

**TOWN OF SEABROOK ISLAND
WAYS AND MEANS COMMITTEE MEETING
May 11, 2021, at 1:00 p.m.**

MINUTES

The May 11, 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, Fox and Goldstein, Town Clerk Allbritton 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.

Mayor John Gregg

- **Discussion of Protocols for Independence Day fireworks event** – At the April Council meeting, Mayor Gregg had asked that members consider protocols to be put in place for the proposed July fireworks display. Representatives of the Seabrook Island Club expressed interest in having food service limited to pre-order and pick-up rather than food service stations, as in prior years. They also suggested having two to three beverage stations to support social distancing. The Mayor polled members for their suggestions and recommendations for protocols to be followed.
 - Councilwoman Finke stated that she has been monitoring CDC and a Johns Hopkins site and thinks new recommendations will be made soon on mask wearing, crowds, etc. She does not think that mask wearing for outdoor events will be a part of their recommendation. She agrees with the Club’s plan for food and drink service. She would like to see hand sanitizing stations set up; but, until the CDC comes out with new recommendations, she is not ready to make other decisions about establishing protocols.
 - Councilwoman Fox agreed that it appears that changes will be coming within the next few weeks and she prefers to wait, if possible, to determine what protocols are put in place for the fireworks event. She has heard concerns from a few residents that think that the gate should be closed to others and the event should be for only Seabrook Island residents and their guests. Councilwoman Finke stated that SIPOA representatives have said that the security gate will be closed to the public during the event. Town Administrator Cronin added that he thought the Town should get a legal opinion from the Town Attorney to determine if State Accommodations Tax funds could be used for events behind the security gate if there was no way for the public to gain access to the event. In the past, there have been shuttles that would pick up at Seabrook Island Real Estate, which was outside the security gate, and it was possible for people to park there and attend the fireworks. Mayor Gregg stated that a legal opinion could be obtained; but rental guests, who are tourists, can attend the event and the purpose of spending Accommodations Tax funds is to attract tourists.
 - Councilman Goldstein agreed that it might be prudent to wait on making protocol decisions since new recommendations should be received soon from the CDC.

- Mayor Gregg said it was unlikely we would be recommending wearing masks outdoors if participants could remain socially distanced from others. He added that he supports the Club's plan for food and beverage service.
- **Charleston County Rural Vaccination Program** – Mayor Gregg reported that, on May 10, the Charleston County Emergency Management Department announced that a vaccination clinic will be held for Johns Island at the Johns Island County Park (2662 Mullet Hall Road). On Wednesday, May 12, from 9:00 a.m. to 2:00 p.m., the first dose will be available; and, on Wednesday, June 16, from 9:00 a.m. to 2:00 p.m., the second dose will be given.
- **Johns Island Task Force Update** – At the Johns Island Task Force meeting of May 5, an update was provided concerning a planned development, accessible from Plow Ground Road for 430 residential units, which will be developed by Lennar. It was also announced that proposed revisions of Chapter 6 (Use Regulations) of the Charleston County Zoning and Land Development Regulations Ordinance would be on the agenda for the Charleston County Planning Commission meeting of May 10. The Johns Island Task Force has submitted a letter proposing changes to regulations for resource extraction. The proposed changes include distances of separation of mining operations from other uses and roads, as well as limitations on days and hours of operation, with the objective to lessen impacts on surrounding properties and the Johns Island community.

Town Councilmembers:

Jeri Finke –

Community Promotion Grants- Councilwoman Finke stated that the first round of Community Promotion Grants has been awarded. Four applications were received but one withdrew. The Grants were awarded to:

- The Seabrook Island Birders - \$800
- The Seabrook Island Turtle Patrol - \$1,000
- The Seabrook Island Village - \$1,500

Other groups can apply until October or until the remaining budgeted money is spent.

Patricia Fox –

- **Communication** – Councilwoman Fox reported on the Town's communications efforts since Council's last meeting. These efforts included an article in The Seabrooker about the Beach Patrol. She reported that topics included in publications on Tidelines included:
 - A short-term rental reminder
 - Two reminders about the mixed-use inbound path survey.
 - The Town's two free shred events
 - A Code Red post
 - The agenda for the Ways & Means Committee meeting
 - The Community Promotion Grants awards announcement
 - The TOSI Clip from the Town Council meeting

Councilwoman Fox added that Council should be thinking about improvements that could be made to Council chambers so that, when in-person meetings begin, the Town can continue open communications with property owners by having access to the meetings by phone and possibly Zoom.

Barry Goldstein – Councilman Goldstein stated that a Public Safety meeting was held on Monday, May 10, but there was not a quorum of the members and no decisions could be made. Comprehensive Emergency Plan updates will be given to the Public Safety Committee at their June meeting and they will then be presented to Council. Councilman Goldstein added that July 23 has been set as the date for the Disaster Recovery Council’s hurricane exercise.

