

TOWN OF SEABROOK ISLAND, SC
PUBLIC HEARING MINUTES
April 27, 2021, at 2:25 PM at Town Hall

The April 27, 2021, Public Hearing 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 and explained that the meeting was being held to hear comments on:

- **Ordinance 2021-01**
An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 18, Offenses and Miscellaneous Provisions; Article II, Offenses Against Public Safety; so as to add a new section requiring the restraint of domestic household animals/pets upon public property or upon the property of another

Mayor Gregg asked if anyone listening had a public comment. No one expressed an interest in making a comment and the meeting was adjourned.

Date: May 25, 2021



Town Clerk

TOWN OF SEABROOK ISLAND
Town Council Meeting
April 27, 2021, at 2:30 p.m.

MINUTES

The April 27, 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 March 23, 2021 and the Ways & Means Committee meeting of April 13, 2021 were unanimously approved as written.

Financials:

Mayor Gregg reported that the total fund balance for the period ending March 31, 2021 was \$5,701,330 about \$501,497 more than the fund balance as of March 31, 2020. Unrestricted revenue for March totaled \$131,250 and unrestricted revenue for the year totaled \$263,623, representing about 20% of the 2021 annual budget, and about \$13,711 less than for the same period in 2020. Expenditures for March totaled \$84,017 and expenditures for the year totaled \$203,254, representing about 14% of the 2021 annual budget. Expenditures for the year were about \$1,990 less compared to the same period in 2020. Excess of revenues over expenditures was \$47,233 for the month of March and the excess of revenues over expenditures for the year was \$60,369 compared to an excess of revenues over expenditures of \$72,091 as of March 31, 2020. Year to date figures for 2021, reflect lesser revenue and decreased expenditures as compared to the same period in 2020.

Citizens/Guests Presentations, Comments:

The Town Clerk reported on comments that were received in advance of the meeting:

- **Jane Johnson** – Comment received on March 24, 2021 – The comment involved SIPOA security personnel, who were sitting in a truck that was parked in the parking lot at the beginning of Boardwalk #1, not enforcing the requirement for masks on the Boardwalk. As of the date of the comment, the signs at the Boardwalks stating that masks were required had not been removed but a revised emergency ordinance had been adopted by Town Council the afternoon before. Ms. Johnson made other comments involving SIPOA. Mayor Gregg replied to the comment and explained about the adoption of the emergency ordinance on March 23 and that masks were no longer required on the Boardwalks but were encouraged. He also referred Ms. Johnson to Heather Paton, at SIPOA, regarding her other comments.
- **Kelly Ellsworth** – Comment received on March 31 – Kelly asked the Town to reconsider making masks on boardwalks a requirement since it was not possible to social distance at the beach end of Boardwalk 1 and many residents were not fully vaccinated due to vaccine shortages. A comment had not been made prior to adopting the Emergency Ordinance due to a family emergency.
- **Victoria Agresta** – Comment received on March 31 – This comment involved the mask requirement on boardwalks. Nichole Nettles, a Town employee, sent the summary of the recently adopted Emergency Ordinance that was published on Tidelines to Ms. Agresta. Ms. Agresta replied that not requiring masks on boardwalks was unfortunate as boardwalks are very narrow and urged the Town to consider the elderly residential population above tourists and profit.
- **Steven Haggerty** – Comment received on March 31 – Mr. Haggerty commented that, since the town has changed mask guidance to “encouraged” on the boardwalks, the

signage on Boardwalk 3 has been removed. However, the social distancing sign has not been eliminated. He added that residents & guests cannot social distance in two-way traffic on this 4-ft wide boardwalk. How do you suggest we use boardwalk 3 to access the beach without masks?

