



TOWN OF PAWLEYS ISLAND

TOWN COUNCIL MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585
11-14-2022 – 5:00 pm

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

ABSENT: Ashley Carter

STAFF PRESENT: Dan Newquist (Town Administrator), Mike Fanning (Chief of Police), Daniel O'Hara (Town Clerk)

ADDITIONAL PRESENT: Ross Durant (Town Attorney)

1. CALL TO ORDER

Mayor Henry called the meeting to order at 5:02 PM.

2. PUBLIC COMMENTS

Bill Caughman: Bill stated that he would like to give a shoutout to the new Town Administrator. Bill explained that he came to him with a request following Hurricane Ian about fixing the dunes around Davis Drive. Bill mentioned that within a day of his request it was completed. He wanted to thank the Town Administrator for his hard work on the project.

3. PUBLIC HEARING

a. First Reading: Tree and Landscaping Ordinance

Daniel started by briefly explaining the ordinance, mentioning that it will only pertain to new construction. The review process will begin with a tree survey included in the all-new ARB applications. This will require all trees with a 4-inch diameter and greater to be recorded on the survey. Daniel continued to mention the remedies to prevent violations, he explained that violators could be fined or have their permits suspended. Daniel stated that he has received pretty good feedback about this from residents. Daniel opened the floor up for discussion. Rocky Holliday began by explaining that he has concerns about the enforcement of the ordinance. Guerry Green mentioned that he believes that four (4) inches in diameter is too small of a tree. Mayor Henry asked if the planning commission had any thoughts on the diameter of the tree. Daniel noted that the commission had looked at several different tree ordinances from various municipalities. Daniel stated that this is something that he can discuss with the commission to review. Mayor Henry recommended that the planning commission review tree ordinances similar to the Town to determine whether the 4-inch diameter is standard. This led to a discussion on the mitigation of the removal of trees on lots. Mayor Henry asked whether there was any mention of species of trees. Rocky Holliday mentioned that the only mention of tree species was listed in the mitigation section. Mayor Henry stated that it seems that there is some work to

be done on the enforcement, tree diameter, and mention of tree species but the mitigation is well addressed. Mayor Henry opened the public hearing for comments from the public.

- i. Ezra Oyer: Mr. Oyer started by mentioning that he believes that the 4-inch tree diameter needs to be addressed. Mr. Oyer stated that it should be addressed on the species of tree, mentioning that it is not one size fits all. Mr. Oyer continued to explain that he would like to see something about the use of pilings as landscaping for parking. He explained that following Hurricane Ian that there were several that ended up on his property.
- ii. Ray Workman: Mr. Workman asked Town Council whether the ordinance addressed invasive species. Mr. Workman cited having some on his property and was curious how the ordinance would address them. Daniel Newquist mentioned that there is a clause in the ordinance where it is addressed.

- b. Mayor Henry stated that the enforcement, diameter, and species requirements all need to be reviewed before moving forward.

4. APPROVAL OF MINUTES

A. 10-18-2022 Special Meeting Minutes

- a. **Mayor Henry asked for any modifications, updates, or motions. Rocky Holliday made a motion to approve the minutes. Guerry Green seconded the motion. All voted in favor.**

5. REPORTS AND UPDATES

A. POLICE REPORT

- a. Chief Fanning started by stating that the first week of the month Hurricane Ian made landfall was notably busy. Chief Fanning mentioned that no major crimes had occurred during the rest of the month. Mayor Henry asked Chief Fanning if the number of events have been affected since Tracy left the department. Chief Fanning stated that 2022 is comparable to 2021 but noted that there have not been large amounts of car break-ins. Mayor Henry asked if the cameras on the Island had experienced any issues. Chief Fanning stated that just some minor issues but noted that he would like to potentially see the live-stream capabilities of the camera footage. Chief Fanning explained that this would be easier for the detective to access the footage, instead of waiting to receive the footage from the company.

B. BUILDING REPORT

- a. Daniel Newquist briefly went over the various documents in the report. Mayor Henry asked when the Town moves over to a third party for building permits how will this report change. Daniel Newquist mentioned that staff will be able to customize the report and compile information much easier.

C. FINANCIAL REPORT

- a. Mayor Henry started by explaining that it seems that there is a lot of information and printing that goes into the financial report. Mayor Henry proposed to change the financial report so that instead of the lengthy report the Town Council is given a two-page high-level report. Daniel Newquist mentioned that there is a way to condense the report to include more relevant information. Mayor Henry agreed and stated that it should include revenues and expenses and comparisons to previous years. If there are any discrepancies between budget items, they should be explained and included in the summary. Mayor Henry continued to explain this will not be something that is rolled out in the December meeting, but it will be on schedule for January of 2023. Mayor Henry asked Daniel Newquist to go over the report, Daniel explained that accommodations tax revenues for the month are still up and are above expectations for the budget year. Mayor Henry mentioned that revenues are higher than what was forecasted, and expenses are lower than what was budgeted. Daniel O'Hara mentioned that some end-of-the-year payments have started to roll in. Rocky Holliday offered some kudos to staff on the work they have been doing with the financials and the audit. Daniel Newquist mentioned that the auditor has been great to work with throughout the process and is very thankful for it. Daniel mentioned that the Town Auditor will be present at the next meeting to go over the audit.

