



TOWN OF YEMASSEE TOWN COUNCIL MEETING

Tuesday, October 11, 2022 – 6:30PM

Yemassee Municipal Complex, 101 Town Cir, Yemassee SC 29945-3363

- I. **Call to Order – Mayor Colin Moore**
- II. **Pledge of Allegiance & Invocation**
- III. **Determination of Quorum**
 - a. Consent of the Agenda for the Tuesday, October 11, 2022, Town Council Meeting
 - b. Approval of the September 13, 2022, Regular Town Council Meeting Minutes
- IV. **Presentations**
 - a. Hampton County School District
- V. **New Business**
 - a. **Proclamation for Red Ribbon Week 2022**
 - b. Consideration of a Request for an Ordinance Approving Annexation of Approximately 2.08 Acres of land, located on Bing Street, and further identified by Hampton County TMS: 198-00-00-029. Applicant: Lillian Williams [Ordinance 22-14]
- VI. **Department Reports**
 - a. Police Department
 - b. Administration
 - c. Public Works
 - d. Municipal Court
- VII. **Public Comment**
 - a. Public Comment must be submitted to the Town Clerk at least five minutes prior to the start of the meeting. **PUBLIC COMMENT IS LIMITED TO TWO MINUTES AND WILL BE ENFORCED**
- VIII. **Council Discussion**
 - a. Review of Elected Officials handbook (Council Member David Paul Murray)
 - b. Discussion regarding dedication and renaming of Willis Street Basketball Court (Mayor Pro-Tem Peggy O'Banner)
 - c. Discussion regarding Yemassee Shrimp Festival (Mayor Pro-Tem Peggy O'Banner)
- IX. **Executive Session**
 - a. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened or potential claim or other means covered by the attorney-client privilege, settlement or legal

“FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Yemassee policies.”

claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. (Pursuant to SC Freedom of Information Act 30-4-70[a][2])

i. Personnel Matters

X. Action as a Result of Executive Session

XI. Adjournment

Mayor
Peggy Bing-O'Banner
Mayor Pro Tempore
Matthew Garnes
Town Clerk



Council Members
Alfred Washington
Stacy Pinckney
David Paul Murray

Town Council Agenda Item

Subject: Approval of the September 13, 2022, Regular Town Council Meeting Minutes

Department: Administration

Submitted by: Matthew Garnes, Town Clerk

Attachments:

	Ordinance		Resolution		Other
√	Support Documents		Motion		

Summary: Meeting minutes of the September 13, 2022, Town Council Meeting

Recommended Action: Approve minutes as presented.

Council Action:

- Approved as Recommended
- Approved with Modifications
- Disapproved
- Tabled to Time Certain
- Other

Minutes
Town of Yemassee Town Council
September 13, 2022, Regular Town Council Meeting 6:30 PM
101 Town Cir, Yemassee, SC 29945-3363

Attendance:

Present: Mayor Colin Moore, Mayor Pro-Tem Peggy O'Banner and Council Member Alfred Washington, Council Member Stacy Pinckney, Council Member David Paul Murray, Town Clerk Matthew Garnes and Chief Gregory Alexander

Absent: None

Media Present: Lowcountry Inside Track, Ltd.

Call to Order:

Mayor Moore called the Tuesday September 13, 2022, Regular Town Council Meeting to order at 6:30 PM.

Pledge of Allegiance & Invocation

Council Member Stacy Pinckney led the Pledge of Allegiance and Invocation.

Determination of Quorum:

Mayor Moore asked for a motion to approve the agenda as presented for September 13, 2022, Regular Town Council Meeting as presented. Mayor Pro-Tem O'Banner made the motion. There was no discussion. Second by Council Member Murray. All in favor, Motion Passed, Agenda Adopted.

Mayor Moore asked for a motion to approve the August 9, 2022, Town Council Meeting minutes as presented. Council Member Pinckney made the motion. There was no discussion. Second by Mayor Pro-Tem O'Banner. All in favor, Motion Passed.

Mayor Moore asked for a motion to approve the August 12, 2022, Special Town Council Meeting minutes as presented. Mayor Pro-Tem O'Banner made the motion. There was no discussion. Second by Council Member Pinckney. All in favor, Motion Passed.

Presentations:

Mayor Moore reported the Hampton County School District was scheduled to appear tonight to give a presentation regarding the new high school, but they have rescheduled to the October 2022 Regular Town Council meeting.

