



City Council

6:00 p.m., Tuesday, March 26, 2024
Council Chambers
1207 Palm Boulevard
Isle of Palms, South Carolina

Public Comment:

All citizens who wish to speak during the meeting must email their first and last name, address, and topic to Nicole DeNeane at nicoled@iop.net no later than **3:00 p.m. the business day before the meeting**. Citizens may also provide public comment here:

<https://www.iop.net/public-comment-form>

Agenda

1. **Introduction of meeting** and acknowledgement that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.
 - a. Invocation
 - b. Pledge of Allegiance
 - c. Roll Call
2. **Citizen's Comments** – All comments will have a time limit of three (3) minutes
3. **Approval of previous meetings' minutes**
 - a. City Council Meeting – February 27, 2024 [Pgs. 3-5]
 - b. Special City Council Meeting Executive Session – March 12, 2024 [Pg. 6]
 - c. Special City Council Meeting Workshop – March 12, 2024 [Pgs. 7-11]
 - d. Special City Council Budget Workshop – March 19, 2024 [Pgs. 12-13]
 - e. March Committee Meeting Minutes [Pgs. 14-29]
4. **Special Presentations** – None
5. **Old Business** – None
6. **New Business**
 - a. Consideration of appointment of Margaret Miller to the Accommodation Tax Advisory Committee [Pgs. 30-32]
 - b. Consideration of proposal from CSE for comprehensive surveying of the southern end of the beach and additional coordination for USACE beneficial use project [Pgs. 33-34]
 - c. Consideration of surf application of Share the Stoke for 2024 surf lessons permit [Pgs. 35-36]
 - d. Consideration of mutual aid agreement with Berkeley County Sheriff's Office [Pgs. 37-41]
7. **Boards and Commissions Report**
 - a. Board of Zoning Appeals – minutes attached [Pgs. 42-43]
 - b. Planning Commission – minutes attached [Pgs. 44-45]
 - c. Accommodations Tax Advisory Committee – minutes attached [Pgs. 46-47]
 - d. Environmental Advisory Committee – minutes attached [Pgs. 48-50]
8. **Ordinances, Resolutions and Petitions**



a. **Second Reading** – None

b. **First Reading**

- i. Ordinance 2024-01 – An ordinance to repeal and replace section 9-2-5 Noise [Pgs. 51-56]
- ii. Ordinance 2024-02 – An ordinance to amend section 1-3-13 Public Participation [Pgs. 57-59]

c. Emergency Ordinance 2024-02 – An emergency ordinance amending section 1 and section 6 of Emergency Ordinance 2024-01 [Pgs. 60-65]

d. **Resolutions and Proclamations**

- i. Proclamation 2024-01 Arbor Day [Pg. 66]
- ii. Proclamation 2024-02 Recognition of Peace Officers' Memorial Day [Pgs. 67-68]
- iii. Proclamation 2024-03 American Red Cross Month [Pgs. 69-70]

9. Executive Session – In accordance with S.C. Code Section 30-4-70(a) (2) to receive legal advice regarding SCDHEC v. Reddys, Vanderhams et al v IOP and the noise ordinance. Council may take action on matters discussed in Executive Session upon returning from Executive Session.

10. Adjournment



CITY COUNCIL MEETING
6:00pm, Tuesday, February 27, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Hahn, Bogosian, Anderson, Ward, Miars, Pierce, Campsen, Carroll, and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin, various department heads

2. Citizen's Comments

Gary Nestler, 17 22nd Avenue, spoke about his concerns regarding public safety in the community. He asked questions of Council: why hire skilled paramedics when they cannot provide advanced life support, why allocate funds for non-essential items if the personnel are not getting their pay increases, what is the impact of automatic aid on the personnel and City apparatus, and why was the volunteer firefighter program ended. He would like to see a Public Safety Advisory Committee formed and he is willing to run the committee. He requested there be no retaliation against him and his family for his comments.

3. Approval of previous meetings' minutes

- A. City Council Meeting – January 23, 2024**
- B. Special City Council Meeting Executive Session – January 23, 2024**
- C. Special City Council Meeting Workshop – February 13, 2024**
- D. Special City Council Meeting – February 20, 2024**

MOTION: Council Member Bogosian made a motion to approve the minutes, and Council Member Anderson seconded the motion. The motion passed unanimously.

4. Special Presentations

Presentation of request for City-sponsored event status for LOWVELO Bike Ride on Saturday, November 2, 2024 – Chris Winn, MUSC Hollings Cancer Center

Mr. Chris Winn of the Hollings Cancer Center said there is a planned expansion of the LOWVELO event this year, hoping they have 1900 riders and raise \$1 million.

Administrator Fragoso said staff will work with Mr. Winn to ensure City resources can support such an increase in participation.

MOTION: Council Member Ward made a motion to approve City-sponsored status to the LOWVELO event on November 2, 2024. Council Member Hahn seconded the motion. The motion passed unanimously.

6. **Old Business -- none**

7. **New Business**

A. **Consideration of change order from The Bastion Group for additional pipe bedding based on revised geotechnical recommendations in the amount of \$83,749 [South Carolina Office of Resilience to cover \$23,000; City's share will be \$60,749]**

Administrator Fragoso said this expense will be covered by the remaining marina bond proceeds.

MOTION: Council Member Bogosian made a motion to approve, and Council Member Pierce seconded the motion. The motion passed unanimously.

B. **Consideration of granting easement to the Isle of Palms Water & Sewer Commission for new effluent line through marina property adjacent to 41st Avenue ditch**

MOTION: Council Member Bogosian made a motion to approve. Council Member Miars seconded the motion.

Council Member Hahn asked why the piping for the effluent line could not be put inside the other larger piping going into that same area. Mr. Mark Yodice of Thomas & Hutton explained that would require larger piping which then causes elevation issues.

Council Member Bogosian asked if the “over, under, and through” language in the easement agreement is appropriate. City Attorney McQuillin said, “Yes, it is, and we have got a separate intergovernmental agreement that sort of gets all of Douglas and Desiree’s administrative asks that makes sure the City is protected as well.”

Administrator Fragoso added that this easement allowance will not lead to any amendments for the restaurant lease.

VOTE: A vote was taken with all in favor.

C. **Consideration of 2024 applications for surf instruction on the beach**

Administrator Fragoso said the instructors who have requested space closer to the south end of the island have selected spots further north in the event they are affected by the beneficial use project.

MOTION: Council Member Miars made a motion to approve, and Council Member Pierce seconded the motion. The motion passed unanimously.

7. **Boards and Commissions Reports**

A. **Board of Zoning Appeals** – minutes attached

B. **Planning Commission** – minutes attached

- C. **Accommodations Tax Advisory Board** – no meeting in February
- D. **Environmental Advisory Committee** – minutes attached

8. **Ordinances, Resolutions, and Petitions**

A. **Second Reading** – none

B. **First Reading** – none

C. **Resolutions and Petitions**

- i. **Resolution 2024-01 – to oppose Bill H3253 and Bill S953 which would restrict municipalities’ ability to regulate short-term rentals**

MOTION: Council Member Pierce made a motion to approve and waive the reading. Council Member Bogosian seconded the motion. The motion passed unanimously.

- ii. **Resolution 2024-02 to honor Betsey Smiley**

MOTION: Council Member Ward made a motion to approve, and Council Member Anderson seconded the motion.

Mayor Pounds read and presented the resolution. Council Member Ward made remarks about Mrs. Smiley from a prepared statement.

VOTE: A vote was taken with all in favor.

- 9. **Executive Session** -- in accordance with South Carolina Code Section 30-4-70(a)(2) to receive legal advice regarding DHEC v Reddys.

MOTION: Council Member Miars made a motion to enter into Executive Session in accordance with South Carolina Code Section 30-4-70(a)(2) to receive legal advice regarding DHEC v Reddys. Council Member Campsen seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 6:22pm.

City Council returned from Executive Session at 6:54pm.

MOTION: Council Member Miars made a motion to allow the City Attorney to respond to allegations made by the Reddys. Council Member Ward seconded the motion. The motion passed unanimously.

10. **Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting was adjourned at 6:55pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



SPECIAL CITY COUNCIL MEETING
4:30pm, Tuesday, March 12, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Hahn, Ward, Anderson, Bogosian (via Zoom), Miars, Campsen, Carroll, Pierce (via Zoom), and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin

2. Purpose – Executive Session

MOTION: Mayor Pounds made a motion to go into Executive Session in accordance with SC Code Section 30-4-70(a)(2) to receive legal advice regarding Dehn v. IOP. Council Member Ward seconded the motion. The motion passed unanimously.

City Council moved into Executive Session at 4:31pm.

City Council returned from Executive Session at 4:59pm.

MOTION: Council Member Miars made a motion to comply with the legal advice provided by counsel. Council Member Anderson seconded the motion. A vote was taken as follows:

Ayes: Campsen, Pierce, Anderson, Ward, Bogosian, Miars, Carroll, Pounds

Nays: Hahn

The motion passed 8-1.

3. Adjournment

Council Member Ward made a motion to adjourn. Council Member Hahn seconded the motion. The meeting was adjourned at 5:00pm.

Respectfully submitted,

Nicole DeNeane
 City Clerk



SPECIAL CITY COUNCIL MEETING -- WORKSHOP

5:00pm, Tuesday, March 12, 2024

1207 Palm Boulevard and

broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Bogosian (via Zoom), Hahn, Anderson, Ward, Miars, Pierce (via Zoom), Carroll, Campsen, and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin, various department heads

2. Citizens' Comments -- none

3. Special Presentations

A. Presentation from Police Chief Cornett regarding H3594 Constitutional Carry Law

Chief Cornett gave an overview of H3594 Constitutional Carry Law. He said the law prohibits people who are carrying a weapon from entering a bar with the intention of drinking. The law also says that law enforcement officers cannot stop anyone just because they are carrying a weapon. He said police chiefs provided and continue to provide feedback to lawmakers on this new State law.

B. Presentation of Waterway Boulevard Multi-Use Path Elevation Project design and consideration of expanding scope to increase level of protection for central basin – Rick Karkowski, Thomas & Hutton

Showing maps of the impact of tidal flooding on the back side of the island, Mr. Karkowski spoke about what else could be done in conjunction with the elevation project to provide more protection to this part of the island. He also shared the details of some of the improvements planned for the area as well as the effects of increasing protection levels from 6' to 6.5' to 7'.

Conversations have begun with Wild Dunes about the improvements they are making to the golf course this year in hopes that their improvements can be implemented in such a way as to help provide the additional protection the back end of the island needs. He said additional feasibility studying needs to be done to determine if this is the better option for the project. The elevation work on Waterway Boulevard will still be done as planned. They hope to ask Wild Dunes for a golf course feature of a certain elevation to enhance protections.

Administrator Fragoso said the City is still waiting to hear about the FEMA grant. The grant, if awarded, will cover 90% of the work originally planned for the Waterway Boulevard project, but not for extra work done between 21st and 23rd avenues.

Director Kerr added that this “ring” around low-lying parts of the island is one of the suggestions from the Drainage Master Plan.

Council Member Hahn expressed concern about using public monies to protect private property. Administrator Fragoso answered, “I think that the lens that we see it is when these roads are completely flooded and take sometimes days for them to clear, it makes it really hard for our emergency vehicles to go through for access, to go through these neighborhoods. So it is in the City’s best interest to address the drainage infrastructure, the deficiencies in our drainage infrastructure to provide protection and access.”

Director Kerr added, “It is part of this grant funding process we have to do a very detailed cost benefit analysis and that is quantifying the public benefit of projects like this, and it has to have a high public benefit for public money to be spent through that process. And this project did have a very high cost benefit analysis.”

He continued that they will come back to City Council “with a plan that says to make this happen, this transition from 6’ to 7’, it’s going to include X linear feet of new landscape features, and it will cost you this amount of money additionally from what we have already committed to spend. And we are going to let you all make that decision as to whether or not that additional money is worth the benefit it gives to you.”

Mr. Karkowski believes it will be an additional “couple hundred thousand” to increase the protection from 6’ to 7’. They hope the work can be done in conjunction with the Wild Dunes golf course renovations.

4. Dashboard of City Operations and Short-Term Rental Report

Administrator Fragoso said the Police Department has filled one of its vacancies but expects another when the Animal Control Officer leaves in the near future. Three paramedic positions are still open, and one is being interviewed. The program goes live in June.

Revenues and expenditures are tracking as expected. Business licenses and fees are below normal, but she believes this is a timing issue.

She pointed out that Capital Expenses are at 28%, but that is because several projects have been re-budgeted for FY25.

The increased volume on the Court docket is a reflection of the increased enforcement activity of the Police Department.

