

May 19, 2009

The regular meeting of Town Council was held on the above date at Town Hall, all requirements of the Freedom of Information Act having been satisfied:

Present were: Carl J. Smith, Mayor
Pat O'Neil, Mayor Pro Tem
Buddy Howle, Councilman
Mike Perkis, Councilman
Everett Presson, Councilman
Mary Jane Watson, Councilwoman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilwoman Watson. There were 10 members in the audience including one member of the media.

Motion was made by Councilman Perkis, seconded by Councilwoman Watson, to amend the agenda to allow Bill Eiser and Blair Williams of the Department of Health and Environmental Control – Office of Coastal Resource Management (DHEC-OCRM) to make a presentation at this time, carried unanimously.

Mr. Eiser stated that OCRM has jurisdiction of the beachfront. The beachfront jurisdiction lines are called the setback line and baseline. The lines are updated every ten years. Mr. Eiser presented maps of the new lines and stated that if a house is located between the baseline and setback line, and if more than 2/3 of the house is damaged, the owner is required to get approval from OCRM to rebuild the house. For vacant lots that fall in the State's jurisdiction, the structure is limited to 5,000 square feet of heated space, and build as far landward as possible. Seawalls that are damaged more than 50% can not be rebuilt. Also, new seawalls are not allowed to be built in their jurisdiction.

The floor was opened for comments from the citizens.

Councilman Presson stated that he will be unavailable to attend the June meeting; therefore, because this is his last meeting, he expressed what a fine group of people he has worked with at the Town, and thanked the community for allowing him to serve. One of his goals when he ran for Council was to make Sullivan's Island the friendliest and most helpful government in America, although it has always been friendly and helpful. He stated that he always sees visitors in the office being treated courteously. Councilman Presson added that that is a tribute to Andy Benke's leadership and the work of the employees. Andy is terrific administrator, and still is working too many hours. The Town could not run without Chief Stith; he has set a great example over the years by being decisive and fair and always in good humor. Randy Robinson is always ready to try to help people get through difficult sections of the zoning ordinances and trying to solve problems. Chief Howard has raised the level of community policing to where our

citizens are treated promptly and courteously. He continued that he needed help from the police department recently, and Officers Mast and Wallace exemplified what we want from small town police officers. He wished Madeleine McGee well and congratulated her on the campaign.

Rini Kosmos, 2213 Myrtle Avenue, inquired why the Town does not have more police officers in order to meet the apparent demand of drinking clients in the commercial district. Mayor Smith responded that the incident Ms. Kosmos mentioned was an extreme case; however, more officers will be on duty during the summer months. Leo Fetter, 2668 Middle Street, thanked Councilman Presson for his service to the Island. Cotton Harness also expressed his appreciation and thanked him for his service to the Police Department.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to amend the agenda to add a third item to the executive session (legal advice regarding two Design Review Board matters), carried unanimously.

Motion was made by Councilman Howle, seconded by Councilwoman Watson, to approve minutes from the April 21, 2009 regular meeting, carried unanimously.

Reports and Communications

Council unanimously approved the Proclamation of June 28, 2009 as Carolina Day.

Council unanimously approved a Resolution to Approve and Support Town Safety Policies.

General and New Correspondence – Councilwoman Watson received correspondence from Hal Currey, Planning Commission Chairman. The Planning Commission recommended to the Recreation Commission to consider having a Spoleto or Piccolo Spoleto event on the Island in 2010. Councilwoman Watson will follow-up on their suggestion.

Attorney Report – no report

Board and Commission Reports – no report

Administrator's Report, Administrator Benke. A special event request for the Fifth Annual Barrier Island EcoThon on October 25, 2009 was approved. Bill Eiser of the Department of Health and Environmental Control – Office of Coastal Resource Management – explained the recent beachfront baseline and setback line earlier this evening. Twenty one cases are scheduled to be heard on September 16-18 in the Sullivan's Island Municipal Court. Town staff has begun initial preparations for the 2009 hurricane season. The East Cooper municipal administrators recently met to discuss staffing strategies and other considerations in the event of a Fall pandemic. A public

hearing for the 2009/2010 budget is scheduled for June 1, 2009 at 6:00 p.m. The Municipal Election has certified the May 5, 2009 election results. The Tramp Brigade Organization of Historical Interpreters will present a series of living history programs at Fort Moultrie on May 30 and 31, 2009, demonstrating garrison and soldier life in 1859. Town Hall will observe Memorial Day by closing on Monday, May 25, 2009; all essential staff and first responders will be on duty. Suburban Disposal will begin the Tuesday and Friday household garbage collection on June 2 and 5, 2009.

