering it. If you're not sure that it's safe, DON'T go in. Contact any member of the Island Disaster Team.

Electricity

- DON'T turn on or touch electrical outlets or panel boxes if you are standing in water or if you are wet.
- DON'T call SCE&G to report outages. Keep the lines clear so that emergency personnel are able to get through.
- If not already OFF, flip the main circuit breaker to the OFF position, and do the same with all other breakers in the box.
- Be sure that the main electrical connection to your house is not damaged. (This is near the meter.) If it is pulled away or damaged, you'll have to call an electrical repairman before the power company will reconnect.
- If you have not already done so, unplug any appliances that use motors, such as refrigerators, VCRs, washers, dryers, hair dryers, etc. If there is something wrong with the power supply, they could be seriously damaged when power returns.
- Do not connect portable generators directly into the panel box--use extension cords plugged into the generator.
- When you know power has been restored
  Flip the main breaker to the ON position.
  Then, start flipping other circuits ON, one at a time. Start with the single breakers which carry a lighter load. If the breaker stays in the ON position, it should be OK (If it flips back to OFF, leave it there, because you'll need an electrician to fix it.)
  Next, turn on the breakers that are hooked together which supply power to large appliances such as heating, air-conditioning, refrigeration, etc. Don't plug in any appliances yet. Go ahead and turn on the lights.
  Once the lights are one, try to determine if they are as bright as they used to be. If they seem dimmer, there

could be a faulty connection in the negative (or ground) wiring in the house. This reduced power is what could destroy machines with motors. If the lights seem to dim, **IMMEDIATELY FLIP THE MAIN CIRCUIT TO OFF** and call **SCE&G** at 745-600 or 554-7234.

If your lights seem as bright as usual, turn OFF the circuits for the large appliances, plug them in and then flip the switch ON again. If the breakers stay in the ON position, your electricity is probably okay.

Report all loose wires or exposed wires to the Island Command Post or Security staff.

Sanitation

- Bury all spoiled food to avoid unsanitary community conditions.
- Check to see if sewage lines are broken before using your toilet. If they are, do not flush your toilet.
- If you cannot use your toilet, dig a latrine trench in your yard. Use covered plastic bucket as a portable toilet, emptying after each use and sprinkle the latrine with lime (Remember to use rubber gloves when using lime to avoid chemical burns.)

Other

- Take a break from the clean-up to conserve your own energy.

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Home Disaster Supplies

Plan to have enough food, water and supplies for each person for three days.

Food
[ ] Crackers and bread
[ ] Drinking water (1 gallon per person, per day)
[ ] Peanut butter
[ ] Jelly
[ ] Pre-cooked canned goods
[ ] Individual mayonnaise packets
[ ] Infant formula and baby food
[ ] Pet food
[ ] Soft drinks
[ ] Ice
[ ] Evaporated milk, whole dry milk or high shelf-life milk
[ ] Fruit and vegetable juices

Food Preparation/Service/Storage
[ ] Paper plates
[ ] Plastic cups
[ ] Plastic eating utensils
[ ] Non-electric can opener
[ ] Campstove
[ ] Grill (gas or charcoal)
[ ] Fuel
[ ] Ice chests/coolers
[ ] Waterproof matches
[ ] Charcoal lighter fluid
[ ] Ice
[ ] Manual can opener

Tools/Supplies
[ ] Duct tape
[ ] Masking tape
[ ] Tarpaulins
[ ] Plastic sheeting
[ ] Garden hose
[ ] Shovel
[ ] Plastic garbage bags
[ ] Covered plastic buckets
[ ] Gas power saws
[ ] Rope
[ ] Cement blocks
[ ] Plywood/pressboard
[ ] Rubber gloves
[ ] Lime
[ ] Fire extinguisher

Lighting/Communications
[ ] Batteries
[ ] Flashlight
[ ] Battery-powered radio
[ ] Battery-powered or gas lanterns/lights
[ ] Candles

Safety Equipment/Supplies
[ ] Fire extinguisher
[ ] First-aid kit
[ ] Life preservers (1 for each person)
[ ] Insect spray

Toiletry/Sanitary Items
[ ] Disposable diapers
[ ] Feminine supplies
[ ] Medications/prescriptions
[ ] Disposable wash towelettes
[ ] Chlorine bleach
[ ] Disinfectant

Entertainment
[ ] Tapes/records
[ ] Books
[ ] Games
[ ] Toys

Insurance
[ ] Insurance policy
[ ] Camera
[ ] Film stock

Pet Supplies
[ ] Dry and canned food
[ ] Litter
[ ] Bedding
[ ] Water

Portable Disaster Survival Kit

[ ] This guide
[ ] Money, credit cards, driver's license, checkbook
[ ] Address book and personal phone directory
[ ] Important documents, photo albums
[ ] Water (1 gallon per person, per day for drinking)
[ ] Eating and cooking utensils
[ ] Toilet articles
[ ] Medications
[ ] Sanitary needs
  [ ] Disposable diapers
  [ ] Feminine products
  [ ] Toilet paper
  [ ] Tissues
  [ ] Paper towels
  [ ] Disposable wash-and-dry towelettes
  [ ] Soap
[ ] Portable radio and batteries
[ ] Flashlight and batteries
[ ] Bedding (sleeping bag, bedding, etc.)
[ ] Two changes of clothing
[ ] Folding chairs
[ ] Entertainment items, such as books, toys and games
[ ] Non-perishable food, snacks and baby food
[ ] Portable ice chest
[ ] Manual can opener
[ ] Infant and toddler items

Car Emergency Kit

[ ] Canned tire sealant or a portable compressor
[ ] Battery-operated radio
[ ] Blanket
[ ] Jumper/booster cables
[ ] Fire extinguisher
[ ] First-aid kit
[ ] Flashlight and batteries or trouble light
[ ] Maps
[ ] Liquid spray to "dry out" ignition systems
[ ] Cans of "dry" gas

EXHIBIT F

MINUTES OF
ISLE OF PALMS PUBLIC WORKS COMMITTEE
REGULAR MEETING AT CITY HALL
7:00 P.M., NOVEMBER 18, 1991

The meeting was called to order at 7:09 p.m. Committee members present were: Council Member Melinda NesSmith-Picard (Chairman), Council Member Mike Sottile, and Public Works Department Head Andy "Sarge" Parrish. Mayor Carmen Bunch and Council Member Marge Swanson were absent. Council Member Barry Holden was also present.

Public Works Status Report

Sarge gave the following Public Works Status Report.

1) Cleaning of Ditches. Sarge reported that Council Member Sottile made a motion that the Council issue a resolution or the City Administrator write a letter to Charleston County Council requesting that cleaning and mowing of ditches on the island be increased from semi-annually to quarterly. Motion carried unanimously.

2) City Control of Specific Right of Ways and Easements. Sarge recently disapproved a plat in which the Beach Company proposed to convey the dedicated right of way at the end of 24th Ave. (at the waterway) to an adjacent property owner. Basis for his disapproval is, that within this right of way, there is a 24 inch drainage pipe that runs to the waterway. Sarge stressed the importance of either the City owning these rights of way or at least having a easements within them. Similar rights of way are being conveyed from 42nd to 53rd Ave. (on the ocean side) which pose the problem of public beach access being eliminated. Council Member Sottile made a motion for the City Administrator to seek legal advice regarding the way that the City may retain/obtain easements through dedicated rights of way on oceanfront and areas that have storm drains to the waterway for the purpose of having public beach access and drainage maintenance. Motion carried unanimously.

3) Granting Day After Thanksgiving as Holiday for Public Works Employees. Sarge said that Public Works employees would like to have Friday after Thanksgiving off. Island wide garbage pickup would be once that week instead of twice but he did not see that as a problem. Sarge said that if Friday was not granted as a paid holiday that his employees would be willing to use their leave to have Friday off. Council Member Sottile made a motion to recommend that Council give the Public Works Dept. Friday after Thanksgiving as a paid holiday. Motion carried unanimously.

4) Informal Beach Sweep. A sophomore high school class contacted Sarge and volunteered to clean the beach starting at Breach Inlet one afternoon this week.

5) Identifying Public Beach Accesses. Sarge has talked to a surveyor in Mt. Pleasant about locating public beach accesses between Breach Inlet and 10th Ave. Once located, Sarge plans to mark each access easement with pipe painted red and to post a beach access sign.

Old Business

1) Status of Recycling Program. 9360 lbs of newspaper were collected in October and 380 lbs of aluminum cans were collected in November. Chairman NesSmith-Picard reported that Charleston County Recycling Coordinator Linda Slater the policy is that no new drop off sites are being established. She was unaware of our request for a recycling dumpster in April and that we have been doing curbside recycling for 1 1/2 years. The County may propose to the City to expand their curbside recycling to the island as soon as February. If this was done, Ms. Slater was referred to Mark Williams and Joan Olsen to determine whether the City was interested in letting the County take over curbside recycling on the island. Ms. Olsen, Chairman of the Recycling Committee favors the City continuing with its program. Sarge stated that he felt the City would do a better job than the County but he will do what ever the Committee and Council want. NesSmith-Picard stated that she would like the County to augment our existing curbside recycling by providing a dumpster for collection of plastic and glass.

2) Approval of Minutes. Council Member Sottile made the motion to approve the minutes of the 19 Aug 91 and 16 Sep 91 Public Works Committee Meetings. Motion carried unanimously. Note that the Public Works Committee did not meet in October.

3) Painting PW Trucks. Council member Sottile made a motion that City Administrator make arrangements with the Dept. of Correction for painting PW Trucks. Motion carried unanimously. Committee suggested that the cabs be painted white to reflect the heat and the compacters be painted blue so that rust and dirt doesn't show.

4) Trashcan Holder Sketch. Chairman NesSmith suggested adding a cover sheet be included to the sketch to provide information about the Public Works Dept. Sarge will provide a similar information letter that was issued over 5 years ago can be updated and used. Architect prepared a sketch gratis but dimensions still need to be added.

5) Removal of Dead Trees. Bids have come in but all are

greater than the amount that FEMA will reimburse the City for. Mark Williams has not awarded the contract yet because the wide range of bid values could mean that all bidders did not consider the same number of trees. Sarge will check with Mark to see if the bidders need to be shown the subject trees again, if the trees need to be marked, or if the contract is going to be awarded based on the current bids submitted.

6) Repair of Bike Path on Waterway. Chairman NesSmith-Picard reported, per SCHD (Joey Harris), the two bike path sections that had been inadvertently sodded over/removed by Waterway homeowners are still scheduled to be restored by the end of the year (within 60-90 days of repair request).

7) Dog Kennel. All that is lacking is one coat of paint and some fencework.

8) Palm Blvd Crosswalks. Sarge will provide the Committee with information about SCHD's scheduled road maintenance for the island. Sarge thinks that Palm Blvd. is scheduled to be resurfaced. If so, marking of the pedestrian crosswalks needs to wait until roadwork is complete.

9) Solid Waste User Fee. Bill has not passed yet at state level. If it does pass, Sarge estimates that the disposal charge of $5 per ton of solid waste will total $10,000 for the City. Next year, the Committee needs to look at ways to reduce the amount of waste generated or charging the residents to pay for the increased disposal costs.

Completed PW Projects and Related Council Action.

10/91 Park site has been cleaned and mowed as requested.

10/91 Truck wash area has been built. Sarge says it does not drain properly but he makes do by pulling the trucks up onto 2 X 6's.

New Business

1) Yield Sign Removed at 21st Ave. Council Member Sottile reported that the yield sign at 21st Ave. has been removed, probably due to ongoing road construction but that it is dangerous for people not familiar with that intersection. He witnessed one near accident. Sarge said he will check into it to see about having a temporary sign posted.

2) PW Scrap Item Storage Corral. Chairman NesSmith-Picard stated that some 13th Ave residents have complained about the unsightliness of scrap appliances being set out behind City Hall next to the road. They requested that the items

be hauled off or stored out of view. One idea is to store the scrap items inside a (screened area) fence corral. The corral would have a gate. Council Member Sottile made a motion that bids be obtained for the construction of a fenced area for storage of PW scrap items. Motion carried unanimously.

3) Article On Putting Christmas Trees to Stabilize Dunes. Chairman NesSmith-Picard volunteered to write an informational article (Did You Know?) for the Moultrie News about using Christmas trees to stabilize the dunes. Sarge suggested it run in the paper the week of Christmas.

4) 21st Ave. Dune Walkover. Chairman NesSmith-Picard informed the Committee that the Commerce Association has agreed to head up a fundraiser to repair the dune walkover at 21st Ave. This will save the City about $6000. Money will be raised by people purchasing walkover planks with their name etched into them.

Citizen Comments

None.

Meeting was adjourned at 7:55 p.m.

DRAFT COPY AS OF: 11/25/91

PASSED AS FINAL MINUTES:

ATTESTED TO:

X_____
Melinda NesSmith-Picard, Chairman

EXHIBIT G

Egrossed Bills Committee Meeting
6:30 P.M. - November 14, 1991
Regular Meeting - City Hall

AGENDA

Old Business

1. Introduction

2. Minutes of Previous Meeting

New Business

3. Proposed ordinances

4. Miscellaneous request/information

OLD & NEW BUSINESS
(involving City Attorney)

5. Ordinances refered/updates

   a. Sign ordinance
      (Lee Batchelder - 7:00 pm)
   b. 7-2-1 Amendment
      (Achoholic Beverages)
   c. Dune Walkovers
   d. Dog Leash Law
   e. Other

6. Adjourn

EXHIBIT H

RECREATION REPORT
November 26, 1991

I. *Recreation Programs -*

Gymnastics - Mondays - ages 3 and older.
Tae Kwon Do - Wednesdays & Saturdays - youth & adults
Three Year Old Play Group - Tuesdays & Thursdays
Tumble-Bees - Wednesdays - 2 to 4 years

CPR Class - Scott Taylor, an Isle of Palms Fireman, instructs a monthly First Aid and CPR course at the Recreation department. The next class began November 20th and there were eight participants. The class is from 6:30 to 10:30pm.

Keenagers - Keenagers is a 55 and older social club. Luncheons/meetings are held on the first Wednesday of each month and field trips on the third Wednesday of each month. The last meeting was on November 6th at 11:30am. and the speaker was Rob Fowler with Channel 2 TV. There were over 40 participants. The field trip was to the earthquake center at Charleston Southern on Wednesday, November 20th. There were 24 participants. The Christmas party will be on Wednesday, December 4th at 11:30am. The field trip will be to James Island County Park to see the light show on Wednesday, December 18th.

"Shaping Up" - An adult exercise program offering aerobics, step routine, and stretch and tone. The class will meet on Mondays, Wednesdays, and Thursdays from 6:00 to 7:00pm. beginning January 6th. Sue Arnold will be the instructor.

II. *Sports -*

Youth Soccer - The season ended on Nov. 7th for 5 to 7 year olds. There was a single elimination tournament on Tues. and Thurs.,

Nov. 5th and 7th. Windjammer won. The older two teams finished at the end of the month in Mt Pleasant.

Men's Fall Basketball - The season will end December 9th. There are 14 teams in the league and we will have an A league and a B league tournament.

Youth Basketball Registration - There will be registration until November 30th for ages 5 to 19. Coaches and sponsors are needed!! A clinic will be held on December 10th from 4:30 to 6:30pm at the center. Randy Nesbitt (Citadel Basketball Coach) and his players will conduct it and there is no fee. Practice will be during the month of December and games will begin in January.

Co-Rec Volleyball - Registration for Co-Rec Volleyball will be held until December 9th. There will be a clinic on Tuesday, December 3rd from 6:00 to 9:00pm. No fee! A captains meeting will on Monday, December 9th at 6:30pm and games will begin the week of January 6th.

III. Special Events -

"28th Avenue" Dance - The "28th Avenue" Dance was held on Friday, November 8th at the Recreation center from 7:00 to 10:00pm. for grades 5 through 9. The DJ was Jay Maxwell's Music By Request. There were dance contests and prizes were given out. We also sold concessions. The Isle of Palms Police Dept. DARE program is the sponsor. DARE visors, cups and frisbees were given out. The cost of the dance was $2.50 and if you wore your DARE bracelet the cost was $2.00. There were 75 youth at this dance and and the next one will be January 10, 1992.

Happy Haunting Carnival - Was held on Saturday, October 26th from 11:00am to 2:00pm. at the Recreation center. There were carnival games including Balloon Pop, Pumpkin Ring Toss, Duck Pond, Football Throw, Go Fishin', and the Rainbow Roll. There was also face-painting pony rides, hayrides and plenty of food. Tickets were 25c. A costume contest was held at 12:30pm for children of all ages and prizes were awarded. There were over 400 people at the carnival. Enough money was made to pay for the carnvial and to cover our new pool table donated by St. Matthews Lutheran Church.

Ghostly Tides Tales - Held on Sun., Oct. 27th at 6:30pm on the beach at 28th Avenue. Author and educator Margie Clary told ghost tales of the lowcountry to over 200 people. The weather was great and we had two fires burning. There was no fee.

IV. Christmas Events -

Toys for Tots - The Recreation center will be the collection sight for the 1991 Toys for Tots campaign. It is sponsored by the United States Marine Corps to help needy and deserving children have a Merry Christmas. New toys are requested and they are to be unwrapped. Toys and donations will be accepted until December 24th.

Christmas Party - Will be held Saturday, December 14th from 5:00 to 9:00pm at the center. Santa Claus will come from 5:00 to 6:30pm and a family dance and covered dish dinner will follow. Families are asked to bring a covered dish and a toy for the Toys for Tots program.

Santa's Hotline - The Recreation dept. made arrangements with Santa Claus to call children in the East Cooper area from his home in the North Pole. Children ages 5 and under will be called on Monday, December 16th and 6 and 7 year olds on Tuesday, December 17th. Calls will be made between 5:00 and 7:00pm. Anyone interested needs to pick up a form at the center.

Sleigh Bell Days - A holiday camp for children ages 5 to 12 will be held December 26th, 27th, 30th and 31st at the center from 9:30 to 12:00pm. Activities will include games, arts and crafts, New Year's Eve party and many more fun events. The fee is $5.00 per day or $4.00 for 2 or more children in one family. Snack and juice will be provided each day.

V. Information -

- The St. Matthews Lutheran Church donated a pool table to the center. We plan to recover it with the money received from the Halloween Carnival.

- Isle of Palms Commerce Association will sponsor an Arts and Craft Show and Sale on Saturday, December 14th from 1:00 to 5:30pm. at the center.

The Christmas Party will follow.

- Coaches are needed for youth basketball!!
- An instructor is needed for Tap and Ballet classes.

EXHIBIT I

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
NOVEMBER 12, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on November 12, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Howard Garvin, Mary Schall, Betsy Smiley and David Somers. Also present were Secretary Janet Geary and Building Inspector Ed Haselden.

Mr. Fellabom announced that there were three cases on the agenda and that all persons were present.

1. Carl and Doris Tompkins, 4 - 46th Avenue. Dr. Tompkins was asking for a variance from Section 5-4-22(5)(a) which requires a 30' front yard setback. He stated that when the house was laid out by a licensed surveyor, the surveyor made an error of 1.8' by placing a piling that distance into the setback. The error was not noticed until the final "as-built" survey was completed by another surveyor. Dr. Tompkins stated that in order to remove and relocate this piling, the structural integrity of the house would be threatened as the house was constructed by attaching steel girders together making the house able to withstand 140 mph winds. Also, in making any changes, the pile driving equipment would have to drive over the existing septic system most probably causing damage to the system. He stressed that had the error been discovered before construction, it could have easily been remedied with no significant consequence to the structure.

Additionally, when the swimming pool was constructed, Dr. Tompkins has used the same 30' setback line, assuming it was correctly placed, and therefore the pool deck extends 1.3' into the setback. He stated that this could be brought into compliance as well as an air conditioning stand at the rear of the house which extends 8" into the setback.

Dr. Tompkins presented a letter from "Tim Service", a contractor associated with Deltec homes supporting Dr. Tompkins' assertion that moving the piling would destroy the structural integrity of the house. (attached)

David Huff, licensed surveyor and island resident, did the "as-built" survey for Dr. Tompkins and discovered the error. He stated that it could easily have been a surveying error and that the surveyor who did the original site work for Dr. Tompkins has recently gone bankrupt. He also supported Dr. Tompkins in his request for a variance.

The following neighboring property owners also spoke about their problems with Dr. Tompkins property and the concern that granting him a variance would create a precedence for other homebuilders:

Lee H. Thomas, Jr., #9 - 46th Avenue
John Allenback, #5 - 46th Avenue
Gabby Porter, #5 - 47th Avenue
Bill Henry, #6 - 46th Avenue
Robert Dehoney, 4602 Palm Boulevard
Bob Sheibel, #8 - 46th Avenue
Merrill Smith, #7 - 47th Avenue
Bruce Sigmon, #1 - 47th Avenue (supported Dr. Tompkins)

Mr. Garvin made a motion to require Dr. Tompkins to bring the pool deck area and air conditioning stand into compliance and that the Board should vote on a variance for the piling only; Mrs. Schall seconded; motion carried 4-1.

After further discussion, vote was taken: Fellabom - No; Garvin - Yes; Schall - No; Smiley - No; Somers - No. Variance request was denied 4-1.

2. Mark H. Nelson, 2908 Palm Boulevard. Mr. Nelson was asking for a variance from Section 5-4-37(e) which provides that homes damaged more than 50% cannot be

rebuilt to increase the pre-damaged non-conformity and may be built in the original footprint. Mr. Nelson had added a 3' X 6' bay window onto the bedroom which extended into the required setback. At the time he designed the window, he was not aware that there was a limit of 2' on bay window extensions. The error was only noted by the Building Inspector after construction. There is also a drainage [ditch] easement on that side of the property which will never be able to be developed.

Mr. Nelson presented a letter from the neighboring property owners, the Lanes, who stated that they had no objection to the window or the variance. (attached)

After further discussion, vote was taken: Fellabom - Yes; Garvin - Yes; Schall - Yes; Smiley - Yes; Somers - No. Variance was granted 4-1.

3. James Johnson, 26 Seagrass Lane. Mr. Johnson was in the contractual process of purchasing this property if he could obtain variances for the location of the house. He was requesting a variance from Section 5-4-18(1) which requires a 10' minimum marsh setback. Mr. Johnson was asking to be allowed to extend a raised deck 5' over the setback line. Mr. Johnson also stated that the South Carolina Coastal Council had just relocated the critical line approximately 15' further landward which would require him to locate his house forward on the lot and would require a variance from Wild Dunes, who indicated that it would not be a problem.

Carolyn Helm, neighboring property owner, spoke about her concerns in the preservation of the marsh and did not recommend approving the variance.

After discussion, vote was taken: Fellabom - Yes; Garvin - No; Schall - No; Smiley - No; Somers - Yes. Variance was denied 3-2.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary, Secretary

EXHIBIT J

MINUTES OF THE ISLE OF PALMS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
November 13, 1991

The Isle of Palms Planning and Zoning Commission met at City Hall on November 13, 1991, at 5:30 p.m. Members attending included Arnold Karig, Kathryn Carroll, John Stanley, Jerry Spencer, Jan Wilson and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present.

Chairman Taylor called the meeting to order at 5:30 p.m. and passed around a letter from John Gardner announcing his resignation from the Commission.

MINUTES OF PREVIOUS MEETING

Minutes were not available from the October meeting

PLATS

1. Preliminary plat of Tract "E", Parcel 3b, Wild Dunes. TMS 604-12-00-162. Engineering, Surveying and Planning, Inc.

Mr. Batchelder explained the plat and asked John Fersner representing the owner, to present the plat. Mr. Fersner explained that this property was the remains of the Summerhouse tract which was now proposed to be "downzoned" from the approved 30 units to 7 single-family units. He said part of the common area served as detention area for the existing Summerhouse. Mr. Fersner explained that the view easement shown on the plat was for the Port O' Call development and that nothing could be built on this property.

Mr. Taylor asked about the location of the 250' setback line. Ms. Wilson asked if the property would be zoned single-family and what the sideyard setback requirements would be. Mr. Fersner explained that this was zoned PRD and that the setbacks were determined by the PRD requirements.

M. Stanley asked about drainage facilities on the property. Mr. Fersner explained that the owners must maintain the existing drainage facilities but that they can reconfigure the existing facilities and that this is what was being proposed. Dr. Karig asked about the note on the drawing regarding the placement of the house on the view easement. Mr. Fersner explained that they were trying to place the house next to the view easement to spread the houses out and provide maximum separation between them.

Mr. Stanley asked about the home owners association agreements. Mr. Fersner explained that this would be handled by the attorneys. Mr. Batchelder asked if there were any trees on this property. Mr. Fersner said he did not think there were any trees on the site but would double check.

Motion to approve by Ms. Carroll; second by Mr. Stanley. Motion approved 6-0.

2. Plat of Lots 01 & 02, Block 6, and Lot 18, Block 3, Section A, and Portions of Old Ocean Drive and Winding Way (Second Avenue) To Be Conveyed to Respective Adjacent Property Owners By Ocean Boulevard Properties. TMS 568-09-00-057, 058 and 059. Wade Surveying.

John Wade, surveyor for the plat, explained the purpose of the plat and that a 30' easement was included to provide beach access and access to a drainage culvert.

Mr. Taylor explained that the City did not want to see this street opened when Ocean Boulevard was extended. He also suggested placing a note on the plat that the property owners would sign dedicating the easement to the public and clarifying maintenance of the easement with the property owners.

Mr. Batchelder recommended adding the zoning and flood zone information to the plat. Mr. Stanley asked that the spelling of several words also be corrected.

Motion to approve with changes by Ms. Carroll; second by Dr. Karig. Motion approved 6-0.

3. Plat Showing the Combination of Lots 13-21, Block 29, With Lots 22 & 23, Block 29, The Boardwalk Section, Situate in the City of Isle of Palms. Charles Dawley.

John Gardner representing the applicant explained that this was to combine a narrow lot with the lot where Beach Biz is located. Mr. Batchelder recommended approval with the addition of the Coastal Council setback line, flood zones and erosion control statement to the plat

Motion to approve with additions by Ms. Wilson; second by Mr. Stanley. Motion approved 6-0.

4. Plat of a Subdivision of the Unopened Portion of Twenty-fourth Avenue, Being Added to the Adjacent Lots as Shown. Niemeyer.

Russell Shiver, a property owner, explained the purpose of the plat which was to abandoned the unimproved right-of-way.

Mr. Batchelder explained that the flood zone information and marsh setback line needed to be added to the plat. He also suggested identifying a 15' easement over the drainage culvert to allow access for future maintenance of the culvert. Ms. Wilson and Ms. Carroll asked if anyone used this property for access to the marsh. Mr. Shiver explained that no one used this.

Motion to approve with changes by Ms. Carroll; second by Mr. Stanley. Motion approved 6-0.

Mr. Spencer asked if these kind of abandonments of old right-of-ways ought to be posted to notify anyone who might be using it for access of the pending action. The Commission discussed what to do in these types of situations and whether the City ought to take title to some of these areas.

