



The Town of Hilton Head Island Regular Town Council Meeting

Tuesday, April 17, 2012

4:00 P.M.

AGENDA

**As a Courtesy to Others Please Turn Off All Cell Phones and Pagers During
the Town Council Meeting**

- 1) **Call to Order**
- 2) **Pledge to the Flag**
- 3) **Invocation**
- 4) **FOIA Compliance** – Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5) **Proclamations and Commendations**
 - a. Sexual Assault Awareness Month
 - b. Hilton Head Island High School – Palmetto’s Best Award
- 6) **Approval of Minutes**
 - a. Town Council Meeting – April 3, 2012
- 7) **Report of the Town Manager**
 - a. Town Manager’s Items of Interest
- 8) **Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Relations Committee – George Williams, Chairman
 - c. Report of the Personnel Committee – Lee Edwards, Chairman
 - d. Report of the Planning & Development Standards Committee –Bill Ferguson, Chairman
 - e. Report of the Public Facilities Committee – Kim Likins, Chairman
 - f. Report of the Public Safety Committee – Bill Harkins, Chairman
 - g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member
- 9) **Appearance by Citizens**
- 10) **Unfinished Business**
 - a. **Second Reading of Proposed Ordinance 2012-03**

Second Reading of Proposed Ordinance 2012-02 to amend Title 12 (Motor Vehicles and Traffic Control) of the *Municipal Code of the Town of Hilton Head Island, South Carolina* by adding Chapter 5 (Towing); and provide for severability and an effective date.

11) New Business

a. Consideration of a Resolution to form an Economic Development Committee

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island to create a Mayor's Citizens Committee on Economic Development.

12) Executive Session

a. Land Acquisition

13) Adjournment

Proclamation

By
The Town of Hilton Head Island

***WHEREAS**, Sexual Assault Month is intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of the Town of Hilton Head Island; and*

***WHEREAS**, rape and sexual assault impacts our community as seen by statistics indicating that 1 in 5 women and 1 in 33 men will be a victim of sexual violence in their lifetime, and Hope Haven of the Lowcountry served 466 primary victims and 541 secondary victims of sexual violence in 2011; and*

***WHEREAS**, we must work together to educate our community about what can be done to prevent sexual assault and how to support survivors, and staff and volunteers of Hope Haven of the Lowcountry encourage every person to speak out when witnessing acts of violence, however small; and*

***WHEREAS**, with leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in the Town of Hilton Head Island through prevention education, increased awareness, and holding perpetrators who commit violence responsible for their actions; and*

***WHEREAS**, the Town of Hilton Head Island strongly supports the efforts of national, state, and local partners, and every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.*

NOW, THEREFORE, I, Drew A. Laughlin, Mayor, of the Town of Hilton Head Island, South Carolina do hereby proclaim April as

SEXUAL ASSAULT AWARENESS MONTH

in Hilton Head Island, South Carolina, in the belief that all community members must be part of the solution to end sexual violence.

IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this **seventeenth day of April, in the Year of our Lord, Two Thousand and Twelve.



Drew A. Laughlin, Mayor
Attest:



Cori Brock, Town Clerk

Commendation

*A Commendation of the Town of Hilton Head Island
Honoring*

**Hilton Head Island High School
Recipient of the prestigious
Palmetto Finest Award**

WHEREAS, Hilton Head Island High School was presented the prestigious Palmetto's Finest Award and named the top high school in the State of South Carolina by the South Carolina Association of School Administrators; and

WHEREAS, Hilton Head Island High School has shown what can be achieved when high expectations are combined with a clear set of goals, visionary leadership, competent staff, dedicated students, and parental involvement; and

WHEREAS, Hilton Head Island High School students devoted over 17,000 hours of community service last year to make our community a wonderful place to live and visit; and

WHEREAS, collaborative efforts of community leaders, parents, teachers, mentors, volunteers, and students have made Hilton Head Island High School an outstanding educational institution for our Island's young people to learn and thrive; and

WHEREAS, the Beaufort County School District recently became the third South Carolina district in the history of the Palmetto's Finest Award to have two winners in the same year: Beaufort Middle School and our very own Hilton Head Island High School.