Ways and Means Committee, Councilman Perkis. The April 2009 financial statement was presented for initial comments. The final budget presentation schedule includes a public hearing/second reading/third reading on June 1, 2009, with ratification on June 16, 2009. Four vacation rental licenses remain open as of May 1, 2009.

Personnel Committee, Councilman Kaynard. Monthly report rendered. Town Hall will observe the Memorial Day holiday on Monday, May 25, 2009.

Water and Sewer Committee, Councilman Perkis. Monthly reports rendered. Water and Sewer Manager Greg Gress commented on the Middle Street water line crossing.

Building and Construction Committee, Councilman Howle. Monthly report rendered. An agreement with Dawson Inc. General Contractors has been signed for the bandstand repairs. Work on the project has commenced and completion is expected in late May. Chief Stith will be evaluating each beach path and dune walk-over during May for consideration of improvements and extensions.

Fire Committee, Mayor Smith. Monthly report rendered.

Recreation Committee, Councilwoman Watson. The Park Foundation held the annual dance at the Sand Dunes Club on April 24, 2009. The Town will offer the Battery Gadsden site for the Sullivan's Island Community garden.

Real Estate Committee, Councilman O'Neil. The public hearing for residents to review and comment on the Comprehensive Plan is scheduled for Tuesday, May 26, 2009 from 6 to 9 pm at Holy Cross Episcopal Church, 2520 Middle Street. The Consultant for the Accreted Land Management Plan has tendered the second draft document. The Selection Committee met with Dr. Kana on March 23 to review the draft document and prepared a list of comments for Coastal Science and Engineering. Building Official Robinson prepared a report regarding valet parking at Seel's on Sullivan's, and a "no parking zone" in front of the establishment has been established. Councilman O'Neil presented the CLG program. The Certified Local Government (CLG) program in S.C. promotes community preservation, planning, and heritage through a partnership with the State Historic Preservation Office (SHPO) and National Park Service that facilitates funding, technical assistance, and training. C.C. "Cotton" Harness addressed Council with a solution for the erosion issues east of Station 28-1/2

Street. Draft minutes from the Planning Commission meeting of May 13, 2009 were submitted as information.

Police Committee, Mayor Smith. Monthly report rendered. Chief Howard is exploring a communication platform for the Town as a tool to communicate to Island residents.

Streets and Maintenance Committee, Councilman Presson. Representative Sottile is assisting to obtain a pavement schedule from the S.C. Department of Transportation for the resurfacing of Middle Street. The Administrator is scheduling a meeting on the Island with Secretary Limehouse to review the street condition.

Ordinances

Motion was made by Councilwoman Watson, seconded by Councilman O'Neil, to have Second Reading of Ordinance 2009-02, An Ordinance Amending Chapter 21, Zoning, Article XII, Design Review Board, to Add Section 21-109(F)(8)(a,b), (9)(a,b) and 10(a,b,c) DRB Applications-Procedures, Add Section 21-97(E), Certificates of Appropriateness-Procedures, and to Amend Section 21-137(C), Accessory Use/Structures Permitted/Restricted – Approvals Required, of the Code of Ordinances for the Town of Sullivan's Island to Enable Staff Review and Approval of Certain Minor Projects, Alterations, and Certain Minor Design Changes to Previously issued Certificates of Appropriateness.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to amend the Ordinance as presented, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Presson, to approve Ordinance 2009-02 as amended, carried unanimously.

Motion was made by Councilman Presson, seconded by Councilman O'Neil, to have First Reading, by title only, of Ordinance 2009-04, An Ordinance to Amend Section 14-29 (SIC 30), Subpart I of the Town Code Amending the Provisions Relating to Jurisdiction, Violations and Penalties, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilwoman Watson, to go into Executive Session for legal advice of a real estate lease agreement; Burdell et al. v. State of S.C. Dept. Of Ocean and Coastal Resource Management; and two Design Review Board matters, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to come out of Executive Session, carried unanimously. Mayor Smith stated that no votes or action was taken during Executive Session.

Motion was made by Councilwoman Watson, seconded by Councilman O'Neil, to adjourn at 9:00 p.m., carried unanimously.

Respectfully submitted,

Ellen McQueeney