

**MINUTES
PAWLEYS ISLAND TOWN COUNCIL**

DATE/PLACE: November 09, 2015
Pawleys Island Chapel

PRESENT: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday & Sarah Zimmerman

ABSENT: None

SWEAR IN NEW COUNCIL MEMBERS, ASHLEY CARTER, ROCKY HOLLIDAY

Judge Alan Walters swore in Mayor Bill Otis and Council Members, Mike Adams, Ashley Carter, Rocky Holliday & Sarah Zimmerman to 2 year terms.

OPEN SESSION, PUBLIC INPUT

Georgetown Councilman Steven Goggins stated that he wanted to present some factual information concerning the setback change on Highway 17 to 50 feet from 90 feet. He felt that with the 90 foot setbacks, parking is always in front of the businesses where the 50 foot setback would allow parking in the back or along the sides. Most of the buildings that were built with a 50 foot setback were grandfathered in. Mr. Goggins is interested in keeping the historic quality of the streets. This is not a density increasing exercise but it is density neutral. This would not change the amount of building and parking that would be available. We currently have approximately 94 buildings including 36 dwellings that are non-conforming, that are closer to Highway 17 than the current 90 foot setback requirement and that we should follow the traditional, historic land use policy.

APPROVAL OF OCTOBER 12, 2015 MEETING MINUTES

Sarah Zimmerman moved to approve the minutes of the October 12, 2015 meeting minutes. Seconded by Mike Adams. All in favor.

APPOINT ALAN WALTERS TO A 2 YEAR TERM AS TOWN JUDGE

Mayor Otis swore in Judge Walters to a 2 year term as Town Judge.

RESOLUTIONS:

Glennie Tarbox thanking him for many years of service to the Town and on Town Council.

Howard Ward thanking him for many years of service to the Town and on Town Council.

Sarah Zimmerman made a motion to approve both resolutions thanking Glennie Tarbox and Howard Ward for their many years of service to the Town and on Town Council. Mike Adams seconded. All in favor.

Oppose changing Highway 17 setback to 50 feet in the Waccamaw Neck Overlay Zone. Mayor Otis read the resolution opposing changing the setback to 50 feet from 90 feet. The resolution basically stated that the change would be inconsistent with maintaining the culture, ambiance and quality of life of the Pawleys Island Community. He then commented that this decision to change the setback may be the beginning of more modern planning which would make our unique area like other areas in the Waccamaw Neck and we would lose our individuality. **Sarah Zimmerman made a motion to approve the resolution opposing the 90 foot setback change to 50 feet. There was no second. This resolution failed.**

STATUS OF ENTERING THE APPEAL OF THE GEORGETOWN COUNTY GROIN PERMIT AS AN INTERVENER

Town Attorney David DuRant stated that he requested a status conference from the Judge hearing this matter and received a response that the Judge was going to issue a ruling last week and still haven't heard anything yet. When he does hear from the Judge, Council will have a special called meeting to review.

BEACH AND DUNE DAMAGE FROM THE STORM – FEMA, CORPS OF ENGINEERS:

- Approve Agreement with Coastal Science for Corps Permitting – Budget Amendment for Emergency Beach Permitting \$17,600 - Mayor Otis stated we have had significant damage to the dune structure on Pawleys Island from hurricane Joaquin. Governor Haley and President Obama declared an emergency for the impacted counties, including Georgetown. FEMA and the Corps have been here evaluating our beach issues as well as all the municipalities and Georgetown and Horry counties. Horry County has an ongoing federally funded beach renourishment program so their approach is to deal with the Corps of Engineers to get their funding cycle to happen now as opposed to waiting for 4 or 5 years for additional renourishment. We have a Corps and Congressionally approved plan for the last 1/3 of the south-end of our island, but it has never been funded. Our only option is sand scraping between now and turtle season to have bulldozers push sand up to try to restore the dune structure. There are 2 agencies involved in that which are OCRM/DHEC and The Corps of Engineers. OCRM allows the Town Administrator to issue an emergency order to push up sand in front of any structure which is within 20 feet of the scarped edge of the dune, or which has had water flow within 20 feet of it. From the South Causeway to Pritchard Street there are a few structures that would qualify for the OCRM regulations. From Pritchard Street and south it appears that 90% of the structures would qualify. Mayor Otis has asked OCRM to walk the beach with him to see these areas, and to see if we can word this emergency order to include the entire area affected and not just individual structures. FEMA has not made a determination as to what they consider would be the reimbursable level of damage to Pawleys. The 1st thing to do would be to issue an emergency order for south of Fraser Street. The 2nd would be to address the the remainder of the island to just short of Third Street that have significant dune erosion but doesn't qualify with OCRM as "emergency". The houses in this area are much farther back than the houses at the south-end so the emergency order will not help there. To get the sand scraping done will require a general permit from OCRM which will require many studies that need to be done such as beach profiles, the need to be cleared with fish and wildlife and others. We cannot do these ourselves. Council had a copy of the proposal from Coastal Science and Engineering to do these studies. CSE President, Tim Kana told Mayor Otis that our permit under this process could not be expanded to include other options for renourishment. The Corps told him that we are restricted to sand scraping. **Sarah Zimmerman made a motion to accept the Coastal Science and Engineering proposal for sand scraping of \$17,600. Rocky Holliday seconded. All in favor. Sarah Zimmerman made a motion to amend the budget to include \$17,600 to CSE. Rocky Holliday seconded. All in favor.**
- Approve Payment to Coastal Carolina University for Beach Profiles and Assessment – Budget Amendment \$3,205 - Dr. Paul Gaze who is with Coastal Carolina University had quoted us \$3,205 to do beach profiles and assessments. **Sarah Zimmerman made a motion to approve \$3,205 to Coastal Carolina University to do beach profiles and assessment on Pawleys and to amend the budget to include \$3,205. Rocky Holliday seconded. All in favor.**