Mr. Batchelder presented the sign ordinance and briefly explained the changes to the existing regulations that were proposed. The Commission members made a number of comments. Mr. Batchelder explained that these comments would be used to make changes to the ordinance before it was formally proposed to City Council.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

EXHIBIT K

MINUTES OF A SPECIAL MEETING OF THE
ISLE OF PALMS WATER AND SEWER COMMITTEE
NOVEMBER 6, 1991, 7:00 P.M., CITY HALL

A special meeting of the Isle of Palms Water and Sewer Committee was held on November 6, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, members Cal Cochrane, John Hann, Harry O'Neal, and Jack Voorhees, and City Administrator Mark Williams, Finance Director Lynne Stonesider, and Secretary Janet Geary. Members Bob Dehoney and Clay Duffie were unable to attend.

1. Rates impact of R. O. Building bond issue. Mr. Williams passed out some paperwork supplied by the South Carolina Resources Authority on the bond issue in the principal amount of $2.7 million and in the amount of $3 million. (se Attachments A) Mr. Williams stated that the anticipated closing date for the bond would be December 19, 1991. The first interest payment would be due on June 1, 1992, unless interest was capitalized, in which case the first payment would be cue on June 1, 1993. The first principal payment would be December 1993. If we do not capitalize the interest, then the City would be compelled to raise water bill rates in January of 1992 in order to be able to make the payment in June of 1992. If interest is capitalized, then the rates would not have to be raised until January 1993 at which time the R.O. plant would hopefully be on line. There followed extensive discussion on this matter as well as the amount of the bond required.

Mr. Hann made a motion to recommend that Council raise the amount of the bond to $3 million and to capitalize the interest in order to postpone rate increases to January 1993; Mr. Cochrane seconded; motion passed unanimously.

2. Value engineering of R.O. Building. Mr. Stanley stated that he had gone over the plans of the R. O. Building with Clay Duffie and they had determined that this was a "bare-bones" design with no frills that could be taken out except perhaps one bathroom and the personal showers. Mr. Duffie had also made some suggestions of improvements that we might want to put into the design all of which were very reasonable and would be discussed at a later date.

3. Relocation of fire hydrant at Methodist Church. When the new water line was installed, a fire hydrant was place at the end of Palm Boulevard on 21st Avenue. Mr. Williams had received a letter from the Methodist Church requesting that a new fire hydrant which had been placed near the main entrance into the church be moved to the corner of the property. (see Attachment B) Upon discussion, it was determined that the hydrant should not have been placed in this location, and that the City should move it as requested. Mr. Williams stated that the cost of this would be approximately $300 and that the church would consider paying for materials.

There being no further business to come before the Committee, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary, Secretary

EXHIBIT L

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS WATER AND SEWER COMMITTEE
NOVEMBER 20, 1991, 7:00 P.M., CITY HALL

The regular meeting of the Isle of Palms Water and Sewer Committee was held on November 20, 1991, at 7:00 p.m., at City Hall. Present were Chairman John Stanley, members Bob Dehoney, John Hann, Harry O'Neal, Jack Voorhees, and Clay Duffie, and City Administrator Mark Williams, Mark Yodice of Thomas & Hutton, and Secretary Janet Geary. Member Cal Cochrane was unable to attend.

1. Mark Yodice of Thomas & Hutton gave an update of the R. O. Plant. He reported that the city had received last Friday the construction permit from DHEC for the plant. Clay Duffie had reviewed the plans and come up with some suggestions for minor changes in the plans. The following items were discussed:

A. Leave the R. O. Station on line until all the kinks are worked out with the main plant. The cost to operate it is nominal. The committee approved this recommendation.

B. Size of cartridge filters be reduced from 5 micron to 1 micron at least for the first flush. The smaller micron will pick up more particles and help protect the membranes from additional debris especially during start-up. It was determined that this would be a regular "supply" item and did not require any changes as the filters were interchangeable and the cost per filter is minimal, around $2 each. The committee felt this was a good idea.

C. The use of sulfuric acid to lower the PH for cleaning. Mr. Yodice stated that this capability can be added at a later date if needed. This was an expensive process which could cost upwards of $75,000 and would require some redesigning in the plant and resubmission to DHEC. It was decided not to take any action on this item.

D. Noise from feedwater pumps in the processing room. Mr. Duffie stated that the noise would be very loud when the pumps were operating and that the employees could be very uncomfortable. There was a discussion about adding a soundproof interior wall between the pumps and the process piping and about the use of ear plugs and other soundproofing materials. No action was taken.

E. Mr. Duffie suggested putting an inner door to the storage room from the processing room instead of the workers having to go outside the building to enter the room. The committee recommended that this door be added.

F. Delete the women's bathroom, make one unisex bathroom, and enlarge the laboratory. The lab will need more space as time goes on and the extra space could be used for additional storage. The committee recommended this change. There was also discussion about using the "lunch room" as additional office space.

G. Addition of a mop sink in the processing room. This was recommended by the committee.

H. Suction and discharge piping are coming underneath the slab and Mr. Duffie recommended putting them in trenches covered by grating in order to facilitate any repairs or leaks. After discussion, the committee recommended this change be made.

I. There was a discussion of the orientation of the trains which could under pressure spray into the window of the office. It was decided that there were no problems as long as the window is made of safety glass.

J. Roll-up door on the loading dock. Mark Yodice stated that this was a bid option.

Now that the construction permit has been issued, and the plans will be completed by December 1st, Thomas & Hutton plans to go to bid in December for a construction start-up in January.

Mr. Duffie reported that Dare County, NC, has 144 used membranes for sale with only two years of service on them. They would be sold for $300 each as opposed to $800 each and want to sell the entire 144 in one package. After extensive discussion concerning lifetime, storage, and especially contractor warranty of a new system, it was decided not to pursue this.

2. Method of bids. There was a discussion of the R.O. plant and the Wastewater Plant being bid separately. Clay Duffie stated that there was an extreme advantage in having one general contractor responsible for all the work that needs to be done. For instance, if the line contractor doesn't clean the line properly and sand causes some damage in the R.O. system, then the general contractor will point the finger at the line contractor and will say that the warranty is off. There should be one person responsible for everything who will warrant the entire job. After discussion, it was recommended that the bid go out for the entire project as a whole.

3. Bond financing. Mark Williams reported that as of today, the bond issue with the SC Resources Authority was still a "go" and unless other entities drop out, it will remain. If this bond issue is not approved, then the next one will be early 1992, at which time we will try to obtain a Bond Anticipation Note so that the project can be started.

4. Sludge removal. Mr. Duffie stated that there was a meeting in Charleston recently with local waste management entities and they are looking into establishing a landfill in the County at some future date. Mt. Pleasant is still working on sludge disposal alternatives and suggested that the City delay relocation of the drying beds as long as possible.

5. Mr. Dehoney asked the status of the Carroll-Cantrell sewer dispute. Mr. Williams stated that our attorney has written Mr. Cantrell's attorney asking what their position is and we are awaiting a reply.

6. Billing. There was a discussion about the problems of billing quarterly and the large bills that customers complain about. Mr. O'Neal suggested that customers be allowed to pay their basic facility charges on a monthly basis and then the usage once a quarter. After discussion, it was the consensus of the committee that monthly billing on a regular basis would be beneficial to the system. Mr. O'Neal made a motion that the City make the transition into monthly billing as of January 1992 for billing in February 1992; Mr. Hann seconded; motion passed unanimously.

7. Customer billing complaints.

A. Harold Tyner, 10 Tabby Lane - charges are legitimate, no adjustment.

B. James Jenkins, 412 Carolina Boulevard - charges are legitimate, no adjustment.

C. Charlotte Riley, 2106 Palm Boulevard - charges are legitimate, no adjustment.

D. David Fortson, 3004 Palm Boulevard - Since the meter couldn't be located at the time of reading (perhaps it was under water) and they estimated his bill, they asked to have the meter reread for an accurate bill.

E. Jamie Cockfield, 813 Ocean Boulevard - if the property is on sewer, they will back out the sewer charges by one-third to compensate for the leak.

F. Charles Chiappone, 306 Charleston Boulevard - as there was no evidence of a leak, it was suggested to check and see if the water source heat pump system

is operating off the domestic water system which could cause the large usage if left on for long periods of time at a cool setting.

G. John Cornell, 23 - 26th Avenue - Customer's house is gutted and he states that he had terminated home service last spring. He had received a bill for 810 gallons of usage plus basic facilities charges. It was decided to forgive the bill and to turn the water off and lock it.

H. Virginia Norvell, 35 - 31st Avenue - as the location of the leak was incorrectly identified as being on the City's side of the stop and no repairs were made right away, it was decided to adjust her bill to a normal usage of 10,000 gallons.

I. Michael Schumpert, 309 Carolina Boulevard - It was determined that the meter should be read again, and if consumption is still high, the bill stands. There could be a leaking toilet inside the house causing high consumption.

J. John Medlin, 7 - 30th Avenue - charges are legitimate, no adjustment.

K. Hearts of Palm Cafe - The Cafe has its own R.O. system and their bill jumped from $140 to $1300. The meter was checked and determined to be correct; however, a new meter was installed anyway. When water was turned off in the Cafe, the meter continued to run. When the R.O. system was shut down, the meter stopped. It was decided to allow the Cafe to make payments on the bill with a $200 payment now, and $100 per month plus current charges.

There being no further business to come before the Committee, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary, Secretary

EXHIBIT M

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
NOVEMBER 21, 1991, 7:00 P.M.

The regular meeting of the Isle of Palms Board of Beach Patrol and Control was held on November 21, 1991, at 7:00 p.m., at the Building Department. Present were Chairman Smiley, Sandeford, Jeter, Ballow. Mr. Harper and Matthews were absent. Council member Simon and Secretary Janet Geary were at a Special Council Meeting.

Dr. Smiley announced that there was one permit request before the Board.

1. Timothy Scranton, 704 Ocean Boulevard. Mr. Scranton was asking to construct a house up to the maximum building line as established the The Beach Company. At the present time, the 250' setback line has moved 47' landward within the past 4 months, but the surveyors assure that the line will again move seaward. Mr. Scranton has not purchased the property and will not unless he can get permission to construct the house in line with others on the beachfront lots. He was asking for a temporary permit at this time.

Upon discussion, it was determined that there was a precedent in issuing a permit for someone whose purchase of a lot was contingent upon the permit.

Mr. Sandeford made a motion to approve the request; Ms. Ballow seconded; motion passed unanimously.

There being no further business to come before the board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary
Secretary

EXHIBIT N

ORDINANCE 1991-17

AN ORDINANCE TO RAISE REVENUE BY ESTABLISHING A TAX MILLAGE RATE FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992.

WHEREAS, Subsection 3, of Section 5-7-260 of the South Carolina Code of Laws of 1976, as amended, requires that a City Council shall act by ordinance to levy taxes pursuant to public notice; and

WHEREAS, the Isle of Palms City Council has acted by separate ordinance to adopt the Fiscal Year Operating Budget for the period July 1, 1991, to June 30, 1992;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. A tax to cover the period from July 1, 1991, to June 30, 1992, both inclusive for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Isle of Palms for the use and service thereof; i.e., a tax of $\$50.50$ on every thousand dollars ($1,000) in assessed value of real estate and personal property of every description owned and used in the City of Isle of Palms, South Carolina, except such as is exempt from taxation under the Constitution and laws of the State of South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Isle of Palms for the corporate purposes, permanent improvements, current expenses and the payment of interest and retirement of outstanding bonds and debts of the City of Isle of Palms, making a total levy not to exceed fifty and one-half(50.5) mills for tax purposes. Such tax is levied on such property as is assessed by the Charleston County Tax Assessor for County and State purposes.

SECTION 2. By mutual agreement between the City of Isle of Palms and Charleston County, the County will bill and collect the taxes enumerated herein, and pay the same over to the treasurer of the City of Isle of Palms in the manner prescribed by both parties.

SECTION 3. The billing dates, the penalty dates and the amount of the penalty which shall be levied by delinquent taxes shall be the same as those adopted by Charleston County Council.

SECTION 4. Delinquent property taxes shall be collected by Charleston County in a manner as prescribed by State Law.

SECTION 5. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 6. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

_____

Carmen R. Bunch, Mayor

ATTEST:

_____

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 10/31/91

Second Reading: 11/26/91

Ratification: 11/26/91

EXHIBIT O

ORDINANCE NO. 1991-26

AUTHORIZING THE ISSUANCE OF A $2,700,000 WATER AND SEWER SYSTEM REVENUE BOND, SERIES 1991B, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; TO PROVIDE FOR THE USE OF THE PROCEEDS; TO PROVIDE FOR THE TERMS AND CONDITIONS UPON WHICH THE BOND WILL BE ISSUED; TO PROVIDE FOR THE REPAYMENT THEREOF AND SECURITY THEREFOR; AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall, for all purposes of this Ordinance and of any ordinance, resolution, certificate, opinion, instrument or other document herein or therein mentioned, have the meanings herein specified, with the definitions to be equally applicable to both the singular and plural forms of any of the terms herein defined and vice versa. The term:

"Act" means Title 6, Chapter 21, Code of Laws of South Carolina 1976, as amended, and as further amended and continued by Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977, and all other statutory authorizations authorizing and enabling the City to provide for the issuance of Bonds.

"Additional Bonds" means any additional parity bonds authorized to be issued by the City pursuant to the terms and conditions hereof.

"Authority" means the South Carolina Resources Authority, and any successor thereof.

"Authorized Denomination" means $5,000 or any integral multiple thereof.

"BAN of 1991" means the $475,000 Water and Sewer System Revenue Bond Anticipation Note, Series 1991, dated February 20, 1991.

"Bond" or "Bonds" means any Bond, some of the Bonds or all of the Bonds issued and at any time Outstanding under and pursuant to this Ordinance, including the Series 1991A Bond, the Series 1991B Bond and any Additional Bonds.

"Books of Registry" means the registration books of the City as established and maintained by the City pursuant to Section 3.8 hereof.

"Business Day" means a day which is not a Saturday, Sunday, legal holiday or day on which banking institutions are authorized by law to close in the State of South Carolina or in the jurisdiction where the principal corporate trust office of the Custodian is located.

"City" means the City of Isle of Palms, South Carolina, a municipal corporation organized and existing under the laws of the State of South Carolina, its successors and assigns.

"Clerk" means the Clerk/Treasurer of the City, or in his or her absence, the acting clerk.

"Code" means the Internal Revenue Code of 1986, as amended, and any successor provision of law.

"Consulting Engineer" means any qualified engineer or firm of engineers which shall at any time hereafter be retained by the City as consulting engineer for the System.

"Construction Fund" means the fund by that name created pursuant to Section 4.1 hereof.

"Contingent Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Council" means the City Council of the City of Isle of Palms, South Carolina, and any successor governing body of the City.

"Custodian" means C&S/Sovran Trust Company, N.A., its successors and assigns.

"Debt Service Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Debt Service Reserve Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Depreciation Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Expenses of Operating and Maintaining the System" means the current expenses, paid or accrued, of operation, maintenance and current repair of the System, calculated in accordance with generally accepted accounting principles, and shall include, without limiting the generality of the foregoing, salaries, wages, employee benefits, cost of materials and supplies, cost of utilities, cost of routine repairs, renewals, replacements and

alterations occurring in the usual course of business, the cost of billings and collections, cost of insurance, cost of audits, taxes, if any, and a properly allocable share of City administrative and overhead expenses. Expenses of Operating and Maintaining the System shall not include any allowance for depreciation or renewals or replacements of capital assets of the System.

"First Supplemental Ordinance" means the ordinance enacted by the Council on February 18, 1991, authorizing the Series 1991A Bond.

"Fiscal Year" means the period of twelve (12) calendar months, beginning on July 1 of each year and ending on June 30 the following calendar year unless changed by the City to a different twelve month period.

"Funds" means collectively the Gross Revenue Fund, the Debt Service Fund, the Contingent Fund, the Depreciation Fund, the Debt Service Reserve Fund, the Operation and Maintenance Fund and Construction Fund.

"General Account" means the account by that name created in the Construction Fund pursuant to Section 4.1 hereof.

"General Bond Ordinance" means the ordinance enacted by the Council on February 11, 1991, authorizing the issuance of Water and Sewer System Revenue Bonds of the City.

"Government Obligations" shall mean non-callable bonds, notes or direct obligations and general obligations of the United States.

"Gross Revenue Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Holder" or "Bondholder" or "Registered Owner" means the person in whose name a Bond is registered in the books maintained for such purpose.

"Holder Obligations" means the $_____ South Carolina Resources Authority Local Government Program Revenue Bonds, Series _ of 1991.

"Interest Payment Date" means June 1 and December 1 of each year, commencing June 1, 1992.

"Junior Bonds" means either (a) bonds secured by a pledge of Revenues junior and subordinate in all respects to the pledge securing the Bonds or (b) any other form of indebtedness, including lease purchase obligations secured by sums available in the Gross Revenue Fund after provision has been made for all payments required to be made with respect to the Bonds.

"Mayor" means the mayor of the City or, in his or her absence, the mayor pro tempore of the City.

"Operation and Maintenance Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Ordinance" means the General Bond Ordinance adopted February 11, 1991, as supplemented by this ordinance and as from time to time amended or supplemented.

"Outstanding" when used with respect to any Bond shall have the construction given to such word in Article IX hereof; i.e., a Bond shall not be Outstanding if such Bond is not, or would not be, at the time, deemed to be Outstanding by reason of the operation and effect of said Article IX.

"Outstanding Bond Ordinances" means the General Bond Ordinance and the First Supplemental Ordinance.

"Permitted Investments" means, to the extent from time to time permitted by State law:

(a) Direct obligations of, or obligations the timely payment of principal of and interest on which are fully and unconditionally guaranteed by, the United States of America;

(b) Certificates of deposit where the certificates are collaterally secured by securities of the type described in (a) above held by a third party as escrow agent or custodian, of a market value not less than the amount of the certificates of deposit so secured, including interest; and

(c) Repurchase agreements collateralized by securities described in (a) above.

"Project" means the acquisition, construction and installation of a reverse osmosis facility and other related improvements to the System.

"Reserve Fund Requirement" means an amount equal to the least of (i) ten percent (10%) of the proceeds from the sale of the Bonds, (ii) one hundred twenty-five percent (125%) of the average amount of principal of and interest on the Bonds coming due during each Fiscal Year, and (iii) the maximum amount of principal of and interest on the Bonds coming due during any Fiscal Year.

"Revenues" shall mean all moneys, fees, charges, income, rents, receipts and returns of whatever nature and howsoever derived from the ownership and operation of the System.

"Series 1991A Bond" means the City of Isle of Palms, South Carolina Water and Sewer Revenue Bond, Series 1991A, in the principal amount of $1,185,601.88

"Series 1991B Bond" means the City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bond, Series 1991B, in the principal amount of $2,700,000 authorized to be issued hereunder.

"System" shall mean the Water and Sewer System of the City including all lands, rights-of-way and easements used in connection therewith, all supplies, tools, equipment, apparatus and appurtenances incident thereto and all enlargements, improvements, extensions, additions, replacements and betterments thereto that may at any time be made, and all interest in any of the foregoing that the City may at any time have.

Section 1.2. General Rules of Interpretation.

(a) Articles, Sections, and paragraphs mentioned by number are the respective Articles, Sections, and paragraphs of this Ordinance so numbered.

(b) Except as otherwise expressly provided or unless the context otherwise requires, words importing persons include firms, associations and corporations and the masculine includes the feminine and the neuter.

(c) Words importing the redemption or redeeming or calling for redemption of the Series 1991B Bond do not include or connote the payment of such Series 1991B Bond at its stated maturity or the purchase of such Series 1991B Bond.

(d) Words importing the singular number include the plural number and vice versa.

* * * * *

ARTICLE II

FINDINGS AND DETERMINATIONS

Section 2.1. Findings and Determinations. The Council hereby finds and determines:

A. The City is an incorporated municipality located in Charleston County, South Carolina, and has by ordinance adopted the Mayor-Council form of government. The City possesses all general powers granted by the Constitution and Laws of the State of South Carolina to municipal corporations, including the power to possess a water system and a sewer system.

B. Heretofore, pursuant to the favorable results of a special election held on November 27, 1990, and in compliance with the applicable constitutional and statutory provisions, including Section 16 of Article VIII of the Constitution of the State of South Carolina, provision was made for the acquisition of a privately owned water and sewer system (the "System")

C. Since acquisition, the System has been continuously operated and maintained and has been under the operation and control of Council. The System furnishes water and sewer service to certain areas of the City.

D. In order to finance the Cost of acquiring and improving the System, the City has heretofore issued the Series 1991A Bond, payable from the Revenues of the System.

E. The General Bond Ordinance authorizes the City to issue additional bonds on a parity with the Series 1991A Bond provided certain conditions are observed, and further authorizes the City to issue junior lien bonds. Because the System, when acquired, was subject to that certain Amendment to Consent Order 88-32-WS, dated May 16, 1990, requiring the construction of a reverse osmosis facility, the General Bond Ordinance specifically authorized the issuance of a series of parity Bonds thereunder without compliance with the earnings test which would otherwise be required for the issuance of a series of parity bonds under the General Bond Ordinance.

F. It is necessary for the City to issue its revenue bond in the principal amount of $2,700,000 the proceeds of which shall be used to defray the cost of the Project and to retire the BAN of 1991.

G. Traditional financing sources are not available to the City for the costs of the Project. The City has received two letters of declination from financial institutions normally engaged in financing projects such as the Project.

H. In order to provide funds for the Project, the City has agreed to sell the Series 1991B Bond under the circumstances and under the terms and conditions hereafter set forth.

I. The period of usefulness of the City's water and sewer system is indefinite, but in no case is it less than the term of the Series 1991B Bond.

J. It is necessary and in the best interest of the City to undertake the Project and to issue the Series 1991B Bond in accordance with the Bond Ordinance and the Act for the purpose of defraying a portion of the costs of the Project and to retire the BAN of 1991, which Series 1991B Bond shall at all times be on a parity with the Series 1991A Bond.

K. Except for the Series 1991A Bond, the Series 1991B Bond and the BAN of 1991, Council does not anticipate the issuance of any other tax exempt obligations in calendar year 1991 and Council does hereby designate the Series 1991B Bond as qualified tax exempt obligations within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

ARTICLE III

ISSUANCE OF BONDS

Section 3.1. Authorization of Series 1991B Bond.

Pursuant to the General Bond Ordinance, this Ordinance and the Act and in order to defray the costs of the Project, retire the BAN of 1991, fund the Debt Service Reserve Fund, and pay costs of issuance, there shall be issued a $2,700,000 Water and Sewer System Revenue Bond, Series 1991B (the "Series 1991B Bond"). The Series 1991B Bond shall be sold to the Authority at a discount of $_____ , plus the interest accrued on the Series 1991B Bond from December 1, 1991 to December __, 1991, plus such other credits and earnings as may be agreed upon between the Authority and the City. The Series 1991B Bond shall be dated December 1, 1991; shall be in fully registered form in Authorized Denominations; and shall bear interest from the date thereof payable on each Interest Payment Date, at the rates of interest set forth below; and shall be payable in principal installments on _____ 1 in each of the years and in the principal amounts as follows:

Year	Principal Amount	Interest Rate
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2000		
2001		
2002		
2003		
2004		
2005		
2010		
2020		

The Series 1991B Bond shall bear interest (i) from December 1, 1991 if authenticated prior to June 1, 1992 or (ii) otherwise from the June 1 or December 1 that is, or immediately precedes, the date on which the Series 1991B Bond is authenticated (unless payment of interest is in default, in which case the Series 1991B Bond shall bear interest from the date to which interest has been paid, or unless no interest has been paid on the Series 1991B Bond, in which case the Series 1991B Bond shall bear interest from December 1, 1991). Interest on the Series 1991B Bond shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

The Series 1991B Bond will be substantially in the form attached hereto as Exhibit A with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by this Ordinance.

Section 3.2. Medium of Payment; Payment of Bond.

Both the principal of and interest on the Series 1991B Bond shall be payable in any coin or currency of the United States of America which is at the time of payment, legal tender for the payment of public and private debts. Principal of the Series 1991B Bond, when due, shall be payable on the presentation and surrender of the Series 1991B Bond at the principal corporate trust office of the Custodian. Interest on the Series 1991B Bond shall be payable to the Holder on each Interest Payment Date in accordance with the written instructions of the Holder filed with the Custodian.

If any principal of or interest on the Series 1991B Bond is not paid when due (whether at maturity, by acceleration or by call for redemption or otherwise) then the overdue installments of principal and interest, to the extent permitted by law, shall bear interest until paid at the rate borne by the Series 1991B Bond.

Section 3.3. Redemption of Series 1991B Bond.

(a) The principal portion of the Series 1991B Bond maturing on or after December 1, 200_, shall be subject to redemption at the option of the City, in whole on any date or in part in Authorized Denominations on any Interest Payment Date, at any time on or after December 1, 200_, at the redemption prices (expressed as percentages of principal amount) set forth in the table below plus interest accrued to the redemption date.

Redemption Period (Dates Inclusive)	Redemption Prices (plus accrued interest)
December 1, 200_ through November 30, 200_	102%
December 1, 200_ through November 30, 200_	101 1/2%
December 1, 200_ through November 30, 200_	101%
December 1, 200_ through November 30, 200_	100 1/2%
December 1, 200_ and thereafter	100%

In order to exercise its right to redeem portions of the Series 1991B Bond pursuant to this subsection (a), the City shall deposit in the Debt Service Fund, no later than the second (2nd) Business Day prior to the redemption date, funds sufficient to pay the portion of the redemption price of the Series 1991B Bond being redeemed constituting principal and premium, if any, and the City shall deposit in the Debt Service

Fund, on the redemption date, funds sufficient (taking into account amounts then on deposit therein and available to pay interest on the portions of the Series 1991B Bond being redeemed) to pay the portion of the redemption price of the Series 1991B Bond being redeemed constituting interest.

(b)(i) The principal portion of the Series 1991B Bond maturing on December 1, 20__ is subject to mandatory redemption commencing December 1, 20__, at a redemption price equal to 100% of the principal portion of the Series 1991B Bond to be redeemed plus interest accrued to the redemption date, on December 1 of each of the following years in the respective principal amount (after credit as provided in paragraph (b)(iii) below) for each year specified in the following table:

Year	Amount
2006	$
2007	
2008	
2009	
2010*	

* Maturity.

(b)(ii) The principal portion of the Series 1991B Bond maturing on _____ 1, 20__, is subject to mandatory redemption commencing _____ 1, 20__, at a redemption price equal to 100% of the principal portion of the Series 1991B Bond to be redeemed plus interest accrued to the redemption date, on _____ 1 of each of the following years in the respective principal amount (after credit as provided in paragraph (b)(iii) below) for each year specified in the following table:

Year	Amount
2011	$
2012	
2013	
2014	
2015	
2016	
2017	
2018	
2019	
2020*	

* Maturity.

(iii) The principal portion of the Series 1991B Bond redeemed pursuant to subsection (a) of this Section shall be credited by the Custodian at 100% of the principal amount thereof against the obligation of the City to redeem the principal portions of the Series 1991B Bond of such maturity pursuant to this subsection (b) on the next succeeding redemption date, and any excess shall be credited against such obligation on future redemption dates in chronological order.

(c) Notice of any redemption of any portion of the Series 1991B Bond shall be given by the Custodian on behalf of the City by mailing a copy of the redemption notice by registered or certified mail at least sixty (60) days and not more than eighty (80) days prior to the date fixed for redemption to the Holder of the Series 1991B Bond.

