

**MINUTES  
PAWLEYS ISLAND COUNCIL MEETING**

DATE/PLACE:       October 23, 2017  
                          Pawleys Island Chapel

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

ABSENT:           Ashley Carter

EXECUTIVE SESSION – 30-4-70 (a)(1) ADMINISTRATOR ANNUAL EVALUATION

PUBLIC COMMENT

Leda Hall asked Council to take a comprehensive look at caring for our ocean shoreline and the beach. She stated that there are several other issues related to preserving the beach that the Beach Committee did not include in their discussions or the recommendations. The Beach Committee meetings never had a public comment period to allow the public to express opinions. The \$13,000,000 budget was reduced by \$3,000,000 because the middle section of the island doesn't have public beach access so the engineer's proposals they recommended were then changed by the committee. She quoted a Leanne Womack song verse, "I hope you still feel small when you stand beside the ocean. When one door closes I hope one more opens. Promise me that you'll give faith a fighting chance and when you get the chance to sit it out or dance, I hope you dance. I hope you never fear those mountains in the distance and never settle for the path of least resistance." Ms. Hall asked council not to settle for the path of least resistance on taking care of the beach. The stakes are too high.

Emily Carey quoted Charles Swenson's recent article, "A scaled back beach renourishment project could start on Pawleys Island as early as March." She stated that the Pawleys residents hadn't been asked if they wanted to have a beach renourishment. There are many ways to spend the A-tax such as stated in Town Ordinance chapter 22, 2-59 states that all revenue generated by A-tax must be used for beach access, renourishment and storm damage. Some people want to use A-tax money on ways to reduce flooding of the creek and others are interested in raising/repaving the streets. Some are interested in repairing the beach accesses or building new beach accesses or parking lots to create equal access along all of our public beach. She feels that we are putting the cart before the horse. We need to slow down and compare future costs involving things like accretion in the creek that will need to be dredged in the next decade or sooner.

Larson Jaenicke stated that he opposes the beach renourishment plan as it is totally deficient and it doesn't restore the sand deficit that currently exists. It only has 725,000 cu. yds. and the current deficit is more than 900,000 cu. yds. It also leaves Pawleys Island tremendously financially vulnerable so that for the next 5 years as we will have no money to correct anything that may happen on the beach in the way of erosion or damage. The plan that was proposed in March by the Town to the State addressing those issues and it puts the Town in a much better position as it addressed renourishing the entire island. The new plan addresses the south end up to the Pier area only because the State would only give us 37% reimbursement because we have a 1.1 mile stretch in the middle of island that has no public access to the beach. If we put a parking lot in this area we will get another \$1,917,000 and that idea was not discussed in the Beach Committee meeting. Now there is nothing planned for renourishment for the north-end or the south-end parking area. The application made in March stated that there would be 1,100,000 cu. yds. of sand. 700,000 cu. yds. of sand would restore the beach deficit. Another 400,000 cu. yds. of sand added would be advanced or infill sand that would provide and an erosion buffet for the restored or ideal beach.

It is projected that after 10 years there would only be 350,000 cu. yds. of that sand remaining. Since storm Irma the erosion has increased another 180,000 cu. yds. Mr. Jaenicke stated that FEMA money only covers storm erosion and does not cover natural erosion and FEMA does not cover any part of the beach that is not re-engineered so with this new plan the people at the north-end wouldn't benefit by the current renourishment plan. Mr. Jaenicki feels that all home owners on Pawleys have an interest in the beach as it protects Pawleys Island's uniqueness, the property values and the a-tax income because if we don't have a beach we won't have the renters. His position is that the current proposal be rejected and go back to the beach committee and poll the property owners to give them an explanation of what the exposures are so the community can come together with an agreement that is in the best interest of the island.

Ericson List stated that he is a retired South Carolina Civil Engineer and urged the Council to have value engineering on the renourishment project. Most of the projects he had been involved with nationwide had a value engineering committee and they review the engineering proposals and review the costs to see if we are getting value for the money. It is a fairly simple procedure to put out an RFP to companies like Stan Tech, Tetro Tech, GUI, etc. and they will give you a proposal for value engineering. It is like buying an insurance policy on the contract that is submitted. If you have a job like this \$11,000,000 project you want to know that you are getting your money's worth and that you are getting a job that is appropriate for the task at hand.

Glen Korhnerens stated that he agrees with what Larson stated and that we also need to look at how we are going to deal with Pawleys Island's future. Our beach is our most important asset; we lose it, we lose Pawleys Island.

Mary Beth Carns stated that she felt that the Town is being short sighted not to resolve the lack of public access issue.

Henry Thomas stated that he was part of the Beach Committee and made a decision to support a plan but decided to rescind that decision as he felt that he and the public were not given the proper information to make a proper decision and felt that the property owners should be making the decision whether or not to proceed with the beach renourishment project.

