

**TOWN OF SEABROOK ISLAND**  
**Town Council Meeting**  
**February 23, 2021, at 2:30 p.m.**

**MINUTES**

The February 23, 2021 Town Council meeting was conducted as a video conference using Zoom and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilmembers Crane, Finke, Fox and Goldstein, Town Administrator Cronin and Town Clerk Allbritton participated in the meeting. Mayor Gregg called the meeting to order. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act had been met.

**Minutes:**

The minutes of the Town Council meeting of January 26, 2021 and the Ways & Means Committee meeting of February 9, 2021 were unanimously approved as written.

**Financials:**

Mayor Gregg reported that the total fund balance for the period ending January 31, 2021 was \$5,627,633, about \$467,345 more than the balance as of January 31, 2020. Unrestricted revenue for January and for the year totaled \$34,375, representing about 2.6% of the 2021 annual budget, and about \$36,604 less than for January of 2020. Expenditures for January and for the year totaled \$56,527, representing about 4% of the 2021 annual budget. Expenditures for the year were about \$4,362 more than the same period in 2020. Excess of expenditures over revenues was \$22,151 for the month of January and for the year, compared to about \$3,014 as of January 31, 2020. Mayor Gregg added that, with the business license renewal date being extended from January 31 to March 31, 2021 revenue can be expected to be reduced during the first quarter of 2021 compared to prior years.

**Citizens/Guests Presentations, Comments:**

Mayor Gregg reported that he and the other members of Council had received a comment concerning short-term rentals and he had responded to the comment. The comment expressed dissatisfaction with the process the Town followed in approving the ordinance for regulation of short-term rentals and with the short-term rental permit fee. The person responded back to the Mayor's email and stated that they wished the permit fee could be reduced in the future.

**Reports of Standing Committees, Commissions, Boards:**

**Public Safety Committee – Skip Crane**

Councilman Crane reported that the Public Safety Committee met on Monday, February 8, 2021. The Committee reviewed the DRC Exercise after-action report for the January 27<sup>th</sup> exercise, that had been provided by Scott Cave, the Town's emergency planning consultant. A few items that were noted for similar exercises in the future were also discussed. The report listed 11 specific actions in the Exercise Improvement Plan and the Committee assigned initial responsibility for each. The DRC will meet on March 4 to review the report in more detail and discuss action plans and associated assignments.

Councilman Crane stated that Mayor Gregg had referred an incident, involving unleashed dogs on the bike path, to the Public Safety Committee to investigate and provide recommendations. After discussion, the Public Safety Committee members recommended that the Town adopt a town-wide leash law based on the regulations already in place for SIPOA. The Town Administrator is researching similar ordinances for neighboring cities and will have a draft for the Committee to review at their March meeting. Town Administrator Cronin also reviewed the status of the Beach Patrol RFP. The next meeting date for the Public Safety Committee will be March 8<sup>th</sup>.

### **Public Relations/Communications – Pat Fox**

Councilwoman Fox reported that ten radio operators participated in a successful radio net test on February 21. She has also been involved in updating the Wildlife page on the Town's website. Councilwoman Fox also reported that the following had been published in Tidelines recently:

- The agenda for the February Town Council meeting
- A TOSI Clip for the Ways & Means meeting
- Two posts regarding the Dolphin Education Program (season review for 2020 and an invitation for people to join the 2021 Dolphin Education Program)

Mayor Gregg expressed his appreciation to Councilwoman Fox for the work she has done on the topicalized postings to Tidelines for the Town meetings. Councilwoman Finke added that she will send information to Councilwoman Fox about the Town's Community Promotions Grant Program so that she can get it published on Tidelines.

### **Special Projects/Beach Administration – Barry Goldstein**

Councilman Goldstein reported that he and the Town Administrator had met with ESP Associates, Inc. recently and ESP has committed to having their report on the bike path within the week and a report on the roadway by the end of February. Councilman Goldstein stated that the reports would be distributed to Council after he and the Town Administrator had reviewed them.

