DI COUNCIL MEETING

5/17/2022

DI Firehouse

400 Haig Point Rd, Daufuskie Island, SC 5:00PM

Minutes

<u>Agenda</u>

Call to Order

Roll call: Roger Pinckney – Chair, Leanne Coulter – Vice Chair, Cathie Moore, Robert Levis, Kathy Aurichio, Beth McIntyre

Mark Lawson - Beaufort County Council Representative

Pledge

Chair's Opening Remarks and Welcoming of Guest(s)

Community Happenings:

May 22, 2022, Sunday, 3:00 PM – Clean up at Frances Jones Park. Workers are needed to spruce up the park, and do trail maintenance.

School will be finished on Friday, May 27th

VBS - July 11-15, 2022, 9AM – 12PM

DIFD-

<u>911</u>- We are encouraging people to call 911 in an emergency instead of stopping by the Fire Station. The Chief wants to remind everyone that they still make house calls.

<u>Road Clearing</u> - Fire Code requires all roads to be cleared so that in the event of an emergency the Firemen/EMS would be able to reach you. Fire Code specifies that all roads need to be cleared to a Height of 13'6" with a Width of 20'. This will provide enough access for the fire trucks and/or ambulance.

<u>Polaris Pro</u> - A new Polaris Pro, 4 wheel drive with diesel engine, has been purchased for the Fire Station. This vehicle is much more flexible than the standard Firetruck and is able to accommodate a patient on the back and is compact enough to drive down to the dock in case of an emergency.

<u>Beach Markers</u> – The DI Council has put out fa request or bids for new markers along the beach. These markers will enable emergency personnel to locate someone in the event of an emergency at the beach...

<u>Memorial Day Grave Markers</u> - May 27, 2022, Friday, Flags will be placed at 5 cemeteries for the veterans who are buried on the island. Currently there are 19 graves requiring markers with the oldest graves dating back to the Spanish American War. We will rendezvous at the Coffee Shop at 2:00PM

Committee Reports:

Roads, Access and Easements (Roger & Beth)

Roger: <u>Prospect Road</u>---

Arbitration has failed as the lawsuit continues to proceed. The county position is/has been to ensure that the current road remains open as a public thoroughfare as stated in the deed with Hatcher Holdings, LLC. The trial date is yet unknown but the County attorney believes the county will prevail in court. Island Council is

considering an *amicus* brief. Amicus briefs are filed by interested parties not involved with the lawsuit to relay background information and will consolidate all the previous DI council documents on this matter.

<u>Frances Jones Blvd, School and Church Roads</u>---county staff will be at the church education building 3-7 PM on Wed May 19, 2022 at the Church Education Building to answer questions regarding the county obtaining ROW on these roads. There are no plans to pave any roads on Daufuskie Island that have not already been paved. Crushed stone may be added to stabilize the road surface and create a pervious surface but there will be no asphalt laid.

<u>County Dock</u>---New signs have been placed at the County Dock to outline BC regulations governing the dock. The current issues involve the use of the dock by commercial boats. There are provisions for those who want to use the dock for commercial purposes to 'bump and run' and they can petition the county works director for a permanent spot . If there are issues with people monopolizing the dock you should call the county works director to file a complaint. The number to call for violations has been added to the sign. The DI Council is a policy body, not an enforcement agency, and we depend on public input to make to enforce the rules.

Police Presence

Sheriff Tanner & staff were on the island Thursday, May 12, 2022, for a general site inspection. He promises an increased presence this summer, perhaps full time (24/7). All islanders should be advised of the added police presence.

Barbed Wire- Beth

There is a Public safety issue and zoning violation with the barbed wire fencing along Pappy's Landing Road which was recently installed. Building done within the county requires a permit from zoning, which includes any fencing. The use of barbed wire fencing has strict limitations per BC code. This is not only for aesthetics reasons but also for safety reasons. Most island residents and all of our tourists ride around in open sided golf carts. If a cart is forced off the road and encounters an illegally placed fence, that owner would be liable for any damage done to the cart and/or persons riding in the cart.

