

A work session of the Beaufort City Council was held July 15, 2014 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling and Council members Donnie Beer, Mike Sutton, Mike McFee, and George O'Kelley, and City Manager Scott Dadson.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

Mayor Keyserling called the work session to order at 5:00 p.m.

PRESENTATION: WAYFINDING SIGNS

LaNelle Fabian, Main Street Beaufort, made a presentation on the development and acquisition of way-finding signs

Ms. Fabian gave a brief history of past efforts to get wayfinding signs, which all came to naught. Probably because local companies are not familiar equipped to make the types of signs required for this project, Main Street Beaufort hired Give Me a Sign, a company out of Greenville, to do the sign design. There were also no local bidders in response to the RFP for manufacturing and installation, so they awarded that to Give Me a Sign, as well.

The Gateway Signs

- One will be at Highway 170 and Parris Island Gateway
- A smaller one will be at Boundary Street and Neil Road where there's currently a city limits sign. It says, "Welcome to the City of Beaufort."
- A large gateway sign will go at Ribaut Road and Johnnie Morrall, where there isn't a sign now. **Dianne Blasius** of Give Me a Sign said that they could put a vandal-proof bolt on the signs so they have to be completely dismantled to be taken. Councilman O'Kelley clarified where the sign would go, exactly, because he was concerned its placement could affect drivers' sight lines. Ms. Blasius said she would take measurements, and Mayor Keyserling said they would have to get DOT approval.
- A "Welcome to downtown Beaufort" sign would go at Ribaut Road and Boundary Street.
- The same sign will be at Ribaut Road and Bay Street where there is currently a brown DOT sign.
- A sign at Sea Island Parkway before the Woods Memorial Bridge will indicate that they are heading to downtown Beaufort.
- Small gateway signs in the Historic District will indicate that they are entering the Historic District – one at Boundary Street and Bladen Street, one at Hamar Street and Bay Street.
- A small "historic gateway" sign will go somewhere at Carteret Street and Bay Street.

Directional signs

Ms. Fabian said these are for pedestrians and cars, but mostly for pedestrians. They will indicate parking and will offer an opportunity for businesses not on Bay Street to advertise their location. These business names will be on acrylic tiles. Councilman O'Kelley said he's opposed to advertising businesses on public signs because "people will be left out," and he "will vote no."

Ms. Fabian said all of the signs would all be on existing posts. Councilman Sutton said this conversation was had years ago, and they considered putting "Food" and "More Shops" on the signs instead of specific businesses' names. Ms. Fabian said that the footer was put on banner poles, and they have been talking about different ways they could do it; they have been discussing "the businesses investing by buying the tile to put on there."

There will be a sign on each side, since they are doing center mounts, Ms. Fabian said, in response to a question from Councilman McFee.

Possible locations:

- Charles and Craven Streets
- West and Bay Streets
- Scott and Bay Streets
- Carteret and Bay Streets
- Port Republic and Carteret
- Craven and Carteret
- Charles and Boundary Streets – There's no lamp post, and they are looking at the newly installed mast arm there

Possible locations in Phase 2

- Boundary and Scott Streets
- Bladen and Boundary Streets
- Bladen and Bay Streets

Mayor Keyserling said Bladen and Charles are great ways to avoid Carteret, and he thought there was a sign now at Bladen that says Waterfront. They want to divert traffic down Charles and Bladen, so maybe those streets shouldn't be in Phase 2. Ms. Fabian said they could look at that.

Destination Signs

- Waterfront Park – at the West Street Extension entrance – Ms. Fabian described the signs and what's on them. Councilman O'Kelley said he doesn't want the Gullah Festival's feelings to be hurt by not being on the sign, even though their event is no longer downtown. Mayor Keyserling said it's "better to be more generic and evolve over time." Councilman Sutton said he wouldn't put times of things like when the restrooms are open. Ms. Blasius said that they can change any of the information on the signs at any time, and

Councilman O'Kelley said he didn't like that. He said, "I want it to be what it's going to be and not change."

