

Daufuskie Island Council Meeting
Tuesday, March 21, 2017
Mary Fields School

MINUTES

Chairman Chuck Hunter called the meeting to order at 6:30 pm. Council Members present were:

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

There were no absences. All members being present, a duly constituted quorum was present.

Report on Council's 2017 Organization meeting

Chuck Hunter reported on the Council's 2017 organization meeting, which included the election of officers for the 2017 Council session:

Chuck Hunter, Chairman
Steve Hill, Vice Chair
Darnell Brawner, Treasurer
Deborah Smith, Secretary

Chuck Hunter reported on other important Council developments:

1) Len Pojednic has resigned from the Council for personal reasons. He has graciously agreed to continue providing his counsel, especially on legal matters. The Council and the community thank Len for his service as a Council member over the past two years, as well as countless other contributions to the Daufuskie community.

2) The Council has unanimously approved the appointment of James Bays to fill the vacancy created by the resignation of Len Pojednic. Per the Council bylaws, James was chosen because he was the next highest vote getter in the recent Council election. The Council and attending community members welcomed James with a round of applause.

3) Day/Time for Regular Council Meetings - For the Council's 2017 session, the regular Council meetings will continue to be held on the 3rd Tuesday of every month, with a new time of 6:00 pm. Feedback from the public after trying this time for few months will be welcome.

4) 2017 Council Committees and Chairs (Steve Hill)

Existing and new committees for 2017 include:

- Ferry Committee, Chair Steve Hill
- External Outreach Committee, Chair, Chuck Hunter
- Island Amenities, Darnell Brawner
- DI Plan and Code Committee, Deb Smith
- Communications, Maureen Devine
- Cultural and Historic Preservation, Sallie Ann Robinson
- Roads Committee, John Schartner

5) The Council wants to look at new ways of supporting Ervin Simmons and the Daufuskie Foundation's efforts on behalf of the 2017 Daufuskie Day. Sallie Ann Robinson will be reaching out and working with Mr. Simmons on behalf of the Council, with the goal of making this a bigger and better event every year, as well as show the community's support for this important event. Chuck urged anyone who had suggestions about this event to pass them along to himself or Sallie Ann.

2015-2016 Council Attendance Report

Chuck had asked Steve and Deborah to put together a report on Council member attendance to respond to areas of controversy that had occurred during the recent election. Steve reported that the current bylaws state that: "All elected Council Members will be expected to physically attend every meeting. Any member who does not attend at least 75% of the meetings will be dismissed from the council." A review of attendance was conducted for the 2015 and 2016 sessions. Attendance records prior to that time could not be reviewed because the records were "spotty" and accurate records could not be reconstructed. During the past two years, six Council members did not meet the attendance requirement of 75 percent, including one who continued on into the 2017 session.

Conclusions of the report include the observation that the bylaws do not include a standard for determining attendance, e.g., what period of time is used for determining attendance. A member's full term of office? Or a year, and if so, a calendar year or a session year, i.e., February - January of the following year? Also, the number of meetings is not defined, e.g., in the past two years one of the regular meetings was not held so there were only 11 meetings. So what is the denominator, the number of meetings we planned to have, or the number of meetings we actually had? The recommendation of the report is as follows: "The DIC bylaws should be edited for clarification, specifically to define the period of time percentage is calculated, and the number of meetings to include. "

Deborah added that holding only 11 meetings in a year resulted in some Council members having just less than 75 percent attendance, specifically, 72.7 percent,

Steve said that the Council is in the process of reviewing its bylaws for possible updates and revisions, and that the attendance requirements section would be reviewed at that time. In the meantime, the complete report will be posted on the Council's website.

A member of the public made a statement and said that he had been on the island for about 2 years and had attended about a dozen meetings. He had also taken the time to read all the Council minutes for the last two year and

and in none of the minutes he had read and in none of the meetings he had attended had there had been any discussion of attendance. He believed there should be a standard for attendance, and if you run for office you should be accountable in some way for participating and at the last minute had said that there should be some standard. but it surprised him that although this issue had not been raised previously, that it became a controversial issue just recently when it was included in a post on NextDoor. Because it hasn't been discussed in the past and was raised during the election process, he believed it affected the outcome of the election. Further, he was left with impression that it introduced as a wedge issue and that causes him concern. He will not support any candidate who inserts and runs on wedge issues. All of the candidates ran on platforms of unification, but he did not see unification in the election because of this wedge issue, and that concerns him.

