

TOWN OF SEABROOK ISLAND
Town Council Meeting of January 23, 2018

MINUTES

After the pledge of allegiance, Mayor Ciancio called the January 23, 2018, Town Council meeting to order at 2:30 p.m. Councilmen Crane, Gregg and Wells, Councilwoman Finke, Town Clerk Allbritton and Town Administrator Cronin attended the meeting. The meeting was properly posted and the requirements of the SC Freedom of Information Act were met.

Minutes:

The minutes of the Town Council meeting of December 19, 2017, the Public Hearing of December 19, 2017, and the Ways & Means Committee meeting of January 16, 2018, were unanimously approved as written.

Financials: Mayor Ciancio reported that, for the month of December, unrestricted revenues were \$296,495 or \$48,202 over budget. Year to date, total unrestricted revenues were \$1,268,585 or \$161,670 over budget and a 3.75% increase (\$42,870) over the total revenue for 2016. Expenses for the month of December were over budget by \$34,254 primarily due to salaries, retirement expenses and roadway maintenance. Year to date through the month of December, actual expenses were \$928,497 or \$113,242 under budget and \$163,234 more than in 2016. The increase in spending from the previous year was primarily due to an increase in expenditures for advertising and promotion, the Seabrook Island Roadway Project and beach patrol. Year to date, excluding the \$400,000 transferred from the General Fund for roadway expenses, unrestricted revenue has exceeded expenses by \$340,128.

For 2017, restricted revenues (Accommodations Tax and Alcohol) totaled \$256,328, which was \$84,828 over budget and an increase of approximately \$59,000 over 2016. For the same period, restricted expenditures were \$208,050 and were over budget by \$71,350.

Citizens/Guests Presentations, Comments: None

Reports of Standing Committees, Commissions, Boards:

Public Safety/Club Long Range Planning Committee – Councilman Gregg reported that the Club’s Long Range Planning Committee did not meet in January.

The Town’s Public Safety Committee met on January 15, 2018. The Committee reviewed a draft Request for Proposal for debris management services in order to get bids for those services to replace the existing contract with Phillips and Jordan that will expire in September 2018. The Committee was also provided a summary of action items from the Disaster Recovery Council hurricane training and exercise sessions conducted on January 10 and 11. The next meeting of the Committee is scheduled for Monday, February 12, 2018, at 10:00 a.m.

The Disaster Recovery Council held training and exercise sessions on January 10 and 11, 2018. A report from the Town’s consultant for those sessions was distributed to members of the Disaster Recovery Council on January 20, 2018.

Councilman Gregg reported that the FEMA Public Assistance Delivery Manager had requested additional information from the Town regarding the Town’s pending Request for Public Assistance and the Town has furnished that information. The meeting scheduled for January 22 with FEMA has been cancelled and the Town’s “projects” are being submitted for further processing.

Public Relations/Communications – Councilman Crane reported that the Communications Committee met on January 9, 2018. The main points covered in the meeting were:

- Continue to develop our strategy to increase social media followers of Town website.

- Ensure that VC3, which hosts the Town's website, stays current with versions and new releases of the software being used for the website platform.
- Do an audit of website content to ensure there are no broken links and links to pages with no content. The Town Administrator has been asked to help the Committee do this.
- Communicate postings to the website via the Town's Twitter feed and Facebook page as well as other social media and notes to the Tidelines Blog.

The next Committee meetings are scheduled for February 6 and March 6, at 1:30 p.m. at the Town Hall.

Councilman Crane reported that the 90 day appeal period relating to the adoption of the FEMA Flood Maps, during which any property owner who thinks that their property will be adversely affected by the new maps can appeal, will end on April 18, 2018. A communications campaign will ensure residents and property owners are aware of the new FEMA Flood Maps and how the appeal process works. The Town will also invite Carl Simmons, Charleston County Building Services, to come to Seabrook Island to answer residents and property owner's questions.