NOW, THEREFORE, I, Drew A. Laughlin, Mayor, of the Town of Hilton Head Island, South Carolina, on behalf of the Town Council, do hereby commend the Beaufort County School District, the hard-working faculty and staff, students, and parents at the Hilton Head High School for their outstanding commitment to student achievement, faculty training, teaching quality, and community involvement. The Beaufort County School District and Hilton Head Island High School have made all Hilton Head Islanders proud.

*IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed **this 17th day of April**, in the year of our Lord, two thousand and twelve.*



Drew A. Laughlin, Mayor

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, April 3, 2012

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Ken Heitzke, *Mayor Pro-Tem*; George Williams, Lee Edwards, Bill Ferguson, Bill Harkins, Kim Likins, *Council Members*.

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Lavarn Lucas, *Fire Chief*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Brian Hulbert, *Staff Attorney*; Teri Lewis, *LMO Official*; Julian Walls, *Facilities Manager*; Ed Boring, *Deputy Fire Chief – Support Services*; Randy Lindstrom, *Administrative Battalion Chief*; Benton Waller, *Battalion Chief-Training*; Bonnie Evans, *Senior Human Resources Administrator*; Lori Schmidt, *Billing and Cash Receipting Manager*; Norma Foley- Moore, *Senior Dispatcher*; Mathew Ledford, *Dispatcher*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Tom Barton, *Island Packet*

1) CALL TO ORDER

Mayor Laughlin called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA COMPLIANCE – Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5) Proclamations and Commendations

a. Parkinson’s Awareness Month

Ellen Forwalk and members of the local support group were present to accept the proclamation.

b. National Telecommunicators Week

Senior Dispatcher Norma Foley-Moore, Senior Dispatcher Jenna Streeter and Dispatcher Matthew Ledford were present to accept the proclamation.

6) Approval of Minutes

a. Town Council Meeting – March 20, 2012

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes of the March 20, 2012 Town Council meeting were approved by a vote of 6-1-0. Mrs. Likins abstained because she was not present at the March 20, 2012 meeting.

7) Report of the Town Manager

a. Town Manager's Items of Interest

Mr. Riley reported on some items of interest.

b. Airport Tree Clearing Update – Michael Murphy, Arborist

Mr. Murphy updated Town Council concerning the current status and future plans concerning tree clearing, pruning and the mitigation plan.

c. Hilton Head Island Fire and Rescue Accreditation - Lavarn Lucas, Fire Chief

Chief Lucas presented Mayor Laughlin and Mr. Riley with the plaque designating Hilton Head Island Fire and Rescue as an accredited agency from the Commission on Fire Accreditation International.

8) Reports from Members of Council

a. General Reports from Council

Mr. Ferguson referred to a recent article in the Island Packet concerning the recent Marsh Tacky Race and a local resident who owns a Marsh Tacky horse being excluded from the race. He stated there are rumors a group may conduct their own race next year. Mr. Ferguson expressed regret concerning the situation and stated that hopefully, something can be done to resolve the matter.

Mayor Laughlin announced that Hilton Head High School received the Palmetto Achievement Award as being "The Best" High School in the State of South Carolina. He commented it was a long time coming and congratulations are in order for Superintendent Truesdale, Principal O'Nan, Staff, Faculty, students and parents.

Mayor Laughlin reminded all that the RBC Heritage Golf Tournament presented by Boeing will take place next week and the most effective marketing that can take place for Hilton Head Island is to show hospitality. He encouraged all to take the time to welcome and assist visitors as much as possible.