In response to a question from Mayor Gregg, the Town Administrator stated that he had contacted SC DHEC to ask if the survey of the Equestrian Center, which is available for the Town to use as a temporary debris storage site, had to be done by a registered surveyor and he was told they would accept a GIS aerial image, but the perimeter boundaries of the debris location must be marked. The Town Administrator added that he would schedule the SC DHEC site visit and, a few days before the visit, he would go out and mark the perimeter of the debris storage area.

Town Administrator Joe Cronin

Action Items for Second Reading:

- **Ordinance 2021-02:** 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 147-02-00-045, containing approximately 0.58 +/- acres located at 2344 Andell Way, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. The Town Administrator explained that this ordinance will rezone 2344 Andell Way from Single-Family Residential to Agricultural-Conservation. A Public Hearing will be held on this ordinance prior to the May Town Council meeting.
- **Ordinance 2021-03:** 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 149-06-00-030, containing approximately 0.29 +/- acres located at 2905 Seabrook Island Road, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. This ordinance also involves a change in zoning from Single-Family Residential to Agricultural-Conservation for 2905 Seabrook Island Road. It will also be on the agenda for a Public Hearing and second reading on May 25.
- **Ordinance 2021-04:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; Section 21.20, Fee Schedule; so as to amend the fee schedule for Short-Term Rental Permits. Town Administrator Cronin explained that this ordinance deals with the Fee Schedule in the DSO and provides for a \$100 late fee for Short-Term Rental Permits. A Public Hearing on the ordinance will be held prior to the May Town Council meeting.
- **Ordinance 2021-05:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 7, Lot and Building Requirements; Section 7.90, Height Limitations; so as to amend the maximum height requirement for structures within the town. This ordinance amends the DSO, Article 7, Sec. 7.90. This ordinance removes the sunset clause in an ordinance that was previously adopted that would allow a property owner to use the pre-existing 2004 flood maps if the base flood elevation of a property went down under the January 2021 flood maps and if they built the first floor of the structure as required under those maps. The original ordinance was effective from January 24 through July 31 when it was anticipated that the DSO would be revised and in place by the time the ordinance expired. Ordinance 2021-05 removes the July 31 sunset date and will

make it a permanent provision. A Public Hearing on this ordinance will be held prior to the May Town Council meeting.

Items for Information/Discussion

- **Review and Discussion of Possible Improvements to Seabrook Island Road – ESP** representatives, Chris Todd and Chris Ackerman, participated in the Zoom meeting and reviewed recommendations from their reports. Chris Todd stated that the three options he had considered and evaluated when looking at the Town’s portion of Seabrook Island Road were repaving the road as it is, raising the road to the County standard (6.5 ft.) and raising it to the elevation of the traffic circle at Freshfields Village (7.5 ft.). He stated that his personal recommendation was to raise the elevation to the County standard of 6.5 ft. He added that just raising the road does not remedy the flooding issues along the side of the road but raising the road would make it easier to do the improvements to drainage because there would be more room to work without fear of hitting utility lines.

In answer to a question from Councilwoman Fox, Mr. Todd said that a lot of what would be done to improve drainage on the side of the road would be gradual grading to add swales for positive drainage away from the road and toward the outfalls. He stated that, since the road at the entrance to the Marina is at 6.5 ft., it should not have much effect on the drainage in that area if the road were raised. Town Administrator Cronin brought up the low elevation of the gatehouse area, but Councilman Goldstein responded that, by raising the level of the road, we will not fix the problem of flooding at the security gate, but it should not increase the flooding. In answer to a question by Councilwoman Finke about how long it would take from the time Council decides on an option to project completion, the response from Mr. Todd was 18 months to 2 years. The permitting process could affect the completion time. Councilman Goldstein stated that he thought the best solution was to raise the road to the County standard of 6.5 ft. and do as much drainage work as possible, and Chris Todd agreed. Councilman Goldstein added that the Town should have a plan for what they want to do to the roadway before the MUSC and the assisted living projects begin. He also thought now would be a good time for the Town to secure a low interest rate and pay for the project over a 20-to-30-year period.

- **Review and Discussion of Inbound and Outbound Paths Along Seabrook Island Road –** Mr. Todd’s recommendation was not to raise the outbound path to take out the low sections but to get water away from the path and improve the drainage around the path. Creating a swale along the side to get the water away from the path would be a better option.

Before deciding on whether, or how, to proceed with the inbound pathway, the Town elected to solicit public feedback on three options:

- Option #1 Remove and reconstruct it. (\$267,300)
- Option #2 Remove and abandon. (\$148,500+)
- Option #3 Repair it in place. (TBD)

The survey showed there were 69 responses for Option #1, 125 for Option #2 and 62 for Option #3.