Council's Strategic Planning Session will be held on February 22 at the Town Hall. Bill Taylor, Municipal Association of South Carolina, will conduct the meeting. Mr. Taylor has sent Council a questionnaire and Councilman Crane is asking that everyone fill them out and return them to him by February 1.

Special Projects/Beach Administration – Councilman Wells reported that the Accommodations Tax Advisory Committee plans to meet on Monday, January 29, at 3 p.m. The Committee will be meeting to consider spending Accommodations Tax funds for beach patrol, fireworks and for a program administered by Low Country Marine Mammal Network that is intended to reduce disturbance to strand feeding dolphins and minimize violations of the Marine Mammal Protection Act. Councilman Wells stated that he would bring the Seabrook Island Dolphin Education Program Proposal back to Council in February.

Councilman Wells reported that he is writing the February article for the *Seabrooker* that will address the issue with the dolphins as well as the roadway project. The Town does have a permit from OCRM to repair/replace two valves along the roadway and are awaiting the Town Attorney's approval of the RFP before going out for bids.

Community and Government Relations: Councilwoman Finke expressed her appreciation to the Mayor for the effort he put forth recently to get information from Berkeley Propane regarding propane deliveries to Seabrook Island and for getting that information out to residents.

Ways & Means – No Report

Planning Commission – No Report

Board of Zoning Appeals – No Report

Reports of Ad Hoc Committees:

Accommodations Tax Advisory – No Report

Reports of Town Officers:

Mayor –

- Off Shore Drilling – Mayor Ciancio reported that, when the National Outer Continental Shelf Oil and Gas Leasing Program for 2017-2022 was finalized, Seabrook Island, as well as most other coastal communities, went on record against the inclusion of the Atlantic Planning Regions and sent formal comments to BOEM at various stages of the process. When the 2017-2022 Program was finalized, it specifically excluded each of the three Atlantic Ocean Planning Regions.

In July of 2017, the Trump administration issued a request for information and comment on a new five-year National Outer Continental Shelf Oil and Gas Leasing Program for 2019-2024. This Program will replace the 2017-2022 Program. The Notice of Availability of the Draft Proposed Program was published in the Federal Register on January 8. In a Property Owners Association survey done several years ago, the vast majority of those responding to the survey were opposed to off shore drilling. Councilman Gregg made a motion to authorize Mayor Ciancio to file comments in response to the Draft Proposed Program in opposition to the inclusion of the North Atlantic, Mid Atlantic and South Atlantic Planning Regions in the 2019-2024 off shore drilling program. Councilman Crane seconded the motion and the vote to approve was unanimous.

A second aspect to this issue is that, at the time the Obama administration approved the 2017-2022 Program in January of 2017, it denied a number of pending geophysical and geological permit applications to conduct air gun seismic surveys in the Mid and South Atlantic Planning Areas. The permit applications had been made to National Marine Fisheries Service (NMFS), which under the Marine Mammal Protection Act (MMPA) is authorized to allow the incidental taking of small numbers of marine mammals by firms engaged in a specified activity, such as seismic testing, if NMFS finds that the taking will have a negligible impact on the affected species and the effect of that incidental taking can be mitigated.

On the assumption that the Trump administration would react more favorably to their applications, in June of 2017, five of the companies appealed the denial of those permits to the National Marine Fisheries Service (NMFS). Pursuant to that appeal, the NMFS published notice in the Federal Register to issue “Incidental Harassment Authorizations” (IHAs) to allow these companies to “incidentally take”. On the assumption that the IHAs will be granted, the South Carolina Environmental Law Project (SCELP), a public interest 501(c)(3) organization has proposed litigation against NMFS challenging the granting of IHAs in the waters off South Carolina for seismic air gun testing on the grounds of environmental harm, economic damage and community opposition.