(d) All notices of redemption shall state (i) the redemption date, (ii) the redemption price, and (iii) if less than all of the outstanding principal installments of the Series 1991B Bond are to be redeemed, the identification and the respective principal amount of the Series 1991B Bond to be redeemed.

Section 3.4. Assignment and Transfer of Series 1991B Bond by the Authority.

The Authority may at any time assign and transfer the Series 1991B Bond in the manner hereinafter noted.

Section 3.5. Registration and Transfer of Series 1991B Bond.

The Series 1991B Bond shall at all times be registered as to principal and interest in the name of the Holder on the Books of Registry to be maintained in the office of the Clerk of the City and each transfer to be valid shall be made on the Books of Registry and similarly noted on the

Series 1991B Bond.

Section 3.6. Mutilated, Lost, Stolen or Destroyed Series 1991B Bond.

In the event the Series 1991B Bond is mutilated, lost, stolen, or destroyed, the City shall execute and deliver a new Series 1991B Bond of like tenor as that mutilated, lost, stolen, or destroyed, provided that (a) in the case of any such mutilated Series 1991B Bond, such Series 1991B Bond is first surrendered to the City, and (b) in the case of any such lost, stolen, or destroyed Series 1991B Bond, there is first furnished evidence of such loss, theft, or destruction satisfactory to the City. No service charge shall be made for any such transaction, but a charge may be made to cover any actual expense involved.

Section 3.7. Exchange of Series 1991B Bond.

The Series 1991B Bond, upon surrender thereof to the City with a written instrument of transfer satisfactory to the City, duly executed by the Registered Owner or his duly authorized attorney, may, at the option of the Registered Owner thereof, be exchanged for a principal amount of Series 1991B Bond of a denomination equal to the unpaid principal amount of the surrendered Series 1991B Bond or for an equal aggregate principal amount of the Series 1991B Bond in any Authorized Denominations.

Section 3.8. Registrar and Transfer Agent of Bond; Books of Registry.

(a) The Clerk of the City will be the registrar and transfer agent for the Series 1991B Bond and will keep proper registry and transfer records, including a Book of Registry in which she shall register the name and address of the Holder of the Series 1991B Bond as the same is presented for registration. Upon presentation of the Series 1991B Bond for registration or transfer, the fact of such registration or transfer shall be noted on the Series 1991B Bond. No transfer of the Series 1991B Bond shall be valid unless made on such Book of Registry and noted on the Series 1991B Bond.

(b) No person shall be entitled to any right or benefit provided in the Series 1991B Bond unless the name and address of such person is registered with the Clerk of the City and the fact thereof is endorsed by such Clerk upon the Series 1991B Bond and upon the Books of Registry. The City and its agent may deem and treat such Registered Owner of the Series 1991B Bond as the absolute owner of the Series 1991B Bond for the purpose of receiving payment of the principal and interest

thereof and for all other purposes whatever. No charge shall be made for registration.

(c) The Books of Registry shall show (i) the date of registration, (ii) the name and address of the person in whose name the Series 1991B Bond is registered, and (iii) the signature of the Clerk. The latest chronological date of registration of the Series 1991B Bond, as the same shall appear in the Books of Registry, shall be conclusive as to the name and address of the Holder for all purposes.

(d) The Series 1991B Bond shall be transferable only if presented for transfer by the Holder, in person or by its duly authorized attorney, to the Clerk of the City. The Series 1991B Bond shall bear an endorsement of transfer thereof to the new owner so as to enable the Clerk to enter the name and address of the new owner upon the Books of Registry.

Section 3.9. Execution of Series 1991B Bond.

The Series 1991B Bond shall be executed in the name of the City by the manual signature of the Mayor of the City, under the corporate seal of the City, which shall be impressed or reproduced thereon, and attested by the manual signature of the Clerk/Treasurer of the City.

Section 3.10. Security for and Tenor of Series 1991B Bond.

The principal of and interest on the Series 1991A bond, the Series 1991B Bond and any Additional Bonds shall be payable from the Revenues derived from the operation of the System after paying the Expenses of Operating and Maintaining the System, such Revenues shall be and are hereby irrevocably pledged. The pledge herein made shall, at all times and in all ways, equably and ratably secure the Series 1991A Bonds, the Series 1991B Bond and Additional Bonds that at any time hereafter shall be Outstanding. The pledge herein made shall preclude the issuance of bonds secured by a pledge of any of the Revenues from the System, or by a lien on the System, or any portion thereof, prior to the pledge and lien made securing the Series 1991A Bonds, the Series 1991B Bond and Additional Bonds.

Section 3.11. Discharge of Obligation.

Payments of principal and interest, whether by prepayment or otherwise, made in respect to the Series 1991B Bond shall be made to the Holder, and all such payments shall fully discharge the obligation of the City in respect to the Series 1991B Bond to the extent of the payments so made.

Section 3.12. Bond Constitutes Limited Obligation of the City.

The full faith, credit and taxing powers of the City are not pledged for the payment of the principal and interest on the Series 1991B Bond, and there shall be on the face of the Series 1991B Bond a statement plainly worded to that effect and stating that the Series 1991B Bond does not constitute an indebtedness of the City within any State constitutional provisions or statutory limitation. No recourse shall be had for the payment of the Series 1991B Bond or interest thereon, or any part thereof, against the several funds of the City, except in the manner and to the extent provided in this Ordinance nor shall the credit or taxing power of the City be deemed to be pledged thereto.

Section 3.13. Authorization for Preparing and Selling Series 1991B Bond.

The Mayor is hereby authorized and directed to have the Series 1991B Bond prepared, and the Mayor and Clerk are hereby authorized and directed to execute and attest the Series 1991B Bond in form and manner provided herein.

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ARTICLE IV

ESTABLISHMENT OF FUNDS; DISPOSITION OF REVENUES; INVESTMENTS

Section 4.1. Establishment of Funds.

Effective on the occasion of the delivery of the Series 1991B Bond and continuing for so long a time as any sum remains due and payable by way of principal of or interest on the Bonds, the following Funds shall be continued or established and maintained, and deposits shall be made therein in the manner required by this Ordinance:

(a) Gross Revenue Fund;

(b) Operation and Maintenance Fund;

(c) Debt Service Fund to be held by the Custodian;

(d) Debt Service Reserve Fund to be held by the Custodian;

(e) Depreciation Fund;

(f) Contingent Fund; and

(g) Construction Fund (consisting of a Capitalized Interest Account and a General Account) to be held by the Custodian.

Section 4.2. Gross Revenue Fund.

The Gross Revenue Fund established by the General Bond Ordinance is hereby continued as long as the Series 1991A Bond, the Series 1991B Bond or any Additional Bonds are Outstanding. The Gross Revenue Fund shall consist of all Revenues that the City shall derive, directly or indirectly, from the operation of the System. An account reflecting this fund shall be maintained on the books of the City. All Revenues so derived shall be deposited in accordance with and in the manner prescribed by Section 4.8 hereof. Moneys in the Gross Revenue Fund shall be withdrawn by the City and made use of only in the manner and in the order specified in Section 4.8 hereof.

Section 4.2. Operation and Maintenance Fund.

The Operation and Maintenance is intended to provide for the payment of all Expenses of Operating and Maintaining the System.

Section 4.4. Debt Service Fund.

There shall be deposited in the Debt Service Fund from the proceeds of the Series 1991B Bond the accrued interest, if any, received upon the sale of the Series 1991B Bond.

On or before the 20th day of each month, commencing on the 20th day of the month in which the Series 1991B Bond is delivered, the City shall transfer to the Custodian for deposit in the Debt Service Fund, an amount such that (taking into account all amounts then on deposit therein and available to pay interest on the Series 1991B Bond), if the same amount is deposited therein on the 20th day of each succeeding month, there will be on deposit therein an amount equal to the interest payable on the Series 1991B Bond on the succeeding Interest Payment Date. On or before the 20th day of each month, commencing on the 20th day of the month in which the Series 1991B Bond is delivered, the City shall transfer to the Custodian for deposit in the Debt Service Fund, an amount such that (taking into account all amounts then on deposit therein and available to pay principal of the Series 1991B Bond), if the same amount is deposited therein on the 20th day of each succeeding month there will be on deposit therein an amount equal to the principal of the Series 1991B Bond payable on the succeeding December 1.

The moneys paid into the Debt Service Fund shall be held by the Custodian in trust solely for the purpose of paying the interest on and the retirement of the principal of and premium, if any, on the Series 1991B Bond and withdrawals from such Fund shall be made by the Custodian in order to transfer such moneys to the Holder of the Series 1991B Bond on or prior to each Interest Payment Date.

Section 4.5. Debt Service Reserve Fund.

The Debt Service Reserve Fund is intended to ensure the timely payment of the principal of and interest on the Series 1991B Bond, and to provide for the prepayment of the Series 1991B Bond prior to its stated maturity. Moneys in the Debt Service Reserve Fund shall be used for the following purposes, and for no other:

(a) To prevent a default in the payment of the principal of or interest on the Series 1991B Bond, by reason of the fact that moneys in the Debt Service Fund are insufficient for such purposes.

(b) To pay for the principal of and interest on the Series 1991B Bond in the event that all installments on the Series 1991B Bond be prepaid as a whole.

There shall be deposited in the Debt Service Reserve Fund from the proceeds of the Series 1991B Bond an amount equal to the Reserve Fund Requirement.

If on the Business Day prior to any Interest Payment Date the amount on deposit in the Debt Service Fund is less than the amount of the principal of and interest on the Series 1991B Bond due on such Interest Payment Date, the Custodian shall transfer to the Debt Service Fund from the Debt Service Reserve Fund the amount of such deficiency.

Investments of amounts on deposit in the Debt Service Reserve Fund shall be valued by the Custodian on the first day of each calendar quarter at the fair market value thereof. The Custodian shall notify the City in writing of the value of such investments within one (1) Business Day after each such valuation.

If at any time the amount on deposit on the Debt Service Reserve Fund is less than the Reserve Fund Requirement, the Custodian shall notify the City in writing of the existence and the amount of such deficiency within one Business Day after the occurrence of the withdrawal causing such deficiency or the valuation indicating such deficiency, as the case may be. Upon being notified of a deficiency in the Debt Service Reserve Fund the City shall immediately transfer to the Custodian for deposit in the Debt Service Reserve Fund the amount of such deficiency.

If at any time the amount on deposit in the Debt Service Reserve Fund is determined to exceed the Reserve Fund Requirement, such excess shall be immediately transferred to the Debt Service Fund, and prior to such transfer such excess shall not be invested at a yield in excess of the lesser of (i) the yield on the Series 1991B Bond or (ii) the yield on the Holder Obligations.

Section 4.6. Depreciation Fund.

The Depreciation Fund is intended to build up a reasonable reserve for depreciation of the System. Moneys in this fund shall be used solely for the purpose of restoring depreciated or obsolete items of the System.

Section 4.7. Contingent Fund.

The Contingent Fund is intended to build up a reasonable reserve for improvements, betterments and extensions to the System, other than the expenses which are reasonably necessary to maintain the System in good repair and working order, and to defray the cost of unforeseen contingencies.

Moneys in the Depreciation Fund and in the Contingent Fund may be used in order to effect the optional prepayment of the Bond.

Section 4.8. Disposition of Revenues.

(a) So long as any Bonds are Outstanding, the moneys in the Gross Revenue Fund shall be applied at the times, in the amounts and for the purposes as provided or permitted by the General Bond Ordinance and this Ordinance, and in the following order of priority:

(1) There shall be deposited each month into the Operation and Maintenance Fund that sum which has been currently determined by the City to be the Expenses of Operating and Maintaining the System for the ensuing month.

(2) There shall be set apart the sums needed to discharge the City's obligations with respect to the Series 1991A Bond;

(3) (a) The monthly fraction as prescribed by Section 4.4 hereof of the next payment of principal and interest to become due on the Series 1991B Bond shall be deposited in the Debt Service Fund, plus such further sum, if any, as the City may determine shall be deposited in the Debt Service Reserve Fund established for the Series 1991B Bond, provided, withdrawals shall also be made in accordance with the provisions of Section 4.5 hereof;

(b) If, in any month, for any reason, the City shall fail to pay all or any part of the money it has herein agreed to pay into the Debt Service Fund or Debt Service Reserve Fund the amount of any such deficiency shall be added to and shall become a part of the amount due and payable into the Debt Service Fund or Debt Service Reserve Fund, in the succeeding month.

(4) There shall be deposited each month into the Depreciation Fund that sum which is one-twelfth (1/12th) of the sum determined by the City to be needed for the Depreciation Fund for the then current Fiscal Year.

(5) There shall be deposited each month into the Continent Fund that sum which is one-twelfth (1/12th) of the sum determined by the City to be needed for the Contingent Fund for the then current Fiscal Year.

(6) Any Revenues remaining at the end of each Fiscal Year after the foregoing deposits have been made shall be disposed of as the City shall determine to be in the interest of the City.

Section 4.9. Construction Fund.

The moneys on deposit in the Construction Fund shall be used and applied to the payment of the cost of the Project and to pay all costs incidental to the issuance and sale of the Series 1991B Bond, including without limiting the generality of the foregoing, the cost of engineering, legal, financial and accounting expenses, cost of printing and of preparing and issuing the Series 1991B Bond, and all other items or expenses incidental thereto.

There shall be deposited in the Capitalized Interest Account of the Construction Fund from the proceeds of the Series 1991B Bond an amount equal to $____ on the 20th day of the calendar month preceding each Interest Payment Date the Custodian shall transfer to the Debt Service Fund an amount equal to the lesser of the amount then on deposit therein and the interest on the Series 1991B Bond due on such Interest Payment Date.

There shall be deposited in the General Account of the Construction Fund the amount remaining from the proceeds of the Series 1991B Bond after the deposits to the Debt Service Reserve Fund, the Debt Service Fund and the Capitalized Interest Account of the Construction Fund have been made. On or prior to the tenth (10th) day of each month, the Custodian shall notify the Holders in writing of the dates and amounts of all disbursements from the General Account of the Construction Fund during the preceding calendar month.

Withdrawals from the Construction Fund shall be made by written authorization of the Mayor or her designee, provided, not more than two (2) withdrawals may be made each month. The City hereby authorizes the Custodian to disburse the moneys in the Construction Fund and to pay out the same to the persons entitled thereto in accordance with instructions of the City in the form referred to below, only for the purposes set forth herein.

Payments from the General Account of the Construction Fund shall be made by the Custodian only upon receipt of the certificate below described:

A requisition signed by the Mayor stating, with respect to each payment:

(i) the amount to be paid;

(ii) the nature and purpose of the obligation for which such payment is requested;

(iii) the person, firm or corporation to whom such obligation is owed or to whom a reimbursable advance has been made;

(iv) that such obligation has been properly incurred and is a proper charge against the Construction Fund and has not been the basis of any previous withdrawal;

(v) that the City has not received notice of any mechanic's, materialmen's or other liens or right to liens or other obligations (other than those being contested in good faith) which should be satisfied or discharged before payment of such obligation is made; and

(vi) That such payment does not include any amount which is then entitled to be retained under any holdbacks or retainages provided for in any agreement.

With respect to any such requisition for payment for work, materials or supplies, a certificate signed by the Mayor certifying that such obligation was incurred for work, material or supplies in connection with the acquisition, construction or installation of the Project and that such work was actually performed in a satisfactory manner and such materials or supplies were actually used in or for such acquisition, construction or installation or delivered to the Project for that purpose in accordance with the approved plans and specifications.

In making any such payment from the Construction Fund the Custodian may rely on such directions, requisitions and certifications delivered to it pursuant to this Section and the custodian shall not have any liability with respect to making such payments in accordance with such directions, requisitions and certifications for any liability with respect to the proper application thereof by the City.

If after the payment in full of all costs of the Project or after adequate provision has been made for such payment any moneys remain in the Construction Fund, such excess shall be paid into the Debt Service Fund and shall be used only for the payment of the principal of and interest on the Series 1991B Bond.

Section 4.10. Investments.

Amounts on deposit in the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund shall be invested by the Custodian at the direction of the City in Permitted Investments.

At any time that the amount on deposit in the Debt Service Reserve Fund is less than the Reserve Fund Requirement, any earnings on the investment of amounts on deposit in the Debt Service Reserve Fund shall be credited to the Debt Service Reserve Fund and at all other times such earnings shall be credited to the Debt Service Fund. Any earnings on the investments of amounts on deposit in the Debt Service Fund shall be credited to the Debt Service Fund. Any earnings on investments of amounts on deposit in the Capitalized Interest Account of the Construction Fund shall be credited to the Debt Service Fund. Any earnings on investments of amounts on deposit in the General Account of the Construction Fund shall be credited to the General Account of the Construction Fund. Any losses resulting from the investment of amounts on deposit in the Debt Service Reserve Fund, the Debt Service Fund and the Construction Fund shall be charged to the fund or account from which such investments are made.

Section 4.11. Custodian's Right to Rely.

The Custodian may conclusively rely upon any investment directions given by the City within the limitations set forth herein and shall not be liable or responsible for (a) any diminution in the value of any investments made pursuant to Section 4.10 or for any loss arising from any sale or other disposition thereof or (b) for any violation of any statute or of any other policy or rules or regulations of the Internal Revenue Service with respect to "arbitrage bonds".

Section 4.12. Payment of Expenses.

The City shall pay, from time to time upon request, its pro rata portion of the costs and expenses incurred by (a) the Holder in connection with the Holder Obligations or (b) the Custodian as trustee for the Holder Obligations or as Custodian in connection with the Series 1991B Bond.

Section 4.13. Valuation.

(a) For the purpose of determining the amount on deposit in any Fund or account, Permitted Investments in which money in such Fund or account is invested shall be valued at the market value of such obligations.

(b) The Custodian shall value the Permitted Investments in the Funds and accounts established under this Ordinance on each December 31 and June 30, provided, the Debt Service Reserve Fund shall be valued on the first day of each calendar quarter. In addition, the Permitted Investments shall be valued by the Custodian at any time requested by the City on reasonable notice to the Custodian (which period of notice may be waived or reduced by the Custodian); provided, however, that

the Custodian shall not be required to value the Permitted Investments more than once in any calendar quarter.

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ARTICLE V

ADDITIONAL BONDS

Section 5.1. Issuance of Additional Bonds.

The City specifically reserves the right to issue Additional Bonds in such amount as it from time to time shall deem necessary and which, if issued in accordance with the provisions hereof, shall be on a parity with the Series 1991A Bond and the Series 1991B Bond. Such right to issue Additional Bonds shall be conditioned upon full observance of all of the following provisions of this Article:

(a) Such Additional Bonds shall be issued to obtain funds to defray the cost of improving, extending, enlarging or repairing the System or any system into which the System may be combined, or to obtain funds to refund any bonds having any claim to the Revenues of the System;

(b) There shall exist, at the time of the issuance of the Additional Bonds, no default in the payment of the principal and interest of the Series 1991A Bond and the Series 1991B Bond or any Additional Bonds then Outstanding, and, if default in the payment of interest or principal of the Series 1991A Bonds and the Series 1991B Bond or any Additional Bonds then Outstanding shall have occurred such default shall have been remedied at least six (6) months prior thereto;

(c) There is on deposit in the Debt Service Reserve Fund an amount equal to the Reserve Fund Requirement and in any analogous fund established for any Additional Bonds then Outstanding an amount equal to the sums which would have been deposited therein if each payment required to be deposited in such fund had been paid;

(d) There shall be established by the ordinance authorizing each issue of Additional Bonds a bond and interest redemption fund for the benefit of such Additional Bonds, which shall operate in a manner similar to the Debt Service Fund;

(e) There shall be established by the ordinance authorizing each issue of Additional Bonds, a debt service reserve fund substantially proportionate in amount and of like nature to the Debt Service Reserve Fund established for the Series 1991B Bond;

(f) Except in the case of Additional Bonds issued for the purpose of refunding any Bonds:

(i) The net earnings of the System (which are hereby defined as gross Revenues less the Expenses of Operating

and Maintaining the System) for the Fiscal Year immediately preceding the Fiscal Year in which Additional Bonds are to be issued or for any twelve (12) consecutive month period ending not more than 180 days prior to the enactment of the supplemental ordinance authorizing such Additional Bonds (the "Test Period"), adjusted to reflect any rate increases currently adopted and to be in effect prior to or coincident with the issuance of such Additional Bonds, and determined pro forma as though such rate increases had been in continuous effect during such Test Period, shall be not less than one hundred twenty percent (120%) of the combined principal and interest requirements of the current Fiscal Year for all Bonds and Additional Bonds then Outstanding immediately prior to the proposed issuance;

(ii) For each of the five (5) Fiscal Years following the later of the date of the delivery of such Additional Bonds or the period (if any) for which interest is funded from the proceeds of such Additional Bonds, net earnings, as shall have been forecasted by the Consulting Engineer, will be not less than one hundred twenty percent (120%) of the combined principal and interest requirements on all Series 1991A Bonds, the Series 1991B Bond and Additional Bonds then proposed to be outstanding in each of such five (5) Fiscal Years; and

(iii) For the purpose of this paragraph (f), in determining "net earnings" the principal of and interest on long term indebtedness and depreciation shall not be taken into account. Both the City and any Holder shall be entitled to rely upon the forecast of the Consulting Engineer made in good faith as to the net earnings of the System, which are based upon historical net earnings certified by the Consulting Engineer.

(g) In the case of Additional Bonds issued for the purpose of refunding any Bonds either:

(i) The combined principal and interest requirements of the refunding Additional Bonds in each succeeding Fiscal Year shall not exceed the annual combined principal and interest requirements of the refunded bonds in such Fiscal Year until a time subsequent to the last maturity of Bonds then Outstanding and which remain Outstanding following the issuance of such Additional Bonds; or

(ii) The City shall comply with the earnings test prescribed by both subparagraphs (i) and (ii) of paragraph (f) above.

(h) The City shall covenant and agree to increase the maximum amounts of the Contingent Fund and the Depreciation

Fund in the proportion that the Additional Bonds then to be issued shall bear to the Series 1991B Bond; and

(i) The City shall covenant and agree that if, under the proceedings authorizing the Additional Bonds, it shall be permitted to optionally redeem bonds of such issue of Additional Bonds, that all amounts applied for the optional redemption will be applied to the redemption of the Series 1991B Bond and to each series of Additional Bonds pro rata based on the proportion of the original principal amount of bonds of each such issue then Outstanding; provided, however, that the City shall at all times have the right, the provisions of this paragraph notwithstanding, to redeem bonds of any issue which may be called without the payment of a redemption premium.

Section 5.2. Junior Bonds.

While the Series 1991A Bond, the Series 1991B Bond or any Additional Bonds are outstanding, the City may at any time issue Junior Bonds, in such amounts as it may from time to time determine, payable from the Revenues of the System, provided that the pledge of Revenues and any lien upon the System granted for the added protection of such Junior Bonds shall at all times be subordinate and inferior to the pledge of the Revenues and the lien upon the System securing the payment of the Series 1991A Bond, the Series 1991B Bond and any Additional Bonds; and provided further, that the proceeds thereof are used to effect improvements, extensions or repairs to the System.

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ARTICLE VI

GENERAL COVENANTS

Section 6.1. Rates and Charges.

The City hereby covenants and agrees that it will establish, levy, maintain, revise when necessary and collect the rates and charges for all services furnished by the System, so that such rates and charges shall at all times be sufficient (a) to pay all Expenses of Operating and Maintaining the System and costs of replacement, renewal and repairs of the System, including such expenses as may be necessary to preserve the same in good repair and working order; (b) to establish all reserves required by the Act; (c) to produce at least 120% of the annual principal and interest requirements on the Series 1991A Bond, the Series 1991B Bond, and any Additional Bonds; (iv) to create the required reserves therefor and to meet any further obligations of the City which are charges, liens, or encumbrances upon the Revenues of the System; and (v) to comply in all respects with the terms of this Ordinance.

In the event of a deficiency in Revenues available to meet the approved budget in any period, the City covenants and agrees to revise the schedule of rates and charges for all services furnished by the System in an amount designed to fund such deficiency, unless the Holders of all Bonds then Outstanding waive such requirement. The ability of Revenues of the System to meet the budget shall be evaluated by the City at least quarterly and action required by this paragraph shall be taken within sixty (60) days after the end of the fiscal quarter when any deficit occurs.

Section 6.2. Covenants of City.

The City covenants and agrees:

(a) Neither the System, nor any part thereof, nor any of the Revenues derived from the System, have been or will be hypothecated or mortgaged or otherwise pledged or encumbered except as contemplated herein;

(b) So long as the Bonds are Outstanding, it will not sell, pledge, mortgage, hypothecate, lease or dispose of the System (except that it may dispose of obsolete equipment, provided that the proceeds thereof shall be deposited in the Gross Revenue Fund), or any part thereof, or any Revenues therefrom, except in the manner authorized by the provisions of this Ordinance;

(c) It will maintain, preserve and keep the System in good repair and working order, and will from time to time, when necessary, make or cause to be made all necessary and proper repairs and replacements, and the business operations of the System shall be conducted in a manner consistent with prudent management, and it will, in every respect, perform and comply with any applicable federal, state and local laws and regulations;

(d) It will conduct the operation of the System in an economical and efficient manner, and it will receive and consider all recommendations made to it by the administrative officers in control of the System which are designed to ensure prudent and economical operation;

(e) It will permit no free service to be rendered or use to be made of the services and facilities of the System, and for the services and facilities of the System used by the City, or by any agency thereof the reasonable cost and value of such services and facilities shall be paid as such services or facilities accrue. The Revenues so received shall be deemed to be Revenues derived from the operation of the System, and shall be accounted for in the same manner as other Revenues from the System;

(f) (i) So long as any Bonds are Outstanding, it will at all times keep the properties of the System insured against all hazards customarily insured against by municipal corporations engaged in similar endeavors, to the full insurable value thereof, with a responsible insurance or bonding company or companies authorized and qualified under the laws of the State of South Carolina to assume such risks, and to pay the cost of such fidelity bonds and such insurance from the funds maintained to pay Expenses of Operating and Maintaining the System.

(ii) All sums received by the City from insurance policies may, to the extent necessary, be applied to the repair and replacement of the damaged or destroyed property, but, in the event that such moneys are not used for such purposes, then the same shall be deposited in and become a part of the Gross Revenue Fund.

(iii) All insurance policies shall be open to inspection by the Holders at all reasonable times.

(g) It will permit, at all reasonable times, so long as the Bonds are Outstanding, the Holders to inspect the System and all records and accounts thereof;

(h) It will dispose of all moneys received from the operation of the System in the manner required by this Ordinance;

(i) It will perform all duties with reference to the System required by the Constitution and statutes of the State of South Carolina, local laws and ordinances, federal laws, rules, regulations or requirements in connection with the acquisition, construction and operation of the System, and the provisions of this Ordinance including obtaining any required permits issued by local, State or federal bodies;

(j) To the extent permitted by applicable law, it will refrain from claiming or taking the benefit or advantage in any manner whatsoever of any stay or extension law whenever enacted or at any time hereafter in force which may affect in any way the duties of the City in relation to the Bonds, or the lien thereof, or the performance of the covenants of this Ordinance;

(k) It will take all action, as may be necessary or lawful, to perfect liens on premises served by the System for the amount of all delinquent rates and charges attributable thereto;

(l) It will, to the full extent permitted by law, discontinue the services and facilities of the System to all delinquent users of services of the System and will not restore the services of the System until all delinquent charges for the services of the System have been fully paid;

(m) It will not provide or consent to the provision of any services which would compete with the System;

(n) To the extent authorized by the laws of the State of South Carolina, prospective users of the System shall be required to connect thereto;

(o) It will preserve and protect the security for the Bonds and the rights of the Holders thereof and warrant and defend such rights against all claims and demands of all persons whomsoever;

(p) It will pay and discharge, or cause to be paid or discharged, any and all lawful claims for labor, materials and supplies which, if unpaid, might by law become a lien or charge upon the Revenues or any part thereof prior or superior to the lien of the Bonds or which might impair the security of the Bonds in order to preserve and protect fully the priority and security for the Bonds; and

(q) It will hold, or cause to be held, in trust the Revenues pledged to the payment of the Bonds for the benefit of the Holders of the Bonds and apply such Revenues only as provided this Ordinance.

