

**Minutes**  
**Town of Yemassee Town Council**  
**December 8, 2020 Town Council Meeting; 6:30PM**  
101 Town Cir, Yemassee, SC 29945

**Attendance:**

Present: Mayor Colin Moore, Mayor Pro-Tem Peggy O'Banner, Councilmember Alfred Washington, Town Clerk Matthew Garnes, Police Captain Joe Loadholt, Business License Director Lori Mixson

Absent: Council Member Hagan

Media Present: Lowcountry Inside Track Ltd.

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**Call to Order:**

Mayor Moore called the Tuesday, December 8, 2020 Town Council Meeting to order at 6:30PM.

**Pledge of Allegiance & Invocation:**

Council Member O'Banner gave the invocation and lead the Pledge of Allegiance.

**Consent of the Agenda:**

Mayor Moore asked for a motion to approve the Agenda as presented. Council Member O'Banner made the motion. There was no discussion on the motion. Second by Council Member Simmons, all in favor. **Motion Passed**

Mayor Moore asked for a motion to approve the November 10, 2020 Town Council Meeting Minutes. Council Member Washington made the motion to approve as presented. There was no discussion. Second by Council Member O'Banner. All in favor. **Motion Passed.**

**Old Business:**

Mayor Moore read proposed Ordinance 20-21, Consideration of an Ordinance Approving Annexation of Two Parcels of land, totaling 3.10 Acres on Cochran Street, Hampton County TMS: 198-00-00-195 & 198-00-00-317. The applicant is Glen Kearse and these properties are currently unimproved land. Mayor Moore asked for a motion to approve second and final reading. Council Member Washington made the motion. There was no discussion. Second by Council Member O'Banner. All in favor, **Motion Passed.**

Mayor Moore read proposed Ordinance 20-22, Consideration of an Ordinance Approving Annexation of Approximately One Parcel of land, totaling 2.96 Acres on Yemassee Hwy, Hampton County TMS: 197-00-00-117. Mayor Moore reminded the Council and attending public that this is a piece of Town owned property that was the former dump site on SC-68. The

dump was abandoned decades ago and was never annexed into the Town. It remains undeveloped and is directly in front of the Angel Tract. Mayor Moore asked for a motion to approve second and final reading. Council Member O'Banner made the motion. There was no discussion. Second by Council Member Washington. All in favor, **Motion Passed.**

Mayor Moore read proposed Ordinance 20-24, Consideration of an Ordinance Amending the Town of Yemassee Schedule of Rates & Fees. Staff has recommended an adjustment to the fee schedule for the rental amounts to reserve Harold Peebles Ballfield. The current fee is not sufficient and the refundable security deposit of \$25 would not even cover a replacement key fob for the concession stand. The proposed adjustment raises the rental of the ballfield from \$175 to \$250 and the Security Deposit from \$25 to \$100. Mayor Moore reminded the Council that the deposit is refundable if there is no damage left at the field. Mayor Moore asked for a motion to approve second and final reading. Council Member O'Banner made the motion. There was no discussion. Second by Council Member Washington. All in favor, **Motion Passed.**

### **New Business:**

Mayor Moore read proposed Ordinance 20-25, Consideration of an Ordinance Approving Annexation of Two Parcels of land, totaling 5.00 Acres on Riley Street, Hampton County TMS: 198-00-00-055 & 198-00-00-056. The applicant is Larry Evans, and these properties are currently unimproved land. Mayor Moore asked for a motion to approve first reading. Council Member Simmons made the motion. There was no discussion. Second by Council Member O'Banner. All in favor, **Motion Passed.**

Mayor Moore read proposed Ordinance 20-26, Consideration of an Ordinance Approving Annexation of One Parcel of land, of 0.26 Acres at 418 Cochran Street, Hampton County TMS: 198-00-00-079. The applicant is Earl Decosta and the property currently has a single-family dwelling on it. This property is one of the last remaining "donut holes" on Cochran Street that did not annex in during the Summer 2018 Cochran Street annexation. Mayor Moore asked for a motion to approve first reading. Council Member Washington made the motion. There was no discussion. Second by Council Member O'Banner. All in favor, **Motion Passed.**

Mayor Moore read Resolution 20-09, Consideration of a Resolution Authorizing the Town Clerk to Execute a Contract for the purchase of real property located in the Town of Yemassee. Mr. Garnes told the Council that this property is an ideal location for a future Parks & Recreation offering and will be the first property owned by the Town within the newly annexed Riley Street area that occurred in 2018. Mr. Garnes told the Council that by purchasing the property for future municipal use that it reaffirms our commitment to improving the quality of life and services offered to all of Yemassee, including newly annexed areas. Mayor Moore asked for a motion to adopt the Resolution. Council Member Washington made the motion. There was no discussion. Second by Council Member O'Banner. All in favor, **Motion Passed.**

Mayor Moore read Resolution 20-10, Consideration of a Resolution Authorizing the Town Clerk to award an engineering contract for the CDBG Water & Sewer Extension contingent on review and approval from the South Carolina Department of Commerce. Mr. Garnes reported the