Mayor Ciancio stated that he and Councilwoman Finke participated in a conference call with representatives of coastal communities, initiated by the City of Beaufort, in which the South Carolina Law Project asked for the communities to join in SCELP’s proposed litigation against the NMFS as “named plaintiffs”. The rationale is to demonstrate to the court that the coastal communities are united in opposition to the issuance of IHAs. The effort would involve no cost to the Town as all legal fees and expenses would be paid by the SCELP. Mayor Ciancio stated that the Town could withdraw from the litigation at any point. Councilman Gregg made a motion to authorize the Town’s participation in SCELP’s proposed litigation against NMFS under the conditions described by the Mayor. Councilman Crane seconded the motion and the vote to approve was unanimous.

- **Glaser & Co. Audit Proposal** – Mayor Ciancio stated that the Town has received a three year proposal for audit services from Glaser & Co. Mayor Ciancio proposed that the Town renew the auditor’s engagement for the 2017 audit. He stated that he thought that during the period it had been the Town’s auditor that Glaser & Co. had done a professional and competent job; but, as a matter of good governance, the Mayor suggested that a periodic change of outside auditors might be appropriate. The Mayor indicated he would like to initiate a search for alternative auditing firms. Councilman Gregg made a motion to retain Glaser & Co. for the audit for the 2017 fiscal year at a cost to the Town of \$12,300. Councilman Crane seconded the motion and the vote to approve was unanimous.
- **Proposed FEMA Flood Maps** – Mayor Ciancio reported that, in September of 2016, the Town received copies of FEMA’s preliminary flood maps for Seabrook Island. At that time, Council agreed that the Town did not have the technical capability to respond adequately to the preliminary flood map and that we would ask Charleston County to take the lead on the Town’s behalf. In October of 2017, FEMA published notice in the *Federal Register* requesting written comments on its proposed flood hazard determinations. The Town has received a letter from FEMA indicating that the first notice concerning the appeal process regarding flood hazard determinations ran in the *Post & Courier* on January 11, 2018, and another notice would appear on January 18, 2018. The letter from FEMA sets a 90 day period, ending on April 18, during which a property owner, who believes their property

rights will be affected by the proposed determinations, may appeal to either the Town or an agency designated by the Town. FEMA has specified that the sole basis for appeal is scientific information that the “flood hazard determinations” are scientifically or technically incorrect due to a mathematical or measurement error or changed physical condition. All appeals will ultimately be resolved by a Scientific Resolution Panel.

A meeting with Charleston County representatives has been set for February 1 to brief Council on what the Town needs to do in response to the FEMA letter. Councilman Gregg moved to designate Charleston County Building Services as the agency with whom Seabrook Island property owners may file an appeal of the proposed flood hazard information presented on the preliminary FIRM or FIS report. Councilman Crane seconded the motion and the vote to approve was unanimous. Mayor Ciancio also asked Town Administrator Cronin to put the link to the flood map on the Town’s website. The Mayor also asked Councilman Crane to get the following information out to property owners:

- the availability of the maps on the Town’s website and the County’s website;
- the availability of the Flood Map Hotline (843-202-6957) that the County has made available; and
- information on property owner’s appeal rights and the April 18 appeal deadline.

Revision of Employee Information Handbook – Mayor Ciancio stated that the Town has an “Employee Information Packet” that contains practices and policies regarding employee behavior and benefits. This Packet was written in June of 1999 and has been amended in 2001, 2004 and in 2017. The Mayor announced that he had appointed an ad hoc committee consisting of Councilmen Gregg and Crane and Town Administrator Cronin to undertake a detailed review of the current employment policies and make sure the Town’s policies and benefits were consistent and competitive with those being offered by comparable South Carolina communities. The Mayor asked for a first draft of the revised handbook to be available for distribution no later than the end of May 2018.

Town Administrator – Town Administrator Cronin recognized Lynda Whitworth, who has been a Town employee since March of 1999. The Town Administrator remarked that Lynda has been a tremendous resource to him since he was hired in November of 2017. Lynda has previously been classified as “Administrative Assistant”; but, with the change of responsibilities over the years, effective January 1, 2018, she has now been promoted and classified as “License/Permit Specialist”.

