

TOWN OF SEABROOK ISLAND
Town Council Meeting of June 25, 2019

MINUTES

After the pledge of allegiance, Mayor Ciancio called the June 25, 2019, Town Council meeting to order at 2:30 p.m. Councilmembers Crane, Gregg, Finke 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-Planning Workshop Meeting Minutes of May 17, 2019; Ways & Means Committee Minutes of May 21, 2019; Town Council Minutes of May 28, 2019 and Ways & Means Committee Minutes of June 18, 2019, were all unanimously approved as written.

Financials: Mayor Ciancio reported that the total fund balance for the period ending May 31, 2019, was \$4,783,924 compared with \$4,940,697 for the same period in 2018. Unrestricted Revenue for May totaled \$44,184 compared with \$104,321 for the same period in 2018. On a year to date basis, Unrestricted Revenue amounted to \$547,765 compared with \$528,788 for the same period last year. Expenditures for May totaled \$160,444 compared with \$51,551 for the same period last year. For the first five months of the year, expenditures have totaled \$589,595 compared with total expenditures of \$285,729 for the same period last year. For the month of May, expenditures exceeded revenue by \$116,260. On a year to date basis, expenditures have exceeded revenue by \$41,483. Last year, for the same year to date basis, revenue exceeded expenditures by \$277,959.

Citizens/Guests Presentations, Comments: None

Reports of Standing Committees, Commissions, Boards:

Public Safety/Club Long Range Planning Committee – Councilman Gregg

Public Safety Committee – The Town’s Public Safety Committee met on June 17, 2019. Members of the Committee began consideration of review and revision of the Town’s 2013 Memorandum of Understanding with the Seabrook Island Property Owners Association in respect to revised guidance from FEMA concerning reimbursement of costs for clearance of debris from private roadways to enable passage of emergency vehicles. The Committee is also reviewing debris management plans from Hilton Head Island, Dorchester County and the SC Department of Transportation. These plans are not required by any federal or state agencies; and, if the Town were to adopt such a plan, it would be entirely voluntary. The Town’s HAM radio will be transferred to the newly acquired Chevy Tahoe; and, instead of using a fixed antenna mount, a magnetic base antenna will be tested for effectiveness. The next meeting of the Public Safety Committee is scheduled for July 8.

Disaster Recovery Council – The Disaster Recovery Council held training and exercise sessions on June 4th and 5th based on a hurricane scenario. At the June 4th session, the 2019 update pages for the Town’s Comprehensive Emergency Plan were distributed to DRC member representatives. A DRC meeting will be scheduled for July to review the report of the Town’s consultant from the training and exercise sessions.

Disaster Awareness Day – Disaster Awareness Day, which is jointly sponsored by Seabrook Island and Kiawah Island, was held on June 14th at the Seabrook Island Club with about 150 people attending. Councilman Gregg thanked Town Administrator Cronin, who developed the program and arranged for participants in panel discussions, and Stephanie Edgerton, Communications Manager for Kiawah, who assisted with preparation of the program brochure.

Hazard Mitigation Plan Update – At the June 13th meeting of the Charleston County Project Impact Committee meeting, Carl Simmons, from Charleston County Building Services, described a proposal to create a committee dedicated to countywide floodplain management issues contemplating engagement with governments outside impact areas. Katie Faith, also from Charleston County Building Services, presented a new approach to collection of information for the next Hazard Mitigation Plan five-year update that would

be jurisdiction centered rather than impact centered. Work on that update will begin this summer. The next Project Impact Committee meeting is scheduled for July 17th.

Public Relations/Communications – Councilman Crane – No Report

Special Projects/Beach Administration – Councilman Wells

Update on Dolphin Education Program for 2019 – Councilman Wells reported that the 2019 Dolphin Education Program has 18 volunteers, compared to 11 volunteers last year. The volunteers have been working since about May 15th and have spoken to approximately 600 people. A new calf has been spotted in the area strand feeding. Councilman Wells also stated that the two-hour shifts for the volunteers is working out well.

Community and Government Relations - Councilmember Finke – No Report

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- No Report

Town Administrator/Zoning Administrator- Joe Cronin

Beach Patrol Update – Town Administrator Cronin reported that, since we are in the peak beach season, Beach Patrol currently has two vehicles with four personnel on the beach. One vehicle with two personnel is on the beach from 8:00 a.m. to 4:00 p.m. and the other vehicle with two personnel is on the beach from 12:00 p.m. to 8:00 p.m. The Town Administrator stated that they have issued 80 warnings so far this season, with the majority of those being for leash law violations. One citation has been issued for a leash law violation because the offender refused to put his dog on a leash. The Beach Patrol have assisted this season with first aid (6), 3 swim assists, 2 boat assists, 1 missing person, 10 people stranded on a sand bar, 4 kayakers, removed a rattle snake from the beach and assisted with 2 grounded boats. Some of the numbers quoted are incident based and not based on the number of people involved. This is just a short summary of the beach patrol report but interested parties can view beach patrol reports on the Town's website.

