

Town of Seabrook Island
Ways and Means Committee Meeting
November 12, 2019
2:30 P.M.

After the pledge of allegiance, Mayor Gregg called the meeting to order and confirmed that the requirements of the Freedom of Information Act had been met. Council members Crane, Finke, Fox and Goldstein, Town Clerk Allbritton and Town Administrator Cronin attended the meeting.

The Mayor provided brief remarks concerning the background for Ways and Means meetings to facilitate discussions of matters by members of Council without the constraint of a need to take action. He noted the discussions have been conducted without formality but effort is made to allow all members of Council to be heard.

The Mayor opened a discussion of solicitation of the Town from a group of South Carolina low-county communities to submit a letter expressing opposition to pending South Carolina legislation to reform the State regulation of business licensing by local governments. The Mayor noted in particular that the legislation would require that "business taxable income" be used as the base to which license rates would be applied to calculate license fees. Under the pending legislation, "business taxable income" excludes from business revenue, among other items, (i) cost of goods sold, (ii) wages and (iii) taxes. Under the Town's business license ordinance, license fees are calculated by applying a license fee rate to business gross income. While the Town has no basis for precisely assessing the impact on revenue to the Town, applying the same license fee rates to the reduced "income" base would result in a decrease of revenue. The Mayor noted that business license fees account for about 49% of the Town's unrestricted revenue. Hence, reduction of this component of revenue could be significant. The Mayor also explained that South Carolina law imposes limitations on increases of property taxes according to increases of consumer price indices plus increases in population and noted that the Town currently has a millage (rate) of zero so that limitations on increases of property taxes would preclude replacement of business license fee revenue that could be lost under the legislation. Town Administrator Cronin offered additional comments in respect of disadvantages of the pending legislation, noting in particular: adoption of a license year ending May 1 (contrasted to Town's use of calendar year); pre-emption of refusal of issuance of certificates of occupancy in instances where sub-contractors have not paid business license fees; refunds of overpayments received; required support by all jurisdictions for use of a business license tax portal of the office of the Secretary of State; authorization of a charge by the Secretary of State to defray administrative costs; responsibility of taxing jurisdictions to conduct audits of income and reported taxes (notwithstanding use of the portal of the

office of Secretary of State); and, required support of all taxing jurisdictions to allow payers to file and pay in person, by telephone or by mail. During the course of the ensuing discussion, it was suggested that: an *ad hoc* Town committee be established to consider the Municipal Association of South Carolina model ordinance for business licensing; the December article for the Seabrooker address the topic of the pending legislation, and the Town's opposition to the legislation be communicated to its South Carolina legislative delegation (Senator Campsen and Representative McCoy) along with providing the solicited letter in opposition to the legislation on behalf of the Town.

The Mayor reported on a meeting of the Safety and Security Committee of the Seabrook Island Property Owners Association he and Mr. Cronin attended. The meeting addressed resident concerns of safety at the crosswalk immediately east of Landfall Way. It was noted that a resident at the meeting asserted that motorists do not yield to pedestrians in the crosswalk and approach the crosswalk at excessive speed (accelerating in the eastbound lane as they approach the crosswalk from the west; do not sufficiently reduce speed in the westbound lane as they approach the crosswalk from the east). The resident advocated for establishment of a multi-way stop at the intersection of Landfall Way and Seabrook Island Road. It was also suggested that pedestrian operated flashing lights be placed at the crosswalk to indicate the presence of pedestrians. The Mayor had indicated that Council would be asked to consider reducing the speed limit in the vicinity of the crosswalk at the Ways & Means meeting. During discussion of this matter by members of Council it was suggested that signage along Seabrook Island Road be considered to indicate reduced speed for motorists approaching from the east and relocating the speed limit sign for the eastbound lane to be further away from the crosswalk. Mr. Cronin noted that the Town could request enhanced enforcement from Charleston County Sheriffs and offered to request cost estimates for the proposed pedestrian operated flashing lights. Members of Council did not express consensus support for reducing the speed limit in the vicinity of the crosswalk.

The Mayor summarized an inquiry from SIPOA's Executive Director concerning the Town's enforcement of the revised regulation of the presence of dogs and household pets on the beach. He noted that SIPOA's Executive Director had indicated that the SIPOA Security office had received numerous calls of possible violations of the revised ordinance and that the SIPOA inquiry echoed the inquiry made by a resident at the Council meeting October 22. The Mayor expressed support for engagement by the Town of a part-time code enforcement officer to establish a presence at the beach until the Town's beach patrol resumes service in April of 2020. Mr. Cronin summarized the availability of funding in the current year and in the 2020 budget to engage a part-time code enforcement officer during the relevant period. Members of Council expressed support for the part-time code enforcement officer.

Mr. Crane announced that the Development Standards Ordinance Advisory Committee would hold meetings November 20 and 21 to review several revised Articles of the ordinance with the Town's consultant. He also commented on his finding that up to ninety days from initial enrollment are allowed for completion of online courses of the Municipal Elected Officials Institute of the SC Municipal Association.

Mr. Cronin referred to materials relating to cost estimates for drainage improvement proposals for the Town Hall site, noting that the provider would be available to review the cost estimates with members of Council on November 19.

Mr. Cronin reported on the issuance of notice to local business of the recently approved single use plastics regulation, noting that the notice was included in members' packets.

Mr. Cronin reported that the Audit Services RFP Panel had reviewed bids received in response to the Town's RFP and had identified the firm of Mauldin & Jenkins as the preferred bidder. Both the bid package and the bid of Mauldin & Jenkins were included in member packets. It is expected that, following the next meeting of the SIUC board, Mauldin & Jenkins will be informed of their selection and that a contract will be prepared for review and approval by Council at the December Council meeting. Mr. Cronin noted that the cost for the Town's portion of audit services for the first year would be \$15,000, an amount less than the amount budgeted for 2020.

Mr. Cronin announced that a meeting is scheduled for November 14 with the Town, its consultants and representatives of the developer and contractor for the Senior Living Facility to address "next steps" in view of approval by the Court of the Settlement Agreement among the parties resolving the litigation initiated in 2018. Mr. Cronin indicated that he expected to learn the projected schedule for the start of construction.

Mr. Cronin informed members of Council that he contemplated that orientation for Council members would take about one-half day and proposed that scheduling be done by on-line polling. Members of Council expressed their support for scheduling by on-line polling.

Mr. Cronin proposed that Council's strategic planning session in 2020 be held in January, depending on availability of the MASC representative who will lead the session, and proposed to pursue scheduling by on-line polling. Members of Council expressed their support for the proposed scheduling.

Mr. Cronin inquired as to willingness of members of Council to adopt a change of scheduling of Ways & Means meetings for 2020 to be two weeks prior to Council meetings (fourth week of each month, with exceptions, by Town ordinance). He noted that the current scheduling makes it difficult to get materials prepared in time for the

Council meeting. Members of Council expressed their support for the change. The Mayor expressed his preference that, with the revised schedule, minutes of the Ways & Means meetings would be prepared by the Town Clerk.

Mr. Cronin informed members of Council of two action items for the November 19 Council meeting: (i) approval of the AirMedCare Municipal Site License agreement and Census Plan agreement, both at costs within the amounts budgeted in the 2020 budget and payments to be made in January; and (ii) approval for first reading of Ordinance 2019-12 for adoption of the Town's updated Comprehensive Beach Management Plan. He noted that the Plan will be posted to the Town's website and website facilities would allow for submission of comments by residents. He also indicated that the proposed schedule would support second reading and final approval of the Plan at the December Council meeting.

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

Date: November 19, 2019



Town Clerk