

# TOWN OF PAWLEYS ISLAND TOWN COUNCIL BUDGET WORKSHOP MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585  
1-16-2023 – 5:00 pm

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

**ABSENT:** None

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

**ADDITIONAL PRESENT:** Mark Buyck (Legal Counsel)

## 1. CALL TO ORDER

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

## 2. PUBLIC COMMENTS

### A. An Email submitted by Keith Williamson:

- i. Please accept this email I as a public comment in support of the use of mat walkways on Pawleys Island. I request that the town of Pawleys Island allow property owners to install fiber walkway mats to the beach, as many other beach communities have done. Some of the advantages of the mats, compared to boardwalks include: Less cost to property owners-less obtrusive and noticeable to the natural beach vista. Ease of placement and removal, in the face of dangerous storms elimination of debris of boardwalk material on the beach and on the property of other property owners after storms, ease of access for some handicapped persons, as there are no steps-narrow width (3.5 ft. is a normal width) will cause little damage to beach vegetation Please let me know if you want more information or discussion. Thank you, Keith Williamson Property, owner of Lot 310A Myrtle Avenue

### B. Carol Avinger

- i. Mrs. Avinger stated that she wanted to address concerns she has about an ordinance. She then noted that there is a lot of new construction going on around the Island and improvements to current homes. She mentioned that she has given it a lot of thought and believes the Island should be somewhere where people come for a peaceful getaway. Mrs. Avinger pointed out that on the Island you can have construction every day of the week and the hours are 7:00 AM to 6:00 PM. Mrs. Avinger noted that she would like to recommend that the hours change to 8:00 AM to 5:00 PM six days a week. She continued to mention this would allow less time on the Island with construction noise and allow Sundays to be work free. Mrs. Avinger stated that she believes Sundays should be a day of worship and relaxation and not working or making noise. She continued to mention the

proximity of the island's homes and the effect the noise can have on neighbors and visitors. Mrs. Avinger asked the Town Council to consider her recommendation and asked others to speak up if they are concerned about it as well.

### **3. APPROVAL OF MINUTES**

A. 12-12-2022 Regular Meeting

B. 1-10-2023 Budget Workshop

- i. Mayor Henry asked for a motion to approve, amend, or add to the minutes. Rocky Holliday motioned to approve both sets of minutes. Ashley Carter seconded the motion. All voted in favor. No opposed.

### **4. REPORTS AND UPDATES**

A. Police Report

- i. Chief Fanning noted that the officers responded to 30 to 35 broken water lines between Christmas eve and Christmas day. He explained that his officers, midway fire, and several property owners helped fix some of the broken lines. Chief Fanning noted that besides those incidents it was a fairly benign month. Following Chief Fanning's report, Mayor Henry gave a brief presentation on the crime rates on the Island during 2021 and 2022. It was noted that crime in 2022 compared to 2021 was down. The Town Council asked Chief Fanning if the cameras had been effective and whether to add more or to see if the Town could push an incentive to property owners to install ring cameras.

B. Building Report

- i. Daniel Newquist noted that since the previous meeting, the Town has started taking building permits in-house. Staff is already observing a steady volume of permit applications. Daniel Newquist noted that having the building department allows him to have more direct contact with builders and contractors. He also noted that it also adds to a stronger awareness of what work is being done without a permit on the Island. Guerry Green noted that it was a goal to not have the police department involved in enforcing this but to have the company do it. Sarah Zimmerman noted that it should be required to have the permit posted at the job site. Daniel Newquist noted that he would work closely with Robert Cox the Building Official to work through this.

C. Financial Report

- i. Daniel Newquist noted that at the next meeting, there will be a more in-depth report on the end-of-year finances.

### **5. BUSINESS**

A. Second Reading – 2023 Town Budget

- i. Daniel Newquist noted that anything highlighted in red was any change that was proposed at the budget workshop meeting. He also mentioned

