

CITY OF CONWAY CITY COUNCIL
SPECIAL MEETING
BUILDING & PLANNING DEPARTMENT
196 LAUREL STREET, CONWAY, SOUTH CAROLINA
MONDAY, MARCH 13, 2023 – 10:00 A.M.

PRESENT: Mayor Barbara Blain-Bellamy, Justin Jordan, Mayor Pro Tem
Council Members: Amanda Butler, William Goldfinch, Beth Helms, Alex Hyman, Larry White

STAFF: Adam Emrick, City Administrator; John Rogers, Deputy City Administrator; Mary Catherine Hyman, Deputy City Administrator; Jeff Leveille, Technology Services Director; Le Hendrick, Fire Chief; June Wood, Public Information Officer; Dale Long, Chief of Police; Robert Cooper, Building Official; Attorney John Boyd, via Zoom; and Alicia Shelley, City Clerk

OTHERS: Cheryl Moore Adamson and approximately 30 others in attendance.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order, gave the invocation and led the Pledge of Allegiance.

The requirements for posting notice of this meeting under South Carolina's Freedom of Information Act (FOIA) were met.

Cheryl Moore Adamson, representative of the Whittemore Racepath Historical Society (WRHS) told council that the WRHS expresses their sorrow and dismay due to the devastation of the fire that occurred at the school on Tuesday, March 7, 2023. She stated that despite these events, the WRHS is asking the City for the following: That the RFP be closed; WRHS be awarded the school and the site as it sits today; the burn site is not demolished prior to inspection by the WRHS structural engineer to see what is salvageable; and that the City delivers a clean site with bricks salvage for the creation of a memorial.

Fire Chief Hendrick stated that on Tuesday, March 7, 2023, the Conway Fire Department was dispatched to the former site of the Whittemore Elementary School for a reported structure fire. Hendrick gave a timeline during the nearly 24-hour event. Hendrick said that portions of the building were required to be demolished in order to battle the fire and that multiple rooms were at flashover stage upon arrival, which occurs at fires exceeding 1,100 degrees. Hendrick read the International Fire Code, Section [A] 114.1.1 Unsafe conditions that says, "Structures of existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress, inadequate light and ventilation, or that constitute a fire hazard, are otherwise dangerous to human life or the public welfare, or involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the fire code official deems necessary and as provided for in the section. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe." Hendrick said that per this section, the remains of Whittemore Elementary are deemed unsafe.

Building Official Cooper informed Council that in 2018, he placed plywood over the Whittemore windows and they were taken off and the windows were busted out. Cooper said that, on January 6 of this year, he put steel on the doors and they were also removed. Cooper stated that part of his job duties includes assessing buildings that may be unfit due to dilapidation, defect, hazard, or other conditions rendering them unsafe. Cooper said that throughout his career he has made these determinations many times and typically this results in the structure being demolished. Cooper said that sometimes a property owner will repair the

structure, but that is not always possible under City Code. Cooper read Sec. 5-1-62 (a) that says that “if a repair to a structure exceeds 50% of the value of the building, then the structure must be removed or demolished.” Cooper said that in the case of Whittemore Elementary, the cost to repair the structure exceeds 50% of the value. The value is determined by Horry County.

Police Chief Long informed Council of the people living in the building due to bedding on the floor and food wrappings. Long stated that SLED was brought in for an investigation and that a person of interest had been questioned.

Boyd informed Council that an asbestos survey of the building done in 2017 confirmed that the building contains regulated asbestos containing material (RACM) and that the US Environmental Protection Agency contacted DHEC regarding the fire and the concern for the potential release of RACM at the site. DHEC personnel visited the site and requested a copy of the asbestos survey from the City. Asbestos, in friable form, poses a known risk to human health and the environment and is a regulated hazardous substance. Boyd stated that the current state of the site represents a public health hazard and should be secured as quickly as possible. Until the site is secured, it represents a threat to human health and the environment and the City, as the owner, could be liable for injuries. If the remaining structure cannot be secured from a structural stand-point then the safest option is to demolish the remaining structure and safely dispose of all materials in a landfill licensed and permitted to accept RACM. This should be done as soon as practical given the potential threat to human health posed by the current condition of the site.

After much discussion regarding people trespassing and living in the building, determining the cause of the fire, the condition of the front building, the condition of the back building, the value of the building, existing building code, construction of the building, cameras being placed to monitor the buildings, prevention of people from going inside, number of Police Officers, air quality, health issues, liability concerns, asbestos issues, intent of Horry County Schools, restoration of the back building for a community center, salvaging of bricks, and fencing/securing the remaining building, the following motion was made.

CONSIDERATION OF EMERGENCY DEMOLITION OF WHITTEMORE ELEMENTARY SCHOOL - Motion: Blain-Bellamy made a motion, seconded by Hyman, based on the assessment made by the City’s own professionals who have dealt with safety concerns from Chief Dale Long, building codes and building conditions from Robert Cooper, damage that has been exacerbated by fire last Tuesday as spoken by Chief Hendrick and as a reminder that our own Ordinance says that under the condition that there being not a possibility for half the value of the building being saved that the City moves forward with the demolition of the damaged building and that the City not touch the building that is separate from the original school.

Emrick stated that under Procurement rules, if the request can be declared an emergency situation to demolish, it will be much easier for staff to procure a contractor that can act in haste, rather than one that may take months to get out there.

Blain-Bellamy added to the motion that this be deemed an emergency demolition. Hyman seconded the addition to the motion.

Moore-Adamson requested that any bricks be salvaged.

Blain-Bellamy stated that she would add that to her motion and said that unless some safety issue within the bricks themselves, that in the demolition of that part of Whittemore Elementary School that the City save these bricks for other uses.

Vote: Unanimous. Motion carried.

After some discussion regarding the closing of the RFP, the following motion was made.

CONSIDERATION OF CLOSING REQUEST FOR PROPOSALS FOR WHITTEMORE ELEMENTARY SCHOOL PROPERTY - Motion: Blain-Bellamy made a motion, seconded by Jordan, to not decide relative to closing the RFP, until such time as the proposal itself has been amended. **Vote:** Unanimous. Motion carried.

ADJOURNMENT: Motion: Goldfinch made a motion, seconded by Blain-Bellamy, to adjourn the meeting at approximately 11:51 a.m. **Vote:** Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this 17 day of April, 2023.


Alicia Shelley, City Clerk