



TOWN OF PAWLEYS ISLAND
TOWN COUNCIL MEETING MINUTES

13 SEPTEMBER 2021

PRESENT: Mayor Brian Henry, Guerry Green, Ashley Carter, Rocky Holliday.

ABSENT: Sarah Zimmerman

1. CALL TO ORDER

Mayor Henry called the meeting to order at 5:00 PM.

2. PUBLIC COMMENTS

No one signed up for public comment. Any emails sent in prior to the meeting will be made part of the minutes. (See email below)

3. APPROVAL OF MINUTES

- **8-9-2021 Regular Meeting**
- **8-18-2021 Special Meeting**

Mayor Henry asked for a motion to approve the minutes from 8-9-2021 and 8-18-2021. Rocky Holliday motioned to approve. Ashley Carter second the motion. All approved

4. REPORTS AND UPDATES

A. Police Report

Chief Mike Fanning discussed with Council that August had been a very busy month. There were three different reports of assault and battery. There was report of rape/sexual assault in which Investigator Fairfield worked jointly with Georgetown County Police due to part of the incident occurring in Georgetown County's jurisdiction. However, due to conflicting and incoherent stories and a lack of evidence the case is leaning towards being unfounded. One of the assault and battery incidents was reported the day after the supposed assault. That case was also deemed unfounded. One other assault and battery report involved a bystander getting angry at turtle walkers for filling in sand holes and flattening sandcastles. The bystander shoved the turtle walkers; however, they did not want to press charges. The bystander apologized to Chief Fanning and said he was not sure of what came over him. Chief Fanning discussed several arrests that took place. One involved larceny of a trailer hitch. Another involved larceny of a golf cart. Another involved an intoxicated driver who drove into a parked car and then proceeded to park their car to go out to the beach. The final one involved illegal oyster harvesting. DNR was contacted and they deemed that the people were illegally harvesting oysters.

Ashley Carter asked Chief Fanning if anything could be done about golf cart drivers refusing to pull off to the side of the road to allow cars to pass. Chief Fanning stated it would not be possible to enforce that due to the state viewing golf carts as vehicles just like cars.

B. Building Report

Ryan stated that there is nothing out of the ordinary with the building report.

C. Financial Report

Ryan stated that the main highlight of the financial report is that the local A-tax funds are exceedingly higher than expected. Rocky Holliday asked is we can foresee this happening the rest of the year. Ryan said that yes it should follow the same trend the rest of the year. Guerry Green asked Ryan how our financial standing compares to last year. Ryan stated that local A-tax is higher but legal fees are much higher. However, that was to be expected due to ongoing legal issues. Guerry Green asked Ryan if he could include a section of last years financial standing from now on. Ryan said he would.

5. BUSINESS

A. Appointments to Board, Commissions and Committees.

- I. Appoint new member to Planning Commission for a term expiring February 18, 2023. New appointee will fill the unexpired term of Ken Leach.**

Mayor Henry discussed the need to appoint a new member to the Planning Commission to fill Ken Leach's seat. Mayor Henry stated that Mark Hawn who has owned a house on the Island since 2007 has stepped up and asked to be nominated. He has experience with serving on non-profit and HOA boards. Rocky Holliday agreed that Mark is a great guy. Mayor Henry asked for a motion to appoint Mark Hawn on the Planning Commission. Rocky Holliday motioned to a appoint. Guerry Green seconded the motion. All approved.

B. Ordinance 2021-08: An ordinance prohibiting firearms in Town Hall or on Town owned real property.

Ryan Fabbri stated that there is a memorandum about the legality of the ordinance within the agenda packets. Guerry Green asked Ryan about the purpose of this ordinance. Ryan stated that since the open carry law went into place the Town realized that they did not have anything in place that prevented firearms in the town hall. Ryan discussed that right now there is nothing preventing someone from walking into town hall, a council meeting, or board meeting with a gun. David Durant stated that in his professional opinion the ordinance would not be allowed, and the Town could be sued. Ross Durant compared it to the North Myrtle Beach helmet law that was overruled by the state. Chief Fanning stated that the only thing the Ordinance is attempting to do is get the Town in line with all other government buildings. Georgetown County does not allow firearms in County owned buildings.