Another member of the public said that the way the by-laws are written, it implies that at the only people who count are those who live on the island. People who live part-time off-island have something to add; they also have a stake in the island. In this day and age there virtual attendance should be considered instead of physical presence. is technology that allows a member to participate even if he can't be there physically.

Another public member commented that when he served on the Council he was not able to attend all the meetings because his personal situation did not allow him to sit at every meeting. Certain members such as Len Pojednic did a lot for the community, and should be appreciated for what they've contributed to the island.

Another member of the public said that she was aware that it was not everyone's opinion that Council members need to talk to people in the community, but especially on key development issues it is important that Council members are able to interact with people who are affected. If you want to serve a community, you should be able to attend the meetings and be on the island a sufficient amount of time to talk to the people who elected you. "You may not feel it's necessary to talk to people, but you should remember that the public will support you 99 percent of the time as long as we understand what is going on. But if you keep us out of the loop, it's just not going to work." Therefore she thinks that people have to

physically be on the island enough to be at the meetings in order to know what's going on.

The member of the public who had spoken first on this issue spoke again and said that things happen in people's lives that precludes attending meetings. Therefore in addition to having the ability to attend meetings "virtually," he believes that those personal circumstances should be taken into consideration and that some sort of "excused absences" should be allowed.

Nighttime Use of Golf Cart Ordinance

Deborah Smith reported that subsequent to a new state law, the Beaufort County Council's Public Facilities Committee had voted out on March 6th an ordinance which set forth requirements for nighttime driving on Daufuskie. Initially this ordinance was being viewed by the County Council has a demonstration project for other communities, but the full Council now appears to recognize that Daufuskie's unique circumstances lessen the likelihood that cart requirements that work for our island will necessarily work for other locations. Requirements included such items as an amber-colored strobe light, DOT-approved tires, reflex reflectors, side mirrors, turn signals, etc. Penalty for non-compliance would be a misdemeanor punishable by up to a \$500 fine and/or 30 days in jail. Concerns that have come to the DI Council's attention are that upgrading carts (and especially those in the Historic District) could cost the owner up to \$1000 for parts and labor costs. Also, the island's major cart providers have said that complying with the list would render their cart fleets obsolete.

The full County Council decided that the ordinance as written was an over-reach, stripped the ordinance of all but title, and sent it back to the Public Facilities for further work.

Patrick Ford, General Manager of Bloody Point, planned to hold a focus group meeting at the Eagles Nest Restaurant on Wednesday, March 22nd to discuss the ordinance and develop an alternative proposal to provide to the DI Council.

A member of the public asked for clarification about what the role of the DI Council would be relating to this ordinance. Chuck Hunter responded that the Council would be evaluating the feedback from the BP meeting and also welcomed input from other community members. Based on that input, the Council would develop a position and present to the County Council.

Steve Hill added that on a related matter, we may be pursuing a service whereby the appropriate DMV staff would come over here and help facilitate the required golf cart permits. Terry Painter said this has happened in the past, and she would be glad to help facilitate that process going forward.

Daufuskie School Bus

There were comments on NextDoor about the poor condition and reliability of the island's school bus and Steve investigated that issue. The current bus is a converted 1992 Chevy Van and badly in need of replacement. He talked to the Director of Technical Services for the Beaufort County School District, Daufuskie's School Board representative, and the area supervisor for the Department of Education's transportation division. Money has been appropriated for a new school bus for Daufuskie; it is being designed now, and it will be customized for Daufuskie including convertible seats to allow for addition of seat belts should the state law be changed, and also a lift to accommodate students with special needs. The new bus will hopefully be ready before the new school year.

Sallie Ann Robinson expressed great appreciation for this development.

County Contract for Storm Repair

Steve Hill reported that at that last Beaufort County Council meeting a contract was approved for county-wide boat landing, dock, and pier repair relating to storm damage. 11 piers were in the contract including the county pier on Daufuskie. There will therefore be some needed structural repairs that should be undertaken over the next couple months.

Report on The South Carolina Compassionate Care Act

Tony Chase, a chemist and pharmacist, is part of an expert team that is providing support for state state legislation entitled the South Carolina Compassionate Care Act, and Steve had asked Tony to provide a report to the DI Council about this issue. Tony reported that the bill would create a state-regulated program allowing patients with certain debilitating and painful medical conditions and a doctor's recommendation to access medical cannabis from state licensed facilities. The bill also provides for 15 licensed and regulated producers of the product, laboratory testing centers, processors, and one dispenser for every 10 pharmacies in the state. Tony had been asked by State Senator Tom Davis to testify on the bill before a state senate health subcommittee, which in February approved the bill and sent it to the full committee. Because SC General Assembly has a two-year legislative session, advocates are hopeful that it will pass either this year or next.

