

**MINUTES  
PAWLEYS ISLAND TOWN COUNCIL**

DATE/PLACE: April 10, 2017  
Pawleys Island Chapel

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

ABSENT: Rocky Holliday

**EXECUTIVE SESSION – 30-4-40(3) (D) REVIEW OF PUBLIC SAFETY SCHEDULING**

30-4-70 (a)(1) review annual evaluations, 30-4-70 (a)(2) Legal Advice re: Negotiations on Pavilion Road Proposed Site for Town Hall, Wilkes Case re: Boardwalk Ordinances

**Sarah Zimmerman made a motion to step down into Executive Session. Mike Adams seconded. All in favor. Mike Adams made a motion to step down from Executive Session. Sarah Zimmerman seconded. All in favor.** No decisions were made.

**PUBLIC COMMENT**

Emilie Carey stated that she had a concern for the faded crosswalks. Cars do not see the crosswalks and travel right through. She recommended that the crosswalks be repainted with possibly some reflectors to be visible at night and also recommended that we have speed bumps installed because people drive too fast on our roads. She asked how homeowners are providing input regarding the building of the new Town Hall and beach renourishment. She feels that a lot of property owners have not had real input in these decisions.

Mayor Otis stated as a comment to Ms. Carey's speed bump idea, that the Town has tried to get speed bumps before but all the streets are owned by the Highway Department and they won't allow them.

**MOMENT OF SILENCE REMEMBERING HOWARD WARD**

Mayor Otis asked for a moment of silence in memory of Howard Ward

**APPROVAL OF MARCH 13, 2017 MEETING MINUTES**

**Mike Adams made a motion to approve the March 13, 2017 minutes. Sarah Zimmerman seconded. All in favor.**

Mayor Otis stated the PRT information that was delivered to Columbia was on a thumb drive as well as a bound book that was hand delivered by one of our officers. These minutes will include that information.

**MR. DURANT: APPEAL OF GEORGETOWN COUNTY GROIN PERMIT AS AN INTERVENER**

Town Attorney DuRant stated that he did hear from Judge Linski's law clerk and said that they would have an opinion issued by the end of the prior week but Attorney DuRant had not heard anything as of that day.

**PROCESS OF RELOCATION TOWN HALL**

**Status of the Old Town Hall, Insurance Recovery, Repair, Mitigation** – Ryan Fabbri stated that he has received a lot of conflicting information as to what our options are about the old town hall. The options vary greatly depending on whether the building is under 50% damaged or over 50% substantially damaged. This determination is up to the local building officials.

It's difficult to come up with a market value on the old Town Hall. Based on the advice from FEMA, he was led to believe that we could use the information from the NFIP claim that they valued the building to be \$57,000 and the replacement cost \$22,000 to repair it to pre-storm condition. Other information he found was that we could only use information from the County Assessor as to what they say the building is valued, or we could get the building appraised. Mr. Fabbri had the Town Hall appraised and they thought the building was worth \$30,184. He has received a quote from Seaspray Homes of \$14,363. If we put the Town Hall back the way that it was, based our local ordinance, we would have to include all repairs that we do to the Town Hall, in the next 5 years, toward the 50% rule, so using the estimate we have received we are just about to the 50% mark already and wouldn't be able to do much in the way of future repairs or renovations. If we did renovations that were over that 50% mark we would then we would be forced to rebuild the Town Hall to the new codes. There is no difference between repairs, maintenance, improvements, etc. Mr. Fabbri also received information from FEMA that we could fix the foundation of the Town Hall and it wouldn't go against the 50% rule, but there is nothing in writing that says that is even a possibility. We asked FEMA to send something in writing as what we can and cannot do, but as of this date we have received nothing from them. A good decision cannot be made until we know more. Mayor Otis stated that we have received a check for \$19,414.00 for the Town Hall building from FEMA Flood Insurance. The amount for the contents will come in a separate check. We think that will be around \$8,000. This money can be used for the old or the New Town Hall. Ryan believes that there is little down side to repairing the Town Hall at a cost below \$14,363, and we have the money from the insurance company.

If we plan to move forward with the New Town Hall we should apply for a hazard mitigation grant which is a much larger grant program through the State and FEMA. The paperwork is very complicated and a lot of work but he thinks we should go forward with that. Once the hazard mitigation application is completed and submitted it can take many months to know anything because it is a competitive program and all the applications statewide are reviewed before any determination is made as to who will get the money. Mr. Fabbri has heard conflicting information as to whether the Town would be a good candidate to get money. He feels that the decision to build a New Town Hall should not be based on what may happen with a possible hazard mitigation grant a year from now. There are other grants that we can apply for such a grant from HUD and others. He has no doubt that we could find money elsewhere to offset part of the cost of building a New Town Hall.