POLICE REPORT

Chief Fanning reviewed the October 2015 police report. (See Attached) Very little was going on in the island in October. Chief Fanning stated the 15th Judicial Circuit Drug Enforcement Unit lost their grant and requested the Town allocate \$8,000 to them to help defer some of their costs in drug related crime which ultimately helps our area keep this to a minimum. Mayor Otis stated that this was not included in our 2016 budget. We have given the County \$14,215 that we collect for victim's assistance because they do our victims assistance as required by state law. Mayor Otis is not against the drug enforcement assistance but would like to get a better handle on our financial situation with the underground wire project underway, and beach renourishment issues that could be costly and then we could revisit this.

FINANCIAL REPORT

Mayor Otis stated that state a-tax revenues came in that day and looks like we will be about \$10,000 over budget for the year, which is pretty much in line with the local a-tax for the year as well. Franchise fees are running over budget. Over budget for auto expense due to work done on a police vehicle and beach management will be over budget due to the beach clean up after the storm. We will get reimbursed from FEMA for much of the cleanup expense. Income for the month was dead on budget and the expenses \$5,000 under budget for the month.

Amend 2015 Budget to reduce "terminal groin support" to \$2,500 - Mayor Otis stated that we had \$40,000 budgeted for the defense of the groin permit at the south end but there has been no movement on this issue so he requested a reduction on this line item of \$2,500. **Sarah Zimmerman made a motion to approve a budget amendment to reduce the terminal groin support by \$2,500. Mike Adams seconded. All in favor.**

REPEAL ORDINANCE 2013-01 – CODE SECTION 22-60 “INTEROFFICE TRANSFER OF FUNDS WITHIN THE MUNICIPALITY” – FIRST READING

Mayor Otis stated that in 2012 Council and our auditor had looked at a dollar amount that increased each year which was an accounting entry between the general fund and the accommodations tax that Council had designated for beach purposes. The state a-tax is utilized partly for tourism related expenses. Over the years the percentages designated to tourism related expenses was larger than the money available. The result of this was a bookkeeping entry that eventually amounted to approximately \$600,000 which Council decided to correct in 2012 with a one time bookkeeping charge to the general fund and credit to the accommodations tax fund. In January of 2014 Council passed ordinance 2013-01 to require the transfer of funds yearly to correct the imbalance. Due to the large amount the Town will be spending on the underground wire project over the next two years, and after discussion with our Auditor Stacy Moree and Attorney Durant Mayor Otis requests that Council suspend this interoffice transfer of funds for a few years to get through the project, then at that time, go back to the transfer of funds. **Sarah Zimmerman made a motion give first reading to rescind the interoffice transfer of funds ordinance 2013-01. Mike Adams seconded. All in favor.**

2016 BUDGET, DISCUSSION AND FIRST READING

Ryan Fabbri stated that this year's budget is much in line with past years. This year we changed the columns that listed prior year's budget numbers to actual numbers. A-tax revenues have a 3% increase over last year's budget figure. MASC figures are pretty consistent so they were not changed. Underground wire payments are pretty much in line with last year. Administration has not changed except for the Administrator position being added increases the salary portion of

administration. Some line items are numbered and those items are explained in the narrative. The Law Enforcement section has an increase in capital outlay as we are in line to buy a new police car this year.

