

TOWN OF SEABROOK ISLAND
Town Council Meeting of August 28, 2018

MINUTES

After the pledge of allegiance, Mayor Ciancio called the August 28, 2018, Town Council meeting to order at 2:30 p.m. Councilmembers Finke, Gregg and Wells, 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 July 24, 2018, and the Ways & Means Committee meeting of August 21, 2018, were each unanimously approved as written.

Financials: Mayor Ciancio reported that the Town's total fund balance as of the end of July was \$4,952,962 or \$304,379 greater than the same period one year ago.

Revenue for July totaled \$72,759 and was under budget by \$64,540, mostly due to a timing issue with business license taxes levied on telecommunications and insurance companies, which is collected by the Municipal Association of SC for the Town. Year to date through July, not including money transferred from the General Fund for Special Projects, revenue was \$780,721 or almost \$90,000 more than budget and \$17,761 more than for the same period in 2017.

Expenditures for the month of July were \$69,070 and were under budget by \$48,196 primarily due to timing issues for audit expense and roadway improvement expenses. For the year to date, expenditures were \$422,646 and were under budget by \$362,949. The excess of revenue over expenditures was \$3,688 for the month of July and, not including the \$300,000 transferred from the General Fund for Special Projects, revenues have exceeded expenditures by \$358,076 for the year to date through July.

Citizens/Guests Presentations, Comments:

- Erik Glaser from Glaser & Company, Town Auditor – The Town of Seabrook Island audited financial statements were presented to Town Council and the public at the August 28, 2018, Town Council meeting. The Auditor discussed the clean audit report, the audit process and the overall health of the Town's finances. He further discussed the nature of some of the internal control system and how it is effectively designed, even though the Town has a small operating structure and few employees.

During the presentation the Auditor discussed the overall current and past budget stewardship and conservation and the resulting accumulation of reserves in the Town's finances. The need for reserves and the ability to react, whether to natural disasters, infrastructure need or otherwise, were discussed in light of the Town's healthy financial position. It was further noted that the Town is debt free and its only significant obligation is its fractional percentage share of the SC Retirement Systems underfunded position.

Mr. Glaser added that there were no difficulties during the audit and the audit was administrated effectively without delays or difficulties.

Reports of Standing Committees, Commissions, Boards:

Public Safety – John Gregg

- **Report of Ad Hoc Committee** – Councilman Gregg reported that Town Council considered comments regarding the draft Employee Handbook at the August 21 Ways & Means Committee meeting. Changes to the draft were forwarded to outside counsel and the revised Handbook will be provided to Town Council when available.

- **Club Long Range Planning Committee** – The Club’s Long Range Planning Committee met with the Club’s Board of Governors for a strategic planning session on August 28.
- **Public Safety Committee** – The Town’s Public Safety Committee met on August 13, 2018. The Committee discussed how non-emergency communications from the Seabrook Island Utility Commission should be handled. The Committee reviewed a draft guide that would address emergency preparedness for residential propane systems that will be published to the community. The Committee also began consideration of plans to be developed to improve preparedness for response to an earthquake event.
- **Request for Public Assistance** – The Town received payment of \$33,018.06 as the Federal share of approved costs for Emergency Protective Measures as a result of Hurricane Irma. Of that amount, \$23,817.56 is for costs incurred by the Seabrook Island Utility Commission (SIUC) for rental of generators and by-pass pumps and will be forwarded by the Town to SIUC.

Public Relations/Communications – Skip Crane - Absent

Special Projects/Beach Administration – John Wells

- **Seabrook Island Road Improvements Update** – Councilman Wells reported that Triad Construction will have equipment on site on Wednesday, August 29. Trees along the Parkway will have to be trimmed for clearance and one lane of traffic could be blocked in a limited area.
- **Dolphin Education Program** – Councilman Wells stated that the Dolphin Education Program will continue through December but he will have a statistical report at the September Ways & Means Committee meeting.

Community and Government Relations: Jeri Finke

- Councilwoman Finke remarked that she continues to attend the Council of Governments monthly meetings but nothing pertaining to Johns Island, Seabrook Island or Kiawah Island is discussed.

Ways & Means – No Report

Planning Commission – No Report

Board of Zoning Appeals – No Report

Reports of Ad Hoc Committee: No Report

Reports of Town Officers:

Mayor – Ron Ciancio

- **1126 Ocean Forest Drive** – Mayor Ciancio reminded Council that construction of the residence at 1126 Ocean Forest Drive had begun around 2006 and, due to financial difficulties the owner/contractor had never completed the structure and it had fallen into a state of disrepair and had significant mold issues. Last year, after the property had been in the foreclosure process for about eight years, the mortgage holder finally foreclosed on the property and Council declared the property to be a nuisance and served written notice of its intent to demolish the structure.