Mr. Edwards referred to the March 20, 2012 Town Council recommendation supporting the construction of the Bluffton Parkway Phase 5A project. He stated he felt he and Town Council made a mistake in voting for it and requested the matter be brought back to Council for further review. Mr. Edwards stated he has been contacted by many constituents with valid reasons as to why the flyovers should not be built. He further stated that he and many others felt the entrance to Hilton Head Island deserves better than to have two forty-foot wide, concrete and steel flyovers. Mr. Edwards said the community should have something that is great and that they are proud of at the entrance.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman

No report.

c. Report of the Personnel Committee – Lee Edwards, Chairman

No report.

d. Report of the Planning & Development Standards Committee –Bill Ferguson, Chairman

Mr. Ferguson reported the Committee recently reviewed a request for rezoning in the Palmetto Dunes area. He stated that Staff had just informed him that there was an error in the application and it will need a new Public Hearing before the Planning Commission before coming back to the Committee.

e. Report of the Public Facilities Committee – Kim Likins, Chairman

No report.

f. Report of the Public Safety Committee – Bill Harkins, Chairman

Mr. Harkins stated Item 11.b. was a result of a Committee meeting.

g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member

Mrs. Likins stated the Committee has received the assessment from the Consultant and they are in the process of reviewing the document and providing feedback.

9) Appearance by Citizens

Mr. George Salemi, Mr. Pete Smith, Mr. Ed Tiscornia, Mr. Bob Richardson and Mr. Chet Williams addressed Town Council concerning the Airport Trees and Mitigation Plan and the impact on Palmetto Hall and the Town of Hilton Head Island. They all spoke in opposition to the process and asked that Town Council step in to defend the environment and the constituents on the North End of the Island.

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2012-04

Second Reading of Proposed Ordinance 2012-04 to amend the *Municipal Code of the Town of Hilton Head Island, South Carolina* (1983), by deleting Chapter 8 (Disaster Recovery Commission) of Title 7 (Public Safety); and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

b. Second Reading of Proposed Ordinance 2012-05

Second Reading of Proposed Ordinance 2012-05 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2012; to provide for the budgeted appropriations of prior year encumbrances and for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Heitzke moved to approve. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

c. Second Reading of Proposed Ordinance 2012-06

Second Reading of Proposed Ordinance 2012-06 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2012; to provide for the budgeted appropriations of prior year budget roll-forwards and the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

d. Second Reading of Proposed Ordinance 2012-07

Second Reading of Proposed Ordinance 2012-07 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2012; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Heitzke moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

11) New Business

a. Consideration of a Resolution to Proclaim April, 2012 as Fair Housing Month

Consideration of a Resolution that the Town Council of the Town of Hilton Head Island, South Carolina proclaim April, 2012 as Fair Housing Month.

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

b. First Reading of Proposed Ordinance 2012-03

First Reading of Proposed Ordinance 2012-02 to amend Title 12 (Motor Vehicles and Traffic Control) of the *Municipal Code of the Town of Hilton Head Island, South Carolina* by adding Chapter 5 (Towing); and provide for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

c. Consideration of a Recommendation regarding a Memorandum of Understanding and Agreement with the Island Recreation Association, Inc.

Consideration of a Recommendation that the Town Council of the Town of Hilton Head Island, South Carolina approve a Memorandum of Understanding and Agreement between the Town of Hilton Head Island and the Island Recreation Association, Inc.

Mr. Heitzke moved to approve. Mrs. Likins seconded.

Mr. Williams noted the importance of not precluding one party or organization from having exclusive use of the tennis courts.

Mr. Frank Soule, Executive Director of Island Recreation Association, pointed out that they will now be scheduling town-owned parks which will make the process much easier.

The motion was unanimously approved by a vote of 7-0.

d. Consideration of a Resolution to Amend the Scope of the Funds Committed to the Heritage Golf Tournament

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, to amend the Scope of the Funds committed by the Town for the Heritage Golf Tournament from 2012 to 2016.

Mr. Heitzke moved to approve. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

12) Executive Session

Mr. Riley stated he needed an executive session for contractual matters pertaining to land acquisition including a proposed land swap with the Mall at Shelter Cove and personnel matters pertaining to appointments to Boards and Commissions.

At 5:05 p.m. Mr. Heitzke moved to go into Executive Session for the reasons given by the Town Manager. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:18 p.m. and asked if there was any business to take up as a result of executive session.

Mrs. Likins moved that the Mayor and the Town Manager be authorized to execute and deliver the contract for the purchase of 3.61 acres on Hilton Head Island from CRM Mid-Atlantic Properties, LLC, and that the Mayor and Town Manager be authorized to take such other and further actions as may be necessary to close the transaction described in the contract. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

Mrs. Likins moved that Town Council approve a resolution relating to the declaration of intent by the Town Council of the Town of Hilton Head Island, South Carolina, to reimburse certain expenditures prior to the issuance by the Town of its tax-exempt debt. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

13) Adjournment

Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 7-0. The meeting was adjourned at 6.19 p.m.

