

**TOWN OF SEABROOK ISLAND, SC**  
**PUBLIC HEARING MINUTES**  
**September 22, 2020 at 2:25 PM at Town Hall**

The September 22, 2020 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 confirmed with the Town Clerk that notice of the meeting had been posted and the requirements of the SC Freedom of Information Act had been met.

- **Ordinance 2020-07:** An ordinance amending the Development Standards Ordinance of the Town of Seabrook Island, South Carolina; Article 12, Signs; so as to create new classifications of signs to be called “Community Message Board Signs” and “Electronic Variable Message Displays”; to permit Electronic Variable Message Displays to be affixed to Community Message Board signs under certain conditions; and other matters related thereto; and Article 16; Design and Improvement Standards; Section 16.10, Subdivision Design Standards; Subsection 16.10.40, Arterial Streets; so as to modify the designation of arterial streets within the town; and other matters related thereto

In response to the Mayor’s question as to whether any comments had been received pertaining to Ordinance 2020-07, the Town Administrator stated that the Town had not. He added that comments on other ordinances that are on the September Town Council agenda had been received but they can be covered in the Council meeting.

There being no further business, the meeting was adjourned at 2:30 p.m.

Date: October 27, 2020



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Town Clerk

**TOWN OF SEABROOK ISLAND**  
**Town Council Meeting**  
**September 22, 2020, at 2:30 p.m.**

**MINUTES**

The September 22, 2020 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, Town Clerk Allbritton and Annie Smith-Jones, chair of the Seabrook Island Utility Commission, participated in the meeting. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act were met.

**Minutes:**

The Town Council meeting minutes of August 25, 2020 and the Ways & Means Committee meeting minutes of September 8, 2020 were unanimously approved as written.

**Financials:**

Mayor Gregg reported that the total fund balance for the period ending August 31, 2020 was \$5,303,669, about \$269,907 more than the balance for the same period in 2019. Unrestricted revenue for August totaled \$53,786. Unrestricted revenue for the year, as of August 31, totaled \$867,972, representing about 72% of the 2020 amended annual budget, and was about \$200,273 less than the same period in 2019. Expenditures for August totaled \$98,017 and expenditures for the year, as of August 31, totaled \$580,645, representing about 48% of the 2020 amended annual budget. Expenditures for the year were about \$267,535 less than the same period in 2019, due primarily to there being no expenditures for the roadway project and no capital expenditures during the period this year, compared to \$67,397 in the same period in 2019, and more than \$34,700 less in engineering charges compared to 2019. Excess of expenditures over revenues was \$44,231 for August and the excess of revenues over expenditures was about \$287,327 for the year, as of August 31, compared to about \$220,065 for the same period in 2019.

**Citizens/Guests Presentations, Comments:**

- Perrin Lawson, Deputy Director & VP of Business Development, and Chris Campbell, Director of Communication & Strategy Planning, from the Charleston Area Convention & Visitor's Bureau – Mayor Gregg reminded Council that it had been suggested at the Town Council Pre-Budget Workshop that was held on August 18 that perhaps someone from the Charleston Area Convention & Visitor's Bureau (CACVB) could make a presentation to Council concerning activities they initiate to promote tourism for the Charleston area sea islands, which would include Seabrook Island, that are supported by funding from the Town's distribution of State Accommodations Tax revenue.

Mr. Campbell stated that the mission of the Charleston Area Convention & Visitor's Bureau (CACVB) is to unify and lead the local travel industry in marketing the region as a destination to both domestic and international travelers with the primary goal being to generate an overnight visitor. The CACVB is a 501 (c) (6) organization that serves 10 municipalities in the Charleston region. It is overseen by a 27-member Board of Governors, with Mayor Gregg representing the Town of Seabrook Island. The annual budget in the 2020 fiscal year was \$20,000,000 but, because of the pandemic, the 2021 fiscal year budget is \$12,700,000. About 29% of CACVB's income is derived from State Accommodations Tax and the remainder is made up membership dues, grants and regional tourism funds. Mr. Campbell commented that, by multiple communities coming together and combining resources, the strength and reach of the marketing and sales efforts are greatly enhanced. About 85% of the CACVB's expenditures are used to support marketing, media and visitor services. The remainder is spent for rent and other operating expenditures.