Town Administrator Cronin reported that he is working on setting up dates for the Town’s shred events in March and October. As soon as the dates are available, they will be posted on the website, social media and Tidelines.

Town Council Members – See Above

Utility Commission – Chairman Jim Bannwart reported that wastewater flow for the year averaged 422,000 gallons per day in 2017 compared to 396,000 gallons in 2016. Water delivered to customers in 2017 was 273,000,000 gallons compared to 268,000,000 gallons in the prior year. Net income for December for the Utility was negative in the amount of approximately \$16,000 but income for the year is a positive \$89,000. The Utility Commission approved the purchase and installation of a third back-up generator at their last meeting. Chairman Bannwart commented that operations have been busy the past few weeks with response to issues related to the freeze the community experienced. There were more than 30 housing units that experienced water line breaks. In addition, a contractor, working for Comcast, hit a 6-inch water main while excavating for cable installation. The leak was isolated, cutting off water for about 38 housing units. Repairs were made the next morning and water service was restored, although a boil-water notice was issued for the housing units affected by the outage. The next day, lab results indicated the water was safe for consumption and the boil-water notice was rescinded.

Petitions Received, Referred or Disposed of: None

Ordinances for First Reading:

- **Ordinance 2018-01**, A Ordinance Amending the Development Standards Ordinance of the Town of Seabrook Island, South Carolina; Article 4.0, Establishing of Zoning Districts and Map; Section 4.10, Official District Map; so as to Clarify the Effective Date of Amendments to the Official District Map. Town Administrator Cronin explained that this ordinance was written to clarify two sections of the Development Standards Ordinance (DSO), Section 20.90 and Section 4.10. Section 20.90 states that “Any ordinance adopted affecting a change in the text of the DSO or Official Zoning Map shall become effective the day following the Council meeting at which action has been taken.” Section 4.10 of the DSO states that the Official District Map “shall be the final authority as to the current zoning status of the land, buildings and other structures in the Town.” Since the Town has a limited number of rezoning requests, the Map is only updated once per year, usually in December or January. Ordinance 2018-01 will clarify the effective date of approved rezonings. Section 4.10 of the DSO will be amended to state that the printed version of the Official District Map, “together with any amendments approved pursuant to Article 20 of this Ordinance but not yet incorporated into the printed version of the map,” shall be the final authority as to the current zoning status of all land within the Town. Town Administrator Cronin stated that the Planning Commission reviewed the draft ordinance at their January meeting and voted unanimously in favor of approval of the text amendment. Councilman Gregg made a motion to accept Ordinance 2018-01 on first reading. Councilman Wells seconded the motion and the vote to approve was unanimous.

Ordinances for Second Reading: None

Miscellaneous Business: None

Citizens Comments:

Jerry Farber, President of the Seabrook Island Club and Chairman of Seabrook Island Real Estate, introduced Gerri Franchini, who has taken Joe Salvo’s position as broker in charge at Seabrook Island Real Estate.

Bill Nelson, a Seabrook Island resident, stated that he was very interested in the Town adopting the proposed flood maps for Seabrook Island. The new maps will be a change for the better for him and will save him a considerable amount of money on flood insurance. Mayor Ciancio stated that the County had issues with the maps that were presented in September of 2016 and has been working with FEMA to get those issues resolved. He noted that the Town does not have any control over the date by which it must adopt the final map; but that, in the interim period, the Town does need to make sure the residents have the ability to review the maps and know what the process is for an appeal if they feel they have been adversely affected. It appears that most residents are not adversely affected by the new flood maps. After all appeals are settled, the Town would have up to six months to adopt the flood maps.

The meeting adjourned at 4:40 p.m.

Approved: February 27, 2018

Faye Allbritton, Town Clerk