Old Business:

Mayor Moore read Ordinance 22-13, an Ordinance Amending portions of Town of Yemassee Code Chapter 3, (Animals). Mr. Garnes advised that Beaufort County had adopted some updated language in their Ordinance, which the Town of Yemassee and other signatories had to adopt in full to allow them to be able to conduct Animal Control Operations inside the Town. Council Member Pinckney made the motion to approve second and final reading. There was no discussion. Second by Council Member Murray. All in favor, Motion Passed.

Department Reports:

Police Department – Chief Alexander introduced new Police Officer Richard Pope and thanked the community for their support at the National Night Out Event.

Administration – No Report

Public Works – No Report

Municipal Court – No Report.

Public Comment

JD Shannon, resident of Zahler St W, addressed the Town Council regarding the operations of the Yemassee Train Station.

Mayor Pro-Tem O'Banner reviewed the elected official's handbook on behalf of Council Member Washington and reviewed the process of conduct of municipal elections.

Adjournment

Mayor Moore asked for motion to adjourn. Mayor Pro-Tem O'Banner made the motion to adjourn. Second by Council Member Pinckney. All in favor, Meeting Adjourned at 7:12PM.

Town Council Meeting Agenda Request

September 9, 2022

Dear Mayor Moore,

Town of Yemassee
SEP 12 2022
Received

I am requesting the opportunity to address Town Council at its September 13, 2022 meeting, so I wish to be added to the agenda for that meeting.

I would like to be on the agenda because I want to address, with the Town, the status of the Yemassee Train Station (YTS) which is an important part of the identity of Yemassee.


I would like to better understand the relationship the town has with the YTS. For example, I understand the town owns the YTS. I would like to learn and clarify my understanding of these other items:

- Is the town directly responsible for leasing commercial space within the YTS?
- Do lessees share any responsibilities with the town?
- Is the town responsible, and compensated, for YTS mtc and upkeep?

I have supported the YTS in the past, and I continue to be interested in its future, so I am requesting time on the Town Council's September 13, 2022 meeting agenda.

Thank you for your attention to my request.

Sincerely,


JD Shannon
Resident,
Yemassee, SC

HANDBOOK FOR MUNICIPAL OFFICIALS IN SC
BOOK STUDY SEPTEMBER 13, 2022
YEMASSEE TOWN COUNCIL

ALFRED WASHINGTON
CHAPTER 2. PAGES 9-20

ELECTIONS

2 TYPES OF ELECTIONS. PAGES 9-11

1) GENERAL ELECTION

General Elections for mayor and council may be held every 2 or 4 years.

Staggered elections elect the mayor and no more than half of the council in the same election.

2) SPECIAL ELECTIONS

Held for a vacancy in office. Cannot be filled by appointment.

If the vacancy occurs more than 180 days before a municipal election, then council must order a special election to fill the unexpired term

Special elections may be held to change the form of government, to hold referendums, etc.

VOTER QUALIFICATIONS AND REGISTRATION

Any citizen of the US and of SC who is at least 18 years old, has lived in the town for 30 days before the election, has been registered more than 30 days and is NOT disqualified for being registered or voting, may vote.

ABSENTEE BALLOT

Voter must apply by mail to the county registration board at least 4 days before the election or in person no later than 5:00 pm on the day before the election.

Absentee ballots are available to students, members of the armed forces, overseas citizens, vacationers, disabled persons and those required to be at work when polls are open.

ELECTION PROCESS

The Municipal Election Commission is the central figure in the municipal election process. The commission supervises and conducts all municipal special and regular elections. Contested elections petitions must be filed with the commission within 48 hours of the polls closing. The commission meets and records testimony and exhibits with the clerk of court. The commission notifies the parties of the decision.

Municipal elections must be held even when one candidate files.

STATE ETHICS COMMISSION

Each candidate must file a Statement of economic Interests with the Ethics Commission at the time of filing a declaration of candidacy or a petition for nomination. It must be done electronically.

Candidates must keep records of total contributions received with the contributor's name and address, all receipts, bills, canceled checks or other proofs.

Expenses greater than \$25 must be paid by check drawn on the campaign account.

There can be only one checking and or one savings account for the candidate.

Mayor
Peggy Bing-O'Banner
Mayor Pro Tempore
Matthew Garnes
Town Clerk



Council Members
Alfred Washington
Stacy Pinckney
David Paul Murray

Town Council Agenda Item

Subject: Proclamation declaring the week of October 23rd – October 31st as Red Ribbon Week in the Town of Yemassee

Department: Administration

Submitted by: Matthew Garnes, Town Clerk

Attachments:

	Ordinance		Resolution		Other
√	Support Documents		Motion		

Summary: Annual Proclamation for Red Ribbon Week 2022.

Recommended Action: Approve as presented.