Website Design

We would thank Matt Marziale for all his hard work and taking time out of his own work to help develop and design the new website. The prototype website has been sent to the county IT dept. to take a look for suggestions and approval. Included in the email to the county was a request for funding. The new Website will be named <u>www.officialdaufuskie.com</u>. We hope to have things operational in the next 30-45 days.

Parks and Greenspace - (John)

Park Update

At very informative meeting was held at the Community Park 2 weeks ago to recap the project and figure out next steps for development. A new location sign has been ordered for the park and Rep. Lawson is tasked with determining the status of the sign. A topic of discussion included the maintenance of the park. The community was advised that the county would take over the park maintenance and Rep Lawson stated that the county has assumed responsibility of the park. However, while the ball field and bathrooms are being maintained, there are smaller issues that still require community involvement. This includes maintaining the path around the park and picking up fallen branches. Rep Lawson agrees that we are making good progress at the park but we will need to investigate who is responsible for doing the smaller maintenance.

<u>Next phases</u> – benches, grills, multiuse sport court, Ball field.

The next phases are currently in limbo due to the ongoing county wide master plan development by BC. Rep. Lawson stated that DI will be able to have input on how that money is spent from the master plan and he urges everyone to get involved when the survey is distributed.

The full Frances Jones Park plan was presented to the DI Council before Covid and a needs to be presented to the new DI Council so it is aware of the complete plan.

Question: Are reservations required to use the park?

Ans: No reservations are required at this time.

Codes Committee

Short Term Rentals

On April 26, Leanne Coulter, Co-Chair of the DI Code/Plan committee spoke with Mark Davis, Beaufort County Deputy Planning Director to clarify the task of the DI Code/Planning Committee. Mr. Davis explained that any change to the DI Code would require a text amendment. Any recommendation the DI Code Committee approves would then be presented to the full DI Council for review and approval. The next step in the procedure would be for the BC Planning Department to review the proposal. Once approved by the Planning Department, the text amendment would be presented to the BC Council for final approval. There would be three readings before the BC Council.

Mr. Davis recommended the DI Code Committee prioritize areas to be addressed. He suggested our review of the Code focus of the following areas:

- 1. Contradictions in our Code.
- 2. Areas where more clarification is needed, for example a definition may need to be added.
- 3. A change in the Code.

Currently, the DI Code/Planning Committee is looking at the Code and not Zoning.

Short Term Rentals (STRs)- defined as any rental less than 30 days in duration.

Background:

BC has passed a STR ordinance for all unincorporated areas of Beaufort County. This ordinance applies to the Historic District on DI but not the PUDs or smaller neighborhoods having governing rules which specifically contain language regarding STRs.

Beaufort County Planning Department agreed to "Grandfather" all STR businesses on DI to everyone who could document:

- 1. They operated before 2018 and has paid all Accommodation taxes (A -Tax)
- 2. Property owners operated in a legal residence- as defined as having a Certificate of Occupancy
- 3. Have no building violations

After several discussions, the BC Planning Department was not willing to 'Grandfather" all STRs on DI stating it was up to the DI community to make that decision.

DI Code/Planning Committee

On May 10, 2022, the Code Committee met. Debra Smith asked if she could present a draft Resolution to the committee. The draft Resolution requested the DI Council pass a Resolution that would amend the DI Code to

state, "Nothing in the this code shall be construed to mean that vacation home rentals as not allowed on Daufuskie Island, as long as, 1) such properties are legal residences, 2) vacation rentals are not prohibited by a private development where the property is located, and 3) the property owner pays all applicable taxes." A discussion of the Resolution took place, no action was taken.

