

**TOWN OF SEABROOK ISLAND**  
**Town Council Meeting of April 23, 2019**

**MINUTES**

After the pledge of allegiance, Mayor Ciancio called the April 23, 2019, Town Council meeting to order at 2:30 p.m. Councilmembers Crane, 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 Town Council minutes of March 26, 2019, the Public Hearing minutes of March 26, 2019, and the Ways & Means Committee minutes of April 16, 2019, were unanimously approved as written.

Town Administrator Cronin recognized Town employee, Lynda Stearns, for her 20 years of valuable service to the Town of Seabrook Island. Town Administrator Cronin stated that it is unusual today to find an employee that has worked for one employer for that many years and exerted that level of commitment and loyalty. Mayor Ciancio offered his congratulations as well.

**Financials:** Mayor Ciancio reported that the total fund balances as of the end of March were \$4,861,893 which was \$66,753 greater than the year before and \$446,253 greater than the same period two years ago. Unrestricted Revenue for March totaled \$180,605 or 20.7% of our anticipated revenues for 2019. Revenues have totaled \$398,777 for the year to date. Expenses for March totaled \$173,840 and were approximately \$11,000 greater than one year ago. For the year to date, expenses have totaled \$375,792 which is \$212,262 greater than the same period last year. The difference, between the two years, was primarily made up of expenditures for the Seabrook Island Road Roadway Project (\$61,000) and landscaping expenditures that included pruning trees along the Parkway (\$37,000). For the month of March, revenues exceeded expenses by \$6,765. For the year to date through March, revenues have exceeded expenses by \$20,985.

**Citizens/Guests Presentations, Comments:** None

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

**Public Safety/Club Long Range Planning Committee** – Councilman Gregg

**Long Range Planning Committee** – The Club’s Long Range Planning Committee did not meet in April and their next meeting has not been scheduled.

**Public Safety Committee** – The Town’s Public Safety Committee met on April 8, 2019. The Committee continued its review of proposed changes to the Comprehensive Emergency Plan. An updated version of the Plan will be circulated to the Committee in advance of their meeting on May 13.

**Disaster Recovery Council** – At the Disaster Recovery Council report review session that was held on April 12, it was decided that the DRC June training and exercise sessions would be held June 4 and 5 and would be based on a hurricane scenario. A planning session for the June training and exercise sessions will be held in May but the date has not yet been determined. At the April review session, it was decided that a “task force” would be established to improve planning for disaster response for emergencies where staff from member organizations are not on Seabrook Island and cannot get to Seabrook Island to carry out their responsibilities

**Regional Hazard Mitigation Plan 2018 Update** – Councilman Gregg reported that Charleston County notified the Town on April 4 that the Regional Hazard Mitigation Plan Update from 2018 had been approved by FEMA. This approval will allow resumption of review and approval of grant funding requests and payment of FEMA grants on approved requests. Because Town Council adopted the updated Plan by resolution in November of 2017, no further action is required by the Town.

**Community Rating System** – The Community Rating System that is in effect for the Town and that provides residents reduced rates for NFIP flood insurance will be recertified in 2019. The Town has received and responded to requests for information relating to this recertification.

### **Public Relations/Communications – Councilman Crane**

**Communications** – Councilman Crane reported that the Town’s new website has been launched and thanked the Town Administrator for taking on this project and doing such a good job. Councilman Crane encouraged all in attendance to look at the website and use the comments section to give comments and suggestions about the website. The Communications Committee is continuing to work on an editorial policy for the Town’s social media postings.

### **Special Projects/Beach Administration – Councilman Wells**

**Update on Dolphin Education Program for 2019** – Councilman Wells reported that the Dolphin Education Program will have an organizational meeting on May 1 at the Oyster Catcher Community Center and their Kiawah counterparts have been invited to attend also. Lauren Rust, from the Lowcountry Marine Mammal Network, will give a presentation and then everyone will walk down to the area where the volunteers will be working.

### **Community and Government Relations - Councilmember Finke**

**Motion regarding pending legislation – H-3087 and HR-1941** – Councilmember Finke made a motion to have the Mayor draft letters in support of current, pending legislation. The first letter would be in support of H-3087 which was introduced by Peter McCoy, our representative in the SC General Assembly. The bill would prohibit approval of any action by the State or political subdivision of the State to allow seismic testing in South Carolina waters and would prohibit any permitting of infrastructure. Even if there is an offshore rig, this bill would prohibit pipelines or storage tanks. Since the Ways & Means Committee meeting, Sen. Campsen offered language almost identical to this bill to the State’s budget resolution for the coming year and it was adopted on April 17. It will now go to the House and will only be effective for the coming fiscal year. The second letter would be to Representative Joe Cunningham, who represents Seabrook Island in the US House of Representatives, in support of his bill HR-1941 which closes off the federal waters of our coastline to seismic testing and drilling in that area of the continental shelf. Councilmember Finke moved to have the Mayor write letters as previously described so that Seabrook Island goes on record again as being against seismic testing and offshore drilling. Councilman Gregg seconded the motion and the vote to approve was unanimous.

