

The logo for the Town of Briarcliffe Acres features the words "Town Of" in a smaller, serif font above the words "Briarcliffe Acres" in a larger, elegant serif font. A decorative, light-colored graphic element resembling a stylized leaf or branch is positioned behind the text.

October 15, 2013

Dear Property Owner:

I last wrote to you regarding the Briarcliffe Acres floodplain sewer system on June 18, 2013. (See copy of my letter attached). The purpose of this letter is to inform you of the progress which has been made toward completion of the floodplain sewer system since my letter of June 18, 2013.

As pointed out in my letter and the outline of the floodplain sewage problems distributed with my letter, sewage contamination in the floodplain area poses a serious public health risk to our community that must be eliminated. Toward that end, I have either met personally or contacted by mail all owners of the properties in the floodplain area to provide information concerning the sewage contamination problem and the proposed completion of the sewer system to solve the problem. I have been encouraged by the positive response of many of the floodplain area property owners who have expressed their commitment to voluntarily pay, in advance, their fair share of the costs of the sewer system infrastructure. The amount to be paid would be comparable to the amount paid by those floodplain area property owners who connected previously and are currently serviced by the existing sewer system. The only planned difference would be for increases in the sewer tap on fee by the City of Myrtle Beach who owns and operates the system.

With the voluntary commitments of floodplain area property owners to pay their fair share of the costs of the sewer system infrastructure, a significant portion of the cost of installation of the five grinder pumps necessary to complete the sewer system will be funded. However, there are a number of floodplain property owners who have not made a commitment to pay their fair share of the costs. Thus, there will be a shortfall in the funds needed to complete the sewer system infrastructure until the property owners who have failed to commit to pay their fair share are compelled to pay their fair share.

My efforts over the last several months have been devoted to developing an accurate estimate of the costs to complete the system and the amount of the shortfall that must be funded. As discussed in my letter of June 18, 2013, one potential method of funding the shortfall would involve a referendum election to authorize the Town of Briarcliffe Acres to expend public funds to complete the sewer system and to create a tax district in the floodplain to recover those expenditures. While this option still remains available to fund the shortfall, I decided to look for other alternatives which would be more cost effective. We have therefore held numerous meetings with Grand Strand Water and Sewer Authority and the City of Myrtle Beach to obtain an accurate

estimate of the cost of completing the sewer system and to discuss methods of funding the shortfall. I am pleased to report that these meetings have been productive as we now have an accurate estimate of the costs that will be incurred to complete the system and a possible source of funds to cover the shortfall remaining after voluntary funding by floodplain owners.

I have preliminarily discussed terms of a proposed agreement with the City of Myrtle Beach for them to arrange for the completion of the sewer system and fund the difference between the costs of completion and the funds provided voluntarily upfront by floodplain property owners. Under such an arrangement, the City of Myrtle Beach would solicit bids from licensed contractors to install the grinder pumps needed to complete the system in accordance with standards promulgated by the South Carolina Department of Health & Environmental Control and fund the difference between the installation contract price and the funds provided by floodplain property owners. The shortfall funding provided by the City of Myrtle Beach will not be provided free of charge. The City of Myrtle Beach will insist upon receiving a market rate of interest return on all funds provided to cover the shortfall, and that interest cost will be passed along to those floodplain property owners who fail to voluntarily pay, in advance, their fair share of the costs of the sewer system infrastructure. As the proposed agreement is currently envisioned, the Town of Briarcliffe Acres will neither pay for, nor own any portion of the completed system. However, the Town of Briarcliffe Acres will take appropriate measures to ensure that all floodplain area property owners connect to the completed sewer system to eliminate sewage contamination of our swash and beachfront areas. Toward that end, I have asked the Town Attorney to prepare amendments to our existing Stormwater Ordinance that will compel floodplain area property owners to connect to the floodplain sewer system and provide for significant fines and penalties in the event that the property owner fails to connect to the floodplain sewer system.

I have accurately described the stage of my discussions with the City of Myrtle Beach as “preliminary”. There is still much work to be done. I have authorized our Town Attorney to work with the Myrtle Beach City Attorney to prepare a draft of an agreement for consideration by the Council of each municipality. I expect that specific proposals will be developed over the next several months. As soon as we are in a position to hold public meetings to discuss the matter, we will do so. In the meantime, if you have any questions about the status of the floodplain sewer system, or what we will be expecting from residents in the floodplain, please do not hesitate to contact me.

Sincerely,

Gary R. Pell
Mayor

Enclosure

Town Of Briarcliffe Acres

June 18, 2013

Dear Property Owner:

I have met recently with many of you who own property in the Briarcliffe Acres floodplain to discuss the current status and future plans for the floodplain sewer system. I have also tried unsuccessfully to reach and meet with other floodplain property owners regarding the current status and future plans for the floodplain sewer system. I have prepared and I am enclosing with this letter an outline of the history, current situation, and future plans for the floodplain sewer system. The enclosed outline has been provided to the floodplain property owners with whom I have met.

This letter is intended to share the outline information with all floodplain property owners (22 homes, 3 vacant lots, and the BAA Cabana) as we work toward a plan to voluntarily complete the sewer system later this year. As a resident of the Briarcliffe Acres floodplain, I am hopeful that the floodplain property owners can work together to voluntarily complete the sewer system before the end of this year. If we, as property owners, are not able to cooperate to voluntarily complete the sewer system, I am confident that the Briarcliffe Acres Town Council will take all necessary steps, including a referendum election in November, to authorize the expenditure of funds necessary to complete the sewer system, to require all floodplain property owners to hook up to the completed sewer system, and to impose all costs incurred by the Town of Briarcliffe Acres to accomplish those actions upon the floodplain property owners who have failed to voluntarily pay their share of the costs to complete the sewer system. I am also confident that the costs which the Town of Briarcliffe Acres will incur to authorize the completion of the sewer system, to complete the sewer system, and to compel floodplain properties to connect to the completed sewer system, will increase the costs to be paid by those floodplain property owners who fail to pay their share of the costs of voluntary completion of the sewer system. Please be assured that the Briarcliffe Acres Town Council will take action if the floodplain property owners fail to act. This is an important issue that the Town's governing body will address to maintain the Town's storm water permit and avoid substantial fines and penalties from DHEC that will be passed on to all Briarcliffe Acres property owners.

Please review the enclosed information and contact me with your input and any questions that you might have. I would be happy to meet with you or communicate with you by telephone or e-mail at any time. You can reach me by e-mail (garypell@sc.rr.com) or cell phone (843-467-3018). We are in the process of completing a full accounting of the project since its inception which will show all cash receipts and disbursements, as well as the estimated projected costs of completion for each floodplain property owner. I will call a meeting of all floodplain property owners when this information is available.

Thank you for your attention to this matter.

Sincerely,



Gary R. Pell
Mayor