- A playground sign with playground rules
- Same at the Marina entrance (not playground rules, though)

Directory/Map – On the clock at West Street, this will be updated annually and will list all of the downtown hospitality businesses. The wall may be used for office (non-retail and restaurant) businesses. They will look into printing this in foldable maps, as well.

Ms. Fabian said it's possible that destination signs could be available for people to purchase on their own, e.g., the Verdier House, the Visitors' Center, the library, churches, Spanish Moss Trail, etc. Signs are \$1588 with a post or \$384 without a post.

Ms. Fabian reviewed costs and the amount that they have funded privately and through the CIP. This could all change, but this is what they are looking at at first. There are about 20 – 30 signs. Other factors may mean the cost will fluctuate, depending on if the signs go on existing sign posts, how many signs they get, whether businesses can help pay for them, etc.

Councilman O'Kelley said he wonders if they need this many signs for directions. Once people "are down there," in downtown, he doesn't feel "they need a sign on every corner." Ms. Fabian said that merchants who aren't on Bay Street have requested for some time that their businesses be indicated. Councilman O'Kelley reiterated that he thinks, "It's a bad idea for public ways to advertise for private businesses." **Nan Sutton** said the directory needs to be there, but she said they don't know if they need to have the signs for each business. Ms. Sutton and Councilman O'Kelley then debated about whether the sign should go on the clock. Mayor Keyserling said he also feared clutter.

Maxine Lutz said she it would help her to see a map. She said that although everyone wants less clutter, they have made progress in reducing signs that no longer have meaning. Ms. Lutz said **Lauren Kelly** approves signs, and asked if the Historic District Review Board would have any say. It has been to the Historic District Review Board twice, Ms. Kelly said, and the Historic Beaufort Foundation Preservation Committee has seen it as well.

Stephen Murray said he thinks it's a great project "and long overdue." In regard to the individual business listings, in regard to "the sandwich board discussion," since businesses on Bay Street had been banned from advertising on Bay Street, they "were promised to go on the way-finding signs," and the city shouldn't go back on its word. Mayor Keyserling said, "This would be better than everyone getting a sandwich board." He thinks something is necessary, though he agrees that the city shouldn't be paying to advertise businesses.

Councilman O'Kelley said council is not going back on any promises because council has not talked about this sign issue before. Mr. Murray restated that being on the sign listings was *said*, not promised, to the sandwich board-less businesses. Ms. Sutton said they worked on this very thing years ago at Main Street Beaufort. The signs that say "Business A this way," "Business B that way," etc. are the ones needed at West and Scott Street, which is where "they would be appropriate for those side street businesses to prosper." That type of sign is suitable to certain corners and not to others, Ms. Sutton feels.

Councilman O'Kelley said in his opinion, "This is clutter in the Historic District, regardless of what it says and is for." He can't see adding 22 new signs, the majority of them in the Historic District. Ms. Fabian said there are 7 or 8 in the Historic District. Councilman McFee said there are 11 of them "in the downtown core." Ms. Lutz said they are also *reducing* some clutter by reducing some other, less desirable signs.

Councilman Sutton said, "We have been working for ten years on this." He thinks "it's such a small, real community business district," so it would work to have indications of where Old Bull and Chocolate Tree are, for example, and he "would hate to see this be nitpicked to death." Councilman O'Kelley said he doesn't object to all of the signs. But at the bridge and Carteret Street, he thinks "two signs will clutter it up ... So people can find it quicker, and it will look like Myrtle Beach!" Councilman Sutton said "it's worth a test," and a lot of work has been put into doing this.