Administrator Fragoso pointed out that the number of short-term rental licenses was down by 5 due to property sales. She reported that in 2022 there were 350 properties with short-term rental licenses generated less than \$27,000/year. In 2023, there were 298 such properties. Staff will continue to refine these numbers and track those properties not generating income.

5. **Departmental Reports** – in the meeting packet
6. **Strategic Plan Policy Initiatives and Priorities**
 - A. **Livability**

Discussion of recommendation from the Public Safety Committee to adopt changes to the noise ordinance

Council Member Bogosian said the draft ordinance in the meeting packet is the same one from the Planning Commission with a few changes. Administrator Fragoso said the violations section relating to short-term rentals was removed from the draft ordinance as business license revocation is dealt with in the business license ordinance.

Council Member Ward said he is bothered by the unequal treatment of homeowners who violate the noise ordinance repeatedly and the short-term rental license holders who could lose their business license with repeated violations.

Council Member Campsen spoke about acceptable noise levels posted in the noise ordinances of Mt. Pleasant and Myrtle Beach. She believes the suggested 75 decibel limit for commercial areas is too high and would like to see the highest limit for commercial areas be set at 65 decibels. She also believes there is no public benefit in allowing anyone to ask for a noise ordinance variance.

Mr. David Cohen of the Planning Commission provided some technical explanations of noise to Council members.

Council members debated whether or not the decibel levels should be set higher or lower from the implementation of the ordinance. Administrator Fragoso will share several weekends of noise data collected by a noise monitoring device installed in Wild Dunes in September.

Council Member Bogosian said the Public Safety Committee will continue to work on the ordinance at its April meeting. First Reading of the ordinance will be held at the March City Council meeting.

- B. **Environmental**
- C. **Public Services**
- D. **Personnel**

Discussion of recommendation from the Administration Committee to appoint Margaret Miller to serve on the unexpired vacancy in the Accommodations Tax Advisory Committee

Council Member Campsen said the Administration Committee interviewed two candidates for the at-large vacancy on the ATAX Committee. The Committee believes Ms. Miller is the better candidate for the at-large seat and will bring balance to the Committee. She previously served on the ATAX Committee from 2005-2020.

E. Other items for discussion

i. Discussion of recommendation from the Administration Committee to adopt changes to the public participation regulations

Council Member Campsen reviewed the suggested changes to this part of the City Code. Mayor Pounds believes Item G regarding the calling out of specific Council members needs additional work as it is subjective. Council Member Anderson said the City Attorney shared with her that they are public officials and should expect to be called out by name at times.

A draft of the ordinance will be presented for First Reading at the March Council meeting.

ii. Discussion of regulations on placement of political signs in the public right of way

Council Member Campsen said the Administration Committee has no suggested changes to this ordinance but came to Council to see how they felt about adjusting the ordinance. She noted the Isle of Palms is the only municipality in the local area that permits political signage in the public right of way.

7. Financial Review

Financial Statements and Project Worksheets

Director Hamilton said all funds are now tracking as anticipated. Tourism funds are tracking a little behind. She believes some of that to be a timing issue and some to be slower activity. She pointed to a few transactions on the project worksheets. She also explained the cash projection sheet.

8. Procurement

Discussion of proposal from CS&E for comprehensive surveying of the southern end of the beach and additional coordination for USACE beneficial use project.

Administrator Fragoso explained the letter from CS&E “includes two essential activities. One is to do a comprehensive survey of the southern end of the island and that includes from the Sea Cabins’ pier all the way down to Breach Inlet. This is something that we do every year but because of the changes that we have seen over the last several months, we believe it is important to do another comprehensive survey. This will help us better design the supplement work that we are developing as part of the Army Corps of Engineers’ project.”

She continued, “The last time you all evaluated a change order and extended the scope, we anticipated the Army Corps of Engineers’ project starting in February. Now we are looking at potentially April. For several months, the amount of emergency coordination and assistance that we have been getting from CS&E, it’s almost daily. They come here multiple times a week sometimes to put eyes on the condition of the beach on the south end, so they are asking for an amendment of time and expense to continue to aid in those efforts.” A cost breakdown is in the meeting packet and the request will come before Council on March 26.

She shared that the contract for the beneficial use project has been awarded and there will be a kickoff meeting next week.

9. Capital Projects Update

Administrator Fragoso reported that the project at 36th Avenue is nearly complete. Work at 41st Avenue has been delayed because of the rains. Truluck will begin work on the T-dock on March 13 and demolition of the public dock will be at the end of March. The project at the dog park is complete.

Regarding beach maintenance and access improvements, she said, “We continue to work with emergency beach restoration work on the south end. The sandbag installation on Beachwood East is complete. After this past weekend, there are only three properties that meet the emergency threshold down at the south end. We have Collins out there addressing those and we are evaluating the timeline of the Army Corps, the beginning of the Army Corps project, how much money we still have on hand, and evaluating trucking in additional sand to continue to supplement that area until the Army Corps project begins.”

10. Legislative Report

Mayor Pounds said the City has submitted a request to the State for \$5.2 million in the next budget - \$1.5 million for stormwater/drainage infrastructure improvements; \$2.5 million for beach renourishment, \$250,000 for the emergency beach access at the County Park, and \$1 million for beach access improvements.”

Council Member Hahn asked if any resident has taken advantage of the new ordinance regarding erosion control structures. Administrator Fragoso said, “We had a meeting with two engineers that one of them we understand is working with about 10-15 people, actively working on it. I will use this opportunity to say the feedback that we have gotten from those engineers there seems to be a lot of heartburn and concern about the certification statement that we are requesting as part of the emergency ordinance. It seems vague and very overreaching. The statement that we would require from an engineer to sign off on and we understand those concerns. So we have had meetings with them. We are working on a potential solution to give more clarity to those engineers that are working on it to see if there is an opportunity for use to agree on some language that effectuates what we would like, which is making sure that the wall or revetment is constructed in a way to minimize damage and not cause erosion to be worse on either side or down drift.” Any recommended changes will be brought to the March 26 meeting.

11. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting adjourned at 6:57pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Special City Council Meeting
Budget Workshop
4:00pm, Tuesday, March 19, 2024
Council Chambers
1207 Palm Boulevard, Isle of Palms, SC**

MINUTES

1. Call to Order

Present: Council members Anderson, Bogosian, Hahn, Miars, Campsen, Carroll, Ward, Pierce, and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, Treasurer Hamilton, various City Department heads and staff

2. Purpose – Discussion of the FY25 Budget

Mayor Pounds reviewed the budget assumptions for FY25 including: business licenses at 90% of previous 12-month actual, building permits at 85% of previous 12-month actual, Local Option Sales Tax at 95% of previous 12-month actual, tourism funds at 90% of previous 12-month actual, full staffing except for the Police Department at 95%, 3% merit increase and step-based adjustments as of 1/1/25, 24% increase in insurance costs, 11.8% increase in health insurance costs, a \$2.4 million transfer in from tourism funds, and a transfer of \$1.2 million into the Capital Projects fund at the end of the year assuming a surplus.

The Mayor reviewed a summary of revenues by fund showing FY23 actual, FY24 budget, FY24 forecast, FY25 budget, and the increase and decrease from the current 12 months. He also shared graphs detailing FY25 revenue sources and expenses by percentage.

He then reviewed key budget initiatives by department, including: City Hall renovations, the City's portion of a rescue boat, drainage projects, replacement of playground equipment, resurfacing the City-owned portion of Ocean Boulevard, vehicle replacements, access control systems to the Public Safety Building and Fire Station 2, beach management and monitoring, improvements to the T-dock and public greenspace at the Marina, a mini excavator, and other requests.

Mayor Pounds reviewed budgeted and forecasted fund balances from FY20 actual to forecasted FY29, noting that those balances assume the City pays cash for everything and does not borrow any money. Council briefly discussed the effects of larger beach nourishment projects on the fund balances over time without any additional funding.

The Mayor shared a list of revenue increasing opportunities for Council members to consider including a property tax increase, the establishment of a special tax district regarding beach

nourishment, increases in various City fees including building licenses, permits, and parking fees, franchise fees, and bringing stormwater management inhouse.

He also shared a list of expense reduction opportunities for Council to think about including increasing insurance deductibles to lower premiums, holding discretionary spending until revenues are verified at budgeted levels, re-evaluating the timing and scope of key budget initiatives and projects, and considering issuing debt for large capital expenditures.

Council discussed several of the revenue raising and expense reduction options presented by the Mayor. The next draft of the budget will include the impact of debt financing for projects over \$1 million and modeling out the list of revenue opportunities to see how much they would generate. The Mayor asked the committees to look more closely at the 10-year capital plans for their respective departments prior to the next budget discussion which will be at the City Council Workshop in April.

4. Adjournment

Council Member Ward made a motion to adjourn and Council Member Anderson seconded the motion. The meeting was adjourned at 5:36pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Administration Committee Meeting
Thursday, March 7, 2024, 4:30pm
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Council members Bogosian, Campsen, and Carroll

Staff Present: Administrator Fragoso, Director Kerr, Director Hamilton

2. Approval of Previous Meetings' Minutes

Council Member Campsen noted an extra word at the bottom of page 1 of the minutes and said that she had spoken to citizens who were in favor of limiting political signage in Item B on page 2.

MOTION: Council Member Bogosian made a motion to the minutes as amended. Council Member Carroll seconded the motion. The motion passed unanimously.

4. Citizen's Comments – none

5. Old Business

A. Interviews of applicants for Accommodation Tax Advisory Committee vacancy

Committee members interviewed Margaret Miller for the vacancy on the ATAX Committee. Ms. Miller previously served on the Committee from 2005-2020. She would like to see the ATAX funds used in a productive way for residents and tourists. When asked about the 30% funds for tourism promotion, Ms. Miller said it is worth looking at another vendor to make sure the City is getting the most out of their tax dollars.

The Committee then interviewed Mr. Rod Turnage for the ATAX vacancy. Mr. Turnage is interested in how the State dictates the use of ATAX monies. He owns a property management company and would like to serve the community. He believes his past work experience of gathering consensus and keeping people “rowing in the same direction” would be helpful to the Committee. He would like to see tourism advertising focused on families. Mr. Turnage is currently the Chamber of Commerce President, a role he will serve in for 9 more months.

Committee members discussed the candidates, believing Mr. Turnage would better serve the ATAX Committee in a lodging seat when he is done serving as Chamber of Commerce President. Administrator Fragoso said that both lodging seats expire in 2026.

MOTION: Council Member Bogosian made a motion to recommend Margaret Miller to the City Council for appointment to the ATAX Committee in the at-large position. Council Member Carroll seconded the motion. The motion passed unanimously.

B. Discussion of City Code section 1-3-13 which regulates public participation during council meetings

Administrator Fragoso pointed to the changes in this part of the City Code requested by the Committee in the meeting packet. The proposed changes include eliminating subsection E requiring speakers to address agenda items only, adding a provision that prohibits speakers from passing their time to another speaker, and adding a provision that requires speakers to provide their name and address to the City Clerk so that speaking order can be established.

These proposed changes will be added to the City Council workshop agenda.

C. Discussion of City Code section 5-4-138 (d) which regulates placement of political signs in the public right of way

Administrator Fragoso said no changes have been made to this part of the City Code yet. Committee members debated whether or not a change is needed; the main concern being limiting political engagement. As they could come to no solid conclusion, the issue will be added to the City Council workshop agenda to determine Council's feel for whether or not a change is needed.

6. New Business

A. Review of FY25 operational budget for Mayor and Council, General Government, Building and Court

Administrator Fragoso shared that an 11.8% increase in health insurance as well as increases in property and liability insurances has impacted all of the budget. She said they are working with the insurance companies to see if increasing deductibles will help save money. She then reviewed the additions to the FY25 budget and any increases in costs from FY24. She stressed the need for the financial analyst position as there is much more that could be done that Director Hamilton does not have time to do. A large increase in attorney fees was added to the Court budget.

She noted that the City Hall renovations project could be paid for over two years out of Capital Projects fund, Municipal ATAX, and State ATAX. The City could also consider a bond to pay for it. The project is still in the assessment phase.

7. **Miscellaneous Business**

The Administration Committee will have its next meeting on Thursday, April 4, 2024 at 4:30pm.

8. **Adjournment**

Council Member Bogosian made a motion to adjourn, and Council Member Carroll seconded the motion. The meeting was adjourned at 5:50pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Public Safety Committee Meeting
11:00am, Tuesday, March 5, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Council members Ward, Anderson, Bogosian

Staff Present: Administrator Fragoso, Director Kerr, Chief Oliverius, Chief Cornett

2. Citizen's Comments

Terri Haack, speaking on behalf of the Wild Dunes Resort, asked the Committee to consider returning the maximum decibel level in commercial areas to 75 decibels during the day and 55 at night. Regarding violations, she asked the Committee to consider "alternative methods for measuring commercial violations and the number of repeated violations and remove language that threatens business license removal except in extreme cases."