Council Action:

- Approved as Recommended
- Approved with Modifications
- Disapproved
- Tabled to Time Certain
- Other

Proclamation

Town of Yemassee

Yemassee, South Carolina

RED RIBBON WEEK

WHEREAS; communities across America have been plagued by numerous problems associated with illicit drug use and those that traffic them; and

WHEREAS; there is no hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines to foster a healthy, drug free lifestyle; and

WHEREAS; governments and community leaders know that citizens support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

WHEREAS; the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS; the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

WHEREAS; the week of October 23rd through October 31st has been designated as National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug free environment,

NOW THEREFOR BE IT RESOLVED that I, Colin Moore, Mayor of the Town of Yemassee, along with Yemassee Town Council do hereby proclaim the week of October 23rd-October 31st as Red Ribbon Week and urge all citizens to join me in this special observance.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the Town of Yemassee to be affixed this 11th day of October 2022.

Colin Moore, Mayor

Mayor

Peggy Bing-O'Banner

Mayor Pro Tempore

Matthew Garnes

Town Clerk



Council Members

Alfred Washington

Stacy Pinckney

David Paul Murray

Town Council Agenda Item

Subject: Consideration of a Request for an Ordinance Approving Annexation of Approximately 2.08 Acres of land, located on Bing Street, and further identified by Hampton County TMS: 198-00-00-029. Applicant: Lillian Williams [Ordinance 22-14]

Department: Administration

Submitted by: Matthew Garnes, Town Clerk

Attachments:

√	Ordinance		Resolution		Other
√	Support Documents	√	Motion		

Summary: Town Staff have received an annexation petition, via the 100% Petition and Ordinance method for a 2.08-acre parcel of land located on Bing Street, Hampton County. Planning Commission reviewed the annexation request during their October 4, 2022, Planning Commission and recommended annexation and subsequently voted to advance the annexation request to the Town Council.

Recommended Action: Town Staff recommend Town Council approve first reading on Annexation Ordinance 22-14.

Council Action:

- Approved as Recommended
- Approved with Modifications
- Disapproved
- Tabled to Time Certain
- Other

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)
TOWN OF YEMASSEE)
ORDINANCE NUMBER:)
(22-14)

An Ordinance Annexing One Parcel of Land owned by Robert Sinclair Williams into the Town of Yemassee, South Carolina.
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AN ORDINANCE ANNEXING INTO THE TOWN OF YEMASSEE, ONE PARCEL OF LAND OF APPROXIMATELY 2.08 ACRES, LOCATED ON BING STREET OWNED BY ROBERT SINCLAIR WILLIAMS, IN HAMPTON COUNTY, NOT ALREADY WITHIN THE YEMASSEE TOWN LIMITS AND INCLUDING ALL ADJACENT PUBLIC RIGHTS OF WAY, RAILROAD RIGHTS OF WAY, WATERS, LOWLANDS AND WETLANDS.

Section 1. Findings of Facts

As an incident to the adoption of this ordinance, Town Council of Yemassee finds the following facts to exist:

- a) Section 5-3-150, Code of Laws of South Carolina (1976) as amended, provides a method of annexing property to a city or town by a Petition signed by all persons owning real estate in the area requesting annexation.
- b) A proper Petition has been filed with Town of Yemassee by one hundred percent (100%) of the freeholders owning one hundred percent (100%) of the assessed value of the contiguous property herein described, petitioning for annexation of the property to the Town of Yemassee under the provisions of South Carolina Section 5-3-150(3) and is requesting the Town's zoning of General Residential (GR) and have submitted proper submission materials supporting each application in accordance with Town requirements.
- c) It appears to Town Council that the annexation would be in the best interest of the property owners and the town.
- d) The Town Council is zoning the parcel General Residential (GR).
- e) The Yemassee Town Council finds the proposed annexation and rezoning is consistent with the Yemassee Comprehensive Plan (as amended and revised).

Section 2.

NOW, THEREFOR IT BE ORDAINED by the Mayor and Council of the Town of Yemassee, South Carolina, duly assembled and with authority of the same, pursuant to Section 5-3-150 and Section 5-3-100, Code of Laws of South Carolina (1976), as amended, the following described property is hereby annexed to and made part of the Town of Yemassee, to wit:

ALL THOSE CERTAIN PIECES, PARCELS OR TRACTS OF LAND being known as 198-00-00-029 & 2.08 acres, and all adjacent public rights of ways and wetlands as shown on the attached map.

This Ordinance shall become effective upon ratification.

SO ORDERED AND ORDAINED THIS ____ Day of _____, 2022.

By the Yemassee Town Council being duly and lawfully assembled.