Vicki Pfannenschmidt
Executive Assistant

Approved:

Drew A. Laughlin, Mayor



Items of Interest

April 17, 2012

1. Town News

The South Carolina Department of Transportation recently completed the installation of additional overhead signs to serve both directions of travel at the toll plaza. The signs will facilitate the provision of an additional cash-payment lane for both directions of travel each Saturday beginning April 7th and continuing through the Labor Day holiday. This is being done to address recurring complaints in recent years regarding excessive vehicle queues and resulting delay to motorists using the Cross Island Parkway facility to enter and leave Hilton Head Island on Saturdays during visitor season. The Department's toll plaza operations contractor has also replaced all burned out bulbs on the overhead light standards in the vicinity of the toll plaza, in advance of RBC Heritage week, save for one that could not be immediately re-lamped due to a hardware failure issue. A spare part has been ordered and a repair has been scheduled.

(Contact: Darrin Shoemaker, Traffic and Transportation Engineer – 341-4774)

The trade magazine JEMS (Journal of Emergency Medical Services) has awarded Lieutenant Paramedic Tom Bouthillet the EMS10: Innovators in EMS award for 2012. The award recognizes 10 individuals nationwide who are models of quality service and have taken great risks in an effort to advance the art and science of pre-hospital emergency care.

(Contact: Lavarn Lucas, Fire Chief – 682-5153)

On Saturday April 28th (9am-3pm) Fire & Rescue will host its 9th Household Hazardous Waste Roundup. Since 2005 Fire & Rescue has collected over 500,000 lbs of hazardous materials and electronic waste. This includes paints, poisons, pesticides, cleaners, batteries, and tires. Electronics include computers, copiers, printers, microwave ovens, radios, VCRs, cell phones, televisions and smoke detectors. For the second year the Beaufort County Sheriff Department will be on hand to collect and dispose of prescription drugs. Since inception, 92% of the total tonnage collected is recycled or reclaimed. Please bring your items (and tell your friends and neighbors to do the same) to the Hilton Head Island Fire & Rescue headquarters on Summit Drive for safe and environmentally safe disposal of these items.

(Contact: Ed Boring, Deputy Fire Chief – Support Services – 682-5153)

2. Noteworthy Events

a) Some of the upcoming meetings at Town Hall:

- Planning Commission – April 18, 2012, 3:00 p.m.
- Board of Zoning Appeals – April 23, 2:30 p.m.
- Design Review Board – April 24, 2012, 1:15 p.m.
- Construction Board of Adjustments and Appeals – April 24, 2012, 5:30 p.m.
- Planning & Development Standards Committee – April 25, 2012, 4:00 p.m.
- Public Projects and Facilities Committee – May 1, 2012, 2:00 p.m.
- Town Council – May 1, 2012, 4:00 p.m.
- Town Council Budget Workshop – May 1, 2012, Immediately following regular meeting.

(Meetings subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at www.hiltonheadislandsc.gov for meeting agendas)

2012 Hilton Head Island Events

Tuesdays thru Saturdays Thru May 26, 2012 6:30pm-7:30pm	Shannon Tanner	Shelter Cove Harbour Stage
Wednesday, April 18, 2012 1:00pm-5:00pm	Beach Relay	Palmetto Dunes Beach
Saturday, April 21, 2012 11:00am-5:00pm	Earth Day Celebration	Shelter Cove Community Park
Saturday, April 28, 2012 10:00am-1:00pm	Humane Association Beach Walk	Coligny Beach
Saturday, April 28, 2012 11:00am-5:00pm	Hilton Head Island Seafood Festival	Shelter Cove Community Park
Saturday, April 28, 2012 10:00am-5:00pm Sunday, April 29, 2012 11:00am-4:00pm	The Art Market	Honey Horn

