TOWN OF PAWLEYS ISLAND
TOWN COUNCIL MEETING MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585
5/13/2024 – 5:00 PM

PRESENT: Mayor Brian Henry (virtual), Rocky Holliday, Guerry Green, and Ashley Carter

Absent: Sarah Zimmerman

STAFF PRESENT: Daniel Newquist, Corey Higdon, Chief Fanning

ADDITIONAL PRESENT:

1) **CALL TO ORDER/ OPENING REMARKS**
   a) **Rocky Holliday called the meeting to order at 5:00 PM**
   b) Mr. Holliday also recommended an amendment to the Town Council agenda to thank the Pawleys Island Civic Association for their donations for the two "Big Belly" trash compactors on the island. **Mr. Holiday requested a motion to approve the amendment. Guerry Green motioned to approve the amendment. Ashley Carter seconded the motion.** No further discussion. **All voted in favor.**

2) **PUBLIC COMMENTS**
   a) Henry Thomas: Mr. Thomas' first inquiry was regarding the safety of the streets on the island. He raised concerns regarding the traffic speed on most of the island, specifically drawing attention to the north end of the island on Atlantic Avenue. Mr. Thomas asked if a crosswalk will be painted on Atlantic Avenue. He also expressed a desire for speed bumps and stop signs to be added throughout the Town of Pawleys Island. Lastly, Mr. Thomas raised concerns about a manhole drain with a large dip and questioned if there will be improvements to this feature.
   b) James Blaszczyk: Mr. Blasczyk's first statement was to recognize the South Carolina Department of Transportation for their work on paving portions of the island. He then acknowledged recent misinformation being spread by residents on social media regarding parking on the island and recommended that details regarding parking could be posted on the Town's website and/or social media accounts. Mr. Carter addressed these remarks by elaborating on the white line rule for parking on the island, clarifying that all cars parked inside the white lines and off the street are legally parked.
   c) Elizabeth Axon: Ms. Axon submitted a written public comment before the meeting. Mr. Newquist read it aloud for 3 minutes. **For the full comments please see them attached below.**
   d) Barry Stanton: Mr. Stanton submitted a written public comment before the meeting. Mr. Newquist read it aloud for 3 minutes. **For the full comments please see them attached below.**

3) **APPROVAL OF MINUTES**
   a) 4-15-2024

a. **Mr. Holliday requested a motion to approve or amend the 4-15-2024 Town Council minutes. Mr. Green motioned to approve the minutes. Mr. Carter seconded the motion.** No further discussion. **All voted in favor.**

4) REPORTS AND UPDATES

a) Police Report
   a. Chief Fanning started the report by stating that it was a mundane month of April for the Island Police Department. He continues by acknowledging that there is nothing outstanding to report for the month.
   b. Mr. Green questioned if the Golf Cart Permit rule is being enforced, stating that he noticed many golf carts on the island. Chief Fanning elaborated that there has been a grace period for this rule due to the lack of a Town Clerk in recent months, and that the Island Police Department has issued several warnings to those without updated permits.
   c. Mayor Henry requested clarification about traffic numbers, highlighting that overall numbers of vehicles on the island is down eight percent on the year when compared to last year, which Chief Fanning confirmed but acknowledged that a week of data was missing from January, so the percent decrease is less than reported.

b) Building Report
   a. Mr. Newquist prefaced his report by acknowledging the new Town Planner / Clerk for the Town of Pawleys Island, Corey Higdon.
   b. Mr. Newquist started this report by saying that there were 16 new building permits in the month of April, a higher volume than recent months. Mr. Newquist then spoke about some of the new construction projects, with 614 Springs beginning construction and 296 Atlantic nearing completion barring a few changes to adhere to the Town building code. He then provided an updated list of permits with their status included, which was completed with the help of Frank Anderson of Safebuilt. Mr. Newquist provided an update about a demolition permit which was issued to 338 Myrtle in May.
   c. Mr. Newquist then elaborated on the issues with 296 Atlantic, including the unpermitted concrete addition to their driveway, among other issues. Mr. Carter explained he heard concerns from neighbors of this property, explaining that they were concerned about the noise of this construction interfering with their summer rental season.