Colin Moore, Mayor

Matthew Garnes, Town Clerk

Peggy Bing-O'Banner, Council Member

Stacy Pinckney, Council Member

David Paul Murray, Council Member

Alfred Washington, Council Member

(Seal)

First Reading:

Second Reading:



Staff Report Administration



October 3, 2022

Project: Williams Tract Annexation (Hampton County TMS: 198-00-00-029)

Case Number: ANNX-09-22-1081

1. Request

Town Staff requests that Town Council discuss, consider, and conduct first reading on an Annexation and Zoning Map Amendment applications to annex certain real property consisting of a total 2.08 acres, more or less, and bearing Hampton County Tax Map No. 198-00-00-029 (the "Property") and establish zoning as General Residential subject to the Town of Yemassee Zoning Ordinance.

Introduction: Town Staff received a request for annexation via the 100% Petition and Ordinance method of a single, undeveloped tract of land on Bing Street near the intersection of Murcier Street in Hampton County. Staff reviewed the submission and ensured that contiguity was established to the parcel seeking annexation.

The parcel is one of the last remaining "donut holes" on Bing Street and is surrounded by the Town limits on three sides of the property. The surrounding parcels are zoned General Residential (GR) which is the zoning requested by the applicant. Staff believe General Residential zoning is the most appropriate designation for this property.

This request was reviewed by the Planning Commission at their October 4, 2022 meeting and a Public Hearing is scheduled for October 27, 2022, at 3:00 PM.

Tax Map Number: 198-00-00-029

Acreage: 2.08

Current Zoning: General Development (Hampton County Zoning)

Current Use: Undeveloped land

Proposed Zoning: General Residential - GR (Town of Yemassee)



Staff Report

Administration



Contiguity: The parcel petitioning for annexation is contiguous to the primary service area. The parcel is within the Future Annexation Map of the Town of Yemassee. The proposed annexation would aid in closing a donut hole and allow for more efficient delivery of service in the Bing Street neighborhood.

Adjacent Land Use/Zoning: The parcel is surrounded by the following properties and jurisdictions:

Direction	Parcel	Owner	Jurisdiction
North	198-00-00-028 402 Bing St	Rafe Brown Jr.	Town of Yemassee
East	198-00-00-005 40 Murcier St	Lillian McCaskill	Town of Yemassee
West	198-00-00-036 Unaddressed Parcel	Frances Hamilton	Hampton County
South	198-00-00-031 Unaddressed Parcel	Lillian McCaskill	Town of Yemassee
South	198-00-00-121 442 Bing St	St. Jude Church	Town of Yemassee

2. Staff Comments

Special Notes

The Town of Yemassee will be able to furnish all town services upon annexation. This will fill in one of the last remaining unincorporated parcels on Bing Street.

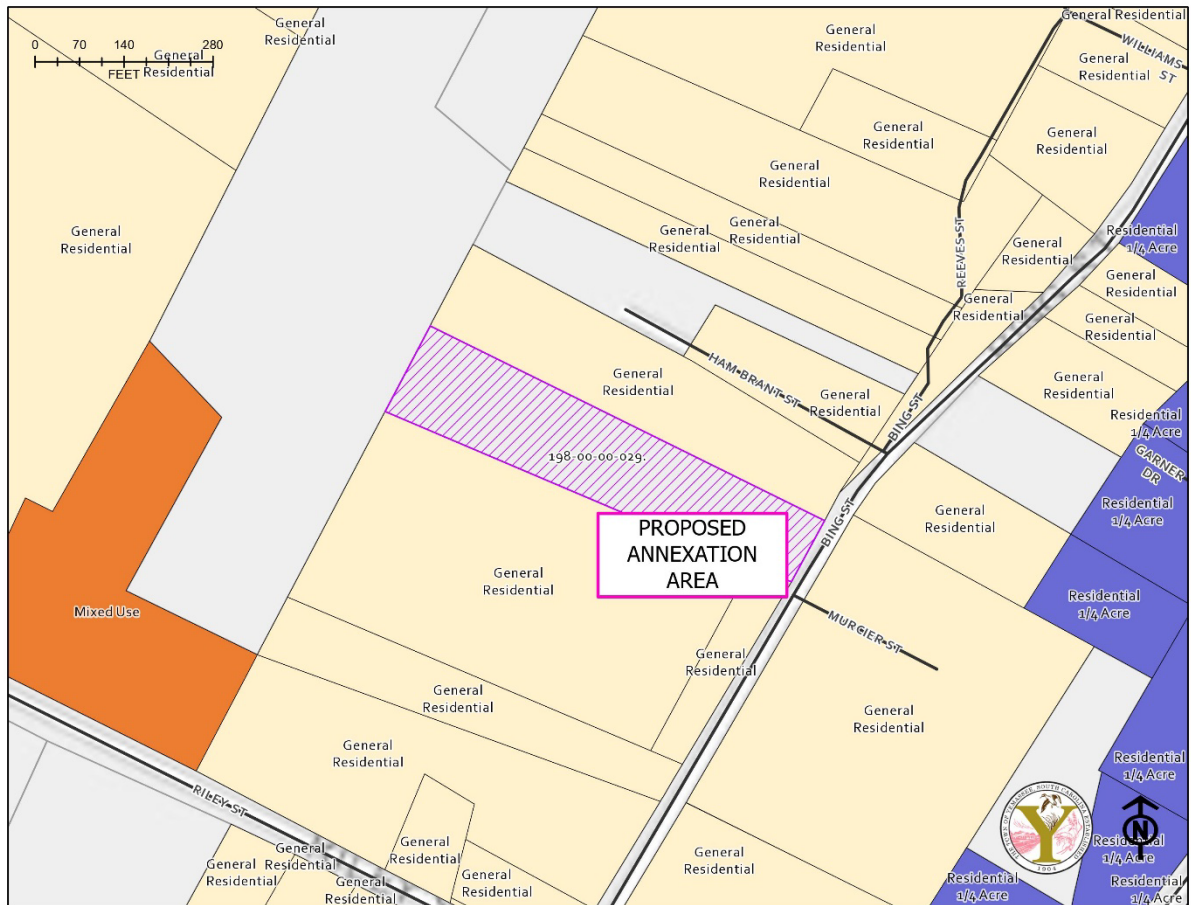
The parcel would be subject to the adopted millage rate at the time of annexation, the adopted millage rate within the Hampton County portion of the Town of Yemassee, is 74.00 mills.



