

**MINUTES
PAWLEYS ISLAND COUNCIL MEETING**

DATE/PLACE: May 13, 2019
Pawleys Island Town Hall

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

ABSENT: None

EXECUTIVE SESSION: Town Council will convene at 4:30 PM on Monday, May 13, 2019 pursuant to the Freedom of Information Act (FOIA) Section 30-4-70(a)(2) for the receipt of legal advice as it relates to Beach Renourishment Project Easements.

Sarah Zimmerman made a motion to step down into Executive Session. Ashley Carter seconded. All in favor. Sarah Zimmerman made a motion to step down out of Executive Session. Ashley Carter seconded. All in favor. Mayor Braswell stated that no decisions were made.

PUBLIC COMMENT:

Caroline Easley Alday stated that she was confused as to what the guidelines were to recycling.

APPROVAL MINUTES, 4/08/19 REGULAR MEETING **Sarah Zimmerman made a motion to approve the 4/08/19 meeting minutes. Rocky Holliday seconded. All in favor.**

ENGAGEMENT LETTER/SERVICES AGREEMENT WITH HAYNSWORTH SINKLER BOYD, P.A.

Ryan Fabbri stated that at the direction of Council, he met with Theodore Dubose who is a lawyer with Haynsworth, Sinkler and Boyd to discuss the idea of doing taxing through the municipal improvement district or just a straight millage across the board, etc. Their opinion, as the law currently reads, without modifying any current State statute, it is impossible for the Town to levy a property tax for future beach renourishment. Depending on which way council would like to go, this company would work on modifying a law and get it filed so when the general assembly met, we could hopefully get it passed. We would need to get our local elected officials, Stephen Goldfinch and Lee Hewitt to back it and we would need to get a lobbyist which would be another expense for us. Not knowing specifically which way council wants to go we can't get an estimate as to what our expense would be to work with this company. **Guerry Green motioned for council to decide what they want to achieve then go to this company and ask for a range or estimate or just a flat fee of what it would cost.** Rocky Holliday stated that we should explore the scope of work more. He felt that this company should give different options and what we could accomplish with each option and then council could decide which option to go with and then they would help us with the adoption of that option. **Rocky Holliday seconded. All in favor.**

BEACH RENOURISHMENT PROJECT UPDATE

Ryan Fabbri stated that we have acquired all easements except for one and the Corps is working with the owner of this property to modify the agreement so he will sign it. The Corps needs about 30 days to certify all the easements so we have time to get it done to then get the project going as planned. The Corps has a copy of the Right of Entry Agreement for all the property owners north of the federal area that they need to approve and we will send them out once that is done. The Corps should send out bids for the project by the end of July.

POLICE REPORT

Chief Fanning reviewed the April 2019 police report. (See Attached)

BUILDING REPORT

Ryan Fabbri stated that we have permits for basic Spring maintenance and remodels.

FINANCIAL REPORT

- a. Approve final payment to BEC Construction \$14,683.97 – BEC fixed the problem we had with the flickering lights which was due to the installation of the wrong lights. Currently all lights have been replaced except for the lights in the conference room but is expected to be done within the next week. **Sarah Zimmerman made a motion to approve the final payment of \$14,683.97 only after all the lights in the conference room have been replaced. Rocky Holliday seconded. All in favor.**
- b. Approve payment to Durant Law Firm for \$25,935 – This is for the cost of their work in preparing the easements for the renourishment project. **Sarah Zimmerman made a motion to approve payment to DuRant Law Firm for \$25,935 for the beach renourishment easements. Ashley Carter seconded. All in favor.**

ADMINISTRATORS REPORT

- a. Approve Improvements/Repairs to First Street Beach Access, Cost Not to Exceed \$6,000 - Ryan Fabbri stated that the beach access lots are in pretty bad shape and some of the walkways have a significant drop to the beach due to erosion. Over the last 5 years these walkways have needed some kind of repair work and the cost generally runs around \$1,500. He talked to Alphonso with Pleasant Landscaping to redo the First St. beach access parking lot with grading and adding new railroad ties for quote of \$3,800. Together with the estimated walkway repair it shouldn't be more than \$6,000. Sarah Zimmerman made a motion to approve up to \$6,000 to repair the beach walkway and the 1st Street beach access parking lot. Ashley Carter seconded. All in favor.

MOTIONS OR DIRECTIONS RESULTING FROM EXECUTIVE SESSION

None taken.

COMMENTS BY COUNCIL MEMBERS

Rocky Holliday asked the Town Attorney, Woody DuRant, regarding a new parking area in the middle of the island, what kind of indemnification would the Town have as Council against any lawsuits. What are the liability limits? Also, what does the Town do to indemnify the owners of the property where this new parking lot would be? Attorney DuRant responded that he would need to look at the Town's insurance policy to answer that question. Ashley Carter stated that he has had several people approach him that own property in the area of this proposed parking area and they are very concerned of the devaluation of their property if the Town moves forward with this.

Mayor Braswell stated that he has had many people approach him on this matter who live in other areas of the island that have parking areas near them that have expressed a concern that by not creating more parking in the middle of the island, that they are basically supporting the middle of the island because of the \$1.5 million the Town loses by not having that additional parking area. These people are from the South-end, the Birds Nest area and the North-end that have beach access parking areas. Rocky Holliday stated that these people bought their properties with the knowledge that there were already beach accesses in place. Sarah Zimmerman stated that she agrees that having a parking area/beach access definitely reduces the value of any nearby homes but feels that there has to be a way where everybody contributes to using the beach and feels that people having to pay to park is one of the ways that everybody does that. Guerry Green stated that at the Town Hall meeting Josh Ricker presented to everyone things that were never discussed at the Financial Committee meetings. Also, Betsy Altman was selected to be on that committee and at one of the committee meetings, Josh Ricker told Betsy that she couldn't vote because she was not a property owner. Guerry felt that was unfair.

Sarah Zimmerman made a motion to adjourn. Rocky Holliday seconded. All in favor.

APPROVED

DATE

ATTEST

DATE