



**The Town of Hilton Head Island
Intergovernmental Relations Committee
Regular Meeting**

**Monday, March 18, 2013
10:00 a.m. – Council Chambers**

**PLEASE NOTE NEW
DAY, TIME & PLACE**

AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting

- 1. Call to Order**
- 2. Freedom of Information Act 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.
- 3. Approval of Minutes**
 - a. Regular Intergovernmental Relations Committee Meeting of February 19, 2013
- 4. Chairman's Report**
- 5. Unfinished Business**
 - a. Revised 2013 Intergovernmental Relations Committee Meeting Dates
- 6. New Business**
 - a. Reform of Insurance in South Carolina Presented by Andy Twisdale and Daryl Ferguson
- 7. Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of Town Council members attend this meeting.

TOWN OF HILTON HEAD ISLAND
INTERGOVERNMENTAL RELATIONS COMMITTEE
Minutes of the Tuesday, February 19, 2013
Regular Meeting

Members Present: George Williams, *Chairman*; Lee Edwards, *Council Member*; Marc Grant, *Council Member*

Members Absent: None

Others Present: Bill Harkins, Kim Likins, and John McCann, *Council Members*; Joe Croley, *Lowcountry Inside Track*; Jim Minor, *Beaufort County Solid Waste Manager*

Staff Present: Greg DeLoach, *Assistant Town Manager*; Brian Hulbert, *Staff Attorney*; Faidra Smith, *Administration Manager/Public Information Coordinator*; Lynn Buchman, *Administrative Assistant*

Media Present: None

1. Call to Order

The meeting was called to order at 3:00 p.m.

2. Freedom of Information Act 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.

3. Approval of Minutes

November 20, 2012 Meeting

Mr. Edwards moved to approve and Mr. Williams seconded. The motion was approved by a vote of 2-0, as they were the only two Committee Members re-appointed to the Intergovernmental Relations Committee for 2013 who were present at that meeting.

4. Chairman's Report

None

5. Unfinished Business

None

6. New Business

a. Proposed Letter Regarding Tax-Exempt Financing for Municipal Bonds

Greg DeLoach advised that the Municipal Association Board has asked municipalities to oppose this proposed Bill which will eliminate or limit the tax exemption for municipal bonds that has been in effect since 1913 and is related to the reduction of the budget deficit in Washington. Susan Simmons, Director of Finance, noted it could result in fewer people interested in municipal bonds, which would impact the cost and increase the cost of debt service. Mr. DeLoach noted that municipal bonds are tied into specific projects for infrastructure improvements and enhancements.

Since Senator Lindsey Graham is on the Senate Budget Committee, the letter is addressed to his attention.

Mr. Edwards related a conversation with Frannie Heizer, bond attorney in Columbia, who had confirmed that it would make it more difficult for the Town to obtain municipal bonds in the future. Chairman Williams suggested that a letter also be sent to our newest State Senator Tim Scott, even though he is not on the Committee. There being no objections, the Committee unanimously voted to recommend the letter to Town Council at its March meeting.

b. H.3290 – Business Freedom to Choose Act/Solid Waste Flow Control Ordinance

Jim Minor, Solid Waste Manager for Beaufort County, explained that the bill and its amendments would prohibit any ordinance that would impede or affect the direct waste flow to either a disposal or a recycling facility. Mr. Minor recounted effects of such an ordinance on other communities as reported by the County's solid waste consultants. He referenced the current franchise agreement the Town has that directs the franchise holder to take all recycling to a specific facility, and Chairman Williams asked for clarification on whether this was done through an ordinance or franchise agreement. Brian Hulbert, Staff Attorney, noted that the Town has adopted an ordinance that directs that all recycled materials go to a designated franchisee for our solid waste. Mr. Minor stated that in the opinion of the County's solid waste consultants and in the opinion of the counsel for the Association of Counties, the bill would impact local ordinances, both municipal and county, in the ability to direct the flow of waste to any specific facility. In addition, he noted it could affect bond ratings and the ability of counties and/or municipalities to borrow funds for such projects as landfills, recycling centers, or transfer stations.