MEMORANDUM

TO: Town Council

FROM: Stephen G. Riley, CM, Town Manager

RE: Proposed Ordinance Number 2012- 03 Regulation of Towing and Storage Fees Associated with Nonconsensual Towing

DATE: April 4, 2012

No changes were made to Proposed Ordinance #2012-03 as a result of First Reading on April 3, 2012.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2012-

PROPOSED ORDINANCE NO. 2012- 03

AN ORDINANCE TO AMEND TITLE 12 (MOTOR VEHICLES AND TRAFFIC CONTROL) OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA BY ADDING CHAPTER 5 (TOWING); AND PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, The Town Council of Hilton Head Island (“Town Council”) seeks to protect the health, safety, and welfare of residents, employees, and visitors within the Town of Hilton Head Island (“Town”); and

WHEREAS, Town Council finds that nonconsensual towing fees, in many circumstances, has exceeded reasonable and necessary amounts; and

WHEREAS, Town Council now desires to regulate the fees associated with nonconsensual towing and the storage of these motor vehicles in the manner provided for in this ordinance; and

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS HEREBY ORDERED ORDAINED BY AND UNDER THE AUTHORITY OF THE SAID TOWN COUNCIL, AS FOLLOWS:

NOTE: Underlined and bold-face typed portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

Section 1. Amendment. That Title 12 (Motor Vehicles and Traffic Control) of the Municipal Code of the Town of Hilton Head Island, South Carolina, is hereby amended as follows:

SEE ATTACHED ORDINANCE

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall become effective on _____, 2012.

PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA ON THIS ____ DAY OF APRIL 2012.

Drew A. Lauglin, Mayor

ATTEST:

By: _____
Cori Brock, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

CHAPTER 5. TOWING AND WRECKER SERVICES

Sec. 12-5-110. Purpose.

The purpose of this article is to provide adequate control over wrecker service operation and storage fees associated with nonconsensual towing within the Town of Hilton Head Island to ensure:

- (1) The general health, safety, and welfare of the public.
- (2) That fees charged by wrecker service companies for nonconsensual towing and storage of vehicles is fair and equitable for the residents and visitors in the Town of Hilton Head Island.

Sec. 12-5-111. Definitions.

The following words or phrases, as used in this article, shall have the following respective meanings as set out in this section, unless a different meaning clearly appears from the context:

After normal business hours, means between the hours of 5:00 p.m. and 8:00 a.m., weekends, and state and national holidays, or those days and hours other than during which towing is made available by the wrecker business, whichever period is shorter. For purposes of releasing a vehicle from a storage lot, normal business hours shall be Monday through Sunday from 8:00 am until 6:00 pm, except for Christmas day and Thanksgiving day holidays.

Carrier shall mean a motor vehicle, other than a wrecker, which is equipped to enable the transporting of another vehicle from one location to another.

Light-medium duty wrecker shall mean a wrecker that is not less than one (1) ton in size with dual rear wheels and booster brakes and equipped with the necessary equipment to achieve a factory rated lifting capacity of not less than eight thousand (8,000) pounds.

Motor vehicle means any motorized device in, upon, or by which any person or property is, or may be transported or drawn upon any public highway, public right-of-way or public or private property. Motor vehicle shall not include any device propelled solely by human power.

Nonconsensual tow means a vehicle towed without the vehicle owner's consent. It shall not mean a vehicle towed by law enforcement pursuant to a wrecker rotation program.

Operator/attendant means the person driving the wrecker or motor carrier, or any person assisting with the operation of the wrecker, motor carrier, or storage lot.

Wrecker means any vehicle built and equipped for the purpose of towing, lifting, pulling or otherwise transferring motor vehicles from place to place including, but not limited to, those vehicles that are commonly referred to as "roll-back" or "flatbed" type tow trucks.

Sec. 12-5-112. Special requirements.

A. Each wrecker shall display the owner or company name and business telephone number in at minimum two-inch high letters on both vehicle doors. Temporary lettering, magnetic or otherwise, is strictly prohibited.