Staff Report Administration



3. Maps



*Parcel proposed for annexation outlined in purple.



Staff Report

Administration



4. Analysis

The following analysis has been conducted on the parcel petitioning for Annexation.

- 1.) The application is in the best interests of the Town of Yemassee and its residents.
 - a. *Finding:* Staff completed a Cost/Benefit Analysis and provided the property owner with an estimated tax liability upon Annexation. Any vehicles or personal/business property taxed by Hampton County will be subject to the city tax rate imposed for FY2023 which is 74.00 mills. Additionally, the property will close the last remaining donut hole on the north side of Bing Street, which will allow for a more efficient delivery of services.
- 2.) The property has contiguity to the Town of Yemassee corporate limits
 - a. *Finding:* The property is contiguous to the Town of Yemassee corporate limits on three sides. The adjacent parcels were annexed into the Town in 2018 during the Cochran/Bing/Riley Street 100% Annexations.
- 3.) Does the Annexation avoid creating new doughnut holes or enclaves in the Town Limits?
 - a. *Finding:* The proposed Annexation will not create any new doughnut holes or enclaves in the Town of Yemassee corporate limits.
- 4.) The Annexation will not create a tax burden or measurably reduce the level of service(s) provided to existing citizens and property owners.
 - a. *Finding:* Based on the current use of the property, a tax burden is not created and a reduction in the level of service is not anticipated in the first year of Annexation.
- 5.) Consideration of the Annexation areas existing utilities, transportation, and infrastructure.
 - a. *Finding:* The franchised water and sewer provider in the Town of Yemassee is Lowcountry Regional Water. Dominion Energy currently provides electric and natural gas services. Telecommunications service can be provided by Frontier or Xfinity (Comcast) Communications.



Staff Report Administration



6.) The full impact the Annexation will have on Law Enforcement has been considered.

- a. *Finding:* The Police Department has advised this parcel will not have a negative impact on the services provided by the Yemassee Police Department. Upon annexation, the primary response agency will be the Yemassee Police Department, with backup provided via a Mutual-Aid agreement with the Hampton County Sheriff's Office.

Attachments

- Annexation Petition
- Map of general Area



**TOWN OF YEMASSEE
ANNEXATION APPLICATION**

Town of Yemassee

SEP 26 2022

Received

Town of Yemassee
Attn: Administration Department
101 Town Cir
Yemassee, SC 29945-3363
(843) 589-2565 Ext. 3
<http://www.townofyemassee.org>

