

# Town Council Regular Meeting

January 28, 2025 @ 2:30 PM

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Seabrook Island Town Hall, Council Chambers  
2001 Seabrook Island Road  
Seabrook Island, SC 29455



## MINUTES

### CALL TO ORDER

Mayor Kleinman called the meeting to order at 2:32 pm.

### ROLL CALL

**Town Council Members Present:** Mayor Kleinman; Councilmembers Darryl May, Gordon Weis (Virtual), Raymond Hamilton and Dan Kortvelesy.

**Town Staff Present:** Joe Cronin (Town Administrator), Tyler Newman (Planning and Zoning Director), and Peter Wiggins (Town Clerk/Treasurer).

### FOIA STATEMENT

The Town Clerk/Treasurer confirmed that the meeting was advertised in compliance with the requirements of the South Carolina Freedom of Information Act. Agendas were posted and furnished to news media and all person's requesting notification.

### REPORTS OF TOWN BOARDS, COMMISSIONS, AND COMMITTEES

#### **Community Promotions and Engagement Committee (CPEC)**

Mayor Kleinman gave a report on the prior CPEC meeting. He stated the committee discussed possible changes to the eligibility criteria for FY2025 Community Promotions grants.

#### **Environment and Wildlife Committee**

Mr. Weis stated the committee received an update on the Marshfront Management Plan.

#### **Public Safety Committee**

Mr. Kortvelesy stated the committee recommended the appointment of Dr. Carl Bergren to fill the vacant seat on the Public Safety Committee left by Ed Maher.

Mr. Kortvelesy also stated that there is a proposal to extend the contract for Scott Cave for another year. Mr. Kortvelesy stated that his expertise is invaluable as the committee works on updating the Town's Comprehensive Emergency Plan.

**Seabrook Island Utility  
Commission**

Mr. Kortvelesy stated that there have been citizen comments related to extending bike paths from the Freshfields traffic circle along the west side of Betsy Kerrison Parkway.

Jim Ferland gave an update on the utility commission's finances for November and December.

Mr. Ferland stated that the Pond Project was underway, and that council should see changes in the balance sheet as the project moves forward.

Mr. Ferland gave a summary of the commission's rates for 2025.

Mr. Ferland stated the temporary cell tower next to the water tower was finished and he expects most cell providers to be moved onto the temporary tower in the next couple of days. He stated this will allow work to begin on the water tower in the next two weeks.

Mr. Ferland stated that the commission had reviewed a request from the Town of Kiawah Island to connect a proposed performing arts venue to the commission's sewer lines. He stated that historically, the commission has not been interested in providing service to additional tie-ins. He stated that the commission's stance is related to not having additional capacity after future obligations are met.

Mr. May stated he appreciated the stance of the commission. However, he stated that the proposed performing arts venue would be a benefit to residents of Seabrook Island. Mr. May went on to state that Kiawah and Seabrook Island are partners and that historically, the two have done favors for each other. He stated it sounded like the proposed venue would only add an incremental increase in usage.

Mr. May recalled the proposal to expand the Bohicket Marina and subsequent annexation into the Town of Seabrook Island such that the marina could tie into SIUC's sewer lines. He recalled that SIUC's stance was that the expansion would not increase demand such that the commission would be over capacity. He stated that it didn't sound like a performing arts venue would increase demand to the level of the marina expansion and he urged the commission to reconsider Kiawah Island's request.

Mr. Weis stated there needed to be an evaluation of how much additional sewage the venue would create. He stated that once service is provided, it cannot be stopped.

Mr. Ferland stated that Kiawah Island has not provided numbers to SIUC. The only question was could they tie in, and Mr. Ferland stated

their general stance on the additional sewer service was to not provide it.

Mr. Hamilton stated that he thought Mr. Ferland's comments on the additional projects that SIUC must provide service to, that would take the commission to full capacity, was important. Further, Mr. Hamilton stated that he tends to agree with the policy of SIUC saying no to additional service requests.

Mr. Kortvelesy stated he agreed with Mr. May's points related to Kiawah Island being neighbors of Seabrooker's. However, he stated that without the numbers, it is difficult to evaluate their request.

Mr. Kleinman reminded the council that the venue would be open infrequently, and that it was his belief that the proposed venue would not be a substantial user of sewer. Mr. Kleinman went on to state that if the request isn't approved, Kiawah Island would need to increase their septic capacity. Mr. Kleinman stated it was his belief that the Kiawah Island Town Hall was no place for a septic system.