Mr. Matney, who had purchased the property, approached the Town asking for the opportunity to refurbish the residence. Council agreed to delay demolition provided Mr. Matney enter into an agreement with a specific deadline, September 14, 2018, to complete his proposed renovations and he would be required to post a Letter of Credit in the amount of \$300,000, subsequently reduced to \$200,000, to ensure timely completion of the renovation. Mr. Matney has asked for an extension of the September 14th date and the contractor, Osprey Construction, has been asked to appear before Council to explain what work has been done to date, what work remains to be done and why the extension is required.

Doug James, Owner and President of Osprey Construction, explained that mandated mold remediation had been completed promptly but the redesign and evaluation process took longer than anticipated and he had obtained estimates and placed orders during the waiting period. When the report was received, the required work was more than anticipated. Mr. James handed out a list of materials/labor, which had either been purchased or obligated, amounting to \$771,389. Structural work was started in July and will be completed the week of August 27th. Immediately following, the interior and mechanical finishes will begin. Mr. James stated that he thinks the remaining work should take about 4 to 6 months and is asking for a 6-month extension.

Carl Simmons, Charleston County Building Services, stated that four permits had been issued for the residence and that bringing the structure up to current building code had been a monumental task and reconstruction was moving along as expected.

Mayor Ciancio stated that the agreement with Mr. Matney and the Letter of Credit would have to be modified if Council agreed to the 6-month extension and asked Mr. Matney if he would agree to pay for the additional paperwork that would have to be required. Mr. Matney agreed. Councilman Gregg moved to extend the construction deadline for 1126 Ocean Forest Drive from September 14 to March 14, 2019. Councilman Wells seconded the motion and the vote to approve was unanimous.

- **Seabrook Island Road Master Plan (ESP Associates)** - Mayor Ciancio reported that the Town Administrator has obtained a proposal from ESP Associates, Inc. to develop a Conceptual Entry Master Plan to Seabrook Island. The proposal from ESP will develop alternatives for Council to consider if, and when, the current parcels on either side of Seabrook Island Road between the gate and the circle are developed.

The proposal is divided as follows:

- Planning Services – Preliminary Site Analysis with a budget of \$5,000
- Planning Services – Conceptual Entry Master Plan with a budget of \$8,250
- Planning and Landscape Architecture Services – Attendance at additional Coordination Meetings/Additional Site Visits with a budget of \$4,000
- Reimbursable Expenses with a budget of \$600

The total of these services is \$17,850. Any additional services for the above items not included in the proposal will be done at their current hourly rates or a separately negotiated fee. Any additional services requested by the Town such as landscape plan, hardscape plan, cost estimates, bidding and negotiation assistance, etc. will be determined on a lump sum, fixed fee price.

Councilman Gregg made a motion to accept the ESP Associates, Inc. proposal as presented. Councilman Wells seconded the motion and the vote to approve was unanimous.

Town Administrator –

- **Request to Approve an Agreement with Bear Cloud Software**– Town Administrator Cronin reported that the Town had been looking into purchasing the Discovery Module of the STR Helper system. This Module would enable the Town to have a full roster of short term rentals within the Seabrook Island boundaries. The system would run regular reports that would sweep all listing sites and update the registry. A screenshot of all listings would be available so that the Town could check to make sure the business license numbers of licensed rental units are included in the listing. Information such as the parcel and local address of each property, the contact information and address of each property owner and information about the number of bedrooms/bathrooms, etc. would be available. Not only would the information be useful in getting all rental properties licensed, but the Module would be beneficial if the Town or Property Owners Association were to pass regulations regarding rentals such as the number of people allowed for a rental, number of cars allowed for the property, etc. The cost of the Module is \$2,500 per year and it is possible the Property Owners Association would be willing to share the cost as a remote user.

Councilman Gregg made a motion for the Town to enter into an agreement with Bear Cloud Software to purchase the Discovery Module of their STR Helper system at a cost of \$2,500 per year. Councilman Wells seconded the motion and the vote to approve was unanimous.