There are five beach communities involved and each resonate with different audiences. The CACVB has a stand-alone website (charlestonareabeaches.com) that displays the five islands; and, within the website, each island has its own web page that highlights information specific to that island. The CACVB's presentation included examples of different types of advertising used and services offered by the CACVB to bring attention to the ten municipalities that participate. Councilmembers were then given an opportunity to ask questions. Councilwoman Fox stated that she was impressed by the quality and reach of the CACVB and was glad that the Town could be one of their partners since a small municipality would not be able to market itself nearly so well to visitors.

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

#### **Public Safety Committee – Skip Crane**

Councilman Crane reported that the Public Safety Committee held a virtual meeting on September 2, 2020. The purpose of the meeting was to review pending updates to the Comprehensive Emergency Plan (CEP), which mostly pertain to changes in the Pandemic section and changes to contact information, so that the updates could be presented to Town Council at the Ways & Means Committee meeting on September 8. Since the current CEP had never been reviewed and adopted by Council, Councilman Crane and the Town Administrator decided it would be appropriate for Council to review the CEP and adopt it by ordinance. Councilman Crane added that the Public Safety Committee recommended adoption of the updated CEP by Council.

#### **Public Relations/Communications – Pat Fox**

**Ham Radio Test** - Councilwoman Fox reported that a successful radio test was held on September 18 with 8 participants. All participants were able to communicate and it was determined that the defective cable to the conference room and the antennae at the Town Hall had been successfully repaired.

**Census Reminder** – Councilwoman Fox stated that Tidelines had run a second reminder about completing the 2020 Census on September 18. Statistics, obtained from Kiawah, were used in the reminder showing that Seabrook Island's response rate for the 2020 Census was 43.1%.

#### **Special Projects/Beach Administration – Barry Goldstein**

**Project Status Meeting with ESP Associates** – Councilman Goldstein reported that the Town had open work orders with ESP Associates pertaining to a preliminary study for paving and drainage for Seabrook Island Road and another pertaining to the flooding along a portion of the outbound bike path and the feasibility of keeping the inbound bike path in service. ESP Associates will be notifying the Town of the timeframe for both projects in a few days.

Councilwoman Finke inquired about the painting that had been approved for the crosswalks. Town Administrator Cronin stated that he had been trying to get contractors out to give estimates and he will follow up.

#### **Beach Administration/Community and Government Relations – Councilwoman Finke**

**Offshore Drilling and Seismic Testing** – Councilwoman Finke stated that she had written the October article for The Seabrooker about offshore drilling and the history behind the lawsuit in which the Town is involved. On September 8, the President signed an Executive Order removing South Carolina from the oil and gas leasing program for ten years but the Executive Order does not take effect until July 2022. When the Judge was asked how the Executive Order impacts the lawsuit, he responded that it does not, and it is possible that the permits could move forward for seismic testing.

#### **Ways & Means – John Gregg**

The Mayor reported that the following topics were discussed at the September Ways & Means Committee meeting:

- **Extended Mask Requirement** – Due to comments Mayor Gregg had received pertaining to monitoring compliance of wearing face coverings on SIPOA boardwalks, he had approved the Town Administrator's proposal to procure a camera that could be set up to monitor compliance. The camera

could also be used to monitor construction traffic at the proposed senior living facility when that construction begins.

