

**TOWN OF SEABROOK ISLAND**

**PUBLIC HEARING**

**December 17, 2019**

- **Ordinance 2019-12**, An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront management; Division 1, Generally; Section 32-20, Plan Adopted; so as to adopt an updated Comprehensive Beach Management Plan for the Town of Seabrook Island

Mayor Gregg stated that this ordinance relates to the adoption of the Town's updated Comprehensive Beach Management Plan. The Town is required to have and maintain a beach management plan for purposes of protecting the quality of the coastal environment and to promote the economic and social improvement of the coastal zone. The Plan must be updated every five years. This update was prepared by Coastal Science & Engineering and a representative of CSE, Patrick Barrineau, attended the meeting to answer any questions. The draft of the updated Plan was available on the Town website so that residents and property owners could review and make comments. Since first reading, the 2019 update has been revised to reflect restoration of the locations of the Baseline and Setback Line that control placement of structures at the beach to their respective locations from 2009. Also, changes have been made pertaining to comments received on the website regarding certain shore birds. Mayor Gregg then opened the meeting for comments or questions.

The Town Administrator commented briefly regarding receipt of two comments pertaining to the Plan update online and how those comments were handled.

At 2:30 p.m., the Mayor closed the Public Hearing and began the Town Council meeting.

Date: January 28, 2020



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Town Clerk

**TOWN OF SEABROOK ISLAND**  
**Town Council Meeting of December 17, 2019**

**MINUTES**

After the pledge of allegiance, Mayor Gregg called the December 17, 2019, Town Council meeting to order at 2:30 p.m. Councilmembers Crane, Finke, Fox and Goldstein, Town Administrator Cronin and Town Clerk Allbritton attended the meeting. The Town Clerk confirmed that the meeting was properly posted, and the requirements of the SC Freedom of Information Act were met.

**Minutes:**

The Town Council Minutes of November 19, 2019, and the Ways & Means Committee Minutes of December 10, 2019, were unanimously approved as written.

**Financials:** Mayor Gregg reported that the total fund balance for the period ending November 30, 2019, was \$4,991,927.54, about \$361,146 more than the balance for the same period in 2018 and about \$400,274 more than for the same period in 2017. Unrestricted revenue for November totaled \$24,823.36 and unrestricted revenue for the year, excluding use of transfers from the 2018 year-end general fund balance, was \$1,268,101.35, representing about 66% of the 2019 annual budget. Expenditures for November totaled \$58,910.65 and expenditures for the year totaled \$1,085,137 representing about 56% of the 2019 annual budget. Excess of expenditures over revenues was \$34,087.29 for the month. When transfers from the 2018 year-end general fund balances are excluded, year to date excess of revenues over expenditure was about \$182,965 compared to \$276,594 for the same period in 2018. The reduced excess for the period year-over-year is primarily attributable to expenditures for engineering services associated with drainage improvement proposals for Seabrook Island Road right-of-way and the Town Hall site in 2019.

**Citizens/Guests Presentations, Comments:**

- Presentation of FY 2018 Annual Audit – Erik Glaser, Glaser & Company – Mr. Glaser reported that there were no adjustments to be made following his audit. He also stated that there were appropriations from the previous fiscal year to help with the 2018 roadway and drainage projects but none of those funds had to be used because enough revenue was received in 2018 to make those improvements. The financial health of the Town is very strong. The Town's liquid assets are very viable, and reserves have been set aside to be used in case of emergencies, such as hurricanes and other disasters, and demonstrates the Town's good stewardship of their funds. The Town has no liabilities and its only significant obligation is its fractional percentage share of the SC Retirement Systems underfunded position. The Town made improvements to the roadway drainage, as well as improvements at the Town Hall, but the Town's liquid cash position still went up. The auditor stated that he was giving the Town an "unqualified" report which is the highest level of assurance provided by a CPA.

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

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

**Public Safety Committee** – Councilman Crane reported that the Public Safety Committee met Tuesday, December 9. The members reviewed content for the emergency preparedness section of the website that will be based on a flyer that had been prepared for CERT. The Committee also discussed the next Disaster Recovery Council meeting, which will be held in early January and will be based on a hurricane scenario. The next meeting for the Public Safety Committee is scheduled for Monday, January 13, 2020, at 10:00 a.m.

