



Town of Sullivan's Island, South Carolina
Town Council Special Meeting
Meeting Minutes
Wednesday, July 31, 2024
4:00 p.m.

A Special Meeting of Town Council was held on the above date at approximately 4:00 p.m., all requirements of the Freedom of Information Act having been satisfied.

Present were: Patrick M. O'Neil, Mayor
Justin Novak, Mayor Pro-Tem
Jody Latham, Councilmember
Ned Higgins, Councilmember
Carl Hubbard, Councilmember
Gary Visser, Councilmember

Councilmember Scott Millimet previously notified Council that he would not be available for this meeting.

Mayor O'Neil called the meeting to order at 4:00 p.m. and stated the press and public had been notified in accordance with State Law. There were fourteen (14) members of the public and one (1) member of the media present. Staff members present were Town Attorney Larry Dodds, Charles Drayton, Rebecca Fanning, Amanda Hawver, Town Administrator Joe Henderson, and Bridget Welch.

The Town received seventeen (17) emails stating opposition to the Nature Trail Project. Council received and reviewed before the Special Council meeting.

Town Administrator Joe Henderson reviewed the purpose of the Nature Trail project as provided on the application for the grant awarded, as well as the language that was in the Sullivan's Island Comprehensive Plan 2018-2028 which provide goals and guidance to staff and Town Council. This project was partially funded by State grant issued by South Carolina Parks, Recreation and Tourism Department via their Recreational Trails Program, and by local Town Hospitality Taxes. The trail is a three quarter mile pedestrian connection that will connect the Sullivan's Island light house to the Fort Moultrie National Historical Park. The trail will have directional signs, consist of a 6-8 foot wide path, 6-8 benches, ADA access matting, and two 15-foot boardwalks over low spots. He also reviewed the various public meetings and the approved community plans where the nature trail is encouraged, in addition to referencing news articles

and studies that discussed the trail, starting in 2012. Henderson also informed Council that information on the PRT grant to construct phase two of the trail has been provided during grant updates in multiple Finance Committee, Land Use and Natural Resource Committee, Town Council Workshops, and Town Council Meetings since November 3, 2022.

Mayor Pro-Tem Novak confirmed that the Police Department does occasionally patrol the beach paths and the trails and that the Fire Department will have full access to the new trail. He then asked Rebecca Fanning, Director of Resilience and Natural Resource Management to present an overview of the trial project. She outlined multiple benefits that the trail will provide, including that the trail's current location is on a high dune ridge away from flood waters, which will allow for easier trail maintenance. She also believes the impact to the plant and animal communities in the area will be minimal and that the bird banding program will not be impacted at all. There was also other path options considered but due to storm surge and erosion issues, it was decided to go with the current path along the dune ridge. She spoke about the addition of the ADA matting that will be installed, which will mainly to connect the handicap parking area at Station 18 to the beach, as there is currently no ADA beach access near the handicap parking due to recent storms and erosion. She is unsure of the exact placement of the planned benches but were placed strategically for the best view vantage points. Mayor Pro-Tem Novak asked about the planned signage and Mr. Henderson provided the latest renderings and specifications and stated the signs will be along the trail to navigate pedestrians and at intersections with the Town maintained path. No signs or any portion of the path will be on or near private property.

Mr. Henderson reviewed the terms of the grant, which is an 80/20 cost share, with the Town being responsible for matching 20% of the \$100,000 awarded. They estimate the final match will be around \$75,000 after removing the handrails.

Ms. Fanning stated the path is at least 200-300 feet away from private property boundaries, with an average of 250 feet. She also stated she does not foresee any issues with litter, and it was confirmed that the Police are ready and willing to assist with any problems that arise on the trail.

Future maintenance of the trail is estimated to be nominal, and because the trail is significantly shorter than most beach paths, it will not add much additional costs. Mr. Henderson stated staff currently has no construction plans for a phase three of the nature trail. Councilmember Higgins confirmed with Town Attorney Larry Dodds that all legal requirements have been met with the planning and construction of the trail. Ms. Fanning stated to her knowledge, only three saplings under 1.5 inches in diameter were removed.

Councilmember Latham stated she feels this path will increase public knowledge about the Accredited Land, making it an even more valuable asset for the Town.

II. Public Comment

- Charles Stockdale, 1719 Atlantic Ave – stated he filed a lawsuit and believes the Town did not follow all legal requirements and thinks the trail is a bad idea. He would like the Town to cancel the current plans and start over with findings of facts.
- Allison Bourland, 1607 Atlantic Ave – asked what to do if dogs go off leash and into the thicket or who would help in a medical emergency. She also feels it is too dark at night and thinks other areas would be a better location for the trail.
- Kimberly Brown, 2118 Pettigrew St – mentioned the lawsuit concerning the Accreted land and stated no residents knew about the trail plans.
- Dane Derbyshire, 1751 Atlantic Ave – feels safety and impact on the forest about the trail should be further discussed.

III. Action Item: Discussion of Nature Trail Project and consideration of A RESOLUTION ADOPTING FINDINGS OF FACT CONCERNING THE NATURE TRAIL PROJECT AND CONFIRMING AND RATIFYING PRIOR TOWN ACTIONS CONCERNING THE NATURE TRAIL PROJECT

Motion was made by Councilmember Visser, seconded by Councilmember Higgins, to approve the resolution as posted on the website and on the public notices, passed unanimously.

Chair of the Land Use and Natural Resources Committee Mr. Visser read the resolution aloud in its entirety. (Attached)

IV. Adjourn

Motion was made by Councilmember Higgins, seconded by Mayor Pro-Tem Novak to adjourn the special meeting at 4:51 p.m., passed unanimously.