Mr. Minor reported that a resolution from Beaufort County Council in opposition to this bill was approved and delivered to the sub-committee. The cost per capita in Beaufort County is computed to be \$29 for solid waste disposal per year, resulting in a budget of \$4.5 to \$5 Million spent on solid waste and recycling. He explained the County's position is that since Hickory Hill Landfill in Jasper County only has 8 to 13 years of permitted life left unless expanded, a new facility will need to be found in the future. Any other facility would be located further away, requiring a transfer station as recommended by the consultants. Therefore, while the County does not now have a flow control ordinance, it needs to have the option of flow control in order to keep the cost of waste disposal down for taxpayers. Even if Hickory Hill Landfill is expanded, the option of flow control will still be needed as it provides a bargaining chip to keep cost down. Mr. Minor related the background of the bill originating from a situation in Horry County where a private landfill owner adjacent to the County owned facility had been adversely affected. He reported the issue of flow control has been held to be legal by the US Supreme Court as long as it does not violate State law, and the Horry County ordinance has been upheld by the SC Supreme Court and Federal District Court. Mr. Minor noted the legislation is designed to establish such State law to make flow control illegal. Noting that this is a complex issue that has been difficult for the legislators to grasp, Mr. Minor requested support of Beaufort County's position in opposition to the bill, for a similar resolution from the Town of Hilton Head Island, and for opposition to be voiced to our local delegation. In response to Ms. Likin's inquiry about the possibility of Hickory Hill expansion, Mr. Minor related the difficulties Jasper County was experiencing. He described the Three Rivers site adjacent to the Savannah River site, which has 100 years of life left, which is the nearest local government operated facility that is not run for profit.

Mr. DeLoach noted that the Medical Affairs subcommittee favorably reported this bill and it now goes to the full Committee. Chairman Williams confirmed with Mr. DeLoach that Senator Tom Davis serves on the full Committee and that passage of the bill could impact the Town's recycling

program. A discussion followed as to whether the bill actually affects municipalities, and Mr. Minor offered to contact the counsel for the Association of Counties for further confirmation that this bill would affect municipalities as well as counties.

Chairman Williams noted immediate action is required since the bill is moving quickly, and the wording for a letter in opposition to the bill was discussed. In response to Mr. Grant's inquiry about the possibility of building our own landfill, Mr. Minor explained the challenges that make that infeasible. Mr. DeLoach was asked to draft a letter to the Senate Medical Affairs Committee expressing opposition to H.3290 and S.203 for all the reasons discussed, which letter Chairman Williams would present at the Town Council meeting later today for approval.

c. Consideration of Intergovernmental Relations Committee Meeting Dates

Chairman Williams noted that it would be beneficial to invite a local representative to each of the Committee meetings, but they are unable to attend on Tuesdays because the legislature is in session on Tuesday, Wednesday and Thursdays. He asked the Committee to consider moving the meeting date while the legislature is in session, at least, to the third Monday. Mr. Edwards and Mr. Grant indicated their approval.

Mr. Harkins suggested the rising cost of flood insurance on the Island as a future topic for the Committee. He suggested inviting a retired PhD from Beaufort who has done extensive work on this subject and has concluded that the industry actuarial models do not apply here, and is campaigning for a change in the Statehouse. After hearing him, if the Committee should decide to advance a recommendation to Town Council, perhaps approval of his efforts could be conveyed to our legislators. Mr. Edwards noted he had heard him speak and would welcome his comments, and Chairman Williams agreed he would try to schedule him for a future meeting.

7. Adjournment

At 3:44 p.m. Mr. Edwards moved to adjourn and Mr. Grant seconded. The motion was approved by a vote of 3-0.

Approved:

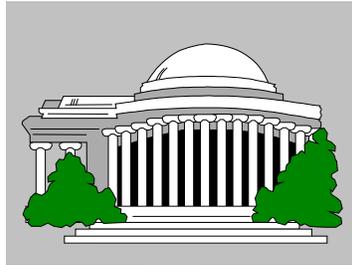
George Williams, Chairman

Respectfully submitted:

Lynn W. Buchman
Administrative Assistant

Town of Hilton Head Island, South Carolina

Year 2013
Intergovernmental Relations Committee
Meeting Dates – REVISED 2/19/13



Third Monday of the Month
10:00 a.m.
Conference Room #3

JANUARY 15, 2013

**No July Meeting
Scheduled**

FEBRUARY 19, 2013

**No August Meeting
Scheduled**

MARCH 18, 2013

**No September Meeting
Scheduled**

APRIL 22, 2013*

**No October Meeting
Scheduled**

MAY 20, 2013

NOVEMBER 18, 2013

JUNE 17, 2013

DECEMBER 16, 2013

*The April 15 meeting has been moved to April 22 due to Heritage Golf
Tournament