Mr. Ferland stated that this discussion roughly mirrored the discussion amongst the commissioners; the commissioners weighed the good and the bad and that it was their position generally that the request be denied. Mr. Ferland closed by saying that there is not a crystal clear answer to the request.

#### **EXECUTIVE SESSION**

Mr. Kleinman stated there was a need for an Executive Session to receive legal advice related to the FY2025 Grant Program Guidelines, Ordinances 2024-10, 2024-11, and 2024-12, as well as a proposed supplemental compensation policy.

Mr. Kortvelesy moved that the council enter Executive Session, seconded by Mr. May.

**Mr. Kortvelesy's motion was approved UNANIMOUSLY.**

The council entered into Executive Session at 3:12 pm.

Mr. May motioned to return to open session, seconded by Mr. Hamilton.

**Mr. May's motion was approved UNANIMOUSLY.**

The council returned to open session at 3:58 pm.

Mr. Kleinman stated that during the closed session, no motions were made and no votes were taken.

## REPORTS OF TOWN OFFICERS & STAFF

### **Town Administrator**

Nichole Nettles, the Town's Business License and Permit Official gave an update on the Town transitioning to a new Planning and Zoning/Code Enforcement/STR portal. Ms. Nettles stated the expected go live date would be near the end of March 2025. Ms. Nettles stated that she has been pleased with the progress made thus far and she felt confident the Town would be ready for the go live date at the end of March.

Mr. Cronin stated that Beth Rinehimer, the Town's STR Compliance Officer, would be hosting workshops in the coming weeks to go over the new STR ordinances.

## ITEMS FOR RECONSIDERATION

### **Ordinance 2024 -10**

An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 20, Planning and Development; Article IV, Comprehensive Plan; Section 20-70, Adopted, so as to adopt a five-year review and update to the town's Comprehensive Plan

Mr. Hamilton made a motion to reconsider Ordinance 2024-10 and to postpone 2<sup>nd</sup> Reading to the February 25<sup>th</sup> meeting of Town Council, seconded by Mr. Weis.

**Mr. Hamilton's motion was approved UNANIMOUSLY.**

### **Ordinance 2024 -11**

An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront Management; Division I, Generally; Section 32-20, Plan Adopted; so as to adopt an updated Comprehensive Beach Management Plan for the Town of Seabrook Island

Mr. Kortvelesy made a motion to reconsider Ordinance 2024-11 and to postpone 2<sup>nd</sup> Reading to the February 25<sup>th</sup> meeting of Town Council, seconded by Mr. Hamilton.

**Mr. Kortvelesy's motion was approved UNANIMOUSLY.**

## APPROVAL OF MINUTES

### **December 17, 2024**

Mr. Kortvelesy made a motion to approve the minutes of the December 17, 2024, meeting, seconded by Mr. May.

**Mr. Kortvelesy's motion was approved UNANIMOUSLY.**

## REPORTS OF TOWN OFFICERS & STAFF (cont.)

**Mayor** Mr. Kleinman reminded council that there will be a special-called meeting of the council held on February 18, 2025, for the purposes of discussing the Town’s 2025 strategic priorities.

**Town Clerk/Treasurer** Mr. Wiggins gave an update on the Town’s financials through November 30, 2024.

**Planning & Zoning Administrator** Mr. Newman gave an update on the Town’s code enforcement, construction, and activities of the Planning Commission and the Board of Zoning Appeals since the last meeting.

**ORDINANCES FOR FIRST READING**

**Ordinance 2024-09** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 18, Offenses and Miscellaneous Provisions; so as to establish regulations pertaining to trash, litter and debris; illegal dumping; the parking of vehicles and equipment; the operation of small unmanned aircraft; and other matters related thereto

Mr. May gave an update on recent changes to Ordinance 2024-09.

Mr. Hamilton asked a question related to whether bows were included in the list of weapons that could not be discharged within the Town. Mr. Cronin stated that bows are not included due to them not being included in state statute. Mr. Cronin said that that part of the ordinance mirrors state statutes.

Mr. Hamilton asked a question related to a provision in the ordinance requiring that the intentional discharge of a firearm must occur on property being of twenty-five acres or more. Mr. Cronin stated that he was unsure of the origins of this particular statute. He went on to say it would be up to council if they wished to strike the twenty-five acre requirement.

Mr. Hamilton stated he would like to revisit this provision as it relates to personal protection.

Mr. Hamilton asked a question related to the ordinance requiring a domestic pet be restrained on a leash by a competent person. He stated the definition of a “competent person” was ambiguous and wished that the ordinance would state a required age or other language that was not ambiguous.