Respectfully submitted,



Bridget Welch

PATRICK M O'NEIL
MAYOR

TOWN OF SULLIVAN'S ISLAND



TOWN COUNCIL
JUSTIN NOVAK
MAYOR PRO-TEM
NED HIGGINS
CARL HUBBARD
JODY LATHAM
SCOTT MILLIMET
GARY VISSER

JOSEPH R. HENDERSON
TOWN ADMINISTRATOR

BRIDGET WELCH
TOWN CLERK

LAWRENCE A. DODDS
TOWN ATTORNEY

GLENN MEADOWS
POLICE CHIEF

M. ANTHONY STITH
FIRE CHIEF

MAX WURTHMANN
BUILDING OFFICIAL

CHARLES DRAYTON
DIRECTOR OF PLANNING AND ZONING

REBECCA FANNING
DIRECTOR OF RESILIENCE AND NATURE RESOURCES

GREG GRESS
WATER AND SEWER MANAGER

JASON BLANTON
TOWN COMPTROLLER

A RESOLUTION ADOPTING FINDINGS OF FACT CONCERNING THE NATURE TRAIL PROJECT AND CONFIRMING AND RATIFYING PRIOR TOWN ACTIONS

WHEREAS, by that certain deed recorded at the office of the Register of Deeds for Charleston County at Book K200, Page 496 (the "Deed"), the Lowcountry Open Land Trust ("LOLT") deeded fee simple title to certain real property ("the Property") to the Town of Sullivan's Island (the "Town"); and,

WHEREAS, the Property is comprised of several parcels located between certain residential properties and the Atlantic Ocean; the Property is commonly referred to as the maritime forest or accreted land; and,

WHEREAS, the Property includes, among other features, certain beach access paths and an informal nature trail with views of the Atlantic Ocean used daily by walkers, dog walkers, and nature enthusiasts; and,

WHEREAS, the Deed provides the Town with unrestricted authority to trim and control the growth of vegetation for the purposes of mosquito control, scenic enhancement, public and emergency access to the Atlantic Ocean, and providing views of the ocean and beaches to its citizens; and,

WHEREAS, the Deed also provides the Town with the right to improve, change, modify or alter the Property if such actions are undertaken in furtherance of certain enumerated public objectives, and the Town Council makes certain findings of fact; and,

WHEREAS, the Town Council and staff have worked diligently over several years to develop a plan for improving the informal nature trail (the "Project"); and,

WHEREAS, after completion of the Project, the trail will be approximately .75 miles and traverse a 103.5-acre portion of the Property. In addition to serving as a connection between the beach access points providing additional access opportunities to the Atlantic Ocean, as well

as scenic enhancements and increased educational opportunities for residents regarding the maritime forest and accreted land, the trail will connect two National Park Service historic properties: Fort Moultrie's campus of historic fortifications (and Visitors' Center) and the Sullivan's Island Lighthouse (Charleston Light); and.

WHEREAS, the Project includes trimming and control of vegetation as well as the installation of very short sections of boardwalks and benches in certain areas; and,

WHEREAS, the none of the nature trails included in the Project are located within 200 feet of any privately owned property; and,

WHEREAS, the Town Council has previously approved the Project and some work has begun; and,

WHEREAS, for the avoidance of any doubt that the Project is properly authorized, Town Council met and approved this Resolution Adopting Findings of Fact Concerning the Nature Trail Project and Confirming and Ratifying Prior Town Actions; and,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town Council of Sullivan's Island hereby approves and ratifies the Town's actions undertaken in furtherance of the Project and the prior approvals of the Project. Town Council also makes the following findings of facts. In making these findings of fact, Town Council has given due and reasonable consideration to (i) the cumulative effect of the proposed Project and past actions on the natural state of the Property, (ii) the alternative methods of accomplishing the same policy goals which would not impact adversely on the natural state of the Property, and (iii) the probable results of not completing the Project.

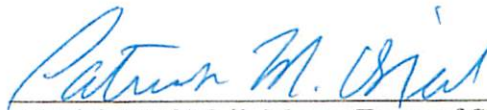
1. The Project is solely for purpose of furthering important public policies as follows:

- i. While an informal nature trail has long existed, the improved trail will provide better, additional access to the Atlantic Ocean by connecting the public beach paths with a designed and maintained nature trail.
- ii. Much of the work associated with the Project is vegetation management, which is consistent with and in furtherance of the public policy of responsible vegetation management.
- iii. The Project will benefit educational programs by providing an improved nature trail through the maritime forest, as well as connecting two important historic sites on Sullivan's Island.
- iv. By providing an improved, safe nature trial connecting certain beach access walkways, and a safe connection between two historic sites on Sullivans Island, the Project will further the Town's objective to enhance public safety and will also provide additional access to the beach and ocean.

- v. The approximately .75 miles of trail that is part of the Project will be open to the public upon completion of the Project. The trail will provide an opportunity for exercise, consistent with the Town's goal of furthering public health, and constitute an amenity for residents;
 - vi. The trail will also provide scenic enhancement by providing a planned and improved trail through the maritime forest.
2. As described above, the Project promotes the health, safety or general welfare of the Town.
 3. Because the Project consists of vegetation control and other minor improvements to the existing informal nature trail, there will be no reduction of the aesthetic, ecological, scientific, or educational value of the Property in its natural state. To the extent there could be any minor reduction of the aesthetic, ecological, scientific, or educational value of the Property in its natural state, the above documented benefits of the Project clearly outweigh any such risk or damage.

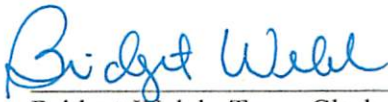
BE IT SO RESOLVED!

DATED this 31st day of July 2024.



Patrick M. O'Neil, Mayor Town of Sullivan's Island

Attest:



Bridget Welch, Town Clerk