

SPECIAL MEETING OF CITY COUNCIL

Isle of Palms, South Carolina

November 13, 2007

The Special Meeting of City Council was held at 5:30 p.m. on Tuesday, November 13, 2007 in City Council Chambers, 1207 Palm Boulevard, Isle of Palms, South Carolina. In attendance were Mayor Sottile, Council members Bettelli, Buckhannon, Cronin, Hanbury, Marino, McMackin and Taylor, as well as City Administrator Tucker, City Attorney Sottile and City Clerk Copeland; Councilwoman Rice was excused. Special guests were State Senator Chip Campsen, State Representative Ben Hagood and Coastal Engineer Chris Jones. There was a quorum of Council present to conduct business.

- 1. Call to Order.** Mayor Sottile called the meeting to order and announced that the press and the public had been duly notified in accordance with the Freedom of Information Act.

Mayor Sottile introduced Chris Jones as the City's coastal engineer, who has done coastal renourishment work all over the East Coast. In April of 2007, he assembled a group of twelve (12) stakeholders in the beach erosion problems on Isle of Palms to compile a Long Range Beach Management Plan.

Before Mr. Jones' presentation, Mayor Sottile recognized Senator Campsen and Representative Hagood and offered them an opportunity to speak. Representative Hagood related that he and Senator Campsen have been in contact with Isle of Palms representatives for more than a year to try to find a way to save the properties in Wild Dunes. He recalled a meeting in May with representatives from the Isle of Palms, Wild Dunes and state and federal agencies trying to find a way to move forward; from that meeting the cubic yard bags were allowed to be placed to stabilize the properties. Senator Campsen noted how the smaller bags had been a detriment and ended up all up and down the coast. Senator Campsen referred to a November 1 letter from Mayor Sottile requesting that the legislators deal with OCRM regulations that prohibit state funding for renourishment because of public access issues. He stated that he and his staff are developing legislation that would enable the Isle of Palms to be on the list along with other municipalities to receive state funding for renourishment and the second thing they have done is they have requested an extension from OCRM of the November 30 deadline for removal of the sandbags. If the City adopts a Beach Management Plan, shows progress in that area and adopts a renourishment plan for that site, Senator Campsen thinks that OCRM will extend the deadline. Senator Campsen announced that he and Representative Hagood would support a change in state law that would permit accommodations tax revenue to be bonded for beach renourishment. Senator Campsen and Representative Hagood have been in contact with the Governor who is also very concerned about a government agency telling citizens that they must remove the sandbags then watch their homes fall into the ocean.

He added that everyone is in agreement that the removal of the sandbags will create an environmental disaster. Senator Campsen ended his comments that both he and Representative Hagood are in attendance tonight both as citizens and as members of the legislature, but they are also trying to be responsive to the needs of the citizens and City Council. Representative Hagood emphasized that the Long Term Plan is the solution and the sandbags are just a stopgap measure.

Mayor Sottile noted that he had spoken with Governor Sanford this afternoon who was aware of the meeting this evening and who had expressed his concern. The Governor had informed the Mayor that it was imperative that the City have a Long-Term Beach Management Plan and that the City take a proactive approach in order to get OCRM to lift the November 30 deadline. The Mayor commented to Council present that it was important that they look favorably on the plan and take an active approach to move forward.

The meeting was then turned over to Chris Jones to make his presentation; a copy of which is attached.

Councilman Marino asked Mr. Jones if there was a way to re-contour the sandbar to affect the way the currents run to help the renourishment process. Mr. Jones responded that the technology did not exist to do this.

Councilwoman Hanbury asked what was the end result of the bed from which the sand is taken; Mr. Jones said that, in most cases, the locations from which the sand is taken did not recover back to the same condition they were in before. The sand is not a renewable resource, but the holes do fill.

Councilwoman Hanbury expressed her concern that OCRM has given its OK for a portion of the existing shoal scraping permit, but the Corp of Engineers has not; she wanted to know who was in charge and how they will work together to make the City's project work. This permit goes back to 2001, which has stipulations about from where the sand can come; Mr. Jones said he did not know why the application for the federal permit had not been made. Councilman Cronin informed Councilwoman Hanbury that this permit has been tied up in the courts for the past five (5) years and is currently under appeal.

If the City had the necessary funds, Councilman Taylor asked how long it would be before the City could begin to pump sand and what were the requirements and agencies involved to do it? Mr. Jones said that, if the City had ten million dollars on the table, the money could be spent in a year's time as it would take that long to locate the source of the sand, characterize the sand, permit the project, bid it, get the equipment on site, and begin pumping. He continued with the agencies involved as OCRM, Corps

of Engineers, federal agencies, Fish and Wildlife, probably state DNR and water quality certification.

Councilman Taylor then asked that, since the City was looking at the cycle re-occurring in seven (7) years, how long do the permits last? Mr. Jones answered that some are three and some are five years, which was why he contends the City needs to negotiate some of these conditions in advance and keep a permit alive at all times – whether it is needed or not.

When asked by Mayor Sottile the most immediate need facing the City, Mr. Jones responded that it was dealing with the sand bar that is attaching right now, and he estimated that a permit could be acquired and the shoal dealt with this winter – the off-shore dredge is at least a year away. He added that getting to the shoal this winter means that the project does not get tied up in court or challenges, which take the City past the window to get the work done before turtle nesting season.

Mr. Jones agreed that permitting for excavating or manipulating the shoal needs to be done immediately. Councilman Cronin commented that the permitting for offshore dredging has not been started by anyone.

Councilman Marino thanked the legislators for coming and expressed his feeling that Mr. Jones had given them more than enough information to return to Columbia to fight for what is right for the Isle of Palms. Councilman Marino wanted to be certain that everyone understood the distinction between the Beach Renourishment Plan and the Long Range Beach Management Plan. The Beach Management Plan has been on OCRM's desk for six month's waiting for approval; Mayor Sottile announced that it is being revised.

MOTION: Councilman Cronin moved that the City initiate a Long Term Beach Renourishment Plan and a permit application as quickly as possible and ask staff to come back to City Council with a plan as to when that can be done; Councilman Marino seconded.

Councilman Taylor inquired of the Administrator about the cost of such a permit. She explained that, in the past, the City has obtained permits for relatively small projects, which did not require much engineering work. A permit for a project of this magnitude will very likely run from \$300,000 to \$500,000; Administrator Tucker also reminded Council that currently the budget has \$200,000 earmarked for erosion. When Ways and Means meets next week, they will be charged with identifying the source of the remainder of the funds for the permit. Mayor Sottile asked that the Administrator do some research to be able to have a better estimate in time for next week's meeting.

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Prior to the vote, the Mayor stated that all of the island is in this situation together; it is a City problem, not a Wild Dunes problem. In the long term, the City Council will try to work towards solving problems as they occur. There is a lot of work ahead on everyone's part; he stated there will be many meetings just to figure the sources of funds that will come together to finance the project.

VOTE: The motion PASSED UNANIMOUSLY.

**MOTION: Councilman Taylor moved to adjourn at 6:43 p.m.;
Councilwoman Hanbury seconded and the motion PASSED
UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland
City Clerk