

**MINUTES  
PAWLEYS ISLAND COUNCIL MEETING**

DATE/PLACE:        May 14, 2018  
                         Pawleys Island Chapel

PRESENT:            Mayor Jimmy Braswell, Ashley Carter, Guerry Green, Rocky Holliday &  
                         Sarah Zimmerman

ABSENT:            None

**PUBLIC COMMENT**

Henry Thomas stated by reading from a document, that before going into executive session the public agency shall vote in public on the question and when the vote is favorable the presiding officer shall announce the specific purpose of the executive session. No action should be taken in executive session except to adjourn, etc. The MASC manual states that you can't set a date to have an executive session. The State Law and the FOI Act says the same thing. The reason for it is because you can't make decisions in executive sessions unless there is a meeting that has already been started and you call the executive session then come back into the meeting. Another concern of his is that decisions are being made and they are not made at the Council meetings. He wanted an item on the agenda last month that would talk about the use of emails for sending out information. It wasn't on the agenda but still a decision was made. Mayor Braswell interjected that it was on the agenda, on the back page. Then Mr. Thomas stated talking about executive sessions and Mayor Braswell stated that he was addressing the issue of emails on the agenda, not executive sessions. Mr. Thomas stated that it wasn't on the agenda, but it was in the Administrator's Report. Mr. Thomas then read, Municipalities governing body is responsible for all powers granted a Municipality and performs all duties and obligations imposed by law. Council can not delegate the power to decide legislative matters to an individual council member, a municipal officer or employee, committee, etc. which Mr. Thomas felt, states that the place to make decisions on things like beach renourishment, public hearing and the public can't speak. Administrator Ryan Fabbri interjected that the matter regarding the emails was about an email list which is not a legislative matter. He made a decision because some people requested that an email list be put on the website. Administrator Fabbri wanted this to be on record regarding the MASC book that Mr. Thomas continues to reference from was given to Mr. Thomas by Administrator Fabbri. Town Attorney DuRant interjected, for the record, that no decisions were made in executive session and no actions were taken.

**APPROVAL OF THE 4/9/18 MINUTES**

**Sarah Zimmerman made a motion to approve the 4/9/18 minutes. Ashley Carter seconded. All in favor.**

**RECOGNITION OF SERGEANT CLAY NAAR FOR 20 YEARS OF SERVICE TO THE TOWN OF PAWLEYS ISLAND**

Mayor Braswell read the resolution and thanked Sergeant Naar for his many years of service.

PLANNING COMMISSION REPORT (JIMMY MCCANTS)

Jimmy McCants stated that the Planning Commission was asked to consider rezoning the west side portion of 766 Springs Avenue to residential. The property contains the southernmost single-family home at the south end of the island with Springs Avenue running through the middle of the lot. There is 4,908 sq. Ft. on the east side of Springs Avenue, zoned as R1, and on the west side of Springs there is 4,103 sq. Ft. The property owners believe there is enough land on the west side of Springs, if the zoning is changed from CP to R1 to build a future family home there. Based on the information on the new plat, that shows the OCRM critical line and based on the Town's set-back requirements, it appears that the area does provide a suitable location for a future single-family home. The Town's development code only allows 1 primary structure per parcel so if this area is rezoned as R1, it can only build on the west side of Springs if the current structure was no longer there. The reason for this rezoning request is because the OCRM line runs through their existing ocean-front house and the property owners concern is that if their home is destroyed they would not be allowed to rebuild. The concerns with doing this are, that it would set a precedent but there is no other property on the island that could be rezoned like this property and possible problems with connecting the sewer line, but the sewer line runs right down Springs Avenue so connecting would not be a problem. The Planning Commission found no reason not to allow this property to be rezoned from CP to R1 and made a recommendation to Council to approve it.

Another issue the Planning Commission reviewed is the width of boardwalks to the beach. Currently our ordinance requires a 4 ft. width of our boardwalks but DHEC's and the County's requirement is 6 ft. and most of the coastal communities require 6 ft. There are around 40 boardwalks that have been rebuilt since our recent storms that are 6 ft. wide. Planning Commission recommends to council that the width of the boardwalks be changed to a 6 ft. maximum.

FIRST READING OF ORDINANCE 2018-03: AN ORDINANCE REZONING 4,103 SQ. FEET OF PARCEL WEST OF SPRINGS AVENUE FROM CONSERVATION AND PRESERVATION (CP) TO RESIDENTIAL (R1). THE PROPERTY IS LOCATED AT 766 SPRINGS AVENUE. TMS #42-0177-002-00-00.

**Guerry Green made a motion to approve rezoning the west side of 766 Springs Avenue from (CP) to (R1). Jimmy Braswell seconded. All in favor.**

FIRST READING OF ORDINANCE 2018-04: AN ORDINANCE AMENDING SECTION 2-10.1 OF THE CODE OF ORDINANCES FOR THE TOWN OF PAWLEYS ISLAND TO INCREASE THE MAXIMUM WIDTH OF BEACH BOARDWALKS OR WALKWAYS TO 6 FEET.