Mr. Hamilton asked a question related to the ordinance requiring that empty trash carts be removed from the curb by the end of the day. He stated he wished that the ordinance would state a specific time the carts must be removed.

Mr. May stated this portion of the ordinance was designed to mirror a similar requirement of the Seabrook Island Property Owners Association (SIPOA).

Mr. Hamilton asked a follow-up question requiring a trash cart being removed from the curb and placed in a location that is not plainly visible from the street.

Mr. Cronin stated this language resulted from complaints by residents stating that marginal portions of trash cans could still be seen from the street. He stated inserting "plainly visible" allowed trash cans to be placed behind fences or decorative latticework.

Mr. Hamilton asked a question related to a requirement that temporary sanitary facilities being screened so as to not be visible from the street. He stated that he needed some clarification in the instance that the facility is located behind a house.

Mr. Kleinman made a motion to approve Ordinance 2024-09, seconded by Mr. Hamilton.

Mr. Hamilton made a motion to amend Section 18-30(2a), so as to insert at the end of the subsection, "except where not practically feasible." The motion also proposed that for the purposes of defining "competent person" as it relates to restraining a domestic pet (18-23(a1)), "of suitable age and discretion" be struck from the definition. The amendment was seconded by Mr. May.

**The amendment was approved UNANIMOUSLY.**

Mr. Kortvelesy made a motion to amend the ordinance so as to strike Section 18-30(2) and Section 18-31.

The amendment died due to the lack of a second.

Mr. Kleinman made a motion to amend the ordinance so as to strike Section 18-24(2c) and to require documentation required in 18-24 (2a, 2b) be kept on their person, seconded by Mr. May.

*\*- Councilman Weis left the meeting at 4:38 pm.*

Following a discussion on the implications of striking 18-24(2c), the council proceeded to a vote, with all present voting to approve, and one absent.

**Mr. Kleinman's amendment passed 4-0.**

In response to Mr. Hamilton's questions related to the ordinance restricting recreational drone flying, Mr. May stated that the STR committee felt individuals flying drones for educational and/or scientific purposes should not be restricted. However, Mr. May stated there was a concern that others could still be properly registered with the Federal Aviation Administration and still fly the drone in a reckless manner.

Mr. Hamilton stated that judging whether a drone operator is operating for commercial or educational purposes or is operating for recreation may be difficult and ultimately hard to enforce.

Mr. May stated there should be discussions with the Town Administrator and area drone pilots to ensure the ordinance that is passed at second reading ensures the safety and privacy of people on Seabrook Island.

Mr. Hamilton stated that if code enforcement officers are going to be issuing warnings for violations of this ordinance it should be documented.

Mr. Newman stated that issuing an ordinance summons is up to the discretion of the code enforcement officer. Mr. Cronin affirmed Mr. Newman's statements. Mr. Kortvelesy echoed Mr. Hamilton's concern about code enforcement officer discretion.

Mr. Kleinman said that it is absolutely implicit in the ordinance that issuing a summons is up to the discretion of code enforcement.

Mr. Cronin stated that any verbal or written warnings are documented by the Town's code enforcement officer.

Following a brief discussion on common sense enforcement of certain portions of Ordinance 2024-09, the council proceeded to a vote on the ordinance as amended. The town council voted as follows:

Mr. Hamilton	aye
Mr. Kleinman	aye
Mr. Kortvelesy	nay
Mr. May	aye
Mr. Weis	absent

**Ordinance 2024-09, as amended, passed first reading**

**Ordinance 2025-01**

An ordinance amending the annual operating budget for the fiscal year beginning January 1, 2025, and ending December 31, 2025

Mr. Cronin stated that council approves the moving of monies between funds. He further stated that it was the Town's goal to build up funds for capital projects. He stated the largest need was funds to improve Seabrook Island Road. He projected a large operating surplus in the general fund and sought council's approval to move \$500,000 from the General Fund to the Road and Drainage Fund.

Mr. Hamilton motioned to approve Ordinance 2025-01, seconded by Mr. May.

**Ordinance 2025-01 passed first reading UNANIMOUSLY.**

## **OTHER ACTION ITEMS**

### **Committee Appointments**

Mr. May motioned to approve the appointment of Dr. Carl Bergren to the Public Safety Committee for a period of one year, ending on January 6, 2026, seconded by Mr. Hamilton.

**Dr. Bergren was appointed UNANIMOUSLY.**

### **Emergency Preparedness Services Contract**

Mr. Kortvelesy stated that retaining Scott Cave is necessary so that he may assist the Town in updating the Comprehensive Emergency Plan. To do that, he stated it was necessary to extend the contract with eGroup Enabling Technologies, LLC for one additional year to expire on February 28, 2026.