Mayor Gregg recommended getting a cost for the repairs of defects on the pathway and the Town Administrator stated that he would get a price from an asphalt company by the June meeting. Mayor Gregg added that the inbound path, if repaired, could be used as a pedestrian only path and would relieve some of the concern for walkers of being on a path with bicycles. Town Administrator Cronin stated that, if repairs are done to the inbound path, the water in, on and under the pathway will continue to compromise it and it will have to be maintained to be kept in a safe condition. When Council was polled to determine which option they preferred, their opinions were mixed. Councilman Goldstein recommended keeping the inbound path as a separate project since it might take time to decide what should be done.

Councilman Goldstein asked ESP to put together a comprehensive proposal from preliminary engineering through final engineering, construction oversight and permitting in phases for the roadway and drainage improvements. He asked them to include the outbound pathway improvements but to make that a separate phase. ESP suggested permitting both projects together, but each could take place independently. Mr. Todd thought they could have the proposal to Council by June 8 for the Ways & Means Committee meeting.

- **Request from St. Christopher Camp & Conference Center to allow a motorized vessel to pick-up and drop-off individuals from the beach.** Father Bob Lawrence, from the Camp, had recently emailed the Town Administrator and acknowledged an issue caused by a private charter boat company being beached to pick-up and drop-off campers to take eco-tours in the Edisto River. Beach Patrol had notified the operator of the boat that it was a violation of the Town's ordinance to beach a vessel on Seabrook Island. They had even informed the boat captain that they could anchor just a few feet offshore provided they were not on the sand. The Town Administrator stated that Beach Patrol was correct and what was occurring was a violation.

The Camp is now asking if something can be done to allow the practice in this instance. Town Administrator Cronin added that, if Council wanted to allow the boat to be on the beach at the Camp, it would have to be done by amending the ordinance. The Mayor and Council were afraid if a niche were carved out for the Camp that it would open the door for others. Councilwoman Fox remarked that the water is so shallow that the children could wade out a short distance and board the boat using the ramp. The Town Administrator added that the Town gets a lot of complaints about boats coming within several feet of the beach and anchoring but that is allowed by the ordinance. The Town Administrator also stated that commercial activities, which a charter boat company would be, are also not allowed on the beach. Members of Council were not in favor of making an exception and agreed that the boat did not have to be beached to allow children to board.

Councilwoman Finke suggested looking at the ordinance overall and she would be willing to help with that. Councilwoman Fox said she thought Beach Patrol had told her that State law would allow boats to moor on an estuary. The Town Administrator asked Councilwoman Fox to find that section of State law and, if there is a conflict, we might need to amend the Town's ordinance.

- **Emergency Ordinance 2021-02 (Expires May 23, 2021)** – Town Administrator Cronin stated that the Town’s Emergency Ordinance will expire on May 23, 2021, which is prior to the May Town Council meeting. Town Administrator Cronin added that the biggest issue for communities is what they will do with face covering requirements. The Governor has said he thinks there is no reason for cities and counties to have face covering restrictions and implied he might take action to make sure they removed those requirements. The Town Administrator added that, if Council did not want any type restrictions in place, the Ordinance could just expire on May 23. If some version of the Emergency Ordinance is to be extended, an emergency meeting would have to be held. Mayor Gregg commented that Council would need to address how meetings would be conducted, temporary use permits, and other things addressed in the Emergency Ordinance. Most Councilmembers wanted to wait as long as possible to see what CDC is recommending at the time, but most were in favor of keeping an Emergency Ordinance. Council agreed to meet on May 21 at 10:00 a.m. to address Emergency Ordinance 2021-02.
- **DSO Update** – Town Administrator Cronin stated that the last outstanding item with the DSO rewrite is a new zoning map for the Town. The Town Administrator stated he had contacted Kiawah Island, who does their mapping in-house, and the Town could possibly do an inter-governmental agreement to contract for that function from them. If that does not work out, Paul LeBlanc, the Town’s consultant on the DSO, has a private company that he has worked with that could assist with the mapping.
- **Town Clerk/Treasurer Recruitment Status** – The Town Administrator stated that the first round of interviews for the Town Clerk/Treasurer position, which will be open in the next few months, began last week and has now been completed. Two candidates have been selected as finalists and a second interview has been scheduled on Thursday for them to speak with the Mayor. The candidate for this position is to be recommended by the Mayor and appointed by Council. When the finalist has been selected, an offer will be made. If the offer is accepted, the candidate will then go through a background screening before the Mayor presents the nomination to Council.

There being no further business, the meeting was adjourned at approximately 4:00 p.m.

Date: May 25, 2021



Town Clerk