



**Town of Sullivan's Island
Town Council Special Meeting
Monday, December 7, 2020
6:00 p.m.**

Virtual Meeting as a Result of COVID-19 Pandemic

<https://us02web.zoom.us/j/89760875311?pwd=WnhzUjBvVGljWWFWYVEwRkNDTGNNQT09>

Follow the prompts to download and run the Zoom application on your computer or mobile device. You will be prompted to set up a free Zoom account. Once you have completed sign up, click to join the audio conference. When you're in the meeting, you may click on the Start Video button to start your video. If you already have a Zoom account and would like to manually join the meeting, our Meeting ID is 897 6087 5311 and the password is 29482.

1. Call to Order and Confirmation of FOIA Notice
2. Second Reading, Ordinance 2020-21, An Ordinance Amending Charleston Water System Temporary Construction Easement and Permanent Waterline Easement on Town Parcel TMS # 529-05-00-036
3. Discussion and Consideration of an Agreement with Thomas and Hutton Engineering to craft a work plan and construction documents for the mediated settlement agreement in *Bluestein et al. v. Town of Sullivan's Island et al.* 2010-CP-10-5449
4. Discussion and Consideration of an Agreement with Trident Construction for the Sullivan's Island Fire Station Rehabilitation and Storage Building Project
5. Discussion and Consideration of SCMIT Workmen's Compensation Contest and Employee Merit Award
6. Adjourn

Ordinance No. 2020-21

**An Ordinance to Amend the Ordinances of the Town of Sullivan’s Island,
South Carolina, Chapter 14, By Adding a New Section 38(a) to read as follows:**

Section 14-38(a) Amendment to Permanent Easement, Access Easement, and Temporary Construction Easement with the Commissioners of Public Works of the City of Charleston, South Carolina (“CPW”)

WHEREAS, the Town of Sullivan’s Island is the Owner of certain real property as described in the Grant of Easements dated July 21, 2020, attached hereto as *Exhibit A*;

WHEREAS, CPW seeks to construct a water line across the Intracoastal Waterway and originating on Town of Sullivan’s Island owned property as more fully described in *Exhibit A*;

WHEREAS, the proposed water line would mutually benefit the parties herein;

WHEREAS, the Town of Sullivan’s Island granted the Grant of Easements pursuant to Ordinance Section 14-38 on July 21, 2020;

WHEREAS, CPW and the Town of Sullivan’s Island desire to amend said Grant of Easements by modifying the size and shape of the construction easement as shown on the proposed Amendment to Grant of Easements attached hereto as *Exhibit B* and the Town of Sullivan’s Island finds that said Amendment to Grant of Easements is in the best interest of the Town and its citizens.

NOW THEREFORE, BE IT ORDAINED by the Town of Sullivan’s Island in meeting duly assembled, that the Town of Sullivan’s Island grant CPW the modified easements, pursuant to the terms and conditions of the Amendment to Grant of Easements attached hereto as *Exhibit B*.

BE IT FURTHER ORDAINED that the Mayor or Mayor Pro-Tem of the Town of Sullivan’s Island is hereby directed and authorized to execute the said Amendment to Grant of Easements and other necessary documents to complete the transaction.

