

**MINUTES  
PAWLEYS ISLAND COUNCIL MEETING**

DATE/PLACE: May 18, 2020  
Pawleys Island Town Hall via Zoom

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

ABSENT: None

**EXECUTIVE SESSION**

Pursuant to Freedom of Information Act 30-4-70-(a)(2) discussion incidental to contractual negotiations or other matters covered by the attorney-client privilege; specifically, the South Carolina Public Service Authority.

Pursuant to Freedom of Information Act 30-4-70-(a)(2) discussion incidental to contractual negotiations or other matters covered by the attorney-client privilege; specifically, the United States Army Corps of Engineers.

**Sarah Zimmerman made a motion to step down into Executive Session. Ashley Carter seconded. All in favor.**

**Guerry Green made a motion to step down from Executive Session. Ashley Carter seconded. All in favor.**

**PUBLIC COMMENT:**

John LaMaster via email requested that once our council meetings return to our normal physical meetings, he would like for us to continue livestreaming the council meetings on Zoom and Facebook.

**APPROVAL OF 4/13/20 REGULAR MEETING MINUTES AND 4/21/20, 4/27/20 & 4/30/20 EMERGENCY MEETING MINUTES**

**Rocky Holliday made a motion to approve the 4/13/2020, 4/21/20, 4/27/20 & 4/30/20 meeting minutes. Ashley Carter seconded. All in favor.**

**REPORTS AND UPDATES**

**A. Administrators Report**

1. COVID-19 Impact on Town Finances - Ryan Fabbri stated during April and May there were a lot of rental cancellations but most of those cancellations rebooked reservations for another time of the year so most rental companies have said that they don't anticipate losing much revenue due to the earlier ban on short-term rentals. Based on that information Mr. Fabbri feels that there is a possibility that we don't lose any a-tax revenue this year. Right now, we are ahead of what we collected this time last year. We anticipate that we will have approximately \$110,000.00 of revenue surplus in our general fund this year over expenditures. He calculated what our surplus would be based on various scenarios of loss, such as; with a 10% loss we would have a \$70,000 surplus, with a 20% loss we would have a \$30,000, etc. Right now, in our General Fund reserve we will have just over \$1million at the end of the year. If we have a 10% during the year our reserve would be just under \$1million and so on. The Beach Fund, was calculated similarly. 50% of the beach project was expended this year out of the Beach Fund reserves that originally had approximately \$6million. If everything goes as planned, we should have approximately \$430,000 in our beach fund reserve at the end of this year.

B. Police Report

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

C. Building Report

Ryan Fabbri stated that there is nothing out of the ordinary.

D. Financial Report

- I. Approval payment to Coastal Science & Engineering for \$47,426.02 – **Guerry Green made a motion to approve payment to Coastal Science & Engineering for \$47,426.02. Rocky Holliday seconded. All in favor.**

CSE stated that the clumps of mud/clay that was deposited from the beach renourishment do appear at times but they don't pose a hazard to the community. The Town will have James, who does maintenance on an as needed basis for the island, remove these clumps.

- II. Approval of payment to Seaspray Homes, LLC for \$5,192.00 – **Rocky Holliday made a motion to approve payment to Seaspray Homes, LLC for \$5,192.00. Ashley Carter seconded. All in favor.**

BUSINESS

- A. First Reading of Ordinance 2020-06: An ordinance amending the 2020 Annual Operating Budget. **Sarah Zimmerman made a motion to approve first reading of ordinance 2020-06. Ashley Carter seconded. All in favor.**

- B. Consideration of Emergency Ordinance 2020-07 to replace 2020-01 which expires May 20, 2020. Ryan Fabbri stated that this ordinance just extends the 2020-01 which expires on May 20<sup>th</sup>. It enforces that we will follow the Governors executive orders to allow meetings to be held electronically. **Rocky Holliday made a motion to approve Emergency Ordinance 2020-07 to replace 2020-01 that expires on May 20, 2020. Guerry Green seconded. All in favor.**

