

**MINUTES
PAWLEYS ISLAND COUNCIL MEETING**

DATE/PLACE: April 13, 2020
Pawleys Island Town Hall via Zoom

PRESENT: Mayor Brian Henry, Ashley Carter, Guerry Green, Rocky Holliday & Sarah Zimmerman

ABSENT: None

PUBLIC COMMENT:

Property owners emailed comments to be addressed and were read by Town Clerk, Diane Allen. Council will respond if deemed necessary for clarification.

Mary Rodes Nash stated that she would like to see more of the Mayor and Council on the island. She wanted to know if the many bikers, walkers, cars and motorcycles that go by her house on the road and the beach are being monitored. Also, how is the 14-day quarantining and social distancing being monitored? She thinks that a letter to the homeowners and residents would be nice to keep everyone in the loop.

Bart Carey who is not a homeowner but has been vacationing in Pawleys since 1967 stated that social distancing in Pawleys has been going on since John Pawley hosted George Washington in the 1780's. The beaches are wide open and there are no congregating opportunities if the public access is closed. He and the other 8 Knoxville families who come to Pawleys in May hope to get the opportunity to visit soon.

Brewer Congleton stated that he would like to see the short-term rentals ban end and not extended past the end of the month. The short-term rentals are the fuel for Pawleys economy. Without the income associated with the rentals, home ownership would be extremely difficult as the large tax bills for these properties are largely subsidized by that rental income. Also, the short-term rental ban cuts off a large percentage of A-tax income that allows the day to day operation of the town.

Lou Self stated that she concurs with the action to shut down for the month in efforts to contain the transmission of the covid-19 virus but what is the probable benefit to the Pawleys community if the ban on rentals is extended and what is likely to occur between April 30th and May 15th that would make a material difference in dealing with potential transmission issues?

Lamar Noriega stated that he is concerned as to how his family and tenants will access the beach. Does the town have any plans, suggestions and/or restrictions about beach access from beach front homes?

Dan Moser questioned why the Town publicly presented to everyone that the beach renourishment project was going to 3rd Street then stop short of this promise. Some north-end home owners feel that the Town lied and misled them and never actually planned to fulfill this obligation. The modified scope of work document that was on the Town's web-site, that was modified on August 12, 2019, stated "Specifically, the modification includes extending the third reach approximately 2,100 linear feet north from the existing pier to 3rd Street (for a project total nourishment of 3.07 miles/16,200 linear feet)." There are funds to renourish a private beach in the middle of the island with no public parking but no funds to renourish 1st to 3rd Streets that has 4 public parking areas and has as much erosion as any part of the middle of the island. Mr. Moser wanted to know if the Town actually made plans with Marinex and Coastal Engineering to make sure the project went to 3rd Street as promised.

Mayor Henry stated that he and council generally do not comment regarding the public comments that are made at the Town Council meetings however, he does have some comments at this time. In response to being on the island, he stated that he has been on the island many days since the short-term rental ban was in place and have seen a good number of people on the island but it is difficult to know if they are visitors, long-term renters or property owners and does not feel it would be appropriate to approach these people and ask them. There really is no way to keep motorcyclists off the island as our roads are state roads. As far as social distancing, Chief Fanning stated he cannot police groups that are on private property but if they are on the beach or on public property, he would break up groups to not more than 2 people on the beach and not more than 10 on other public areas. Ashley Carter stated that he believes that there was a motorcycle rally recently but that would be just a temporary situation and we cannot restrict access on public roads. Mayor Henry stated that the Governor has handed down orders regarding short-term rentals and feels that we should be guided by what he mandates. We were one of the last jurisdictions to ban short-term rentals. Guerry Green stated that Council wasn't informed that the renourishment wasn't going to the 3rd Street Access until a week before the project was completed and felt that the Town Administrator needs to address the people at the north-end of the island to clarify why the renourishment only went to 1st Street. Mayor Henry stated that when he heard that the project was not going to 3rd Street, he reviewed the contract with CSE and Marinex. The contract specifically stated that Marinex's obligation was to extend the renourishment so many hundreds of feet north of the pier but that was even short of 1st Street. Marinex and CSE were never contracted or obligated to continue the project up to 3rd Street but they actually went as far as they could beyond what the contract stated. Ryan Fabbri stated that when this all started the idea of going north of the pier, maybe we can stretch the project farther north was to 1st Street, then it went to 2nd Street, then it went to 3rd Street if it were possible. The permit allows us to work within the original footprint of the project which was to begin the project from the south-end and go north to just north of the pier. To have the option to go to 3rd street we had to modify the original permit otherwise it would not have been possible. It was CSE's design so we left it up to them as to where the sand would go. Neither Ryan Fabbri or Council had anything to do with where the project eventually ended. At our January Council meeting they said that we are still planning on go to 3rd Street but that there things that are out of our control that would ultimately determine whether or not we make it to 3rd Street which was the distance where the borrow area the dredge was, to go to 3rd Street area which was much farther than what they believed to have the capacity to do. To go to 3rd Street was always dependent upon the dredging company's capacity to pump that far north and they were always very transparent about that. Sarah Zimmerman stated that CSE stated that the north-end of the island really didn't need renourishment.