Daufuskie Island Historic Foundation Activity

Geoff Brunning, president of the DI Historical Foundation, reported that 2016 was a good year for organization. The Foundation expended a considerable amount of time and money maintaining five historic buildings owned or leased by the Foundation on Daufuskie. Efforts will continue in 2017 to maintain these buildings, with a special focus this year on the "White School House" which needs new siding and repairs. Also, there are improvements planned for the museum, including parking and a walkway with better access for handicapped visitors, and the planting of garden with an exhibit of historic crops. Looking forward to a productive year and encourage people to renew or join the organization, and to attend the following week's annual dinner including a presentation of historical photos sponsored by Jenny Herscht and Sallie Ann Robinson.

Public Forum - Announcements and Comments

Richard Ingliss, representing the DI Island Ferry Company, provided an update including issues relating to the new dock location at Buckingham Landing on Hilton Head. Location is working well. There are 88 parking places there. The number of parking spots for DI residents have been increased from 35 to 45. Still challenges to address, but they are working on solutions to parking issue. If you know someone on the island who has a

cart in the lot but doesn't have a sticker, please let them know that they need a sticker or might face towing. The Buckingham Landing site is more expensive than the previous sites, and the Ferry Company is trying to figure out ways to raise revenues to pay for those costs. There is special recognition of the plight of residents who for various reasons don't have Palmetto Breeze parking passes but who need some financial consideration.

A member of the public stated that now parking passes can be obtained online, which is a big help for vacation guests.

There were several questions from public members relating to access for passengers who need to come for a day, e.g., service people, and for people who have not been able to buy tickets on the island so wanted to buy tickets on the boat. Richard said they are working on solutions for all these issues, but right now people can arrange for both day parking and tickets from the crew, and that no one has been turned away. Improvements are still in the works.

Chuck Hunter acknowledged Ervin Simmons and reiterated the Council's commitment to helping for Daufuskie Day, Sallie Ann acting as the lead in her role as Chair of the Council's. Also, Chuck asked Darnell Brawner to produce a list of amenities projects and improvement would be following up with a list of projects that may be helpful with Daufuskie Day.

Chuck also acknowledged the contributions of Scott Forshee, with Pride Construction, who has supervised the FEMA workers on the island for a number of months, and who has done a great job. The FEMA effort on Daufuskie has produced outstanding results, and has surpassed performance for every other area of the county.

A public member said she was speaking for Church Road residents about the asphalt situation. It was her understanding that a grinder would be coming, but that has never happened and the pieces of asphalt deposited on roads are a problem. Chuck Hunter indicated that he had not promised a grinder, but rather said that the plan was to put the pieces on the streets and the FEMA trucks tires would grind the pieces up over time. There was disagreement from several public members about that issue. Another

member of the public asked who had given permission for piles of asphalt to be deposited on his property. Chuck said he was asked by the island's county representative, Greg Hutton, to provide asphalt for the roads. Chuck offered to meet with any resident to talk about the asphalt situation and to help resolve concerns. There was a comment that the current state of Church Road "is a mess" that is causing damage to carts and regular vehicles, and that even when chunks are ground down into the road, after a rain they surface again. She did not think that the results were as had been promised. Chuck again stated that the intention was never to bring a grinder, rather that the intention was to have the pieces ground through truck passage on the road. Scott Forshee from Pride Construction said that Daufuskie dirt roads were not meant to take the weight of the trucks, but that every effort would be made to completely restore the roads before leaving the island. Another public member said that he has had two flat tires as a result of the asphalt situation. Chuck offered to meet with concerned residents the following day. Another public member said she lives on Church Road, and that the other day she had to manually remove a large asphalt piece in order to use her driveway. There was a question about why the island's county representative was involved with Church Road since it's not a county road. Chuck explained that it's a county-maintained road. A question was asked about why the asphalt removed from a Haig Point cart path project was ending up causing problems in the Historic District roads. Chuck reiterated that the asphalt was being removed from the island prior to the county asking if they could have it. There was further discussion and a number of additional comments about this issue. Chuck stated again that he would meet with any residents who would like to work with him on a resolution of the issues, and suggested the following morning at Freeport Marina, and would also stay after the meeting to continue discussions with anyone.

There being no further business, Chuck adjourned the meeting at 7:30 pm.

Document:

County Council Golf Cart Ordinance