6. BUSINESS

A. Hurricane Ian Response

Mayor Henry mentioned that the majority of the Island was moving in the right direction. Mayor Henry touched on the debris in the creek but asked Daniel Newquist to explain. Daniel stated that he had made contact with a non-profit called Wounded Nature. He continued to explain that they specialize in derelict boat removal and other marine debris. Daniel explained that this first discussion with Wounded Nature was productive in beginning to scope out the work that will be required to remove the debris. Mayor Henry thanked everyone for their patience over the past six weeks to allow the Town to improve the conditions on the beach and around the island following Hurricane Ian. Guerry Green asked Mayor Henry about the position of the Pier Village and their efforts for reimbursement of the pier debris removal. Mayor Henry stated that there has been a little hesitancy in providing a copy of the insurance policy. Mayor Henry stated that this is not a malicious attempt to prevent from assisting the Town. But instead, they feel that it is unfair to assume that all the debris is from the pier. Mayor Henry explained that Daniel Newquist asked Robert Collins Company to quantify the types of debris removed from the beach. Daniel Newquist stated that seventy-two percent (72%) of the debris was the pier, twenty-one percent (21%) was walkway or miscellaneous debris, and seven percent (7%) was sand fencing. Daniel continued to give an update on the results of the debris being moved off the Island. He mentioned it was

completed in twenty-three (23) loads. This led to a conversation about maintaining a neighborly approach to seeking reimbursement from the Pawleys Pier Village. Mayor Henry noted that Pier Village has been a good neighbor to the Town allowing the Town to keep vehicles and storage on its property. Rocky Holliday asked what percentage of the expenses the Town expects to be refunded by FEMA. Daniel Newquist mentioned that he has a meeting with FEMA to discuss information on reimbursement and emergency support. Daniel mentioned that he had heard that it was seventy-five percent (75%), but that he would confirm with FEMA. Rocky Holliday asked if there had been any information found on creek debris removal following previous Hurricanes. Daniel Newquist stated that it appears it has not been done often. Chief Fanning provided input that Hurricane Mathew did not cause the same issues as Hurricane Ian did. Chief Fanning continued to explain that it was the owner's responsibility considering the navigable waterways were not blocked. This led to a discussion on how to address the removal. Mayor Henry stated that Daniel Newquist is already working to communicate with contractors about the project. Mayor Henry mentioned that they would need to do a similar exercise to that of beach debris removal. Daniel Newquist followed up by stating he would make sure to know what is and is not covered by the FEMA reimbursement. Guerry Green proposed the idea to the Town Council to create a fund for future debris removal. A fee would be attached to the building permit required which would be set aside for debris removal following a Hurricane. Mayor Henry stated that the council could look into that. **No decisions or votes were made.** Chief Fanning shared some insight regarding the Beach Access points on the Island. Chief Fanning mentioned that the county has plans to resurface the south-end parking lot. The council asked staff to try and gather information about the work being done. Daniel Newquist asked whether or not to continue to empty and reuse the dumpsters behind the Town hall. Town Council agreed that it was no longer required for the town to offer that service.

B. 2023 Budget – First Reading

Mayor Henry mentioned that this is the first reading for the 2023 Budget. The second reading would take place in December when the Town Council would need to approve the budget. Mayor Henry thanked staff for their work to create the working draft of the 2023 Budget. Mayor Henry urged the Town Council over the next couple of weeks to give it a hard look and to provide comments. Mayor Henry stated that so far from what he gathered is that the Town is coming in under budget for 2022. Mayor Henry stated that despite the storm cleanup and recovery. Mayor Henry mentioned that an anonymous donor gave the Town \$25,000 to use as it sees fit. Town Council was extremely appreciative of this news. Rocky Holliday also thanked the staff for their work in putting together all of the information. Sarah Zimmerman had a question regarding the total revenues and how it relates to the general fund. Daniel Newquist stated that he wants to make sure that everything

jives with revenues. He continues to explain that there were some mismatched budget items listed in the revenue and in expenses related to grant monies. Daniel Newquist then clarified on the combination of Local A-tax revenues is not included in the General and State-A-tax funds. Sarah requested to keep all the revenues in the same place. Sarah mentioned how the beach management expense did not match the budget sheet. Daniel O'Hara mentioned to Sarah that a portion of the beach management expenditures is dedicated to debt service and beach work. Daniel O'Hara further explained that staff had adapted Ryan's previous documents for the 2023 budget. **No motions, decisions, or votes were made on the first reading of the 2023 budget.**