3. Approval of Previous Meeting Minutes – February 13, 2024

MOTION: Council Member Anderson made a motion to approve the minutes of the February 13, 2024 meeting. Council Member Ward seconded the motion. The motion passed unanimously.

4. Old Business

A. Discussion and consideration of changes to the noise ordinance

Council Member Bogosian said he met with Chief Cornett, Captain Swain, Mr. Bobby Ross, Mr. David Cohen (of the Planning Commission), and the Wild Dunes Resort to discuss possible changes to the noise ordinance. He believes 70 decibels is a reasonable noise level. He would like the suggested decibel levels for the GC-2 district eliminated and replaced with the definition of excessive noise as used in other parts of the ordinance. He also suggested changing the violations required to trigger the revocation process from 5 founded complaints to 3 convicted violations for businesses but not for short-term rental violations.

Committee members discussed the merits of those suggestions. Council Member Anderson would like the decibel level in the commercial district to be raised to 75 decibels but leave the 5 founded complaints in the penalties section of the ordinance.

Administrator Fragoso expressed concern about having different penalty standards for businesses and short-term rentals.

Council Member Bogosian said he would like to have First Reading of the proposed ordinance at the March City Council meeting. He would then like to have David Cohen attend the April Public Safety Committee meeting to help clarify the ordinance and make changes prior to Second Reading at the April City Council meeting.

Council Member Bogosian said he would like to see “the exemption to GC-2 and take out that last piece on the revocation of the licenses” in the draft presented to City Council.

Council Member Anderson said, “I would like to see the commercial area (other than GC-2) maximum decibel level raised back to 75 decibels.”

Administrator Fragoso will have the City Attorney make the changes to the draft ordinance and have it ready for discussion at the City Council Workshop next week.

5. **New Business**

A. **Review of Police and Fire Department’s FY25 operational budget**

Administrator Fragoso shared that the bulk of increase in operational expenses throughout the budget comes from payroll increases, an 11.8% increase in health insurance costs, and increases in property and liability insurances.

She highlighted the additions to the Police Department’s operational budget including new badges, K9 expenses, patrol vehicle replacement, and taser replacement.

She shared that the cost of the Deputy Sheriff the City hires to direct traffic on summer weekends has increased 38%. She is going to speak with the County about sharing that expense.

Chief Oliverius gave an update on the paramedic program. He said the program is on track to begin in June as originally planned. He is working on the DHEC licensure and the medical control staff is in place. He is interviewing a paramedic/firefighter on Friday, training is ongoing, and equipment is arriving on schedule.

Administrator Fragoso shared the additions to the Fire Department’s operational budget including funds to repair the elevator at Fire Station 2, the City’s share of Jaws-of-Life equipment, jet ski replacement, and training mannequins.

She noted those expenses in each department that are being paid with tourism funds.

6. **Miscellaneous Business**

The next meeting of the Public Safety Committee will be Tuesday, April 2, 2024 at 11:00am.

7. **Adjournment**

Council Member Bogosian made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting was adjourned at 12:16pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Public Services & Facilities Committee Meeting
9:00am, Tuesday, March 5, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Council members Miars, Hahn, Pierce (via Zoom)

Staff Present: Administrator Fragoso, Director Kerr, Director Pitts, Director Ferrell

2. Citizen's Comments -- none

3. Approval of Previous Meeting's Minutes – February 13, 2024

MOTION: Council Member Hahn made a motion to approve the minutes of the February 13, 2024 meeting. Council Member Hahn seconded the motion. The motion passed unanimously.

4. Old Business

Discussion of parking reconfiguration layout options for the Intracoastal side of marina parking lot

The City has not yet received feedback from the restaurant about the most recent parking lot reconfiguration.

Administrator Fragoso reported that the restaurant will not extend the lease of the space being used by the contractors working on the ditch at 41st Avenue past the March 8 expiration date. She said the contractors can use the shared lot if needed.. The contractors can keep to the public right of way, on the roadway, and the top of the ditch as much as possible.

Council Member Hahn asked again about the possibility of running the effluent line for the Water & Sewer Commission through the 42" pipe in that area. Administrator Fragoso added that she is not sure the regulatory agencies would permit such a request. Director Kerr said that while the idea seemed to make sense, he shared that it was not the City's intent to finalize the landscaping and paving in that area until after the effluent line is installed.

5. **New Business**

A. **Review of the FY25 Budget for Public Works and Recreation Departments**

Administrator Fragoso shared that the bulk of increase in operational expenses throughout the budget comes from payroll increases, an 11.8% increase in health insurance costs, and increases in property and liability insurances.

She reviewed those line items in the Public Works budget that have increased since FY24. Due to the increased amount of public works' apparatus, the budget should consider an increase in vehicle maintenance costs.

Administrator Fragoso said the proposed budget also includes two drainage projects: the design of an improvement on Palm Boulevard between 37th, 38th, and 41st avenues and the rebudgeting of the Waterway Boulevard project from FY24. The Palm Boulevard project will be funded by half of the ARP funds and a \$1 million received by the State last year for drainage improvements.

Thomas & Hutton will attend the City Council workshop next week to discuss the feasibility of increasing the protections provided by the Waterway Boulevard project. Elevated protections as well as added drainage infrastructure between 21st and 23rd avenues will increase the cost of the project. The City is waiting to hear from FEMA about the award of a grant that will pay for the bulk of the project.

The Public Works budget also includes \$50,000 for the purchase of a used mini excavator to help build the City's stormwater management capabilities.

Council Member Pierce asked if the City is seeing increased revenue projections for the coming fiscal year. Administrator Fragoso said, "The reality is we are not seeing a corresponding increase in revenues." She said they are working on revenue projections and will discuss ideas on how to meet budgetary goals at the City Council Budget workshop.

Administrator Fragoso then reviewed the operational expense increases and requests in the Recreation Department budget, including the replacement of playground equipment, replacement of the material under the playground equipment, painting the building, and the replacement of the floor in the High Tide Room.

Committee members briefly discussed the potential for increasing programming fees for residents. Director Ferrell said she is looking into the fees charged by Mt. Pleasant and the City of Charleton for comparison. Council Member Pierce asked about the feasibility of opening the Recreation Center on Sundays again.

Council Member Hahn asked about the Town of Mt. Pleasant's use of in-house doctors and wondered if the City could financially benefit from participation in their plan.

6. Miscellaneous Business

The next regular meeting of the Public Services & Facilities Committee will be Tuesday, April 2, 2024 at 9am.

7. Adjournment

Council Member Hahn made a motion to adjourn and Council Member Miars seconded the motion. The meeting was adjourned at 9:47am.

Respectfully submitted,
Nicole DeNeane
City Clerk



Beach Preservation Ad Hoc Committee Meeting
Friday, March 1, 2024, 9:00am
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

Present: Dan Slotchiver, Andrew Vega, Tim Ahmuty, Council Member Pierce (via Zoom), Council Member Campsen, Mayor Pounds, Administrator Fragoso, Director Kerr

Absent: Council Member Miars

Also present: Robert Outten (via Zoom)

1. Call to Order

2. Discussion with Robert Outten, Dare County Manager/Attorney, regarding Outer Banks beach nourishment funding model

Mr. Outten shared the history of the special municipal service tax district created in Dare County, North Carolina to fund beach renourishment and how the county created a formula for fairly taxing citizens to contribute to beach renourishment funds. The State of North Carolina does not contribute to beach nourishment, so it was important to create a way that each town's tax base shared the same burden. He said it was beneficial for their tourist-based economy to have all the beaches in good condition. They leverage their tax funds by borrowing money for renourishment and bid multiple projects at one to save on mobilization costs. Dare County does not provide any financial help to mitigate property damage in between projects but citizens are allowed to use sandbags on their property. Mr. Outten said they do not have many emergencies between projects at this point as the nourishments are lasting longer than expected.

Mr. Outten said they use a beach management plan to illustrate to the state the need for beach nourishment funding.

3. Next Steps

Committee members would like to speak with someone from Explore Charleston, the City's lobbyist, and Chair of Charleston County Council as well as a representative from the Army Corps of Engineers.

Administrator Fragoso shared that she and the Mayor attended a meeting with the City's lobbyist, and the biggest takeaway was that State and Federal funds are not reliable sources of funding and the City needs to figure out how to leverage the funds and resources it does have to make sure they have a sustainable plan moving forward. Mr. Vega added that it is important to set the expectations of the public of what the beach nourishment projects can and cannot do.

Ms. Solomon encouraged conversation between islands to determine where ideas and resources could be shared. Administrator Fragoso added that the City needs to clarify what it wants the beaches to look like and then determine the cost. She said that Dewees Island is having some erosion issues and Sullivan's Island has a few spots where they also have concerns.

Administrator Fragoso will share links the North Carolina's equivalent to the Beachfront Management Act and the North Carolina Beach Management Inlet Plan to review and discuss at the next meeting.

Mr. Vega would like to see if ATAX money spent on advertising could be allocated to beach nourishment. Council Member Campsen would like to see what City monies can be directly funneled into beach nourishment during the upcoming budget discussions.

The next meeting of the Beach Preservation Ad Hoc Committee will be Friday, March 8, 2024 at 9:00am.

4. **Adjournment**

The meeting was adjourned at 10:12am.

Respectfully submitted,

Nicole DeNeane
City Clerk



Beach Preservation Ad Hoc Committee Meeting
Friday, March 8, 2024, 9:00am
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

Present: Dan Slotchiver, Andrew Vega, Tim Ahmuty, Cindy Solomon (via Zoom), Council Member Pierce (via Zoom), Council members Campsen and Miars, Mayor Pounds, Administrator Fragoso, Director Kerr

1. **Call to Order**
2. **Discussion and review of topics, issues and opportunities discussed at previous committee meetings**

Mayor Pounds reviewed the conversations of the previous meetings. He said he believes a representative from the Army Corps of Engineers will be ready to speak to the Committee later in the month about what Federal management of the beach could look like.

Mr. Vega believes the City needs to develop a two-part plan: a proactive policy that details how the City wants to take care of and renourish the beach, and a reactive policy that defines the City's policies and expectations of beach care in times of emergency.

Ms. Campsen would like to see the creation of a beach management page for the City's website that details policies, actions, and related municipal and Federal requirements.

Mr. Slotchiver expressed his preference for the City to follow Dare County's routine of beach management and nourishment. He would like to financially evaluate their program for the City's purposes prior to the Committee's conversation with the Army Corps of Engineers.

Administrator Fragoso said it is necessary that the City use the data provided by CS&E to determine what they want the beach to look like. She pointed out there is a clear understanding of how the beach should look at the north end and now it important to mimic that for the rest of the island.

She pointed out to the Committee that prior to last year, the City's position for emergency work was to step in after a named storm but other protective measures were the responsibility of the property owner.

Administrator Fragoso shared the City's current efforts regarding beach monitoring and future beach preservation. She reported that CS&E is conducting a new survey of Breach Inlet to determine sand volumes and beach profiles.

When Mr. Slotchiver suggested the City's lobbyist stress to the legislature the nature of the situation, Mayor Pounds said the State is very aware of what is happening but have not indicated they intend to do anything about it. He believes the only help the City will receive this year is the Army Corps project.

Mayor Pounds would like to follow up with Dare County to get more details. Administrator Fragoso said she could perform some calculations with their model to see what kind of funding estimates it would provide. She also suggested considering the feasibility of issuing bonds for beach nourishment projects as Dare County did.

Mr. Vega reiterated that determining what the beach should look like drives everything else.

3. Next Steps

The next meeting will include Stephen Traynum to help the Committee define a healthy beach and discuss the feasibility of dredging Breach Inlet. They will also invite Nicole Elko to discuss beach monitoring efforts on Sullivan's Island.

The next meeting of the Beach Preservation Ad Hoc Committee will be Friday, March 15, 2024 at 9:00am.

4. Adjournment

The meeting was adjourned at 10:00am.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Beach Preservation Ad Hoc Committee Meeting
Friday, March 15, 2024, 9:00am
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

Present: Dan Slotchiver, Andrew Vega (via Zoom), Tim Ahmuty, Cindy Solomon, Council members Pierce, Campsen, and Miars, Mayor Pounds, Administrator Fragoso, Director Kerr

Absent: Dan Slotchiver

Also present: Steven Traynum, Nicole Elko (via Zoom)

1. **Call to Order**
2. **Discussion of developing a long-range vision and goals for future beach conditions**

Mr. Traynum explained how an ideal beach profile is developed. He said it is site specific and answers the question of how much sand do you need to remain on the beach following a storm of a particular intensity as well as addresses the expectations of the local community while taking into account local physical conditions, such as the presence of an inlet. An ideal beach profile does not address the economics of maintaining that beach, but Mr. Traynum said the SCPRT analyzes the economic impact of beaches.