Selection Committee met and determined that Thomas & Hutton provided the proposal best suited to meet our needs. Mayor Moore asked for a motion to adopt the Resolution. Council Member O'Banner made the motion. There was no discussion. Second by Council Member Simmons. All in favor, **Motion Passed.**

Mayor Moore read the names of Resolutions 20-11, 20-12, 20-13, 20-14 & 20-15 concurrently. These resolutions, if adopted, will impose the collection of Impact Fees for new development within the Beaufort County portion of the Town of Yemassee. Mr. Garnes met with Beaufort County staff who addressed any questions. The fees collected will include, Parks & Recreation, Roads, Libraries, Fire Service & Emergency Medical Services impact fees. The Impact fees are calculated by the type of development and are collected by the Town concurrently with issuing a Building Permit. All impact fees generated must stay in the North of the Broad Service area. The Town will submit an updated CIP list to the County for potential funding from the Impact Fees. The County is working diligently to have Resolutions and Intergovernmental Agreements in signed and ready for County Council approval in the first quarter. Currently, the City of Beaufort, Town of Port Royal, Town of Bluffton, Town of Hilton Head Island and the City of Hardeeville have all executed the same agreements. By the Town of Yemassee adopting the impact fees, it will be universal county wide. Mayor Moore asked for a motion to adopt Resolutions 20-11 through 20-15. Council Member O'Banner made the motion to adopt Resolutions 20-11, 12, 13, 14 & 15, to execute an Intergovernmental Agreements with Beaufort County for the collection of impact fees. There was no discussion. Second by Council Member Washington. All in favor, **Motion Passed.**

Mayor Moore read Resolution 20-16, Consideration of a Resolution adopting the 2021 Town of Yemassee Public Meeting schedule. Mayor Moore said these dates are subject to change with proper notice but by law we are required to publish and adopt a list of scheduled meeting days each year. Council Member Simmons made the motion to adopt the Resolution and attached schedule. There was no discussion. Second by Council Member Washington. All in favor, **Motion Passed.**

### **Department Reports**

Police Department – Captain Load

Administration – Mr. Garnes gave a summary of the activity from the last month. The Town hosted additional COVID-19 testing events which had a great turnout. New residential garbage roll carts have been ordered and should be in soon. Once they are in and labeled, they will be distributed to all customers on Bing St and Willis St S. Town Staff met with Hampton County staff and the County Council Chairman regarding a master plan for the Exit 38 interchange. Staff will continue to work together over the next month and will meet again in December. The preliminary idea is to install proper lighting for the interchange, landscaping and addressing some Stormwater concerns.

Public Works – None

Municipal Court - None

### **Public Comment:**

Fred Fraizer (1101 Lowcountry Hwy [Colleton County]) – Mr. Fraizer asked what the requirements are for obtaining water service at a lot and what would make a property exempt from connecting to municipal water. Council Member Washington responded that in the Town limits if water is available on the right of way, you are required to connect to the regional system operated by LRWS.

Kyleisha Frazier (1101 Lowcountry Hwy [Colleton County]) – Ms. Frazier said she is getting the run around from the Town Clerk regarding a trailer she purchased and is looking to place on Hill Road. Ms. Frazier said she keeps going back and forth between Yemassee and Hampton and cannot get an answer. Mr. Garnes addressed the Council and informed them that the property in question is in the Fennell Subdivision off of Hill Road. Ms. Frazier bought an interior parcel that has no legal access, no road, and no utility easements and until these issues are rectified a Building Permit could not be issued. Ms. Frazier said that the Fennell's did provide an easement to the Town and LRWS. Mr. Garnes advised the easement provided was not in the correct format. Council Member O'Banner informed the Council and audience that this issue was brought up at the recent LRWS Commission meeting and that LRWS would give temporary service to the trailer if Mr. Fennell began the process to address the easement issue. There was comment from the audience as to why this is different than any other property. Mr. James Fennell stood up and said he is not in the water business- that he is in the land business. Mr. Garnes told the Council that Mr. Fennell purchased the lot around 1984, subdivided the parcel into 10 smaller lots in 2004 and then filed Covenants to govern the use of the parcels in the subdivision. Mr. Fennell annexed his properties in 2018 and accordingly is subject to the Town of Yemassee Zoning Code and Development Standards Ordinance.

James Fennell (Davidson Tower Rd) – Mr. Fennell reiterated what Ms. Frazier said and expressed his displeasure with the Town. Mr. Fennell claimed the story keeps changing. Mr. Garnes informed Council that the legal council Mr. Fennell retained is dealing with the legal counsel for LRWS and the Town. Mr. Garnes said that in the eyes of the Town Code; Mr. Fennell fits the description of a developer and furthermore filed Covenants which are filed by developers to maintain the aesthetics of a neighborhood and are one of three known in the Town. Since Mr. Fennell is a developer, he is responsible for securing the proper utility easements, creating an access road that aligns with the plat and up to Town and County code. Mayor Moore interrupted and advised Mr. Fennell the issue will be taken up in business hours and no further discussion will occur tonight.

### **Adjournment**

Mayor Moore asked for motion to adjourn. Council Member O'Banner made the motion to adjourn. Second by Council Member Simmons. All in favor, **Meeting Adjourned at 7:04PM**