Jimmy McCants stated that he thought the Beach Committee had done an outstanding job and worked many hours to determine what was in the best interest of Pawleys Island. He stated that the committee represented the people of the island to bring their concerns to the forefront to make the best decision for the welfare of the island.

Brian Henry stated that he also served on the Beach Committee and at the last meeting there were approximately 30 people in attendance with eight committee members who are long-time residents of Pawleys Island, who care very much about what happens to the island especially the beach. He stated that it was publicly advertised and it was not a closed meeting. Mr. Henry stated that there were many questions asked from the public however, he was corrected by attendees that they were not allowed to ask any questions. He stated that he pays \$23,000 a year in property taxes and didn't want to pay any more taxes. He stated that there is enough money set aside to put sand on the beach. If we don't we will be wishing we had when the next storm comes.

Mayor Otis closed the public session.

Mayor Otis read a written comment he prepared and closed with, "It is important for everybody to understand that a succeeding Mayor and Council are generally not bound by Council decisions made by the preceding Mayor and Council, unless signed contractual agreements are in place. Both the Beach Committee and the Ad Hoc Town Hall Committees consider time to be of essence and the passage of these motions tonight allows the process to continue to meet these objectives."

## BEACH COMMITTEE RECOMMENDATIONS

Rocky Holliday stated that the committee's objectives were to establish an engineered beach that qualifies for FEMA storm repair coverage, creating a primary dune and a dry beach at high tide in order to protect our rental income for individual property owners as well as to protect the A-tax income that comes into the Town. Also, to protect property values for everyone on the island, to maintain property owners access to a healthy beach, and to come up with a recommendation that avoids property owner's taxes or special assessments. There is a maximum project at a cost of \$15.5 million with the Town borrowing \$4.5 million but the Town's maximum borrowing capacity from A Tax is \$2 million so it was determined that this project was not affordable. A minimum project at a cost of \$11.8 million requires the Town to borrow slightly over \$2 million which is within our debt capacity. This project creates an engineered beach that qualifies for FEMA coverage for future storm damage repairs at a 75% reimbursement, creates a stable and a healthy beach profile with a primary dune and a dry beach at high tide, it's affordable and it avoids property owner taxes and special assessments. The committee believes that we should move quickly because the next storm season is fast approaching. Our engineers tell us that our permits are very close to being issued and we could reasonably begin as early as March 2018 however, the engineering needs to start now and they need to get competitive bids. The Beach Committee approved as a recommendation to Council, to move forward with the minimum project and authorize the engineers to immediately begin engineering, to get competitive price bids, to initiate the process to secure our Town's bank loan, to finalize cost sharing agreements with PRT so we will know how much funding they will give us, and to conduct an island wide non-binding referendum on the project as soon as possible to make sure that the majority of our island is on the same page. Sarah Zimmerman commented that most property owners stepped up to contribute to the underground wire project and thought that asking each property owner to contribute possibly \$1,000 a year toward renourishing our beaches is easier to do than \$5,000 to \$10,000 sporadically, but she is in favor of moving forward with this project and thinks that value engineering would be good to do with this project. She also heard that Prince George is considering some kind of beach renourishment. Rocky Holliday stated that our engineers told him that they would try to bid this project, so we could piggy-back on another project. If there is a dredge ship that is being mobilized for a nearby community we could substantially lower our cost. Ashley Carter stated that if we get a mailing to the property owners to get their feedback before we get the bids it is like putting the cart before the horse. We should have the bids in first to know what we have to work with. **Sarah Zimmerman made a motion to approve the Beach Committees recommendation with a modification of sending the referendum out after it is better known of the project pricing. Ashley Carter seconded. All in favor.**

## NEW TOWN HALL COMMITTEE RECOMMENDATIONS

Mayor Otis stated that Guerry Green from Town Hall Fund Raising Committee reported that the committee has pledges of \$355,000 and pledges continue to come in. A fundraising letter will go out shortly discussing the balance of the campaign and asking individuals and businesses to consider making donations. After November 15<sup>th</sup> the committee will begin offering engraved bricks for \$100 per brick so that purchasers can have their names engraved on them, and then have that a part of the Town Hall. There are around 1,600 to 1,700 bricks that the committee thinks can be sold. Credit cards will be accepted or write a check, and it is all tax deductible.

It was determined by the Ad Hoc Town Hall Committee that the primary drivers of the cost of the New Town Hall should be design and life cycle of components as opposed to cost. Architect, David Graham, reviewed the value engineering options.