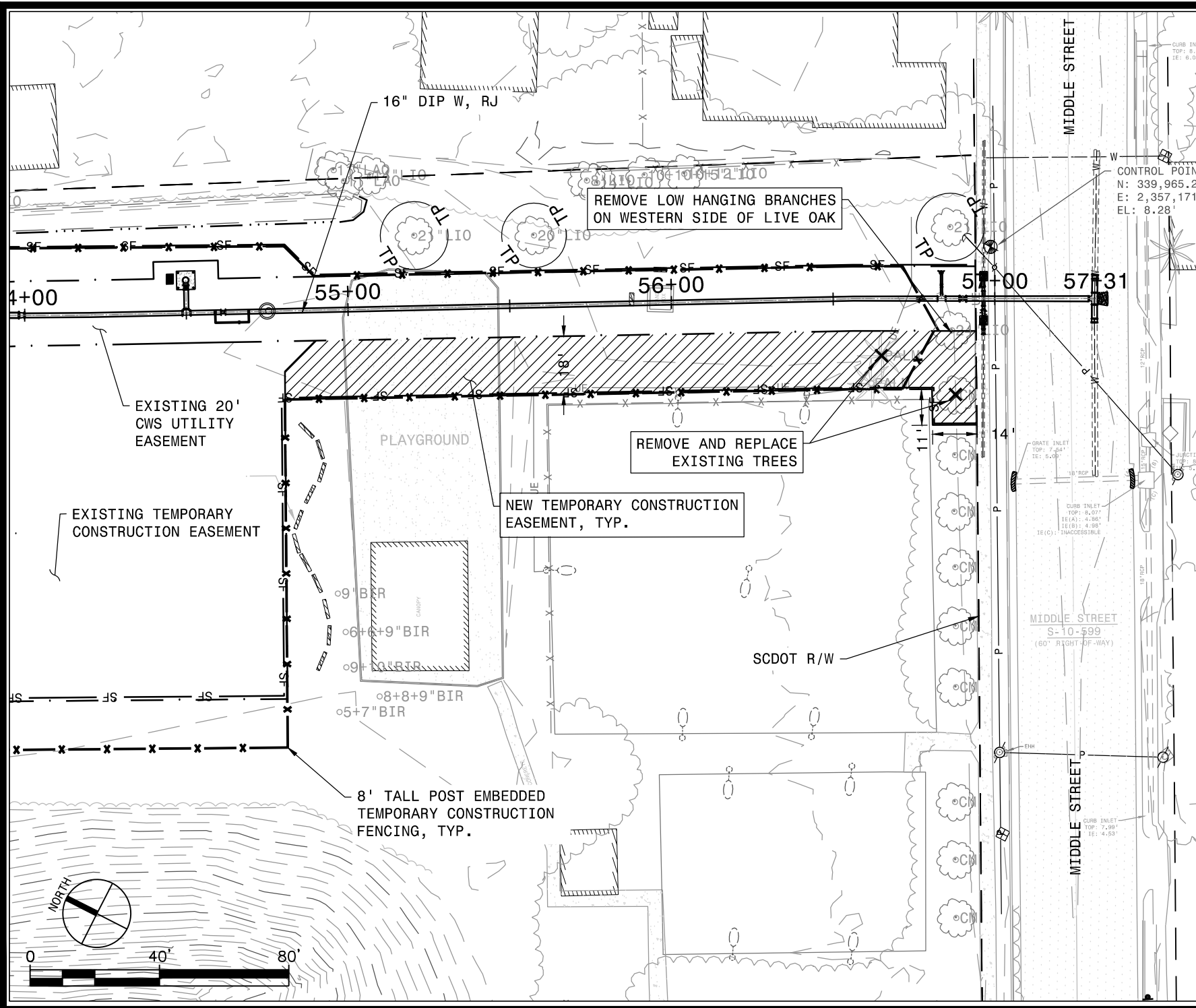
This Ordinance shall take effect immediately upon its ratification.

Patrick M. O’Neil, Mayor

ATTEST:

Courtney Sottile, Town Clerk

First Reading: November 13, 2020
Second Reading: December 7, 2020
Third Reading:



CONTROL POINT
 N: 339,965.2
 E: 2,357,171
 EL: 8.28'

MIDDLE STREET
 S-10-599
 (60' RIGHT-OF-WAY)

HUSSEY GAY BELL

Established 1958

474 WANDO PARK BLVD., SUITE 201, MT. PLEASANT, SC 29464 / T: 843.849.7500

BEN SAWYER - ICW CROSSING 16-INCH WATER TRANSMISSION MAIN

NOVEMBER 2020
 1"=40'

MODIFIED TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT

1

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

AMENDMENT TO
GRANT OF EASEMENTS
(Deed Book 0907, Page 897)