Ms. Elko added that the Army Corps of Engineers also studies the economic impact of the beaches on recreation and tourism. She stated that their recent 3-year, \$3 million study of Folly Beach included an economic analysis and other modeling to determine the optimal width for that beach. She said the host town could be expected to pay up to 50% of the cost of such a study and it is necessary to have before the USACE would agree to take over management of the beach.

Ms. Elko was asked about Sullivan's Island beach nourishment philosophy. She said that Sullivan's Island has the challenge of having too much sand in some places. They have no long-term plans for nourishment but have invested some monies in beach monitoring. While beach nourishment is not a high priority for the Town, they would like to study and discuss the impact of dredging Breach Inlet with the City. She said she could facilitate a meeting with the Committee, Mayor O'Neil and the Town Administrator Andy Benke.

Mr. Traynum was asked to speak to the permitting efforts regarding beach nourishment: "We have submitted the application to supplement the Corps project by moving sand up into the dune and moving sand further south. That has been submitted. The project to do the shoal management up at the east end should be submitted next week. So those are the two very short-term things. That shoal management project at the east end would be designed to alleviate the

small area of erosion around Beachwood until the shoal attaches and then buys us time until the next big project would have to be put in place. It allows some flexibility that should, the area kind of around Ocean Club at the very east end, start getting bad, we can place sand around that area as well. The other thing we are working on right now is doing a sand search and some of the environmental work for the next large scale nourishment project. It's kind of the first preliminary step to putting in that permit application, but we have had a lot of talks with SHPO on the shipwreck. So we are actually out there today in the boat doing some of that field work. Nothing has been done yet to date for the dredging of the Breach Inlet. If that was going to be pursued, there are a lot of things that would have to be accomplished before submitting the permit application. The permit application really is, after most of the engineering is done, so that you know where you would want to place the channel, the depths that you would want to place, the width, and you've done enough analysis of the potential impacts and benefits that justifies the project."

Administrator Fragoso then asked Mr. Traynum to "speak to the permitting efforts on the inlet here about harvesting sand from what we call the spit."

Mr. Traynum replied, "That was something we thought about including in this shoal management permit. It was okay, we will do the same thing down at the south end. But knowing all the kind of concern and focus that has been on the south end right now, we felt like if we want to have that, it would be better to separate those two permits out. Essentially, it is the same biological assessment. It's a lot of the same work, but we would want to separate them so that any political or issues going on with the south end would be separate from the things on the east end. So it would not delay that. There is not a whole lot of sand on that spit that is available to harvest, where we would feel like if we harvested it we are not going to have the potential to create some down drift effects to some of those other properties. So that is something that would have to be done in a way where we would have certain thresholds to make sure that we have thresholds on the east end as well. We don't dig within 400' of a house. We have at least that much of a buffer, so we would have to have the same thing on the south end. So even if we went to permit that right now, the conditions may not allow for the removal of sand off the spit and recycling it back to the north."

Mayor Pounds asked Ms. Elko about Sullivan's Islands view of the USACE project. Ms. Elko replied, "I concur with what Stephen mentioned. Ideally, best-case scenario, we were able to achieve that beach width that we discussed, maybe a 50' wide beach maximum. I think that is the hope and dream for everyone here, but we need to keep expectations tempered."

Council Member Pierce asked if there is any recourse if the Corps project doesn't hold as expected. Mr. Traynum responded, "The sand that they are adding, there are only so many places it can go. So even if it doesn't come up the beach and restore a dry sand beach over time, they are going to be placing it around the low tide line or the middle part of the beach. That is going to be visible very quickly, and you are going to see that there. So it is going to be in the system now. Some of it may start shifting south very quickly and just kind of go out into the shoals of the inlet. But from what we have seen in the past, it has got to build up the beach first. It's got to

move up and then down. So I am expecting to see a lot of accretion. If it does not, then yes, our resource is work towards this larger offshore project.”

The Committee presented several scenarios about what could happen with the USACE project and wondered if the City should start work on other projects. Mr. Traynum believes it would be better to wait until the Corps project is finished before starting anything else.

Administrator Fragoso asked if it would be a good idea to include the installation of a groin in the permit for the large-scale offshore project. Mr. Traynum believes a groin to be a good investment if the erosion at Breach Inlet continues. He said it would be better to separate a request from a groin into its own permit because Sullivan’s Island would need to agree to its installation and coastal environmental groups may object to it.

Current conditions at Breach Inlet were briefly discussed.

3. Next Steps

Mayor Pounds would like to have Mayor O’Neil and Administrator Benke at an upcoming meeting. Mr. Traynum said he could have a document detailing a healthy beach profile in about two weeks.

The next meeting of the Beach Preservation Ad Hoc Committee will be Friday, March 22, 2024 at 9:00am.

4. Adjournment

The meeting was adjourned at 10:12am.

Respectfully submitted,

Nicole DeNeane
City Clerk

Application for Boards and Commissions

Applicant Name

Margaret V Miller

Position Sought

Accommodations Tax Advisory Committee

Home Phone

(843) 367-1868

Work Phone

(843) 367-1868

Mobile Phone

(843) 367-1868

Email

mvmiller05@me.com

Are you a resident of the Isle of Palms?

Yes

How many years have you lived in the Isle of Palms?

39

Address

2702 HARTNETT BLVD, ISLE OF PALMS, South Carolina 29451-2445

Occupation and Title

Retired - Former Sr. Vice President Audit Services

Business or Employer Name

South Carolina Federal Credit Union

Have you ever served on a board or commission for the City of Isle of Palms or another local government?

Yes

If yes, please provide information about that service

Accommodation Tax Committee

Have you served as an elected official of local government?

No

Please list community and volunteer activities you may be involved in.

Lowcountry Orphan Relief

Are you currently in a position of responsibility in an organization or board that has received or is seeking funding from the City of Isle of Palms? If yes, list position and date of hire.

No

State your interest in serving on this Board or Commission.

Am interested in working in an advisory capacity to promote tourism, the arts and cultural affairs in the community. Want to ensure the environment of the island and residents is not negatively impacted when promoting tourism. Supporting tourism is important to the island. However, we need to be conscience of how the activity will affect the island as well as bring in visitors/tourists. Not every request for a grant is good for the Isle of Palms.

Upload Résumé

Resume 012724.doc

Note: This is an application only and indicates your willingness to serve on an Isle of Palms Board or Commission. You will be notified when a seat is vacant and will be considered among other applicants. Final selection will be determined by the Isle of Palms City Council. Thank you for your interest in serving the Isle of Palms.

MARGARET VICTORIA MILLER

2702 Hartnett Blvd.
Isle of Palms, SC 29451

RESUME OF QUALIFICATIONS

(843) 367-1868

OBJECTIVE: To work with City Council regarding matters of environmental impact, protections, conservation and sustainability by exploring innovations, best practices and data around changes affecting the city of Isle of Palms in a positive manner.

EDUCATION: Bachelor of Arts in Education
Radford University, Radford, Virginia (1977)
Cannon Financial Institution, Internal Audit School (1998 – 2000)
Credit Union League, Institute of Internal Auditors and National Association of Federal Credit Unions sponsored courses; Management Skills Training; Consumer Credit Workshop, Mortgage Loan Skills; Quality Management; Analysis of Financial Statements/Tax Returns for Cash Flow; Management Selling Skills, Professional Customer Service Program; Time Management Workshop; Professional Teller Program. Various American Bank Association Courses.

CERTIFICATIONS Certified Financial Services Auditor (CFSA) (2002)
Certified Business Manager (CBM) (2002)
Credit Union Compliance Expert (CUCE) (2005)
Certification in Risk Management Assurance (CRMA) (2012)

AFFILIATIONS: Association Credit Union Internal Auditor (1998 – present)
Institute of Internal Auditors (1998 – present)
Association of Professionals in Business Management (2002 – present)
City of Isle of Palms Accommodation Tax Committee (2005 – 2020)
Low Country Orphan Relief – Board Member (2020 – present)

WORK HISTORY: **SOUTH CAROLINA FEDERAL CREDIT UNION** (June 1998 – December 2020)
Senior Vice President Audit Services – November 2005 was appointed as the Senior Vice President Audit Services responsible for the supervision of Audit Services Department. To include duties stated in Interim Chief Audit Officer, Audit Services Manager and Auditor. Retired December 31, 2020.

Interim Chief Audit Officer – February 28, 2005 was appointed as Interim Chief Audit Officer – responsibilities performed in addition to the Audit Services Manager include supervision of the ACRMS Assistant and four compliance and risk management services personnel and functions in providing proactive serviced driven solutions that add value to and improves the credit union processes; Positively lead the credit union's strategic direction and processes through direct reports to assist the credit union in achieving its mission, vision and strategies; attending Strategic Planning sessions with Senior Managers, Board and Supervisory Committee volunteers; member of the Corporate Governance Committee; Prepare monthly department reports to the Supervisory Committee, Board of Directors and management; meet with Supervisory Committee monthly; monitor member complaints resolution.

Audit Services Manager – Positively lead and participate in the Quality Improvement Processes to ensure all actions are driven by positive member care initiative; Develop career plans for direct reports and implement action plans to support the development needs; Provide leadership and teamwork in the support and achievement of the credit union and supervisory committee strategic initiatives and related competencies; Positively support the Chief Audit Officer in planning maintaining and completing the annual audit plan, strategic initiatives and tactical plans as well as operational department goals; Directly supervise Audit Services Department staff in the day-to-day activities ensuring timely and

accurate completion of assignments. Review work papers and Audit Reports to ensure compliance with Institute of Internal Audit Professional Standards; Provide leadership, teamwork and support in the transition from the traditional audit role to the modern consultant role as defined by the Institute of Internal Auditors; Manage and contribute as a team member within the Audit Services department to perform independently, or provide assistance in, initial operational assignments to determine that the credit union operations have adequate internal controls established and practiced; identify and evaluate risk exposure to ensure that risk is timely identified and adequately monitored and managed; compliance with all applicable federal regulations and credit union bylaws; validate approved policies and procedures are being properly administered by Management; operations are effectively and efficiently managed. Author written communications to appropriate credit union; management providing, analyses, appraisals, recommendations, counsel and information concerning the results of the audited activities; coordination and completion of the annual 401-k external audit, the annual Financial Statement Audit and other external reviews as necessary. Provide consulting services for internal customers on risk, internal control, member care, quality initiatives and audit issues with recommended changes.

Auditor -Develop audit programs and internal control questionnaires; identify and evaluate risk; to ensure that risk is timely identified and adequately managed; the credit union is in compliance with all applicable federal regulations and credit union by-laws, and the Board of Directors' policies and procedures are being properly administered by management; the credit union operations are effectively and efficiently managed. Document and summarize the results of the audit procedures performed and comment on efficiency and effectiveness of existing system of internal controls, risk identification, awareness and monitoring, external and internal compliance issues, impact and reliance on information systems and financial aspects. Perform the reviews of the transaction system security access. Evaluate operational efficiency and effectiveness, management information system, compliance, risk and internal controls, financial and fraud issues on which audits and reviews are performed. Recommend improvements and/or changes as necessary.

STRENGTHS: Proactive - Detail and goal oriented – Strong analytical skills - Team player - Self-directed - Responsible and conscientious - Fast learner - Personable.

March 8, 2024

Desirée Fragoso
Administrator
City of Isle of Palms
1207 Palm Blvd
Isle of Palms, SC 29451

RE: Amendment 2 to Agreement [CSE 2587]

Dear Desirée:

This letter is provided to request an amendment to a professional services contract between the City of Isle of Palms and Coastal Science & Engineering, Inc (CSE 2587) regarding additional coastal engineering services for beach management along the southern end of Isle of Palms. Specifically, the amendment will allow for a comprehensive survey of the southern end of the island, as well as additional emergency coordination necessary until the anticipated USACE beneficial use project begins.

The survey will encompass the beach between the Sea Cabins pier and Breach Inlet, and will include a detailed survey of the Breach Inlet channel and offshore shoals. The survey will match surveys completed as part of regular annual monitoring efforts to provide accurate volume change measures to compare with prior surveys. CSE will compute volume change and shoreline position change along the survey area compared to August 2023 and earlier conditions. These data will assist the City in determining appropriate steps forward in beach management, including design planning for supplemental work during the USACE project. The survey will serve as a pre-project condition survey which will be the baseline for future beach monitoring and evaluation of the project performance. CSE will add additional lines between stations 20+00 and 80+00 to provide higher-resolution data. Presently, profile spacing in this area is 1,000 lf. CSE proposes to add lines to decrease the profile spacing not to exceed 500 ft. All survey work will be performed using the same methodology as prior monitoring efforts CSE utilizes for annual monitoring.