Section 6.3. Records of System; Audit.

The City covenants and agrees:

(a) That it will keep proper books of records and accounts, separate from all other records and accounts, in which complete and correct entries shall be made of all transactions relating to the System, all Revenues derived therefrom, directly or indirectly, and all expenditures which may be made of the Revenues of the System. Such records shall be kept in such fashion as to show:

(i) the number of consumers who may from time to time make use of the System;

(ii) the Revenues derived from the System, segregated into appropriate classifications;

(iii) the Expenses of Operating and Maintaining the System, separated so that expenses for labor, material, and other classifications shall be shown in accordance with generally accepted accounting principles;

(iv) the expenditures made for improvements and enlargements to the System;

(v) the expenditures made to restore depreciated property constituting a part of the System; and

(vi) the rate schedule that may from time to time be in force.

(b) The Council shall annually adopt a detailed budget of the estimated expenditures for the operation and maintenance of the System during the succeeding Fiscal Year.

(c) That as soon after the close of each Fiscal Year as possible, it will cause to be made by an independent firm of certified public accountants, of suitable experience and responsibility, to be chosen by the City, an audit of the records, books, and accounts pertaining to the System, and to furnish a copy of such audit to the Holders.

(d) That, not later than three (3) months after the close of each Fiscal Year, it will cause to be prepared a balance sheet and an income and surplus account, showing, in reasonable detail, the financial condition of the System at the

close of such preceding Fiscal Year and the financial operations thereof during such Fiscal Year. The balance sheets and income and surplus accounts will at all reasonable times during usual business hours be open to examination and inspection by the Holders, any taxpayer of the City, user of the services furnished by the City, or anyone acting for or on behalf of such persons.

Section 6.4. Tax Exemption of Bonds.

As prescribed by Section 12-1-60 of the Code of Laws of South Carolina, 1976, as amended, the Bonds and the interest thereon shall be exempt from all state, county, municipal, school district and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes. The provisions of this Section shall be deemed a part of the contract inuring to the benefit of all Holders of the Bond.

Section 6.5. Tax Matters

The City covenants and agrees as follows:

(a) It will not take any action which will, or fail to take any action which failure will, cause interest on the Series 1991B Bond to become includable in the gross income of the Holders thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Series 1991B Bond.

(b) All property provided by the net proceeds of the Series 1991B Bond will be owned by the City in accordance with the rules governing the ownership of property for federal income tax purposes.

(c) Work on the construction and equipping of the Project will proceed with due diligence to completion, which is reasonably expected to occur prior to the date that is three (3) years from the date of issuance of the Holder Obligations.

(d) Any amounts on deposit hereunder constituting proceeds of the Series 1991B Bond (within the meaning of the Code) (other than amounts on deposit in the Debt Service Reserve Fund and the Debt Service Fund) will not be invested at a yield in excess of the lesser of (i) the yield on the Holder Obligations and (ii) the yield on the Series 1991B Bond, from and after the date that is three (3) years from the date of issuance of the Holder Obligations.

(e) At least 80% of the net proceeds of the Series 1991B Bond shall be used for construction expenditures with respect to property which is owned by the City, within the meaning of Section 148(f)(4)(B)(iv)(IV) of the Code.

(f) The City shall pay to the Holder, upon demand therefor, its allocable portion of all amounts payable to the United States by the Holder with respect to the Holder Obligations pursuant to Section 148(f) of the Code.

(g) For each investment acquired with the gross proceeds (within the meaning of the Code) of the Series 1991B Bond or otherwise allocated to the Series 1991B Bond, the City shall record, or cause to be recorded, its purchase date, its purchase price (reduced by broker's or dealer's commissions or other administrative expenses, which shall also be stated), its fair market value (within the meaning of the Code), accrued interest due on its purchase date, its face amount, its coupon rate, its yield, frequency of its interest payments, its disposition price, accrued interest due on its disposition date and its disposition date. The City shall also record, or cause to be recorded, the date and amount of all expenditures made with the proceeds of the Series 1991B Bond.

(h) The City shall notify the Holder in writing of the date, amount and nature of the first disbursement from the General Account of the Construction Fund of more than a de minimis amount to pay costs of the Project. Such notice shall be given to the Holder within five (5) days of the date of such disbursement. The City expects to request such a disbursement within six (6) months from the date of issuance of the Holder Obligations.

(i) The City shall engage an accountant or counsel experienced in matters relating to compliance with Section 148 of the Code to calculate the amounts payable from time to time by the City to the United States with respect to the Series 1991B Bond under Section 148(f) of the Code.

(j) The City expects to spend all of the amounts deposited in the Construction Fund, together with all earnings on such amounts, and all earnings from other funds or accounts deposited therein within three (3) years from the date on which the Holder Obligations were issued.

Section 6.6. Condition of City's Obligation; Payment of Principal and Interest.

Each and every covenant herein made, including all covenants made in the various section of this Article VI, is predicated upon the condition that any obligation for the payment of money incurred by the City shall not create a pecuniary liability of the City or a charge upon its general credit or taxing power, but shall be payable solely from the Revenues which are required to be set apart and transferred to the Debt Service Fund, which Revenues are hereby specifically pledged to the payment thereof in the manner and to the extent in this Ordinance specified and nothing in the Series 1991B Bond or in this Ordinance shall be considered as pledging any other funds or assets of the City.

The Series 1991B Bond, together with interest thereon, shall be a limited obligation of the City, payable from the Debt Service Fund and other Funds pledged herein and shall be a valid claim of the respective Holders thereof only against such Funds and the Revenues, which Revenues are hereby pledged and assigned for the equal and ratable payment of the Series 1991B Bond and shall be used for no other purposes than to pay the principal of and interest on the Series 1991B Bond, except as may be otherwise expressly authorized in this Ordinance. The Series 1991B Bond does not now and shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation (other than Article X, Section 14, Paragraph 10 of the South Carolina Constitution authorizing the obligations of political subdivisions payable solely from special sources not involving revenue from any tax or license), and shall never constitute nor give rise to a pecuniary liability of the City or a charge against the general credit or taxing powers of the City.

Section 6.7. Performance of Covenants; Authority of the City.

The City covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Ordinance, in the Series 1991B Bond and in all proceedings pertaining thereto. The City covenants that it is duly authorized under the Constitution and laws of the State of South Carolina, to issue the Series 1991B Bond authorized hereby, to enact this Ordinance, and to pledge the Revenues hereby pledged in the manner and to the extent herein set forth; that all action on its part for the issuance of the Series 1991B Bond and the enactment of this Ordinance has been duly and effectively taken, and that the Series 1991B Bond in the hands of the Holders thereof is and will be a valid and enforceable obligation of the City according to the import thereof.

Section 6.8. Instruments of Further Assurance.

The City covenants that it will do, execute, acknowledge, and deliver or cause to be done, executed, acknowledged and delivered, such ordinances supplemental hereto and such further acts, instruments, and transfers as the Holders may reasonably require for the better assuring, transferring, conveying, pledging, assigning, and confirming to the Holders the Revenues pledged hereby to the payment of the principal of and interest on the Bonds.

* * * *

ARTICLE VII

CUSTODIANS

Section 7.1. Appointment of Custodian.

The City appoints C&S/Sovran Trust Company, N.A. which is a duly qualified bank doing business in South Carolina, and whose deposits are insured by the Federal Deposit Insurance Corporation, satisfactory to the City, as Custodian of the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund established by this Ordinance. All funds held by the Custodian shall be impressed with a trust for the benefit of the persons entitled thereto as provided by the Act and the provisions of this Ordinance. At the time such deposits are made, instructions shall be given requiring compliance with the provisions of this Ordinance.

Section 7.2. Qualifications of Custodians; Acceptance by Custodian.

Each Custodian to be appointed hereunder shall, on the occasion of its appointment, be a member of the Federal Deposit Insurance Corporation and shall remain such a member throughout the period during which it shall act as such Custodian. Each Custodian shall accept its appointment by a written instrument embodying its agreement to remain a member of the Federal Deposit Insurance Corporation.

Section 7.3. Custodians Protected in Relying Upon Resolutions, Etc.

All the Custodians shall at all times be protected in acting upon any notice, ordinance, resolution, request, consent, order, certificate, statement, opinion, bond, coupon or other paper or document believed to be genuine and to have been signed by the proper party or parties. No Custodian shall be under any obligation to perform any act which would involve it in expense, or to institute any suit, or defend the same, or to advance any of its own moneys, unless properly indemnified to its satisfaction. Nor shall any Custodian be liable in connection with the performance of its duties hereunder, except for its own gross negligence or default.

Section 7.4. Appointment of Successor Custodians.

Should any Custodian resign, become incapable of acting, or fail to remain a member of the Federal Deposit Insurance Corporation, the City shall appoint a successor Custodian in accordance with directions of the Authority. Immediately following such appointment, the City shall give

written notice of such appointment to the Authority and any other Holder of the Series 1991B Bond.

* * * * *

ARTICLE VIII

DEFAULTS AND REMEDIES

Section 8.1. Events of Default.

Each of the following events shall constitute an Event of Default hereunder:

(a) Default in the due and punctual payment of any interest on any Bond; or

(b) Default in the due and punctual payment of the principal of or premium, if any, on any Bond whether at the stated maturity thereof, upon proceedings for redemption thereof or upon the maturity thereof by declaration;

(c) Subject to the provisions of the last paragraph in Section 8.2, default in the performance or observance of any of the covenants, agreements or conditions on the part of the City contained in this Ordinance or in the Bonds other than as described in (a) or (b) above; or

(d) Subject to the provisions of the last paragraph of Section 8.2, any warranty, representation or other statement by or on behalf of the City contained in this Ordinance or in any instrument furnished in compliance with or in reference to this Ordinance is false or misleading, when made, in any material respect; or

(e) A petition is filed against the City under any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction whether now or hereafter in effect and is not dismissed within sixty (60) days after such filing; or

(f) The City files a petition in voluntary bankruptcy or seeking relief under any provisions of any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction whether now or hereafter in effect, or consents to the filing of any petition against it under such law; or

(g) The City is generally not paying its debts as such debts become due, or becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, or a liquidator or trustee of the City or any of its property is appointed by court order or takes possession and such order remains in effect or such possession continues for more than sixty (60) days; or

(h) The City, for any reason, shall be rendered incapable of fulfilling its obligations under this Ordinance.

Section 8.2. Remedies.

Upon the occurrence of an Event of Default, the Custodian may, and upon the written request of the Holders of not less than twenty-five percent (25%) in aggregate principal amount of Bonds then Outstanding shall, by notice in writing delivered to the City, declare the principal of all Bonds then Outstanding and the interest accrued thereon immediately due and payable, and such principal and interest shall thereupon become and be immediately due and payable.

Upon the occurrence of an Event of Default, the Custodian shall have the power to proceed with any right or remedy granted by the Constitution and laws of the State, as it may deem best, including any suit, action or special proceeding in equity or at law, for the specific performance of any covenant or agreement contained herein or for the enforcement of any proper legal or equitable remedy as the Custodian shall deem most effectual to protect the rights aforesaid, insofar as such may be authorized by law. The rights herein specified are to be in addition to all other available rights, remedies or powers and shall not exclude any such rights, remedies or powers.

Anything herein to the contrary notwithstanding, the Holders of a majority in aggregate principal amount of Bonds then Outstanding shall have the right, at any time, by an instrument or instruments in writing executed and delivered to the Custodian, to direct the exercise of remedies and the time, method and place of conducting all proceedings to be taken in connection with the enforcement of the terms and conditions hereof.

The Custodian shall waive any Event of Default hereunder and its consequences and rescind any declaration of maturity of principal of, premium, if any, and interest on the Bonds upon the written request of the Holders of a majority in aggregate principal amount of all Bonds then Outstanding; provided, however, that there shall not be waived any Event of Default pursuant to Section 8.1(a) or (b), unless prior to such waiver or rescission, all arrears of interest, with interest at the rate borne by the Bonds on overdue installments of interest, and all arrears of payments of principal then due (whether at the stated maturity thereof or upon proceedings for redemption) with interest at the rate borne by the Bonds on such arrears, and all expenses of the Custodian in connection with such Event of Default shall have been paid or provided for, and in case of any such waiver or rescission, or in case any proceeding taken by the Custodian on account of any such

Event of Default shall have been discontinued or abandoned or determined adversely, then and in every such case the City, the Custodian and the Holders shall be restored to their former positions and rights hereunder respectively, but no such waiver or rescission shall extend to any subsequent or other Event of Default or impair any right consequent thereon.

No Event of Default under Section 8.1(c) or (d) shall exist until actual notice of the occurrence of an event described in Section 8.1(c) or (d) by registered or certified mail shall be given by the Custodian or by the Holders of not less than twenty-five percent (25%) of the aggregate principal amount of Bonds then Outstanding to the City and the City shall have had sixty (60) days after receipt of such notice to correct such occurrence or cause such occurrence to be corrected, and shall not have corrected such occurrence or caused such occurrence to be corrected within such period; provided, however, if such occurrence be such that it cannot be corrected within the applicable period, it shall not constitute an Event of Default if corrective action is instituted by the City within the applicable period and is diligently pursued and such occurrence is corrected within ninety (90) days after the notice described above has been given.

Section 8.3. Application of Moneys. All moneys received by the Custodian pursuant to any right given or action taken under the provisions of the Article VIII shall, after payment of the cost and expenses of the proceedings resulting in the collection of such moneys and of the fees, expenses, liabilities, legal fees and advances incurred or made by the Custodian, be applied as follows:

(i) Unless the principal of all the Bonds shall have become or shall have been declared due and payable, all such moneys shall be applied:

First--To the payment of the Holders entitled thereto of all installments of interest then due on the Bonds, in the order of the maturity of the installments of such interest and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the Holders entitled thereto, without any discrimination or privilege; and

Second--To the payment of the Holders entitled thereto of the unpaid principal of and premium, if any, on any of the Bonds which shall have become due (other than Bonds called for redemption for the payment of which moneys are held pursuant to the provisions of this Ordinance), with interest on such Bonds at the rate specified therein from the dates on which they became due and, if the amount available shall not be

sufficient to pay in full principal of and premium, if any, on the Bonds, together with such interest, then first to the payment of such interest due on such date and then to the payment ratably, according to the amount of the principal and premium, if any, due on such date, to the Holders entitled thereto without any discrimination or privilege.

(ii) If the principal of all the Bonds shall have become due or shall have been declared due and payable, all such moneys shall be applied to the payment of the principal, premium, if any, and interest then due and unpaid upon the Bonds, without preference or priority of principal over interest or of interest over principal, or of any installment of interest over any other installment of interest, or of any Bond over any other Bond, ratably, according to the amounts due respectively for principal, premium, if any, and interest to the Holders entitled thereto without discrimination or privilege.

* * * * *

ARTICLE IX

DEFEASANCE

The obligations of the City under this Ordinance and the liens, pledges, charges, trusts and the covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to any portion of the Series 1991B Bond and, unless or except as otherwise provided in a supplemental ordinance providing for the issuance of any Additional Bond, such Series 1991B Bond or Additional Bond shall no longer be deemed to be Outstanding hereunder when:

(a) such Series 1991B Bond or Additional Bond shall have been purchased by the City and surrendered to the City for cancellation or otherwise surrendered to the City and is canceled or subject to cancellation by the City; or

(b) payment of the principal of, redemption premium, if any, and interest on such Series 1991B Bond or Additional Bonds, either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with the Custodian in trust and irrevocably setting aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment. At such time as the Series 1991B Bond or Additional Bonds shall no longer be deemed to be Outstanding hereunder, such Series 1991B Bond or Additional Bond, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

Any moneys so deposited with the Custodian as provided in this Article may at the direction of the City also be invested and reinvested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from all Government Obligations in the hands of such Custodian which is not required for the payment of the Bonds or Additional Bonds and interest thereon with respect to which such moneys shall have been so deposited, shall be treated as Revenues of the System.

Notwithstanding any provision hereof which may be contrary to the provisions of this Article, all moneys or Government Obligations set aside and held in trust pursuant to the provisions of this Article for the payment of Bonds or Additional Bonds shall be applied to and used solely for the payment of the particular principal portion of the Series 1991B Bond or the particular Additional Bonds with respect to which

such moneys and Government Obligations have been so set aside in trust.

* * * * *

ARTICLE X

AMENDING AND SUPPLEMENTING OF ORDINANCE

Section 10.1. Amending and Supplementing of Ordinance Without Consent of Holders of Bonds.

(a) The City, from time to time and at any time and without the consent or concurrence of any Holder of any Bonds Outstanding, may enact an ordinance amendatory hereof or supplemental hereto, (i) for the purpose of providing for the issuance of Additional Bonds pursuant to the provisions of Article V hereof or (ii), if the provisions of such supplemental ordinance shall not materially adversely affect the rights of the Holders of the Bonds then outstanding, for any one or more of the following purposes:

(i) To make any changes or corrections in the Ordinance as to which the City shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing or correcting any ambiguity or defective or inconsistent provision or omission or mistake or manifest error contained in the Ordinance, or to insert in the Ordinance such provisions clarifying matters or questions arising under the Ordinance as are necessary or desirable;

(ii) To add additional covenants and agreements of the City for the purpose of further securing the payment of the Series 1991B Bond or Additional Bonds;

(iii) To surrender any right, power or privilege reserved to or conferred upon the City by the terms of the Ordinance;

(iv) To confirm as further assurance any lien, pledge or charge or the subjection to any lien, pledge or charge, created or to be created by the provisions of the Ordinance;

(v) To grant or confer upon the Bondholders any additional right, remedies, powers, authority or security that lawfully may be granted to or conferred upon them, or to grant to or to confer upon the Holders of the Series 1991B Bond or any Additional Bond any additional rights, duties, remedies, powers, authority or security;

(vi) To modify any of the provisions of the Ordinance in any other respects provided that such modification shall not be effective until after the Series 1991B Bond or any Additional Bond outstanding at the time such supplemental ordinance is enacted shall cease to be Outstanding, or until

the Holders thereof consent thereto pursuant to Section 10.2 of this Article, and any Bonds issued subsequent to any such modification shall contain a specific reference to the modifications contained in such supplemental ordinance; and

(vii) To make such additions, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Code relating to required rebate to the United States or otherwise as may be necessary to assure exemption from federal income taxation of interest on the Bond.

(b) Except for supplemental ordinances providing for the issuance of Additional Bonds pursuant hereto, the City shall not adopt any supplemental ordinance authorized by the foregoing provisions of this Section unless in the opinion of counsel (which opinion may be combined with the opinion required by Section 10.4 of this Article) the adoption of such supplemental ordinance is permitted by the foregoing provisions of this Section and the provisions of such supplemental ordinance do not adversely affect the rights of the Holders of any Bonds then outstanding.

Section 10.2. Amending and Supplementing of Ordinance With Consent of Holders of Bonds.

(a) With the consent of the Holders of not less than a majority in principal amount of the Bonds then Outstanding, the City from time to time and at any time may enact an ordinance amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, the Ordinance, or modifying or amending the rights and obligations of the City under the Ordinance, or modifying or amending in any manner the rights of the Holders of any Bonds Outstanding provided, however, that, without the specific consent of the Holder of each such Series 1991B Bond which would be affected thereby, no supplemental ordinance amending or supplementing the provisions hereof or thereof shall: (i) change the fixed maturity date of any Series 1991B Bond or Additional Bond or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any Bonds or Additional Bond or the rate of interest thereon or the redemption price (or the redemption premium) payable upon the redemption or prepayment thereof; (ii) reduce the aforesaid percentage of the Bonds or Additional Bonds, the Holders of which are required to consent to any supplemental ordinance amending or supplementing the provisions of the Ordinance; (iii) give to any Bonds or Additional Bonds any preference over any other Bond or Additional Bond secured hereby; (iv) authorize the creation of any pledge of the Revenues and other moneys pledged hereunder, prior, superior or equal to the pledge of any lien and charge thereon created herein for the

payment of Bonds Outstanding; or (v) deprive any Holder of Bonds of the lien on the Revenues afforded by the Ordinance. Nothing in this paragraph contained, however, shall be construed as making necessary the approval of the Holders of the Series 1991B Bond or any Additional Bonds of the enactment of any supplemental ordinance authorized by the provisions of Section 10.1 of this Article.

(b) It shall not be necessary that the consents of the Holders of Bonds Outstanding approve the particular form of wording of the proposed amendment or supplement or of the supplemental ordinance affecting such amending or supplementing hereof pursuant to this Section. The City shall mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement postage prepaid, to each Holder of Bonds Outstanding then Outstanding at his address, if any, appearing upon the Books of Registry and to the Custodian, but failure to mail copies of such notice to any of the Holders shall not affect the validity of the supplemental ordinance effecting such amendments or supplements or the consents thereto. Nothing in this paragraph contained, however, shall be construed as requiring the giving of notice of any amendment or supplement of the Ordinance authorized by Section 10.1 of this Article. No action or proceeding to set aside or invalidate such supplemental ordinance or any of the proceedings for its enactment shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the mailing of the notice required by this paragraph.

Section 10.3. Notation Upon Bonds; New Bonds Issued Upon Amendments.

Bonds delivered after the effective date of any action taken as provided in this Article may bear a notation as to such action, by endorsement or otherwise and in form approved by the City. In that case, upon demand of the Holder of any Bond outstanding after such effective date and upon the presentation of the Bond for such purpose at the principal office of the Clerk of the City, and at such additional offices, if any, as the City may select and designate for that purpose, a suitable notation shall be made on such Bond. If the City shall so determine, new Bonds, so modified as in the opinion of the City upon the advice of counsel to conform to the amendments or supplements made pursuant to this Article, shall be prepared, executed and delivered, and upon demand of the Holder of any Bond then Outstanding shall be exchanged without cost to such Holder for Bonds then outstanding, upon surrender of such Outstanding Bonds.

Section 10.4. Effectiveness of Supplemental Ordinance.

Upon the enactment (pursuant to this Article and applicable law) by the City of any supplemental ordinance amending or supplementing the provisions of the Ordinance and the delivery to the Custodian of an opinion of bond counsel that such supplemental ordinance is in due form and has been duly enacted in accordance with the provisions hereof and applicable law and that the provisions thereof are valid and binding upon the City, or upon such later date as may be specified in such supplemental ordinance, (a) the Ordinance and the Bonds shall be modified and amended in accordance with such supplemental ordinance, (b) the respective rights, limitations of rights, obligations, duties and immunities under the Ordinance of the City, the Custodian, and the Holders of the Bond shall thereafter be determined, exercised and enforced under the Ordinance subject in all respects to such modifications and amendments, and (c) all of the terms and conditions of any such supplemental ordinance shall be a part of the terms and conditions of the Bond and of the Ordinance for any and all purposes.

Section 10.5. Ordinance Affecting Custodians.

No supplemental ordinance changing, amending or modifying any of the rights, duties and obligations of any Custodian appointed by or pursuant to the provisions of the Ordinance may be enacted by the City or be consented to by the Holders of the Bond without written consent of such Custodian affected thereby.

* * * * *

ARTICLE XI

MISCELLANEOUS

Section 11.1. Execution of Documents.

The Mayor of the City and Clerk/Treasurer of the City are hereby authorized, empowered and directed to execute in the name of the City and under the seal of the City any and all other documents that may be required by the Authority as a condition precedent to making the aforesaid loan to the City, and the City is hereby authorized and empowered to accept and receive the proceeds of such loan.

Section 11.2. Tenor of Obligation.

Every covenant, undertaking, and agreement made on behalf of the City set forth in the Series 1991B Bond and in this Ordinance is made, undertaken, and agreed to for the proper securing of the payment of the principal of and interest on the Series 1991B Bond. Each shall be deemed to partake of the obligation of the contract between the City and the Holders, and shall be enforceable accordingly.

Section 11.3. Benefits of Ordinance Limited to the City and Holders of the Series 1991B Bond.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from the Ordinance or the Series 1991B Bond is intended or should be construed to confer upon or give to any person other than the City and the Holders of the Series 1991B Bond, any legal or equitable right, remedy or claim under or by reason of or in respect to the Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. The Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City and the Holders from time to time of the Series 1991B Bond as herein and therein provided.

Section 11.4. Ordinance Binding Upon Successors or Assigns of the City.

All the terms, provisions, conditions, covenants, warranties and agreements contained in the Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the Holders of the Series 1991B Bond.

Section 11.5. No Personal Liability.

No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the City contained in this Ordinance or the Series 1991B Bond, against any council member of the City, any officer or employee, as such, in his or her individual capacity, past, present or future, of the City, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Ordinance and the Series 1991B Bond are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such, past, present or future, of the City, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the City and the Bondholder or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the enactment of this Ordinance and the execution of the Series 1991B Bond, and as a condition of, and as a part of the consideration for, the enactment of this Ordinance and the execution of the Series 1991B Bond, expressly waived and released. The immunity of members, officers and employees of the City under the provisions contained in this Section 11.5 shall survive the completion of the Project and the termination of the Ordinance.

Section 11.6. Effect of Saturdays, Sundays and Legal Holidays.

Whenever the Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first Business Day occurring thereafter. Whenever in the Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the succeeding Business Day.

Section 11.7. Law and Place of Enforcement of the Ordinance.

The Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of the Ordinance shall be instituted in a court of competent jurisdiction in said State.

Section 11.8 Effect of Article and Section Headings and Table of Contents.

The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of the Ordinance.

Section 11.9. Savings Provision.

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.

Section 11.10. Repealing Clause.

All resolutions, ordinances, or parts thereof inconsistent herewith shall be, and the same are hereby, repealed to the extent of such inconsistencies.

Section 11.11. Effective Date.

This Bond Ordinance shall be effective without the necessity of any publication upon the date on which it receives second reading.

Section 11.12. Codification.

This Ordinance shall be forthwith codified in the Code of Ordinances in the manner required by law and shall be indexed under the general heading "$2,700,000 Water and Sewer System Revenue Bond, Series 1991B."