Applicant		Property Owner	
Name: Robert Sinclair Williams		Name: Robert Sinclair Williams	
Phone:		Phone:	
Mailing Address: 1372 Franklin Ave, Apt 3B Bronx, NY 10456-2422		Mailing Address: 1372 Franklin Ave, Apt 3B Bronx, NY 10456-2422	
E-mail:		E-mail:	
Town Business License # (if applicable): N/A			
Property Information			
County: <input type="checkbox"/> Beaufort <input checked="" type="checkbox"/> Hampton <input type="checkbox"/> Jasper		Acreage: 2.08	
Property Location: Bing St			
Existing Zoning: General Development (Hampton Co)		Proposed Zoning: General Residential (GR)	
Tax Map Number(s): 198-00-00-029			
Project Description: Annexation of single parcel			
Select Annexation Method			
<input checked="" type="checkbox"/> 100 Percent Petition and Ordinance Method		<input type="checkbox"/> 75 Percent Petition and Ordinance Method	<input type="checkbox"/> 25 Percent Elector Petition and Election Method
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Completed Annexation Petition(s) <input checked="" type="checkbox"/> 2. Copy of plat and/or survey of area requesting annexation <input checked="" type="checkbox"/> 3. Parcel Information from the appropriate County Assessor's Office			
Note:		Application is not valid unless signed and dated by property owner.	
Disclaimer:		The Town of Yemassee assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.	
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property.			
Property Owner Signature: <i>R. Williams</i>		Date: 08/12/2022	
Applicant Signature: <i>Robert Williams</i>		Date: 08/12/2022	
For Office Use			
Application Number: ANNEX-09-22-1081		Date Received: 9/26/22	
Received By: M. Games		Date Approved:	



Summary

Parcel Number 198-00-00-029.
 Tax District County (District N)
 Location Address
 Town Code
 Class Code (NOTE: Not Zoning Info) 206-Residential Lot Vacant
 Acres 2.08
 Description ACRES CORRECTED TO 2.08
 Record Type Residential
 Town Code / Neighborhood
 Owner Occupied

[View Map](#)

Note: Acres will not display correctly if any or all of the parcel is classed as exempt. (Exempt acreage will not calculate in total acreage.)

Owners

WILLIAMS ROBERT SINCLAIR
 1372 FRANKLIN AVE 3-B
 BRONX N Y
 10456

2021 Value Information

Land Market Value \$11,600
 Improvement Market Value \$0
 Total Market Value \$11,600
 Taxable Value \$8,500
 Total Assessment Market \$510

Note: Values will not display correctly if any or all of the parcel is classed as exempt. (Exempt building values will not display nor calculate in totals.)

Sales Information

Sale Date	Price	Deed Book	Plat Book	Grantor
1/4/1984	\$0	80 205	11 106	

No data available for the following modules: Building Information, Lot Size Information (Dimensions in Feet).

Hampton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

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[GDPR Privacy Notice](#)