Mike Adams suggested that we wait to rebuild the old Town Hall until we get a decision on the mitigation plan to see if they are going to require us to tear down Town Hall. If we don't have to tear it down then we invest the \$14,000 to get it back to what it was before the Hurricane. Why rush? Mayor Otis stated that if we have a building that is usable the architect can be considering how the old Town Hall could be tied in with a new project. The old Town Hall could be used as a conference space or additional space for the police department. Sarah Zimmerman stated that if we decided to use the old Town Hall for conference space and it is again destroyed during another storm we would then be without a conference space in the New Town Hall and felt that would not be a good plan. Mike Adams agreed. **Mike Adams made a motion to go ahead to repair the old Town Hall. Sarah Zimmerman seconded. All in favor.**

Issues with Closing Pavilion Road Site of a New Town Hall and Possible Site Options – Mayor Otis stated that Glen Cox suggested that we look at the potential of closing Pavilion Road and taking over that property and using part of the property as the site for the New Town Hall.

Town Attorney, David DuRant stated, there was a title search done to determine who owned Pavilion Road. Usually when a public road is closed the person who previously owned the property is the one who gets title to that property. It was determined that the Pawleys Pavilion Company owns the area under Pavilion Road and that the right of way land was never transferred to Pawleys Island or to the State. So, if council decides to explore the options of using Pavilion Road based on his conversations with Benton Williamson the Pavilion Company would lease that land to the Town for some nominal amount of money over a 50 to a 99-year lease period. The Pavilion Company Board had not met yet so the lease idea had not been approved as of that day.

**Sarah Zimmerman made a motion not to build a new Town Hall on leased land.** Mike Adams stated that until we know what the Pavilion Company decides to do we shouldn't make a decision. He would not be in favor of a 50-year lease but would consider a 75 or 99-year lease. Sarah Zimmerman asked Mike if he would build his home on leased land and Mike said absolutely not however, he said that it is a fairly common practice with lake-front properties, retail businesses, etc. Attorney stated that you are basically getting the land for nothing. Mayor Otis suggested that we will wait until the Pavilion Company board meets, and we get from them in writing what they are willing to do before we make the final decision. He will tell them that the Council's position was that they will not agree to a short-term lease but would consider a longer term lease. **Sarah Zimmerman withdrew her motion.**

MEETING WITH THE 3 ARCHITECT FINALISTS – MONDAY APRIL 17, 2017 – Mayor Otis noted that the joint meeting with Council, Planning Commission and the 3-architect finalists will be on Monday, April 17, 2017 at 10:00 a.m. until 1:00 p.m. at the Chapel.

#### BEACH RENOURISHMENT – PRT DECISION TIMING

Mayor Otis stated that we have submitted the PRT documentation around February 14<sup>th</sup>. By May 1<sup>st</sup> we should have a response to our application for \$6,200,000. The Beach Committee will have a meeting once we get a response from PRT to then make a decision as to how to proceed and make recommendations to Council.

#### BEACH ADVOCATES – ADVOCATING FOR ANNUAL DEDICATED STATE FUNDING –

Mayor Otis noted that the Town belongs to South Carolina Beach Advocates. This group is made up of all the counties and municipalities along the coast of South Carolina. He is a member of the board of directors which has met a few times in Columbia to work with the General Assembly to make the point that South Carolina beaches are a state-wide treasure that requires a strategic long-term investment in cyclic maintenance, and to get these areas that are not federally funded state funds for periodic renourishment and to put them in a position to be able to qualify for FEMA funds in the future as an engineered beach. The Beach Advocates group is trying to show the impact of South Carolina beaches throughout the country and throughout the State. They now have a list of owners east of the intercostal waterway from North Carolina to the Georgia line to show the economic impact of beaches on the coast of South Carolina on the economy of the State. There have been no studies like this made in the last 5 years. The list by county also reflects that these owners are from every political geographic area of the state.

#### POLICE REPORT

Chief Fanning reviewed the March 2017 police reports. See attached.

Police Proclamation – Chief Fanning stated that every year on May 15<sup>th</sup> is the national day of remembrance of officers who have made the ultimate sacrifice in service to their community or have become disabled in their performance of duty and to honor those law enforcement officers presently serving the community. **Mike Adams made a motion to adopt the Police Proclamation. Sarah Zimmerman seconded. All in favor.**

## FINANCIAL REPORT

Mayor Otis noted that we are ahead of budget. Ryan Fabbri stated that the allocation for beach renourishment and other line items is done either on a monthly or quarterly basis of equal amounts not knowing exactly when the expenses will be coming in but the majority of the expense for beach renourishment will likely come toward the end of the year. Everything we have spent so far is for the permit application.

## COUNTY PARKING LOT FIRST ACCESS WALKWAY – MAKE INTO AN OVERLOOK? COST OPTIONS

Ryan Fabbri stated that there is an estimate from Seaspray Homes giving us an idea of how much it would cost to turn the access walkway to a viewing outlook. We are waiting for a few more estimates from another contractor. Whichever way we decide to either keep this as an access walkway or change it to an overlook, we are still in line to get reimbursed 75% from FEMA. The County will not pay for these repairs as we have always maintained the walkway. If we were to put the walkway back, it will surely be damaged next year during the beach renourishment project. It was decided to try to get the price down by building an overlook without benches.

