

**Daufuskie Island Council Meeting
Tuesday, April 18, 2017
Mary Fields School**

MINUTES

Call to Order

The meeting was called to order at 6:00 pm by Chairman Chuck Hunter

The following Council members were in attendance:

James Bays
Darnell Brawner
Maureen Devine
Steve Hill
Chuck Hunter
John Schartner
Charlie Small
Deborah Smith

(Absent was Sallie Ann Robinson)

A majority of members being present, there was a duly constituted quorum.

Passing of Miss Janie Wiley Simmons

Mr. Hunter acknowledged the passing of Miss Janie Wiley Simmons. He said that those who were fortunate enough to know Miss Janie know that she was a remarkable presence on the island, and left it a better place. Miss Janie believed in community involvement and among her many accomplishments helped found Daufuskie Day. The Council's sympathies

were extended to her family including her sons Ervin, Clarence, Willis, Henry and Joseph Simmons.

Introduction of Special Guests

Mr. Hunter said that the Council was honored to be joined tonight by three county leaders: Mr. Tabor Vaux, Beaufort County Council Member, Mr. Gary Kubic, County Administrator and Mr. Tom Keaveny, County Council Attorney

Mr. Hunter said that because the Council wanted to make sure that there was enough time to hear from the county officials, the usual Council reports would be abbreviated.

Community Park Update

Mr Hunter reported that an issue relating to the required bond necessary for the construction of the bathrooms and trails had been resolved and that construction would begin in the near future.

Nighttime Cart Ordinance

Ms. Smith reported that the County Council's Public Facilities Committee voted at their April 17th meeting to approve a revised ordinance for legalized nighttime driving on Daufuskie Island. The new version was based on the state law's minimum requirement for nighttime cart operation, including driving with functioning headlights and tail lights. The ordinance will be up for 2nd reading before the full County Council next Monday.

Solid Waste Management Issues

Mr. Brawner reported on efforts to address problems at the Francis Jones dump site including inadequate dumpster space, problems with dumpster access, and illegal dumping by contractors. He and Steve Hill recently met with county representatives Greg Hutton and Jim Minor. Subsequently, there are new aluminum steps providing better access to the dumpsters. Republic Solid Waste Management services the site, and uses the Freeport barge to get to Daufuskie, leaving just a 1.5 hour turn-around time. The

contract calls for 4 dumpster pickups every two weeks. Darnell is recommending (Short term) that the site needs to be monitored and Republic is held to its pickup commitments; a contractual change for more pickups during May-October; the addition of 2 back-up dumpsters; and schedule an island trash pickup day; (Midterm) a 200 degree barrier to contain scattering trash; and (Longterm) an islandwide transfer station.

Roads/Asphalt Update

Mr. Schartner reported that there has been encouraging progress regarding the depositing of asphalt pieces on various Historic District roads, and that things are moving in the right direction.

Ferry Committee Update

Mr. Hill said that there has been a good deal of comment recently on the parking situation at Buckingham Landing. Captain Richard has indicated that several steps were being taken to provide additional parking. The details are not completely worked out, but he expects to have more information by the next meeting.

Mr. Hill also said that Beaufort County's Monica Spells sent a note relating that several residents and property owners who are seeking to obtain a Palmetto Breeze ferry ID for the first time are going directly to Palmetto Breeze expecting a turnaround process in minutes and/or hoping to have cards made in time to catch a boat that same day. The process to vet ridership varies from person to person depending on their situation and can take as little as 20 minutes or as much as 2 weeks. In reality it is a multi-step process and the County likes to have 1 business day to research and coordinate information with Palmetto Breeze.

DI Plan and Code Comm Update

Ms. Smith reported that the Committee is pleased to announce that Daufuskie property owners Beverly Davis and Sonny Timmerman have offered to donate their professional expertise to assist the Council in a comprehensive review of the Daufuskie Island Plan. Both Ms. Davis and Mr. Timmerman have decades of experience as certified community

planners. Ms. Davis' consulting firm has prepared a Scope of Work proposal that the Committee will be reviewing at its Sunday, April 23rd meeting (1:00 pm - 3:00 pm) at the Mary Fields School. The effort will be coordinated closely with Tony Criscitiello, Director of the county planning department.

Webb Tract/Oak Ridge Development

Mr. Small reported that Roger Freedman has informed him that he is dropping his efforts to develop this property because of lack of financing.

County Officials Comments

Councilman Tabor Vaux

Mr. Vaux reported that the county contract for the Daufuskie park had been bid 4 times. The funding came from federal grant monies coming through the state Department of Parks and Recreation and were earmarked to build trails at the community park on Daufuskie. He also said that those funds were stretched to include bathrooms construction. Chuck Hunter's company won the contract on that, but there was an issue with obtaining the required bond because Mr. Hunter's bid was so much less than the competing bids. The county has now agreed to waive the bond and Mr Hunter's company will be assuming the financial responsibility for the park's completion. He said that the County will be looking to the DI Council and the community for input on how the park will be developed following the installation of the bathrooms and the trails.

