

Town Council Special Called Meeting

July 28, 2025 @ 1:30 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 1:30 pm.

ROLL CALL

Councilmembers Present: Mayor Bruce Kleinman, Councilmembers Dan Kortvelesy, Darryl May, Gordon Weis, and Raymond Hamilton.

Town Staff Present: Joe Cronin (Town Administrator) and Peter Wiggins (Clerk/Treasurer).

FOIA STATEMENT

The 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 others requesting notification.

ITEMS FOR INFORMATION/DISCUSSION

Discussion of Draft Annexation Ordinance

Mr. Cronin reminded the council that developing a plan for how the town might consider a request for annexation was in the council's strategic priorities for 2025. Mr. Cronin stated that before work goes into drafting a property annexation ordinance, it would be beneficial to convene a meeting of council to gauge what the council thinks the policy of the town should be generally for annexation requests. He stated it was for this purpose a special called meeting of the town council has been convened.

Councilman Weis asked Mr. Cronin why the town wouldn't only seek annexation of properties where the owner would want to be annexed into the town.

Mr. Cronin stated that is what is currently in the draft ordinance. He stated there are other methods of annexation, particularly a method found in state statute that would allow for annexation, provided more than 75% of property owners approve of the annexation. He stated using this method, the town could potentially annex property, whose owners do not consent to being annexed. Mr. Cronin stated that before he started work on the draft ordinance, it was his assumption

that the policy of the council would be to not annex a property owner that does not consent to be part of the town.

Councilman Kortvelesy stated his concern was the parcel between town hall and Seafields. He stated it is zoned to contain four homes per acre, it is within the Urban Growth Boundary (UGB), and it may be worth considering annexation of that property. He further stated his concern that the town was locking itself into something that couldn't be remedied in the future.

Mayor Kleinman reminded Councilman Kortvelesy that the draft ordinance is not a formal statement of policy and that as the ordinance is drafted, his concerns can be addressed.

Councilman Hamilton asked if the town were to purchase property, would that property automatically be annexed.

Mr. Cronin stated the property would still need to be formally annexed.

The town's attorney, Mac McQuillin reminded the council that if the council passed the proposed annexation ordinance in its current form, a future council could amend the ordinance if there were future annexation applicants that had problems with policies found in the ordinance. He further stated that other municipalities differ from the proposed ordinance. He stated the Town of Awendaw has no formal annexation policy, and the Town of Kiawah Island has a policy that has been adopted via resolution rather than Seabrook Island's proposed ordinance.

Councilman Weis asked if a property owner applied for annexation, could the town request certain items as a condition to the council considering the annexation request.

Mr. McQuillin stated the town could request certain things as a condition for consideration. He stated with the proposed ordinance in place, it requires the applicant to do more work on the front end, so the council has all the information they need before considering an annexation request.

Mayor Kleinman asked rhetorically if an annexation policy should be easy to change, which would require the policy be less formal and create a less transparent process, or should it be more difficult to change but provide for more process transparency.

Mr. Cronin stated that of the three options discussed (having no annexation policy, passing an annexation policy as an ordinance, passing an annexation policy as a resolution), doing nothing will

require the most work for staff. He further stated that the benefit of passing an annexation policy will be that it will provide more predictability for future applicants.

Councilman Kortvelesy asked if the annexation process will be initiated by the property owner or the Town of Seabrook Island.

Mr. McQuillin stated the town would initiate the annexation process under two scenarios. He stated the first scenario is the 75% annexation method provided for in state statute, and via eminent domain where the town purchases property that is already contiguous with property inside the town limits.

Mr. Cronin stated that the draft ordinance gives the town the power to tell potential applicants that if they want town services, they must be annexed into the town. He stated that although the town would not be initiating the annexation process, they can still influence a potential applicant's decision on whether to consider annexation.

Councilman May stated he would like to see the ordinance provide for a change in zoning for annexed property based on compelling circumstances. He went on to ask who might have standing within the town to challenge an annexation.

Mr. McQuillin stated the legal question is can the town allow more individuals to challenge an annexation beyond what is already allowed in state statute.

Councilman Hamilton stated there has been discussion related to the assigned zoning at the time of annexation. He asked if future councils retain their rights to assign zoning classifications.

Mr. McQuillin stated that assigning zoning classifications is a discretionary function of council.

Paul McLaughlin, a resident of Seabrook Island, asked how many properties are contiguous with the Town of Seabrook Island that are in unincorporated Charleston County.

Mayor Kleinman stated that practically speaking, the number of properties that are contiguous is extremely limited.

Mr. McQuillin, in response to Mr. McLaughlin's comments, stated that typically, for councils that are taking up first reading of property annexation, the council will vote on the annexation, immediately followed by a vote on a zoning designation. He stated that it could also be appropriate to not consider a zoning designation until the property is fully annexed into the town.

Mr. Cronin stated that in the event a property is not assigned a zoning designation upon annexation, the town's Development Standards Ordinance defaults to a Single-Family Residential classification.

ADJOURNMENT

There being no further discussion, Mayor Kleinman declared the meeting adjourned at 2:29 pm.

Peter D. Wiggins II, MPA
Clerk of the Council