

Minutes
Town of Yemassee Town Council
April 11, 2023, Regular Town Council Meeting 6:30 PM
101 Town Cir, Yemassee, SC 29945-3363

Attendance:

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

Absent: Council Member David Paul Murray

Media Present: Lowcountry Inside Track, Ltd.

Call to Order:

Mayor Moore called the Tuesday April 11, 2023, Regular Town Council Meeting to order at 6:33 PM.

Pledge of Allegiance & Invocation

Mayor Pro-Tem O'Banner led the Pledge of Allegiance and Invocation.

Determination of Quorum:

Council Member Murray was absent. The remainder of the Council was present.

Mayor Moore asked for a motion to approve the agenda as presented for April 11, 2023, Regular Town Council Meeting as presented. Council Member Washington made a motion to adopt the agenda as presented. There was no discussion. Second by Council Member Pinckney. **All in favor, Motion Passed, Agenda Adopted.**

Mayor Moore asked for a motion to approve the March 14, 2023, 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.**

Public Comment:

Darrell A. Russell (2 Pine St)- Addressed Council regarding an incident where on a Town newsletter e-mail blast, the email addresses were not blind copied and resulted in his e-mail and 30 other emails being visible. Mr. Russell expressed his concerns about his identity and potential fraud originating from this inadvertent disclosure and asked the

Town Council to furnish him with a membership to LifeLock Identity Theft Protection Service or similar platform. Mr. Russell insisted that the Council hold the Town Administrator accountable and issue a formal reprimand to Mr. Garnes.

Old Business:

Ordinance 23-09: Mayor Moore advised that the next item is a Public Hearing and Consideration of approval for a Zoning Map Amendment application for property referred to as the “Jinks-Corbett Tract” located in Hampton County at the northwest corner of the intersection at U.S. Highway 17A and Jinks Street and further identified by Hampton County TMS: 203-00-00-046, 204-01-05-005 and 204-01-05-013. This is the final reading to re-zone the parcels as Planned Unit Development. Mayor Moore then opened up a Public Hearing on this request.

Stephen Henson (17 Mixson St) – Mr. Henson stated that he is fully supportive of the planned re-zoning and benefits this development will bring to the Town.

With no further comments, Mayor Moore closed the public hearing. The Council had no further discussion. Mayor Pro-Tem O’Banner made a motion to approve second and final reading on the rezoning request and to authorize the following:

1. Amending permitted use under the Light Industrial District (LID) to specifically allow “manufacturing light gauge steel framing products including steel studs for residential and commercial buildings.
2. Lowering the minimum lot size for LID from twenty-five (25) acres to ten (10) acres, Adjusting setbacks from commercial uses from fifty (50) feet to twenty-five (25) feet and from one hundred (100) feet to seventy-five (75) feet from a major thoroughfare.
3. Adjusting minimum residential lot size from 10,890sqft to 6,000sqft, adjusting the front yard setbacks from fifteen (15) feet to ten (10) feet from the street right-of-way line and adjusting the side yard setbacks from ten (10) feet to five (5) feet.
4. The applicant is seeking relief on the minimum distance between access points from one thousand five hundred (1,500) feet to four hundred (400) feet and waiving the requirement for any new development to have access points at least one thousand five hundred (1,500) feet apart to four hundred (400) feet apart.

Second by Council Member Pinckney. **All in favor, Motion Passed.**

Ordinance 23-10: Mayor Moore read Ordinance 23-10, Amending Portions of the Town of Yemassee’s Zoning Ordinance, Article V – Requirements by District, 5.25 River Protection District, to clarify language on which bodies of water are considered outstanding waters of the Town of Yemassee. Mr. Garnes briefed the Council that the impetus for the change was a result of Staff conducting a review of the overlay zoning and finding inconsistencies with respect to waterways that this overlay was applicable. If

approved, this would list the waterways within and abutting the Town limits. Mayor Moore then opened a Public Hearing.

Stephen Henson (17 Mixson St) – Mr. Henson stated that he supports the proposed Text Amendment for the River Protection Overlay District and that it's update is long overdue, and this will put the Town in the right direction.