WHEREAS, the Township of Sullivan’s Island a/k/a Town of Sullivan’s Island a/k/a Town Council of the Town of Sullivan’s Island f/k/a the Board of Township Commissioners of Sullivan’s Island (referred to herein as the “Grantor”) executed a Grant of Easements to the Commissioners of Public Works of the City of Charleston, South Carolina (referred to herein as the “Commission”) dated July 21, 2020, and recorded on August 18, 2020 in Book 0907 at Page 897 in the Register of Deeds Office for Charleston County, South Carolina (“Grant of Easements”), which covers a portion of land owned by Grantor and designated by Charleston County TMS #529-05-00-036; and

WHEREAS, the Grantor and the Commission have agreed to extend the location of Temporary Construction Easement B (as defined in the Grant of Easements) to include an additional strip of land for the temporary construction easements to allow access from Middle Street, as more particularly described herein; and

WHEREAS, the Grantor and the Commission have agreed to amend the Grant of Easements to amend and restate the location of Temporary Easement B, as set forth herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that in consideration of ten and 00/100 dollars (\$10.00) paid by the Commission to the Grantor, the Grantor and the Commission hereby agree to amend the Grant of Easements, and the Grant of Easements is hereby amended, as follows:

1. The description of Temporary Construction Easement B, as set forth in Section 4 of the Grant of Easements, is hereby amended and restated in its entirety to read:

A temporary transferable construction easement for a commercial purpose over, under and across a strip of land designated “TEMPORARY CONSTRUCTION EASEMENT “B” 1.237 ACRE/53,889 SQ. FT.” and shown as being contained between the lines running between the points designated B, C, D, E, F, U1, T1, S1, R1, Q1, P1, O1, N1, M1, L1, K1, J1, I1, H1, G1, F1, E1, D1, C1, B1, A1, Z, Y, X, W and B on a plat entitled “PLAT SHOWING A NEW PERMANENT UTILITY EASEMENT AND TWO VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENTS TO BE CONVEYED TO THE COMMISSIONERS OF PUBLIC WORKS FOR THE CITY OF CHARLESTON, SOUTH CAROLINA ACROSS THE PROPERTY OF THE TOWNSHIP OF SULLIVAN’S ISLAND TOWN OF SULLIVAN’S ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA” by Patrick L. Hajes, S. C. P. L. S. No. 28584 of Hussey, Gay, Bell & DeYoung, Inc., Consulting Engineers of SC, dated April 1, 2019, and last revised November 5, 2020, and recorded in Plat Book _____ at page _____ in the ROD Office for Charleston County, South Carolina. Said strip of land has such size, shape, dimensions, butting and boundings, courses and distances as will by reference to said plat more fully appear. The temporary construction easement is hereinafter referred to as “Temporary Construction Easement B.”

2. The Grantor has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the Commission, its successors and assigns, a temporary transferable construction easement for a commercial purpose over, under and across Temporary Construction Easement B; TOGETHER with all the rights and privileges necessary or convenient for the full enjoyment or use thereof; TO HAVE AND TO HOLD, all and singular, the

easement rights and privileges above described unto the COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF CHARLESTON, SOUTH CAROLINA, its successors and assigns forever.

3. All references in the Grant of Easements to “Temporary Construction Easement B” shall mean and refer to the Temporary Construction Easement B, as defined herein.

4. Any trees required to be removed by the Commission during the construction phase in connection with the Temporary Construction Easements shall be replaced by the Commission with like species of substantially similar size to the extent reasonably possible to do so.

5. Except as expressly amended, as provided herein, the Grant of Easements is affirmed and all terms and conditions of the Grant of Easements shall remain in full force and effect. This Amendment and the Grant of Easements shall be read together and construed as one instrument.

(Signatures on following pages)

WITNESSES:

COMMISSIONERS OF PUBLIC WORKS OF THE
CITY OF CHARLESTON, SOUTH CAROLINA

By: _____
Print Name: _____
Its: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

I, _____, Notary Public for the State of South Carolina,
do hereby certify that the Commissioners of Public Works of the City of Charleston, South Carolina
by _____ its _____, personally
appeared before me this day and acknowledged the due execution of the foregoing instrument.

Subscribed to and sworn before me this _____ day of _____, 2020.

Print Name: _____
Notary Public, State of South Carolina
My commission expires: _____