



TOWN OF PAWLEYS ISLAND TOWN COUNCIL REGULAR MEETING MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585
3-13-2023 – 5:00 pm

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

ABSENT: Rocky Holliday

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

ADDITIONAL PRESENT: David Durant (Town Attorney), John Hildreth, and John LaMaster (Planning Commission)

1. CALL TO ORDER

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

2. PUBLIC COMMENTS

- A. Michael Petrozzino - Mr. Petrozzino stated that he had signed up to speak about the changes to the Golf Cart Permit Ordinance. Mr. Petrozzino noted that he has been a Hagley resident since 2005. He continued to explain that he has previously been issued a permit for his golf cart, but he was recently denied. He mentioned that reason was that he lives a quarter of a mile outside of the 2-mile requirement. Mr. Petrozzino stated he understands that it is not new but that now there is more enforcement. He expressed his concern that the rule is trying to deter golf cart traffic. He continued to explain that the rule would restrict people on the other side of Kings River Road. Mr. Petrozzino stated that he purchased his golf cart trying to be mindful of the environment. He continued to state that the real issue is the people who are renting carts on the Island. He explained that he does not come to the beach on the 4th of July or Memorial Day or Labor Day. He expressed that renters are not mindful of the rules. He continued to explain that he was told that there had been at least 10 to 12 people who had been denied who had permits previously. He asked if there will be something done to allow those who have previously had a golf cart permit to continue to have one. He mentioned that there is a big part of life that is spent grandfathering something like this. Mr. Petrozzino reiterated he believes he knows what the problem is and that it is people driving too slowly around the Island. He stated that Pawleys Island is unique and that he feels as if locals are being slighted here. Mr. Petrozzino concluded that he has a lot of respect for Pawleys Island and the beaches and that he is not the one who is throwing beer cans and hooting and hollering. He stated that someone could get a golf cart for one day but a guy in Town cannot come to the Island.

- B. **No one else signed up to speak.**
- C. Mayor Henry asked if any Council Members would like to comment. Ashely Carter stated that he would help support or research how to grandfather those who previously had been issued a permit. Mayor Henry stated that it has been discussed previously to comprehensively review the golf cart permit ordinance. He continued to note that the 2-mile requirement was adopted some time ago and to change that would require a more in-depth discussion and review. Daniel Newquist provided an update on how the permit process is going so far this year and is open to how to make adjustments for the future.

3. PUBLIC HEARING

- A. Ordinance 23-03: Amendment of Code of Ordinances Sec. 2-65 Electronic Council or Committee Meeting Attendance
 - i. No one signed up to speak.
- B. Ordinance 23-04: Amendment of Code of Ordinances, Uniform Development Code: Addition of a Tree and Landscaping Ordinance
 - i. No one signed up to speak.
- C. Ordinance 23-05: Amendment of Code of Ordinances, Uniform Development Code: Article 2: Definitions and Article V: Flood Hazard Reduction.
 - i. **Public Hearing was postponed until April 10, 2023.**

4. APPROVAL OF MINUTES

- A. 2-13-2023 Regular Meeting
 - i. **Guerry Green motioned to approve the 2-13-2023 Regular Meeting Minutes. Ashley Carter seconded the motion. All voted in favor.**

5. REPORTS AND UPDATES

- A. Police Report
 - i. Chief Fanning noted that there had been a bag of stolen mail recovered on the Island. He continued to explain that the origin of the mail varied from Little River to Pawleys Island. Chief Fanning stated that the mail had been stolen from private mailboxes and the post office drop boxes. He explained that the PIPD had handed over the found mail to the Postal Inspector and provided them with video evidence of a suspicious vehicle. Sarah Zimmerman asked Chief Fanning if there had been any development in the stolen boat on the Island. Chief Fanning stated that there was a tip received by the department that a boat similar to the one stolen was located in Florence. He explained that they were following up on that lead but had no new developments.
- B. Building Report
 - i. Daniel Newquist shared that the Town had issued 16 permits in the month of February, noting that it was slightly down from the 25 issued in January. He added that there are currently three new construction projects expected to be permitted in March. Daniel Newquist stated that it was

requested by Town Council to provide an updated list of the County's active permits on the Island but due to an unexpected technical issue on the county's end, that list was not ready ahead of tonight's meeting. Daniel Newquist noted he would share it with Town Council once he receives it. Sarah Zimmerman asked if the contractor and owner's names could be added to the building report. She also asked for clarification on how the building permit fees and fire impact fees were determined. Daniel Newquist noted that it is something that is automatically calculated based on the Town's fee schedule. Mayor Henry mentioned that it could be added to the building report if needed. Daniel Newquist agreed and stated that he would be happy to include it with the report.