DONE IN MEETING DULY ASSEMBLED, THIS _____ DAY OF DECEMBER, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

_____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

APPROVED:

_____
Attorney for the City

Date of First Reading:_____

Date of Second Reading: _____

Exhibit A

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND, SERIES 1991B

$_____

KNOW ALL MEN BY THESE PRESENTS, that THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, a municipal corporation organized and existing under the laws of the State of South Carolina (the "city"), is justly indebted, and for value received, hereby promises to pay to the SOUTH CAROLINA RESOURCES AUTHORITY (the Authority), or its registered assigns, (unless this Bond be subject to redemption and shall have been duly called for previous redemption and payment of the redemption price shall be made or provided for) solely from the revenues described and pledged to the payment of this Bond, the principal sum of ____ _____ ($_____) DOLLARS, and to pay interest thereon at the interest rates per annum stated on Exhibit A attached hereto from the date hereof payable on _____ 1, 1992, and semiannually on _____ 1 and _____ 1 of each year thereafter. The principal hereof is payable on _____ 1 in each of the years and in the amounts shown on Exhibit A hereto. Both the principal hereof and interest hereon shall be payable in lawful money of the United States of America in the manner herein provided.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 21, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10) OR STATUTORY LIMITATION. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THIS BOND.

All payments by way of principal and interest shall be paid to the registered Holder or its legal representative, successors, or assigns at the address as it appears on the registration books (the "Books of Registry") kept by the City or at such other address as is provided to the City in writing by the registered Holder hereof, without presentation or surrender of this Bond. This Bond shall at all times be registered as to principal and interest in the name of the owner on the Books of Registry, and each transfer to be valid shall be made on the Books of Registry and similarly noted on this Bond. The Authority may at any time assign and transfer this Bond in the manner hereinabove noted.

This Bond is given as evidence of a loan to the City made by the Authority pursuant to the South Carolina Resources Authority Act and shall be subject to the present regulations of the Authority and to its future regulations not inconsistent with the express provisions hereof.

The City hereby certifies that traditional financing sources are not available for the entire costs of the project financed with the proceeds hereof.

This Bond is issued pursuant to Title 6, Chapter 21, Code of Laws of South Carolina 1976, as amended (the "Act"), and Ordinance No. _____ enacted by the City Council of the City on December __, 1991 (the "Bond Ordinance"), to provide funds for the cost of constructing improvements and extensions to the water and sewer system of the City (the "System"). All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Bond Ordinance.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which this Bond is issued and upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the interest thereon are special obligations of the City payable solely from, and secured equally and ratably by a pledge of and lien upon, the Revenues (as defined in the Bond Ordinance) derived by the City from the System after paying the Expenses of Operating and Maintaining the System (as defined in the Bond Ordinance), on a parity with

the pledge and lien of the Revenues securing the Series 1991A Bond (as defined in the Bond Ordinance) of the City, and on a parity with any Additional Bonds (as defined in the Bond Ordinance) hereafter issued under the Bond Ordinance payable from such Revenues on a parity and equally and ratably secured therewith.

The principal portion of this Bond maturing on or after _____ 1, 200_, shall be subject to redemption at the option of the City, in whole on any date or in part in Authorized Denominations (as defined in the Bond Ordinance) on any Interest Payment Date (as defined in the Bond Ordinance), at any time on or after _____ 1, 200_, at the redemption prices (expressed as percentages of principal amount) set forth in the table below plus interest accrued to the redemption date.

Redemption Period (Dates Inclusive)	Redemption Prices (plus accrued interest)
December 1, 200_ through November 30, 200_	102%
December 1, 200_ through November 30, 200_	101 1/2%
December 1, 200_ through November 30, 200_	101%
December 1, 200_ through November 30, 200_	100 1/2%
December 1, 200_ and thereafter	100%

The principal portion of this Bond maturing on _____ 1, 20__ is subject to mandatory redemption commencing _____ 1, 20__, at a redemption price equal to 100% of the principal portion of this Bond to be redeemed plus interest accrued to the redemption date, on _____ 1 of each of the following years in the respective principal amount (after credit as provided in the Bond Ordinance) for each year specified in the following table:

Year	Amount
2006	$
2007	
2008	
2009	
2010*	

*Maturity.

The principal portion of this Bond maturing on _____ 1, 20__, is subject to mandatory redemption commencing _____ 1, 20__, at a redemption price equal to 100% of the principal portion of this Bond to be redeemed plus interest accrued to the redemption date, on _____ 1 of each of the following years in the respective principal amount (after credit as

provided in the Bond Ordinance) for each year specified in the following table:

Year	Amount
2011	$
2012	
2013	
2014	
2015	
2016	
2017	
2018	
2019	
2020*	

*Maturity.

Notice of such redemption shall be given at least sixty (60) days but not less than eighty (80) days prior to the date fixed for redemption by registered or certified mail. Such notice shall be mailed to the address of the Registered Holder as shown on the Books of Registry. The notice shall state (i) the redemption date, (ii) the redemption price, (iii) if less than all of the outstanding principal installments of this Bond are to be redeemed, the identification and the respective principal amounts to be redeemed. The place of redemption shall be the corporate trust office of the Custodian. Interest on the portion of this Bond so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are on deposit with the Custodian to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the portion of this Bond so called for redemption shall be surrendered for cancellation.

In certain events, on the conditions, in the manner, and with the effect set forth in the Bond Ordinance, all unpaid principal installments of this Bond, together with the interest accrued thereon, may become or may be declared to be due and payable before the stated due dates hereof.

Both the principal of and interest on this Bond are payable solely from the Revenues (as defined in the Bond Ordinance) derived from the operation of the System. The City is not obligated to pay this Bond or the interest hereon, save and except from the Revenues derived from the operation of the System.

The City hereby covenants agrees that it will continuously operate and maintain the System and establish, levy, maintain, revise when necessary and collect the rates and

charges for all services furnished by the System, so that such rates and charges shall at all times be sufficient (1) to pay all Expenses of Operating and Maintaining the System and costs of replacement, renewal and repairs of the System, including such expenses as may be necessary to preserve the same in good repair and working order; (2) to establish all reserves required by the Act; (3) to produce at least 120% of the annual principal and interest requirements on the Series 1991A Bond (as defined in the Bond Ordinance) this Bond and any Additional Bonds; (4) to create the required reserves therefor and to meet any further obligations of the City which are charges, liens or encumbrances upon the Revenues of the System; and (5) to comply in all respects with the terms of the Bond Ordinance.

Pursuant to the Act, there has been created and granted to and in favor of the Holder of this Bond, a statutory lien which is hereby recognized as valid and binding on the System, with the appurtenances and extensions thereto, and the System shall remain subject to such statutory lien until the payment in full of the interest on and principal of this Bond. Upon the happening of any Event of Default (as defined in the Bond Ordinance, all sums then due by way of principal on this Bond may, at the option of the Holder hereof, be declared forthwith due and payable, in the manner and with the effect provided for in said Ordinance.

The principal of and interest on this Bond are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina except inheritance, estate and transfer taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required by the Constitution and laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this Bond exist, have happened, and have been done and performed in regular and due time, form and manner, and that the amount of this Bond does not exceed any constitutional or statutory limitation thereon; and that provision has been made for the payment of the principal of and interest on this Bond, as provided in the Bond Ordinance.

IN WITNESS WHEREOF, the City of Isle of Palms has caused this Bond to be signed in its name by the Mayor of the City, attested by the Clerk/Treasurer of the City, under the Seal of the City to be impressed hereon, and this Bond to be dated the ____ day of December, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

FORM OF ASSIGNMENT

(A form similar to this but not attached to the within Bond may also be used)

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto _____ the within Bond of the _____ and hereby irrevocably constitutes and appoints _____ _____, Attorney to transfer the same on books of the _____ with full power of substitution in the premises.

_____

Dated: _____, 19__.

DATE OF REGISTRATION	NAME OF REGISTERED HOLDER	SIGNATURE CLERK/TREASURER OF CITY
_____, 1991	South Carolina Resources Authority	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

EXHIBIT A

SCHEDULE OF PRINCIPAL PAYMENTS AND INTEREST RATES

Year	Principal Amount	Interest Rate
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2000		
2001		
2002		
2003		
2004		
2005		
2010		
2020		

EXHIBIT P

Proclamation
for
Jeanne C. Sink Day

Whereas, the State Department of Education announced that **Jeanne Campbell Sink**, a teacher of instructional technology at Morningside Middle School, has been named the 1992 South Carolina Teacher of the Year and will represent South Carolina in the 1992 National Teacher of the Year Program; and

Whereas, she has contributed to the education of all students at Morningside Middle School by instructing them in the use of the latest in instructional technology; and

Whereas, she has shared with other South Carolina educators the techniques of using telecommunications to meet the educational needs of students; and

Whereas, her instructional techniques have been included in national and international magazines and textbooks for other educators to learn state-of-the-art procedures with technology; and

Whereas, her significant accomplishment reflects great honor on Morningside Middle School, Charleston County School District, and the State of South Carolina; and

Now, therefore, I CARMEN R. BUNCH,
Mayor of THE CITY OF ISLE OF PALMS, do hereby proclaim Thursday, December 12, 1991, as **Jeanne Sink Day** in recognition of her outstanding achievements.

Carmen R. Bunch

Dated: November 26, 1991

Rodney E. LeBoeuf, Ed.D.
Superintendent

Martha C. Knight
Director, Office of Public Relations

Meg Miles Howle
Supervisor, Office of Public Relations

CHARLESTON COUNTY
SCHOOL DISTRICT

The Center Building
15 Hutson Street
Charleston, SC 29403
(803) 724-7735
Fax (803) 724-7737

November 18, 1991

The Honorable Carmen Bunch
Mayor, City of Isle of Palms
Drawer Q
Isle of Palms, South Carolina 29451

Dear Mayor Bunch:

Jeanne C. Sink, a Morningside Middle School teacher, has been named 1991-92 Charleston County Teacher of the Year and the 1992 South Carolina Teacher of the Year.

On Wednesday, December 4, 1991, the Board of Trustees for Charleston County School District will honor Mrs. Sink with a reception in the Dome at Charles Towne Landing from 5:00 to 7:00 p.m. The program begins at 5:30 p.m.

The "official" ceremony naming her the 1992 South Carolina Teacher of the Year will be in Columbia, SC, on Wednesday, December 11, 1991. I would like to request that you consider proclaiming Thursday, December 12, 1991, as Jeanne Sink Day in the city of Isle of Palms.

I am enclosing a draft of a proclamation which you may wish to use as a sample for a proclamation for your city. Should you or your representative wish to make a personal presentation of your proclamation at the reception, I will be delighted to include the presentation on the program.

Thanks for helping us honor a very distinguished teacher of Charleston County School District.

Sincerely,

Martha

Martha C. Knight
Director, Public Relations

EXHIBIT Q

M E M O R A N D U M

TO: Mayor and City Council

FROM: Mark Williams

SUBJECT: Building Permit Fees

DATE: November 21, 1991

==========

The Building Inspector has pointed out to me that the City is still using the 1988 schedule of permit fees recommended by the Southern Standard Building Code Congress International. Attached is the recommended schedule of fees for 1991 which many communities adopted in January. The Building Inspector and I believe that the City should adopt at least the 1991 schedule so that our fees are comparable to those charged by other communities. Also attached is the current schedule of fees for comparison.

Previously we have also discussed the desirability of establishing a fee for plan review. This is an activity that takes a considerable amount of the inspector's time and this cost should be passed on to new development. Under the SBCCI schedule, the plan review fee is one-half of the permit fee.

This item will be on the agenda for Tuesday's meeting.

APPENDIX B
RECOMMENDED SCHEDULE OF PERMIT FEES

B101 PERMIT FEES

Total Valuation	Fee
$1000.00 and less	No fee, unless inspection required, in which case a $15.00 fee for each inspection shall be charged.
$1001.00 to $50,000.00	$15.00 for the first $1,000.00 plus $5.00 for each additional thousand or fraction thereof, to and including $50,000.00.
$50,001.00 to $100,000.00	$260.00 for the first $50,000.00 plus $4.00 for each additional thousand or fraction thereof, to and including $100,000.00.
$100,001.00 to $500,000.00	$460.00 for the first $100,000.00 plus $3.00 for each additional thousand or fraction thereof, to and including $500,000.00.
$500,001.00 and up	$1660.00 for the first $500,000.00 plus $2.00 for each additional thousand or fraction thereof.

B102 MOVING FEE

For the moving of any building or structure, the fee shall be $100.00.

B103 DEMOLITION FEE

For the demolition of any building or structures, the fee shall be:

0 - 100,000 cu ft	$50.00
100,000 cu ft and over	$0.50/1,000 cu ft

B104 PENALTIES

Where work for which a permit is required by this Code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

B105 PLAN-CHECKING FEES

When the valuation of the proposed construction exceeds $1000.00 and a plan is required to be submitted by 103.2, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in 103.7.4. Such plan-checking fee is in addition to the building permit fee.

APPENDIX K
RECOMMENDED SCHEDULE OF PERMIT FEES

K101 PERMIT FEES

Total Valuation	Fee
$100.00 and less	No fee, unless inspection required, in which case a $5.00 fee for each inspection shall be charged.
$101.00 to $2000.00	$5.00 per thousand or fraction thereof.
$2001.00 to $15,000.00	$10.00 for the first $2000.00 plus $3.00 for each additional thousand or fraction thereof, to and including $15,000.00.
$15,001.00 to $50,000.00	$49.00 for the first $15,000.00 plus $2.50 for each additional thousand or fraction thereof, to and including $50,000.00.
$50,001.00 to $100,000.00	$136.50 for the first $50,000.00 plus $2.00 for each additional thousand or fraction thereof, to and including $100,000.00.
$100,001.00 to $500,000.00	$236.50 for the first $100,000.00 plus $1.25 for each additional thousand or fraction thereof, to and including $500,000.00.
$500,001.00 and up	$736.50 for the first $500,000.00 plus $0.75 for each additional thousand or fraction thereof.

K102 MOVING FEE

For the moving of any building or structure, the fee shall be $50.00.

K103 DEMOLITION FEE

For the demolition of any building or structures, the fee shall be $25.00.

K104 PENALTIES

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

K105 PLAN-CHECKING FEES

When the valuation of the proposed construction exceeds $1000.00 and a plan is required to be submitted by A103.2, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in A103.7.4.

MINUTES OF THE REGULAR MEETING OF THE
ISLE OF PALMS CITY COUNCIL
DECEMBER 16, 1991, CITY HALL

The regular meeting of the Isle of Palms City Council was held on December 16, 1991, at City Hall, at 7:00 p.m. Present were Mayor Bunch, Council Members Holden, Simon, Sottile, Swanson, Ward, and Watson. Council Member Orvin arrived late and Council Member NesSmith-Picard was out of town due to a death in the family. Also present were City Attorney Rhoad, Clerk-Treasurer McDuffie, Finance Director Stonesifer and Secretary Mauldin.

After the Pledge of Allegiance and Invocation, roll call was taken.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. November 21, 1991 - Special City Council Meeting

Mrs. Swanson made a motion to approve the minutes as presented; Mr. Sottile seconded; motion passed unanimously.

C. CITIZENS' COMMENTS - None

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - No Report

2. Police and Public Safety - No Report

3. Public Works - Mrs. Swanson stated that there had been no meeting but she presented a letter from SCE&G concerning street lighting on the island and the impact on sea turtles. (Exhibit A) The Mayor stated that she was meeting with SCE&G in connection with street lights, planting of palms, etc., and she will discuss this with their representative.

4. Engrossed Bills - Chairman Holden gave a report on their meeting of December 11, 1991. (Exhibit B)

5. Recreation - No Report.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - See minutes as Exhibit C.

2. Planning Commission - Chairman Taylor reported on a plat that would put a boundary around the Island House in Wild Dunes that creates a landlocked parcel. The Commission deferred any decision on this matter until the City Administrator could speak with the owners about a second gate to the property.

Chairman Taylor also reported that the Commission had for the third time not recommended passage of the Waterfront District Ordinance.

3. Water and Sewer Committee - Mr. Williams stated that there was no meeting in December. However, he did report that the department was instituting monthly billing as of February 1992; that work was being done on the water lines to clear the pipes of a piece of loose pipe that was lost in the line; and that the new department manager, Bill Jenkins, had started work on December 2nd.

4. Beach Patrol & Control Board - No Report

5. Emergency Preparedness Committee - Mayor Bunch reported that she had contacted both Jim Burke and Gary Haglund who have agreed to return to the

committee. The plan drafted by Attorney Rhoad has been given to the committee for their recommendations.

6. Mr. Watson made a motion to suspend the rules of order to allow Mr. Ward to speak on an item not on the agenda; Mrs. Swanson seconded; motion carried.

Mr. Ward read a statement from Jim and Judy Coates concerning "Bufferyard Requests". (See Exhibit D) Mr. Ward asked the status of the bids for the fencing, to which Mr. Williams replied that bids were due into City Hall on December 16th, but that the architect had determined that more detailed information was needed in order for contractors to come up with a realistic bid, so the date has been extended to Wednesday, December 18, 1991, at 3:00 p.m. The choices are an 8' high wooden fence or a 5' high wooden fence on a 3' earth berm.

Mr. Ward asked about the status of a fence around the Public Works area where large items are stockpiled until taken to the dump. Mr. Williams was hoping to use the same designs for that fence as are coming in Wednesday for the other fence. Mr. Williams also proposed leveling out part of the dune in that area for a working area to stockpile the junk collected. Mr. Ward went on record as objecting to any destruction of the dune.

Mr. Ward expressed his thanks and appreciation to Mr. Williams and Ed Haselden for the completion of the dog kennels and announced an open house on Wednesday from 3-5 to tour the new facility.

There was a discussion of the stockpiling of large items on city property. One suggestion would be to require people to call in for pick-up and being told which day to put the items out so that the department can pick up enough to make a trip to the dump the same day. The department could charge for private pick ups. This matter will be looked into.

H. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

I. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

J. BILLS ALREADY IN POSSESSION OF COUNCIL

Second Reading and Ratification - Ordinance 1991-26 - $2,700,000 Water and Sewer System Revenue Bond

There were a few minor changes made since first reading which Mr. Williams explained. After discussion, Mr. Ward made a motion to approve second reading and ratify Ordinance 1991-26; Mr. Sottile seconded; motion passed unanimously. (Exhibit E)

K. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. First Reading - Ordinance 1991-14 - An Ordinance to Amend Section 7-2-1, Alcohol Beverages. (Exhibit F)

Mr. Sottile mae a motion to approve first reading of Ordinance 1991-14 by title only; Mr. Orvin seconded; motion passed 7-1.

2. First Reading - Ordinance 1991-27 - An Ordinance to Amend Section 6-2-15(A), Mandatory Leash Requirement. (Exhibit G)

Mr. Ward made a motion to approve first reading of Ordinance 1991-27 by title only; Mr. Orvin seconded; motion passed unanimously.

L. MISCELLANEOUS

1. The Mayor announced that there will be a Council meeting on January 7, 1992, at the Recreation Center. Swearing-in of the new council members will be at 6:30 and there will be a short meeting at 7:00 for the appointment of standing committees, boards and commissions, etc., followed by fellowship and refreshments.

2. Mr. Williams reported that there were some dead trees at the Recreation Center that need to be removed and that Stacey had received some estimates for the work. This will be taken care of shortly.

Mr. Simon asked if the Highway Department is going to remove dead trees on the rights-of-way. Mr. Williams reported that SCDHPT was going to work with Charleston County to do everything throughout the County. There was some question as to whether or not SCDHPT could receive FEMA money for this project. It should be taken care of but we do not know when.

3. Mayor Bunch stated that Charleston County has agreed to service the city for recycling and she felt that since we are paying taxes for this service, we should take advantage of it. Mr. Sottile made a motion that the city go with the county's proposal for recycling services; Mr. Simon seconded; motion passed unanimously.

4. As to the issue of stockpiling junk, and Mr. Simon's suggestion of picking one day a month for this type of pick-up, Mr. Williams stated that this proposal would save the city some money by not having to build the fenced area at a cost of $3,000-$4,000. He suggested that he talk with Andy Parrish to determine what day would be best for this service.

Mayor Bunch asked for a motion to have the City Administrator prepare a letter for distribution with daily newspapers telling residents about the changes being made in pick up of "white goods" - set a particular day for pick-up, and charge money for extra collection outside of scheduled pick-up. Mr. Ward so moved; Mr. Simon seconded; and after discussion, motion passed unanimously.

5. Mayor Bunch asked Attorney Rhoad to look into the possibility of returning the city elections to a simple majority system. The Mayor asked council members to be thinking about whether or not they might want to change our policy. She also stated that it would have to be done by referendum.

6. Concerning the approval of the bids for the fence and/or berm next to the new Municipal Building, Mr. Williams asked if council wanted to review the bids or if he should just go with the low bidder. It was the consensus that council should review the bids and the next meeting will be January 28, 1992.

Mr. Williams also opened discussion about parking for the Municipal Building. Coastal Council would prefer that we install a gravel or unsurfaced parking area, or if we wanted to pave it, they would have to approve some vegetated buffer that the water could run over before going into the storm drain at Oak Harbor and 13th Avenue to dilute or catch any petroleum distillates in the asphalt or dripping from automobiles before going into the marsh. There is already some $20,000 budgeted for site work and paving the parking lot and the time is near for making decisions on the parking area. City Ordinances require that parking be paved or we would need a variance not to do so. Handicapped access is also an issue. Mr. Williams will look into the options and get some estimates.

7. Mayor Bunch requested that all applications for business licenses require the zoning area as noted on the Official Zoning Map be listed for the area in which the business is located. There are businesses located in residential areas which should not be in these locations. There was lengthy discussion on the situation with Island Air and the areas zoned limited commercial. Island Air does have property on Carolina Boulevard and is in the

process of obtaining a JEDA loan for rebuilding their business at that location. Mr. Williams stated that the overriding issue would be non-conforming uses and continuation of non-conforming uses. He stated that the city's ordinances pertaining to non-conforming uses is very liberal and that discussions should begin to revise them.

Mr. Williams will advise the Building Department to put a notice in with business license applications reference to zoning districts and will caution them on issuing licenses to non-commercial users.

8. Mr. Williams received a letter from PRT announcing grant funds available for next year through the Recreation Land Trust Fund and the Land and Water Conservation Fund. This grant would be a $25,000 grant with $25,000 matching city funds. After discussion, it was decided that Mr. Williams should send in a letter of intent to apply for funds for dune walkovers.

9. Mr. Williams suggested that when we move into the new Municipal Building, we might want to spend some extra money to have the Storer Cable equipment, microphone cables, etc., integrated in the floor so that there won't be cables showing in the video tape. Basically, he proposed putting microphone jacks in the floor near the council tables. This is something that can be addressed at a later date.

10. Mr. Sottile commended Council Members Swanson, Ward and Orvin for their four years service. Mayor Bunch stated that there will be recognition for them on Appreciation Day.

There being no further business to come before the council, Mr. Ward made a motion to adjourn; seconded by Mr. Simon and passed unanimously.

Respectfully submitted,

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

Approved by City Council on 1/28/93

EXHIBIT A

SCE&G
A SCANA Company

South Carolina Electric & Gas Company
P.O. Box 760
Charleston, SC 29402
(803) 745-6000

December 12, 1991

Mr. Heyward Robinson
Charleston Harbor Project
4130 Faber Place
Suite 302
Charleston, SC 29405

Dear Mr. Robinson:

Thank you for your concern about the impact of South Carolina Electric & Gas Company street lights on the sea turtle population at Isle of Palms and Sullivans Island. South Carolina Electric & Gas Company has already presented four options to Sullivans Island's Town Council regarding costs to change out/upgrade existing beach front lights. We have yet to receive any response on the matter.

I have also surveyed the street lighting on the Isle of Palms along the entire length of Ocean Boulevard. Of the 29 lights in this area, only 11 are of the mercury vapor type, which have been shown to affect turtle behavior. Upon the City of Isle of Palms' request, we will provide a cost to change these lights to high pressure sodium.

If you have any further questions, please call me at 745-7298.

Sincerely,

Jim Swittenberg
Customer Service Engineering

wpw

EXHIBIT C

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENT AND APPEALS
DECEMBER 12, 1991

The regular meeting of the Isle of Palms Zoning Board of Adjustment and Appeals was held on December 12, 1991, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present were Mary Schall, Betsy Smiley and David Somers. Howard Garvin was absent. Also present was Secretary Janet Geary. Building Inspector Ed Haselden was out of town at a FEMA meeting.

Mr. Fellabom announced that there was one case on the agenda and that all persons were present.

1. Charles W. Riley - 2904 Palm Boulevard. Mr. Riley was asking for a variance from Section 5-4-22(5)(c) which requires a 30' rearyard setback. Mr. Riley was represented by Randy Fisher of First Union National Bank which is Trustee for the Charles W. Riley Trust, owner of the property. Prior to Hurricane Hugo, the Rileys had a house constructed on two lots, #23 and #24, which was destroyed in the storm. After the house was destroyed, the property was reverted back to two lots, one lot was sold, and they are planning to rebuild a house on the other lot. They are asking to build their house up to the rear property line in order to bring the house up to the line of the adjacent house at 2902 Palm Blvd.

Mr. Thomas Gianados, 2902 Palm Boulevard, neighboring property owner, was present at the meeting and expressed no objection to Mr. Riley's request. The Board received a letter from Thomas Lane, owner of 2906 Palm Boulevard, objecting to the variance request.

There was extensive discussion among the Board of this matter. This request is the first variance request received since The Beach Company offered to sell ocean front lots attached to existing lots to property owners along Ocean Boulevard from 21st to 57th Avenues. The land from the rear property line of 2904 Palm Blvd. to the ocean has been purchased by the Charles W. Riley Trust. It was the consensus of the Board that the City needed to address the issue of zoning of these properties and modify the zoning ordinances to accommodate the acquisition of these ocean front areas.

It was also determined that Mr. Riley had no "hardship" which would necessitate a variance and that he may want to withdraw his request to wait and see what council may do with the ordinances in the near future. Mr. Riley and Mr. Fisher determined that they would prefer a vote on the issue tonight. The Board agreed to vote on the issue with the stipulation that any change in the zoning ordinances affecting setback requirements would allow Mr. Riley a rehearing before the normal six month waiting period.

Vote being: Fellabom - No; Schall - No; Smiley - No; Somers - No. GArvin - Absent. Variance was denied.

2. Chris Tompkins, #4 - 46th Avenue. Mr. Fellabom announced the Dr. Tompkins had made corrections to his property at the air conditioning stand and the pool deck, bringing them into compliance with the setback requirements. Dr. Tompkins proposed to make an effort to correct the error at the piling site by moving the sheeting behind the piling approximately 3' and requested a rehearing. The Board discussed this and felt that if the case is reheard, Dr. Tompkins should provide an expert witness concerning possible damage to the structural integrity of the house. Vote to rehear passed 3-1.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

Janet M. Geary

Janet M. Geary, Secretary

EXHIBIT D

Bufferyard Requests

(1) We request that the fence/wall be placed on the City side of the bufferyard, ~~e.g.~~, 15' or 20' from the property line. This will afford us the greatest privacy, maximize noise reduction, and will help protect us from the City giving itself variances to encroach on the bufferyard in the future. We would consider such a placement a sign of good faith from the City that it intends to honor the bufferyard law and is concerned with the well-being of neighbors.

(2) We prefer a concrete block wall for noise control. A berm/wall combination would be fine also. The Conditional Use law requires that we be protected from noise, vibration, dust, glare, odor, traffic congestion and it would take a substantial structure around the parking area to ensure this protection.

(3) We request that the ~~fotig~~ foliage at the Palm Blvd end of the proposed bufferyard be left in its natural state and can count toward the landscaping requirement.

(4) We urge you to remember that a 5' landscaped buffery ard is required along Oak Harbor (Sec. 5-4-17(a), 2 across from Lupos and Dame woods.