Beach Club Renovation- The Town Administrator reported that the Town has issued a Zoning Permit for the Beach Club renovation project and the Seabrook Island Club can now proceed to begin the permitting process with Charleston County.

Town Council Members – See Above

Utility Commission – Chairman Morawski reported that the Utility Commission sold 30,000,000 gallons of water during the month of May, which was 97% of the water purchased from St. Johns Water. This was an increase from 22,000,000 gallons sold last year during the same period. Seabrook Island Utility Commission also had a net income of \$20,000 for the month of May. The Commission is reviewing their standard operating procedures for financial transactions and has changed their billing company, which should change the look of the water bill for next month.

Petitions Received, Referred or Disposed of: None

Ordinances for First Reading:

- **Ordinance No. 2019-04:** 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 147-02-00-036, containing approximately 0.95 +/- acres located at 2820 Dove Nest, from the SR

Single-Family Residential District to the AGC Agricultural-Conservation District. Town Administrator Cronin explained that this property has been obtained by the Greenspace Conservancy and transferred to the Seabrook Island Property Owners Association and will remain an undeveloped “open space” lot. The Planning Commission voted unanimously on June 5th in favor of recommending the rezoning request. The Public Hearing and second reading of the ordinance are scheduled for July 23. Councilman Gregg made a motion to accept Ordinance No. 2019-04, in the form as presented to Council, for first reading.

Councilman Wells seconded the motion and the vote to approve was unanimous.

Councilmember Finke remarked that there are five other lots in that block that have already been rezoned SR Single-Family Residential to AGC Agricultural-Conservation District.

- **Ordinance No. 2019-05:** An ordinance amending the Development Standards Ordinance of the Town of Seabrook Island, South Carolina; to delete Section 7.60.20.50 (Exceptions to Setbacks) in its entirety; to amend Section 7.60.80 (Encroachments) so as to allow heating, ventilation and air conditioning (HVAC) equipment and associated HVAC stands to encroach into a required setback under certain conditions; and to amend Section 21.50 (Fee Schedule) so as to reduce the application fee for Variances from \$350.00 to \$150.00. Town Administrator Cronin explained that Ordinance No. 2019-05 would delete Sec. 7.60.20.50 and would amend Sec. 7.60.80 by adding Sec. 7.60.80.40. The ordinance currently provides that, if the HVAC unit must be moved to meet building codes, it can encroach 5 feet into a required setback. An issue arises, primarily in multi-family units, where so many of the villas and multi-family structures are already encroaching. With this ordinance, multi-family HVAC units and stands, if they cannot be placed in any other location, can extend out 5 feet from the wall of the unit. The requirements for single-family houses would not change. The ordinance will also reduce the fee for Variances from \$350 to \$150 on the schedule contained within Sec. 21.50 (“Attachment A”). At their June 5th meeting, the Planning Commission voted in favor of recommending approval of this ordinance. Councilman Gregg made a motion to accept Ordinance No. 2019-05, in the form as presented to Council, for first reading. Councilman Crane seconded the motion and the vote to approve was unanimous.
- **Ordinance No. 2019-06:** 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 ten-year update to the Town’s Comprehensive Plan. Mayor Ciancio expressed his appreciation to Town Administrator Cronin, the members of the Planning Commission, Dan Frazier of the Charleston County Planning Department and others who had input into the preparation of the document. The Mayor remarked that this is, by far, the best Comprehensive Plan the Town has ever had. Other entities, both on and off the island, had input into the document by means of a series of stakeholder meetings and, from citizens, by means of a comprehensive citizen’s survey. Input was received at the stakeholder meetings from St. Johns Fire Department, SC Department of Transportation, Bohicket Marina, Berkeley Electric, Camp St. Christopher, the Seabrook Island Club, the Property Owners Association, CERT, Seabrook Island Birders, Greenspace and others.

Town Administrator Cronin explained that the Town entered into an agreement in 2018 with the Charleston County Planning Department to assist the Planning Commission in the 10-year rewrite of the Comprehensive Plan. The process of the rewrite began in April of 2018 with a joint meeting between Town Council, the Planning Commission and Charleston County Planning staff. A community survey was sent out and stakeholder meetings were held before the Planning Commission and members of the Charleston County Planning Department began drafting the document in October of 2018. The Planning Commission voted to endorse the draft Plan at their March 20, 2019, meeting. The Plan then went out for public review and comment. The Planning Commission voted to recommend the plan at

their May 1, 2019, meeting. Town Council held a workshop to review the draft document on May 17th and gave Dan Frazier, from the Charleston County Planning Department, their comments. After making minor changes, the document was sent back to Council for review. A Public Hearing and second reading of the ordinance adopting the Town's Comprehensive Plan will be held on July 23, 2019. Comments can be made at the Public Hearing and also by way of the Town's website. Town Administrator Cronin also thanked Dan Frazier for the work the Charleston County Planning Department did in assisting the Planning Commission and the Town with the Comprehensive Plan rewrite. Councilman Gregg made a motion to accept Ordinance No. 2019-06, in the form as presented to Council, for first reading. Councilman Crane seconded the motion and the vote to approve was unanimous.