C. Financial Report

- i. Daniel Newquist stated that the full financial report was included in the dropbox packet. And the one-page summary created by the Town staff was provided to Town Council. The only thing that was out of the ordinary was the Federal Registry Processing subscription paid this month, noting that this is required for the Town to apply for Federal grants. Mayor Henry stated that the purpose of this report is to summarize various budget categories that may be out of line. He explained that this list would increase throughout the fiscal year. Mayor Henry asked if anyone sees any discrepancies listed in the full financial statements and not on this list to bring it up for discussion at the meeting. Daniel Newquist also noted that several revenue line items were forecasted too low for 2023, specifically the building department revenue and the golf cart revenue. He continued to mention the expense from Hurricane Ian should be included in this report but that he would be providing a summary of Hurricane Ian-related expenses at April's meeting. Sarah Zimmerman asked about how a claim through FEMA would be recorded in the Town's financial statements. Daniel Newquist stated that since the Town has not received any funds nothing has been recorded. Guerry Green asked if Daniel Newquist could provide Town Council with the number of funds he is requesting for reimbursement from FEMA. Daniel Newquist stated that he would.

6. BUSINESS

- A. Ordinance 23-03: Amendment of Code of Ordinances Sec. 2-65 Electronic Council or Committee Meeting Attendance
 - i. **Guerry Green motioned to approve the first reading of Ordinance 23-03. Ashley Carter seconded the motion. No further discussion was made. All voted in favor.**
- B. Ordinance 23-04: Amendment of Code of Ordinances, Uniform Development Code: Addition of a Tree and Landscaping Ordinance

- i. John Hildreth stated that a lot of discussion and time has gone into this ordinance. He explained that there are two major factors in preserving our trees. John Hildreth emphasized that the landscaping and the trees make Pawleys unique compared to other beach communities. John Hildreth cited the recent flooding on the Island as an important reason to protect the trees on the Island. He explained that trees can uptake a significant amount of water and that Nicole Elko stated that it would be important to create a tree ordinance. John LaMaster noted that it was mentioned in the Sea Level Adaptation plan as a short-term mitigation strategy to combat local flooding. John LaMaster provided input on the changes that had been made to the ordinance since the previous meeting. He pointed out that the ordinance now addresses all trees on the Island. John LaMaster continued to explain that it was a previous concern that it could be too administratively burdensome. But the revised ordinance relies on the ARB and SAFEbuilt to help alleviate some of the potential administrative burdens. John LaMaster noted that the previously proposed non-conversion agreement provision was removed because the ordinance covers all trees all the time. John LaMaster also mentioned that there has been a remedy included that prevents clearcutting as well. Mayor Henry asked a few questions regarding fees and how the regulation of the DBH was being handled. John LaMaster noted that there were fees included for violations and that the DBH for trees was based on various categories. He noted that hardwood trees would have a DBH of 5 inches, an ornamental tree has a DBH of 3 inches and Pines have a 10-inch DBH. John LaMaster explained the rationale was that the Heritage community had a simple ordinance and that the Chairman of the ARB used to be the president of the Heritage HOA. Daniel Newquist highlighted a few points regarding the ordinance stating that the enforcement of this would occur during an ARB review of any new construction and any tree being removed would need to be approved by a certified arborist. He stated that he would be happy to visit anyone's lot if requested. Mayor Henry thanked John Hildreth and John LaMaster for their hard work. **Mayor Henry asked for a motion. Sarah Zimmerman motioned to adopt Ordinance 23-04. Ashley Carter seconded the motion.** No further discussion. **All voted in favor.**

C. Hurricane Ian Update

- i. Daniel Newquist noted that he has been in active contact with FEMA and the Army Corps about post-Hurricane Ian recovery efforts.
- ii. Army Corps Rehabilitation Assistance
 1. Daniel Newquist stated that the Army Corps of Engineers just received 14 million dollars for funding for project work on the Island. He continued to note some preliminary details about the

projects expected to take place mentioning the placement of 200,000 cubic yards of sand and the replacement of dune fencing and the replanting of vegetation. Daniel Newquist mentioned that they expect to have a contract after Hurricane season this year. Daniel Newquist stated that this week the Army Corps will be active on the beach fertilizing dune vegetation. Guerry Green asked if there would be a public hearing for the bidding of the work on the Island. Daniel Newquist stated that he would be following up on that.