(5) Please also remember that "all landscaping shall be installed prior to the issuance of a Certificate of Occupancy" (Sec. 5-4-17(g)

Thank you,
Jim + Judy Coates
1203 Palm Blvd.

EXHIBIT E

ORDINANCE NO. 1991-26

AUTHORIZING THE ISSUANCE OF A $2,700,000 WATER AND SEWER SYSTEM REVENUE BOND, SERIES 1991B, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; TO PROVIDE FOR THE USE OF THE PROCEEDS; TO PROVIDE FOR THE TERMS AND CONDITIONS UPON WHICH THE BOND WILL BE ISSUED; TO PROVIDE FOR THE REPAYMENT THEREOF AND SECURITY THEREFOR; AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall, for all purposes of this Ordinance and of any ordinance, resolution, certificate, opinion, instrument or other document herein or therein mentioned, have the meanings herein specified, with the definitions to be equally applicable to both the singular and plural forms of any of the terms herein defined and vice versa. The term:

"Act" means Title 6, Chapter 21, Code of Laws of South Carolina 1976, as amended, and as further amended and continued by Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977, and all other statutory authorizations authorizing and enabling the City to provide for the issuance of Bonds.

"Additional Bonds" means any additional parity bonds authorized to be issued by the City pursuant to the terms and conditions hereof.

"Authority" means the South Carolina Resources Authority, and any successor thereof.

"Authorized Denomination" means $5,000 or any integral multiple thereof.

"BAN of 1991" means the $475,000 Water and Sewer System Revenue Bond Anticipation Note, Series 1991, dated February 20, 1991.

"Bond" or "Bonds" means any Bond, some of the Bonds or all of the Bonds issued and at any time Outstanding under and pursuant to this Ordinance, including the Series 1991A Bond, the Series 1991B Bond and any Additional Bonds.

"Books of Registry" means the registration books of the City as established and maintained by the City pursuant to Section 3.8 hereof.

"Business Day" means a day which is not a Saturday, Sunday, legal holiday or day on which banking institutions are authorized by law to close in the State of South Carolina or in the jurisdiction where the principal corporate trust office of the Custodian is located.

"City" means the City of Isle of Palms, South Carolina, a municipal corporation organized and existing under the laws of the State of South Carolina, its successors and assigns.

"Clerk" means the Clerk/Treasurer of the City, or in his or her absence, the acting clerk.

"Code" means the Internal Revenue Code of 1986, as amended, and any successor provision of law.

"Consulting Engineer" means any qualified engineer or firm of engineers which shall at any time hereafter be retained by the City as consulting engineer for the System.

"Construction Fund" means the fund by that name created pursuant to Section 4.1 hereof.

"Contingent Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Council" means the City Council of the City of Isle of Palms, South Carolina, and any successor governing body of the City.

"Custodian" means C&S/Sovran Trust Company (South Carolina), National Association, its successors and assigns.

"Debt Service Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Debt Service Reserve Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Depreciation Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Expenses of Operating and Maintaining the System" means the current expenses, paid or accrued, of operation, maintenance and current repair of the System, calculated in accordance with generally accepted accounting principles, and shall include, without limiting the generality of the foregoing, salaries, wages, employee benefits, cost of materials and supplies, cost of utilities, cost of routine repairs, renewals, replacements and

alterations occurring in the usual course of business, the cost of billings and collections, cost of insurance, cost of audits, taxes, if any, and a properly allocable share of City administrative and overhead expenses. Expenses of Operating and Maintaining the System shall not include any allowance for depreciation or renewals or replacements of capital assets of the System.

"First Supplemental Ordinance" means the ordinance enacted by the Council on February 18, 1991, authorizing the Series 1991A Bond.

"Fiscal Year" means the period of twelve (12) calendar months, beginning on July 1 of each year and ending on June 30 the following calendar year unless changed by the City to a different twelve month period.

"Funds" means collectively the Gross Revenue Fund, the Debt Service Fund, the Contingent Fund, the Depreciation Fund, the Debt Service Reserve Fund, the Operation and Maintenance Fund and Construction Fund.

"General Account" means the account by that name created in the Construction Fund pursuant to Section 4.1 hereof.

"General Bond Ordinance" means the ordinance enacted by the Council on February 11, 1991, authorizing the issuance of Water and Sewer System Revenue Bonds of the City.

"Government Obligations" shall mean non-callable bonds, notes or direct obligations and general obligations of the United States.

"Gross Revenue Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Holder" or "Bondholder" or "Registered Owner" means the person in whose name a Bond is registered in the books maintained for such purpose.

"Holder Obligations" means the $7,940,000 South Carolina Resources Authority Local Government Program Revenue Bonds, Series 1991.

"Interest Payment Date" means June 1 and December 1 of each year, commencing June 1, 1992.

"Junior Bonds" means either (a) bonds secured by a pledge of Revenues junior and subordinate in all respects to the pledge securing the Bonds or (b) any other form of indebtedness, including lease purchase obligations secured by sums available in the Gross Revenue Fund after provision has been made for all payments required to be made with respect to the Bonds.

"Mayor" means the mayor of the City or, in his or her absence, the mayor pro tempore of the City.

"Operation and Maintenance Fund" means the fund of that name created pursuant to Section 4.1 hereof.

"Ordinance" means the General Bond Ordinance adopted February 11, 1991, as supplemented by the First Supplemental Ordinance, by this ordinance and as from time to time amended or supplemented.

"Outstanding" when used with respect to any Bond shall have the construction given to such word in Article IX hereof; i.e., a Bond shall not be Outstanding if such Bond is not, or would not be, at the time, deemed to be Outstanding by reason of the operation and effect of said Article IX.

"Outstanding Bond Ordinances" means the General Bond Ordinance and the First Supplemental Ordinance.

"Permitted Investments" means, to the extent from time to time permitted by State law:

(a) Direct obligations of, or obligations the timely payment of principal of and interest on which are fully and unconditionally guaranteed by, the United States of America;

(b) Certificates of deposit where the certificates are collaterally secured by securities of the type described in (a) above held by a third party as escrow agent or custodian, of a market value not less than the amount of the certificates of deposit so secured, including interest; and

(c) Repurchase agreements collateralized by securities described in (a) above.

"Project" means the acquisition, construction and installation of a reverse osmosis facility and other related improvements to the System.

"Reserve Fund Requirement" means an amount equal to the least of (i) ten percent (10%) of the proceeds from the sale of the Bonds, (ii) one hundred twenty-five percent (125%) of the average amount of principal of and interest on the Bonds coming due during each Fiscal Year, and (iii) the maximum amount of principal of and interest on the Bonds coming due during any Fiscal Year.

"Revenues" shall mean all moneys, fees, charges, income, rents, receipts and returns of whatever nature and howsoever derived from the ownership and operation of the System.

"Series 1991A Bond" means the City of Isle of Palms, South Carolina Water and Sewer Revenue Bond, Series 1991A, in the principal amount of $1,185,601.88

"Series 1991B Bond" means the City of Isle of Palms, South Carolina, Water and Sewer System Revenue Bond, Series 1991B, in the principal amount of $2,700,000 authorized to be issued hereunder.

"System" shall mean the Water and Sewer System of the City including all lands, rights-of-way and easements used in connection therewith, all supplies, tools, equipment, apparatus and appurtenances incident thereto and all enlargements, improvements, extensions, additions, replacements and betterments thereto that may at any time be made, and all interest in any of the foregoing that the City may at any time have.

Section 1.2. General Rules of Interpretation.

(a) Articles, Sections, and paragraphs mentioned by number are the respective Articles, Sections, and paragraphs of this Ordinance so numbered.

(b) Except as otherwise expressly provided or unless the context otherwise requires, words importing persons include firms, associations and corporations and the masculine includes the feminine and the neuter.

(c) Words importing the redemption or redeeming or calling for redemption of the Series 1991B Bond do not include or connote the payment of such Series 1991B Bond at its stated maturity or the purchase of such Series 1991B Bond.

(d) Words importing the singular number include the plural number and vice versa.

* * * * *

ARTICLE II

FINDINGS AND DETERMINATIONS

Section 2.1. Findings and Determinations. The Council hereby finds and determines:

A. The City is an incorporated municipality located in Charleston County, South Carolina, and has by ordinance adopted the ~~Mayor~~-Council form of government. The City possesses all general powers granted by the Constitution and Laws of the State of South Carolina to municipal corporations, including the power to possess a water system and a sewer system.

B. Heretofore, pursuant to the favorable results of a special election held on November 27, 1990, and in compliance with the applicable constitutional and statutory provisions, including Section 16 of Article VIII of the Constitution of the State of South Carolina, provision was made for the acquisition of a privately owned water and sewer system (the "System")

C. Since acquisition, the System has been continuously operated and maintained and has been under the operation and control of Council. The System furnishes water and sewer service to certain areas of the City.

D. In order to finance the Cost of acquiring and improving the System, the City has heretofore issued the Series 1991A Bond, payable from the Revenues of the System.

E. The General Bond Ordinance authorizes the City to issue additional bonds on a parity with the Series 1991A Bond provided certain conditions are observed, and further authorizes the City to issue junior lien bonds. Because the System, when acquired, was subject to that certain Amendment to Consent Order 88-32-WS, dated May 16, 1990, requiring the construction of a reverse osmosis facility, the General Bond Ordinance specifically authorized the issuance of a series of parity Bonds thereunder without compliance with the earnings test which would otherwise be required for the issuance of a series of parity bonds under the General Bond Ordinance.

F. It is necessary for the City to issue its revenue bond in the principal amount of $2,700,000 the proceeds of which shall be used to defray the cost of the Project and to retire the BAN of 1991.

G. Traditional financing sources are not available to the City for the costs of the Project. The City has received two letters of declination from financial institutions normally engaged in financing projects such as the Project.

H. In order to provide funds for the Project, the City has agreed to sell the Series 1991B Bond under the circumstances and under the terms and conditions hereafter set forth.

I. The period of usefulness of the City's water and sewer system is indefinite, but in no case is it less than the term of the Series 1991B Bond.

J. It is necessary and in the best interest of the City to undertake the Project and to issue the Series 1991B Bond in accordance with the Bond Ordinance and the Act for the purpose of defraying a portion of the costs of the Project and to retire the BAN of 1991, which Series 1991B Bond shall at all times be on a parity with the Series 1991A Bond.

K. Except for the Series 1991A Bond, the Series 1991B Bond and the BAN of 1991, Council does not anticipate the issuance of any other tax exempt obligations in calendar year 1991 and Council does hereby designate the Series 1991B Bond as qualified tax exempt obligations within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

ARTICLE III

ISSUANCE OF BONDS

Section 3.1. Authorization of Series 1991B Bond.

Pursuant to the General Bond Ordinance, this Ordinance and the Act and in order to defray the costs of the Project, retire the BAN of 1991, fund the Debt Service Reserve Fund, and pay costs of issuance, there shall be issued a $2,700,000 Water and Sewer System Revenue Bond, Series 1991B (the "Series 1991B Bond"). The Series 1991B Bond shall be sold to the Authority at a discount of $95,010.00 plus the interest accrued on the Series 1991B Bond from December 1, 1991 to December 19, 1991, plus such other credits and earnings as may be agreed upon between the Authority and the City. The Series 1991B Bond shall be dated December 1, 1991; shall be in fully registered form in Authorized Denominations; and shall bear interest from the date thereof payable on each Interest Payment Date, at the rates of interest set forth below; and shall be payable in principal installments on December 1 in each of the years and in the principal amounts as follows:

Year	Principal Amount	Interest Rate
1993	$ 80,000	5.000%
1994	85,000	5.150
1995	90,000	5.250
1996	95,000	5.400
1997	100,000	5.600
1998	105,000	5.750
1999	110,000	5.900
2000	115,000	6.050
2001	125,000	6.150
2002	130,000	6.250
2003	140,000	6.350
2004	150,000	6.500
2005	160,000	6.600
2011	1,215,000*	6.625

* Subject to mandatory sinking fund redemption as provided in Section 3.3(b) hereof.

The Series 1991B Bond shall bear interest (i) from December 1, 1991 if authenticated prior to June 1, 1992 or (ii) otherwise from the June 1 or December 1 that is, or immediately precedes, the date on which the Series 1991B Bond is authenticated (unless payment of interest is in default, in which case the Series 1991B Bond shall bear interest from the date to which interest has been paid, or unless no interest has been paid on the Series 1991B Bond, in which case the Series 1991B Bond shall bear interest from December 1,

1991). Interest on the Series 1991B Bond shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

The Series 1991B Bond will be substantially in the form attached hereto as Exhibit A with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law or by this Ordinance.

Section 3.2. Medium of Payment; Payment of Bond.

Both the principal of and interest on the Series 1991B Bond shall be payable in any coin or currency of the United States of America which is at the time of payment, legal tender for the payment of public and private debts. Principal of the Series 1991B Bond, when due, shall be payable on the presentation and surrender of the Series 1991B Bond at the principal corporate trust office of the Custodian. Interest on the Series 1991B Bond shall be payable to the Holder on each Interest Payment Date in accordance with the written instructions of the Holder filed with the Custodian.

If any principal of or interest on the Series 1991B Bond is not paid when due and payable (whether at maturity, by acceleration or by call for redemption or otherwise) then the overdue installments of principal and interest, to the extent permitted by law, shall bear interest until paid at the rate borne by the Series 1991B Bond.

Section 3.3. Redemption of Series 1991B Bond.

(a) The principal portion of the Series 1991B Bond maturing on or after December 1, 2002, shall be subject to redemption at the option of the City, in whole or in part in Authorized Denominations on any Interest Payment Date, at any time on or after December 1, 2001, at the redemption prices (expressed as percentages of principal amount) set forth in the table below plus interest accrued to the redemption date and the amount determined by the Holder to be necessary to cover any deficiency in the amounts available to the Holder to pay the principal, premium, if any, and interest on the Holder Obligations resulting from such redemption.

Redemption Period (Dates Inclusive)	Redemption Prices (plus accrued interest and additional amounts determined by the Holder)
December 1, 2001 through November 30, 2002	102%
December 1, 2002 through November 30, 2003	101%
December 1, 2003 and thereafter	100%

In order to exercise its right to redeem portions of the Series 1991B Bond pursuant to this subsection (a), the City shall request a determination of the amount of the additional premium as described above from the Holder and deposit in the Debt Service Fund, no later than the thirty-fifth (35th) day prior to the redemption date, funds sufficient to pay the portion of the redemption price of the Series 1991B Bond being redeemed constituting principal and premium, if any, and the City shall deposit in the Debt Service Fund, on the redemption date, funds sufficient (taking into account amounts then on deposit therein and available to pay interest on the portions of the Series 1991B Bond being redeemed) to pay the portion of the redemption price of the Series 1991B Bond being redeemed constituting interest.

(b) (i) The principal portion of the Series 1991B Bond maturing on December 1, 2011 is subject to mandatory sinking fund redemption commencing December, 1, 2006, at a redemption price equal to 100% of the principal portion of the Series 1991B Bond to be redeemed plus interest accrued to the redemption date, on December 1 of each of the following years in the respective principal amount (after credit as provided in paragraph (b)(ii) below) for each year specified in the following table:

Year	Amount
2006	$170,000
2007	180,000
2008	195,000
2009	210,000
2010	220,000
2011*	240,000

*Maturity

(ii) The principal portion of the Series 1991B Bond redeemed pursuant to subsection (a) of this Section shall be credited by the Custodian at 100% of the principal amount thereof against the obligation of the City to redeem the principal portions of the Series 1991B Bond of such maturity pursuant to this subsection (b) on the next succeeding redemption date, and any excess shall be credited against such obligation on future redemption dates in chronological order.

(c) Notice of any redemption of any portion of the Series 1991B Bond shall be given by the Custodian on behalf of the City by mailing a copy of the redemption notice by registered or certified mail at least sixty (60) days and not more than eighty (80) days prior to the date fixed for redemption to the Holder of the Series 1991B Bond.

(d) All notices of redemption shall state (i) the redemption date, (ii) the redemption price and, if necessary, that the City

requests that the Holder determine the additional premium to be paid pursuant to (a) above, and (iii) if less than all of the outstanding principal installments of the Series 1991B Bond are to be redeemed, the identification and the respective principal amount of the Series 1991B Bond to be redeemed.

Section 3.4. Assignment and Transfer of Series 1991B Bond by the Authority.

The Authority may at any time assign and transfer the Series 1991B Bond in the manner hereinafter noted.

Section 3.5. Registration and Transfer of Series 1991B Bond.

The Series 1991B Bond shall at all times be registered as to principal and interest in the name of the Holder on the Books of Registry to be maintained in the office of the Clerk of the City and each transfer to be valid shall be made on the Books of Registry and similarly noted on the Series 1991B Bond.

Section 3.6. Mutilated, Lost, Stolen or Destroyed Series 1991B Bond.

In the event the Series 1991B Bond is mutilated, lost, stolen, or destroyed, the City shall execute and deliver a new Series 1991B Bond of like tenor as that mutilated, lost, stolen, or destroyed, provided that (a) in the case of any such mutilated Series 1991B Bond, such Series 1991B Bond is first surrendered to the City, and (b) in the case of any such lost, stolen, or destroyed Series 1991B Bond, there is first furnished evidence of such loss, theft, or destruction satisfactory to the City. No service charge shall be made for any such transaction, but a charge may be made to cover any actual expense involved.

Section 3.7. Exchange of Series 1991B Bond.

The Series 1991B Bond, upon surrender thereof to the City with a written instrument of transfer satisfactory to the City, duly executed by the Registered Owner or his duly authorized attorney, may, at the option of the Registered Owner thereof, be exchanged for a principal amount of Series 1991B Bond of a denomination equal to the unpaid principal amount of the surrendered Series 1991B Bond or for an equal aggregate principal amount of the Series 1991B Bond in any Authorized Denominations.

Section 3.8. Registrar and Transfer Agent of Bond; Books of Registry.

(a) The Clerk of the City will be the registrar and transfer agent for the Series 1991B Bond and will keep proper registry and transfer records, including a Book of Registry in which she shall register the name and address of the Holder of the Series 1991B

Bond as the same is presented for registration. Upon presentation of the Series 1991B Bond for registration or transfer, the fact of such registration or transfer shall be noted on the Series 1991B Bond. No transfer of the Series 1991B Bond shall be valid unless made on such Book of Registry and noted on the Series 1991B Bond.

(b) No person shall be entitled to any right or benefit provided in the Series 1991B Bond unless the name and address of such person is registered with the Clerk of the City and the fact thereof is endorsed by such Clerk upon the Series 1991B Bond and upon the Books of Registry. The City and its agent may deem and treat such Registered Owner of the Series 1991B Bond as the absolute owner of the Series 1991B Bond for the purpose of receiving payment of the principal and interest thereof and for all other purposes whatever. No charge shall be made for registration.

(c) The Books of Registry shall show (i) the date of registration, (ii) the name and address of the person in whose name the Series 1991B Bond is registered, and (iii) the signature of the Clerk. The latest chronological date of registration of the Series 1991B Bond, as the same shall appear in the Books of Registry, shall be conclusive as to the name and address of the Holder for all purposes.

(d) The Series 1991B Bond shall be transferable only if presented for transfer by the Holder, in person or by its duly authorized attorney, to the Clerk of the City. The Series 1991B Bond shall bear an endorsement of transfer thereof to the new owner so as to enable the Clerk to enter the name and address of the new owner upon the Books of Registry.

Section 3.9. Execution of Series 1991B Bond.

The Series 1991B Bond shall be executed in the name of the City by the manual signature of the Mayor of the City, under the corporate seal of the City, which shall be impressed or reproduced thereon, and attested by the manual signature of the Clerk/Treasurer of the City.

Section 3.10. Security for and Tenor of Series 1991B Bond.

The principal of and interest on the Series 1991A Bond, the Series 1991B Bond and any Additional Bonds shall be payable from the Revenues derived from the operation of the System after paying the Expenses of Operating and Maintaining the System, such Revenues shall be and are hereby irrevocably pledged. The pledge herein made shall, at all times and in all ways, equably and ratably secure the Series 1991A Bonds, the Series 1991B Bond and Additional Bonds that at any time hereafter shall be Outstanding. The pledge herein made shall preclude the issuance of bonds secured by a pledge of any of the Revenues from the System, or by a lien on the System, or any portion thereof, prior to the pledge and lien made

securing the Series 1991A Bonds, the Series 1991B Bond and Additional Bonds.

Section 3.11. Discharge of Obligation.

Payments of principal and interest, whether by prepayment or otherwise, made in respect to the Series 1991B Bond shall be made to the Holder, and all such payments shall fully discharge the obligation of the City in respect to the Series 1991B Bond to the extent of the payments so made.

Section 3.12. Bond Constitutes Limited Obligation of the City.

The full faith, credit and taxing powers of the City are not pledged for the payment of the principal and interest on the Series 1991B Bond, and there shall be on the face of the Series 1991B Bond a statement plainly worded to that effect and stating that the Series 1991B Bond does not constitute an indebtedness of the City within any State constitutional provisions or statutory limitation. No recourse shall be had for the payment of the Series 1991B Bond or interest thereon, or any part thereof, against the several funds of the City, except in the manner and to the extent provided in this Ordinance nor shall the credit or taxing power of the City be deemed to be pledged thereto.

Section 3.13. Authorization for Preparing and Selling Series 1991B Bond.

The Mayor is hereby authorized and directed to have the Series 1991B Bond prepared, and the Mayor and Clerk are hereby authorized and directed to execute and attest the Series 1991B Bond in form and manner provided herein.

* * * * *

ARTICLE IV

ESTABLISHMENT OF FUNDS; DISPOSITION OF REVENUES; INVESTMENTS

Section 4.1. Establishment of Funds.

Effective on the occasion of the delivery of the Series 1991B Bond and continuing for so long a time as any sum remains due and payable by way of principal of or interest on the Bonds, the following Funds shall be continued or established and maintained, and deposits shall be made therein in the manner required by this Ordinance:

(a) Gross Revenue Fund;

(b) Operation and Maintenance Fund;

(c) Debt Service Fund to be held by the Custodian;

(d) Debt Service Reserve Fund to be held by the Custodian;

(e) Depreciation Fund;

(f) Contingent Fund; and

(g) Construction Fund (consisting of a Capitalized Interest Account and a General Account) to be held by the Custodian.

Section 4.2. Gross Revenue Fund.

The Gross Revenue Fund established by the General Bond Ordinance is hereby continued as long as the Series 1991A Bond, the Series 1991B Bond or any Additional Bonds are Outstanding. The Gross Revenue Fund shall consist of all Revenues that the City shall derive, directly or indirectly, from the operation of the System. An account reflecting this fund shall be maintained on the books of the City. All Revenues so derived shall be deposited in accordance with and in the manner prescribed by Section 4.8 hereof. Moneys in the Gross Revenue Fund shall be withdrawn by the City and made use of only in the manner and in the order specified in Section 4.8 hereof.

Section 4.2. Operation and Maintenance Fund.

The Operation and Maintenance Fund is intended to provide for the payment of all Expenses of Operating and Maintaining the System.

Section 4.4. Debt Service Fund.

There shall be deposited in the Debt Service Fund from the proceeds of the Series 1991B Bond the accrued interest, if any, received upon the sale of the Series 1991B Bond.

On or before the 20th day of each month, commencing on the 20th day of the month in which the Series 1991B Bond is delivered, the City shall transfer to the Custodian for deposit in the Debt Service Fund, an amount such that (taking into account all amounts then on deposit therein and in the Capitalized Interest Account of the Construction Fund and available to pay interest on the Series 1991B Bond), if the same amount is deposited therein on the 20th day of each succeeding month, there will be on deposit therein and in the Capitalized Interest Account of the Construction Fund and available to pay interest on the Series 1991B Bond an amount equal to the interest payable on the Series 1991B Bond on the succeeding Interest Payment Date. On or before the 20th day of each month, commencing on the 20th day of the month in which the Series 1991B Bond is delivered, the City shall transfer to the Custodian for deposit in the Debt Service Fund, an amount such that (taking into account all amounts then on deposit therein and available to pay principal of the Series 1991B Bond), if the same amount is deposited therein on the 20th day of each succeeding month there will be on deposit therein and in the Capitalized Interest Account of the Construction Fund and available to pay interest on the Series 1991B Bond an amount equal to the principal of the Series 1991B Bond payable on the succeeding December 1.

The moneys paid into the Debt Service Fund shall be held by the Custodian in trust solely for the purpose of paying the interest on and the retirement of the principal of and premium, if any, on the Series 1991B Bond and withdrawals from such Fund shall be made by the Custodian in order to transfer such moneys to the Holder of the Series 1991B Bond on or prior to each Interest Payment Date.

Section 4.5. Debt Service Reserve Fund.

The Debt Service Reserve Fund is intended to ensure the timely payment of the principal of and interest on the Series 1991B Bond, and to provide for the redemption of the Series 1991B Bond prior to its stated maturity. Moneys in the Debt Service Reserve Fund shall be used for the following purposes, and for no other:

(a) To prevent a default in the payment of the principal of or interest on the Series 1991B Bond, by reason of the fact that moneys in the Debt Service Fund are insufficient for such purposes.

(b) To pay for the principal of and interest on the Series 1991B Bond in the event that all installments on the Series 1991B Bond be redeemed as a whole.

There shall be deposited in the Debt Service Reserve Fund from the proceeds of the Series 1991B Bond an amount equal to the Reserve Fund Requirement.

If on the Business Day prior to any Interest Payment Date the amount on deposit in the Debt Service Fund is less than the amount of the principal of and interest on the Series 1991B Bond due on such Interest Payment Date, the Custodian shall transfer to the Debt Service Fund from the Debt Service Reserve Fund the amount of such deficiency.

Investments of amounts on deposit in the Debt Service Reserve Fund shall be valued by the Custodian on the first day of each calendar quarter at the fair market value thereof. The Custodian shall notify the City in writing of the value of such investments within one (1) Business Day after each such valuation.

If at any time the amount on deposit in the Debt Service Reserve Fund is less than the Reserve Fund Requirement, the Custodian shall notify the City in writing of the existence and the amount of such deficiency within one Business Day after the occurrence of the withdrawal causing such deficiency or the valuation indicating such deficiency, as the case may be. Upon being notified of a deficiency in the Debt Service Reserve Fund the City shall immediately transfer to the Custodian for deposit in the Debt Service Reserve Fund the amount of such deficiency.

If at any time, the amount on deposit in the Debt Service Reserve Fund is determined to exceed the Reserve Fund Requirement, such excess shall be immediately transferred to the Debt Service Fund, and prior to such transfer such excess shall not be invested at a yield in excess of the lesser of (i) the yield on the Series 1991B Bond or (ii) the yield on the Holder Obligations.

Section 4.6. Depreciation Fund.

The Depreciation Fund is intended to build up a reasonable reserve for depreciation of the System. Moneys in this fund shall be used solely for the purpose of restoring depreciated or obsolete items of the System.

Section 4.7. Contingent Fund.

The Contingent Fund is intended to build up a reasonable reserve for improvements, betterments and extensions to the System, other than the expenses which are reasonably necessary to maintain the System in good repair and working order, and to defray the cost of unforeseen contingencies. Moneys in the Depreciation Fund and in the Contingent Fund may be used in order to effect the optional redemption of the Series 1991B Bond.

