

Town of Seabrook Island
Ways and Means Committee Meeting
December 11, 2018
2:30 P.M.

After the pledge of allegiance, Mayor Ciancio called the meeting to order. Councilmembers Gregg, Crane, Finke and Wells, Town Clerk Allbritton and Town Administrator Cronin attended the meeting. Mayor Ciancio led the pledge of allegiance and confirmed that the requirements of the Freedom of Information Act had been met.

The Mayor noted that the Town had received several complaints regarding the approach taken by representatives of the Lowcountry Marine Mammal Network to beachgoers. The complaints range from disseminating inaccurate information to being overly aggressive. He noted that, on the other side of the coin, a number of beachgoers have harassed LMMN volunteers. He also noted that Councilman Gregg was trying to set up a meeting with one of the complaining parties and suggested that a representative of LMMN attend that meeting. Councilman Gregg commented as to the concerns expressed by that party that the LMMN presence detracts from their enjoyment of the beach. Councilman Wells noted that there have been reports of beachgoers using fishing nets to catch fish in the area where dolphins are strand feeding.

The December meeting normally includes nomination of members of the Town's boards and commissions. The Mayor said that the Planning Commission has three (3) members whose term will expire in December. Two of the members, Ken Otstot and Kathy Patterson, have agreed to serve for another term. The Mayor said he will nominate Stan Ullner to succeed Lori Leary, who has chosen not to serve for another term. A member of the Board of Zoning Appeals has resigned effective as of the end of the year. The Mayor advised Council that he has selected Richard Finkelstein to serve for the balance of the unexpired term. The terms of all the members of the Accommodations Tax Advisory Committee will expire at the end of December. The Mayor reported that each member of the committee has chosen to serve another term and will be nominated accordingly.

The Mayor reviewed the professional background of John Massalon of the law firm of Wills Massalon and Allen who has been chosen as the mediator in the to be scheduled mediation with Atlantic Partners II.

The Mayor said that he would depart from the agenda to allow Keane McLaughlin and Scott Ritchie of ESP Associates to present a preliminary view of their conceptual plan for Seabrook Island Road. Mr. McLaughlin reviewed the development of adjacent properties and access to Seabrook Island Road, landscaping concepts and

signage issues associated with the conceptual plan, the centerpiece of which would be a traffic circle immediately across from the entrance to the Marina which would accommodate traffic from both the Marina and the larger parcel immediately across from the Marina and serve as the conceptual entrance to the community. Mr. McLaughlin discussed the potential highest and best use of the properties adjacent to Seabrook Island Road. Mr. Ritchie discussed some of the engineering issues associated with the conceptual plan.

Councilman Crane said he had distributed the 2019 Seabrooker schedule, which included the Mayor since the Town had decided not to do a monthly Mayor's letter. He reported the Lynn Crane was in the process of developing content for the Town's website which would include the history of the Town as well as consistent biographies for the Mayor and Councilmembers. He expects a "roll-out" of the site to occur sometime early next year in the January / February timeframe. Councilman Crane reported on the purchase of new communication equipment and said that the three (3) new HAM radios had to be programmed.

Councilman Crane provided an update on the efforts of his and Councilwoman Finke to provide revisions to the Town's timeshare ordinance and distributed proposed wording for an ordinance to address the time share issue. After discussion, it was agreed that additional time would be required before they were prepared to make a final recommendation. The Mayor emphasized the need for consistency between the Town's ordinance and the Property Owners Association's covenants.

Councilwoman Finke reported that the South Carolina Environmental Law Project had instituted litigation against the National Marine Fisheries Service alleging that the NMFS's issuing of five permits for seismic testing, the first step in a process which could lead to off-shore drilling, constituted a "taking" under the Marine Mammal Protection Act. Councilwoman Finke noted that the Town had agreed to participate as a named plaintiff in the litigation. Councilwoman Finke noted that the action of the NMFS reversed the position of the prior administration which had denied the permit two years ago and that, among other things, the permits were issued without the completion of an environmental impact statement.