## BUILDING REPORT

Ryan Fabbri stated that there is a lot of work to be done on Springs Avenue to get their houses ready for Easter weekend and rental season.

## DISCUSSION REGARDING BEACH BOARDWALKS BUILT OVER 4 FEET WIDE AFTER MATTHEW

Mayor Otis stated that there are boardwalks that have been a number of boardwalks built to the beach since Matthew that are not in compliance with our ordinances. **Mike Adams made a motion that the Town needs to enforce its ordinances with regard to boardwalks. Ashley Carter seconded. All in favor.**

## AMEND ORDINANCES 12-22 & 21-1 TO MAKE THE PENALTIES CONSISTENT, SECOND READING: PENALTY SUBJECT TO A FINE NOT EXCEED \$250.00 OR COMMUNITY SERVICE NOT TO EXCEED 45 HOURS AS DETERMINED BY THE MUNICIPAL JUDGE, OR REPARATION OF ANY DAMAGE CAUSED, OR ANY COMBINATION OR ALL OF THE ABOVE.

Ryan Fabbri stated that this is the second reading to address damages to the dune. The penalty was not consistent within the two ordinances so these amendments makes both ordinances penalties consistent. **Sarah Zimmerman made a motion to approve amending the ordinances 12-22 & 21-1 to make them consistent with penalty not to exceed \$250 or community service not to exceed 45 hours as determined by the Municipal Judge or reparation of any damage caused or any combination. Mike Adams seconded. All in favor.** Mayor Otis stated that perhaps we should have the Planning Commission discuss the issue of property owners who are not building boardwalks over the dunes.

## ADMINISTRATORS REPORT – Ryan Fabbri

Status of Post Hurricane Debris Cleanup, End Date, Discussion on Lack of Penalty in the Law for Debris Other Than This Storm Damage of Scheduled Pickups – Ryan Fabbri stated that when we have storms property owners put storm debris on the side of the road for us to pick up but there are some people that continue to put debris by the side of the road expecting us to continue to pick up but we have nothing written that prohibits them from doing that. He would like to have something stating a penalty for those who leave various debris along the side of the road outside of the designated dates that we have for debris pick up such as \$50 or the cost of doing it.

He would like the Town to look into this. We have a debris ordinance but it doesn't have a penalty. Town Attorney DuRant will draft an amendment to the existing ordinance to include a penalty.

FEMA Storm Cost Reimbursement update:

Highway Clearing and Road Clean Up – Check Received \$46,497.50 Ryan Fabbri stated that we received our check for 100% reimbursement post storm road sand and debris clean-up from the State. He stated that the job of doing sand sweeping of Springs Avenue area is on contract with the County. If we cannot get at least a date as to when they can start he will go to the State Highway Department in Columbia or Florence to get the job done. It needs to be done before the summer season begins.

Beach Scraping and Beach Cleanup – Joaquin Reimbursement \$115,868 – Ryan Fabbri stated that we received 75% from FEMA & 25% from the State reimbursement for the sand scraping after Joaquin.

Underground Wire Project Status – Request to Pull Wire This Summer – Ryan Fabbri stated that because of Hurricane Matthew we are about 3 months behind schedule. In order to be completed by next summer, June 2018, we would have to allow Santee Cooper to work through the summer. They would be done with the boring at the north end and almost all of the south end of the island before the summer begins, so they have asked if they could spend the summer months, this year, only pulling wire in phase two, the north end. They don't need the big truck and machinery to pull wire as it is not as invasive a procedure. Pawleys Island Realty and Lachicotte Realty are very much in favor of just pulling wire in the north end phase. This is the only way to get caught up. If phase two is completed early they could also pull wire in the Birds Nest area. Council agreed to have wire pulled in the north end of the island through the summer months except around the July 4<sup>th</sup> holiday.

Birds Nest Sewer Repair Project – Ryan Fabbri stated that he was told that the repair work will be done before the Easter weekend but the road will not be paved by then but it will be passable.

COMMENTS BY COUNCIL MEMBERS

Mayor Otis noted that a few months ago Council decided to take out an ad in the local Coastal Observer thanking the people and the organizations who worked so diligently and for such long hours for 30 to 60 days after Hurricane Matthew to get our Town back together. It will be in the paper the Thursday before the Easter weekend.

Mike Adams stated that there was recently an article in a local paper that mentioned that Georgetown County may be considering the possibility of funding life guards for the south end of Pawleys Island. He wanted to suggest a resolution on behalf of the Town Council of Pawleys Island supporting Georgetown County's consideration for life guards at the south end. He also suggested that the "Town Hall" sign on the old Town Hall should be moved to the temporary Town Hall however a sign had already been put up on the temporary Town Hall.

Meeting was adjourned.

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