- **Glen Cox**, 2420 Cat Tail Pond Road – Comment received on April 12 – Mr. Cox opposes the Town’s plan to hold the July fireworks display. By going forward, he believes the Town is giving the impression that the virus is over. The celebration of fireworks will be the Town’s signal that it is now okay to return to normal. Wearing of masks and social distancing will be over. He added that the Town should wait until fall to have the fireworks display when we have a better picture of where we are with the virus. He suggested getting the deposit back as those funds may be needed in the future. If Council goes forward, he hopes that the number of participants will be limited at the Club and other places where residents gather on the golf course to watch the show. Council should also implement requirements as they did for the recent Art Show – hand sanitizer, masks, social distancing, etc.
- **Victoria White** – Comment received on April 13 – Ms. White’s comment dealt with the security gate and lines at the gate and Nichole, the Town’s Administrative Assistant, referred her to SIPOA since the comment dealt with their responsibilities.
- **Anthony Mazzola**, 1604 Live Oak Park – Comment received April 26 – Mr. Mazzola asked if anything could be done to keep vehicles from running off on the grass when they are coming onto Seabrook Island from the traffic circle. He suggested maybe placing large rocks painted white in the area.
- **Dennis Pescitelli** – Comment received April 27 – Mr. Pescitelli thought that masks were still mandated on boardwalks and Town Administrator Cronin responded to him concerning his comment.
- **Denise Doyon & John Haberern – 3085 Baywood** - Comment received April 23 – This is a comment from a property owner who has been emailing with the Town Administrator. The resident’s property abuts a Greenspace lot. The property owners are complaining about conditions on the neighboring property and say that it is a public health and safety issue. The property owner says that, as trees fall, they are cut down and left on the property which keeps water on the property and swamp-like conditions exist. They are afraid, if wind takes down one of the larger trees, it may fall onto their house. They feel that the standing water breeds mosquitoes and invites wildlife. In a heavy rainstorm, a substantial amount of water can spill over onto their property. The property owners and their attorney have appealed to SIPOA and Greenspace for help. The property owners think the Town should look into the problem and see the water on their property and the damage it has done. The property owner says they have spent over \$50,000 over the years to correct this problem. When the property owners contested their property assessment because they felt the water problem had reduced the value of their property, Charleston County reduced the value of the property by approximately \$100,000.

Reports of Standing Committees, Commissions, Boards:

Public Safety Committee – Skip Crane

Councilman Crane reported that the Public Safety Committee met on Monday, April 12, 2021. The Chair introduced Chuck Millican of Charleston County Government, Department of Public Safety, who will be attending the Public Safety Committee meetings and participating in the Committee’s exercises with Town officials and members of the Disaster Recovery Council (DRC).

Updates to the Town's Comprehensive Emergency Plan (CEP) should be completed for distribution before the DRC exercise. A DRC exercise will be held in the second or third week of July using a hurricane scenario. Due to a conflict in June, the Town's consultant will be getting back with the Committee with dates in July for the exercise. Councilman Goldstein will begin serving as Chair of the Public Safety Committee at the May meeting and he will be coordinating plans for the exercise with Scott Cave, the Town's emergency preparedness consultant, and Town Administrator Cronin.

At the Public Safety meeting, the Town Administrator reported that he has been informed that Kiawah will not be planning or participating in a Disaster Awareness Day event in 2021, and the Committee will discuss at the May meeting whether the Town will hold the event. The Town Administrator reported on the status of the Beach Patrol contract, updated the Committee on the 2021 PGA Championship and the status of the July fireworks. The next meeting of the Public Safety Committee will be May 10, 2021.

On April 26, 2021, Chairman Crane, Councilman Goldstein, Town Administrator Cronin and Consultant Scott Cave held a conference call to review the status of the transition of Chairman from Councilman Crane to Councilman Goldstein. The items discussed included scheduling the next DRC meeting and Disaster Awareness Day, status of outstanding items, including CEP updates, and response to the action items from the January DRC exercise.

The Town Administrator responded to a question from Mayor Gregg and stated that a new contract for debris removal will be required in 2021 as the Town acted upon the two optional renewal periods in 2017 and 2019. Due to responsibilities covered by this contract, the Town Administrator recommended the contract be put out for bid.