c) Financial Report
   a. Mr. Newquist initiated this report by stating that he has been working closely with the Town's bookkeeper, Sandy Jersek, and an updated financial report should be ready soon after various bills are paid and deposits are made from golf permits, building permits, etc.
   b. Mr. Newquist then highlighted an uptick in A-Tax collections for the month of March, as well as acknowledging the town's conservative budgeting of A-Tax funds so far this year. Mr. Holliday questioned if the Town is behind on the projected A-Tax collections in 2024, which Mr. Newquist stated that this appears to be true, but a definite answer cannot be reached until April's A-Tax collections are completed.
   c. Mr. Newquist provided an update about repairs to a police vehicle, which was recently completed and fell below the allocated budget. Lastly, he provided an update about the 2023 audit, which is in the process of being completed.

5) **BUSINESS**

a) Drainage Master Plan – Consultant Selection

a. Mr. Holliday introduced the Drainage Master Plan by commending Mr. Newquist for his work on selecting a committee to move forward with the consultant selection, as well as adding that the name of the plan is a misnomer, stating that it does not encompass the significance of this master plan. Mr. Holliday elaborated that this is a master plan for all flooding concerns, and drainage is a part of it. Mr. Newquist added that a grant was received from the Rural Infrastructure Authority to establish this plan, then introduced Paul Groce, who gave a presentation regarding the Master Plan and the recommended consultant: *Seamon Whiteside*.

b. Paul Groce: Mr. Groce presented a PowerPoint to Town Council which went in depth about the details of the Drainage Master Plan and the selection process of the consultant firm that will be assisting the town with the plan. He explained that there was a committee put forth to select Seamon Whiteside, who the committee chose due to their expertise shown by past projects and their focus on coastal resiliency and infrastructure. Mr. Groce highlighted that this Master Plan will support multiple goals laid out by the Town's Comprehensive Plan from a variety of elements. He laid out the schedule and workflow for the plan over the next few months, with an adoption of the plan being anticipated for Spring 2025.

c. Mr. Carter brought attention to the issues of King Tides faced on the island, to which Mr. Groce clarified that this plan addresses King Tides, but unfortunately cannot solve for devastating hurricanes such as Ian or Matthew. Mayor Henry provided endorsements from mayors of jurisdictions who previously worked with Seamon Whiteside: Sullivans Island and Isle of Palms. He stated that both mayors provided excellent recommendations for the firm.

d. Mr. Holliday suggested that council recommend a resolution to thank the committee, Mr. Groce, and Mr. Newquist for their work on selecting a consultant. **Mr. Holiday requested a motion to approve the committee selection and authorize Mr. Newquist to finalize a contract with Seamon Whiteside in the coming weeks. Mr. Green motioned to approve. Mr. Carter seconded the motion.** No further discussion. **All voted in favor.**

b) Resolution 24-02 North Jetty Condition Assessment Report Adoption

a. Mr. Newquist explained the progress made on the North Jetty Condition Assessment Report since the last discussion at Town Council. Mr. Newquist recommended that council consider the resolution to adopt the report so that the next steps of funding acquisition and the permitting process can begin. Mr. Holliday added that the best resolution for the jetty is to completely rebuild it, to which Mayor Henry agreed and elaborated that a permit will be required for the rebuilding of the jetty and groin.

b. Mr. Holliday stated that the best outcome would be to adopt a resolution that clearly recommends which of the two options for repair of the jetty would be preferred by council. Mayor Henry clarified that the North Jetty is indeed in need of repair, but it is not in dire condition where immediate repair is not required. Mr. Holliday added that the repairs not being in dire need allows for council to delay adoption of the resolution until a definite solution is chosen, to which council agrees, **pushing the vote to June.**

c) Historic Home Protection Discussion

a. Mr. Newquist provided an update about the previous ZBA meeting, including two variance requests from 520 Myrtle (Liberty Lodge, Port Author Property). These requests were evaluated at the April 25th ZBA meeting, with one request for a subdivision of the property being denied, and one request to demolish and rebuild the Port Author building being approved with conditions. The conditions include preserving the façade and footprint of the Liberty Lodge structure and the rebuilt Port Author structure can only be built 50% larger than the existing footprint. A mutual decision was made between ZBA members and the property owners to preserve the maritime forest on the site.