C. Sea Level Rise Adaptation Plan

Mayor Henry leads the discussion by going over the progress of the project and the public outreach that took place. Mayor Henry stated that he believes this document is to his liking and he would like to have public input on it. He explained that the planning commission was very happy with it as well. Mayor Henry noted that the Town will need to adopt this document to seek grant funding. Rocky Holliday stated that he spoke with Nicole about the work that had been done with the project. Mayor Henry stated that he would like to point out the king tides and their relationship to this report. Mayor Henry stated that the Town should start working on a King Tide contingency plan. This led to a discussion about how to make sure residents and visitors on the Island are aware of the impacts and safety. Sarah Zimmerman asked about the new flood maps. Daniel Newquist noted that DNR had released the new flood maps, which will go into effect on May 9, 2023.

D. Building Permitting and Inspections Contractor Update

Mayor Henry stated this is another item that the planning commission has been working extremely hard on and asked Daniel Newquist to provide an update. Daniel Newquist explained after researching several options to serve the Town, the Planning Commission and Daniel recommend SAFE Built as the provider for building department services. Daniel continued to explain that he and a member of the Planning Commission met with SAFE Built officials last week to discuss the terms of the contract. Daniel mentioned that the Town will need to first execute a termination agreement with Georgetown County before services can start. Daniel stated that SAFE Built has agreed to do a revenue split with the town. Based on the current fee schedule, which Daniel mentioned will need to be readdressed and updated, SAFE Built agreed to a 90% - 10% revenue split. Daniel stated that this would be re-evaluated this Spring during a review of the fee schedule. Daniel mentioned that there will be a need to create a Building Code Council for the Town, but he has requested to use the County's current board for 180 days. Sarah Zimmerman asked if the Planning Commission had received bids from any other companies. Daniel stated that they had received one from CC and I, a company based out of the upstate. Daniel mentioned that the difference between the two

companies was that CC and I could only commit to a twice-a-week inspection schedule. Based on their location and size. Daniel explained CC and I does not have much experience in coastal communities as well. Sarah Zimmerman asked if the Planning Commission had made any recommendations on updating the fee schedule and asked if the rate would be increasing. Daniel explained that the governments SAFE Built works with, either have a revenue split or an hourly rate payment. Daniel mentioned that the direction he was given by the Planning Commission was to split revenue. Daniel mentioned that SAFE Built offered to enter into a contract with the Town at the current fee schedule for the 90 to 10 splits, 90 to SAFE Built, and 10 to the Town. Daniel stated that the primary discussion should be between the Town Council and the planning commission to determine if the Town should increase the fee schedule. Guerry Green asked how the County's fee schedule compares to the Town's fee schedule. Daniel stated that it is pretty much identical per the ordinance. Daniel stated that he had also included the termination agreement in the packet and would be meeting with county officials to go over the information mentioned. Daniel explained that John LaMaster has been an incredible help to the Town throughout this process. Rocky Holliday asked whether the commission looked at other neighboring communities and their fee structures. Daniel stated that they had started that process, but it needs more review and consideration. He continued to explain he was happy to get SAFE Built to agree to a contract based on the current fee structure and to reevaluate. Mayor Henry stated it is important to make sure that they start this process by January 1st.

E. 2021 Building Code Adoption

Daniel Newquist stated that the state of South Carolina is implementing 2021 building codes starting January 1st, 2023. Daniel explained that the town is required to enforce all chapters except the administrative chapter. Daniel mentioned that it is the town's option to adopt as is or modify it. Daniel stated that he wanted to make the town council aware of this change. Rocky Holliday asked if the Planning Commission was made aware of these changes. Daniel stated that they had, and he also mentioned that SAFE Built has helped in explaining the process as well. Mayor Henry mentioned that the town needs to acknowledge that the town needs to understand that ultimately it is the job of SAFE Built to enforce these codes. Mayor Henry stated that as long as the town is enforcing the codes by January 1st, 2023, then we will comply, but the town will not have to adopt them by January 1st.

F. Virtual Town Committee Quorum – Discussion

Mayor Henry stated that there have been some issues with having these committees obtain a quorum. Mayor Henry stated that the Town Council show has an in-person quorum. But he continued to explain that other committees are struggling to meet and have a quorum. Mayor Henry stated that it may be as easy to allow the Mayor or have the Council pass an ordinance. Mayor Henry stated that he just wanted to

get the council's opinion on the matter and will continue discussing this in the future.

6. COMMENTS

Mayor Henry gave a brief Tyson property update, stating that he has not seen any work done around the property. Mayor Henry stated that if the town does not see anything is done by the end of the year the Town should send them a letter stating what they need to do.

7. ADJOURNMENT

Mayor Henry asked for a motion for adjournment. Rocky Holliday started a motion for adjournment. Guerry Green seconded the motion. All voted in favor.



APPROVED

12/12/22

DATE



ATTEST

12/12/22

DATE