Public Relations/Communications – Pat Fox

Councilwoman Fox reported that six Seabrook Island radio operators participated in a successful radio test on April 18. She also reported that the following have either been published recently or will be published in the next week:

- Town Council meeting post in Tidelines
- An article in the Seabrooker by Councilman Goldstein
- The TOSI Clips for the Ways & Means Committee meeting in Tidelines
- A reminder for property owners, who are renting their property, to apply for the Short-Term Rental Business Licenses and Permits in Tidelines
- Website posting of a Survey pertaining to the use of the In-Bound Pathway
- A link for the Survey posted on the Town's Facebook and Twitter pages
- Reminder about the In-Bound Pathway survey in the May Seabrooker
- Reminder post about the survey in Tidelines with a link to the survey

Special Projects/Beach Administration – Barry Goldstein

Councilman Goldstein reported that ESP Associates, Inc. would make a presentation at the May Ways & Means Committee meeting and would answer questions from Council about the Mixed-Use Path Evaluation and the Drainage Evaluation for Seabrook Island Road. Councilwoman Finke suggested that SIPOA representatives be invited to attend the presentation since they had been discussing improvements to the intersection of Landfall Way and Seabrook Island Road. Councilman Goldstein agreed with Councilwoman Finke because SIPOA property would be affected if the Town chose to raise the elevation of the road.

Beach Administration/Community and Government Relations – Jeri Finke

Community Promotion Grants – Councilwoman Finke reported that the Community Promotion Grants Ad Hoc Committee met on Monday, April 19, for an initial review of applications for the Grants. The Committee will have a Zoom meeting again on Wednesday, April 28, and representatives from the organizations that have submitted application will participate. Applications have been received from: the Seabrook Island Birders, Seabrook Island Green Space Conservancy, Seabrook Island Turtle Patrol and the Seabrook Island Village.

Ways & Means Committee Item Updates – John Gregg

Mayor Gregg reported on the following:

- **Charleston County Rural Vaccination Program** – During the Charleston County Emergency Management Department Tri-County conference call on April 21, the director mentioned upcoming COVID vaccination events for North Charleston and Johns Island. Details of those events have not been released.
- **Disaster Recovery Council** – On April 26, Councilmen Goldstein and Crane conferred with Scott Cave, the Town’s consultant for emergency preparedness, to identify dates for a planned June hurricane exercise. July dates have been identified by the consultant for his availability. Charleston County Emergency Management Department has announced its annual “Full Scale Exercise” that will be held on Wednesday, June 2, 2021. It is hoped that the Town will be able to participate, at least to a limited extent, according to availability of the Town’s officials and representative members of the Town’s Disaster Recovery Council.
- **Solicitation of Public Comment Concerning Potential Removal of Mixed-Use Path** – Councilwoman Fox gave an update earlier in the meeting concerning solicitation of public comments in view of the Town’s engineering consultant’s proposed alternative of removal of the mixed-use path on the north (in-bound) side of Seabrook Island Road.

Reports of Ad Hoc Committees:

Development Standards Ordinance Advisory Committee – Councilman Crane reported that the Town Administrator and the Town’s consultant, Paul LeBlanc, have been working on the final draft of the DSO. The only outstanding item before the public roll out is developing a new zoning map, which will be required due to changes in the zoning districts within the Town. The Zoning Administrator is checking to see if Charleston County Planning Department or the Town of Kiawah Island will be willing to work on this project. Councilwoman Finke recommended publicizing the re-write of the Development Standards Ordinance to make sure everyone knows about the time and work that has gone into this project before the Public Hearing.