b. Mayor Henry elaborated on the previous ZBA meeting and provided a recommendation to contact individuals from Georgetown or Charleston with expertise in legal issues with historic preservation. He proceeded to read the original application for the historic district from 1972. Mr. Holliday stated that it is important to balance property rights for the owners of these properties and the residents' love for the historic character of the island. No further discussion.

d) Resolution 2024-03 Acknowledging Donation by Pawleys Island Civic Association

a. Mr. Holliday discussed the use of solar-powered trash compactors, also known as *Big Belly* trash compactors. He elaborated that the town received a $10,000 donation from the Pawleys Island Civic Association to fund two of these compactors. **Mr. Holiday requested a motion to approve the resolution to accept the donation. Mr. Green motioned to approve. Mr. Carter seconded the motion.** No further discussion. **All voted in favor.**

6) COMMENTS BY COUNCIL MEMBERS

a) Chief Fanning and Mr. Newquist addressed the public comments regarding traffic safety on the island, stating that crosswalks are being added at beach accesses across the island as well as between the Old Town Hall and current Town Hall. Mr. Newquist also added that the shoulders of the new pavement are being filled to decrease the drop off on the shoulder. Lastly, he added that reflectors are being added to the new pavement sites on the island.

7) ADJOURN

APPROVED 6/10/24 **DATE**

Corey H **ATTEST** 6/10/24 **DATE**

22 Asked 4/25/24 But Unanswered Questions to Town Council, 5/13/24

Subject: Pawleys Island Army Corps Coastal Storm Risk Management- Proposed Easement

1. You have appraisals done in 2019 and again in 2020. It is now 2024. Why do you have no idea how much you propose to pay for what you "request"?

2. For example, do you propose to pay $340,000 per easement for an easement with certain features such as placing the dune at a reasonable distance and not including public access, or do you propose to pay $740,000 per easement for an easement with other features, such as including public access?

3. Are the bracketed passages optional or nonstandard proposed additions?

4. E.g., is the grantee building only berms, but not dunes?

5. Do some grantees build only berms, but not dunes?

6. On what hearsay does the council base its serious-looking made-up assertion that this document is "standard" -- where may we look it up in the Corps regulations and see the proceedings by which it was adopted as a standard?

7. Otherwise, what is the purpose of the brackets in the block of supposedly "standard" text?

8. Do you intend to just leave them in the "standard" document?

9. Are they intended to have any effect on meaning?

10. There are bracketed and parenthetical passages that call for you to supply the information indicated within the brackets or parentheses and then eliminate the brackets or parentheses. Can you provide that information so that we can comment on it?

11. What is the project name?

12. Is it one project or more?

13. Where can we look to review the permit for project, and the plans for the project including its specs and requirements and duration?

14. Can you fill in the unfilled blank (after the word, "except") with what you propose to except so that we can comment on what you propose to except and not except?

15. What are the "standard" exceptions?

16. Where may we read the Corps regulation stating the standard exceptions?

17. Whom can we talk to at the Corps about these standard exceptions? It has taken over a year for me to get some information from the Corps.

18. What happened to the nine-line footnote this same council added to the proposed easement on October 12, 2020?

19. Was that the "standard" easement then?

20. Did the Corps review and approve that "standard" easement as the Corps was required to do before the town council sued to try to condemn that "standard" easement on October 16, 2020?

21. Has the "standard" changed again now to delete the nine-line footnote?

22. Please give me the contact information for your point of contact at the Corps so that I can discuss resolving this matter directly with the Corps.

Barry Stanton's Public Comments for
Town of Pawleys Island Town Council Meeting, May 13, 2024

Mssrs. Henry, Holliday, Green and Carter, and Ms. Zimmerman, I want to confirm the conscious futility of the approach you now take instead of putting us directly in touch with the Corps of Engineers.

You were advised approximately a month ago, in advance, that the proposed "easement" language you publicly proclaimed in April (by Council resolution) that you wanted us to comment on was not the whole document.

