

TOWN OF SEABROOK ISLAND

Ways and Means Committee Meeting Agenda

December 7, 2021 – Virtual



MINUTES

1. Call to Order – Roll Call – Freedom of Information

The December 7, 2021, Ways and Means Committee 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 Finke and Fox, Town Clerk Watkins, and Town Administrator Cronin participated in the meeting. Mayor Gregg confirmed with the Town Clerk that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act were met.

2. Mayor John Gregg

- Comment Concerning Meeting with Representative of MUSC

Mayor Gregg summarized the meeting he and the Mayor *Pro Tem* had on December 2nd with Brian Panique, Senior Director of Principal Gifts for Medical University of South Carolina (“MUSC”). Mr. Panique shared a nearly final graphic of the floor plans for the facility to be built at the site of the former Ms. Lulu’s business. Once the floor plans are final, the Town should be able to share that information with the community. Mr. Panique summarized medical services that would be offered at the facility including, trauma, dental, dermatology, ear, nose and throat, orthopedics, physical therapy, preventative screening for lung cancer, ultra-sound, CT, and X-ray imaging. In addition to other practitioners who would staff the site on a rotating basis, it is contemplated that as many as three primary care doctors with so-called VIP practices would be on site simultaneously. In soliciting a donation from the Town, Mr. Panique discussed available “naming opportunities” for particular features of the facility (donation amounts ranging from \$100,000 to \$ 10,000,000).

Mayor Gregg noted no commitment was made for a donation by the Town.

- Comment Concerning STR Presentation (November Council Meeting)

Mayor Gregg addressed the presentation made by Mr. Flerlage at the November Council meeting in support of imposition of caps on short-term rentals. He noted the presentation included certain erroneous information for which correction is warranted.

Mayor Gregg address the errors as follows:

- The presentation included statements to the effect that the Town is “bound by the SIPOA rules and regulations”. SIPOA’s rules and regulations apply to property owners by virtue of their property ownership being subject to SIPOA’s Protective Covenants which function as deed restrictions. The Town’s ownership of property is not subject to SIPOA’s Protective Covenants, hence the Town is not “bound by SIPOA’s rules and regulations”.
- The presentation stated that there is “no by law (SIC) covenant, rule or regulation that allows STRs on Seabrook”. In fact, SIPOA’s rules and regulations expressly contemplate short-term rentals at Section III. B.3.g., i.e., “Property Owners who rent their property on a short-term basis (less than six months) . . .”
- The presentation states that “Short Term Rentals are Not (emphasis in original) among the permissible business uses of Seabrook Island Property” and states the conclusion that the Town’s ordinance “is apparently inconsistent with the SIPOA rules and regulations” in that the Town’s ordinance allows STRs on Seabrook”.

Mayor Gregg concluded as SIPOA’s rules and regulation contemplate short term rentals, the asserted inconsistency does not exist. He further added, if SIPOA’s Protective Covenants (as well as the applicable restrictions of the various associations and regimes) prohibited use of property for short-term rentals, there would be no need for the Town to undertake to regulate such uses.

- Proposed Use of ARPA Funds for Premium Pay

Mayor Gregg reminded members of Council that the Town has received its first distribution of funds under the American Rescue Plan Act (“ARPA”). The Town Administrator has undertaken to analyze a prospective use of ARPA funds to compensate employees of the Town for their continued service through the pandemic under circumstances of increased personal risk (so called Premium Pay) arising from their direct interaction with others. The Town Administrator’s analysis reflects that the cost, determined in accordance with guidance under the applicable ARPA rules, would be about \$6500. Mayor Gregg noted that he intends to propose approval by Council of that use of ARPA funds at the December Council meeting.

- Follow-up on Membership of Board of Zoning Appeals

Mayor Gregg updated members of Council that Mr. Leggett has confirmed that he is willing be reappointed to the Board of Zoning Appeals. Mayor Gregg noted that he will be nominating him for another five years term at the December Council meeting.

Mayor Gregg added Mr. Sewell’s determination not to continue his service, it will be necessary to appoint a new member to the BZA. Mayor Gregg noted that he will bring forward a nomination at the December Council meeting from two persons who have expressed a willingness to serve.

3. Town Council Members:

- **Jeri Finke**

- Discussion of No Wake Zone at Captain Sam’s Inlet

Councilwoman Finke summarized a letter received from Lauren Rust, Lowcountry Marine Mammal Network, regarding a request to send a letter to DNR for a “No Wake Zone” at Captain Sam’s Inlet. Councilwoman Finke added that the Town of Kiawah has already committed to writing a letter as well.