**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 –**

**Update on Meeting with U.S. Fish & Wildlife Service** – As a result of a petition signed by approximately 100 residents and submitted to Town Council requesting changes to the Town’s beach ordinance, Ms. Melissa Chaplin, of the U.S. Fish & Wildlife Service, was invited to the April 15<sup>th</sup> Ways & Means Committee meeting to address issues presented in the petition. Ms. Chaplin reviewed the related sections of the Endangered Species Act and the designation of certain sections of Seabrook Island’s beach as critical habitat. She noted that Sec. 7 of the Endangered Species Act requires federal agencies to use their legal authorities to promote the conservation objectives of the Act and to consult with both, U.S. Fish & Wildlife and National Marine Fisheries Service, anytime a permit from such a federal agency is requested. This is particularly important for Seabrook Island as we request a permit from the Army Corps of Engineers for a periodic relocation of Cap’n Sams Inlet. The last time the Inlet was relocated, several changes to the Town’s beach ordinance were made at the request of the Army Corps of Engineers and U.S. Fish & Wildlife. Ms. Chaplin noted that portions of our beach have been designated as critical habitat for both, the wintering piping plover and the loggerhead turtle, and the beach is the home of several federally protected shorebirds, including the red knot. She referenced studies that reported on the disturbance of shorebirds by animals,

particularly dogs. She indicated that the studies confirmed that annual survival rates and local populations were lower in more disturbed areas. She reviewed the range of the piping plover and the red knot and the annual cycles of the listed species. She noted that, the less restrictive “winter months” of the Town’s ordinance overlapped most of the time the piping plover and the red knots were on Seabrook Island beaches, potentially exposing them to more disturbance from dogs. Ms. Chaplin indicated that the location of the restricted area was of concern because it is adjacent to and includes the critical habitat area. Ms. Chaplin reported that for the red knot and piping plover fall migration is July through October and spring migration is March through May and that, for sea turtles, the nesting/hatching season is from May through October. She observed that the “summer months” of the Town’s ordinance overlap with the shorebird breeding season and fall migration and the loggerhead turtle nesting season. The “winter months” overlap with the shorebird winter and spring migration. She noted that she would not object to increased hours and area if the designated area was moved to a location somewhere between boardwalk 1 and boardwalk 8. The Mayor indicated that he had been told that the current location of the designated area was selected because the location was away from those portions of the beach where most beachgoers tend to congregate. Ms. Chaplin responded to questions from council and citizens and noted that, while some studies indicate that the Seabrook Island piping plover population to be in the high teens, this was considered by U.S. Fish & Wildlife to be a high number of shorebirds for some locations. In response to a question, she noted that, while dogs are considered a predator to the shorebird and shorebirds acted accordingly, the same birds would not be disturbed by automobiles driven by the beach patrol. The Seabrook Island Birders Group will respond to issues presented in the petition at the May Ways & Means Committee meeting.

**Appointment of Development Standards Ordinance Advisory Committee** – Mayor Ciancio stated that the Town has retained Paul LeBlanc, of PLB Planning Group, to complete a review and revision of the Town’s Development Standards Ordinance which will take about 15 to 16 months to complete. One-half the cost of this project is included in the Town’s 2019 budget and the remainder will be included in the 2020 budget. Mr. LeBlanc will be working with a steering committee and that committee will meet about 8 to 10 times over the two-year period. The Mayor stated that the individuals that have been asked to serve on this committee are – Katrina Burrell, a Seabrook Island Property Owners Association staff member, and Ava Kleinman, Walter Sewell, Wayne Billian, Bob Driscoll, Roger Steel, Gary Quigley and Ed Williams, who are all residents of the Town. The Mayor stated that he would like Councilman Crane to be the Town Council liaison to the Committee. Councilman Gregg made a motion to designate each of the named individuals to assist PLB Planning Group in the review and revision of the Town’s Development Standards Ordinance. Councilman Wells seconded the motion and the vote to approve was unanimous.

