

TOWN OF SEABROOK ISLAND

Town Council – Work Session

May 9, 2023 – 1:00PM

Town Hall, Council Chambers
2001 Seabrook Island Road
Seabrook Island, SC 29455



[Watch Live Stream \(YouTube\)](#)

Virtual Participation: Individuals who wish to participate in the meeting via Zoom may call (843) 768-9121 or email kwatkins@townofseabrookisland.org for log-in information prior to the meeting.

AGENDA

Call to Order – Roll Call – Freedom of Information

Mayor John Gregg

- Update of Town of Seabrook Island Request for Public Assistance (Hurricane Ian)
- Update Concerning Town’s Capabilities Assessment for Charleston Regional Hazard Mitigation Plan

Town Council Members:

- Jeri Finke
- Patricia Fox
- Barry Goldstein
- Dan Kortvelesy

Town Administrator Joe Cronin

- Reminder of upcoming Joint Town Council and Planning Commission Work Session on Wednesday May 17th at 1:30PM.
- Discussion of potential Budget Amendment for Fiscal Year 2023

Other Action Items

- Contract Extension: Request to approve a contract extension with Phillips and Jordan for On-Call Debris Removal Services
- Res. 2023-25: A resolution to appoint and commission Marris Meyer as a Code Enforcement Officer for the proper security and general welfare of the Town of Seabrook Island
- Res. 2023-26: A resolution to appoint and commission Sinclair Wright as a Code Enforcement Officer for the proper security and general welfare of the Town of Seabrook Island

Executive Session

- Discussion of Personnel Matter (S.C. Code Sec. 30-4-70(a)(1))
 - *Please Note: Town Council may take action on Executive Session Items listed on the agenda when they come back into Public Session*

Action Items

- Appointment of Clerk of Court for the Town of Seabrook Island

Adjourn

**SECOND AMENDMENT
of the
DEBRIS MANAGEMENT SERVICES CONTRACT
between the
TOWN OF SEABROOK ISLAND
and
PHILLIPS & JORDAN, INC.**

WHEREAS, the Town of Seabrook Island, a public body corporate and politic and political subdivision of the State of South Carolina, whose principal office is located at 2001 Seabrook Island Road, Seabrook Island, SC 29455 (the "Town") and Phillips & Jordan, Inc., a North Carolina corporation, the address of which is 10201 Parkside Drive, Suite 300, Knoxville, TN 37922 (the "Contractor"), ("Party" as to each; collectively the "Parties"), entered into a standby contract for the provision of on-call debris management services within the Town with an effective date of September 1, 2018 (the "Contract"); and

WHEREAS, the initial term of the Contract was for a period of three (3) years, expiring on August 31, 2021; and

WHEREAS, on August 17, 2021, the Parties agreed to an amendment to the original Contract whereby the Town exercised its option to extend the Contract for a term of one (1) year, expiring on August 31, 2022 (the "First Amendment"); and

WHEREAS, under the terms of the Contract and the First Amendment, the Town has the option to renew the Contract for an additional term of one (1) year under the same terms and conditions as the original Contract; and

WHEREAS, the Parties have agreed to extend the Contract by renewal for an additional term, retroactive to September 1, 2022, upon such terms, conditions and amendments as are mutually agreeable to both Parties and as set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby execute this second amendment to extend the Contract by renewal under the same terms and conditions as the original Contract, mutatis mutandis (the "Second Amendment"), unless expressly modified herein. The Parties agree to the following amendments to the Contract, as follows:

AMENDMENT: Section 4 of the Contract is hereby amended to read as follows:

Section 4. Time: Term of Contract

The Town hereby contracts with Contractor to provide the Services specified herein for the period beginning on September 1, 2022, and ending on May 31, 2024, unless terminated as provided herein.

The Town reserves the right to extend this Contract for an additional term of one (1) year, if it is determined to be in its best interest. Any request for a price increase must be made by the Contractor in writing at least ninety (90) days prior to the expiration date of the Contract, or sooner if so requested by the Town. Any requested price increase will be evaluated by the Town prior to exercising the option to extend. The Town will be the sole judge as to whether any price increase will be approved.

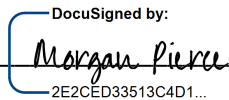
The Contractor expressly acknowledges that time is of the essence in completion of the Services under this Contract and that the time limits and dates herein are critical components of the Contract. The Contractor warrants and represents that it has taken these facts into consideration and has determined that it can complete the Services within these time limits subject only to delays for which notice is given as provided under the Force Majeure provision hereof. The Contractor will not be compensated for any delays beyond the time set forth herein. The Contractor's only remedy for delays may be an extension of time to perform the Services. Due consideration will be given to claims for an extension of time due to extraordinary circumstances only.

IN WITNESS WHEREOF, the parties hereto have made and executed this Second Amendment by their duly authorized officers or representatives:

TOWN OF SEABROOK ISLAND

By: _____
Name: _____
Title: _____
Date: _____

PHILLIPS & JORDAN, INC.

By:  _____
Name: Morgan Pierce
Title: President, Power
Date: 5/5/2023

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2023-25

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION MARRIS MEYER AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of Marris Meyer as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that Marris Meyer is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon her by the governing body of this Town, including the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until such time as Marris Meyer is no longer employed by the Town of Seabrook Island.

SIGNED AND SEALED this _____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the _____ day of _____, 2023.

Signed: _____
John Gregg, Mayor

Witness: _____
Katharine E. Watkins, Assistant Town
Administrator

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2023-26

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION SINCLAIR WRIGHT AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of Sinclair Wright as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that Sinclair Wright is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until such time as Sinclair Wright is no longer employed by the Town of Seabrook Island.

SIGNED AND SEALED this _____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the _____ day of _____, 2023.

Signed: _____
John Gregg, Mayor

Witness: _____
Katharine E. Watkins, Assistant Town
Administrator