Mayor Keyserling said he would defer his concern about clutter to the Design Review Board and everyone who's worked on this. He thinks uniformity is important, "as is anything that drives the business north from Bay Street." He thinks they have come a long way, and he doesn't want to see it slow down. In principle, the individual businesses, if they're there, and if they pay for a slot on the sign, it's fine with him. "The alternative is to slap signs up on the buildings to get people to go down Scott Street," he feels. Artelier has a sign on their building, but Mayor Keyserling thinks it's very important that they shouldn't look like they are subsidizing one business over another business. They give a lot to the waterfront businesses by their adjacency to Waterfront Park, "so getting people to go up to Craven Street is important."

Councilman Sutton said this effort was driven by an overly stringent sign policy in the City of Beaufort; "there was much more clutter at one point." It's been cleaned up a lot, but then the side businesses couldn't do any advertising. Councilman McFee said they aren't subsidizing the signs, because the business has to pay for the plate. Ms. Sutton said they don't have 20 businesses on any street, in response to a concern expressed by Councilman O'Kelley. The people who need the signs are on Scott and West Streets. Councilman McFee and Ms. Sutton had a discussion about the businesses on those side streets, and Ms. Sutton concluded that "they need help

with their signs,” and they aren’t getting the same business opportunities, “so they are coming and going every 6 months.”

Ms. Fabian said they had sent information about this to businesses to see who was interested in committing and investing, and they were told the locations, and asked to indicate if they would be interested in one or both sides of the sign.

DOT is “initially not on board with these kinds of signs for the businesses on roads that DOT maintains,” Ms. Fabian said. “It will come down to meetings,” she said, if they want to push this plan, and city staff’s help is needed for that. They “could list types of businesses on the streets, but then the signs wouldn’t be privately funded, and we would have to go looking for money,” Ms. Fabian said. They would need fewer signs if they did it that way. Also, they don’t know if businesses would like to invest in more general signs if their specific business’ name is not on there. So the price might increase, “unless you want to go toe to toe with DOT.”

Ms. Fabian said they have been to Historic District Review Board with the locations and sign design. If they want to look at specific locations and different options for the business signs, she reviewed what had been offered in this work session. Councilman Sutton told Ms. Fabian to “make it happen.”

Ms. Fabian asked if Main Street Beaufort would need to come to council to release the funds that have been designated for signs. Councilman O’Kelley said they have to vote on where to put the signs. Mr. Dadson said the committee needs “to take the feedback, and finalize the maps, and determine how to answer the business-specific question.” Mr. Dadson said in regard to DOT, “it requires an encroachment permit,” and then staff can meet with Main Street Beaufort and DOT. A lot of times, he said, “it’s a matter of tradeoffs,” in terms of “getting rid of a number of signs.” Mr. Dadson said the city doesn’t put up those signs, and added that private businesses put their names on public signs all the time on the highways, e.g., fast food places on highway exit signs. They “need to get to the bottom of what DOT is saying,” he concluded.

Councilman O’Kelley expressed surprise that “council doesn’t have to vote on this.” Mr. Dadson said they did not, “unless you put (a sign) on city property.” Mayor Keyserling said by budgeting the money for the way-finding signs project, “we said we wanted it.” Councilman O’Kelley said he thought they needed to vote, “since they are adding to downtown, and we are being presented a new concept.” Councilman Sutton said, “We vote on what we pay for, not where it goes,” and compared it to purchasing stoplights for the city. Mayor Keyserling said he looks to Historic District Review Board and Historic Beaufort Foundation for their input in matters such as this. Council voted that they want the signs, and Main Street Beaufort “wants the city to be happy”; the signs “are in the Civic Master Plan ... and Main Street Beaufort finally has a plan ... Everyone wants to move it forward.”

Mayor Keyserling said Councilman O’Kelley could be on the way-finding signs committee. Councilman O’Kelley said Ms. Fabian could call on him. Mayor Keyserling

said he doesn't want council "to get bogged down when everyone has an opinion." Councilman McFee said, "There's a potential reduction of existing signs and therefore clutter."