**Public Relations/Communications** – Mayor Gregg stated that he had asked Councilwoman Fox to consider channels through which the Town could advertise opportunities for residents to serve on Town boards and commissions and had also asked her to follow action by the Seabrook Island Property Owners Association regarding their reduction of funding for the *Seabrooker*. Councilwoman Fox reported that she is working on avenues to advertise opportunities for residents to serve on Town boards and commissions. Councilwoman Fox also stated that she had attended a SIPOA board meeting recently where she learned

that SIPOA would begin publishing a monthly newsletter, "CURRENTS", which will be available online and in paper format. The SIPOA contribution to the *Seabrooker* will remain, from January through June, at \$1,000 a month for a full page. At the end of the first six months of the year, SIPOA will evaluate the effectiveness of the newsletter and will decide at that time whether to continue with the full page in the *Seabrooker*.

Mayor Gregg explained that the Town currently purchases space in the *Seabrooker* for the "From Town Hall" column. On a rotating basis, Councilmembers, the Mayor and the Town Administrator write monthly articles about current happenings and the articles seem to be well received by the community. If the Property Owners Association should cut their funding of the *Seabrooker*, the continuation of the newspaper could be affected.

**Special Projects/Beach Administration** – Mayor Gregg had previously asked Councilman Goldstein to review proposals to address ponding along Seabrook Island Road and at the Town Hall site and for proposals for increasing the roadway level of Seabrook Island Road and advise Town Council of his analysis of benefits and costs for those proposals. Councilman Goldstein stated that he was still in the process of gathering and analyzing the information. Mayor Gregg stated that pending business license reform legislation could severely impact the Town's business license revenue and the Town's budgeted revenue which would make it important for the Town to take a very analytical approach to commitments we make for spending on proposed projects to address ponding.

**Community and Government Relations** – Mayor Gregg stated that he had asked Councilwoman Finke to follow developments of proposed amendments of the Stafford Act pertaining to federal reimbursement of costs for "common interest communities" for disaster events. The Mayor had also asked Councilwoman Finke to represent the Town at meetings of the Johns Island Task Force. Councilmember Finke reported that the Johns Island Task Force had already met in December, but she would be attending meetings in the future. She also reported that there had been no further action on the proposed changes to the Stafford Act but that she would monitor what happens with the legislation.

**Ways & Means** – No Report

**Planning Commission** – No Report

**Board of Zoning Appeals** – No Report

**Reports of Ad Hoc Committees:**

**Development Standards Advisory Group** – Councilman Crane, who is chairman, reported that this group has been working with Paul LeBlanc, from PLB Planning Group, to revise the Town's Development Standards Ordinance. He stated that the group had two meetings in October and two in November and had reviewed eight articles and completed the first draft on seven of the articles. There is a total of 26 articles being proposed and at least 3 appendices. Their next meetings will take place on January 15 and 16.

**Reports of Town Officers:**

**Mayor** –

**SC H4431, Business License Tax Reform** – Mayor Gregg stated that the Town Administrator has prepared a letter for Mayor and Council to sign in response to an invitation to join a group of South Carolina municipalities in expressing opposition to pending State legislation directed to reforming the State's regulation of business licensing practices. Since no changes have been suggested by Council, the letter can be signed and issued.

**Request to Address Buffer Landscaping along Old Drake Drive** – Mayor Gregg reported that the Seabrook Island Utility Commission reconsidered the request to address perceived deterioration of buffer landscaping along Old Drake Drive in the vicinity of the Club maintenance center and facilities of the Utility Commission. The Mayor has been informed that the Utility Commission will not undertake work on the landscape buffer. Tim Morawski, Chairman of the Utility Commission, confirmed that the Commission had decided at their last meeting that this buffer is a natural area and that any work done on this buffer would not be an appropriate use for the Utility Commission's funds.

## **Nominations for Appointments –**

Mayor Gregg stated that he had several nominations for appointments and reappointments and was requesting approval of Council for the nominations.