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Also, body cameras are budgeted in this line item as well and new bullet proof vests are needed in 2016. Salaries are pretty much in line as last year. There is no Cost of Living increase based on the last cost of living index and there is an average 1 1/2% Salary increase. Our third and final payment for our underground wire project will be due in late in 2016 or early 2017. We put an extra \$1,000 in internet and website so we can update our website. Beach renourishment, groin rebuilding, sand scraping are not included in this budget as we don't know what that will be at this time. We expect that the Town's cost will be around 25% of the total cost of the allowed projects. When we know the numbers we will amend the budget.

BUILDING REPORT

There is not much activity on the island now.

RE-APPOINT BUDDY KELLER TO A 3 YEAR TERM ON THE PLANNING COMMISSION
Sarah Zimmerman a motion to approve Buddy Keller's reappointment to a 3 year term on the Planning Commission. Ashley Carter seconded. All in favor.

ADMINISTRATORS REPORT

Underground Wire Project Phase One and Phase Two: Construction Status, Easements & Phase 3 Easement Schedule:

Ryan Fabbri stated the one hold out on signing their easement finally signed it. Santee is now pulling the wire through the installed conduit. We have started coordinating with individual property owners who need to have their power connected to their meter bases. In March we will see the wires on the South Causeway come down. The goal to have it all down is last week in May. Phase II which is north of the North Causeway will have a different contractor that Santee Cooper hired to do the boring. Easements have just gone out for Phase 3. We just sent out the second billing a week or two ago and have received about 50% back.

Turtle Strut: Will be on November 14 at 8:00 a.m. Should be about 120 people signed up.

Employee Retirement Plan Study – This was deferred.

RESOLUTION TO APPROVE ICMRA-RETIREMENT CORPORATION AS AN APPROVED DEFERRED COMPENSATION 457 AND 401 PLAN ADMINSTRATOR AND INVESTMENT MANAGER

Ryan Fabbri stated that council had a lot of information for them to peruse before the next meeting. He reviewed the Town's retirement plan and discovered that it is a variable annuity through Metlife and we have had it for 20 years. The fees are very high and are subject to surrender charges if withdrawn before 5 years. Because we are a small town, insurance companies didn't want to work with us, but he found ICMA, International County Managers Association, that is non-profit and they provide retirement solutions for public sector employees. There are two resolutions that the council had in their packets that Ryan would like passed. One resolution is for a 401(A) which the same as a 401(K) and a resolution for a 457 plan that is a retirement plan that is only for government employees. All the money the Town contributes would go into the 401(A) plan. Contributions could not be pulled out until the employee is employed with the Town for 5 years. The employee contributions would go into the 457 plan.

This money can be pulled out once an employee leaves the Town's employment without the 59 ½ age requirement and without penalties. The information as to what the plan is about and the service agreement is included in council's packet. All the Town's employees are in agreement to switch plans.

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Of our 7 employees only 2 can take their money out without any surrender charge. The other 5 would have to pay a 5% surrender charge. Mayor Otis stated that he feels we should adopt the new plan and any new contributions would go into the new plan. Whatever had been invested with Metlife can stay with them until the employee can take it out without surrender charges. Mayor Otis and Ryan Fabbri will talk to the Metlife rep and see if something can be worked out to eliminate the penalties. Ryan would like to make this effective with the first pay period in 2016 so the new plans would have to be passed at the December Council meeting.

COMMENTS BY COUNCIL MEMBERS

Mike Adams stated that the trash people took the recycled trash that was in the blue bin and put it in with the regular trash. He also wanted to know when the sand on Springs Avenue will be cleaned up. Ryan stated that is the responsibility of the State DOT. Also, the south lot needs to be graded. He called them once already but will call them again.

Sarah Zimmerman welcomed Rocky Holliday and Ashley Carter to working with them on Town Council. Sarah made a motion to nominate Mike Adams as Mayor Pro-Tem. It was not on the agenda so that item will be on the agenda for the next meeting.

Ashley Carter stated he was very impressed with what Council had done for the island. Rocky Holliday stated that he was impressed with the stewardship of Mayor and Council. Mayor Otis stated that Rocky and Ashley will be really good members on council.

Mayor Otis stated that he and Ryan had a conference call with the Corps of Engineers about the 2006 Corps plan that was approved by the Corps and approved by Congress but never funded. The Corps told the Mayor that they have some new criteria, and have a new approach to analysis and that they would be willing to look at our plan under their new criteria and analysis process to determine whether the cost benefit relationships would be better, and therefore more likely to be funded by Congress. We should hear from them in mid-November as to what the proposed costs may be. Our plan is about 10 years old and we should be concerned that that plan can be de-authorized at some point. Also, if we could get a plan with renourishment of the south end that would be the best solution, and maybe extending that renourishment to the rest of the beach using the dredge still in place after the Corps project and funded by the island might be possible.

Mike Adams made a motion to adjourn. Sarah Zimmerman seconded. All in favor.

APPROVED

DATE

ATTEST

DATE