**Town Administrator/Zoning Administrator**- Joe Cronin

**Beach Patrol Update** – Town Administrator Cronin reported that the beach patrol, as of April 1, has moved from weekend only days to daily coverage with one individual on the beach. So far, in 7 full or partial weeks, the beach patrol has observed 14 leash law violations. Fifty-seven percent (57%) were residents and forty-three percent (43%) were non-residents. To date, they have issued 11 written warnings. The beach patrol has also participated, by assisting the Coast Guard, with a vessel in distress and later by removing items that washed up on the beach from the vessel. Town Administrator Cronin stated that weekly beach reports will be posted on the Town’s website.

**Beach Signage Update** – Town Administrator Cronin stated that he has placed an order with Curd Enterprises for three new buoys. Two of the buoys are to be placed at the beginning of the off-lead area and one at the end of the off-lead area and beginning of the restricted area and a new decal will be placed on the buoy that we have remaining. The new buoys should be in place within 4 to 6 weeks. U.S. Fish & Wildlife have also shown concern that the signs at the base of the dunes are not readily visible and have asked if they could install some temporary ‘restricted area’ signage. Town Administrator Cronin stated that he had given them permission to install the temporary signs. The Town’s signs that are located at the base of the dunes will be moved forward in front of the dunes in the next few days to enhance their visibility.

**Request to declare the 2002 Chevrolet Tahoe as surplus property and to authorize the Town Administrator to solicit bids for its sale and disposal** – Town Administrator Cronin remarked that he is asking Council to declare the Town’s 2002 Chevrolet Tahoe as surplus property so that he can run an ad in the Post & Courier, Facebook, other social media, etc. in order to obtain sealed bids. The Town Administrator anticipates the bid closing to be on Friday, May 24, at 2 p.m., and the bids would be opened

immediately following. If the Town has received at least one of their new vehicles, Council will be asked to award the vehicle to the high bidder at the May 28<sup>th</sup> Town Council meeting. If one of the new vehicles is not received by that time, the timeline can be pushed back. Councilman Gregg made a motion to declare the Town's 2002 Chevrolet Tahoe as surplus property and to allow the Town Administrator to move forward with soliciting bids for its sale. Councilman Crane seconded the motion and the vote to approve was unanimous.

**Request from the Seabrook Island Club to approve an extension of a temporary use permit for a temporary office building located at 2313 Seabrook Island Road during renovations to the Equestrian Center** – This temporary use permit had previously been approved for 60 days and the Club is asking for an extension of the permit, through June 1, 2019. This temporary use permit is allowing for temporary structures to be located at the Equestrian Center in order to carry on daily operations while construction activity is completed. Councilman Gregg made a motion to extend the temporary use permit for the Seabrook Island Club as described by the Town Administrator until June 1, 2019. Councilman Crane seconded the motion and the vote to approve was unanimous.

**Town Council Members** – See Above

**Utility Commission** – Chairman Morawski reported that the Utility Commission operated in full compliance in March. It operated at about 34% of their capacity and delivered 11.4 M gallons which is down 16% from the same period in 2018. The Seabrook Island Utility Commission operated at a loss of a little more than \$5,000 for the month of March; and, for the year to date, the Commission is operating at a loss of approximately \$7,600. Chairman Morawski stated that Louis Berger has withdrawn their offer to provide management services to Kiawah River Development. He also stated that the Commission is in the process of reviewing their late penalty charges as there have been no changes in over 23 years. The Commission has been notified by FEMA that their request for a grant for emergency generators is moving forward after the Commission supplied additional information. In response to a question from the Mayor about delinquent payments, Chairman Morawski responded that, after being delinquent for 30 days, the property owner is given notice that their water will be shut off.

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

**Ordinances for First Reading:** None

**Ordinances for Second Reading:** None

**Miscellaneous Business:** None

**Citizens Comments:** The Mayor answered several questions from property owners attending the meeting regarding the beach ordinance. To one of the questions, the Mayor responded that there was no way to speed up the process of hearing from organizations that would have a stake in any changes which were proposed to be made to the beach ordinance. The Town would continue to gather data reflecting the number of people using the beach at any given time and the process would continue at least through the next couple of months. In response to another question, he stated that there would not be a count of people using the beach before the beach patrol reports for work in the morning but he stated that he is open to suggestions on how to determine the number of people using the beach when the beach patrol are not present. In response to another question, the Town Administrator stated that, when the new buoys are installed, the designated area for dogs on the beach will be measured to make sure this area conforms to the ordinance.

The meeting was adjourned at 3:18 p.m.

Date: May 28, 2019



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Town Clerk