Reports of Town Officers:

Mayor – John Gregg

- **SIPOA Long Range Planning Committee Liaison** – Mayor Gregg confirmed that Councilwoman Fox would serve as the Town’s liaison to the Property Owners Association’s Long Range Planning Committee. As noted in connection with Councilman Crane’s upcoming resignation from Council, he has served on that Committee. While his service was not expressly as the Town’s liaison, it is helpful to continue that channel of communication and Councilwoman Fox volunteered to serve in that capacity. To avoid potential conflicts of interest, Councilwoman Fox will refrain from participating in substantive votes of the SIPOA Committee.
- **Protocols for July Fireworks Display** – Mayor Gregg asked Council to summarize their suggestions and recommendations for a discussion of protocols for the July fireworks by the May Ways and Means Committee meeting. The Mayor reminded members that Emergency Ordinance 2021-02 would be expiring May 23 and that Council will likely take up the matter of regulations to be in place within the Town that would be effective during the period of the July fireworks display.
- **Charleston County Greenbelt Program Allocation** – Mayor Gregg stated that he had met with a representative of the Lowcountry Land Trust on April 23 to discuss projects they were pursuing that might afford the Town an opportunity to use its Greenbelt allocation, which is currently \$136,173. Two possibilities that were mentioned are the effort to effect improvements on conserved property in the immediate vicinity of the Angel Oak and the potential for conservation of properties along Betsy Kerrison near the traffic circle at Freshfields Village.
- **Resolution 2021-19 Concurrence of Council to New Utility Commission Debt** – Members of Council were provided Resolution 2021-19 by which Council effects its concurrence in the issuance

of new debt for financing of improvements by the Seabrook Island Utility Commission of their holding pond and related equipment. Councilwoman Finke made a motion to approve Resolution 2021-19 and Councilwoman Fox seconded the motion. Councilwoman Finke asked if the loan would cause the Utility Commission to raise their rates or if it had been anticipated in their long-range planning. Chair Smith-Jones said an increase in fees would not be due to this loan, but some increases had been anticipated in long-range planning because of the rising cost of doing business and providing services, due to SIUC's aging infrastructure. The vote to approve Resolution 2021-19 was unanimous.

Town Administrator/Zoning Administrator – Joe Cronin

- Short-Term Rental Permit Update – The Town Administrator reported that 438 applications for Short-Term Rental Permits have been received and processed. The next step will be to send relevant information to the host of the Town's short-term rental software for each property that has a short-term rental business license and permit, and that software will search the various listing sites to ensure Town rental properties have the proper permit and licensing. Information packets for the rental units will be completed within the week.
- Beach Patrol Update – The Town Administrator reported that beach patrol season started on April 1. They have issued one citation for a repeat offender who had been warned about going up into the dunes. The Town Administrator reported that the beach is fully washed out in the area by Boardwalk 8 so that Beach Patrol cannot go around from one side to the other, even at low tide.

Town Council Members –

Councilman Goldstein suggested that the Town move the “No U-Turn” sign and put it at the top of the triangle of grass, near the traffic circle, where vehicles continue to drive on the grass to turn around. He added that planting some shrubs or bushes in that small area would also be a deterrent and would be a “quick fix” until something more permanent could be done. Town Administrator Cronin stated that he was expecting some quotes for other work from Sunburst Landscaping, and he would contact them.

Utility Commission: Chair Annie Smith-Jones reported that the Utility Commission met on April 21. The Net Income for the month of March was \$47,549. Capital Expenditures amounted to \$58,098 and, after adjusting for debt service, there was a net deficit of \$2,441. The Net Income for the year to date through March was \$173,799 and, after adjusting for Capital Expenditures and debt service, there was a net deficit of \$19,710. For the year to date through March, the available cash was \$2,646,566.

For wastewater, there was a daily average flow of .4M gallons per day. SIUC pumped 15,258,000 gallons of effluent to the Seabrook Island Club for irrigation on the golf courses and 6,000,000 gallons to Oak Point Golf Course. SIUC delivered 13,594,919 gallons of water for month of March, which was about 1,000 gallons less than in the same period in 2020.

The Utility continued discussion and work on the draft application for their loan for holding pond improvements from the State. Chair Annie Smith-Jones stated that she will provide an ordinance to the Town when it has been prepared. The Chair stated that the sewer lines at Bohicket Marina had never been conveyed to the Utility Commission and she had met with the new owner of Bohicket Marina to try to resolve the issue. The next meeting of the Utility Commission will be on May 19.