APPROVAL OF 3/8/2019 REGULAR MEETING, 3/21/20 & 3/27/20 EMERGENCY MEETING MINUTES

Guerry Green made a motion to approve the 3/8/2019, 3/21/20 & 3/27/20 meeting minutes. Rocky Holliday seconded. All in favor.

REPORTS AND UPDATES

A. Police Report

Chief Fanning reviewed March 2020 police report. (See Attached)

B. Building Report

Ryan Fabbri stated that there is a new construction.

C. Financial Report

- I. Approval of final payment to Marinex for \$3,652,869.90 – Rocky Holliday stated that he has noticed in the sand that was pumped to the beach that there are large clumps of a clay-like material that do not break up. Ryan will talk to Marinex about it. **Ashley Carter made a motion to approve payment to Marinex for \$3,652,869.90. Sarah Zimmerman seconded. All in favor.**
- II. Approval of payment to CSE for \$41,519.56 – **Rocky Holliday made a motion to approve payment to CSE for \$41,519.56. Ashley Carter seconded. All in favor.**

BUSINESS

- A. Discussion of amendments to Emergency Ordinance 2020-02 regarding short and long-term rentals and other protective measures during the emergency declaration – Ryan Fabbri stated that everyone in the coastal regions are revising their Emergency Ordinances regarding short-term rentals to extend them out. Our ordinance now states to end our ban on April 30th. After much discussion it was decided to keep the ban to April 30th but Council will meet again on April 23rd at 5:00 to discuss the short-term rental ban.
- B. Award RFP 2020-01 First Street Beach Access Repairs – NorthStar Renovations was the lowest bidder for \$10,757.00. The damages were from Hurricane Dorian so FEMA will cover 75% of the cost. **Guerry Green made a motion to approve repairs to be done on 1st Street Beach Access by NorthStar Renovations for \$10,757.00. Ashley Carter seconded. All in favor.**
- C. Sand Fence Cost Share Program – Ryan Fabbri stated that Council previously approved \$40,000 for vegetation to be planted north of the Army Corps project. We had \$80,000 budgeted for sand fencing and sea oats with \$40,000 of that budgeted amount was from a PRT grant which had to be spent or we would have to return it. Council approved a cost share program for sand fence from 518 Myrtle, which is the 1st property north of the federal area, all the way to the north-end of Pawleys to 102 Atlantic. Property owners would pay 50% of the bill and the Town would pay the other 50%. About half of those property owners have agreed to participate. The available funds are now spent and Council needs to decide on whether to continue the cost share option for the remaining property owners in the north-end of the island and to approve amending the budget for that if they decide to continue it. Mayor Henry suggested that no action be made now and revisit this at our April 23rd meeting.
- D. U.S. Army Corps of Engineers – Easement Acquisition – Ryan Fabbri stated that our Town Attorney will prepare a memo about moving forward with property owners who have not signed their easements. Council will need to make a decision on what the path forward will be with those property owners and can be discussed at the April 23rd meeting. If we are not a completed Army Corps project because we don't have all of these easements signed before hurricane season begins, and we have a hurricane that does a lot of damage to the island, we will have no money from the Corps to repair the island.
- E. Reschedule Strategic Planning Meeting – Mayor Henry stated that people have been interviewed and surveys have been completed but because of the shut down we will need to defer this to the May Council meeting and decide then when the Planning meeting can be scheduled.

EXECUTIVE SESSION – IF NECESSARY. UPON RETURNING TO OPEN SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

No executive session is needed today but will need to have one on April 23rd. Mayor Henry asked Ryan Fabbri what the Town's financial situation is due to the ban on short-term rentals. General Fund is not affected but the Beach Fund will feel some significance. A-tax revenue is pretty quiet in the winter months and starts to pick up in April and May. It is in June, July and August is when we get the bulk of a-tax revenues in. If we lost all of April and all of May a-tax revenue we would lose approximately 13% to 14% overall.

COMMENTS BY COUNCIL MEMBERS


Guerry Green asked Ryan Fabbri to do a work up to show a worse-case scenario, most likely case scenario and a best-case scenario in a cash flow statement. Mr. Fabbri will have it ready for the next meeting.

Mayor Henry stated that he hopes people are ready to get out when this is over so we can get back to normal financially.

Rocky Holliday stated that we had well over 20 attendees with this livestreamed meeting.

ADJOURNMENT

Guerry Green made a motion to adjourn. Ashley Carter seconded. All in favor.



APPROVED

5/20/20

DATE

Deane Allen

ATTEST

5/18/20

DATE