Section 4.8. Disposition of Revenues.

(a) So long as any Bonds are Outstanding, the moneys in the Gross Revenue Fund shall be applied at the times, in the amounts and for the purposes as provided or permitted by the General Bond Ordinance and this Ordinance, and in the following order of priority:

(1) There shall be deposited each month into the Operation and Maintenance Fund that sum which has been currently determined by the City to be the Expenses of Operating and Maintaining the System for the ensuing month.

(2) There shall be set apart the sums needed to discharge the City's obligations with respect to the Series 1991A Bond and, concurrently therewith,

(a) The monthly fraction as prescribed by Section 4.4 hereof of the next payment of principal and interest to become due on the Series 1991B Bond shall be deposited in the Debt Service Fund, plus such further sum, if any, as the City may determine shall be deposited in the Debt Service Reserve Fund established for the Series 1991B Bond, provided, withdrawals shall also be made in accordance with the provisions of Section 4.5 hereof;

(b) If, in any month, for any reason, the City shall fail to pay all or any part of the money it has herein agreed to pay into the Debt Service Fund or Debt Service Reserve Fund the amount of any such deficiency shall be added to and shall become a part of the amount due and payable into the Debt Service Fund or Debt Service Reserve Fund, in the succeeding month.

(3) There shall be deposited each month into the Depreciation Fund that sum which is one-twelfth (1/12th) of the sum determined by the City to be needed for the Depreciation Fund for the then current Fiscal Year.

(4) There shall be deposited each month into the Contingent Fund that sum which is one-twelfth (1/12th) of the sum determined by the City to be needed for the Contingent Fund for the then current Fiscal Year.

(5) Any Revenues remaining at the end of each Fiscal Year after the foregoing deposits have been made shall be disposed of as the City shall determine to be in the interest of the City.

Section 4.9. Construction Fund.

The moneys on deposit in the Construction Fund shall be used and applied to the payment of the cost of the Project and to pay all costs incidental to the issuance and sale of the Series 1991B Bond, including without limiting the generality of the foregoing,

the cost of engineering, legal, financial and accounting expenses, cost of printing and of preparing and issuing the Series 1991B Bond, and all other items or expenses incidental thereto.

There shall be deposited in the Capitalized Interest Account of the Construction Fund from the proceeds of the Series 1991B Bond an amount equal to $154,658.54. On the 20th day of the calendar month preceding each Interest Payment Date the Custodian shall transfer to the Debt Service Fund from the Capitalized Interest Account an amount equal to the lesser of the amount then on deposit in the Capitalized Interest Account and the amount of interest on the Series 1991B Bond due on such Interest Payment Date.

There shall be deposited in the General Account of the Construction Fund the amount remaining from the proceeds of the Series 1991B Bond after the deposits to the Debt Service Reserve Fund, the Debt Service Fund and the Capitalized Interest Account of the Construction Fund have been made. On or prior to the tenth (10th) day of each month, the Custodian shall notify the Holders in writing of the dates and amounts of all disbursements from the General Account of the Construction Fund during the preceding calendar month.

Withdrawals from the Construction Fund shall be made by written authorization of the Mayor or her designee, provided, not more than two (2) withdrawals may be made each month. The City hereby authorizes the Custodian to disburse the moneys in the Construction Fund and to pay out the same to the persons entitled thereto in accordance with instructions of the City in the form referred to below, only for the purposes set forth herein.

Payments from the General Account of the Construction Fund shall be made by the Custodian only upon receipt of the certificate below described:

A requisition signed by the Mayor stating, with respect to each payment:

(i) the amount to be paid;

(ii) the nature and purpose of the obligation for which such payment is requested;

(iii) the person, firm or corporation to whom such obligation is owed or to whom a reimbursable advance has been made;

(iv) that such obligation has been properly incurred and is a proper charge against the Construction Fund and has not been the basis of any previous withdrawal;

(v) that the City has not received notice of any mechanic's, materialmen's or other liens or right to liens or other obligations

Reserve Fund, the Debt Service Fund and the Construction Fund shall be charged to the fund or account from which such investments are made.

Section 4.11. Custodian's Right to Rely.

The Custodian may conclusively rely upon any investment directions given by the City within the limitations set forth herein and shall not be liable or responsible for (a) any diminution in the value of any investments made pursuant to Section 4.10 or for any loss arising from any sale or other disposition thereof or (b) for any violation of any statute or of any other policy or rules or regulations of the Internal Revenue Service with respect to "arbitrage bonds".

Section 4.12. Payment of Expenses.

The City shall pay, from time to time upon request, its allocable portion of the obligations, costs and expenses incurred by (a) the Holder in connection with the Holder Obligations and (b) the Custodian as trustee for the Holder Obligations or as Custodian in connection with the Series 1991B Bond.

Section 4.13. Valuation.

(a) Except as provided in Section 4.5 hereof, for the purpose of determining the amount on deposit in any Fund or account, Permitted Investments in which money in such Fund or account is invested shall be valued at the market value of such obligations.

(b) Except as provided in Section 4.5 hereof, the Custodian shall value the Permitted Investments in the Funds and accounts established under this Ordinance on each December 31 and June 30, provided, the Debt Service Reserve Fund shall be valued on the first day of each calendar quarter. In addition, the Permitted Investments shall be valued by the Custodian at any time requested by the City on reasonable notice to the Custodian (which period of notice may be waived or reduced by the Custodian); provided, however, that the Custodian shall not be required to value the Permitted Investments more than once in any calendar quarter.

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ARTICLE V

ADDITIONAL BONDS

Section 5.1. Issuance of Additional Bonds.

The City specifically reserves the right to issue Additional Bonds in such amount as it from time to time shall deem necessary and which, if issued in accordance with the provisions hereof, shall be on a parity with the Series 1991A Bond and the Series 1991B Bond. Such right to issue Additional Bonds shall be conditioned upon full observance of all of the following provisions of this Article:

(a) Such Additional Bonds shall be issued to obtain funds to defray the cost of improving, extending, enlarging or repairing the System or any system into which the System may be combined, or to obtain funds to refund any bonds having any claim to the Revenues of the System;

(b) There shall exist, at the time of the issuance of the Additional Bonds, no default in the payment of the principal and interest of the Series 1991A Bond and the Series 1991B Bond or any Additional Bonds then Outstanding, and, if default in the payment of interest or principal of the Series 1991A Bonds and the Series 1991B Bond or any Additional Bonds then Outstanding shall have occurred such default shall have been remedied at least six (6) months prior thereto;

(c) There is then on deposit in the Debt Service Reserve Fund an amount equal to the Reserve Fund Requirement and in any analogous fund established for any Additional Bonds then Outstanding an amount equal to the sums which would have been deposited therein if each payment required to be deposited in such fund had been paid;

(d) There shall be established by the ordinance authorizing each issue of Additional Bonds a bond and interest redemption fund for the benefit of such Additional Bonds, which shall operate in a manner similar to the Debt Service Fund;

(e) There shall be established by the ordinance authorizing each issue of Additional Bonds, a debt service reserve fund substantially proportionate in amount and of like nature to the Debt Service Reserve Fund established for the Series 1991B Bond;

(f) Except in the case of Additional Bonds issued for the purpose of refunding any Bonds:

(i) The net earnings of the System (which are hereby defined as gross Revenues less the Expenses of Operating and Maintaining the System) for the Fiscal Year immediately preceding

the Fiscal Year in which Additional Bonds are to be issued or for any twelve (12) consecutive month period ending not more than 180 days prior to the enactment of the supplemental ordinance authorizing such Additional Bonds (the "Test Period"), adjusted to reflect any rate increases currently adopted and to be in effect prior to or coincident with the issuance of such Additional Bonds, and determined pro forma as though such rate increases had been in continuous effect during such Test Period, shall be not less than one hundred twenty percent (120%) of the combined principal and interest requirements of the current Fiscal Year for all Bonds and Additional Bonds then Outstanding immediately prior to the proposed issuance;

(ii) For each of the five (5) Fiscal Years following the later of the date of the delivery of such Additional Bonds or the period (if any) for which interest is funded from the proceeds of such Additional Bonds, net earnings, as shall have been forecasted by the Consulting Engineer, will be not less than one hundred twenty percent (120%) of the combined principal and interest requirements on all Series 1991A Bonds, the Series 1991B Bond and Additional Bonds then proposed to be outstanding in each of such five (5) Fiscal Years; and

(iii) For the purpose of this paragraph (f), in determining "net earnings" the principal of and interest on long term indebtedness and depreciation shall not be taken into account. Both the City and any Holder shall be entitled to rely upon the forecast of the Consulting Engineer made in good faith as to the net earnings of the System, which are based upon historical net earnings certified by the Consulting Engineer.

(g) In the case of Additional Bonds issued for the purpose of refunding any Bonds either:

(i) The combined principal and interest requirements of the refunding Additional Bonds in each succeeding Fiscal Year shall not exceed the annual combined principal and interest requirements of the refunded bonds in such Fiscal Year until a time subsequent to the last maturity of Bonds then Outstanding and which remain Outstanding following the issuance of such Additional Bonds; or

(ii) The City shall comply with the earnings test prescribed by both subparagraphs (i) and (ii) of paragraph (f) above.

(h) The City covenants and agrees to increase the maximum amounts of the Contingent Fund and the Depreciation Fund in the proportion that the Additional Bonds then to be issued shall bear to the Series 1991B Bond; and

(i) The City covenants and agrees that if, under the proceedings authorizing the Additional Bonds, it shall be permitted

to optionally redeem bonds of such issue of Additional Bonds, all amounts applied for the optional redemption will be applied to the redemption of the Series 1991B Bond and to each series of Additional Bonds pro rata based on the proportion of the original principal amount of bonds of each such issue then Outstanding; provided, however, that the City shall at all times have the right, the provisions of this paragraph notwithstanding, to redeem bonds of any issue which may be called without the payment of a redemption premium.

Section 5.2. Junior Bonds.

While the Series 1991A Bond, the Series 1991B Bond or any Additional Bonds are outstanding, the City may at any time issue Junior Bonds, in such amounts as it may from time to time determine, payable from the Revenues of the System, provided that the pledge of Revenues and any lien upon the System granted for the payment of such Junior Bonds shall at all times be subordinate and inferior to the pledge of the Revenues and the lien upon the System securing the payment of the Series 1991A Bond, the Series 1991B Bond and any Additional Bonds; and provided further, that the proceeds thereof are used to effect improvements, extensions or repairs to the System.

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ARTICLE VI

GENERAL COVENANTS

Section 6.1. Rates and Charges.

The City hereby covenants and agrees that it will establish, levy, maintain, revise when necessary and collect the rates and charges for all services furnished by the System, so that such rates and charges shall at all times be sufficient (a) to pay all Expenses of Operating and Maintaining the System and costs of replacement, renewal and repairs of the System, including such expenses as may be necessary to preserve the same in good repair and working order; (b) to establish all reserves required by the Act; (c) to produce at least 120% of the annual principal and interest requirements on the Series 1991A Bond, the Series 1991B Bond, and any Additional Bonds; (iv) to create the required reserves therefor and to meet any further obligations of the City which are charges, liens, or encumbrances upon the Revenues of the System; and (v) to comply in all respects with the terms of this Ordinance.

In the event of a deficiency in Revenues available to meet the approved budget in any period, the City covenants and agrees to revise the schedule of rates and charges for all services furnished by the System in an amount necessary to fund such deficiency, unless the Holders of all Bonds then Outstanding waive such requirement. The ability of Revenues of the System to meet the budget shall be evaluated by the City at least quarterly and action required by this paragraph shall be taken within sixty (60) days after the end of the fiscal quarter when any deficit occurs.

Section 6.2. Covenants of City.

The City covenants and agrees:

(a) Neither the System, nor any part thereof, nor any of the Revenues derived from the System, have been or will be hypothecated or mortgaged or otherwise pledged or encumbered except as contemplated herein;

(b) So long as the Bonds are Outstanding, it will not sell, pledge, mortgage, hypothecate, lease or dispose of the System (except that it may dispose of obsolete equipment, provided that the proceeds thereof shall be deposited in the Gross Revenue Fund), or any part thereof, or any Revenues therefrom, except in the manner authorized by the provisions of this Ordinance;

(c) It will maintain, preserve and keep the System in good repair and working order, and will from time to time, when necessary, make or cause to be made all necessary and proper

repairs and replacements, and the business operations of the System shall be conducted in a manner consistent with prudent management, and it will, in every respect, perform and comply with any applicable federal, state and local laws and regulations;

(d) It will conduct the operation of the System in an economical and efficient manner, and it will receive and consider all recommendations made to it by the administrative officers in control of the System which are designed to ensure prudent and economical operation;

(e) It will permit no free service to be rendered or use to be made of the services and facilities of the System, and for the services and facilities of the System used by the City, or by any agency thereof the reasonable cost and value of such services and facilities shall be paid as such services or facilities accrue. The Revenues so received shall be deemed to be Revenues derived from the operation of the System, and shall be accounted for in the same manner as other Revenues from the System;

(f) (i) So long as any Bonds are Outstanding, it will at all times keep the properties of the System insured against all hazards customarily insured against by municipal corporations engaged in similar endeavors, to the full insurable value thereof, with a responsible insurance or bonding company or companies authorized and qualified under the laws of the State of South Carolina to assume such risks, and it will pay the cost of such fidelity bonds and such insurance from the funds maintained to pay Expenses of Operating and Maintaining the System.

(ii) All sums received by the City from insurance policies may, to the extent necessary, be applied to the repair and replacement of the damaged or destroyed property, but, in the event that such moneys are not used for such purposes, then the same shall be deposited in and become a part of the Gross Revenue Fund.

(iii) All insurance policies shall be open to inspection by the Holders at all reasonable times.

(g) It will permit, at all reasonable times, so long as the Bonds are Outstanding, the Holders to inspect the System and all records and accounts thereof;

(h) It will dispose of all moneys received from the operation of the System in the manner required by this Ordinance;

(i) It will perform all duties with reference to the System required by the Constitution and statutes of the State of South Carolina, local laws and ordinances, federal laws, rules, regulations or requirements in connection with the acquisition, construction and operation of the System, and the provisions of

this Ordinance including obtaining any required permits issued by local, State or federal bodies;

(j) It will refrain from claiming or taking the benefit or advantage in any manner whatsoever of any stay or extension law whenever enacted or at any time hereafter in force which may affect in any way the duties of the City in relation to the Bonds, or the lien thereof, or the performance of the covenants of this Ordinance;

(k) It will take all action, as may be necessary or lawful, to perfect liens on premises served by the System for the amount of all delinquent rates and charges attributable thereto;

(l) It will, to the full extent permitted by law, discontinue the services and facilities of the System to all delinquent users of services of the System and will not restore the services of the System until all delinquent charges for the services of the System have been fully paid;

(m) It will not provide or consent to the provision of any services which would compete with the System;

(n) To the extent authorized by the laws of the State of South Carolina, prospective users of the System shall be required to connect thereto;

(o) It will preserve and protect the security for the Bonds and the rights of the Holders thereof and warrant and defend such rights against all claims and demands of all persons whomsoever;

(p) It will pay and discharge, or cause to be paid or discharged, any and all lawful claims for labor, materials and supplies which, if unpaid, might by law become a lien or charge upon the Revenues or any part thereof prior or superior to the lien of the Bonds or which might impair the security of the Bonds in order to preserve and protect fully the priority and security for the Bonds; and

(q) It will hold, or cause to be held, in trust the Revenues pledged to the payment of the Bonds for the benefit of the Holders of the Bonds and apply such Revenues only as provided this Ordinance.

Section 6.3. Records of System; Audit.

The City covenants and agrees:

(a) That it will keep proper books of records and accounts, separate from all other records and accounts, in which complete and correct entries shall be made of all transactions relating to the System, all Revenues derived therefrom, directly or indirectly, and

all expenditures which may be made of the Revenues of the System. Such records shall be kept in such fashion as to show:

(i) the number of consumers who may from time to time make use of the System;

(ii) the Revenues derived from the System, segregated into appropriate classifications;

(iii) the Expenses of Operating and Maintaining the System, separated so that expenses for labor, material, and other classifications shall be shown in accordance with generally accepted accounting principles;

(iv) the expenditures made for improvements and enlargements to the System;

(v) the expenditures made to restore depreciated property constituting a part of the System; and

(vi) the rate schedule that may from time to time be in force.

(b) That the Council shall annually adopt a detailed budget of the estimated expenditures for the operation and maintenance of the System during the succeeding Fiscal Year.

(c) That as soon after the close of each Fiscal Year as possible, it will cause to be made by an independent firm of certified public accountants, of suitable experience and responsibility, to be chosen by the City, an audit of the records, books, and accounts pertaining to the System, and to furnish a copy of such audit to the Holders.

(d) That, not later than three (3) months after the close of each Fiscal Year, it will cause to be prepared a balance sheet and an income statement showing, in reasonable detail, the financial condition of the System at the close of such preceding Fiscal Year and the financial operations thereof during such Fiscal Year. The balance sheets and income statement will at all reasonable times during usual business hours be open to examination and inspection by the Holders, any taxpayer of the City, user of the services furnished by the City, or anyone acting for or on behalf of such persons.

Section 6.4. Tax Exemption of Series 1991B Bond.

As prescribed by Section 12-1-60 of the Code of Laws of South Carolina, 1976, as amended, the 1991B Bond and the interest thereon shall be exempt from all state, county, municipal, school district and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the

purpose of general revenue or otherwise, except inheritance, estate or transfer taxes. The provisions of this Section shall be deemed a part of the contract inuring to the benefit of all Holders of the Series 1991B Bond.

Section 6.5. Tax Matters

The City covenants and agrees as follows:

(a) It will not take any action which will, or fail to take any action which failure will, (i) cause interest on the Series 1991B Bond to become includable in the gross income of the Holders thereof for federal income tax purposes or (ii) cause interest on the Series 1991B Bond to become an item of tax preference for purposes of the alternative minimum tax.

(b) All property provided by the net proceeds of the Series 1991B Bond will be owned by the City in accordance with the rules governing the ownership of property for federal income tax purposes.

(c) Work on the construction and equipping of the Project will proceed with due diligence to completion, which is reasonably expected to occur prior to the date that is three (3) years from the date of issuance of the Holder Obligations.

(d) Any amounts on deposit hereunder constituting gross proceeds of the Series 1991B Bond (within the meaning of the Code) or otherwise allocated to the Series 1991B Bond (other than amounts on deposit in the Debt Service Reserve Fund not in excess of the Reserve Fund Requirement and in the Debt Service Fund) will not be invested at a yield in excess of the lesser of (i) the yield on the Holder Obligations and (ii) the yield on the Series 1991B Bond, from and after the date that is three (3) years from the date of issuance of the Holder Obligations or in the case of any amount on deposit in the Debt Service Reserve Fund in excess of the Reserve Fund Requirement from and after the date of issuance of the Series 1991B Bond.

(e) At least 80% of the net proceeds of the Series 1991B Bond shall be used for construction expenditures with respect to property which is owned by the City, within the meaning of Section 148(f)(4)(B)(iv)(IV) of the Code.

(f) The City shall pay to the Holder, upon demand therefor, its allocable portion of all amounts payable to the United States by the Holder with respect to the Holder Obligations or the Series 1991B Bonds pursuant to Section 148(f) of the Code.

(g) For each investment acquired with the gross proceeds (within the meaning of the Code) of the Series 1991B Bond or amounts otherwise allocated to the Series 1991B Bond, the City

shall record, or cause to be recorded, its purchase date, its purchase price (reduced by broker's or dealer's commissions or other administrative expenses, which shall also be stated), its fair market value (within the meaning of the Code), accrued interest due on its purchase date, its face amount, its coupon rate, its yield, frequency of its interest payments, its disposition price, accrued interest due on its disposition date and its disposition date. The City shall also record, or cause to be recorded, the date and amount of all expenditures made with such gross proceeds of the Series 1991B Bond or amounts otherwise allocated thereto.

(h) The City shall notify the Holder in writing of the date, amount and nature of the first disbursement from the General Account of the Construction Fund of more than a de minimis amount to pay costs of the Project. Such notice shall be given to the Holder within five (5) days of the date of such disbursement. The City expects to request such a disbursement within six (6) months from the date of issuance of the Holder Obligations.

(i) The City shall engage an accountant or counsel experienced in matters relating to compliance with Section 148 of the Code to calculate the amounts payable from time to time by the City to the United States with respect to the Series 1991B Bond under Section 148(f) of the Code.

(j) The City expects to spend all of the amounts deposited in the Construction Fund, together with all earnings on such amounts, and all earnings from other funds or accounts deposited therein within three (3) years from the date on which the Holder Obligations were issued.

Section 6.6. Condition of City's Obligation; Payment of Principal and Interest.

Each and every covenant herein made, including all covenants made in the various sections of this Article VI, is predicated upon the condition that any obligation for the payment of money incurred by the City shall not create a pecuniary liability of the City or a charge upon its general credit or taxing power, but shall be payable solely from the Revenues which are required to be set apart and transferred to the Debt Service Fund, which Revenues are hereby specifically pledged to the payment thereof in the manner and to the extent in this Ordinance specified and nothing in the Series 1991B Bond or in this Ordinance shall be considered as pledging any other funds or assets of the City.

The Series 1991B Bond, together with interest thereon, shall be a limited obligation of the City, payable from the Debt Service Fund and other Funds pledged herein and shall be a valid claim of the respective Holders thereof only against such Funds and the

Revenues, which Revenues are hereby pledged and assigned for the equal and ratable payment of the Series 1991B Bond and shall be used for no other purposes than to pay the principal of and interest on the Series 1991B Bond, except as may be otherwise expressly authorized in this Ordinance. The Series 1991B Bond does not now and shall never constitute an indebtedness of the City within the meaning of any state constitutional provision or statutory limitation (other than Article X, Section 14, Paragraph 10 of the South Carolina Constitution authorizing the obligations of political subdivisions payable solely from special sources not involving revenue from any tax or license), and shall never constitute nor give rise to a pecuniary liability of the City or a charge against the general credit or taxing powers of the City.

Section 6.7. Performance of Covenants; Authority of the City.

The City covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Ordinance, in the Series 1991B Bond and in all proceedings pertaining thereto. The City covenants that it is duly authorized under the Constitution and laws of the State of South Carolina, to issue the Series 1991B Bond authorized hereby, to enact this Ordinance, and to pledge the Revenues hereby pledged in the manner and to the extent herein set forth; that all action on its part for the issuance of the Series 1991B Bond and the enactment of this Ordinance has been duly and effectively taken, and that the Series 1991B Bond in the hands of the Holders thereof is and will be a valid and enforceable obligation of the City according to the import thereof.

Section 6.8. Instruments of Further Assurance.

The City covenants that it will do, execute, acknowledge, and deliver or cause to be done, executed, acknowledged and delivered, such ordinances supplemental hereto and such further acts, instruments, and transfers as the Holders may reasonably require for the better assuring, transferring, conveying, pledging, assigning, and confirming to the Holders the Revenues pledged hereby to the payment of the principal of and interest on the Bonds.

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ARTICLE VII

CUSTODIANS

Section 7.1. Appointment of Custodian.

The City appoints C&S/Sovran Trust Company (South Carolina), National Association which is a duly qualified trust company doing business in South Carolina, and whose deposits are insured by the Federal Deposit Insurance Corporation, satisfactory to the City, as Custodian of the Debt Service Fund, the Debt Service Reserve Fund and the Construction Fund established by this Ordinance. All funds held by the Custodian shall be impressed with a trust for the benefit of the persons entitled thereto as provided by the Act and the provisions of this Ordinance. At the time such deposits are made, instructions shall be given requiring compliance with the provisions of this Ordinance.

Section 7.2. Qualifications of Custodians; Acceptance by Custodian.

Each Custodian (or commercial bank affiliate of the Custodian) to be appointed hereunder shall, on the occasion of its appointment, be a member of the Federal Deposit Insurance Corporation and shall remain such a member throughout the period during which it shall act as such Custodian. Each Custodian (or commercial bank affiliate of the Custodian) shall accept its appointment by a written instrument embodying its agreement to remain a member of the Federal Deposit Insurance Corporation.

Section 7.3. Custodians Protected in Relying Upon Resolutions, Etc.

All the Custodians shall at all times be protected in acting upon any notice, ordinance, resolution, request, consent, order, certificate, statement, opinion, bond, coupon or other paper or document believed to be genuine and to have been signed by the proper party or parties. No Custodian shall be under any obligation to perform any act which would involve it in expense, or to institute any suit, or defend the same, or to advance any of its own moneys, unless properly indemnified to its satisfaction. Nor shall any Custodian be liable in connection with the performance of its duties hereunder, except for its own gross negligence or default.

Section 7.4. Appointment of Successor Custodians.

Should any Custodian (or commercial bank affiliate of the Custodian) resign, become incapable of acting, or fail to remain a member of the Federal Deposit Insurance Corporation, the City shall appoint a successor Custodian in accordance with directions of the

Authority. Immediately following such appointment, the City shall give written notice of such appointment to the Authority and any other Holder of the Series 1991B Bond.

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ARTICLE VIII

DEFAULTS AND REMEDIES

Section 8.1. Events of Default.

Each of the following events shall constitute an Event of Default hereunder:

(a) Default in the due and punctual payment of any interest on any Bond; or

(b) Default in the due and punctual payment of the principal of or premium, if any, on any Bond whether at the stated maturity thereof, upon proceedings for redemption thereof or upon the maturity thereof by declaration; or

(c) Subject to the provisions of the last paragraph in Section 8.2, default in the performance or observance of any of the covenants, agreements or conditions on the part of the City contained in this Ordinance or in the Bonds other than as described in (a) or (b) above; or

(d) Subject to the provisions of the last paragraph of Section 8.2, any warranty, representation or other statement by or on behalf of the City contained in this Ordinance or in any instrument furnished in compliance with or in reference to this Ordinance is false or misleading, when made, in any material respect; or

(e) A petition is filed against the City under any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction whether now or hereafter in effect and is not dismissed within sixty (60) days after such filing; or

(f) The City files a petition in voluntary bankruptcy or seeking relief under any provisions of any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution or liquidation law of any jurisdiction whether now or hereafter in effect, or consents to the filing of any petition against it under such law; or

(g) The City is generally not paying its debts as such debts become due, or becomes insolvent or bankrupt or makes an assignment for the benefit of creditors, or a liquidator or trustee of the City or any of its property is appointed by court order or takes possession and such order remains in effect or such possession continues for more than sixty (60) days; or

(h) The City, for any reason, shall be rendered incapable of fulfilling its obligations under this Ordinance.

Section 8.2. Remedies.

Upon the occurrence of an Event of Default, the Custodian may, and upon the written request of the Holders of not less than twenty-five percent (25%) in aggregate principal amount of Series 1991B Bonds then Outstanding shall, by notice in writing delivered to the City, declare the principal of all Series 1991B Bonds then Outstanding and the interest accrued thereon immediately due and payable, and such principal and interest shall thereupon become and be immediately due and payable.

Upon the occurrence of an Event of Default, the Custodian shall have the power to proceed with any right or remedy granted by the Constitution and laws of the State, as it may deem best, including any suit, action or special proceeding in equity or at law, for the specific performance of any covenant or agreement contained herein or for the enforcement of any proper legal or equitable remedy as the Custodian shall deem most effectual to protect the rights aforesaid, insofar as such may be authorized by law. The rights herein specified are to be in addition to all other available rights, remedies or powers and shall not exclude any such rights, remedies or powers.