- C. Resolution 2020-05 authorizing the execution of Memorandum of Understanding (MOU) and loan agreement between the Town of Pawleys Island and Santee Cooper concerning repayment of deficit for the underground wire conversion project. Mayor Henry stated that it was known at the beginning of the Underground Wire Project that there would be an expense overage and once the project was completed the actual amount was determined to be approximately \$300,000. Santee Cooper continued to pay the Town franchise fees beyond the completion of the project so they felt that some consideration be given to the Town for a reduction in what the Town owes Santee Cooper of \$285,000. This MOU authorizes to direct the Santee Cooper franchise fees to pay down the overage over time instead of the Town paying the overage in full. **Guerry Green made a motion to approve the Resolution 2020-05 authorizing the MOU with Santee Cooper to use their franchise fees to pay down the \$285,000. Rocky Holliday seconded. All in favor.**

- D. Resolution 2020-06 to obtain certain easements by means of eminent domain in connection with the U.S. Army Corp Storm Damage Reduction Project. Ryan Fabbri stated that there are 4 property owners that will not sign their easements giving the Army Corp the ability to make our beach a completed Army Corp. project. With a completed Army Corp project, we would have the insurance of having our beach renourished by the Corp. at zero cost to the Town, should we have a major storm that removes all the sand that we just put on our beach with the recent renourishment project. Once this is a completed Army Corp project, we are guaranteed periodic renourishments every 9 years for the next 45+ years.

This periodic renourishment will be done on a 50 – 50 cost basis however, there will be some credit for what we paid for with the beach renourishment that we just completed. Town attorney, David DuRant stated that this is the last resort to get these last few easements. Is a legal process. It is not a taking of property nor does it take value from their property but it is an added value to these property owners because it is a guarantee of having a beach in front of their homes after a major storm and their appraisals will basically state that. The Town has no other option at this point. Once the process begins there will be an appraisal of each property, then once there is an added value, we'll file our demand. Once it is served, we will provide that legal opinion to the Corps. Rocky Holliday stated that we need every easement to have a completed Army Corp project – it is all or nothing so we are forced to take this measure of condemnation to move forward. However, the title to these properties will not change. These property owners will still have all the rights to their properties that they currently have but they will have added value to their property with guaranteed renourishment in front of their house. Ashley Carter stated that the last 4 people who won't sign their easements are holding the other 109 property owners at the south end of the island hostage and doesn't understand why those 4 people don't understand that beach renourishment will enhance their property values. **Rocky Holliday made a motion to proceed with the legal action and approve Resolution 2020-06 to obtain certain easements by means of eminent domain in connection with the U.S. Army Corp Storm Reduction Project. Ashley Carter seconded. All in favor.**

COMMENTS BY COUNCIL MEMBERS


Mayor Henry stated that the Strategic Planning Meeting is scheduled for Saturday, June 13, 2020 and would like to physically meet vs. doing the meeting by Zoom.

Sarah Zimmerman asked if we are still planning on having the July 4<sup>th</sup> parade. She is in favor of having the parade. Mayor Henry is in favor of having the parade unless the Governor says differently. Ryan Fabbri stated that for the last 3 to 4 years we have had the t-shirt design chosen by just a few individuals and chose not to get council and many others in the decision making of the design as it tended to bog down the process. Due to the COVID-19 this year we are not sure how sales will go, so we will be ordering less t-shirts this year than we have in the past. We currently have a design from individual(s) that Mayor Henry has done business with them in the past. He will send the design to Council.

Guerry Green suggested that we ask businesses to donate the t-shirts with them being a sponsor on the t-shirt then everything we sell is all profit. Sarah Zimmerman stated that she didn't think this was the right time to ask businesses to do that given the current state of our economy.

ADJOURNMENT

**Guerry Green made a motion to adjourn. Rocky Holliday seconded. All in favor.**

  
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APPROVED

6/9/20  
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DATE

Diane Allen  
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ATTEST

6/8/20  
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DATE