- **Planning Commission:**
  - **Reappointment of Wayne Billian for a term to expire December 2021** – Councilman Crane made a motion to approve the nomination to reappoint Wayne Billian to the Planning Commission for another two-year term. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
  - **Appointment of Sharon Welch for a term to expire December 2021** – Councilman Crane made a motion to approve the nomination of Sharon Welch for a two-year term on the Planning Commission. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
  - **Appointment of Jim “Fig” Newton for the completion of a term that will expire December 2020** – Councilman Crane made a motion to approve the nomination of Jim Newton for the remainder of Cathy Patterson’s term on the Planning Commission that will expire December 2020. Councilman Goldstein seconded the motion and the vote to approve was unanimous.
- **Board of Zoning Appeals:**
  - **Appointment of Janet Gorski for the completion of a term that will expire December 2022** – Councilman Crane made a motion to approve the nomination of Janet Gorski for the remainder of Richard Finkelstein’s term that will expire December 2022. Councilwoman Finke seconded the nomination and the vote to approve was unanimous.
- **DSO Advisory Group:**
  - **Appointment of Bob Driscoll as a resident for the duration of the Group** – Mayor Gregg explained that Bob Driscoll had previously served on the DSO Advisory Group as a member of the Planning Commission. Although his term on the Planning Commission has expired, Mr. Driscoll would like to remain a member of the DSO Advisory Group as a resident until the project is completed. Councilman Crane made a motion to approve the nomination of Bob Driscoll to the Development Standards Ordinance Advisory Group as a resident for the duration of the project. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Public Safety Committee:**
  - **Reappointment of Frank Farfone for a full term that will expire November 2021** – Councilman Crane made a motion to approve the nomination of Frank Farfone for another term on the Public Safety Committee that will expire November 2021. Councilwoman Finke seconded the nomination and the vote to approve was unanimous.
  - **Reappointment of Ed Maher for a full term that will expire November 2021** – Councilman Crane made a motion to approve the nomination of Ed Maher for another term on the Public Safety Committee that will expire November 2021. Councilwoman Finke seconded the nomination and the vote to approve was unanimous.
  - **Reappointment of Elizabeth Murphy for a full term that will expire November 2021** – Councilman Crane made a motion to approve the nomination of Elizabeth Murphy for another term on the Public Safety Committee that will expire November 2021. Councilwoman Finke seconded the nomination and the vote to approve was unanimous.
- **Town Attorney** – Councilman Crane made a motion to approve the nomination for reappointment of Stephen L. Brown as the Town Attorney. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Town Clerk & Treasurer** – Councilman Crane made a motion to approve the nomination for reappointment of Faye Allbritton as Town Clerk & Treasurer. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Zoning Administrator** – Councilman Crane made a motion to approve the nomination for reappointment of Joe Cronin as Zoning Administrator. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

## **Town Administrator/Zoning Administrator**

- **Resolution 2019-20:** A resolution authorizing the temporary discharge of firearms by the Seabrook Island Property Owners Association (SIPOA), within the Town of Seabrook Island, for the purpose of

thinning the deer herd. Town Administrator Cronin explained that the Town's ordinances prohibit the discharge of firearms within the Town limits but an exception can be granted, by resolution, for thinning the deer herd as part of a wildlife management program. SIPOA is asking to remove up to 50 deer between January 3 and March 1, 2020, and the thinning is to be done by certified marksmen and will take place on SIPOA property between the hours of 5:00 p.m. and 5:00 a.m. Heather Paton, the Executive Director, has verified by email that it is not their policy to remove piebald deer. Councilman Crane made a motion to approve Resolution 2019-20 to allow SIPOA to discharge firearms within Town limits on SIPOA property in order to thin the deer herd. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