B. Each wrecker business which participates in nonconsensual towing and stores towed vehicles shall have a storage lot in the Town of Hilton Head Island and shall store all nonconsensually towed vehicles from within the Town in this lot. It shall be the responsibility of the wrecker business for ensuring that stored vehicles and their contents are kept safe from pilferage and theft. These requirements are in addition to any other applicable zoning requirements.

C. At any time a vehicle is in the custody of the tow truck company, the tow truck company will permit the owner of personal property located within, but not attached to, the vehicle to remove such personal property from the vehicle without charge and without regard to any towing or storage charge owed on the vehicle. If the tow truck company has removed personal property from the vehicle, it will return it to the vehicle owner when requested without charge and without regard to any towing or storage charge owed on the vehicle. Should the tow truck operator or storage lot attendant have reasonable belief that such requested property constitutes contraband or other item(s) possession of which is unlawful, notification will be given to the appropriate law enforcement agency prior to release of the property.

Sec. 12-5-113. General business practices.

A. No wrecker shall be driven or operated in a manner as to interfere with the duties of public safety personnel who are engaged at a scene in an official capacity.

B. Direction of Beaufort County Sheriff's Deputies or South Carolina Highway Patrol shall be obeyed at all times and any licensed wrecker will promptly furnish service when requested to do so by the Beaufort County Sheriff's Office or South Carolina Highway Patrol in order to clear traffic and promote public safety.

C. Every wrecker shall carry a broom, shovel and container for debris, a fire extinguisher rated for class A, B and C fires, and oil-dry type product. Every wrecker shall clean up and remove all debris from a vehicle being towed from a site.

Sec. 12-5-114. Maximum towing and storage charges.

A. The attached (Appendix A) schedule of fees shall be adhered to in establishing the maximum fee that can be charged for a nonconsensual tow and storage of towed vehicles, except as otherwise provided by an authorized governmental agency having competent jurisdiction. These fee limitations shall not apply when the owner/operator of a towed vehicle makes special arrangements with a wrecker service of his/her own choosing. These fees may be exclusive or cumulative in nature dependent upon the circumstances involved in the call for service. Payment of towing or storage fees shall be permitted to be made by cash or credit card.

B. The schedule of fees shall be reviewed by the Town Manager on a regular basis. Adjustment of fees may be accomplished in the discretion of the Town Manager in the event of any

significant change in economic conditions affecting the towing industry, e.g., cost of fuel.

C. Storage fees will not begin until twenty-four (24) hours after the motor vehicle has entered into the business's storage lot. Thereafter, storage fees shall accrue on a per day basis for any one (1) day or portion thereof.

D. Each business engaged in non-consensual (without the prior consent or authorization of the owner or operator of the vehicle) towing will post, in a prominent place, a placard which references this section and clearly identifies the current schedule of fees. Said placard will be no less than twelve (12) by eighteen (18) inches and clearly visible to vehicle owners who will be paying a towing bill

E. Each vehicle owner will be given an itemized invoice or receipt for the bill they have paid which details all charges that have been applied to the bill.

Sec. 12-5- 115 Penalties.

A. Unless otherwise provided herein, violation of any of the provisions of this article is a misdemeanor punishable by a fine of not less than twenty five (\$25.00) dollars nor more than one hundred (\$100.00) dollars or up to thirty days confinement.

B. In addition to any of the penalties provided for in subsection (a) above, violation of any of the provisions of this article may result in revocation of the entity's business license to perform towing services within the Town of Hilton Head Island.

C. Factors that may influence how a violation is handled may include, but are not limited to, past violations, frequency of past violations, and the severity of the violation or combinations thereof.

Appendix A. Schedule of Fees

TABLE INSET:

Description	Fee
Carrier	\$ 200.00
Light-medium wrecker	\$ 200.00
No-tow (arrival only)	\$ 75.00
No-tow (attached)	\$ 100.00
Tow exceeding one hour, per hour	\$ \$125.00 per hour
Storage (per day), after first 24 hours	\$ 40.00



MEMORANDUM

TO: Town Council
FROM: Stephen G. Riley, *Town Manager*
VIA: *Shawn Colin, AICP, Comprehensive Planning Manager*
CC: *Charles F. Cousins, AICP, Director*
DATE: April 6, 2012
SUBJECT: **Resolution and Charter to Create Mayor's Citizens Committee on Economic Development**

Recommendation: Town Council adopt the Resolution and attached Charter to create Mayor's Citizen Committee on Economic Development.