Councilman O'Kelley asked about the historic signs such as on the Verdier House. Ms. Fabian said that people aren't as able to see the small oval historic signs well, and hopefully people will start to see *these* as "official signs," and if they stray off the path, they will see signs that will lead them back to their place, as well as making new discoveries.

Mr. Murray suggested way-finding signs *to Beaufort* at Gardens Corners and at Highways 170 and 278 coming from Savannah. Bluffton has a "Welcome to Historic Bluffton" sign prominent enough to snare passing visitors, and there may be a lot of traffic missed that could be captured and drawn to Beaufort. Mayor Keyserling said they could share their design with the Chamber of Commerce.

TOURISM MANAGEMENT ADVISORY COMMITTEE (TMAC): HORSE CARRIAGE ORDINANCE RECOMMENDATIONS

Charlie Williams said that at the last TMAC meeting, they started gathering information on the proposed changes from the two buggy company operators and then had a special meeting to deal with it and have carried a few items over to a meeting held a week ago. He shared the recommendations, changes in times and things they thought shouldn't be changed.

Mr. Williams said TMAC is proposing having an independent vet to give the carriage horses an annual exam. The vet would be of the city's choosing, but the owners would pay for the exam. Mayor Keyserling said he gets emails about the horses being treated cruelly, especially this time of the year, and he thinks it would be helpful to have an independent vet to help with the city's credibility. Councilwoman Beer said she agreed. Mayor Keyserling asked **Peter White** how he felt about it and the expense. Mr. White said checking the horses costs \$120. Councilman Sutton said it should be a spot check, and he thought it was already in the ordinance. He wasn't satisfied with it being the owners' vets. If it's not already in the ordinance, he agrees with the recommendation to add it. He thinks they need to determine when the spot check is done – and it should be when the horses' stress level is the highest. Councilman Sutton said he wants it "to be clear how this happens."

Mr. Williams said if the principle were approved, they would have to determine how it works. Mr. White said there are certain times of year when the horses are working at their maximum. They work a lot in the spring, and then it starts to get hotter in June. Merlin is fine in the spring and fall, but some black horses do worse with the heat. There's no stress on the horses in January and February. Councilman Sutton said he wants it to be dependent on need, and staff will help them put it in ordinance form.

Mr. Williams said in regard to the question of cleanup being done in a timely manner, if it's an issue, one way to handle it would be for the city to hire a company to clean up. The information gathered was a bid from The Greenery when the last contracts were awarded 3 years ago, and it was between \$20 – 30,000; that's economically infeasible for the carriage companies. When they bid on the ability to operate their businesses, Mr. Williams said, the committee thought that they would need a legal opinion on this matter, but they didn't get that far because it's cost-prohibitive, and it's covered in the ordinance, anyway. Councilman Sutton said that TMAC should look at the policies of running a business, not the economics. If the current policy is working, that's fine. Mr. Williams said they felt like they couldn't change the ordinance mid-contract, and if they brought in a third party for cleanup, it's too much to impose on the operators now. If they had known about it, their bids might have been different.

Councilwoman Beer asked if there was a fine if someone is called in to cleanup. Mr. White said they can get a ticket from the tour coordinator, or the other company can have a ticket written, but then they need to go to court. A ticket is \$200. Mr. White said if a ticket were written, the \$200 fine would get people to stop if it's a repeated problem. Councilman Sutton said the tickets aren't being written because the complainant isn't going to court. The tour coordinator can't be *made* to write a ticket. Councilman Sutton thinks the ordinance should be tightened to take the responsibility off the tour coordinator and say "a citation should be written for a spill that isn't cleaned up" and leave the complainant out of it.

Mr. Williams said reprimand and fines are two different things. He said that they may need to look at the ordinance again, but they may instead need to look at how they enforce it. Councilwoman Beer said this is the same discussion they have had for years.