Mr. Vaux also described the process used by the County Council for consideration of the cart ordinance, and he said the issue has been "thoroughly vetted" with every proposed safety feature discussed at great length. He thought the other council members decided to simply approve the state requirements of head lights and tail lights. There may be a possible issue with carts that have one set of light "housing" such as Club precedent rather than two separate lights but believes that would be an enforcement issue that shouldn't cause concern. He said the revised ordinance will have to go through two readings at the full Council level, and he recommended that concerned Daufuskie residents continue to

communicate with county council members until the ordinance receives final approval. He thanked the DI Council and all those who called, wrote and sent emails about the issue.

Mr. Vaux referred to the “One Island Solution” efforts for an island wide solid waste management center and said the effort had been delayed by the hurricane but was now moving ahead. He said the county was in “active negotiations” for a single-source approach.

Mr. Vaux said that they continue to work on obtaining right-of-ways for key roads in order to be able to maintain them sufficiently and at some point in the future even pave the roads.

Mr. Gary Kubic

Mr. Kubic addressed the deterioration of the Melrose “Dixon” cottages and explained that during a post-hurricane visit he and others had had the chance to visit those cottages that are under the control of the former resort owner and which are now vacant and badly deteriorating. He subsequently had discussions with his legal, building inspections, and enforcement teams team and had them visit Daufuskie for a first-hand assessment. Based on their report, Mr. Kubic then authorized a letter to the property owner stating that the structures were substandard and that they have a period of time to restore or stop the deterioration. The legal requirements include 2 -3 rounds of communications with the owners. After this step, the Administrator can then develop a plan to stop the deterioration themselves, and any money the county spends to do this can be reclaimed from the owner.

Ms. Smith asked if there was anything than can be done in the short term to make these structures safer since children and others are entering those buildings as well as the Melrose Inn, and are being exposed to hazardous situations. Mr. Kubic said he would look into options his teams might be able to pursue for securing the perimeters and the buildings such as nailing plywood over open doors and windows. Any costs would be recovered from the owner as part of the annual tax assessment.

Mr. Kubic explained that he is in his last year as Beaufort County administrator and that he's enjoyed working with the Daufuskie people over the years.

Mr. Kubic said that the most significant event of his career has been Hurricane Matthew, which has now been declared the 10th most expensive hurricane to have hit the U.S. Efforts are continuing on the county clean-up efforts. To date, the recovery effort has picked up and disposed of 4 million cubic yards of fallen trees and other debris. Thus far it has taken \$100 million of tax payer money to rectify the situation. To date, no reimbursement has yet come from FEMA. The county's reserves and the HH reserves are being tapped into and short-term loans may have to be arranged. The situation is getting "dicey" and making other spending priorities difficult. BC is the only county in the nation that received approval to go into private POAs and do pick-ups. No other county has ever qualified for that. County officials hope to have everything "normalized" by the end of summer. However, a concern is that hurricane season starts next month. Recovery funds may have to be captured from a special add-on for this year's property tax bills.

Mr. Kubic said that the issue of the county lease of Marshside Mama's is a complex one. Typically the county does not deal with owning a place that sells alcohol, and that has caused staff and some County council members to be concerned. County staff is now trying trying to "craft a pathway" that will put some legal protections in place so that if there is an incident relating to alcohol, the county's tax payers will not be at risk for a "deep pockets" liability action. He said he has been receiving many calls and emails from Marshside Mama's advocates on this issue.

Mr. Kubic also said that the county would like to move ahead and improve the solid waste management process on the island, and believe that things may be coming together to do so.

Mr. Kubic said that county officials have appreciated the efforts of the Daufuskie Island Ferry Company in implementing public ferry services for the island, and especially after Hurricane Matthew destroyed the Palmetto Bay Marina. The company is now using its 3rd dock in less than a year (Buckingham Landing) and there are still challenges to overcome, but the

DI Ferry Company has been responsive to county questions and concerns and it has been a “positive” experience. He said that the Buckingham community regularly contacts him with complaints about spill-over parking, and efforts to continue to resolve all issues.

Mr. Kubic said that a team of county officials including representatives from the County Channel visited Daufuskie earlier this year, including two good-sized drone. The goal was to capture a moment in time for Daufuskie, so that spent the day recording various aspects of the island. The coverage in total is 15 minutes and is stored in county archives to provide historical perspective following the hurricane. A 3 minute CD is now available and the following is a YouTube video summary: (<https://www.youtube.com/watch?v=K6bfziTb6U0&feature=youtu.be>)

Mr. Kubic said he hoped to see the Daufuskie community again before the end of his term and thanked the community for allowing him to serve. (There was a round of applause.)

Tom Keaveny

Mr. Keaveny said that he, Josh Gruber, and Tabor Vaux had met with representatives of Haig Point to discuss the possibility of working together to establish an islandwide facility for solid waste management, i.e., the One-Island Solution. The site would be located on the other side of a fence at Haig Point. He said that one of the things they needed to do was to talk with some of the property owners of that land and they have been in touch with them; They are willing to sell the land to the county so “we have that ironed out.” The hurricane got things side-tracked, but the group needs to get back together and discuss whether or not HP is interested in expanding their current trash facility without triggering DHEC problems that would render the One-Island Solution inoperable.