It does not include the consideration proposed to be paid, identification of the grantee, language of conveyance such as granting and reversionary clauses, a description of the portion of the property to be subjected, termination provisions if any, conditions or restrictions, etc. You will notice that there is no signature line or any of the incidents of a complete document suitable for review.

The excerpted part that you did supply was also incomplete. In numerous instances, it called for information to be inserted in a blank or to be substituted for bracketed or parenthetical references to the type of information to be supplied.

The part of the proposed easement you did supply also appeared to have optional portions set off in brackets, for which no selection had been made and for which the surplus confusing punctuation remained. We also sent you questions, attached, which remain unanswered.

You thus have our threshold comment that what you ask for us to comment on is incomplete.

If the true object is to waste time, this approach succeeds.

We nevertheless, approximately a month ago, provided you other comments on the incomplete material you proposed. We noted that there were other viable approaches as well, which have all been previously presented to you in one form or another, with no action or mention by you.

Best,

Barry Stanton
803-530-2642
bstanton@stantonlaw.com

Gmail

Daniel Newquist <dnewquist@townofpi.com>

Owners comments for Mayor and Council

1 message

Elizabeth Axson <baxson53@gmail.com> Mon, May 6, 2024 at 7:40 AM
To: Daniel Newquist <dnewquist@townofpi.com>

Hi Daniel,
First, we (owners of Gray Man III) wish to thank you and the town maintenance staff who repaired the fence beside our home and the Mullins' home (230 A & B Atlantic Avenue). We have been very concerned about how the fence was leaning into our driveways due to careless folks using the public entrance and backing into the fence with no regard for the property they damage every year. We are asking for a long term solution, by erecting concrete & steel poles every 3-4 feet along the fence on the public entrance side. This way, when the careless people back into them, they'll only damage their property and not the PI Town property. Would very much like a conversation on how to make that happen.

The second and very serious issue we are having are the tent companies using the public entrance for putting up 7-10 + large tents every day all summer long, obstructing our views and making it hard to even get to the ocean. We are paying a whole lot of money in property taxes, yet the town has allowed these companies to invade our property and the property of other home owners. For a long time, the leaders of this town didn't allow that type of business on the island. We don't know how or why those rules changed, especially when the town gets no money for this intrusion. Asking these companies to pay the town a small fee would have been most prudent for the town, wouldn't you all agree?

We'd like to offer some solutions to this issue:
1. Allow the tent companies to set up only in front of the public entrances and rental properties and **not** landowners who occupy beachfront homes all year long, i.e. Gray Man I, Gray Man II & GM III homes.

2. Create a contract with these companies stipulating that PI Town would receive 10% of the money they receive in rentals.

3. Tents must have at the minimum of 10' clearance between each structure.

Below are comments from other home owners regarding the tents:

From Alva Joyner: "The tent problem IS a problem. We were there over the 4th July and couldn't see the sand for the tents. I asked around and discovered several things: *Pawley's is one of the few beaches that still allow the two colored blue flapping tents. Many others have banned them since they obstruct views for lifeguard/safety sake.

*The tent companies that set up for hire don't have to pay the island anything. There is no fee for them to do business here.
*All the other tents have run off Surf the Earth. Remember they used to be the only tent in town during the mornings right at the causeway?"

From Beth Cook Harmon: "The Pawley's Island beach has some of the most lax constraints of any beach around. While there are no lifeguards here, the tents and the flapping tents are indeed hazardous...and a noise polluter."

Elizabeth Axson to property management company:
"I am most concerned about these tent companies that construct 7 or more tents each morning beginning at 7 a.m. making it hard for anyone to get a spot remotely close to the ocean. They have completely taken over this public entrance area. I remember a time when they were not allowed. The town changed their tune and started allowing them about 6-7 years ago and now, in my opinion, it's gotten out of hand.....it's way too much here. We do not like it at all."

We are pleading with you, the Mayor and council members to revisit this issue and <u>make changes now</u> so this summer will be enjoyable for <u>both</u> tourists and homeowners. Something has to be done!
Look forward to speaking with someone on how this can be worked out.

Thank you,
Elizabeth Axson