Last Data Upload: 10/3/2022, 7:06:44 AM

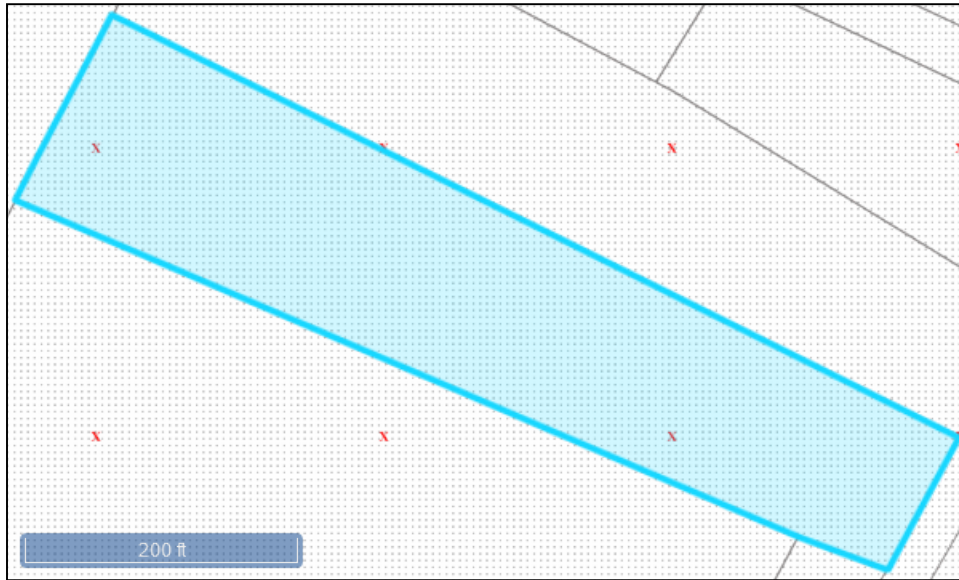


Version 2.3.224

Town of Yemassee

Flood Zone Report - Hampton County

3 Oct 2022

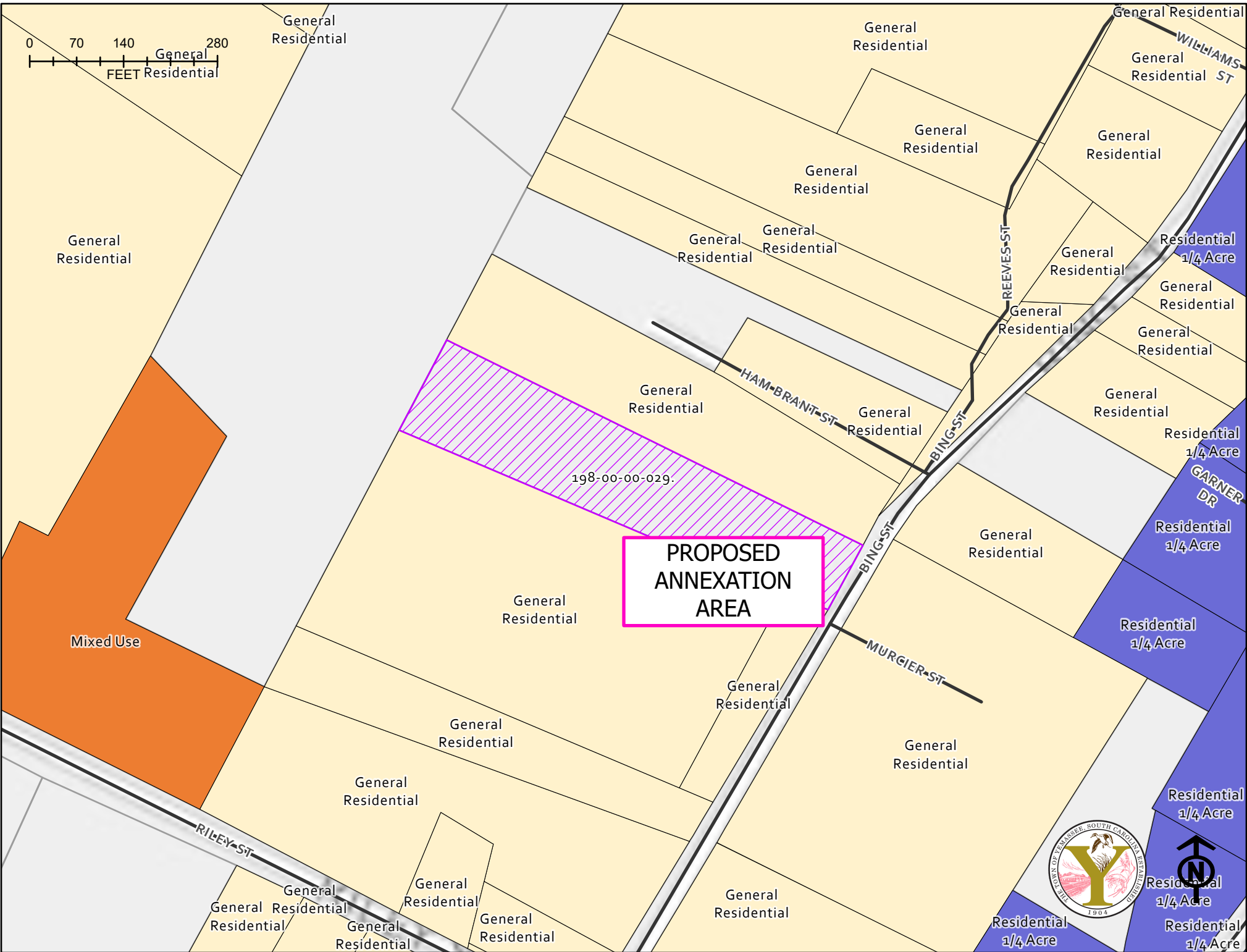
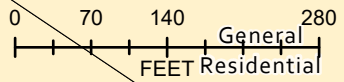


Parcels Hampton

TMS: 198-00-00-029.
Owner City State ZIP Code: BRONX N Y 10456
Owner: WILLIAMS ROBERT SINCLAIR & LILLIAN
Owner Street Address: 1372 FRANKLIN AVE 3-B BRONX N Y
Parcel Street Address:

Flood Zones 2010

Count	Zone and Subtype	Overlapping Quantities
1.	2 X, AREA OF MINIMAL FLOOD HAZARD	183,448.38sf (4.22acres)