C. Ordinance 2021-09: An ordinance amending the 2021 operating budget

Ryan discussed that the purpose of this ordinance is to amend the one budget line item regarding legal fees. He stated that this was expected and has been discussed for many months. The original budget was for \$14,000. The current legal fee standing is \$55,000. The budget amendment will budget for \$114,000 of legal fees which is an estimate of the remaining legal fees until the end of the fiscal year. Guerry Green asked how did the Town spend so much more in legal fees than expected and if we will spend more? Ryan stated that this was expected, and it was impossible to budget the estimation of legal fees due to the ongoing legal issues. Mayor Henry expressed understanding and said that the budgeted amount is just an estimate. Guerry Green expressed more concern with the amount. Mayor Henry reiterated that it is difficult to estimate legal fees. Rocky Holliday agreed that it is difficult. Mayor Henry asked for a motion to approve the budget amendment. Rocky Holliday motioned to approve. Ashley Carter seconded the motion. All approved.

D. Resolution 2021-03: A resolution designating an authorized representative and contact person for purposes of the American Recue Plan Act of 2021 (ARPA)

Ryan Fabbri stated that this was just a formality because Council must formally name a representative for the ARPA. Mayor Henry asked if the funds were like the PPE loan that businesses received for Covid. Ryan stated that these funds will act more as a grant than a loan. It was formulated by the population of the Town which attributed to the Town receiving \$53,000 from the ARPA. Mayor Henry addressed some frustration with how the state and federal government distributed the funds because even though Pawleys Island has a small permanent population, the Town has a huge population of visitors that the Town tends to. Mayor Henry asked for a motion to approve the resolution. Guerry Green motioned to approve. Ashley Carter seconded the motion. All approved.

E. Approval of Authorization for Entry for Construction on property for installing sand fence and planting dune vegetation in relation to the Pawleys Island Coastal Storm Risk Management project.

Ryan stated that this is to approve the contractor to come in and plant vegetation within the easements acquired. This will meet the real estate interests for the easements obtained. Sand fencing and planting sea oats will be involved. This leaves out the easements that the Town does not have. Mayor Henry asked for a motion to approve. Guerry Green motioned to approve. Rocky Holliday seconded the motion. All approved.

F. Storm drain pilot program

Rocky Holliday gave some background about is storm drain project. He discussed that a property owner survey determined that flooding was a main concern on the Island. He stated that from his analysis a lot of the flooding comes from backed up storm drains so the project would involve installing a back flow prevention valve which would prevent the clogging issue.

The project would consist of cleaning and repairing a broken pipe then installing the drain valves. The funding is coming from a 50/50 funding model where 50% of the donations come from the Town and another 50% comes from donations of property owners. Rocky stated that the project is estimated to cost \$40,000 and that \$15,000 has already been raised on the property owner end of the deal. If the results are positive Rocky stated that he would like to implement this valve system, all over the Island. Former Mayor Bill Otis and Rocky walked around the Island to identify the drains that would need the valves in a mass scale project. The goal would be to expand fundraising efforts to the entire Island and develop priorities regarding the project. Mayor Henry thanked Rocky for all his work in this project and is very hopeful that the project will be a success. Mayor Henry stated that DOT has stepped up to assist in some parts of the project. Guerry Green asked Ryan if he had heard anything from Georgetown County about Pawleys Island being part of the watershed program regarding stormwater. Ryan stated that unfortunately the County has not brought us in under the watershed program. Rocky Holliday stated that he had talked with the County, and they had expressed a willingness to include the Town under the program.