Ordinances for Second Reading:

- **Ordinance 2021-01:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 18, Offenses and Miscellaneous Provisions; Article II, Offenses Against Public Safety; so as to add a new section requiring the restraint of domestic household animals/pets upon public property or upon the property of another. Councilwoman Finke moved to approve Ordinance 2021-01 as presented. Councilwoman Fox seconded the motion. Mayor Gregg moved for approval of a text amendment to Ordinance 2021-01 to effect an affirmative recitation of the definition of “Effectively

Restrained”. The proposed wording for Sec. 18-26 (c) was: “For the purposes of this section the term “effectively restrained” shall mean that the person owning or having possession, charge, custody or control of the animal restrains the animal from destroying or damaging any property; attacking, threatening to attack or interfering with any person in any manner; becoming a nuisance; or straying onto public property or the private property of another.” Councilwoman Finke seconded the motion and the vote to approve the amendment for Ordinance 2021-01 was unanimous. Councilwoman Finke made a motion to approve Ordinance 2021-01 as amended. Councilwoman Fox seconded the motion and the vote to approve was unanimous.

Ordinances for First Reading:

- **Ordinance 2021-02:** 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 147-02-00-045, containing approximately 0.58 +/- acres located at 2344 Andell Way, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. Councilwoman Finke made a motion to approve Ordinance 2021-02 on first reading. Councilwoman Fox seconded the motion. Councilman Goldstein recused himself from the vote as a conflict of interest. The remainder of Council voted in favor of the motion.
- **Ordinance 2021-03:** 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 149-06-00-030, containing approximately 0.29 +/- acres located at 2905 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. Councilwoman Finke made a motion to approve Ordinance 2021-03 on first reading and Councilwoman Fox seconded the motion. Councilman Goldstein recused himself from the vote as a conflict of interest. The remainder of Council voted in favor of the motion.
- **Ordinance 2021-04:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; Section 21.20, Fee Schedule; so as to amend the fee schedule for Short-Term Rental Permits. Councilwoman Finke moved to approve Ordinance 2021-04 on first reading and Councilwoman Fox seconded the motion. Town Administrator Cronin stated that the significant change in Ordinance 2021-04 is that a flat fee of \$100 has been included under the “Short-Term Rental” section for a late fee if a Short-Term Rental Permit application comes in after the March 31 deadline. An exemption also has been added under the “Post-Facto Surcharge” section saying that the surcharge shall not apply to Short-Term Rental Permits that are subject to the late application fee. The vote to approve Ordinance 2021-04, as presented, was unanimous.
- **Ordinance 2021-05:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 7, Lot and Building Requirements; Section 7.90, Height Limitations; so as to amend the maximum height requirements for structures within the town. Councilwoman Finke made a motion to approve Ordinance 2021-05 on first reading and Councilwoman Fox seconded the motion. The Town Administrator explained that, when the date of July 31 was stated as the sunset date for the original ordinance amending the maximum height requirements, it was expected that the revised Development Standards Ordinance would be adopted by that date, but it will not. It has been recommended that this ordinance be made permanent in the draft version of the DSO and Ordinance 2021-05 simply removes the sunset provision. The vote to approve Ordinance 2021-05 was unanimous.

Miscellaneous Business:

- Recognition of Councilman Crane for his service to the Town of Seabrook Island – Mayor Gregg displayed a plaque that would be given to Councilman Crane in appreciation of his service to the Town. Mayor Gregg added that he had always enjoyed Skip’s comments while serving on Town Council, on the Public Safety Committee and the DSO Advisory Group. The Mayor encouraged all members of Council to express their appreciation to Councilman Crane for his service to the Town.
- Town Administrator Cronin stated that he had gotten an email from East Coast Pyrotechnics confirming the date of July 3 for the Town’s July fireworks.

Citizens Comments: None

With there being no further business, the meeting was adjourned at 4:30 p.m.

Date: May 25, 2021



Town Clerk