that yellow references something that was discussed but not changed. Sarah Zimmerman asked whether the numbers reflecting the State A-Tax were correct. She mentioned that the current amount in the financial report did not match what was forecasted in the budget. This led to a discussion on the State A-Tax collections and the timeline of payments from the State. Sarah Zimmerman asked if the Town Council had any plans to change the fee for the golf carts. This led to a discussion on how and if the Town Council can change the fee. It was discussed that staff is taking a lot of their time to approve these permits and that they should be addressed for a formal review. Town Council also discussed postponing any further permits to prevent an overload of staff while any potential changes are made. **Guerry Green motioned to postpone any further golf cart permit applications until further discussion is had on how to address them moving forward. Sarah Zimmerman seconded the motion.** Mayor Henry asked if it would create any additional hardship on staff. Daniel O'Hara noted that he was already making all applicants refile paperwork so postponing it would not be. **All voted in favor. None opposed. It was decided to put it on the agenda for the February Town Council Meeting.** Sarah Zimmerman pointed out the underground wire and expressed concerns regarding the budgeted revenue. This led to a discussion about closing out the underground wire account. Mayor Henry stated that it should be something that the Town Council addresses later in the year. **Guerry Green motioned to approve the second reading of the budget. Rocky Holliday seconded it.** Sarah Zimmerman brought up the change of budgeted amount on the special events changing from 30,000 to 35,000. Sarah Zimmerman stated that she believes that the funds could be better used in other areas. She noted that the historical signs on the Island could be used for some renovation. Mayor Henry noted the events that the Town is organizing have expanded and that the events are getting better and have large turnouts. This led to a conversation about the purpose of the events and why they have expanded. Chief Fanning asked whether fixing the historical sign could be an Eagle Scout project. Sarah Zimmerman noted that she spoke to Judge Pop about why the salaries increased and then asked if there had been any follow-up on the insurance policy. Daniel Newquist noted that he could follow up on that request with his contact about the police officer coverage and the legal counsel coverage. **All voted in favor. None opposed.**

B. Hurricane Ian Response

- i. Daniel Newquist mentioned that C-Way Marine Construction did a good job with their removal of the creek debris. He noted the majority of it has been removed. Daniel Newquist continued to note that a lot of sand

fencing and dune vegetation was lost due to Hurricane Ian. Daniel Newquist noted that these are critically important and that in the past the Town has assisted property owners in replacing those resources. Daniel Newquist stated that he would like to propose a voluntary fifty-fifty cost-sharing program with interested property owners. He noted that he has provided property owners with contractors that do this type of work. Daniel Newquist noted that a typical 60-foot-wide lot would cost \$2750 to do sand fencing and vegetation planting. Daniel Newquist noted that he has already received feedback from property owners about wanting to be included in the program, but he mentioned he wants to get more engagement. Guerry Green pointed out that in the past the cost share was for just fencing. Sarah Zimmerman asked whether this would need to get done before the Corps of Engineers starts. Daniel Newquist noted that in the maintenance guidelines outlined, the Town can and is responsible for the repair of sand fencing when lost or damaged. Daniel Newquist noted that there is FEMA eligibility for reimbursement and also from the Army Corps. Rocky Holliday asked if there was a proposal that Town Council needed to vote on it. Daniel Newquist stated that he was hoping to receive some feedback. Mayor Henry agreed and stated that it was not in the final stages yet and that Dan is still waiting to hear back about reimbursement. Sarah Zimmerman noted that she believed the Corps was going to install sand fencing and vegetation in the spring. Daniel Newquist stated that was the recommendation given by CSE and he has a meeting with the Corps to go over the federal project area. Sarah Zimmerman asked whether the FEMA grant had a deadline for it. Daniel Newquist stated that there are, but they are not anytime soon. It was determined by the Town Council that this is still in the early phases and Daniel Newquist should continue to reach out to interested property owners. Sarah Zimmerman asked whether or not the beach accesses are going to be repaired and reimbursed for that. Daniel Newquist provided input and that it should be up for discussion in February. **No votes were taken.**

C. Tree and Landscaping Ordinance – Review

- i. Daniel Newquist noted that the Town Council provided feedback for the Planning Commission to review the 4-inch DBH requirements and the enforcement policy. Daniel Newquist referred to the revised version of the ordinance. **See Attachment.** The two major changes of the ordinance were to include differences in DBH requirements based on the tree species and the inclusion of a non-conversion agreement that would protect the trees mentioned in the ordinance. Guerry Green stated that a homeowner would still need to fill out a tree survey. He mentioned that he believes it would be too bureaucratic and questioned whether it is necessary. Rocky