**Rocky Holliday made a motion to approve amending our ordinance to allow the maximum width of beach boardwalks to 6 ft. Jimmy Braswell seconded. All in favor.**

CONSIDERATION OF TOWN RESUMING ADMINISTRATION AND ENFORCEMENT OF ITS OWN BUILDING AND ZONING LAWS

Ryan Fabbri stated that the Planning Commission also reviewed this subject but did not vote on it. The reasoning for consideration is because there are approximately 15 projects that are in progress now that have no permit for them. The only thing we can do is notify Georgetown County to come out and shut the jobs down until a permit is made but they don't always come out. There is so much work being done, and our Town laws and regulations aren't being enforced – good example are the approximately 40, 6-foot boardwalks built in the last 3 years. Mr. Fabbri feels that this could be done in house now without hiring or expanding our personnel, but it could be through independent contractors who handle our building inspections and plan review.

The money we take in from permit fees would pay for itself. If the county fails to enforce our own laws and something happens, the county probably wouldn't be sued but we would because the county is working for us. If we do it ourselves, we would control the liability. Currently the plans are reviewed by Mr. Fabbri first then the contractors go to the county and they have the final OK. He would want 6 or 7 months to put this process together.

#### NEW TOWN HALL REPORT (RYAN FABBRI)

- a. Fundraising – We have pledges of \$668,000 and we have collected \$549,000. We have about \$25,000 in brick sales. June 8<sup>th</sup> is the last day to order bricks.
- b. Approve payment of \$151,343.73 to BEC Construction – **Sarah Zimmerman made a motion to approve 1<sup>st</sup> payment to BEC Construction of \$151,343.73. Guerry Green seconded. All in favor.**
- c. Bid Tabulation for Telephone System, Data and Security – This is not part of the original plan for the new Town Hall Project. It is for the Telephone System, internet data, WIFI, the access to the doors that have card readers as opposed to keys and 3 surveillance cameras (1 for each door) and 1 for the intersection. Ryan will ask companies to give more detail on their bids and cut back on price and have it for next council meeting.

#### BEACH RENOURISHMENT PROJECT REPORT (RYAN FABBRI)

- a. Approve payment of \$19,272.75 to Coastal Science & Engineering – The RP has been released on May 1<sup>st</sup> for the Beach Renourishment Project dredging with the bids due on May 30. On May 15<sup>th</sup> there will be a mandatory pre-bid meeting for all contractors interesting in bidding for this project. There are 3 confirmed. Contractors are to bid the project to start 11/2018 and finish end of 3/2019. Also, bid the project to start the following year to start 11/2019 and finish end of 3/2020. Contractors will bid using Coastal Science's recommended project of 1.1 million cu.yds. of sand then also bid on the absolute minimum project of 700,000 cu.yds. We will repair the groins in the Fall. **Sarah Zimmerman made a motion to approve payment to Coastal Science & Engineering in the amount of \$19,272.75. Rocky Holliday seconded. All in favor.**

#### POLICE REPORT

Chief Fanning reviewed the April 2018 police report. (See Attached)

#### BUILDING REPORT

Ryan Fabbri stated that there were a lot of meter conversions. There was a new home permit.

#### FINANCIAL REPORT

Ryan Fabbri stated that everything is running pretty much where it is supposed to be.

#### ADMINISTRATORS REPORT

- a. Underground Wire Report – No reason to believe that this project will not be completed by Memorial Day weekend. We are waiting for Spectrum to complete their work.
- b. OCRM Beachfront Jurisdiction Lines Update – The lines that were in existence before OCRM came in and updated the beachfront jurisdictional lines will remain in effect. The next time they come out to redo the jurisdictional lines will be in 2024.
- c. FEMA Reimbursement – Hurricane Irma – FEMA has obligated to cover 75% of the \$297,328 that we spent in repairing damages after Hurricane Irma. Now we are waiting to see how much the State will reimburse us.

- d. Website/E-mail Communications with Public – Ryan Fabbri stated that we put a button on the front page of our website for e-news and you can opt in for specific things like agendas, minutes, storm emergency alerts, etc. A message will be sent out to all emails we have to tell them that is available to them if they choose to use it. They can also submit their email address, so they receive our information.

MOTIONS OR DIRECTIONS RESULTING FROM EXECUTIVE SESSION

**Sarah Zimmerman made a motion to stand down into executive session for the specific purpose of discussing Town Administrator’s employee agreement that Council was unable to complete at the 4:30 executive session. Rocky Holliday seconded. All in favor.**

COMMENTS BY COUNCIL MEMBERS

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**ATTEST**

\_\_\_\_\_  
**DATE**