The survey will also provide an updated condition of the Breach Inlet shoals and channels. Changes in the inlet delta are the primary cause of recent erosion pressures along the shoreline, and obtaining updated morphology can be beneficial in predicting future trends (such as a natural channel avulsion) and evaluating potential impacts to the system from recent emergency work. The survey will also aid in considering the feasibility and impacts of a potential channel realignment project. The final deliverables for the survey scope will include a summary letter of beach volume changes south of the pier, analysis of dune condition, updated survey beach profile cross sections, aerial and



ground imagery, and a digital elevation model of Breach Inlet including a discussion of recent changes.

CSE also requests additional allocation for professional time and expenses related to continued emergency coordination along Breach Inlet until the start of the USACE supplemental project. The prior amendment anticipated that the USACE work would begin by February 2024, and provided sufficient budget to cover CSE’s services through then. At present, CSE has exhausted the available funds under this amendment. Prior services included coordination of additional beach scraping, installation of sandbags at Beachwood East, payment certifications, liaison with the City regarding OCRM compliance issues, and participation in beach committee meetings with the City. CSE requests a modest budget to account for similar professional services anticipated through April 2024.

Table 1 provides fees and expenses for the proposed work.

CSE 2587 Amendment 2	Personnel Costs	Direct Expenses	Total
Task 1) Breach Inlet Emergency Coordination	\$ 13,280.00	\$ 2,439.00	\$ 15,719.00
Task 2) South End Survey	\$ 13,040.00	\$ 4,974.50	\$ 18,014.50
SubTotal - Personnel - Tasks 1-2	\$ 26,320.00	\$ 7,413.50	\$ 33,733.50

Please let me know if you have any questions or need additional detail regarding the scope of services.

Sincerely,

Coastal Science & Engineering (CSE)

Steven B Traynum
 President

Signature for Approval

ATTEST

CITY OF ISLE OF PALMS (SC)

Witness (Signature)

(Signature)

Application for Commercial Surf Instruction - 2024

Name

Monica Becerra

Phone

(843) 973-0078

Email

mbecerra18921@gmail.com

Business Name

Share the Stoke Surf School

Business License Address

304 Fleming Rd, Charleston, South Carolina 29412

Location where lessons will be provided

34th Avenue Isle of Palms

I certify that I have completed an application for a business license through the City of Isle of Palms Building Department.

Yes

Copy of CPR Certification

Red Cross Certificate MERGE for Achievement Assignment_SD-32100602.pdf

Copy of First Aid Certification

Red Cross Certificate MERGE for Achievement Assignment_SD-32100602 (1).pdf

Copy of Lifeguard Certification

Red Cross Certificate MERGE for Achievement Assignment_SD-34306921 (1).pdf

Copy of Insurance Policy showing minimum coverage of at least \$1,000,000 and naming the City of Isle of Palms as an additional insured

A-SP-SI-24-03-12-299744.zip

I have read, understood, and agree to abide by the stipulations listed below:

- (a) Area where surf lessons are allowed shall be dictated by the current boundary restrictions stated in the City Ordinances.**
- (b) At least one instructor attending each lesson must be lifeguard, CPR, and first aid certified, with current certifications on file with the city. There must be a first aid kit on site.**
- (c) Each surf instructor provider must carry liability insurance of at least \$1,000,000 that names the City of Isle of Palms as an additional insured.**
- (d) Surf instructions shall be limited to groups of four (4) or fewer students and at least one (1) instructor, with a maximum of twelve (12) students and three (3) instructors per day per provider.**
- (e) Surf instruction shall not exceed more than two (2) hours per day per provider.**
- (f) Surf instruction providers may not advertise on the beach. All signs, merchandise or other article that violate Article 7-SIGNS of the City's ordinances are prohibited.**

(g) Surf instruction providers may not solicit for students on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge parking lot.

(h) Surf instruction providers must indicate on the application the location where the lessons will be provided.

(i) Surf instruction providers shall execute an indemnification agreement to be submitted with the application.

(j) Failure to adhere to these standards will result in automatic revocation of permission to conduct surfing instruction on the beach by City Council.

(k) City Council shall have the authority to limit the number of permissions issued for commercial surfing instruction on the beach.

(l) Permission shall be granted for one (1) year which may be renewed annually upon application.

Signature

A handwritten signature in black ink, appearing to be the initials 'MB' with a stylized flourish above the 'M'.

Date

3/21/2024

2. REQUEST FOR ASSISTANCE

The responding law enforcement officers may be requested in response to any public safety function across jurisdictional lines, such as multijurisdictional task forces, criminal investigations, patrol services, crowd control, traffic control and safety, and other emergency service situations. Assistance provided in this Agreement includes, but is not limited to:

- A. Emergency Situations;
- B. Civil Disorders;
- C. Natural or Manmade Disasters;
- D. Transporting of Prisoners;
- E. Operating Temporary Detention Facilities & Housing Inmates;
- F. Mass Processing of Arrest;
- G. Arrest;
- H. Pursuits of Criminal Suspects;
- I. Location of Missing Persons;
- J. Traffic Control and Safety;
- K. Criminal Investigations; or
- L. Any Other Matter Handled by Law Enforcement for that Particular Jurisdiction.

3. PRIMARY RESPONSIBILITY

It is agreed and understood that the primary responsibility of the parties to this Agreement is to provide law enforcement services within the geographical boundaries of their respective jurisdictions. Therefore, it is agreed that the law enforcement agency whose assistance is requested shall be the sole judge as to whether or not it can respond and to what extent it can comply with the request for assistance from the other agency.

4. PROCEDURE FOR REQUESTING LAW ENFORCEMENT ASSISTANCE

- A. **Request:** A request for assistance shall only be made by the **Sheriff of Berkeley County**, or his/her designee, or the **Chief of Police of Isle of Palms Police Department** or his/her designee. This request shall include a description of the situation creating the need for assistance, the specific aid needed, the approximate number of law enforcement officers requested, the location to which law enforcement personnel are to be dispatched, and the officer in charge of such location. Radio communications shall be on a mutually agreed channel, as may vary upon the specific operation or incident, and in accordance with established dispatch protocols.
- B. **Reply:** A reply to any request for assistance shall only be made by the **Sheriff of Berkeley County**, or his/her designee, or the **Chief of Police of Isle of Palms Police Department**, or his/her designee. If the request is granted, the requesting law enforcement agency shall be immediately informed of the number of law enforcement officers to respond.
- C. **Officer in Charge:** The responding law enforcement officers shall report to the officers in charge of the requesting law enforcement agency at the designed location and shall be subject to the lawful orders and commands of that officer. The responding law enforcement officers shall exert their best efforts to cooperate with, and aid, the requesting law enforcement agency. The responding law enforcement officers shall be responsible at all times for

acting within the policies and procedures set forth in the policy and procedure manual of the law enforcement agency by which they are regularly employed.

- D. Release: The responding law enforcement officers shall be released by the officer in charge when their services are no longer required or when they are needed to respond to a situation within the geographic boundaries of their own jurisdiction; provided however, the responding law enforcement officers shall use their best efforts to complete the requested service prior to being released.

5. PERSONNEL, COSTS AND RECORDS

Except as otherwise agreed among the parties, each party shall maintain control over its personnel. Except as otherwise provided herein, each party shall bear its own costs incurred in the performance of its obligations hereunder, and shall keep its own personnel and other usual records as to its assigned officers.

Any and all records of law enforcement activities conducted pursuant to this Agreement shall be the property of and maintained by the agency conducting the activity, including any incident reports, citations, photographs, or other images captured on any photographic or digital media. Nothing contained herein prohibits or precludes any participating agency from making or maintaining a copy of any such records referenced above.

6. REQUESTS FOR INFORMATION PURSUANT TO THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT

Upon receipt, each agency participating in this Agreement must respond to requests for information pursuant to the South Carolina Freedom of Information Act.

7. COMPENSATION

This Agreement shall in no manner affect or reduce the compensation, pension, or retirement rights of any responding officer. Except as otherwise agreed, each party shall bear its own costs and expenses incurred in complying with the Agreement.

8. INSURANCE

Each party shall maintain such insurance coverage for general liability, workers' compensation, and other such coverage as may be required by law or deemed advisable by individual parties.

9. EMPLOYMENT STATUS

Nothing herein shall be construed or interpreted to imply that the law enforcement officers responding in accordance with this Agreement shall be the employees of the law enforcement agency requesting such assistance.

10. MODIFICATION OR AMENDMENT

This Agreement shall not be modified, amended or changed in any manner except upon express written consent of the parties to this Agreement.

11. RESPONSIBILITY TO RESPECTIVE GOVERNING BODIES

Each party is responsible for any approval requirements to their respective governing body as may be required under South Carolina law.

12. SEVERABILITY

Should any part of this Agreement be found to be unenforceable by any court or other competent authority, then the rest shall remain in full force and effect.

13. BINDING SUCCESSORS IN OFFICE

All parties agree that any and all successors in interest to their offices will be similarly bound by the terms of this agreement without necessitating execution of any amendment.

14. NO INDEMNIFICATION OR THIRD PARTY RIGHTS

To the extent provided by law, the parties shall be solely responsible for the acts and omissions of their respective employees, officers, and officials, and for any claims, lawsuits and payment of damages that arise from activities of its officers. No right of indemnification is created by this agreement and the parties expressly disclaim such. The provisions of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any rights or obligations in favor of any party or entity not a party to this agreement.

15. TERMINATION

This Agreement shall be terminated at any time upon written notice to the other party to this Agreement.

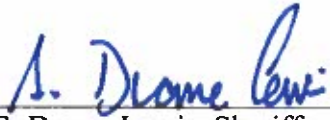
16. TERM AND RENEWAL

This Agreement is effective as to each party at the date and time of signing and will automatically renew each anniversary date, year to year, and term to term unless a party exercises its right to terminate as further described herein.

17. USE OF EQUIPMENT AND FACILITIES

Each party shall be responsible for the maintenance of its own equipment and shall be responsible for the procurement of facilities unless otherwise agreed upon by the parties.

IN WITNESS WHEREOF, these parties have set their hands and seals at the date set forth above.



S. Duane Lewis, Sheriff
Berkeley County Sheriff's Office



Witness

CITY OF ISLE OF PALMS POLICE DEPARTMENT

WITNESSES

Kevin Cornett, Chief of Police
Isle of Palms Police Department

Witness

CITY OF ISLE OF PALMS

WITNESSES

Desiree Fragoso, Administrator
City of Isle of Palms

Witness



BOARD OF ZONING APPEALS
4:00pm, Tuesday, March 5, 2024
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to order

Present: Ted McKnight, Glenn Thornburg, Ellen Gower, Robert Miller, Susie Wheeler, and Zoning Director Simms

2. Approval of Previous Meeting's Minutes

MOTION: Mr. McKnight made a motion to approve the minutes of the February 6, 2024 meeting, and Ms. Wheeler seconded the motion. The minutes passed unanimously.

3. Swearing in of applicants

Mr. Thornburg swore in the applicants.

4. Home Occupations

A. 25 Edgewater

MOTION: Mr. McKnight made a motion to defer this application until the applicant re-establishes communication with the City. The motion passed unanimously.

B. 615 Carolina Boulevard

Zoning Director Simms said that the applicant, Andrea Rogers, is requesting a special exception to allow for the establishment of a construction management business at her home. The applicant has indicated that the home will be used for office work only, that there will be no business-related traffic coming to the residence and that there will be no employees working in the residence other than family members that live in the home.

Ms. Rogers said the neighbors will be unaware of a business in the house and there will be no signage on any vehicles.

MOTION: Ms. Gower made a motion to approve, and Ms. Wheeler seconded the motion. The motion passed unanimously.

C. 5002 Palm Boulevard

Zoning Director Simms said that the applicant, Courtney Lowell, is requesting a special exception to allow for the establishment of a interior design consulting business at her home. The applicant has indicated that the home will be used for office work only, that there will be no

business-related traffic coming to the residence and that there will be no employees working in the residence other than family members that live in the home.

Ms. Lowell said the neighbors will be unaware of a business in the house and there will be no signage on any vehicles.

MOTION: Ms. Wheeler made a motion to approve, and Ms. Gower seconded the motion. The motion passed unanimously.

D. 1120 Ocean Boulevard

Zoning Director Simms said the applicant, Perry Freeman, is requesting a special exception to allow the sale of food and drink

Mr. Freeman said the previous concern of the Board was an unused gas tank at the site of the deck are. He said since his previous appearance before the Board in 2021 the gas tank has been filled with sand and decommissioned. Zoning Administrator Simms said the Building Inspector has confirmed that the gas tank poses no threat.