### **Beach Administration/Community and Government Relations – Jeri Finke**

**Endorsement of Seabrook Island Shorebird Steward Program** – Councilwoman Finke had distributed an endorsement statement prior to the meeting confirming the Town's support for the Seabrook Island Shorebird Steward Program. Councilwoman Finke made a motion to approve the Town's endorsement statement for the Seabrook Island Shorebird Steward Program. Councilwoman Fox seconded the motion. Mayor Gregg asked that the words "and encouraged" in the fifth paragraph, second sentence be deleted. Councilwoman Finke amended her motion to adopt the amended endorsement statement with the words, "and encouraged", deleted. Councilwoman Fox seconded the amended motion and the vote to approve was unanimous.

### **Ways & Means – John Gregg**

Mayor Gregg reported on the following topics at the February Ways & Means Committee meeting:

- Proposed Charleston County zoning regulation revisions that would affect Johns Island
- Rezoning request for 4455 Betsy Kerrison Parkway to accommodate a miniature golf establishment
- Request for a proclamation from the Town declaring March as Red Cross Month
- Upcoming appointments to the Community Promotions Grant Program Committee

Councilman Crane reported on the following items at the February Ways & Means Committee meeting:

- Public Safety Committee review of the after-action report for the January Disaster Recovery Council's earthquake exercise.
- The possibility of adopting an ordinance dealing with unleashed dogs on the bike path
- DSO Advisory Committee completing review of second draft of Development Standards Ordinance

Councilwoman Finke reported on the following items at the February Ways & Means Committee meeting:

- Town endorsement of the Seabrook Island Shorebird Steward Program
- Lowcountry Marine Mammal Network's report pertaining to the Dolphin Education Program on Seabrook Island for 2020

Councilwoman Fox reported, at the February Ways & Means Committee meeting, on:

- Publications done on behalf of the Town in the Seabrooker and on Tidelines in January and February.

Councilman Goldstein commented, at the February Ways & Means Committee meeting, on:

- Awaiting reports for Seabrook Island Road and the Town's pedestrian/bike path from ESP Associates, Inc.

The Mayor reported that some of the topics addressed by the Town Administrator at the February Ways & Means Committee meeting were:

- Temporary Use Permits for Dolphin Slam Tournament (April 24, 2021) and the Bohicket Invitational Billfish tournament (May 5-8, 2021)
- Update on business license renewals, business license application forms and short-term rental permit application forms
- Update on Beach Patrol RFP

### **Reports of Ad Hoc Committees:**

**Development Standards Ordinance Advisory Committee** – Councilman Crane reported that the DSO Advisory Committee met on January 28 via teleconference to review the second draft of the Development Standards Ordinance. Paul LeBlanc, the Town's consultant engaged for this project, provided a listing of the major talking points that resulted from the review of the initial draft. The members went through the list and made necessary changes for the next draft. The members then discussed the next steps which will include review of the final draft and conducting a public review and comment procedure. Due to the pandemic, alternative methods of holding the public review and comment period will continue to be evaluated.

### **Reports of Town Officers:**

**Mayor** – John Gregg

- **Finalization of Red Cross Month Proclamation** – Mayor Gregg made a motion to approve the Proclamation, with text as presented to Council prior to the meeting, that would declare March as Red Cross Month in Seabrook Island. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Nomination for Appointments to Community Promotions Grant Program Committee** – With the approval of the Community Promotions Grant Program at the January Town Council meeting and with agreement of Councilwomen Finke and Fox to serve on the Committee, Mayor Gregg nominated residents, Michael Bryan and Sharon Carter, to serve on the Community Promotions Grant Program Committee. Council had been provided with copies of their volunteer submissions prior to the meeting. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Update Concerning Proposed Rezoning for 4455 Betsy Kerrison Parkway** – Mayor Gregg reported that a request for the rezoning of 4455 Betsy Kerrison Parkway is to be on the Charleston County Planning Commission agenda for March 8, 2021. A prior request for the same rezoning of that parcel was considered and turned down by the Charleston County Planning Commission at their October 4, 2019 meeting. The latest rezoning request is being made to accommodate a miniature golf operation. Mayor Gregg added that, once the new rezoning request is available, he would submit a post to Tidelines to give an opportunity for public comment in advance of the March 8 Charleston County Planning Commission meeting.
- **County Rural Vaccination Program** – Mayor Gregg reported that it had been announced during the Charleston County Emergency Management Department Tri-County Conference Call that the County and Fetter Health Care Network have partnered to conduct COVID-19 vaccination events to better serve the rural areas of Charleston County. The first event was held February 16 at the Public Library in Hollywood and the next event is scheduled for February 26 at the Public Library on James Island. It was confirmed during the call that it is contemplated that an event will be scheduled to serve the residents of Johns Island.

