

**MINUTES  
PAWLEYS ISLAND COUNCIL MEETING**

DATE/PLACE:       October 12, 2020  
                          Virtual Meeting

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

ABSENT:           Ashley Carter

**EXECUTIVE SESSION**

Town Council convened at 4:30 p.m. pursuant to the Freedom of Information Act §30-4-70- (a)(2) legal advice or other matters covered by the attorney-client privilege; specifically the condemnation of easements on three oceanfront parcels.

**Rocky Holliday made a motion to step down into Executive Session. Guerry Green seconded. All in favor.**

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

**PUBLIC COMMENT**

No public comments submitted.

**APPROVAL OF 9/14/2020 REGULAR COUNCIL MINUTES** – Rocky Holliday made a motion to approve 9/14/2020 meeting minutes. Guerry Green seconded. All in favor.

**REPORTS AND UPDATES**

A. **Planning Commission Report** - John Hildreth, Chairman of the Planning Commission, told members of council that the Planning Commission had a good discussion today about establishing an Architectural Review Board (ARB). He’s spent a lot of time researching other coastal communities and has had several meetings with David Graham. Looking at all these big lot of beach community communities in the north and south Atlantic along the coast, Pawleys Island has probably got about the most unique historical community of any of them. Mr. Hildreth has come to the conclusion that an ARB would be positive if it doesn’t become too restrictive. He believes it should be limited and focus on eliminating the ability to build these massive boxes going up and preserve the island’s history, which is really unique. Explore ways to encourage wraparound porches on the main floor and the preferred roof pitch. Mr. Hildreth stated that his goal is to get the Planning Commission together to further develop the ARB and provide some detailed options to council at their next meeting. Mayor Henry commended Mr.’ Hildreth’s energy and passion for pursuing an ARB and said he only believed it will actually happen because of he has the right focus and the right push to get it done. The mayor said he’d like the commission to focus on figuring out a way that we can problem solve and actually do something to achieve an ARB and some level of standard. To first define in lay terms what is a Pawleys Island house and then start to move towards a legal description, zoning ordinance or something to give to an architect. Guerry Green said he liked the idea of some guidelines. Mr. Holliday agreed with the approach.

- B. Administrator Report – Ryan Fabbri informed members of council that he had received almost 50 resumes from applicants looking to fill the town’s open Town Clerk position. He hopes to review them in the coming weeks and share information with council about the best qualified candidate. He also wanted to mention that he’d reached an agreement with Judge Pyatt to have his office handle all of the town’s municipal court administrative functions. The County Magistrate’s office already provides us with the judge, and it makes sense to have them also deal with administration.
- C. Police Report - Chief Fanning stated that last weekends’ NAACP march on Pawleys Island didn’t attract as many participants as originally planned, maybe a total of around 27 people. Mr. Holliday asked the Chief if he had to bring these officers in on sort of an overtime basis. So this was all additional cost to Pawleys island to, for us to host this event? He asked Chief Fanning if he would create a summary of the total cost to the town. Chief Fanning stated that the department had a relatively busy September as far as call volume goes. As far as crime goes, they started to see a little uptick in some thefts towards the end of the month. The recent king tides were atrocious and they’re seeing increased flooding across a lot of the island. They get a lot of complaints about people running their cars up and down and creating waken, causing some havoc to people's yards and property. One or two cars actually got stuck in the water in the water and how to get towed away. They are trying to educate people as best as they can, and they’re planning to do some mitigation as far as posting more signs and being more proactive with people bustling up and down the island in the floods. Mayor Henry asked if people can be ticketed for running through the water and pushing water under people's houses and into their landscaping? Chief Fanning said, “not really”. Rocky Holliday asked if people can be ticketed for driving unsafely due to conditions or something like that, because he believed there used to be a rule like that back in the day. Chief Fanning said he would have to talk with the judge and see if that would fit the criteria for a conviction. Mayor Henry said it is worth looking into. Mayor Henry offered his thanks to the Chief and the other officers for the way they handled the NAACP march and their willingness to come in and work on a Saturday.
- D. Building Report  
Ryan Fabbri stated there is nothing out of the ordinary. (See Attached)
- E. Financial Report
- I. Approval payment to Coastal Science & Engineering for \$8,039.67 (Invoice # 20-08-2507)  
**Guerry Green made a motion to approve payment to CSE for \$8,039.67. Rocky Holliday Green seconded. All in favor.**
  - II. Approval payment to Coastal Science & Engineering for \$8,094.60 (Invoice # 20-08-2468)  
**Rocky Holliday made a motion to approve payment to CSE for \$8,094.60. Guerry Green seconded. All in favor.**
  - III. Approval payment to Law Offices of N. David Durant & Associates for \$6,160.66 (August 2020 Invoice)  
**Rocky Holliday made a motion to approve payment to CSE for \$16,397.72. Guerry Green seconded. All in favor.**
  - IV. Approval payment to Law Offices of N. David Durant & Associates for \$4,537.50 (September 2020 Invoice)  
**Rocky Holliday made a motion to approve payment to CSE for \$4,537.50. Guerry Green seconded. All in favor.**