Summary: Attached is a Resolution that creates a Mayor's Citizens Committee on Economic Development. The purpose of this Committee is to provide recommendations to key questions on the formation of an entity to provide economic development and redevelopment opportunities for the Island within 90 days from committee inauguration. The Charter for the Committee and a list of key questions for resolution are described in Attachment A.

Background: Recent efforts including the rewrite of the Town's Comprehensive Plan, Mayor's Task Force Report, and presentations from Economic Development professionals from around South Carolina have amplified the discussion to evaluate and assess the best approach the Town should take in pursuing economic and redevelopment opportunities. During the December 2011 Goal Setting workshop, Town Council discussed the need to address economic and redevelopment opportunities on the Island and implement an approach that would lead to tangible results. As a result, Town Council outlined a Policy Agenda for 2012: Targets for Action item of "Economic Development: Assessment and Organization" and was subsequently adopted by Town Council at their next meeting.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND
TO CREATE A MAYOR’S CITIZENS COMMITTEE ON ECONOMIC DEVELOPMENT**

WHEREAS, the South Carolina Comprehensive Planning Enabling Act of 1994 requires adoption of a Comprehensive Plan that contains an Economic Development Element; and

WHEREAS, on March 16, 2004, Town Council of Hilton Head Island adopted the *Hilton Head Island Comprehensive Plan* which includes an Economic Development Element in accordance with the South Carolina Comprehensive Planning Enabling Act of 1994; and

WHEREAS, the Vision within the Economic Development Element is to “define, foster, and enhance the economic environment that sustains Hilton Head Island’s unique way of life,” and

WHEREAS, an Implementation Strategy within the Economic Development Element recommends creation of a committee of economic representatives from organizations to meet on a regular basis; and

WHEREAS, on December 20, 2011, Town Council adopted a policy for “Economic Development: Assessment and Organization;” and

WHEREAS, Town Council of Hilton Head Island now desires to create a committee comprised of citizens to provide recommendations to key questions on the formation of an entity to provide economic development and redevelopment opportunities for the Island within 90 days from committee inauguration.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA THAT the Town Council hereby creates a Mayor’s Citizens Committee on Economic Development. The purpose of the Committee and a list of key questions for resolution are described in Attachment A.

MOVED, APPROVED, AND ADOPTED ON THIS 17th DAY OF April, 2012.

Drew A. Laughlin, Mayor

ATTEST:

Cori Brock, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

Draft Town Charter for the Mayor's Citizens Committee on Economic Development

In deliberating whether or not the Island's economic future would benefit substantially from the creation, and formation, of an entity (form as yet undefined) to be uniquely focused on the both economic development and redevelopment opportunity for the Island, the Mayor and Town Council seeks and values your professional and experiential advice and input to help guide their decision making process.

Specifically, the Committee's charter is to help answer the following key questions for the Mayor and Council in the first stage of their decision making process:

- What specifically does the committee believe such an entity will accomplish for the economic enrichment of the Island (in this the committee should consider both development and redevelopment opportunity)?
- Why would such an entity be significantly better for the Island community's economic future than what currently exists in the Island's governance structure?
- How would such an entity fit in with regional efforts?
- What capabilities (in the form of knowledge, skills and abilities) would such an entity need to be both successful and sustainable?
- Lastly, could the committee recommend a "pilot" project that such an entity may be engaged to verify the value to the community?

Since the recommendations are key to the Mayor and Council's decision making process in 2012, the progress reports may be made by committee at intervals the committee decides are appropriate, but final recommendations are expected within 90 days from committee inauguration.

In accomplishing its work the committee will have full support and work closely with Town Staff. Additionally, the committee will have the support of Terry Ennis who will also network with USCB's core economic diagnostic capability under the guidance of John Salazar. Bill Harkins will serve on the committee as a liaison to Town Council.

The Committee shall be considered a public body and comply with all applicable requirements imposed by law on such bodies. The Committee shall not appoint subcommittees without approval from the Town Council.