

MEETING OF THE COMMISSION  
ISLE OF PALMS WATER & SEWER COMMISSION  
JUNE 21, 2023

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In accordance with the Freedom of Information Act, the Agenda was posted on June 14, 2023, at City Hall, the Commission Office, and provided to *The Post and Courier*. The meeting was held on Wednesday, June 21, 2023, at the Commission Office, 1300 Palm Boulevard on the Isle of Palms, SC.

Attending were Chairman Jay Leigh, Vice Chairman Bob Hooper (via phone), Secretary Donald Smith, Commissioner Curtis Helfrich, PE, Commissioner Jeff Forslund, General Manager Chris Jordan, Operations Manager Shorty Meade, Engineer Mark Yodice, and Attorney Jennifer Blumenthal. Special Projects Administrator Bill Jenkins and Comptroller Helena Stickles, CPA, were absent.

Chairman Leigh called the meeting to order at 8:25 a.m.

Secretary Smith made a motion to approve the minutes of the Finance Committee meeting of May 17, 2023. Commissioner Forslund seconded the motion. The motion passed unanimously.

Commissioner Helfrich made a motion to accept the minutes of the regular Commission meeting on May 17, 2023. Secretary Smith seconded the motion. The motion passed unanimously.

As there were citizens present, Chairman Leigh read the Chairman's Statement.

Carol Truslow and Robbie Berg of the IOP Exchange Club came before the Commission requesting permission to place flags along the Commission's property at 7<sup>th</sup> Avenue and Palm Boulevard from June 29-July 10, 2023, in honor of July 4<sup>th</sup>. In addition to the flags, there will be a banner stating the display is placed by the IOP Exchange Club's Americanism Committee. Douglas Kerr, Assistant City Administrator, who was present at the meeting, confirmed that the City has no issue with this request. Chairman Leigh asked if allowing the display would expose the Commission to any liability. Attorney Blumenthal suggested the display could be approved pending a review of the Commission's liability insurance.

General Manager Jordan began the Manager's Report with an update on the status of the capital projects. The electricians have moved into the pump station at Wild Dunes and started to install conduit and wet well piping. Concrete block walls are being erected at the Forest Trails plant along 41<sup>st</sup> Avenue. Masonry is complete on the upper level, and work will be done on the roof trusses after the rain has moved out of the area.

General Manager Jordan said that he believes all issues regarding the R/O concentrate line have been worked out with US Fish and Wildlife. Mr. Yodice added that he is working on a draft of the summary requested by U.S. Fish and Wildlife. The project should move forward once the summary is submitted.

General Manager Jordan reported that water flows are typical for this time of year. The Commission's Consumer Confidence Report for 2022 has been completed and will be posted on the website shortly and published in the *Island Eye*. He also shared that he attended a SC Infrastructure Investment Program Grant Project Management workshop with Linda Tucker and Special Projects Administrator Jenkins on May 31.

They also met with Jackie Taylor of the Rural Infrastructure Authority regarding the administration of the grant.

In Comptroller Stickle's absence, General Manager Jordan delivered the Financial Report. Operating cash decreased by \$393,000.00 last month due to payments to Ruby-Collins, Inc. Interest income was \$42,342.00 on cash investments.

May 2023 revenues were \$63,984.00 over budget, and expenditures were \$42,000.00 under budget, resulting in a positive net revenue of approximately \$106,000.00.

There was no Correspondence.

General Manager Jordan reported that there has been no further inquiry from Dewees Island or from the party who made a request to lease the property in Wild Dunes.

Under New Business, Commissioner Helfrich made a motion to approve the request of the IOP Exchange Club to display American flags and the banner on the property at 7<sup>th</sup> Avenue and Palm Boulevard from June 29-July 10, 2023. Secretary Smith seconded the motion. The motion passed unanimously.

Chairman Leigh made a motion to accept the Finance Committee's recommendation regarding rate increases as presented. Commissioner Helfrich seconded the motion. The motion passed unanimously.

General Manager Jordan then discussed the draft impact fee policy in the meeting packet. He said it has been reviewed by the rate consultant and Commission attorney. He explained that it outlines how the Commission charges impact fees and establishes different tiers for impact fees. The draft policy further details extra impact fees for additions and provides a means for the Commission to collect these funds.

Secretary Smith made a motion to approve the draft impact fee policy as presented. Commissioner Forslund seconded the motion. The motion passed unanimously.

Commissioner Helfrich suggested a beautification project along the Commission's property adjacent to the marina. Director Kerr shared the details of the work the City will be doing in that area, noting that the Commission's property may become drier after the completion of the City's project.

Commissioner Forslund inquired about the Commission's liability regarding residents who empty their pools into Commission ditches. Director Kerr said the City has been advised that this is not considered an illicit discharge.

Director Kerr offered follow-up information regarding last month's conversation about the installation of fire protection systems in new or renovated homes on the island. He said, "Those systems are allowed by the South Carolina Plumbing Code. The South Carolina Building Code's Commission has advised us that if there is a local policy that is not allowing those, that would require that a community go before their board for a variance. That has not happened. So, we are in a little bit of a limbo having been advised that to do that would require a special kind of permission to not allow it." He said the City does not want to create a situation where its policy does not align with the Commission's policy regarding the installation of these systems.

Director Kerr added that many communities are allowing for these systems, except for Mt. Pleasant, where some internal management issues need to be resolved before moving forward.

Regarding the Commission's liability, Attorney Blumenthal said, "Under the State building code for this issue, it does not prevent you from being able to turn the water off, the fire line, for non-payment. You can."

Director Kerr said that there is no pressure from the public or City Council to move on this issue quickly, but a vote at the next Commission meeting would be appreciated.

Chairman Leigh pointed out that "liability is comprised of negligence and damages. So, the damages in the case of it being turned off is the house burned down. The negligence can be contributory. You did not pay your bill. We turned it off." However, Attorney Blumenthal added, "If you do this, you are going to have a written policy that sets what happens. Just like you did with the impact fee policy."

Discussion ensued as to the technical aspects of installing new or larger taps to accommodate such systems. Director Kerr confirmed that the City maintains sprinkler permits and plans.

A draft policy will be prepared by the next Commission meeting for discussion.

Commissioner Helfrich made a motion to adjourn. Secretary Smith seconded the motion. The meeting adjourned at 9:16 a.m.



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Jay D. Leigh, Chairman

7-19-23

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Date