Mr. Williams said in regard to the Spill Book, the driver is the first person to be aware of the spill, so when they get back from that trip, they record the spill location. The operators started doing this to help themselves – it's not part of the ordinance – but is done to keep them from missing a spill. A suggestion was made to make the Spill Book part of the ordinance, but TMAC decided against it as being unnecessary for enforcement. It would only add work for the tour coordinator. If they combat the problems by more enforcement, and it *still* is a problem, then they might revisit this, but not at this time. Mr. White said the Spill Book is a tool they need to find the spills. It doesn't need an ordinance on it. Mayor Keyserling said it seems unnecessary, but the \$200 fine should be plenty. Mr. Williams said there's an element, too, that you can only get so many tickets before you lose the ability to be an operator.

Councilman Sutton said he agrees with TMAC if the businesses are doing clean up on their own. He said there seem to be ups and downs in the periods of enforcement. Councilman McFee asked if it's one book: Mr. White said it sits at the water trough and is for both companies.

Mr. Williams said on some occasions, horses would have a loose shoe or lose it during the day, so they tightened up the wording. They can be in the barefoot program, but specific things need to be done to trim their hooves and train them for this to be okay, but they have to have gone through the barefoot program if they want to do this.

They recommended a slot at the end of the day for an additional buggy to go out because the number of tours they go on is presently uneven for both companies. They decided that it would be easiest to add another slot. Someone on the committee who lives on The Point thought it wouldn't be a problem for people on The Point. They can get out of The Point a little more quickly than usual, but they could also go to The Point first, rather than last. Mayor Keyserling said he thought they "did this way back." He thought the darkness in the winter was the issue.

Mr. Williams said the last item was a thermometer that takes humidity as well as temperature into consideration (like the heat index) and when the device reads 90 degrees, they have to stop operation for the day. In the summer, that reading can be hit as early as 9 or 10 am, so they get little to no business, and then as customers show up, they have to shut down for the day. Mr. Williams said TMAC decided that since this was an operating procedure, they would try a 30-day period of making it 91 degrees, not 90. The operators will monitor their horses' temperatures with the TMAC review after 30 days.

Mr. White said 90 degrees is for humans, not horses. They got the temperature from Parris Island. Councilman O'Kelley said it's also about acclimatization. Mr. Williams said that's a factor. They wanted to get this information from a vet. Councilman Sutton said he wouldn't make decisions about health and safety for human or animals without a vet's decision. Mr. White said this rule is for the horses' sake, but even at 99 degrees, they aren't stressed; "that's like they are standing in the pasture," he said. So far 91 degrees hasn't affected them at all. Mr. Williams said they know what the horses' temperature and respiration rates are at 90, so if they raise it to 91, and the companies get more business, then TMAC can ascertain that it's OK from actual information over 30 days, and they can keep the temperature limit there. And if there are adverse issues, they can change it back to 90 degrees.

Mayor Keyserling asked, "Shouldn't you know this by now?" Mr. White said it depends on the horses. He's had a horse that couldn't work in the heat. Other horses might come in at 26 reps per minute, and a black horse like Merlin will come in at 60 reps. In the vet check, you check whether the horse can handle heat and humidity, and in Charleston, those that can't work in it have to go out to pasture for the summer. If a horse works well in the heat, Mr. White feels the company running that horse shouldn't be shut down. They have been shut down 16 times this summer, and "Savannah and Charleston haven't at all because they go with 98 degrees, regular mercury, not including humidity." Councilman Sutton said he thinks they still need a vet's opinion.

Mr. White said they had gotten a vet opinion “some years ago that the horses need to be pulled when it’s 102 degrees” and also at a certain rate of reps. He thinks keeping the books and the tour coordinator checking them is enough.

Councilwoman Beer suggested having the independent vet weigh in on this. Mayor Keyserling said that would be helpful, too, because of the complaints people make about animal cruelty, and it would be nice to have a page of information from a vet to be able to explain to people. Mr. White said the vet would say that every horse is different. Mayor Keyserling said that’s OK, but it would be good to have an answer they can give with a range, not for a particular horse at a particular time. Mr. Williams agreed that the best thing they can say to someone is that they “have consulted an equine vet and these are the standards.” Councilman McFee said the Georgia Equine vets must have studied heat effects on draft horses.