Councilwoman Finke noted that in the letter Ms. Rust requested to prohibit fishing at Captain Sam’s Inlet, and suggested request to be sent to the Environment and Wildlife Committee when they review the beach ordinance.

Council clarified on when the letter was received and potential edits to be made to the letter.

- **Patricia Fox**

Councilwoman Fox summarized the recent Town communications in the Seabrooker and on Tidelines for November.

- **Barry Goldstein** (Town Administrator Cronin reporting for Councilman Goldstein)
 - Preferred Design Elevation for Seabrook Island Road

Town Administrator Cronin reported that the engineering firm working on the road design for Seabrook Island Road, has two different options for the elevation of the road: 6.5’ is the minimum required or 7’ to match the elevation of the traffic circle. Town Administrator Cronin added that there are various pricing options for the differences in elevation, which should be presented to Council by the January Meeting.

Town Administrator Cronin also summarized a meeting with Michael Schuler and Zoning Administrator Newman about changes to the Bohicket Marina and mentioned that Mr. Schuler was in favor of a mini traffic circle on Seabrook Island Road. Town Administrator Cronin added that Mr. Schuler would be open to participate financially in that improvement.

4. **Town Administrator Joe Cronin**

Action Items for November 16, 2021 Meeting:

- Second Reading Items
 - Ordinance 2021-15: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 8, Businesses and Business Regulations; so as to adopt a revised Business License Ordinance in accordance with the Business License Standardization Act (2020 Act No. 176)

Town Administrator Cronin summarized Ordinance 2021-15 up for second reading and mentioned that a letter regarding the new business license year will be sent to all businesses.

- Ordinance 2021-16: An ordinance to adopt a budget for the Town of Seabrook Island, South Carolina, for the Fiscal Year beginning January 1, 2021, and ending December 31, 2021

Town Administrator Cronin summarized Ordinance 2021-16 and updated Council on the 3rd Quarter State Accommodations Tax (ATAX) Funds received.

Council clarified on how the ATAX funds can be used and the timeframe the funds must be spent.

Council discussed donating the remainder of the Community Promotions Grant funds to a local charity, Bikes for Humanity. Council also clarified how the organization was connected to the Seabrook Island Community. It is expected that this matter will be addressed at the December Council meeting.

- Resolutions
 - Resolution 2021-27: 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 and Heather Paton from SIPOA summarized Resolution 2021-27 to temporarily lift the prohibition on discharge of firearms for the purpose of thinning the deer herd.

Council clarified that piebald deer will not be part of the thinning process.

Items for Discussion

- DSO Update

Town Administrator Cronin updated Council on the status of the changes for the Development Standards Ordinance (DSO) and the next step is to have a Joint Workshop with the Planning Commission and Council.

Council discussed availability for the joint workshop with the Planning Commission.

- Seafields Project Update

Town Administrator Cronin updated Council on the turn lane on Seabrook Island Road for Seafields and the next steps for the project.

- Update on Credit Card Payments at Town Hall

Town Administrator Cronin updated Council that Town Hall now has capability to accept credit card payments at Town Hall and reviewed the process for Council. Town Administrator Cronin also thanked Town Clerk/Treasurer Watkins and Nichole Nettles for their hard work to get this up and running.

- Update on Town Hall Maintenance Items (Exterior Painting, Roofing, IT Upgrades)

Town Administrator Cronin updated Council that the exterior painting and roof replacement of Town Hall were almost complete and that he has received quotes for the IT upgrades to Council Chambers which should be almost complete by the end of the year.

- Holiday Party: December 9, 2021 (5:30-7:30 PM)

Town Administrator Cronin reminded all the Holiday Drive Thru will be held Thursday December 9th from 5:30PM to 7:30PM. Town Administrator added there will be free cupcakes available from Wild Flour Bakery and to drop off toys for Toys for Tots.

- 2022 Meeting Schedule

Town Administrator Cronin summarized the 2022 Meeting Schedule and will not have the meeting dates from the new committees until the new year.

- 2022 Holiday Schedule

Town Administrator Cronin summarized the upcoming 2022 Holiday Schedule.

Town Council discussed the addition of Juneteenth and when to close Town Hall for New Years Day.

5. Adjourn

Councilwoman Finke moved to adjourn the meeting; Councilwoman Fox seconded. All voted in favor.

The meeting adjourned at 2:26 PM

Date: December 10th, 2021

Prepared by: *Katharine E. Watkins*
Town Clerk/Treasurer