- **Ordinance No. 2019-07:** An ordinance authorizing the issuance and sale of a not to exceed \$4,500,000 General Obligation Bond, Series 2019, or such other appropriate series designation, of the Town of Seabrook Island South Carolina or one or more notes issued in anticipation thereof to pay the costs of repairs, replacements and debris removal arising from a major disaster and the cost of issuance of such bond or notes; fixing the form and details of the bond; authorizing the Mayor and the Town Administrator, or either of them acting alone, to prescribe certain details relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto. Mayor Ciancio stated that this ordinance authorizes Council to issue either short term bond anticipation notes (BANs) or longer term general obligation bonds, in the amount of \$4,500,000, for which the proceeds may be used exclusively for (i) the cost of repairs or replacement of Town property, (ii) debris removal and (iii) fees and expenses incurred in connection with the issuance of the debt, in each case following a natural disaster. The Mayor also noted that:
 - The interest rate of the debt will be determined at the time of issuance;
 - The maturity date of the bonds is not to exceed five years and the maturity of BANs is not to exceed one year;
 - The ordinance establishes a committee consisting of the Mayor and one other councilmember to be chosen by the Mayor with the authority to determine:
 - The principal amount of the debt, maturity dates and principal payment dates of the bonds or BANs;
 - The interest rate and the interest payment date of the bonds or BANs;
 - The redemption provisions, if any;
 - The date and time of sale; and
 - Whether the BANs or general obligation bonds are to be sold in public or private sale

The Mayor stated that if general obligation bonds are issued, the Town will be obligated to levy a tax on all taxable real property within the municipal limits of the Town sufficient to pay the principal and interest on the bonds at their maturity. Mayor Ciancio explained the initiative and referendum provisions of the state statute and noted that Ordinance No. 2016-07 would not be repealed for 60 days after passage of this ordinance to be sure that the Town could issue bonds or BANs under one of the two ordinances during hurricane season. Councilman Gregg made a motion to accept Ordinance No. 2019-07, in the form as presented to Council, for first reading. Councilman Wells seconded the motion and the vote to approve was unanimous.

- **Ordinance No. 2019-08:** An ordinance prohibiting the distribution of single-use plastic carryout bags, plastic straws, and polystyrene coolers, cups and other food containers by any business establishment operating in the Town of Seabrook Island. Councilman Gregg made

a motion to accept Ordinance No. 2019-08, in the form as presented to Council, for first reading. Councilman Crane seconded the motion. The Mayor noted that this ordinance is not scheduled to take effect until January 1, 2020, so that the merchants affected by the ordinance can use their existing inventory. The vote to approve the motion was unanimous.

Ordinances for Second Reading: None

Miscellaneous Business: None

Citizens Comments:

In response to a question about the senior living facility, the Mayor stated that the Planning Commission had approved an encroachment permit, subject to conditions, and the owners of the property and developer filed a pleading in the court of common pleas of Charleston County against the Town with respect to the conditions. Town representatives met with the developer to attempt to negotiate a settlement to the dispute and reached an agreement that sets forth several conditions in which the encroachment would be granted. Mayor Ciancio commented that we are now down to several issues, yet to be resolved, and nothing is final yet. If an agreement is reached, that agreement will come back to Town Council for approval. A Public Hearing will likely be held before Council consideration.

Mike Morris, editor of the *Seabrooker*, stated that The Citadel is building a new facility that they hope to complete by 2023. Donna Factor, who is Director of Development, The School of Humanities and Social Sciences, has sent the *Seabrooker* information for an article to be run asking Citadel alumni and community members to support a fundraising initiative to name an English classroom in the new building in memory of Terry Ahearn. Mr. Morris commented that, since Terry was Mayor of the Town of Seabrook Island from 2013-2015, he thought it would be a nice gesture on the Town's part if they would consider donating.

A resident, who lives in The Village at Seabrook, stated that he had received a letter from The Village at Seabrook's Board of Directors regarding setback issues in that area. He stated that documents, from the architect and others, show 7-1/2 feet as the side setback on the lots and people have bought lots with that understanding. The resident asked if The Village residents could elect to decide that the setback will be 7-1/2 ft. on each side instead of 15 feet between the houses. Town Administrator Cronin explained that the Planned Unit Development (PUD) for The Village was adopted by the Town but the PUD only requires a 15-foot separation between the buildings. The PUD does not state that the buildings must be 7-1/2 feet off the property line. The Town Administrator commented that we understand the issue; but, if we went back retroactively and amended the PUD to agree with the plat, about 45% of the houses already built do not conform to the plat. Any regime can come up with its own standards; however, those standards must be stricter, not less strict, than the Town's requirements. If the Board writes an amendment to the covenants and restrictions, the property owners in The Village would have to vote to approve the amendment.

Mayor Ciancio stated that the Dog Advocacy Work Group (DAWG) and the SEADOGS will make presentations at the next Ways & Means Committee meeting on July 16th regarding the petition received asking for changes to the rules for dogs on the beach.

Having no further business to discuss, the meeting was adjourned at 3:27 p.m.



Town Clerk

Date: July 23, 2019