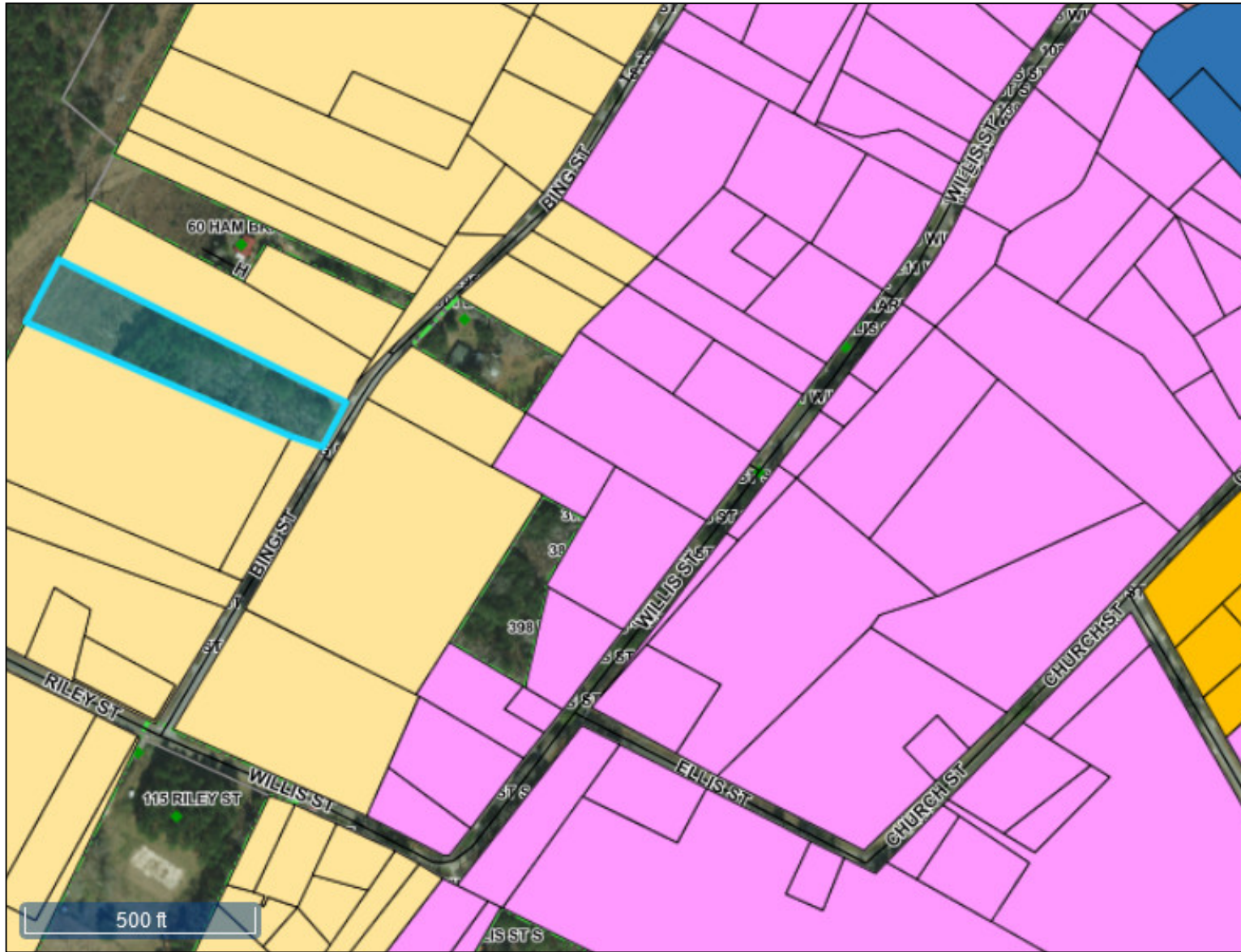
PROPOSED ANNEXATION AREA

198-00-00-029





Town of Yemassee - Williams Tract



Legend

- ◆ Address Points Beaufort
- Parcels Beaufort
- ◆ Address Points Hampton
- Parcels Hampton
- ◆ Address Points Jasper
- Parcels Jasper

Zoning

- Office Commercial District
- Conservation
- Conservation Preservation District
- General Residential
- Residential 1 Acre
- Residential 1/2 Acre
- Residential 1/3 Acre
- Residential 1/4 Acre
- Village Commercial District
- Mixed Use
- Light Industrial District
- Agricultural
- Telecommunications Tower
- Transitional
- Utility
- General Residential Townhouse
- Regional Commercial District
- Planned Unit Development
- To Be Determined

Road Names

Roads

- Roads
- Major Roads
- Interstate

Road Names Jasper

Roads Jasper

- Roads
- Major Roads
- Interstate

500 ft

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27 Sep, 2022