## BUSINESS

- A. Accommodations Tax Committee Recommendations. The town's accommodations tax committee made a formal recommendation to council on funding requests for the 65% state accommodations tax funds. Mr. Holliday stated that council typically receives the meeting minutes form when the committee makes their decision and he has not seen those minutes. Mr. Fabbri stated that the A-Tax Committee just met and made their recommendation on the previous Tuesday and the minutes had not yet been prepared or approved. It was agreed that council would table this issue and wait to take it up once they've been given an opportunity to access and review the A-Tax Committee's 10-6-2020 meeting minutes. . **Item tabled, no action taken.**
- B. Appointments to Boards, Commissions and Committees
1. Reappoint Fran Green to Planning Commission for a three-year term expiring November 21, 2023. **Rocky Holliday made a motion to approve the reappointment of Fran Green to the Planning Commission for a three-year term to expire on November 21, 2023. Guerry Green seconded. All in favor.**
- C. Resolution 2020-07: a resolution adding an addendum to Resolution 2020-06 authorizing condemnation for easement acquisition for beach renourishment project. Town Attorney, David Durant, stated that this is a document that defines the use of the area of easement that we're asking for. We're not actually condemning the underlying fee; the property owners still own the underlying fee. It's intended to identify the area and identify the uses. It's more of a procedural thing since I'm directed by Council and Mayor to do these things. It's an addendum to reflect that now, I discussed I think that we there's a couple things we might want to tweak on as far as defining public use and that kind of thing. And I can do that tomorrow. But I think it's one of those things that we need to do and in context of the actual condemnation process. Mr. Holliday said he knows you need to get this done quickly, but would it be procedurally correct for us to approve Brian to sign the document, subject to the change that you just discussed? Mr. Durant said council can authorize the mayor to sign off on and he can meet with Brian and go through the definition and kind of go from there. Guerry Green asked to clarify that the change in language is to address the concerns of the citizens who are property owners who objected to these. Is that correct? Mr. Durant said "Correct". He thinks it also provides clarification for all the folks who have signed easements out there as well. Not just those three. Rocky Holliday made a motion to approve the resolution with the contingency that Mayor Henry sign off on the amended language regarding public use. Guerry Green seconded. All in favor.
- D. Second Reading of Ordinance 2020-10: An ordinance amending the 2020 Annual Operating Budget. **Rocky Holliday made a motion to approve second reading of ordinance 2020-06. Guerry Green seconded. All in favor.**

- E. Agreement with CCI to provide Building Department services for the Town of Pawleys Island.** The mayor said that he and Ryan have had several discussions about permitting the town's role in permitting. Georgetown County currently provides the town's building department services and Ryan is already doing quite a bit of work in reviewing the zoning. Mayor Henry said he sees some merit in us taking over building department services and contracting it with a third party contractor. Ryan Fabbri stated that the 3rd party contractor would take over all activities currently performed by the county. This includes plan review, issuing permits and building inspections. Currently the town allows the county to keep 100% of the permit fees to compensate them for providing the service and the independent contractor would only ask for 80% of the permit fees to provide the same service. The contractor would also create a website to handle permit applications creating an easier more user friendly experience for people seeking a building permit. Guerry Green said there's a lot of work that goes on houses, and up and down the beach, that don't require plans might be just common maintenance stuff where no plans are required. Mr. Green asked if Mr. Fabbri was saying that those types of projects would still not need a permit? Mr. Fabbri stated that the International Building Code is what determines whether or not the work falls into a category that requires a building permit. Either it does or it doesn't, it's not a subjective call made by the building inspector. Every municipality in the state of South Carolina enforces the same building code so if a job requires a permit here it would also require one anywhere else. Mayor Henry commented that this change doesn't do anything to change the permitting process or what triggers one. Mr. Green said he isn't opposed to the idea for new construction, but when you start throwing in all the typical repairs on something like a hot water heater, you know, I mean, if a hot water heater goes out on my house today, and I've got renters in there, I got to get it replaced today. Right? And typically nobody to go get a permit for that. You just go to Home Depot, buy the hot water heater, your plumber hooks it up and off you go. I'm worried and now we're creating more of a burden. I haven't heard one person since I've been on council or before complaining about the building code officials from Georgetown County, not one. And so I guess I'd ask this question, if you do install a new water heater at your house and you decide that you don't get a permit, then that's a decision you made? What's the defining trigger? Mr. Fabbri said the building permits are issued based on the information about the work provided by the homeowner or contractor. The company we hire will have nothing to do with it. If they go out to conduct an inspection and find out the scope of work is more than what was disclosed in the permit application, then the permit would need to be revised. The same exact process that happens now with the county. Mayor Henry said he thinks what we're talking about are kind of two different things here. It sounds more professional, it sounds cleaner, it sounds faster. And it sounds like we're getting some revenue from it. And again, we're not going to vote on this, but I do think it warrants further discussion, and diligence to decide whether we want to do this. **Item tabled, no action taken.**
- F. Consideration of including Town Council members as participants in the town's health insurance program with the S.C. State Health Plan.** Mayor Henry stated this is something that Ryan mentioned to me a few weeks ago asked if I had any interest in it. He has provided all of us in our packets an overview of what that plan looks like. Mayor Henry stated that he didn't plan to take advantage of it this year but plans to take a real close look

at it next October because he plans to run again in November 2021. So if I'm going to accept this plan, it'll be because I'm accepting it as part as my new term. Mr. Green said he would be interested in enrolling if it were budget neutral and council members reimbursed the town for the monthly costs. Mr. Green stated that council members volunteer their time and not paid to do any of this. If nothing else, it would be good to have access to really good health care. **Mr. Green made a motion that if a town council member or Mayor wants to enroll in the town's insurance plan that they can in this open enrollment period for October, as long as they reimburse the town for any costs associated with that plan. Sarah Zimmerman seconded. All in favor.**

COMMENTS BY COUNCIL MEMBERS – No comments made

ADJOURNMENT

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

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**APPROVED**

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