Anything herein to the contrary notwithstanding, the Holders of a majority in aggregate principal amount of Series 1991B Bonds then Outstanding shall have the right, at any time, by an instrument or instruments in writing executed and delivered to the Custodian, to direct the exercise of remedies and the time, method and place of conducting all proceedings to be taken in connection with the enforcement of the terms and conditions hereof.

The Custodian shall waive any Event of Default hereunder and its consequences and rescind any declaration of maturity of principal of, premium, if any, and interest on the Bonds upon the written request of the Holders of a majority in aggregate principal amount of all Series 1991B Bonds then Outstanding; provided, however, that there shall not be waived any Event of Default pursuant to Section 8.1(a) or (b), unless prior to such waiver or rescission, all arrears of interest, with interest at the rate borne by the Series 1991B Bonds on overdue installments of interest, and all arrears of payments of principal then due (whether at the stated maturity thereof or upon proceedings for redemption) with interest at the rate borne by the Series 1991B Bonds on such arrears, and all expenses of the Custodian in connection with such Event of Default shall have been paid or provided for, and in case of any such waiver or rescission, or in case any proceeding taken by the Custodian on account of any such Event of Default shall have been discontinued or abandoned or determined adversely, then and in every such case the City, the Custodian and the Holders shall be restored to their former positions and rights hereunder respectively, but no such waiver or

rescission shall extend to any subsequent or other Event of Default or impair any right consequent thereon.

No Event of Default under Section 8.1(c) or (d) shall exist until actual notice of the occurrence of an event described in Section 8.1(c) or (d) shall be given by registered or certified mail by the Custodian or by the Holders of not less than twenty-five percent (25%) of the aggregate principal amount of Series 1991B Bonds then Outstanding to the City and the City shall have had sixty (60) days after receipt of such notice to correct such occurrence or cause such occurrence to be corrected, and shall not have corrected such occurrence or caused such occurrence to be corrected within such period; provided, however, if such occurrence be such that it cannot be corrected within the applicable period, it shall not constitute an Event of Default if corrective action is instituted by the City within the applicable period and is diligently pursued and such occurrence is corrected within ninety (90) days after the notice described above has been given.

Section 8.3. Application of Moneys. All moneys received by the Custodian pursuant to any right given or action taken under the provisions of this Article VIII shall, after payment of the cost and expenses of the proceedings resulting in the collection of such moneys and of the fees, expenses, liabilities, legal fees and advances incurred or made by the Custodian, be applied as follows:

(i) Unless the principal of all the Bonds shall have become or shall have been declared due and payable, all such moneys shall be applied:

First--To the payment of the Holders entitled thereto of all installments of interest then due on the Bonds, in the order of the maturity of the installments of such interest and, if the amount available shall not be sufficient to pay in full any particular installment, then to the payment ratably, according to the amounts due on such installment, to the Holders entitled thereto, without any discrimination or privilege; and

Second--To the payment of the Holders entitled thereto of the unpaid principal of and premium, if any, on any of the Bonds which shall have become due (other than Bonds called for redemption for the payment of which moneys are held pursuant to the provisions of this Ordinance), with interest on such Bonds at the rate specified therein from the dates on which they became due and, if the amount available shall not be sufficient to pay in full principal of and premium, if any, on the Bonds, together with such interest, then first to the payment of such interest due on such date and then to the payment ratably, according to the amount of the principal and premium, if any, due on such date, to the Holders entitled thereto without any discrimination or privilege.

(ii) If the principal of all the Bonds shall have become due or shall have been declared due and payable, all such moneys shall be applied to the payment of the principal, premium, if any, and interest then due and unpaid upon the Bonds, without preference or priority of principal over interest or of interest over principal, or of any installment of interest over any other installment of interest, or of any Bond over any other Bond, ratably, according to the amounts due respectively for principal, premium, if any, and interest to the Holders entitled thereto without discrimination or privilege.

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ARTICLE IX

DEFEASANCE

The obligations of the City under this Ordinance and the liens, pledges, charges, trusts and the covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to any portion of the Series 1991B Bond and, unless or except as otherwise provided in a supplemental ordinance providing for the issuance of any Additional Bond, such Series 1991B Bond or Additional Bond shall no longer be deemed to be Outstanding hereunder when:

(a) such Series 1991B Bond or Additional Bond shall have been purchased by the City and surrendered to the City for cancellation or otherwise surrendered to the City and is canceled or subject to cancellation by the City; or

(b) payment of the principal of, redemption premium, if any, and interest on such Series 1991B Bond or Additional Bonds, either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with the Custodian in trust and irrevocably setting aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment. At such time as the Series 1991B Bond or Additional Bonds shall no longer be deemed to be Outstanding hereunder, such Series 1991B Bond or Additional Bond, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

Any moneys so deposited with the Custodian as provided in this Article may at the direction of the City also be invested and reinvested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from all Government Obligations in the hands of such Custodian which is not required for the payment of the Bonds or Additional Bonds and interest thereon with respect to which such moneys shall have been so deposited, shall be treated as Revenues of the System.

Notwithstanding any provision hereof which may be contrary to the provisions of this Article, all moneys or Government Obligations set aside and held in trust pursuant to the provisions of this Article for the payment of Bonds or Additional Bonds shall be applied to and used solely for the payment of the particular principal portion of the Series 1991B Bond or the particular Additional Bonds with respect to which such moneys and Government Obligations have been so set aside in trust.

* * * * *

ARTICLE X

AMENDING AND SUPPLEMENTING OF ORDINANCE

Section 10.1. Amending and Supplementing of Ordinance Without Consent of Holders of Bonds.

(a) The City, from time to time and at any time and without the consent or concurrence of any Holder of any Bonds Outstanding, may enact an ordinance amendatory hereof or supplemental hereto, (i) for the purpose of providing for the issuance of Additional Bonds pursuant to the provisions of Article V hereof or (ii), if the provisions of such supplemental ordinance shall not materially adversely affect the rights of the Holders of the Bonds then outstanding, for any one or more of the following purposes:

(i) To make any changes or corrections in the Ordinance as to which the City shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing or correcting any ambiguity or defective or inconsistent provision or omission or mistake or manifest error contained in the Ordinance, or to insert in the Ordinance such provisions clarifying matters or questions arising under the Ordinance as are necessary or desirable;

(ii) To add additional covenants and agreements of the City for the purpose of further securing the payment of the Series 1991B Bond or Additional Bonds;

(iii) To surrender any right, power or privilege reserved to or conferred upon the City by the terms of the Ordinance;

(iv) To confirm as further assurance any lien, pledge or charge or the subjection to any lien, pledge or charge, created or to be created by the provisions of the Ordinance;

(v) To grant or confer upon the Bondholders any additional right, remedies, powers, authority or security that lawfully may be granted to or conferred upon them, or to grant to or to confer upon the Holders of the Series 1991B Bond or any Additional Bond any additional rights, duties, remedies, powers, authority or security;

(vi) To modify any of the provisions of the Ordinance in any other respects provided that such modification shall not be effective until after the Series 1991B Bond or any Additional Bond outstanding at the time such supplemental ordinance is enacted shall cease to be Outstanding, or until the Holders of the Series 1991B Bond consent thereto pursuant to Section 10.2 of this Article, and any Bonds issued subsequent to any such modification

shall contain a specific reference to the modifications contained in such supplemental ordinance; and

(vii) To make such additions, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Code relating to required rebate to the United States or otherwise as may be necessary to assure exemption from federal income taxation of interest on the Bond.

(b) Except for supplemental ordinances providing for the issuance of Additional Bonds pursuant hereto, the City shall not adopt any supplemental ordinance authorized by the foregoing provisions of this Section unless in the opinion of counsel (which opinion may be combined with the opinion required by Section 10.4 of this Article) the adoption of such supplemental ordinance is permitted by the foregoing provisions of this Section and the provisions of such supplemental ordinance do not adversely affect the rights of the Holders of any Bonds then outstanding.

Section 10.2. Amending and Supplementing of Ordinance With Consent of Holders of Bonds.

(a) With the consent of the Holders of not less than a majority in principal amount of the Bonds then Outstanding, the City from time to time and at any time may enact an ordinance amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, the Ordinance, or modifying or amending the rights and obligations of the City under the Ordinance, or modifying or amending in any manner the rights of the Holders of any Bonds Outstanding provided, however, that, without the specific consent of the Holder of each such Series 1991B Bond which would be affected thereby, no supplemental ordinance amending or supplementing the provisions hereof or thereof shall: (i) change the fixed maturity date of any Series 1991B Bond or Additional Bond or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any Bonds or Additional Bond or the rate of interest thereon or the redemption price (or the redemption premium) payable upon the redemption or prepayment thereof; (ii) reduce the aforesaid percentage of the Bonds or Additional Bonds, the Holders of which are required to consent to any supplemental ordinance amending or supplementing the provisions of the Ordinance; (iii) give to any Bonds or Additional Bonds any preference over any other Bond or Additional Bond secured hereby; (iv) authorize the creation of any pledge of the Revenues and other moneys pledged hereunder, prior, superior or equal to the pledge of any lien and charge thereon created herein for the payment of Bonds Outstanding; or (v) deprive any Holder of Bonds of the lien on the Revenues afforded by the Ordinance. Nothing in this paragraph contained, however, shall be construed as making necessary the approval of the Holders of the Series 1991B Bond or any Additional Bonds of the enactment of any

supplemental ordinance authorized by the provisions of Section 10.1 of this Article.

(b) It shall not be necessary that the consents of the Holders of Bonds Outstanding approve the particular form of wording of the proposed amendment or supplement or of the supplemental ordinance affecting such amending or supplementing hereof pursuant to this Section. The City shall mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement postage prepaid, to each Holder of Bonds Outstanding then Outstanding at his address, if any, appearing upon the Books of Registry and to the Custodian, but failure to mail copies of such notice to any of the Holders shall not affect the validity of the supplemental ordinance effecting such amendments or supplements or the consents thereto. Nothing in this paragraph contained, however, shall be construed as requiring the giving of notice of any amendment or supplement of the Ordinance authorized by Section 10.1 of this Article. No action or proceeding to set aside or invalidate such supplemental ordinance or any of the proceedings for its enactment shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the mailing of the notice required by this paragraph.

Section 10.3. Notation Upon Bonds; New Bonds Issued Upon Amendments.

Bonds delivered after the effective date of any action taken as provided in this Article may bear a notation as to such action, by endorsement or otherwise and in form approved by the City. In that case, upon demand of the Holder of any Bond outstanding after such effective date and upon the presentation of the Bond for such purpose at the principal office of the Clerk of the City, and at such additional offices, if any, as the City may select and designate for that purpose, a suitable notation shall be made on such Bond. If the City shall so determine, new Bonds, so modified as in the opinion of the City upon the advice of counsel to conform to the amendments or supplements made pursuant to this Article, shall be prepared, executed and delivered, and upon demand of the Holder of any Bond then Outstanding shall be exchanged without cost to such Holder for Bonds then outstanding, upon surrender of such Outstanding Bonds.

Section 10.4. Effectiveness of Supplemental Ordinance.

Upon the enactment (pursuant to this Article and applicable law) by the City of any supplemental ordinance amending or supplementing the provisions of the Ordinance and the delivery to the Custodian of an opinion of bond counsel that such supplemental ordinance is in due form and has been duly enacted in accordance with the provisions hereof and applicable law and that the provisions thereof are valid and binding upon the City, or upon such later date as may be specified in such supplemental ordinance,

(a) the Ordinance and the Bonds shall be modified and amended in accordance with such supplemental ordinance, (b) the respective rights, limitations of rights, obligations, duties and immunities under the Ordinance of the City, the Custodian, and the Holders of the Bond shall thereafter be determined, exercised and enforced under the Ordinance subject in all respects to such modifications and amendments, and (c) all of the terms and conditions of any such supplemental ordinance shall be a part of the terms and conditions of the Bond and of the Ordinance for any and all purposes.

Section 10.5. Ordinance Affecting Custodians.

No supplemental ordinance changing, amending or modifying any of the rights, duties and obligations of any Custodian appointed by or pursuant to the provisions of the Ordinance may be enacted by the City or be consented to by the Holders of the Bond without written consent of such Custodian affected thereby.

* * * * *

ARTICLE XI

MISCELLANEOUS

Section 11.1. Execution of Documents.

The Mayor of the City and Clerk/Treasurer of the City are hereby authorized, empowered and directed to execute in the name of the City and under the seal of the City any and all other documents that may be required by the Authority as a condition precedent to the issuance of the Series 1991B Bond by the City, and the City is hereby authorized and empowered to accept and receive the proceeds of such Series 1991B Bond.

Section 11.2. Tenor of Obligation.

Every covenant, undertaking, and agreement made on behalf of the City set forth in the Series 1991B Bond and in this Ordinance is made, undertaken, and agreed to for the proper securing of the payment of the principal of and interest on the Series 1991B Bond. Each shall be deemed to partake of the obligation of the contract between the City and the Holders, and shall be enforceable accordingly.

Section 11.3. Benefits of Ordinance Limited to the City and Holders of the Series 1991B Bond.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from the Ordinance or the Series 1991B Bond is intended or should be construed to confer upon or give to any person other than the City and the Holders of the Series 1991B Bond, any legal or equitable right, remedy or claim under or by reason of or in respect to the Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. The Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City and the Holders from time to time of the Series 1991B Bond as herein and therein provided.

Section 11.4. Ordinance Binding Upon Successors or Assigns of the City.

All the terms, provisions, conditions, covenants, warranties and agreements contained in the Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the Holders of the Series 1991B Bond.

Section 11.5. No Personal Liability.

No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the City contained in this Ordinance or the Series 1991B Bond, against any council member of the City, any officer or employee, as such, in his or her individual capacity, past, present or future, of the City, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Ordinance and the Series 1991B Bond are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such, past, present or future, of the City, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the City and the Bondholder or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the enactment of this Ordinance and the execution of the Series 1991B Bond, and as a condition of, and as a part of the consideration for, the enactment of this Ordinance and the execution of the Series 1991B Bond, expressly waived and released. The immunity of members, officers and employees of the City under the provisions contained in this Section 11.5 shall survive the completion of the Project and the termination of the Ordinance.

Section 11.6. Effect of Saturdays, Sundays and Legal Holidays.

Whenever the Ordinance requires any action to be taken on a day that is not a Business Day, such action shall be taken on the first Business Day occurring thereafter.

Section 11.7. Law and Place of Enforcement of the Ordinance.

The Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of the Ordinance shall be instituted in a court of competent jurisdiction in said State.

Section 11.8 Effect of Article and Section Headings and Table of Contents.

The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of the Ordinance.

Section 11.9. Savings Provision.

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.

Section 11.10. Repealing Clause.

All resolutions, ordinances, or parts thereof inconsistent herewith shall be, and the same are hereby, repealed to the extent of such inconsistencies.

Section 11.11. Effective Date.

This Bond Ordinance shall be effective without the necessity of any publication upon the date on which it receives second reading.

Section 11.12. Codification.

This Ordinance shall be forthwith codified in the Code of Ordinances in the manner required by law and shall be indexed under the general heading "$2,700,000 Water and Sewer System Revenue Bond, Series 1991B."

Section 11.13. Designation as Qualified Tax Exempt Obligation.

The City hereby designates the Series 1991B Bond as a qualified tax exempt obligation for purposes of Section 265(b)(3)(B)(i)(III) of the Code.

DONE IN MEETING DULY ASSEMBLED, THIS 16TH DAY OF DECEMBER, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

_____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

APPROVED AS TO FORM:

_____
Attorney for the City

Date of First Reading: December ___, 1991

Date of Second Reading: December 16, 1991

Exhibit A

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF ISLE OF PALMS
WATER AND SEWER SYSTEM REVENUE BOND, SERIES 1991B

$2,700,000

KNOW ALL MEN BY THESE PRESENTS, that THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, a municipal corporation organized and existing under the laws of the State of South Carolina (the "city"), is justly indebted, and for value received, hereby promises to pay to the SOUTH CAROLINA RESOURCES AUTHORITY (the Authority), or its registered assigns, (unless this Bond be subject to redemption and shall have been duly called for previous redemption and payment of the redemption price shall be made or provided for) solely from the revenues described and pledged to the payment of this Bond, the principal sum of TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS ($2,700,000), and to pay interest thereon at the interest rates per annum both as stated on Exhibit A attached hereto from December 1, 1991, payable on June 1, 1992, and semiannually on December 1 and June 1 of each year thereafter. The principal hereof is payable on December 1 in each of the years and in the amounts shown on Exhibit A hereto. Both the principal hereof and interest hereon shall be payable in any coin or currency of the United States of America, which is at the time of payment, legal tender for the payment of public and private debts, in the manner herein provided.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 21, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10) OR STATUTORY LIMITATION. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THIS BOND.

Principal of this Bond, when due, shall be payable on the presentation and surrender of this Bond at the principal corporate trust office of the Custodian. Interest on this Bond shall be payable to the Holder on each Interest Payment Date in accordance with the written instructions of the Holder filed with the Custodian. This Bond shall at all times be registered as to principal and interest in the name of the Holder on the Books of Registry to be maintained in the Office of the Clerk of the City, and each transfer to be valid shall be made on the Books of Registry and similarly noted on this Bond. The Authority may at any time assign and transfer this Bond in the manner hereinabove noted.

This Bond is given as evidence of a loan to the City made by the Authority pursuant to the South Carolina Resources Authority Act and shall be subject to the present regulations of the Authority and to its future regulations not inconsistent with the express provisions hereof.

The City hereby certifies that traditional financing sources are not available for the entire costs of the project financed with the proceeds hereof.

This Bond is issued pursuant to Title 6, Chapter 21, Code of Laws of South Carolina 1976, as amended (the "Act"), and Ordinance No. 1991-26 enacted by the City Council of the City on December 16, 1991 (the "Bond Ordinance"), to provide funds for the cost of constructing improvements and extensions to the water and sewer system of the City (the "System"). All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Bond Ordinance.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series which may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which this Bond is issued and upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the holder of this Bond.

This Bond and the interest thereon are special obligations of the City payable solely from, and secured equally and ratably by a pledge of and lien upon, the Revenues (as defined in the Bond Ordinance) derived by the City from the System after paying the Expenses of Operating and Maintaining the System (as defined in the Bond Ordinance), on a parity with the pledge and lien of the Revenues securing the Series 1991A Bond (as defined in the Bond

Ordinance) of the City, and on a parity with any Additional Bonds (as defined in the Bond Ordinance) hereafter issued under the Bond Ordinance payable from such Revenues on a parity and equally and ratably secured therewith.

The principal portion of this Bond maturing on or after December 1, 2002, shall be subject to redemption at the option of the City, in whole or in part in Authorized Denominations (as defined in the Bond Ordinance) on any Interest Payment Date (as defined in the Bond Ordinance), at any time on or after December 1, 2001, at the redemption prices (expressed as percentages of principal amount) set forth in the table below plus interest accrued to the redemption date and the amount determined by the Holder to be necessary to cover any deficiency in the amounts available to the Holder to pay the principal, premium, if any, and interest on the Holder Obligations resulting from such redemption.

Redemption Period (Dates Inclusive)	Redemption Prices (plus accrued interest and additional amounts determined by the Holder)
December 1, 2001 through November 30, 2002	102%
December 1, 2002 through November 30, 2003	101%
December 1, 2003 and thereafter	100%

The principal portion of this Bond maturing on December 1, 2011 is subject to mandatory redemption commending December 1, 2006, at a redemption price equal to 100% of the principal portion of this Bond to be redeemed plus interest accrued to the redemption date, on December 1 of each of the following years in the respective principal amount (after credit as provided in the Bond Ordinance) for each year specified in the following table:

Year	Amount
2006	$170,000
2007	180,000
2008	195,000
2009	210,000
2010	220,000
2011*	240,000

*Maturity

Notice of such redemption shall be given at least sixty (60) days but not more than eighty (80) days prior to the date fixed for redemption by registered or certified mail. Such notice shall be mailed to the address of the Registered Holder as shown on the Books of Registry. The notice shall state (i) the redemption date, (ii) the redemption price and, if necessary, that the City requests that the Holder determine the additional premium to be paid

pursuant to Section 3.3(a) of the Bond Ordinance, (iii) if less than all of the outstanding principal installments of this Bond are to be redeemed, the identification and the respective principal amounts to be redeemed. The place of redemption shall be the corporate trust office of the Custodian. Interest on the portion of this Bond so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are on deposit with the Custodian to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the portion of this Bond so called for redemption shall be surrendered for cancellation.

In certain events, on the conditions, in the manner, and with the effect set forth in the Bond Ordinance, all unpaid principal installments of this Bond, together with the interest accrued thereon, may become or may be declared to be due and payable before the stated due dates hereof.

Both the principal of and interest on this Bond are payable solely from the Revenues (as defined in the Bond Ordinance) derived from the operation of the System. The City is not obligated to pay this Bond or the interest hereon, save and except from the Revenues derived from the operation of the System.

The City hereby covenants and agrees that it will continuously operate and maintain the System and establish, levy, maintain, revise when necessary and collect the rates and charges for all services furnished by the System, so that such rates and charges shall at all times be sufficient (1) to pay all Expenses of Operating and Maintaining the System and costs of replacement, renewal and repairs of the System, including such expenses as may be necessary to preserve the same in good repair and working order; (2) to establish all reserves required by the Act; (3) to produce at least 120% of the annual principal and interest requirements on the Series 1991A Bond (as defined in the Bond Ordinance) this Bond and any Additional Bonds; (4) to create the required reserves therefor and to meet any further obligations of the City which are charges, liens or encumbrances upon the Revenues of the System; and (5) to comply in all respects with the terms of the Bond Ordinance.

Pursuant to the Act, there has been created and granted to and in favor of the Holder of this Bond, a statutory lien which is hereby recognized as valid and binding on the System, with the appurtenances and extensions thereto, and the System shall remain subject to such statutory lien until the payment in full of the interest on and principal of this Bond. Upon the happening of any Event of Default (as defined in the Bond Ordinance, all sums then due by way of principal on this Bond may, at the option of the Holder hereof, be declared forthwith due and payable, in the manner and with the effect provided for in said Ordinance.

The principal of and interest on this Bond are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina except inheritance, estate and transfer taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required by the Constitution and laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this Bond exist, have happened, and have been done and performed in regular and due time, form and manner, and that the amount of this Bond does not exceed any constitutional or statutory limitation thereon; and that provision has been made for the payment of the principal of and interest on this Bond, as provided in the Bond Ordinance.

IN WITNESS WHEREOF, the City of Isle of Palms has caused this Bond to be signed in its name by the Mayor of the City, attested by the Clerk/Treasurer of the City, under the Seal of the City to be impressed hereon, and this Bond to be dated as of the 1st day of December, 1991.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Clerk/Treasurer

FORM OF ASSIGNMENT

(A form similar to this but not attached to the within Bond may also be used)

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto _____ the within Bond of the _____ and hereby irrevocably constitutes and appoints _____, Attorney to transfer the same on books of the _____ with full power of substitution in the premises.

_____

Dated: _____, 19__.

DATE OF REGISTRATION	NAME OF REGISTERED HOLDER	SIGNATURE CLERK/TREASURER OF CITY
_____, 1991	South Carolina Resources Authority	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

EXHIBIT A

SCHEDULE OF PRINCIPAL PAYMENTS AND INTEREST RATES

Year	Principal Amount	Interest Rate
1993	$ 80,000	5.000%
1994	85,000	5.150
1995	90,000	5.250
1996	95,000	5.400
1997	100,000	5.600
1998	105,000	5.750
1999	110,000	5.900
2000	115,000	6.050
2001	125,000	6.150
2002	130,000	6.250
2003	140,000	6.350
2004	150,000	6.500
2005	160,000	6.600
2011	1,215,000*	6.625

* Subject to mandatory sinking fund redemption as follows:

Year	Amount
2006	$170,000
2007	180,000
2008	195,000
2009	210,000
2010	220,000
2011	240,000

EXHIBIT F

CITY OF ISLE OF PALMS

Ordinance No. 1992 -14

First Reading Draft - 12/16/91

AN ORDINANCE TO AMEND SECTION 7-2-1, ALCOHOL BEVERAGES

WHEREAS, Section 7-2-1 of the Isle of Palms City Code provides that it shall be unlawful to possess open containers of beer and alcohol on public property; and

WHEREAS, public safety interests are better promoted by making possession of open containers of beer and alcohol on public beaches unlawful;

NOW, THEREFORE, BE IT ORDAINED, **by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council duly assembled, that Section 7-2-1 is amended to read as follows:**

Section 1. SCC 7-2-1 drinking on streets, beaches, etc., prohibited. It shall be unlawful for any person to drink or to possess open containers of beer, wine or alcoholic liquors in publicly owned areas to include, but not limited to streets, sidewalks, thoroughfares, public parking lots, beach areas or on any city owned property (See exemption),

Exemption: Any person or group requesting and being permitted by city council following consideration of public safety committee recommendation to hold a "special event" within the city limits of Isle of Palms and further wishing to allow the consumption of beer and/or wine at the "special event" may, at the discretion of City

Council, receive a special permit for the consumption of beer and/or wine during the "special event". Application for a "special event" can be made at the police department during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday; provided however, that no permit for a "special event" shall be granted so as to allow for the same on any City of Isle of Palms Recreation Department property.

It shall be unlawful for any person to possess containers of beer and/or wine or alcoholic liquors on the beach area within the city.

Section 2. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 3. Effective date. On that period this Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF THE ISLE OF PALMS ON THIS _____ DAY OF _____, 1992.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie
Clerk-Treasurer

First Reading: 12/10/91

Second Reading: _____

Third Reading: _____

Ratification: _____

EXHIBIT G

CITY OF ISLE OF PALMS

Ordinance No. 1991 -27

First Reading Draft - 12/16/91

AN ORDINANCE TO AMEND SECTION 6-2-15(A), MANDATORY LEASH REQUIREMENT

WHEREAS, Section 6-2-15(A) of the Isle of Palms City Code provides that it shall be unlawful for a dog to be off the premises of its owner, unless such dog is securely confined by a strong leash, securely and continuously held by a competent person.

WHEREAS, public safety interests and the interests of the permanent residents of the City of Isle of Palms must be balanced so as to promote the mutual respect of both;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council duly assembled, that:

Section 6-2-15(A) is amended to read as follows:

Section 1. SCC 6-2-15 running at large prohibited; vicious dogs; penalties.

Section 6-2-15 (A) shall be amended to add the following language at the end of the section as it now exists:

"provided however, it shall not be unlawful for any person owning, having an interest in, harboring, or having charge, care, control, custody or possession of a dog to allow said dog to remain within that persons immediate area of control without being confined to a leash from September 30th through May 1st during the

hours of 5 p.m. and 9 a.m.; "However, this exception shall not apply to the beach area between Tenth Avenue and Twenty-First Avenue."

Section 2. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 3. Effective date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF THE ISLE OF PALMS ON THIS _____ DAY OF _____, 1992.

_____
Carmen R. Bunch, Mayor

_____
Nellie S. McDuffie
Clerk-Treasurer

First Reading: 12/10/91

Second Reading: _____

Third Reading: _____

Ratification: _____