Councilman Gregg reported on SC DHEC's site inspection of the two sites (the Haulover Creek Development property and the Seabrook Island Club's property at the equestrian center) that the Town utilizes for debris storage and reduction. He noted that for prior events the town had utilized the latter but not the former. The inspection will take place on January 9th, the same day on which the properties the Town of Kiawah Island used for debris storage will be inspected.

Councilman Gregg reported that the Town had submitted a Request for Public Assistance through the South Carolina Emergency Management Department to obtain reimbursement of costs incurred by it as a result of Hurricane Florence. He noted that the Town had obtained initial approval of its request last October and that, earlier this month, the Town had been informed that it would be necessary for it to enter into a "State and Subrecipient Public Assistance Funding Agreement" which establishes the conditions under which the Town would be eligible to receive payment pursuant to its request. Councilman Gregg reviewed the conditions and obligations to which the Town would be required to adhere pursuant to the funding agreement. He stated that he would be recommending that Council approve both the funding agreement and the authorization of the Mayor to execute the same at next week's regular council meeting.

The mayor excused himself from the meeting.

Town Administrator Cronin informed Council that an amendment for renewal of the Island Beach Services contract had been prepared and reflected an increase of fees to \$129,808 to cover extensions of periods of service during March and September. In response to an inquiry from Councilwoman Finke, Mr. Cronin indicated that he would speak with Island Beach Services about the potential for having them collect trash from containers that the Town contemplates placing on the beach.

The Town Administrator noted that the agreement with Lowcountry Marine Mammal Network (Dolphin Education Program) did not provide for renewal and a new agreement providing for services after May of 2019 would be prepared for Council's review and approval. Mr. Cronin affirmed that the new agreement would be consistent with any understandings reached in respect of conduct of LMMN staff and volunteers in dealing with beach visitors in view of the discussion at the meeting of complaints received by the Town.

The Town Administrator said that an outline for the scope of work of a Request for Bid for landscaping services has been developed and it is expected that the Request for Bid will be completed by late December or early January.

The Town Administrator noted that the Town's annual Christmas Party will be held 17 December and members of Council are encouraged to attend attired in "ugly" Christmas sweaters.

The Town Administrator reviewed the Town's schedule of holidays for the remainder of 2018, and the Town's schedule of 2019 meeting dates. Pending any suggested changes by members of Council, the schedule of 2019 meeting dates would be approved, if necessary, at the December Council meeting. Town Clerk Allbritton indicated she would confirm whether Council approval is required.

The Town Administrator reviewed a proposed amendment to Town Code Section 2-67 to refer to Town holidays rather than Federal and State holidays and to make the rescheduling of Council's regular meetings permissive rather than mandatory for weeks

having Town holidays;

The Town Administrator noted that it had been determined that there are currently no storm water plan reviews being conducted for small development projects within the Town. Mr. Cronin indicated that the Town does not have in-house expertise for review of such plans but that Charleston County could provide a review service. Mr. Cronin will be pursuing suggestions for having such plan reviews undertaken.

Town Administrator Cronin reviewed two pending ordinances which will be up for second reading at the next regular council meeting:

- Proposed Amendments to Sec. 7.60.10.30 and 7.60.10.31 of the Town's Development Standards Ordinance to align the period of validity of OCRM Critical Line certification with the period established by OCRM; and
- Budget Ordinance for the Town's budget for fiscal year 2019. Mr. Cronin noted that, in accordance with Council's discussion earlier in the meeting, a line item would be added to the budget for land surveying to be undertaken to support increasing the level of Seabrook Island Road to reduce flooding of the roadway.

Upon conclusion of the Town Administrator's comments, a motion to adjourn the meeting was made by Councilman Wells, seconded by Councilman Crane and unanimously approved.

There being no further business, the meeting adjourned at 5:00 p.m.



Town Clerk

Date: December 18, 2018