iii. Sand Fencing/ Dune Planting – FEMA

1. Daniel Newquist noted that the debris removal and emergency repair work that has already occurred is in processing. Daniel Newquist stated that he has been working with the Town's Beach consultant CSE on what was lost on the beach from Hurricane Ian, and it is estimated that it will cost 131,000 dollars to replace what was lost. Daniel Newquist mentioned that FEMA could cover 75% of the cost of this work, so it would ultimately cost the Town 33,000 dollars to do the work needed. Guerry Green asked for clarification on the reach of this project. Daniel Newquist stated that it would be everything north of the federal project area to 3rd street. He explained that he has a list of property owners who have expressed interest in a cost share for this project.

iv. Beach Sign Replacement

1. Daniel Newquist stated that he is working on getting signs to replace those lost on the beach after Ian. Daniel Newquist stated that this would cost the Town about \$4,000 and FEMA would reimburse 75% of the cost so ultimately it would cost \$1,000. Chief Fanning noted that it's important to have the "keep off the dune" signs placed on the beach to be able to enforce the ordinance law. Daniel Newquist shared some insight into potential plans for the first street beach access. He noted that he is planning either to build the access back to what it was or to make it more accessible to Midway fire. Daniel Newquist expressed interest in the idea of placing a beach mat at the access point for the time being and mentioned it would be reused during other storms as well.

v. Town Hall Repairs

1. Daniel Newquist mentioned to Town Council about starting initial efforts to repair the elevator and entryway.

D. Tyson House Update

- i. David Durant noted that the letter had been sent to the owners and they are on notice. Mayor Henry added that he recently met with the Tysons

and mentioned that the owners needed to give a response to the Town concerning the letter that was sent to them. Mayor Henry stated that they notified him that they are making arrangements to put the home up for sale and plan to clean up the home. Mayor Henry continued to explain that the Town needs to be fair but continue to apply pressure to enforce the Town ordinance. He explained there is some movement and that the owners were cleaning out the inside. Mayor Henry asked David Durant to create a follow-up letter and provide it to Town Council for review.

E. Historic Home Protection - Discussion

- i. Mayor Henry mentioned that there was some discussion about protecting historic homes on the Island, and recently this topic has come back up because two of these homes are currently up for sale. Mayor Henry stated that it could be important for Town Council and the Planning Commission to contact these owners before any ordinances are considered. Mayor Henry continued to reference a conversation he had with one of the owners of a historic home in which the owner told him he would love to protect his home in perpetuity but does not want to be told what can and cannot be done with paint and windows. This led to a discussion on what current measures are in place and what could be done. It was decided that the Town Council and Planning Commission would reach out to the various property owners to gather their opinions and determine the best way to approach the issue.

F. ZBA Member Vacancy

- i. Mayor Henry nominated Jerry Lieberman to the Zoning Board of Appeals for a three-year term ending March 13, 2026. **Guerry Green motioned to approve the nomination of Jerry Lieberman. Ashley Carter seconded the motion. All voted in favor.**

G. Hurricane Preparedness Committee Discussion

- i. Guerry Green noted that following Hurricane Ian he believes there are some things that the Town can improve on as far as procedure. He continued to explain that this committee will help assist the Town to operate and prepare for Hurricanes in the future. Guerry Green stated that he hopes to be able to present recommendations to Town Council for them to adopt and that he plans to have the committee assemble by the end of the month. Daniel Newquist stated that the County is also doing its hazard mitigation process and he noted that this could be a good process to include this committee.

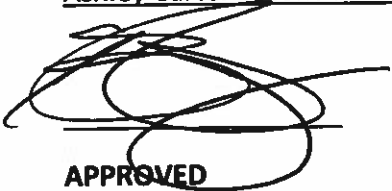
7. COMMENTS BY COUNCIL MEMBERS

- A. Mayor Henry stated that he had been contacted about signage across the Island. He continued that the size of the signs and the locations of the signs had raised concerns from homeowners. Mayor Henry read an email to Town Council about

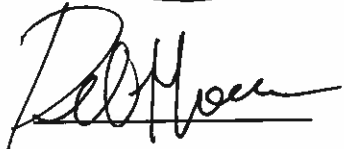
the issue. This led to a conversation about the situation and how to address it. Sarah Zimmerman noted that there should probably be a conversation with the rental companies about how and where they place the signs. She also asked if the ordinance addresses this already. Chief Fanning noted that they regularly pick up signs left by contractors in the right of way. **No decisions or votes were made.**

8. ADJOURNMENT

Mayor Henry asked for a motion to adjourn the meeting. Guerry Green motioned to adjourn. Ashley Carter seconded the motion. All approved.

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APPROVED

A handwritten signature in black ink, appearing to be 'Ashley Carter', written over a horizontal line.

ATTEST

4-10-23

DATE

4-10-23

DATE