Mr. Kortvelesy motioned to approve the extension, seconded by Mr. May.

**The motion was approved 4-0.**

### **EV Charging Rates**

Mr. Cronin stated there was a need for council to amend the rates at which the Town charges residents to use the EV charging station. He stated that Option 1, \$0.18/kWh is the current rate and only covers the cost of electricity. Option 2, \$0.25/kWh is the rate for the Kiawah Island Town Hall charging stations which would cover Seabrook Island's cost of electricity and allow for roughly \$325 of maintenance annually. Option 3, \$0.34/kWh covers electricity costs and allows for roughly \$750 of annual maintenance. Option 4, \$0.40/kWh covers electricity costs and allows for roughly \$1,000 of maintenance annually.

Mr. Kleinman made a motion to approve Option 2, seconded by Mr. Hamilton.

Mr. May made an amendment to require that the EV rates be reviewed annually during passage of the Town's budget, seconded by Mr. Hamilton. Mr. Kleinman accepted that amendment as part of his motion.

**Mr. Kleinman's motion was approved 4-0.**

**FY2025 Grant Guidelines**

Mr. Kleinman stated that although he thought it was a shame, he had been advised by the town attorney to modify the grant guidelines to require organizations soliciting public funds to be properly registered.

Mr. Kleinman motioned to approve the guidelines as drafted, seconded by Mr. Kortvelesy.

**Mr. Kleinman's motion was approved 4-0.**

**Resolution 2024-39**

A Resolution Adopting a Supplemental Compensation Policy for Employees of the Town of Seabrook Island

Mr. Kortvelesy motioned to approve Resolution 2024-39, seconded by Mr. Kleinman.

Mr. May made a motion to amend the resolution so as to add Customer Service to the Performance Standards and combine Job Knowledge and Professional Development into one standard, seconded by Mr. Kleinman.

Mr. May stated his amendment was a result of comments he has received from residents related to interactions they've had with town staff.

Mr. Kortvelesy stated that in theory he agreed with the amendment, but he's seen instances where people feel they have been maligned, and it is so far from the truth.

Mr. Kleinman replied that the Performance Standards are our values. He further stated that this amendment is not about staff mistreating citizens.

Following that discussion, the council then proceeded to vote on Mr. May's amendment.

**Mr. May's amendment passed 4-0, and one absent.**

Mr. Hamilton stated he had concerns about discretionary bonuses and the reasons those bonuses might be given. He further stated it was his wish to retain only the bonuses related to employee performance.

Mr. Cronin stated that the reason the different categories of bonuses appear in the resolution is that most of these bonuses have been given at one time or another.

Mr. May stated he had questions related to how much the items in this proposal that are not currently practiced are going to cost. He stated he wanted to know how much the Town is paying now, versus how much will be paid if all these proposals within this resolution go into effect.

Following a discussion related to how the council can establish safeguards for the future issuance of bonuses, the council proceeded to a vote on the resolution as amended. The vote was as follows:

Mr. Hamilton	nay
Mr. Kleinman	aye
Mr. Kortvelesy	aye
Mr. May	abstain
Mr. Weis	absent

Resolution 2024-39 passed with 2 aye's, 1 nay, 1 abstention, and 1 absent.

#### **Resolution 2025-01**

A resolution in support of the Town of Seabrook Island's request for funding under the FY 2026 Transportation Sales Tax Annual Allocation Program for the Seabrook Island Road Improvement Project

Mr. Kortvelesy moved to approve the resolution, seconded by Mr. Hamilton.

Mr. Kortvelesy's motion passed 4-0.

#### **Grant Writing Services**

Mr. Kleinman stated it had been discussed to retain a professional grant writer for the purpose of applying for grants that could be used in the upgrades to Seabrook Island Road.

Mr. Kleinman asked Mr. Hamilton his thoughts on hiring a professional writer. Mr. Hamilton replied that if there was a chance that the Town could receive grant funding, he had no problem with hiring a grant writer.

There was a discussion that followed related to a cost-benefit analysis of hiring a professional grant writer versus the chances of the Town being awarded grant funding.

Mr. Kleinman stated it did not sound like anyone on council was deeply opposed to hiring a professional grant writer.

#### **CITIZEN COMMENTS**

There were no Citizen Comments.

#### **COUNCIL COMMENTS**

There were no Council Comments.

**ADJOURNMENT**

There being no further discussion, Mayor Kleinman declared the meeting adjourned at 7:22 pm.

Peter D. Wiggins II, MPA  
Town Clerk/Treasurer