Holliday asked how a non-conversion works in terms of policing. Daniel Newquist noted that it is an acknowledgment that there is an ordinance that protects trees. And a survey indicates whether there are protected trees on the lot. They would be required to go before the Architectural Review Board to remove the tree. Rocky Holliday asked whether or not this would include an inspection change from the Town or the Police Department. Daniel Newquist stated no, it would not. Mayor Henry asked what Town Council's opinion on the memo was to adopt the Heritage Plantation requirements for DBH based on tree species. This led to a discussion on the distinction between various trees and whether the ordinance should be expanded from new construction. The Town Council agreed that this is an important issue, but they would need more information from a professional and asked Daniel Newquist to give feedback to the Planning Commission. **No votes were taken.**

**D. Swimming Pool Ordinance Discussion**

- i. Daniel Newquist noted that this has been up for discussion recently and the Planning Commission had started to review the current ordinance. Daniel Newquist referenced an incident that sparked interest from Town Council following Hurricane Ian when a resident emptied their pool flooding a road. Daniel Newquist spoke with Georgetown County Water and Sewer District, and their facilities are not able to process pool water. Daniel Newquist mentioned that the only option for the removal of water is to have it taken off-Island, but it is not listed as an option. Daniel Newquist also mentioned that the Planning Commission is reviewing the setback requirements for pools as well as the distinction between an inground and above-ground pool. He noted that a recent pool permitted on the island is an inground pool with a raised deck, the Planning Commission is considering if it should be viewed differently than a pool with no raised deck. Also, there is no penalty associated with a violation of the ordinance. **No votes were taken.**

**E. Town Committee Quorum**

- i. Mayor Henry stated that outside of Town Council meetings, he believes that committees should be able to obtain a virtual quorum provided that someone is in person to preside over the meeting. This led to a conversation to determine if it was something that the Town would be able to do. Town Council decided to look into the matter more before making any further changes. **No votes were taken.**

**F. Committee Member Appointments**

- i. Mayor Henry noted that the reappointments had been included in a table. **See attached.** He also noted that there were vacancies on the A-Tax Committee and the Zoning Board of Appeals. Mayor Henry stated that if

anyone was interested in participating in Town Committees to contact Town Hall for more information. Mayor Henry asked for a motion to approve the reappointments listed in the table. Rocky Holliday motioned to approve all existing members as reappointments. Ashley Carter seconded the motion. All voted in favor. None opposed. Mayor Henry asked if there were any nominations or if they would like to think about appointing someone to the vacant positions. Daniel O'Hara noted that there are state requirements for each member of the A-Tax Committee. Sarah Zimmerman nominated Mary Nash for the vacant position on the Accommodations Tax Committee for a term of two years ending 01/09/2025. Ashley Carter seconded the motion. All voted in favor, and none opposed. Mayor Henry noted that there was still an opening for the Zoning Board of Appeals if any resident was interested.

**6. EXECUTIVE SESSION – S.C. Code 1976, 30-4-70 (a) (2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.**

A. Mayor Henry asked for a motion to step into the executive session. Rocky Holliday motioned to step into executive session for the purposes described in the agenda. Guerry Green seconded the motion. All voted in favor. None opposed.

B. Mayor Henry stated in order to move out of the executive session there will need to be a motion and vote. Rocky Holliday motioned to move out of the executive session. Guerry Green seconded the motion. All voted in favor. None opposed.

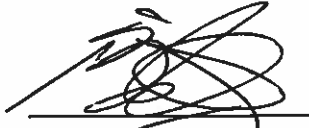
i. Mayor Henry noted that no votes or decisions were made during the executive session. And the purpose of full disclosure was to receive legal advice where the legal advice relates to a pending claim that relates to the Prince George lawsuits covered by the attorney-client privilege.

**7. COMMENTS BY COUNCIL MEMBERS**

A. Guerry Green asked if Daniel Newquist was aware of the mats that Keith Williamson was referring to in his letter. Daniel Newquist stated that he was. Guerry Green continued to explain that Mr. Williamson noticed his neighbor had a mat and wanted to install the same thing on his property. But when he contacted DHEC about it they said that government entities could do it, but individuals could not. Guerry Green asked if Daniel Newquist could look into it. Guerry Green stated that it was a more convenient way to have a walkover than to build back and repair a walkover every time a storm comes. Guerry Green noted that he would ask Mr. Williamson to contact Daniel.

**8. ADJOURNMENT**

Mayor Henry asked for a motion to adjourn the meeting. Rocky Holliday motioned to adjourn. Sarah Zimmerman seconded the motion. All approved.



APPROVED



ATTEST

2/13/23

DATE

2/13/23

DATE