He stated that the pre-qualification for bidders should be around November 1<sup>st</sup> and will release the documents for bidding on November 23<sup>rd</sup>, will have a pre-bid conference on November 29<sup>th</sup>, we will receive bids on December 20<sup>th</sup>. There will be some value engineering after the bids are received, then the contracts will be signed and we can expect to start construction around the 1<sup>st</sup> of 2018 with expected completion of September 3, 2018. The Town Hall Committee recommends to include some items as deduct alternates so we can have competitive pricing on them. The Committee moved to recommend to council that the architect be asked to make changes discussed by the Town Hall Committee, and proceed to put out the bid for competitive pricing. David Graham asked if the committee could make a recommendation on the necessity of bonding the project at the cost of about 3%. All bidders will be prequalified. It was also recommended to Council that no bid bond be required. In summary, the New Town Hall Committee recommendation to Council is that the Architect make the changes as discussed and proceed to put the project out to bid for competitive pricing. **Mayor Otis made a motion to approve the New Town Hall Committee recommendation. Sarah Zimmerman seconded. All in favor. Mayor Otis made a motion to approve the recommendation that no bid bond be required. Sarah Zimmerman seconded. All in favor.**

SECOND READING OF ORDINANCES THAT AMEND THE FOLLOWING SECTIONS OF THE TOWN'S MUNICIPAL CODE TO STRIKE THE WORD MAYOR AND REPLACE IT WITH ADMINISTRATOR

- a. Business License Ordinance
- b. Article V. Finance
- c. Division 3, Town Attorney
- d. Section 1-14, Unclaimed Property
- e. Section 2-2, Records Retention
- f. Section 2-92, Preparation and introduction of ordinances
- g. Sections 16-9, Policy for FOIA requests

Ryan Fabbri stated that this is second reading regarding changing the same wording in seven different places within the Town's code removing the word Mayor and replacing it with the word Administrator. **Sarah Zimmerman made a motion to approve second reading on the listed ordinances above to remove the word Mayor and replace it with the word Administrator. Rocky Holliday seconded. All in favor.**

ELECTION ORDINANCE – SECOND READING

Ryan Fabbri stated that we have been asked by the county for a copy of our election ordinance regarding our methodology in determining the winner of an election, and he found no ordinance. Our elections are non-partisan elections and the top four individuals receiving the most votes are the winners, which is called a plurality. This is taking what the Town has done in the past with our elections and creating an ordinance that is consistent with that. **Sarah Zimmerman made a motion to have second reading on the election ordinance. Rocky Holliday seconded. All in favor.**

RESOLUTION SUPPORTING THE PROPERTY TAX REFORM ACT, ACT 388 OF 2006

Mayor Otis stated that there is an effort in Columbia to modify this Act 388 and this states that the Town does not support any modification. **Ashley Carter made a motion to approve the resolution to support the Property Tax Reform Act 388 of 2006 with no modifications. Rocky Holliday seconded. All in favor.**

RESOLUTION OPPOSING THE IMPLEMENTATION OF THE NEW DHEC BEACHFRONT MANAGEMENT LINES BY DECEMBER 31, 2017 AND ASKING FOR THE IMPLEMENTATION TO BE EXTENDED FOR ONE YEAR

Mayor Otis stated that DHEC proposed revised baselines and setback lines and allowed for property owners only 30 days to dispute the lines, leaving some of the out of town and out of State property owners basically 15 days to comment, so this is asking for a one-year delay in implementing these new lines for the State. **Rocky Holliday made a motion to approve the resolution opposing the new DHEC lines and asking for a one-year extension on implementation. Sarah Zimmerman seconded. All in favor.**

ANNUAL ADMINISTRATOR COMPENSATION

Rocky Holliday made a motion that the Council recognizes the exemplary job the Town Administrator has done for the Town in the past year in particular in dealing with the incredible storms that we have had over the last 3 years. Also he has done a great job in submitting the detailed information required by FEMA in order to approve 75% reimbursement for all the money we spent on the beach scraping and sand removal. Not only FEMA but State reimbursement which in total amounted to hundreds of thousands of dollars. **Rocky made a motion that Council approve an increase for Ryan this year of 7% that includes COLA and a bonus of \$3500 for 2017. Sarah Zimmerman seconded. All in favor.**

Mayor Otis stated that this was his last meeting of 264 meetings and thanked his wife and staff and everyone who had supported him over these last 22 years.

MOVE STARTING TIME FROM 5:00 P.M. TO 6:00 P.M. FOR THE NOVEMBER 13, 2017 COUNCIL MEETING

Ryan Fabbri requested that the regular time of the council meetings of 5:00 be pushed to 6:00 just for the November 13<sup>th</sup> council meeting as he had something that he just couldn't get out of. **Sarah Zimmerman made a motion to approve moving the November 13<sup>th</sup> council meeting to 6:00 p.m. Rocky Holliday seconded. All in favor.**

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**APPROVED**

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**DATE**

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**ATTEST**

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