Ms. Smith asked if the Daufuskie Island Conservancy, which had worked for years developing the One-Island solution had been involved in the discussions. Mr. Keaveny said that he had not heard from the Conservancy but that he would be glad to work with them.

Mr. Vaux raised the issue of the Bailey Bill and its potential benefits for Daufuskie Island. He asked Michael Bedenbaum of the Palmetto Trust Foundation to explain the legislation, which had been passed by the SC State Legislature and allows local governments to offer a property tax abatement to encourage the rehabilitation of historic properties. He explained that the law allows historic structure property owners who restore and rehabilitate those structures to keep their tax rates at the pre-restoration level for 20 years. He gave the example of the Francis Jones house, which had cost the current owner \$800 in annual taxes prior to its restoration, and the tax rate is over \$2000.

In order for the Bailey bill to apply to Daufuskie, Mr. Vaux said that the county council has to pass an ordinance extending the bill's provisions to the island's historic structures, and that he was working on that issue.

Public Forum

Question: Why now re Marshside Mamas issue?

Mr. Kubic said that in part it's because the lease is now up. Mr. Vaux added that there are some members of the county council that "just don't want to be in the bar business." Mr. Kubic said that when leases expire, the requirement is that there is an automatic trigger for an audit. There were issues of records maintenance, etc. Those discussions then triggered other discussions. He does think they are "on our way" to resolving the issues. Mr. Vaux was asked about re-prioritizing bathroom constructions. Mr. Vaux said that the funds for the federal/state grant monies was earmarked for the park. Mr. Keaveny added the county hopes that they could piggy-back on the contract for the park bathrooms and trails and get a discounted rate for the Marshside Mama's and/or Beach Road bathrooms. Mr. Vaux said that it is really challenging to get companies to submit viable bids for the bathroom construction. Once contract is in place then hopefully the scope of the plan can be expanded to cover other sites.

Question: Why put bathrooms where no one is?

Mr. Vaux said that he initially agreed, but that he now thought there was great potential for a community park, and that the cleared area from the

hurricane-related burning created a good opportunity for the park, such as a ball field.

Ms. Smith pointed out that the development of the park has been in the works for years, but that a series of delays had delayed its implementation. She said it was important to realize that the location of the park was determined because that's where the land is that is owned by the County and was designated for the park facility. She said that the \$100,000 provided from the federal government and routed through the state Department of Parks and Recreation was earmarked for trails (and with bathrooms later incorporated) ONLY for that site, and that if the funds weren't used for that specific purpose, the money would be sent back to the state. She also said that the vision of a community park for local residents and especially families to use would be a legacy from the current residents to future generations, and that members of the community should get involved in the design of the park. Following the trails and bathrooms installation, it was important for other aspects to have community ideas and help in creating.

Mr. Kubic elaborated on the challenges of working with federal grant monies as it pertained to the park bathrooms. However, he also said that the County Council Members are committed to improving the facilities at Marshside Mamas. Once the park is finished, the county will move directly on to those facilities and then potentially to the Beach Road location.

There were five questions in succession relating to the shortage of parking spaces at the embarkation dock for the public ferry system. (Buckingham Landing dock on Hilton Head.) There were complaints of insufficient space for Daufuskie residents and property owners. Often in times of heavy use by vacationers, there is no place at all for Daufuskie folks to park, even though they are paying their monthly parking fees for permitted parking. One resident said that there has not been a good designated place for resident parking since the company first started service. There were reported instances where a resident pulls up with groceries etc and there is no parking place. A part-time resident said that they don't qualify for a parking sticker, so that they have to pay \$10 a day to park.

Mr. Hill pointed out that although the county contract only calls for 35 parking places to be provided for residents by the contractor, the DI Ferry Company voluntarily increased that number to 45, and Captain Richard is looking at obtaining additional spots. There was a question about how the company is counting the number of spots that are being used, since there are no designated spots and no way of keeping track of who is parking where. Mr. Hill says that he believes that they are now going to be better marking off the area for permitted vehicles.

Mr. Kubic says that the Buckingham residents send him photos everyday of the overflow parking. He said that he is trying to balance the need for continuation of the ferry service with the needs of the Buckingham community. He and the other county officials are keenly aware of frustrations by Daufuskie residents, and they are working with the ferry company to find some solutions. He also mentioned the possibility of establishing a shuttle service to a parking area off site.

A resident said that on behalf of the Church Road residents, she wanted to thank John Schartner for all his hard work in helping to clean up Church Road and the surrounding roads. There was a round of applause. Mr. Schartner thank her for the acknowledgement, but said that a lot of people had been involved in working out solutions.

There was general appreciation expressed for the hard work of the county officials, and Mr. Vaux said that they have been trying to work on issues that are consistent with the DI Council's goals. He feels a lot of progress is being made on important Daufuskie projects.

There being no further business at hand, Mr. Hunter adjourned the meeting at 7:30 pm.