With no further comments, Mayor Moore closed the Public Hearing. Mayor Pro-Tem O'Banner made the motion to approve second and final reading of Ordinance 23-10. Second by Council Member Washington. **All in favor, Motion Passed.**

New Business:

Resolution 23-06: Mayor Moore read the resolution which ranks our needs for the purposes of CDBG grants. Mayor Moore remarked that we must evaluate our needs for grant purposes annually. Council Member Pinckney made the motion to adopt Resolution 23-06. Second by Council Member Washington. **All in favor, Motion Passed.**

Resolution 23-07: Mayor Moore read the resolution which adopts the Town of Yemassee Zoning Board of Appeals annual meeting schedule. Mr. Garnes advised that since the board was just recently reconstituted, an annual schedule needed to be drafted. The members of the board set a date and time for the meetings which is before the Council for consideration tonight. Mayor Pro-Tem O'Banner made the motion to adopt Resolution 23-07. Second by Council Member Pinckney. **All in favor, Motion Passed.**

Resolution 23-08: Mayor Moore read the resolution which would authorize the execution of an Intergovernmental Agreement between the Town of Yemassee and Hampton County for Law Enforcement Mutual-Aid Services. Mr. Garnes reported that the Police Department maintains these agreements with agencies across the State in the event our assistance was required or if Yemassee needed outside assistance. This request was submitted to the Police Department by Sheriff Russell and has updated language from the previous IGA under former Sheriff Smalls administration. Mayor Pro-Tem O'Banner made the motion to adopt Resolution 23-07. Second by Council Member Washington. **All in favor, Motion Passed.**

Resolution 23-09: Mayor Moore read the resolution which would authorize the execution of an Intergovernmental Agreement between the Town of Yemassee and Allendale County for Law Enforcement Mutual-Aid Services. Mr. Garnes reported that the Police Department maintains these agreements with agencies across the State in the event our assistance was required or if Yemassee needed outside assistance. Mayor

Pro-Tem O'Banner made the motion to adopt Resolution 23-07. Second by Council Member Pinckney. **All in favor, Motion Passed.**

Ordinance 23-11: Mayor Moore read Ordinance 23-11, Consideration of a Request for an Ordinance Approving Annexation of one parcel of land of Approximately 1.39 Acres of land, located off Cochran Street, and further identified by Hampton County TMS: 198-00-00-095. The applicant is Sonja Smith, who did not submit a petition back in 2018 when most of Cochran Street was annexed. Mayor Pro-Tem O'Banner asked what prompted the applicant to apply now. Mr. Garnes advised that he routinely reaches out to the few remaining holdouts and Ms. Smith responded to the correspondence with an executed petition. The parcel is zoned Rural Development – Resource Conservation under the Hampton County Zoning Ordinance and the applicant is seeking zoning of General Residential (GR) under the Town of Yemassee Zoning Ordinance. Mayor Pro-Tem O'Banner made the motion to approve the first reading. There was no discussion. Second by Council Member Pinckney. **All in favor, Motion Passed.**

Ordinance 23-12: Mayor Moore read Ordinance 23-12, Consideration of an Ordinance Amending Portions of the Town of Yemassee's Zoning Ordinance, *Article V – Requirements by District, 5.8 Light Industrial District [LID]*, to amend the minimum acreage required for a parcel to be zoned Light Industrial District. Mr. Garnes advised the current minimum lot size for an industrial designation is twenty-five acres and this will hopefully simplify the process for prospective businesses to establish operations. Mayor Pro Tem O'Banner made the motion to approve the first reading of Ordinance. Second by Council Member Pinckney. **All in favor, Motion Passed.**

Ordinance 23-13: Mayor Moore read Ordinance 23-13. Mr. Garnes advised that the MASC has updated the branding on their Local Revenue Services programs and the Town must expeditiously approve the updated agreement to remain eligible for the program. Council Member Washington made the motion to approve the first reading. There was no discussion. Second by Council Member Pinckney. **All in favor, Motion Passed.**

Department Reports:

Police Department – The Police Department assisted Beaufort City Police with a homicide investigation last night.

Administration – Mr. Garnes gave an update on town projects and active permits.

Public Works – Mr. Garnes gave a brief report on behalf of Mr. Green.

Municipal Court – No Report

Council Discussion

Mayor Pro-Tem O'Banner deferred the Elected Officials Handbook until next month.

Executive Session

Mayor Moore advised that the Council needed to go into Executive Session for a moment for an update on legal matters. Mayor Pro-Tem O'Banner made the motion to enter Executive Session. Second by Council Member Washington. All in favor, Executive Session begun at 7:36PM.

Mayor Moore asked for a motion to resume regular session and adjourn Executive Session. Motion by Mayor Pro-Tem O'Banner. Second by Council Member Pinckney. All in favor, Executive Session complete at 7:41PM. Mayor Moore said they just discussed a legal matter. Mr. Garnes gave an apology to the affected individuals whose e-mail addresses were not blind copied and advised that safeguards are now in place to prevent an incident similar from happening again.

Adjournment

Mayor Moore asked for motion to adjourn. Mayor Pro-Tem O'Banner made the motion to adjourn. Second by Council Member Washington. All in favor, **Meeting Adjourned at 7:46PM.**