Mayor Keyserling said the tour coordinator is a full-time police officer and part-time tour coordinator. Mr. Williams said they may have to look at how much work a part-time person can do. If they expect a certain amount of contact per day, and if **Hope Able** isn’t doing that and her other duties, they “might need to revisit this.” Mayor Keyserling said, Officer Able “needs to have an adequate time to do her job.” Mr. White said Officer Able has picked up a lot of responsibility in the time she’s been the TVC; she is now the city spokesperson, for example. He said, though, the TVC position doesn’t take a lot of time. Mr. Dadson asked if Mr. White was saying TVC duties took up too much time or not much time. Mayor Keyserling said they don’t know because they don’t know how much enforcement is being done. Mr. Dadson agreed that “it depends on how much enforcement is being done.” Mayor Keyserling said council needs to know if they are getting enough or too much for the city’s money. Councilman Sutton said it was a civilian job at one time, and it was that person’s sole responsibility. Mr. Dadson said they changed it to a police officer because the tour operators were calling in the police so often. Councilman Sutton said he thinks that’s right, since the police can write citations.

Mr. Williams said TMAC is an advisory commission to the city, and 99% of their work is the buggy tours, so he asked if it would be appropriate for them to look into the allocation of time for the TVC. Councilman McFee said he thinks it’s more appropriate for staff to review, not for TMAC. Mr. Williams said he thinks someone needs to do it, not necessarily TMAC. Mr. Dadson said he thinks it should be staff, too.

Mr. White said making the tour coordinator’s presence known 3 times a day would be adequate, he thinks, and that’s not happening now, “at all,” he said. Mayor Keyserling said he thinks it has slipped a bit, but last year, **Heather Winch** said complaints on the street are better. Mr. Williams said no doubt it’s “much, much better.” Mayor Keyserling said it’s fair for staff and the police chief to determine if they are devoting enough time to the tour coordinator position.

FIRE STATION UPDATE

Ms. Kelly said this process has been going on for 3 years, and the last time it came to council was in 2013. There were concerns among council, and the Design Review Board shared them, about aesthetics and site layout. They stepped back and began to negotiate with neighboring properties and developed a shared access with the bowling alley and with King's Ridge to share stormwater. Between October and June, the project received final Design Review Board approval based on approval of materials. Ms. Kelly said the building has become a lot more "civic" now. The deadline was June 20 for the RFP to prequalify contractors, and a team has been reviewing proposals. The decision has been made, and they should be notified this week. They anticipate final construction documents for bid in August and will select a contractor from the prequalified list.

Mayor Keyserling asked if the guts of the building have the room to grow to be the #1 fire station. Chief **Sammy Negron** said the building inside still maintains the requirements. Mayor Keyserling said he sees a second floor drawing. He asked to see a drawing of the first floor. Ms. Kelly said the site was designed to accommodate a third bay; the first floor predominantly has a community room, and most of the rest of it is storage space and can be moved into a separate building. Those storage spaces can then be offices. The upstairs is "fairly well situated," she said. Chief Negron said that on the first floor, all areas have a beneficial function. There's no wasted space. Mr. Dadson said it's flex space and can be maneuvered for other uses. Mayor Keyserling said with the big building they need to make it clear that this can be the central fire station without having to build another one or build onto this. Chief Negron said the building is large, but this building has potential to be headquarters and still be under the square footage of other headquarters fire stations.

Councilman Sutton said it's better than what they saw last time, and he's happy with it. He said that in the crews' quarters there appears to be no separation of the sexes. Ms. Kelly said they just changed that today. Councilman Sutton said the question and public perception come up all the time. Chief Negron said they originally weren't planning to do that, but "the architect shrank the building," and then with Ms. Kelly's help, they "got where they needed to be." Councilman Sutton said they moved the mechanical equip and shrank it down. Ms. Kelly said this isn't the most updated version, but they have made a few tweaks to separate off the females' showers and bathrooms.