- **Request to authorize the Mayor to negotiate and enter into a contract with Mauldin & Jenkins, LLC, for financial auditing services** – Town Administrator Cronin stated that the Town, along with the Utility Commission, had jointly advertised an RFP for financial auditing services and had received five bids. A panel had narrowed the applicants down to three. After interviews with the three applicants, Mauldin & Jenkins, LLC, was the unanimous choice. The RFP had asked for a one-year term (2019 audit) and would allow for four one-year renewals. The cost for the first year for the Town is \$15,000 and is well below the amount budgeted. Councilman Crane made a motion to authorize the Mayor to negotiate and enter into a contract with Mauldin & Jenkins, LLC, for financial auditing services. Councilwoman Finke seconded the motion and the vote to approve was unanimous. The Town Administrator explained that Mauldin & Jenkins has received a draft of the contract and may suggest minor changes; and, with the wording of the motion, the Mayor can negotiate any suggested changes, if necessary, before signing.
- **Request to approve the second amendment to the Beach Patrol Services Contract between the Town of Seabrook Island and Island Beach Services, LLC** - Town Administrator Cronin stated that this is the second and final amendment to the original agreement with Island Beach Services. The price of the contract will go up by approximately 2% due to a slight increase in man hours – from 3,600 in 2019 to 3,664 in 2020. Beach patrol for the weekend days in March has been eliminated and they will be working every day in September. The Town Administrator has also gotten a proposal for Island Beach Services to empty trash cans that would be installed on the beach at some of the boardwalks. Island Beach Services would be responsible for emptying the trash cans from April 1 through September 30. During the peak beach season, Memorial Day through Labor Day, they would empty the trash cans 5 times weekly; and, during the less busy season of April 1 through May 24 and September 8 through September 30, they would empty them 3 times weekly for a total cost of \$5,570. If Council approves, this agreement could also be incorporated into the second amendment to their original contract. Councilman Crane made a motion to approve the second amendment of the Island Beach Services, LLC, contract in the amount of \$132,404. Councilwoman Finke seconded the motion and the vote to approve was unanimous. Councilman Crane made a motion to also amend the beach patrol agreement further, to add in trash collection services, for an additional cost of \$5,570. Councilwoman Finke seconded the motion. Councilwoman Finke asked if the Town Administrator knew which days would be included in the five days weekly that trash would be picked up since there would be more trash on the weekend days. Councilman Goldstein also asked if trash could be picked up on additional days, if the need should arise. The Town Administrator said he would verify which days were included and if additional trash pickup days could be added, if necessary, before the contract is executed. He also commented that the 2020 budget for beach patrol services is \$150,000 and, even though the amount for trash collection was slightly over the budgeted amount of \$5,000 for that line item, the total for the Island Beach Services contract would still be below the total budgeted for both services. The vote to approve the motion to add trash collection services to the amended beach patrol contract was unanimous.
- **Request to approve the 2020 Meeting Schedule for Town Council and the Ways & Means Committee** – Town Administrator Cronin explained that, as discussed previously, Town Council meetings will remain on the fourth Tuesday of the month, at 2:30 p.m., but will deviate in November and December because of the Thanksgiving and Christmas holidays. In 2020, the Ways & Means Committee will meet on the second Tuesday of the month, rather than the third Tuesday, and will begin at 1:00 p.m., rather than the usual 2:30 p.m. Councilman Crane moved to approve the meeting schedule

for Town Council and the Ways & Means Committee. Councilmember Finke seconded the motion and the vote to approve was unanimous.

- The Town Administrator then recognized Heather Springs and informed Council that Heather was leaving the Town of Seabrook Island and going to work full-time as the Business License and Permit Clerk for the City of Folly Beach and that Thursday would be her last day working for the Town. Heather's focus while working for the Town has been getting short-term rental units licensed. The number of rental units licensed has increased from 300 to about 500.

**Freshfields Senior Living Facility Encroachment Permit Update** – Town Administrator Cronin reported that the Settlement Agreement, pertaining to the Encroachment Permit for the Freshfields Senior Living Facility, has been approved by Circuit Court and is in effect. In November, a meeting was held involving the Town, Atlantic Partners, the developer, contractor, Kiawah Island and the Town's traffic consultant to discuss the next steps toward beginning construction of the facility. A formal document, that was needed to secure financing and close on the property, was issued by the Town on November 22, 2019, showing that the Town has finalized and granted the Encroachment Permit.