**Town Administrator/Zoning Administrator – Joe Cronin**

- **Update on Bobcat Guardian Program Participation** – The Town Administrator reported that the business license renewals for pest control companies had gone out. The mailout included the business license application, a letter from the Mayor and a pledge the company could voluntarily sign to be included in the Bobcat Guardian Program. Several pledges have already been received by the Town from pest control companies agreeing to cease using SGAs on Seabrook Island. The information about the Bobcat Guardian Program can be found on a new section on the Town website under the Services tab. Mayor Gregg noted that the Town had received a letter from the South Carolina Pest Control Association acknowledging the Town's undertakings for reducing/eliminating use of the Second-Generation Anti-Coagulant Rodenticides within the Town by pest control providers. The Mayor added that the Town welcomes the SCPCA's expression of support and cooperation in this effort. The Town Administrator also thanked Jim Jordan and Kiawah Island for bringing up this issue and taking the lead on it.
- **Update on Implementation of Ordinance 2020-14 (Short-Term Rental Ordinance)** – Town Administrator Cronin reported that the short-term rental mailer, which includes a letter, the business license application and permit applications, have gone out. To date, fifteen of the applications have been approved. Both documents, the business license application and the short-term rental permit application, must be submitted at the same time along with payment. Placards will be provided once applications are approved that should be placed next to the primary access to the rental units. The Town Administrator added that information packets will be provided by May 1 that can be given to rental guests.
- **Request to Authorize Negotiation and Awarding of a Contract to Barrier Island Ocean Rescue for the Provision of Beach Patrol Services** – Town Administrator Cronin stated that he had received two bids for beach patrol. The first one was received on February 11 from Barrier Island Ocean Rescue. Another bid, from Safeway Services Group, was received but did not arrive until February 16, 2021, which was after the RFP deadline.

The amount of Barrier Island Ocean Rescue's bid was \$184,282.75 and is a good bit higher than the prior contract and about \$40,000 more than budgeted for 2021. If Council did not want to adjust the level of service, the Town Administrator recommended going forward with the proposal and find a funding source for the additional funds or either negotiate the contract. He explained that the fourth quarter State Accommodations Tax check was much more than budgeted and this could be one source for additional funds. Mayor Gregg commented that it was difficult to try to adjust the level of service to get closer to the amount in the 2021 budget since the contract only had a total cost.

Councilmembers seemed not to be in favor of cutting the level of service as beach patrol is the major public service provided by the Town and they felt the Town Administrator should be authorized to work out details and move forward with the contract. Councilman Goldstein suggested that, since the initial contract is for two years and has three one-year renewal terms, the contractor might have set the price high enough so that they did not have to increase the amount after the first two-year period. The contractor does have the option to raise the amount after the first two-year period but any increase on the three one-year renewal periods would have to be made 90 days in advance and the Town could opt not to move forward with renewal. Councilwoman Finke made a motion to allow the Town Administrator to go forward with negotiations for beach patrol services with the proposed five-year arrangement. Councilwoman Fox seconded the motion and the vote to approve was unanimous.

- **Request to Approve an Agreement with the Lowcountry Marine Mammal Network for Operation of the 2021 Dolphin Education Program** – Town Administrator Cronin stated that the 2021 agreement with the Lowcountry Marine Mammal Network is identical to the one used in the past except that Cheryl Munday is no longer a member of the project team. Councilwoman Finke made a motion to enter into the agreement, as presented, with the Lowcountry Marine Mammal Network for the 2021 Dolphin Education Program. Councilwoman Fox seconded the motion and vote to approve was unanimous.