- **Kiawah Senior Living Project Update** – The Town Administrator reported that the Planning Commission, at their August meeting, had tabled the vote on the encroachment permit requested for the Kiawah Senior Living Project. The Planning Commission hired the Reveer Group and G. Robert George & Associates to do an independent review of the project. As a result of the Reveer group’s recommendations, the Kiawah Senior Living Project representatives have revised their study and drawings. The Planning Commission hopes to have copies of the revised study and drawings in advance of its scheduled September 12 meeting.
- **Town Hall Renovation Update** – Town Administrator Cronin reported that renovations on the Council Chambers has been substantially completed except for installation of the recording system. Wainscoting has been installed in the conference room and the room has been painted. New furniture for that room should be delivered in a few days. The Town Administrator’s office has been painted and he is getting a proposal for painting and repairs in other areas of the interior of the town hall.
- **Comprehensive Plan Update** – The Town is nearing completion of the public input part of the process to update the Town’s Comprehensive Plan. The community survey is currently on the website and has gone out on social media and Tidelines and over 250 responses to the survey have been received so far. Work will begin on the first two elements of the Plan at the Planning Commission meeting on September 12, 2018.
- **Beach Patrol Update** – Town Administrator Cronin reported that the beach patrol season was drawing to a close and will conclude after Labor Day. Visitors to the island continue to have more than twice as many leash law violations as residents and glass on the beach continues to be a problem.

Town Council Members – See Above

Utility Commission – Chairman Bannwart reported that July was a good month as far as water consumption due to the time of year and number of visitors on Seabrook Island. Financials were in the red mostly due to one-time expenditures. The Utility Commission has applied for a grant from FEMA for backup generators and FEMA has asked for further information. Chairman Bannwart also reported that the Commission is about to start 2019 budget discussions.

Petitions Received, Referred or Disposed of: None

Ordinances for First Reading:

- **Ordinance 2018-06**, An Ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-02-00-020, containing approximately 0.54 +/- acres located at 2460 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District – Mayor Ciancio explained that this property had been donated to or purchased by the Green Space Conservancy and deeded to the Seabrook Island Property Owners Association (POA). The POA has now applied to change the zoning to Agricultural-Conservation District. The Planning Commission has reviewed the rezoning request and has recommended approval of the rezoning. Councilman Gregg moved to accept Ordinance 2018-06, to rezone 2460 Seabrook Island Road from the Single-Family District to the Agricultural-Conservation District, on first reading. Councilman Wells seconded the motion and the vote to approve was unanimous. Councilmember Finke recused herself from the vote since she is currently an officer for the Green Space Conservancy.
- **Ordinance 2018-07**, An Ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront Management; Division II, Restrictions; Section 32-44, Domestic Animals/Pets; so as to define the terms “on lead” and “on

a lead” – The Mayor explained that the terms “on lead” and “on a lead” were not defined in the Town’s current ordinance; and, after much discussion, it was decided that a lead would be considered a physical restraint of no more than sixteen feet in length. Domestic animals/pets are to be considered off lead if they are under voice control or an electronic collar. A motion was made and seconded to accept Ordinance 2018-07 on first reading, but Councilman Wells made a motion to amend the ordinance and add the word “Household” before Domestic Animals/Pets. Councilman Gregg seconded the amended motion and the vote to approve was unanimous.

- **Ordinance 2018-08**, An Ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront Management; Division II, Restrictions; so as to add a new section, to be called Section 32-57, Fishing on the Beach – Mayor Ciancio explained that this ordinance will authorize code enforcement officers to ask persons engaged in fishing from the beach to cease fishing or either move to a different location if the officer feels that it is in the interest of public safety. Councilman Gregg moved to accept Ordinance 2018-08 as presented for first reading. Councilman Wells seconded the motion and the vote to approve was unanimous.
- **Ordinance 2018-09**, An Ordinance amending the Development Standards Ordinance of the Town of Seabrook Island, South Carolina; Article 10, Buffers, Landscaping and Tree Protection; Section 10.60, Specifications for Walls, Fences and Hedges; so as to amend the general requirements for retaining walls and fences – Town Administrator Cronin explained that the Town’s Development Standards Ordinance (DSO) currently requires walls and fences to be constructed of the following: “stucco, cypress, pressure-treated wood or similar materials.” Despite these restrictions, several walls and fences have been permitted using other materials, such as architectural concrete masonry unit retaining walls and powder coated aluminum fences. The SIPOA Architectural Review Committee currently allows materials that are not permitted under the Town’s DSO and the Town Administrator is recommending that the DSO be amended to eliminate this conflict. Ordinance 2018-09 will allow other types of materials and specify additional requirements regarding height, location and drainage impact for walls and fences. Councilman Gregg made a motion to accept Ordinance 2018-09 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:

After Council had answered questions and heard comments from residents attending the meeting, the meeting was adjourned at 4:20 p.m.

Date: September 25, 2018



Town Clerk