**Update on the Community Rating System (CRS) Classification** – Town Administrator Cronin stated that he had received confirmation from Charleston County that they had completed a Community Rating System application and review process and that the Town of Seabrook Island received 2,653 credit points. This equates to the Town having a preliminary classification of 5, which equates to a 25% reduction of National Flood Insurance Premium (NFIP) flood insurance rates. The effective date will be May 1, 2020.

**Town Hall Holiday Schedule** – The Town Administrator reported that the Town Hall is scheduled to be closed Wednesday through Friday, December 25 through December 27, to observe the Christmas holiday and will likely close early on Christmas Eve. The Town Hall will also be closed on New Year's Day.

**Plastics Ban Ordinance** – The plastics ban ordinance is scheduled to go into effect on January 1, 2020. Hand delivered notification has been made about a month ago to the primary entities in the Town limits that will be affected, primarily restaurants, the Club, POA facilities, the Lake House and Camp St. Christopher. Information has been posted on the Town's website and a letter containing information about the plastics ban will be given out to anyone purchasing a business license. The business license renewals will begin in January as the Town's business license year runs like the calendar year.

**Letter Regarding Proposed Business License Legislation** – The Town Administrator reported that the letter to the municipalities in Beaufort County, joining in their effort to oppose SC H4431, is ready to be signed by the Mayor and Council so that it can be mailed.

**Town Council Members** – See Above

**Utility Commission:** Chairman Morawski reported that the Utility Commission's net income for the month of November was \$10,872, bringing the year to date total to \$183,035. The Sewer operation showed a loss of \$10,454 through November. The Commission adopted the 2020 budget with operational expenditures estimated to be \$2,708,691 (excluding depreciation), a 2.8% increase over the 2019 budget. Debt Service for 2020 will be \$781,694, a decrease of 1.6% from 2019. Capital expenditures are estimated at \$605,000, reflecting new costs for sewer line rehabilitation and engineering of additional effluent retention capability. The Commission approved a \$2.70 per month increase for sewer service to meet its financial needs.

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

**Ordinances for First Reading:** None

**Ordinances for Second Reading:**

- **Ordinance 2019-12**, An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront management; Division 1, Generally; Section 32-20, Plan Adopted; so as to adopt an updated Comprehensive Beach Management Plan for the Town of Seabrook Island – Mayor Gregg stated that this ordinance pertains to the Town's adoption of its updated Comprehensive Beach Management Plan which was prepared for the Town by Coastal Science &

Engineering. Councilman Crane made a motion for approval for second reading of Ordinance 2019-12 for adoption of the Town's Beachfront Management Plan. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

**Miscellaneous Business:** None

**Citizens Comments:**

A question was asked about how the beach patrol were held accountable while they were on the beach. The Town Administrator remarked about different instances where the beach patrol might not actually be present on the beach at all times during the day. Councilwoman Finke also explained that Town Council had previously discussed having a Councilmember take a more active part in communicating the Town's expectations of the beach patrol. Since one of Councilwoman Finke's areas of responsibility is "beach administration", she would likely take part in the orientation that the Town Administrator has been conducting with the beach patrol before beginning their season each year.

Mayor Gregg responded to a question about when construction on the Senior Living Facility would begin. He stated that construction would not start until the left-hand turn lane has been constructed and that would likely begin in the first quarter of 2020. Work on the left-hand turn lane will be done only at night and should take about three months to complete.

In response to a question about the Town Hall garage, Mayor Gregg stated that an amount has been budgeted for the construction of a garage that would house the Town's vehicles, but the Town does not have specific architectural plans or bids yet for construction. The Town has estimates from ESP Associates for work they have recommended for the Town Hall area to help with the ponding issues, but no decision has been made yet about these projects.

In response to a question regarding the buffer area on Old Drake Drive, near the Club's maintenance facility and the Utility Commission, the Mayor explained that the Utility Commissioners were independently elected and that the Town cannot mandate them to do anything.

There being no further business, the meeting was adjourned at 4:25 p.m.

Date: January 28, 2020



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Town Clerk