Mr. Thornburg and Mr. McKnight said they recalled a concern about the proper construction of the deck where the drinks and food will be served. Director Kerr said the issue before the Board is whether or not Mr. Freeman can sell food and drink in that area. Deck construction is a building code issue.

MOTION: Mr. McKnight made a motion to approve, and Ms. Wheeler seconded the motion. The motion passed unanimously.

5. Miscellaneous Business

6. Adjournment

Mr. McKnight made a motion to adjourn and Ms. Gower seconded the motion. The meeting was adjourned at 4:27pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Planning Commission Meeting
4:00pm, Wednesday, March 13, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Sue Nagelski, Sandy Stone, David Cohen, Ron Denton, Rich Steinert, Tim Ahmuty, Jeffrey Rubin

Staff present: Director Kerr, Zoning Administrator Simms

Also present: Rick Karkowski, PE, Thomas & Hutton

2. Approval of minutes

MOTION: Dr. Rubin made a motion to approve the minutes. Ms. Nagelski seconded the motion. The motion passed unanimously.

3. New Business

Discussion of Stormwater Recommendations with Rick Karkowski, Thomas & Hutton

Commission members and Director Kerr engaged Mr. Karkowski in a lengthy conversation about the best practices in determining how to assess the proper amount of stormwater runoff from a property following construction or major reconstruction. They discussed the costs of requiring a property owner to hire an engineer to certify the stormwater runoff is the same post-construction as it was pre-construction. They also discussed the possibility and merits of “universally-applied formula” to come to the same conclusion without the expense of an engineer.

Director Kerr said they would work on a black-box solution and bring it back to the Commission for further consideration. Mr. Stone expressed concern that this stormwater issue is not an island-wide concern. He believes there should be a focus on the low-lying areas on the island. Director Kerr noted that the incremental changes that have been made to the City code over the years have helped flooding and stormwater concerns.

4. **Old Business**

5. **Miscellaneous**

The next meeting of the Planning Commission will be Wednesday, April 11, 2024 at 4:00pm.

6. **Adjournment**

Mr. Stone made a motion to adjourn, and Mr. Cohen seconded the motion. The meeting was adjourned at approximately 5:34pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



ACCOMMODATIONS TAX ADVISORY COMMITTEE

11:00am, Tuesday, March 12, 2024
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. **Call to order**

Present: Ray Burns, Barb Bergwerf, Rebecca Kovalich, Chrissy Lorenz, Park Williams, Mike Boykin

Staff Present: Administrator Fragoso, Treasurer Hamilton

2. **Election of Chair and Vice Chair**

Ms. Bergwerf nominated Mr. Burns as Chair of the ATAX Committee. Ms. Lorenz seconded the nomination. The nomination passed unanimously.

Ms. Bergwerf nominated Ms. Lorenz for Vice Chair of the ATAX Committee. Ms. Kovalich seconded the nomination. The nomination passed unanimously.

Mr. Burns will serve as Chair and Ms. Lorenz will serve as Vice Chair of the ATAX Committee.

3. **Approval of previous meeting's minutes – November 8, 2023**

Mr. Burns made a motion to approve the minutes of the November 8, 2023 meeting, and Ms. Kovalich seconded the motion. The motion passed unanimously.

4. **Financial Statements**

Director Hamilton reported that the fund balance as of 2/29/2024 is \$5.8 million. \$2.2 million has been collected in FY24 as of 2/29/2024, including a \$12,000 grant to offset the cost of body armor and \$177,000 in earned interest. She said all expenses are in line with the budget except for an overage in flood insurance. The second quarter payment to the CVB will go out in March.

At Mr. Burns request, Director Hamilton will provide a running schedule of ATAX monies coming in and going out to the CVB.

5. **Old Business -- none**

6. **New Business**

Presentation of new applications for second round funding for accommodations tax funds in FY25 -- Author's Event by Mary Alice Monroe

Mary Alice Monroe came before the Committee to request \$35,000 to help fund further advertising and messaging to expand the author's event and literacy fundraiser she will host in

Wild Dunes as well as other literary events to be held on the Isle of Palms in April, June, and December 2024. She shared statistical data about the number of people from her January 2024 event that stayed on the island. She said that Isle of Palms is becoming a “literary destination.”

Administrator Fragoso said that any funds that Ms. Monroe’s event may be awarded will not be disbursed until after July 1, 2024. Ms. Monroe will submit an addendum to her application to indicate her request for funds for events occurring within FY25.

7. Miscellaneous Business

The next meeting of the ATAX Committee will be Tuesday, April 30, 2024 at 11am to review the FY25 budget, to hear from the CVB, and to engage in a broad discussion of issues under the purview of the ATAX Committee.

8. Adjournment

Ms. Bergwerf made a motion to adjourn, and Mr. Burns seconded the motion. The meeting was adjourned at 11:46am.

Respectfully submitted,

Nicole DeNeane
City Clerk



ENVIRONMENTAL ADVISORY COMMITTEE

4:00pm, Thursday, March 14, 2024

1207 Palm Boulevard, Isle of Palms, SC

and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Sandra Brotherton, Mary Pringle, Todd Murphy, Laura Lovins, Doug Hatler, Lucia Spiotta

Absent: Belvin Olasov, Jordan Burrell, Dane Buckout

Staff Present: Director Kerr, Zoning Administrator Simms, Council Member Miars

2. Citizen's Comments -- none

3. Approval of previous meeting's minutes

MOTION: Ms. Pringle made a motion to approve the minutes of the February 21, 2024 meeting, and Ms. Lovins seconded the motion. The motion passed unanimously.

4. Old Business

A. Wildlife

Ms. Pringle reported that the site preparation and planting of the native plants and grasses in the garden at Palm Boulevard and 7th Avenue is complete. A watering schedule needs to be created until the plants are established.

Ms. Pringle suggested a QR code be added to any signage that would allow visitors to scan and learn about the plants in the garden. She will work with Barb Bergwerf and Sharlene Johnson to create the signage and send it to the City for approval. She will then work with Ms. Lee on ordering the sign.

Discussion ensued about the benches being donated for the garden and how they could be anchored to the ground. Ms. Robbie Berg said they will be black wrought iron benches with memorial plaques.

B. Litter

Dr. Brotherton said that she and Susan Smith have not had an opportunity to speak with any other shops about no longer selling low quality belly boards. Ms. Smith sent an email to those who volunteer with the Clean Up Crew to help educate them about these boards.

Dr. Brotherton asked about adding low quality belly boards to the City's ordinance banning Styrofoam on the beach. Council Member Miars said there would be an issue enforcing that as the officers cannot tell a low quality board from something else. She also noted that the issue is the boards being left on the beach and the littering ordinance is in place for that sort of activity. Director Kerr read from the ordinance that provides an exception to Styrofoam items encased by a more durable material.

C. **Water Quality**

Mr. Hatler said the next step is to present the financial request for water quality testing to City Council. He believes the cost will be less than \$10,000. Council Member Miars supports taking the request to City Council and said if the cost is less than \$10,000, it should be done in FY24.

D. **Climate Action**

Zoning Administrator Simms shared that the City was awarded the grant for solar panels on the Public Works building but not the grant for the native plants.

He said he spoke to Megan at Smart Recycling about hosting another class on food composting. Katie McClain is not available until June, but Megan could share some best practices in the meantime. Zoning Administrator Simms said the City purchased an additional 150 food composting buckets. Director Kerr said he could have the PR Officer share the QR code to the online composting class on the City's social media channels.

After further discussion, it was decided that the City will ask Megan to come to the City's Shred Day on Tuesday, April 23 to answer questions about food composting and direct people to the online course.

Regarding Charleston County's position on glass recycling, Zoning Administrator Simms said, "They do currently recycle glass, plastic, and paper, and it is separated and sold off to remanufacturers. But I think we were talking about glass recycling mostly. So 4-5 years ago, she said the Council cancelled glass recycling because it was just too costly, and there was no lucrative end market for that material. But now they do recycle again. They recycle glass again and sell it to a remanufacturer out of Georgia, and that whatever I guess they don't sell off, they do use for Bees Ferry and for the road construction." He said whether or not they recycle the glass is dependent on market conditions.

Prior to renewing any contract with Fisher Recycling, the Committee will see what the County is doing to determine if their efforts are redundant.

E. **Update on Sea Level Rise Adaptation RFP**

Director Kerr said Seamon & Whiteside met with the City's engineers related to oceanfront work, dredging, and drainage together with the sea level rise adaptation consultants for Sullivan's Island and Folly Beach as part of their information gathering. He expects they will come before the Committee in April. He will resend their scope of work to Committee members. Mr. Hatler suggested having Seamon & Whiteside submit their questions to the Committee prior to the meeting.

5. **New Business**

Todd D. Krafft Septic Health Initiative Program in Nags Head, NC

Ms. Lovins said this program initiative helped educate the people of Nags Head to the dangers of not properly maintaining and inspecting septic systems. The town gave residents incentives to switch to sewer. Any such program on the Isle of Palms would require a lot of education along with buy-in from City Council, businesses, and rental agencies.

She will put together a white paper about the program and will include the results of the water quality testing. She will also share best practices for switching over to sewer. She believes the program could be a “gap filler” between where we are now and where the Water & Sewer Commission would like to be.

The Committee will discuss the issue further at the April meeting.

6. **Miscellaneous Business**

Mr. Murphy asked if a future agenda item could be about contractors’ lighting around construction sites and how it is disrupting. He would like to discuss what Folly Beach has done about this issue to see if City Council could address it.

He also expressed concern about the lack of “Stay Off the Dunes” signage. Much of it is faded and some gone due to the work on the beach. He will speak to Wild Dunes about adding such signage on the private areas of the beach.

7. **Adjournment**

The next meeting of the Environmental Advisory Committee is scheduled for Thursday, April 11, 2024 at 4pm.

Mr. Hatler made a motion to adjourn, and Mr. Murphy seconded the motion. The meeting was adjourned at 5:49pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2024-01

AN ORDINANCE TO REPEAL AND REPLACE SECTION 9-2-5, NOISE, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCE.

WHEAREAS, excessive sound is a serious hazard to public health, welfare, safety and the quality of life; and,

WHEREAS, a substantial body of science and technology exists by which excessive sound may be substantially abated; and,

WHEREAS, the citizens have a right to, and should be ensured of, an environment free of excessive sound; and,

WHEREAS, the Isle of Palms City Council has the authority to repeal and replace its Code of Ordinances when deems to be in the best interest of the citizens of the City, and now desires to do so with respect to the subject of excessive noise by enacting the revisions displayed below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Councilmembers of the City of Isle of Palms, Section 9-2-5 of the Isle of Palms Code of Ordinances titled Noise is hereby repealed in its entirety and replaced to specifically read as follows:

Sec. 9-2-5. Noise

- a. *Definitions.* In addition to the common meaning of words, the following definitions shall be used in interpreting this section.
 1. *A-weighted scale.* The correction factor applied to a sound pressure measurement as defined in ANSI/IEC documentation.
 2. *Amplified sound.* the use of any radio, TV, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus making or reproducing music, voice or other sounds.
 3. *ANSI.* American National Standards Institute or its successor bodies.
 4. *Complainant.* Any owner, lessee, manager or person with a legal interest in real property within the corporate limits of the City who reports to the police department being disturbed by sound heard at their residence or place of business and not originating therefrom.
 5. *Decibel (dB).* A logarithmic (dimensionless) measure used in describing the amplitude of sound.
 6. *Excessive noise.* Any unnecessary or unusually loud sound or any sound

which disrupts the peace and quiet of any neighborhood and which does annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensibilities.