DI Council meeting, May 17, 2022

Leanne Coulter gave a recap of the above information. She said she had spoken to Eric Greenway, BC Administrator yesterday, May 16th. Mr. Greenway suggested the STR Resolution be worded to request BC to not enforce the ordinance during the 2022 year or until the DI Council and the community could decide how STRs would look on DI in the future. Ms. Coulter stated that it was not the objective of the DI Council to prevent anyone from renting their homes.

Ms. Coulter reported the DI Code and Plan committee would be meeting that week on Friday, May 20th and a draft recommendation would be presented to the committee to review. If the recommendation passed at the committee level, it would go to the full DI Council for a vote. Due to the urgency of the matter, Roger Pinckney, Chair, agreed to hold a special community meeting. The community will receive a seven day notice of time and location of the meeting as stated in the DI Council bylaws and will have a recommendation to the BC Administration within 10 days.

An informal, estimate of the number of houses and the number STRs in the Historic District was given. There are approximately 160 houses with 30 houses currently being used as STRs, which is about 20%. This number does not include RV trailers, shipping containers were not counted.

Public Comment:

Deb Smith – We have people who will be adversely impacted if this doesn't get resolved. There is nothing that prevents the current DI Council from passing and freezing the regulations that BC wants to enforce. Rep. Lawson does not want to increase hardship for people however, the rise in STRs requires regulations that have not been previously addressed. We need to urge Eric Greenway to speak to BC to not enforce the new BC regulations until we rewrite the DI Code. Owners will still need to get a business license and pay the ATax. We want to move forward with what the community wants.

R. Pinckney – We anticipate that we will have something for the BC Council to review after the Friday meeting.

J. Shartner - Pushed forward for a vote on a new, unscheduled resolution to ask BC for a stay of regulations so that owners of STRs will be assured of being able to rent for the current season until DI has determined the way forward.

Since the proposed resolution did not go through the appropriate channels, was not publicly announced and was not included on the agenda, the resolution was changed to a recommendation based on guidance from Rep. Lawson. (see attachment) A vote was taken. The resolution passed 5 to 2. (2 in opposition on procedural grounds)

Tonya Linser – Owns a home on Carvin Rd and wants to know how to proceed with her planned rental. She was informed that she would need to go through the process of applying for a business license to start the process. She may also have to go through the appeal process to get business license in order to rent her property. She also asked where the 4 year stipulation came from and was told it was an arbitrary decision from BC.

<u>Tourism</u>

Based on an estimate of 110,000 day tripper tourists visiting last year, the Tourism Committee is going to apply for some assistance from HP Foundation. We would like to produce a flyer for tourists to answer their most asked questions and general information about the island. There is discussion about the addition of a litter bag to be included with the flyer. ATax funds could also be a source of money for tourism related issues.

<u>Rep Mark Lawson –</u>

<u>Reelection</u> - June 14, 2022 he is up for reelection and he would like our support to retain his seat. He also addressed the following topics.

<u>Beach Bathrooms</u> – The \$250,000 in ATax funds have been secured. Included in this amount is not only monies for new bathrooms at Beach Rd, but also money for improving the County Dock bathrooms. The new bathrooms are currently in the design phase of the project. Due to the cost of the project, it will need to be approved at the committee level then to the BC Council for final approval.

<u>County Dock /Ferry</u>- DIFC (DI Ferry Contract) is up in June 2022 and the current thinking is to extend the contract for one year. BC is in negotiations with HP to keep the ferry service going for the additional year while a permanent location is found. They have identified 5 properties on the mainland as possible embarkations. Per the current contract, HP has to find us the location on the DI side. BC would like to use the Melrose landing in conjunction with the new owners and those discussions are ongoing. When a decision is closer, BC will be looking for input from the DI community. In addition, a consultant has been hired to look at whether the county dock can be expanded.

<u>Roads – BC</u> is seeking ROW on several roads on DI so that the county can maintain the roads for the future.

<u>Village Hall</u> – Only 3 locations in BC have been identified and approved for a multi-use building and DI is one of them. The construction funds will be taken from the American Rescue Plan Act, ARPA funds and those funds have been approved.

Adjournment