- **Rezoning Request (4455 Betsy Kerrison)** – Mayor Gregg had commented that a resident had expressed concern about the proposed development at 4455 Betsy Kerrison Parkway and how it might affect the schoolhouse structure that is currently located on that property. The attempt to rezone this property, so that it could be used for a miniature (putt-putt) golf operation, was on the agenda for a Charleston County Planning Commission Workshop scheduled for September 14.
- **Revised Terms of Office for Kiawah** – The Mayor referred to an ordinance, recently adopted by the Kiawah Town Council, that would change their Council’s terms from two years to four years, with the terms being staggered. As a result of discussion, the Mayor asked the Town Administrator to prepare an ordinance that would change the Seabrook Island Town Council’s terms from two years to four years, with terms being staggered. The ordinance would also change the timing for swearing-in newly elected officials to a date in January of the year following the election.
- **Confirmation of Notification of Council of 2020 Update of the Charleston County Regional Hazard Mitigation Plan** – Mayor Gregg confirmed that Charleston County had acknowledged receipt of confirmation of notification of Council of the 2020 update of the Charleston County Regional Hazard Mitigation Plan.
- **Public Safety Committee** – Councilman Crane reported that the 2020 update of the Town’s Comprehensive Emergency Plan (CEP) had been completed and copies provided to Council. An ordinance, adopting the current CEP and providing for Council’s adoption of yearly CEP updates, will have first reading at the September Town Council meeting.
- **Development Standards Ordinance Advisory Committee** – Councilman Crane reported that the Advisory Committee continued its review of the initial draft of the proposed revision of the Town’s Development Standards Ordinance and noted that two meetings of the Advisory Committee will be held in September.
- **Short-Term Rental Ad Hoc Committee** – Councilwoman Finke reported that she and Councilwoman Fox would meet with the Town Administrator to define particulars for regulation of rentals, with a focus on occupancy limits.
- **Repair of HAM Radio Antenna Cable** – Councilwoman Fox reported that a repair had been made to the HAM radio cable in the Town Hall conference room and a radio test would be done on September 10.
- **Town’s Message Sign** – Town Council confirmed to the Town Administrator that they approved having the Town’s illuminated message sign removed from Seabrook Island Road.
- **Review of Public Comments Relating to Ordinance 2019-09 (Beach Rules for Pets)** – The Town Administrator provided Council with a summary of resident comments concerning Ordinance 2019-09. He noted that a little over 100 comments were received and about 95% supported the ordinance, either as adopted or with suggested changes. The greatest number of suggested changes were to allow times for dogs to be off lead in the vicinity of St. Christopher Camp and Conference Center. In general, Council did not express support for further revision to the Ordinance.
- **Discussion of Revisions of and Ordinance Protecting Wildlife** – Town Administrator Cronin reviewed a draft ordinance (2020-09) that would amend regulations directed toward protection of wildlife. The ordinance would expand on existing regulation to include protection for species, other than loggerhead turtles and piping plovers, and to add a provision that would prohibit swimming in Captain Sams Inlet in certain circumstances. Council expressed their preference for including restrictions on swimming in the section dealing with protection of wildlife.
- **Concrete Pad Expansion** – The Town Administrator received confirmation from Council to expand a planned bike pad to provide space for a bench that is being donated in memory of the passing of the son of the Town’s Code Enforcement Officer, Ed Rooney.
- **Ordinance 2020-07** – The Town Administrator confirmed that Ordinance 2020-07, an ordinance addressing permitting of electronic message board signs, would be on the September Town Council agenda for second reading.

- **Ordinance 2020-08** – The Town Administrator confirmed that Ordinance 2020-08, an ordinance that adopts the updated CEP and provides for adoption of future revisions, would be on the September Town Council agenda for first reading.

**Planning Commission** – No Report

**Board of Zoning Appeals** – No Report

**Reports of Ad Hoc Committees:**

**Development Standards Ordinance Advisory Committee** – Councilman Crane, Chairman, reported that the Committee is making progress and the first draft discussion should be completed by the end of October. Their next meeting is scheduled for September 29.

**Regulation of Short-Term Rentals Committee** – Councilwoman Finke reported that she and Councilwoman Fox had met with Town Administrator Cronin and narrowed down the focus of the ordinance that will deal with limits on rental occupancy. Once there is a draft ordinance, they hope to get public comment from COVAR, regime representatives, rental agencies and some owners who rent their properties. Councilwoman Finke hopes to have a draft ordinance for discussion at the October Ways & Means Committee meeting.

**Reports of Town Officers:**

**Mayor** – John Gregg

- **Rezoning Request (4455 Betsy Kerrison Parkway)** – Mayor Gregg said he had been informed by Councilwoman Finke that, at the September 14 Charleston County Planning Commission Workshop, concerns were expressed as to the impact of traffic that would be associated with the proposed miniature golf operation.
- **Determination of Whether to Amend Regulation of Presence of Dogs on the Beach** – Mayor Gregg called on each councilmember to indicate if they would prefer to pursue further revision of the applicable provisions of Ordinance 2019-09 regulating the presence of dogs on the beach. After hearing from each councilmember, it was decided that there would be no revisions to the ordinance at this time.
- **Discussion of Citizen Request Regarding Lewd Conduct on the Beach** – Councilmembers had been provided an email string concerning a recent incident of indecent exposure on the beach. Mayor Gregg indicated that matters of potential criminal conduct are to be addressed by the Charleston County Sheriff's Office (CCSO). The victim of the most recent incident was interviewed by an officer from the CCSO and information about similar incidents had also been provided to them. The Mayor stated that it is his belief that residents are aware they can report conduct believed to be potentially criminal to the CCSO or, if it is an urgent matter, by calling "911". Councilwoman Fox volunteered to print a reminder in Tidelines about who to call in such cases.