7. *Emergency work.* Work made necessary to restore property to a safe condition, work required to protect, provide, or prevent persons or property from danger or potential danger, or work by a private or public utility when restoring utility service.
 8. *Equivalent Continuous Sound Level.* The constant sound level that has the same energy as the actual time-varying sound level over the measurement period as defined in ANSI/IEC documents for sound level meters. Also referred to as time-averaged sound level and abbreviated as LAeq, LAeq, Lavg.
 9. *IEC.* The International Electrotechnical Commission.
 10. *Person.* Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group or agency.
 11. *Plainly Audible.* Any sound that can be detected by a person using his or her unaided hearing faculties, including, but not limited to, the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.
 12. *Receiving property.* Any residence or place of business on which uninvited noise is plainly audible.
 13. *Raucous sound.* Any sound created by yelling, screaming, the use of horns, whistles or similar devices, or the banging of objects with the primary purpose of creating noise.
 14. *Sound level.* See Equivalent Continuous Sound Level.
 15. *Sound level meter.* An instrument that measures time-averaged, frequency-weighted sound levels and is certified as meeting the type -2 requirements of ANSI/ASA S1.4-2014/Part 1 / IEC 61672-1:2013. Commonly referred to as an integrating-averaging or integrating sound level meter.
 16. *Sound source.* Any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.
 17. *Uninvited noise.* Noise not originating from the receiving property.
- b. *Sound Measurement.* Sound measurements shall be employed by the police department in the following manner:

1. Sound measurements shall be made using a sound level meter taken from anywhere within the boundary line of the complainant's property. If measurement is not possible from the complainant's property, sound measurements may be taken at the nearest boundary line of the public right-of-way.
 2. No individual other than the sound meter operator(s) shall be within ten (10) feet of the sound level meter during the sample period.
 3. Sound measurements shall be conducted at that time of day or night when the suspect noise is emitting sound.
 4. The sound level meter shall be employed in accordance with the manufacturer's instructions to measure the Equivalent Continuous Sound Level using A-weighted scale.
 5. Sound measurements shall be taken over a period of 30 seconds or greater. If the measurement exceeds the threshold by 5dBA or more after 15 seconds, testing may be stopped, and the sound deemed excessive noise.
 6. It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements.
- c. *Maximum decibel levels.* Unless otherwise specifically indicated, it shall be unlawful for any person to cause or allow the emission of sound from any source or sources which, when measured pursuant to paragraph (b) above, to exceed:
1. 65dB(A) during daytime hours (7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday) for residential and rental properties,
 2. 75dB(A) during daytime hours (7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday) for commercial establishments; and
 3. In the GC-2 general commercial zoning district, excessive noise is prohibited during daytime hours (7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday). In determining whether a sound constitutes excessive noise, section d(2) should be referenced.
 4. 50dB(A) during nighttime hours (10:00 p.m. to 7:00 a.m. Sunday through Thursday and 11:00 p.m. to 7:00 a.m. Friday and Saturday) for residential properties, rental properties, and commercial establishments.
- d. *Excessive noise prohibited.*

1. It shall be unlawful for any person to intentionally produce, intentionally cause to be produced, or intentionally participate in the producing any excessive noise within the municipal limits.
2. In determining whether a sound is excessive noise for purposes of this section, factors that may be considered include, but are not limited to:
 - a. The volume of the noise;
 - b. The intensity of the noise;
 - c. Whether the nature of the noise is usual or unusual;
 - d. Whether the origin of the noise is natural or unnatural;
 - e. The volume and intensity of the background noise, if any;
 - f. The proximity of the noise to residential sleeping facilities;
 - g. The nature and zoning of the area within which the noise emanates;
 - h. The time of the day or night the noise occurs;
 - i. The duration of the noise; and
 - j. Whether the noise is recurrent, intermittent, or constant.

The determination of whether a noise or sound is excessive noise shall be made without considering the content of any message conveyed by the noise or sound.

- e. *Specific prohibitions.* The following acts are specifically prohibited:
 1. *Pets.* It shall be unlawful to keep, stable, harbor or maintain any animal or bird which disturbs the comfort or repose of any reasonable person of ordinary sensibilities in the vicinity by making continually or frequently loud noise.
 2. *Mufflers.* Sound emitting from a motor vehicle's muffler in violation of S.C. Code Ann. § 56-5-5020.
 3. *Loudspeakers, etc.* It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other outdoor public places owned or under the control of the City in a manner as to be plainly audible at a distance of 50 feet except as permitted under paragraph (g) of this section; provided, however, that any City-owned property subject to a commercial lease and a noise control agreement or permit is exempt from the requirements of this paragraph.
 4. *Hawking or peddling.* It shall be unlawful for any person to make any noise on a public street or in such proximity thereto as to be distinctly and loudly audible on such street by any kind of crying, calling, or shouting or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, or other device for the purpose of attracting attention or of inviting patronage of any persons to any business whatsoever. It is the express intention of this paragraph to prohibit hawking, peddling, soliciting or using other loud noises to attract attention to a business and not to prohibit the spill-over noise emanating from a lawfully operating business.

5. *Raucous or Amplified Sound Nighttime.* It shall be unlawful for any person to create or cause to create any raucous sound or amplified sound in such a manner that during the hours from 10:00 p.m. to 10:00 a.m. Sunday through Thursday, or between the hours of 11:00 p.m. and 10:00 a.m. Friday and Saturday that is plainly audible on any adjacent property.
- f. *No employee liability.* No employee of any place of business acting within the scope of his or her employment shall be liable for a violation of this section, unless an employee is also an owner of the business.
- g. *Exceptions.* This section shall not apply to the following sources:
1. Any City-hosted, City-sponsored or City-sanctioned special events.
 2. Any city vehicle engaged in city business.
 3. Excavations or repairs of bridges, streets or highways, by or on behalf of the City, county or state during the night, when the public welfare and convenience renders it impossible to perform the work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefore.
 4. Construction activities performed by or on behalf of a governmental agency, including, but not limited to, construction, repair or maintenance of public buildings and drainage facilities, dredging activities, beach renourishment activities, and other public projects.
 5. It shall be lawful for any contractor, subcontractor, landscaper, supplier or vendor to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists, or other apparatus, tools or equipment, the use of which is attended with loud or disturbing noises, between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 4:00 p.m. on Saturday. No such use shall be permitted on Sundays, or on the following legal holidays: New Year's Day; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; and Christmas Day. Approval for such use may be granted by the City for performing emergency repairs outside of the hours specified.
 6. It shall be lawful for an owner or member of an owner's immediate family to perform maintenance, repairs, or other work on their own property between the hours of 7:30 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 10:00 p.m. on Saturday and Sunday, provided that such work is otherwise in compliance with City ordinances.
 7. A commercial property or business owner may apply to City Council for an

exception to this ordinance, and City Council may issue a permit that modifies the maximum decibel levels as it deems reasonable in light of the circumstances to support public good, infrastructure, and resources of the City, including the time and resources of law enforcement and code enforcement.

- h. *Violations.* Any person who violates any provision of this section shall be fined not more than \$500 or imprisoned for not more than 30 days. However, no penalty shall exceed the penalty provided by state law for similar offenses. A separate offense shall be deemed committed on each day that a violation occurs or continues.”

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE ISLE OF PALMS ON THE _____ DAY OF _____, 2024.

Phillip Pounds, Mayor

(Seal)

Attest: _____

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2024-02

AN ORDINANCE AMENDING TITLE I, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE A. -RULES OF ORDER AND PROCEDURE.

WHEREAS, the Isle of Palms Council is empowered with the authority to make amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the Isle of Palms Council believes it necessary to make amendments to ensure orderly meetings for the Council and the citizens of the City of Isle of Palms;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 3, Article A, to provide clarity on the rules of procedure during public meetings.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE A. - RULES OF ORDER AND PROCEDURE, SECTION 1-3-13 PUBLIC PARTICIPATION SHALL BE AMENDED TO READ AS FOLLOWS:

Sec. 1-3-13. Public Participation

(a) Speakers shall limit their remarks to no more than three (3) minutes unless additional time is granted by the Mayor or by a majority vote of the City Council. Speakers may not pass his or her allotted time to another speaker.

(b) Speakers shall identify themselves by providing their name, address, and shall conduct themselves in accordance with the rules set forth in this section.

(c) Speakers who reside, own property or maintain a business license with the Isle of Palms shall speak first.

(d) A timer shall be used to notify speakers when the allotted time has expired. Speakers will be informed when their allotted time has expired. Upon the expiration of the allotted time, speakers shall stop speaking and leave the podium unless additional time is granted.

(e) Public participation during public comments shall be limited to no more than thirty (30) minutes in total unless extended for a time certain by the Mayor or by a majority vote of the City Council. If there are more speakers signed up to address the City Council than time will allow, citizens may provide a written copy of the comments to be included in the public record.

(f) Groups of speakers should, whenever possible, consolidate their comments and avoid repetition through the use of representative speakers.

(g) Speakers shall address their remarks to the City Council as a whole and not to any individual Council members.

(h) Speakers shall not ask questions of individual Council members or a member of the City staff without first obtaining permission from the Mayor.

(i) Speakers shall refrain from harassing or directing threats or personal attacks at Council members, staff, other speakers or members of the audience.

(j) Council members may, but need not, ask questions of speakers at the conclusion of their comments.

(k) Members of the audience shall maintain decorum and refrain from noisy outbursts or other distracting actions such as applauding, cheering, or booing during or at the conclusion of any remarks made by any speaker, staff member or Council members.

(Ord. No. 2019-17, 9-24-2019) Editor's note(s)—Ord. No. 2019-17, adopted Sept. 24, 2019, repealed § 1-3-13 and enacted a new § 1-3-13, as set out herein. The former section pertained to recognition of speakers and derived from the 1994 Code, § 1-3-13; and Ord. No. 1981-9, adopted Nov. 11, 1981.

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE ISLE OF PALMS ON THE _____ DAY OF _____, 2024.

Phillip Pounds, Mayor

(Seal)

Attest: _____

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

EMERGENCY ORDINANCE NO. 2024-02**AN EMERGENCY ORDINANCE AMENDING EMERGENCY ORDINANCE 2024-01 PERMITTING RESIDENTS NEAR BREACH INLET TO INSTALL A REVETMENT/SEAWALL FOR EMERGENCY EROSION CONTROL**

WHEREAS, emergency erosion conditions have and continue to occur on beaches facing the Atlantic Ocean between Breach Inlet and 10th Avenue on Isle of Palms associated with Hurricane Idalia, coastal flooding, storm surge and subsequent king tides, wind and wave events;

WHEREAS, due to Hurricane Idalia, South Carolina received an emergency declaration on August 31, 2023, and the Mayor of the City of Isle of Palms (“City”) also declared a state of emergency due to Hurricane Idalia on the same day;

WHEREAS, these conditions have and will continue to expose and create an imminent threat to the existing structures and critical infrastructure on front beach properties located within the City;

WHEREAS, this continued imminent threat constitutes temporary emergency conditions that endanger the health, safety, welfare, resources, and property of residents of the coastal zone as well as the general population of the State of South Carolina;

WHEREAS, the City received an emergency order from the South Carolina Department of Health and Environmental Control’s Office of Ocean and Coastal Resource Management (“OCRM”) and approved an emergency contract to restore the dunes in the erosion area by scraping sand between 100 and 314 Ocean Blvd after Hurricane Idalia;

WHEREAS, continued king high tides, northeastern winds, and increased wave sizes have kept water levels high and completely eroded the newly restored dune installed by the contractor;

WHEREAS, the City received a new OCRM emergency order allowing another round of scraping in the affected area;

WHEREAS, on December 17, 2023, a weather event with strong northeastern winds and record high tides caused significant erosion due to high tides, wind and waves;

WHEREAS, these temporary emergency conditions are expected to be alleviated when the US Army Corps of Engineers initiates a project in 2024 that will result in approximately 550,000 cubic yards of sand being placed in this area and providing protection for public interests and the welfare and property of residents;

WHEREAS, City Ordinance, Section 5-4-15, entitled “Beach Regulations,” prohibits any seawalls, revetments, bulkheads, groins, rip-rap or any other hard erosion control structures to be situated in whole or in part landward of the critical area as defined in S.C. Code 1976, § 48-39-10,

as amended, within a two hundred fifty-foot (250') radius of the mean high-water mark of the Atlantic Ocean, Breach Inlet, or Dewees Inlet;

WHEREAS, the City Council of the City of Isle of Palms (“City Council”) now desires to authorize and to establish a temporary emergency protocol for beach front property owners that own property in the erosion area between 100 Ocean Blvd. and 914 Ocean Blvd (hereinafter defined as “Residents”) that desire to place a revetment or seawall on the Resident’s property, entirely landward of the critical area as defined in S.C. Code Ann § 48-39-10, as more specifically set forth below;

WHEREAS, City Ordinance, Section 1-3-53(e) allows for the enactment of emergency ordinances pursuant to S.C. Code § 5-7-250(d), which provides “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;”

WHEREAS, this Ordinance has been approved by at least two-thirds of the City Council members present at the meeting in which it was considered; and

NOW, THEREFORE, be it ordained by the City Council of the City of Isle of Palms as follows:

Section 1 –Revetment and Seawall Requirements and Installation. City Ordinance, Section 5-4-15, entitled “Beach Regulations,” is hereby temporarily amended to permit Residents (defined above) to install a revetment or seawall entirely landward of the critical area, subject to the following specifications and restrictions:

- (a) This Emergency Ordinance only applies to owners of beach front properties located in the erosion area between 100 Ocean Blvd. and 914 Ocean Blvd, which are defined above as Residents;
- (b) For purposes of this Ordinance, the term “revetment” shall mean a sloping structure built entirely landward of the critical area as determined by OCRM, as defined in S.C. Code Ann § 48-39-10, to protect the Resident’s home from erosion damage;
- (c) For purposes of this Ordinance, the term "seawall" shall mean a vertical structure built entirely landward of the critical area as determined by OCRM, as defined in S.C. Code Ann § 48-39-10, to protect the Resident’s home from erosion damage;
- (d) For purposes of this Ordinance, the term "maximum building line" shall mean the setback created by Section 5-4-51(3)(a) of the City Code and labeled as such on that certain plat prepared by E.M. Seabrook, Jr., C.E. and L.S., dated January 8, 1988, and entitled "FINAL PLAT, CITY OF ISLE OF PALMS, CHARLESTON

COUNTY, S.C." and duly recorded at the County RMC Office on February 16, 1988, in Plat Book BQ, at Pages 111,112, and 113;

- (e) No revetment or seawall shall be constructed or altered without first obtaining approval of the City and the issuance of a valid permit pursuant to the conditions and limitations set forth in the Ordinance, and a copy of the issued permit shall be in possession of anyone performing work associated with the seawall or revetment;
- (f) Prior to obtaining a permit from the City, the Resident shall comply with all applicable state and federal laws in procuring any additional permits required prior to construction, including a National Pollution Discharge Elimination System (NPDES) permit and a Coastal Zone Consistency review from the State if applicable.
- (g) In the event of construction of any such seawall or revetment, it shall comply with the requirements in the Ordinance and shall be the sole responsibility of the property owner and contractor to use materials and construction techniques that will minimize the possibility of damage or danger to other properties, public or private, or to persons on the beach or adjacent properties. It shall be the responsibility of the property owner to maintain such structures in a manner so as to prevent their floating or washing away and endangering other persons or property;
- (h) Prior to the installation of any seawall or revetment, the Resident shall notify any adjacent property owners in writing and copy Douglas Kerr, Deputy City Administrator at dkerr@iop.net;
- (i) Prior to the issuance of a permit from the City, the Resident shall first coordinate with OCRM and have OCRM staff physically place markers on the Resident's Property to confirm the then existing location of the critical area, as defined in S.C. Code Ann § 48-39-10, and as solely determined by OCRM.

If OCRM staff determines that the critical area should be established using the coordinates under the Data Download tab of OCRM's SC Beachfront Jurisdictional Lines viewer: <https://gis.dhec.sc.gov/shoreline/>, the Resident shall hire a surveyor to physically place markers on OCRM's Setback Line.

- (j) The following are requirements for seawalls and revetments:

(1) seawalls and revetments shall be designed by a registered, qualified engineer and include a certification from the engineer that the seawall or revetment has been designed in such a way as to will not accelerate erosion or negatively impact adjacent or down-drift lots under normal conditions, excluding named storm events and long periods of tidal inundation ~~and be designed/built to withstand a storm event~~;

(2) seawalls and revetments shall be installed entirely landward of the critical area markers placed by OCRM or the setback line marked by a surveyor, whichever is farther landward, on the Resident's property and shall not be installed more than twenty feet (20') seaward of the maximum building line;

- (3) revetments shall be designed and installed with no greater than a 1:2 slope to reduce scour from adjacent properties;
 - (4) seawalls and revetments shall have a maximum height of no more than ten (10) feet above mean sea level using NAVD88 datum;
 - (5) seawalls and revetments shall not be made of recycled concrete/materials, unless specifically designed for the purpose of marine construction;
 - (6) revetments and seawalls shall be covered by beach compatible sand when not directly exposed to water during an erosion event;
 - (7) seawalls shall be installed so as to not be visible;
 - (8) All excavations shall occur entirely landward of the critical area as marked by OCRM on the Resident's Property; and
 - (9) seawalls and revetments shall be designed so as to be continuous with any existing or planned revetments installed on adjacent properties, to the extent possible;
- (k) The Resident's contractor shall access the Resident's property through the Resident's property as OCRM prohibits heavy machinery, equipment, or materials within the critical area for the purpose of installing a seawall or revetment;
 - (l) The sand covering the revetment or wall must be from an upland source (i.e. not originating from the beach) and compatible in grain size and color with the native beach sand and should contain no more than a minimal amount of organic material. Only clean sand from an approved OCRM source may be placed on the seawall or revetment; and
 - (m) The Resident shall be responsible for the day-to-day maintenance of the revetment or seawall to ensure it is covered with beach compatible sand, remains in good repair, and is serving its intended purpose. If the seawall or revetment is not properly installed, maintained, or becomes compromised, as determined by the City and the City's coastal engineer, the seawall or revetment shall be removed at the direction of the City and at the Resident's sole expense. The City shall have the authority to remove revetments that are not installed or maintained in accordance with this Ordinance. Residents that elect to install a seawall or revetment shall assume all responsibility over any and all impacts to adjacent property owners and owners and agree to indemnify and hold harmless the City in connection with any claims made against the City, its officials, agents, employees, inspectors, or advisors concerning or relating in any way to the Resident's sea wall or revetment. . Prior to the issuance of any permit, the Resident shall sign an agreement memorializing the terms of this paragraph.

Section 2 – OCRM Guidance. OCRM has informed the City that if a seawall or revetment is built entirely landward of the critical area, as marked by OCRM, but then later enters into the critical area due to erosion, it would be subject to OCRM's usual structural inventory and damage assessment activities. If the structure becomes "destroyed beyond repair" (as that term is used in

OCRM regulations), OCRM will require the seawall or revetment to be removed at the expense of the property owner. The shoreline in the erosion area can drastically change in a matter of hours or days. As such, OCRM suggests that an erosion control structure should be installed within 7 days of OCRM flagging the critical area. If at any time prior to completion of the seawall or revetment, the partially completed seawall or revetment becomes located in whole or in part in the critical area, as marked by OCRM, OCRM will issue a Cease and Desist Directive and require the seawall or revetment to be removed from the critical area at the sole expense of the Resident. OCRM has indicated that no emergency scraping will be allowed in front of areas where seawalls or revetments are located pursuant to state law. OCRM has indicated that all work must occur on the Resident's upland property and landward of the critical area as marked by OCRM. OCRM prohibits heavy machinery, equipment, and materials within the critical area for the purpose of installing a seawall or revetment. Also, per S.C. Code Ann. § 48-39-120(C): "The department shall have the authority to remove all erosion control structures which have an adverse effect on the public interest." The City encourages Residents to contact OCRM with any questions.

Section 3 - Removal of Seawalls and Revetments. If a Resident fails to comply with City Ordinance, Section 5-4-15, as amended herein, or any of the specifications or requirements of this Emergency Ordinance, including building a seawall or revetment without first obtaining a City issued permit, the City is entitled to require the Resident to remove the seawall or revetment, at the Resident's sole expense. Any seawalls or revetments installed in violation of Section 5-4-15, as amended herein, or this Emergency Ordinance shall be removed within forty-five (45) days after the Resident receives notice from the City to remove the seawall or revetment. In the event the City is required to enforce compliance with Section 5-4-15, as amended herein, or this Emergency Ordinance, the Resident shall pay the City any additional costs, expenses, or legal fees incurred by the City to ensure compliance with Section 5-4-15, as amended herein, and this Emergency Ordinance.

Additionally, pursuant to S.C. Code Ann. §§ 48-39-20(C) and 48-39-160, the City is authorized to file an action in Charleston County Circuit Court to prevent or eliminate a violation the Coastal Zone Management Act (S.C. Code Ann. §§ 48-39-10 to -360), including the non-permitted installation of hard erosion control devices, such as seawalls and revetments in the critical area as defined in S.C. Code Ann. § 48-39-10.

Section 4. Suspension of Contrary Local Provisions. During the emergency term, any ordinance (including City Ordinance Sections 5-4-15 and 5-4-51), resolution, policy, or bylaw of the City that conflicts with the provisions hereof shall be and is hereby temporarily suspended and superseded to allow for the Resident's installation of a seawall or revetment in strict accordance with all of the requirements and specifications as set forth in this Emergency Ordinance. However, except as expressly provided herein concerning installation of seawalls and revetments, nothing contained in this Emergency Ordinance suspends or supersedes the City's prohibition of (1) erosion control structures situated in whole or on part in the critical area; and (2) bulkheads, groins, rip-rap, concrete, clay, gravel or any other prohibited erosion control structures situated in whole or in part landward of the critical area within a two hundred fifty-foot (250') radius of the mean high-water mark of the Atlantic Ocean, Breach Inlet, or Dewees Inlet.

Section 5. Immediate Application Due to Emergency. Given the immediate threat to the welfare, safety, and property of the City’s affected Residents near Breach Inlet caused by severe erosion and storm damage, this Ordinance has been enacted and shall be effective immediately.

Section 6. Expiration of Ordinance; Extension of Emergency Term. As provided by S.C. Code § 5-7-250(d), this Emergency Ordinance shall expire automatically as of the sixty-first day following the date of enactment. Notwithstanding the foregoing, however, Council may extend the emergency term by ordinance enacted in accordance with S.C. Code § 5-7-250(d) for one or more additional terms, each of no more than sixty days, provided that the aggregate duration of the emergency term, including all such extensions, does not exceed six months.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 26th DAY OF ~~FEBRUARY~~MARCH, 2024.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading and Ratification of Emergency Ordinance: _____
(Date)



City of Isle of Palms, South Carolina

Proclamation 2024-01

Declaring April 26th and December 6th, 2024 as Arbor Day in the City of Isle of Palms, SC

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, and

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS Arbor Day is now observed throughout the nation and the world, and

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, and

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, and

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

THEREFORE, BE IT RESOLVED, by the Isle of Palms City Council designates the last Friday in April and the first Friday in December as Arbor Day in the City of Isle of Palms, South Carolina.

Mayor

ATTEST:

City Clerk



City of Isle of Palms, South Carolina

Proclamation 2024-02

Proclamation in recognition of Peace Officers' Memorial Day

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the National Law Enforcement Officers Memorial Fund reported that 136 federal, state, tribal and local law enforcement officers died in the line-of-duty in the United States during the year of 2023; and

WHEREAS, the members of the law enforcement agency of the City of Isle of Palms play an essential role in safeguarding the rights and freedoms of the City of Isle of Palms; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the City of Isle of Palms Police Department unceasingly provide this vital public service; and

NOW THEREFORE, BE IT RESOLVED, by the Isle of Palms City Council hereby proclaim and call upon all citizens of Isle of Palms and upon all patriotic and civic organizations to observe the week of May 12 – May 18, 2024, as Police Week in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security for all citizens;

FURTHERMORE, by the City of Isle of Palms City Council hereby proclaim and call upon all citizens of the City of Isle of Palms to recognize May 15, 2024, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to the communities that they served.

Mayor

ATTEST:

City Clerk



American Red Cross
Lowcountry South Carolina

City of Isle of Palms, South Carolina
Proclamation 2024-03
Proclaim March 2024 as Red Cross Month

WHEREAS, During American Red Cross Month in March, we recognize the compassion of people in Isle of Palms and reaffirm our commitment to care for one another in times of crisis; and

WHEREAS, this generous spirit is woven into the fabric of our community and advances the humanitarian legacy of American Red Cross founder Clara Barton — one of the most honored women in our country's history — who nobly dedicated herself to alleviating suffering; and

WHEREAS, today, kindhearted individuals in our community exemplify Barton's commitment as they step up through the challenges to provide a beacon of hope for our neighbors in need; and

WHEREAS, through their voluntary and selfless contributions, they make a lifesaving difference in people's darkest hours — whether it's delivering shelter, food and comfort during disasters; providing critical blood donations for hospital patients; supporting military families, veterans and caregivers through the unique challenges of service; saving lives with first aid, CPR and other skills; or delivering aid and reconnecting loved ones separated by global crises; and

WHEREAS, last year alone, the Lowcountry Chapter of the Red Cross of South Carolina responded to more than 380 local disasters, including home fires--assisting 1,400 people by distributing more than \$270,000 in direct financial assistance following local disasters; and

WHEREAS, the Lowcountry Chapter made more than 1,900 homes safer through educational visits and served more than 3,000 active-duty military, veterans, and their families through emergency communications and critical needs.

NOW THEREFORE, BE IT RESOLVED, by the Isle of Palms City Council hereby proclaim this month of March in honor of all those who lead with their hearts to serve people in need, and we ask everyone to join in this commitment to strengthen our community.

BE FURTHER RESOLVED, by virtue of the authority vested on the Isle of Palms City Council by the laws of the City of Isle of Palms and South Carolina, do hereby proclaim March 2024 as Red Cross Month. I encourage all citizens of Isle of Palms to reach out and support its humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of March, in the year of our Lord two thousand twenty-four, and of the City of Isle of Palms, South Carolina.

Mayor

ATTEST:

City Clerk