G. Discussion regarding creek dredging and next steps

Mayor Henry discussed the important of creek dredging and how the four main priorities of the Island consist of maintaining the beach, creek, road flooding, and money. Creek dredging is vital to everyone. He discussed that the permitting process could take years and in the past, it has taken up to 20 years. Mayor Henry stated that he would like to talk with the Litchfield POA about the process they are going through with creek dredging and possibly get some advice from them. Ashley Carter stated that he is very surprised with all the sand washing up. Rocky stated that the creek looks healthy, however, if no action is taken on dredging the creek, then navigation could become an issue. Mayor Henry, Rocky, and Guerry asked Ryan if he could get some advice from CSE about starting the process and to get an estimate on the scope of the project.

6. EXECUTIVE SESSION

Pursuant to Freedom of Information Act §30-4-70- (a)(2) legal advice or other matters covered by the attorney-client privilege. Upon returning to open session, Council may take action on matters discussed in Executive Session

Mayor Henry asked for a motion to step down into executive session for legal advice covered by the attorney-client privilege. Guerry Green motioned to step down. Rocky Holliday seconded the motion. All approved.

Mayor Henry asked for a motion to step out of executive session. Rocky Holliday motioned to step out. Guerry Green seconded the motion. All approved.

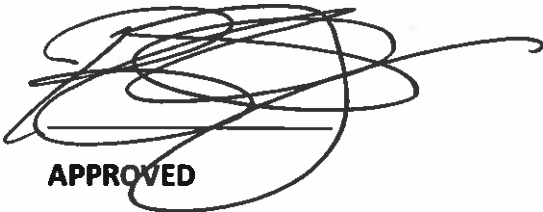
Mayor Henry stated that no decision had been made in executive session.

7. COMMENTS BY COUNCIL MEMBERS

No comments were given.

8. ADJOURNMENT

Mayor Henry called for a motion to adjourn the meeting. Rocky Holiday motioned to adjourn. Guerry Green seconded the motion. The meeting adjourned at 6:46 PM.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

APPROVED

A smaller, more compact handwritten signature in black ink, with several overlapping loops.

ATTEST

10/11/21

DATE

10/11/2021

DATE

From: George Hart <georgechartjr@gmail.com>
Sent: Friday, September 10, 2021 11:15 AM
To: pjanco@townofpi.com
Subject: Dog leash rules

Preston...

Please submit the following for consideration at whatever meeting is appropriate...

My MAIN issue...is the specific TIMES (8-8)...
which does NOT accommodate the changing of seasons...nor...daylight savings...

Seems to me...it would be better...as described below...using sunrise and sunset as the determining factor...which
people can easily find out...

For example...

In September...8pm is getting dark...and most people have left the beach long before 8pm...

First...I totally agree...that when the beach is crowded...dogs should be "leashed"..."
however...

I do think the wording of the current rules can be improved...especially relative to HOURS..both...to more easily
accommodate the changing seasons and daylight savings...
and also...to allow for some "reasonable"... EXCEPTIONS...

I request that you consider something like the following...

Relative to Dog leash rules...there are 2 standards

1. This rule is MANDATORY...
 - . NO EXCEPTIONS...
 - . People who bring dogs to the beach...
 - . are required...
 - . A. - to have a leash..
 - . . - in close proximity
 - . . to restrain dogs...if necessary...
 - . .
 - . B. - to have...and be able to show...
 - . a method for picking up "poop"...
 - . - to pick up and dispose of the
 - . "poop"...as soon as possible...
2. This rule is also MANDATORY...
 - . HOWEVER...
 - . there are...extenuating circumstances...
 - . subject to the judgement of the beach
 - . . patrol...when EXCEPTIONS will be
 - . . allowed...
 - . Dogs must be leashed
 - . from...1-hour after sunrise...
 - . . to...1-hour before sunset...
 - . UNLESS...

- . - there are few or no people on the
- . beach...
- . - the few people on the beach...
- . - are asked if they object...
- . - none object...
- .
- .