Mayor Keyserling asked how they are on the budget. Ms. Kelly said they have worked on the building and the site, and they have focus areas; they think they have it. Mr. Dadson said, "final proof is when you bid it." Ms. Kelly agreed. Mayor Keyserling asked if the architect has done a drawing with landscaping, and Ms. Kelly said she did these drawings today and doesn't have that but could do one. Ms. Kelly said the Design Review Board approved the types of materials they used, and the board will be emailed a color board, which they will need to see per their final approval.

There was a general discussion about materials and costs for a brick building. Councilman Sutton is concerned that they “have created a problem because of the Design Review Board” and what it recommended for materials. Ms. Kelly said not having a brick veneer and having structural CMU may be an option; she will discuss it with the architect. CMU and steel with stucco are apples and oranges, Councilman Sutton said. He would like the contractor to bid on options A and B. Ms. Kelly said they are asking for that. Mr. Dadson agreed that they need to come in at budget, and if there’s an issue, they will come back to council. Mr. Dadson wanted to know if council was OK with the project. Councilman Sutton said he wants a presentation of what the costs are that council then can agree to spend the money on.

BUILDING BOARD OF APPEALS (BBOA) ORDINANCE REVISIONS

Libby Anderson said the International Building Code is used for the city’s building code. The ordinance says a city employee can’t sit on the Building Board of Appeals, and staff realized that the fire chief sits on the city’s BBOA, so then they reviewed other changes they need or want to make: decreasing the number of people on the board (change from 7 to 5); making the “types” of professions of board members more flexible than it is; reducing appeal times to 30 days from 90 days, as it is with the Zoning Board of Appeals; removing references to variances or waivers, because this board doesn’t do that. It hears disputes and disagreements in code interpretation.

Councilman Sutton had questions about staffing and the need for the board. Staffing is not required for this board, Ms. Anderson said. It meets infrequently and doesn't require public notice like other boards. **Bruce Skipper** said the boards in other jurisdictions don't meet often, either.

Ms. Anderson said they need to have a BBOA so appeals don’t have to go to the circuit court. They have a Zoning Board of Appeals, and they think they need this for the builders, too. The ISO 5-year review is now, and they want to clean this up; having a BBOA is important to their rating, Ms. Anderson said. Insurance companies can use their rating when it’s done. They are trying to improve the community rating service classification to keep flood insurance policy holders saving 5%, and if the building code rating is kept up, it factors into this number.

Mr. Skipper said gave the example of a contractor who might want to use an alternate material, and they may not have an ICC evaluation already made. It can be as simple as using recycled material in the Historic District. Mr. Skipper said if someone wanted to use recycled HVAC equipment, a builder might want to appeal Mr. Skipper’s decision as the building official, and if they went to the BBOA, it would hear both sides, but their decision would be backed up by the code. The code in regard to recycled material goes to the building official first, and then goes to the BBOA. Mr. Skipper feels that “it is a sort of arbitration” and can move a project forward instead of waiting 3-6 months for a court date.

Councilman McFee asked, in regard to the interpretation, if the building director doesn't want someone to use recycled materials, if the BBOA could let them without varying from the code. Ms. Anderson said yes. If the contractor disagrees with the building official, and the BBOA says that they can use it, then that decision is final.

Mayor Keyserling asked Mr. Skipper if contractors know about the BBOA, and he said that they try to make contractors aware of it. He has called other jurisdictions, and the cases that come before the other BBOAs are minute, but that's good, because they are doing a good job of educating the contractors. Mayor Keyserling said, "Or they may be beaten down."