- **Request to Establish a Policy for Weddings and Other Events on the Beach** – The Town Administrator stated that, due to the number of calls the Town Hall gets about weddings or other events on the beach, he feels it would be helpful to have a written policy to give to people who inquire or to have on the Town website. Some municipalities along the beach do have policies and may even require a permit for events on the beach. Mayor Gregg questioned whether residents would want to do something that would seem to be encouraging people to have events on the beach and added that Council would have to be forthcoming with the community if such a policy were established. Town Administrator Cronin agreed but stated that the Town would not be encouraging anything but just needed consistent information to give out in case someone asks. Councilwoman Finke added that Council would just need to clarify what the Town Code already says. Town Administrator Cronin added that we know there are no commercial activities allowed on the beach, but he brought up photographers as an example of someone who would be considered a business but are quite often on the beach for weddings or family portraits. Technically, the Town's ordinance would not allow a photographer to conduct business on the beach. Mayor Gregg suggested that it would be helpful if the Town Administrator would identify where the concerns are with the existing policy.
- **Update on 2021 PGA Championship** – The Town Administrator reported that the PGA would be limiting the capacity of the 2021 PGA Championship in May to 10,000 spectators. The decrease in spectators would be for public safety but the economic impact of the event for the community will be considerably less than expected at full capacity. He added that the Planning Commission approved the Temporary Encroachment Permit for the PGA at their meeting on February 10.
- **Town Clerk's 25<sup>th</sup> Work Anniversary** – The Town Administrator recognized the Town Clerk's 25<sup>th</sup> work anniversary for the Town of Seabrook Island and she was presented with a token of appreciation.

**Town Council Members** – See Above

**Utility Commission:** Chair Annie Smith-Jones reported that the Utility Commission met on February 17, 2021. The Commissioners welcomed their newly appointed Commissioner, Jim Ferland. The financials showed there was a deficit of \$16,644 for the month of December and, for the year to date, income was \$297,911. After adjusting for Capital Expenditures and debt service, SIUC ended their year with a surplus of \$16,065. In January, after adjusting for capital expenditures and debt service, the month ended with a surplus of \$3,988. Available cash, as of January 31, was \$2,817,802.

For sewer, the effluent quality continued to meet all permit parameters during the month. Daily average flow was 0.358 million gallons per day. The maximum day was 0.470 million gallons. For water, SIUC delivered 20,103,000 gallons of water for the month compared to 14,473,000 gallons last year.

SIUC discussed the outstanding bill that the St. Johns Fire Department owes SIUC.

The FEMA generator project and the holding pond expansion project were discussed. SIUC has been approved for the holding pond project for up to \$3.5 million. She added that incurring debt is one of the areas in which the Utility Commission must seek Town approval. The Chair reported that DHEC has approved raising the sides of the pond without having to line it to bring it up to code.

Chair Annie Smith-Jones reported that SIUC would continue the review of updating their 5-year growth plan at their next meeting on March 17.

**Petitions Received, Referred or Disposed of:** None

**Ordinances for Second Reading:** None

**Ordinances for First Reading:** None

**Miscellaneous Business:**

- Temporary Use Permit: Bohicket Dolphin Slam Tournament (April 24,2021)
- Temporary Use Permit: Bohicket Invitational Billfish Tournament (May 5-8, 2021)

Town Administrator Cronin stated that he had asked Bohicket Marina representatives to participate in the Town Council meeting and had gotten a message from Beau Anderson saying that he was unable to participate. The Town Administrator suggested deferring consideration of these Temporary Use Permits until Council's next meeting. Mayor Gregg questioned whether there would be enough time since the Town Council meeting would be held in late March and the first event would be April 24. Councilwoman Finke added that she would prefer to defer consideration and she would send the Town Administrator any questions she might have. Councilwoman Fox questioned how many people would be attending the event and if they might need to get approval from the Department of Commerce. She added that she would also like to have a much more complete overview of their COVID restrictions. Councilwoman Fox suggested that a special meeting could be held either before or after the Ways & Means Committee meeting if the Marina would need approval before the next Town Council meeting.

**Citizens Comments:**

Town Administrator Cronin stated that one comment had come through the Town's website. Sue Cameron, Beach Club Villas, inquired about scattered chunks of debris that were visible from the beach and whether they would be removed. Town Administrator Cronin said that, he assumed, the debris was part of the dock that had washed up a few months ago. He added that some pieces of Styrofoam had been removed and the Town had tried to get a vac truck to get some of the smaller pieces, but a vac truck was not available. He indicated that he would follow up and get code enforcement staff to go out and determine what debris remained at the site.

With there being no further business, the meeting was adjourned.



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Date: March 23, 2021