**Town Administrator/Zoning Administrator** – Joe Cronin

- **Beach Patrol** – The Town Administrator gave a recap of the Beach Patrol report that ran through the first weekend in September. There was a total of 554 warnings, verbal and written, compared to 307 from last year. There has only been 1 citation written and 1 call to the Charleston County Sheriff's Office. There have been 267 leash law violations, compared to 99 last year.
- **Update on Advisory Opinion from the South Carolina Attorney General** – The Town Administrator reported that he had received confirmation that the Town's letter to the South Carolina Attorney General's office, asking for an opinion as to whether voters could be required to wear a mask at polling places, had been received and he expects to have an answer before the Town's emergency ordinance comes up for renewal.

**Town Council Members** – See Above

**Utility Commission:** Chairman Annie Smith-Jones reported that the Seabrook Island Utility Commission (SIUC) met on September 16. Their net income for the month of August was \$96,851. After adjusting for principal and interest on their bonds and capital expenditures, SIUC's net profit was \$41,985. SIUC

delivered 41.2 million gallons of water for the month compared to 42.2 million gallons of water for the same period in 2019. SIUC is in the process of installing new radio read meters for some of the regimes so that staff will not have to read individual meters. The remainder of their meeting was spent discussing the expansion of the holding pond. A study has shown that as Seabrook Island and other areas, for which SIUC is obligated to provide sewer service, builds out there will be a capacity issue. Currently, regulations require that holding ponds, such as the SIUC holding pond, must be lined; and, since this one is not, they are waiting for notification from DHEC to determine if it will have to be lined to proceed with the contemplated expansion. If the holding pond will have to be lined, the additional cost would be about \$1,000,000. Their next meeting is scheduled for October 21.

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

**Ordinances for First Reading:**

- **Ordinance 2020-08:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article VI, Emergency Preparedness; Section 2-312, Emergency Operations Plan; so as to adopt a new comprehensive emergency plan for the Town of Seabrook Island. Mayor Gregg explained that this ordinance amends the Town Code to adopt the Town's updated 2020 Comprehensive Emergency Plan and provides for adoption of future revisions. Councilman Crane made a motion for approval for first reading of Ordinance 2020-08. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Ordinance 2020-09:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront Management; Division 2, Restrictions; Section 32-43, Wildlife and Marine Life Protection; so as to prohibit the harassment of marine mammals on the beaches of Seabrook Island and to restrict swimming in Captain Sams Inlet at times when dolphins are present or most likely to be present. The Mayor explained that this ordinance amends the Town Code to adopt regulations for protection of species of wildlife not currently addressed and to regulate swimming in Captain Sam's Inlet in support of protection of marine wildlife. Councilman Crane made a motion for approval for first reading of Ordinance 2020-09. Councilwoman Finke seconded the motion. The Town Administrator stated that the Town had received eight favorable public comments pertaining to Ordinance 2020-09 and read out the names of the individuals. He further stated that this ordinance would allow the Town's Beach Patrol to write a summons if individuals were harassing the dolphins. The vote to approve Ordinance 2020-09 for first reading was unanimous.

**Ordinances for Second Reading:**

- **Ordinance 2020-07:** An ordinance amending the Development Standards Ordinance of the Town of Seabrook Island, South Carolina; Article 12, Signs; so as to create new classifications of signs to be called "Community Message Board Signs" and "Electronic Variable Message Displays"; to permit Electronic Variable Message Displays to be affixed to Community Message Board signs under certain conditions; and other matters related thereto; and Article 16; Design and Improvement Standards; Section 16.10, Subdivision Design Standards; Subsection 16.10.40, Arterial Streets; so as to modify the designation of arterial streets within the town; and other matters related thereto. Mayor Gregg explained that this ordinance amends the Town's Development Standards Ordinance regarding regulation of signs to address "Electronic Variable Message Display" signs, including regulation of characteristics of and allowable locations for such signs within the Town. Councilman Crane made a motion for approval for second reading of Ordinance 2020-07. Councilwoman Finke seconded the motion. Town Administrator Cronin stated that the application submitted by the Seabrook Island Property Owners Association (SIPOA) shows that their proposed signs

would only be two feet from the property line; and, according to the ordinance, it is required to be six feet from the property line. He stated that Council could either amend the ordinance or SIPOA could apply to the Board of Zoning Appeals for a variance. Council decided that a variance would be the better option. The vote to approve the ordinance was unanimous.

**Miscellaneous Business:** None

**Citizens Comments:** The Town Administrator stated that the Town had received eight favorable comments on Ordinance 2020-09, as reported earlier in the meeting, and two regarding the leash requirements on the beach.

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



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Town Clerk

Date: October 27, 2020