Councilman Sutton said he thinks this board is "useless," because the building official's job is to say that he has to adhere to the code. The building official will say that the code says that he can't do something, so what's the point of an appeal? Councilman O'Kelley said Ms. Anderson said that it would help with insurance costs, even if it were "useless." Councilman Sutton said that it hasn't helped *his* rates. He thinks that they are only doing it because the International Building Codes say to do it, "so it's bureaucracy." Councilman McFee said it's a tool in the toolbox. Councilman Sutton called it "a useless tool." It makes the contractor feel as if he has a reprieve when in fact there is no "grey" in the IBC.

Mr. Skipper said that the BBOA could be used for reading a code one way or another. He said this board has "been in the code forever." Councilman Sutton said that they haven't used it, so they are doing a good job. "This helps no one," he feels, "except a rare case where someone gets caught." Councilman McFee said if they didn't have professionalism, and a building official arbitrarily didn't like what you were doing, the BBOA could determine that you *were* working within the code, unlike the building official did. Councilman O'Kelley said that can and has happened. Councilman McFee said if they start having appeals that would trigger their notice that the building official possibly needed to be investigated.

Councilman McFee asked about the terms. Ms. Anderson said there are no term limits and suggested that they would look at the language for this again. Mayor Keyserling said they could pull from a pool (like jury duty) when they needed people to serve. Councilman McFee said it says, "seated members" so they can't pull from a pool.

Mr. Skipper said the commentary in the code about the structure is good. It's a rolling scale and staggered for the people on the board; most jurisdictions find they meet only to appoint new people when someone rolls off. Councilman O'Kelley asked how they could find out if it really helps with insurance. Ms. Anderson said it says that they *can* use it to determine rates. Mr. Dadson said that as a consumer, he likes to know the product he's buying has been inspected, but all efforts should be made to lower points; the insurance rates in this area are higher than the rates anyone else pays, so if they can do anything to help the rating go down, they should. "It's the prudent thing to do," Mr. Dadson feels.

Ms. Anderson said that Mr. Skipper is holding a quarterly meeting with contractors, and this will be added to the agenda.

Councilman Sutton asked who took **Dawn Boren's** place, and Mr. Dadson said they "are bringing it in-house, and code enforcement will be under the fire department." Councilman Sutton said he is unsure that works. The fire department's job isn't to talk to people about mowing their grass, etc. Mr. Dadson said this is a common practice elsewhere, and the building inspection department has been under the fire department. The fire fighters were inspectors. They don't answer fire calls when they are inspectors. Councilman Sutton said he doesn't want the fire department to go to residents other than in their capacity as firefighters. Ms. Boren went out to do enforcement outside of the realm of fire safety; she did code infractions.

Code enforcement is a constant fixed cost, Mr. Dadson said, and "the cost will be incurred whether you do 4 a week or 100 a week ... You can only do what is in the code for you to enforce." Mr. Dadson said he feels it should be more proactive. The person who does it will only be assigned to code enforcement and will make sure someone is constantly on it. Councilman Sutton said he likes the idea of a city staffer on the job. Mayor Keyserling said they "need to have the confidence it's being done."

Councilman McFee said many people have gotten notes about shielding trash containers and there's a date to take action. He asked who would enforce that. Mr. Dadson said the new code enforcement person would do that. "Only building codes are different, he said, "and policing matters that are in the police department's realm." Mr. Dadson said someone would go out and inspect, even if Ms. Boren isn't here. It's a fixed cost, and something they need to be on top of. They need to be reactive now, but they want to be proactive. They need to be out in the field, he said, not, as Councilman Sutton said, waiting for a call.

Ms. Anderson said another letter went out to vacant lot owners to maintain their lots if they haven't, and it tells them to consider getting a contract for maintenance. If you own a vacant lot, you might want to sell it, the letter also says.

Councilwoman Beer said she was passing out brochures about the Beaufort National Cemetery Expansion Fund to raise money to buy the property behind it, Lafayette Square.

There being no further business to come before council, the meeting was adjourned at 8:01 p.m.