

# TOWN OF HILTON HEAD ISLAND PUBLIC FACILITIES COMMITTEE

Date: December 1, 2009

Time: 2:00 P.M.

Members Present: John Safay, George Williams, Drew Laughlin

Members Absent: None

Staff Present: Scott Liggett, Jill Foster, Charles Cousins, Brian Hulbert

Others Present: Bill Ferguson, Bill Harkins, *Councilmen*

Media Present: None

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**1. Call to Order.**

The meeting was called to order at 2:00 P.M.

**2. 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.

**3. Committee Business:**

1. Approval of Minutes

Councilman Laughlin moved to approve the Minutes of October 6, 2009.

Councilman Williams seconded. The Minutes of October 6, 2009 were unanimously approved.

Councilman Laughlin moved to approve the Minutes of November 3, 2009.

Councilman Williams seconded the motion. The Minutes of November 3, 2009 were unanimously approved.

**4. Unfinished Business:**

**5. New Business**

Shoreline Change Advisory Committee Draft Response

Scott Liggett, Director of Public Projects & Facilities/Chief Engineer advised staff recommends the Public Facilities Committee endorse the letter included in their packets and recommend to Town Council that the Mayor be authorized to provide same to SCDHEC. Time is of the essence as the deadline for comments is December 4, 2009. Consideration for this matter to be acted upon at the December 1, 2009 Town Council meeting is requested.

The letter in and of itself is pretty straight forward and direct in response to the document that you have all been referred to. It is being reviewed by a variety of

folks now. Essentially we are trying to position ourselves with respect to continued furtherance of our beach management initiatives. There are a handful of items that this Committee has been working on for some time. We are trying to position ourselves to protect our interests as it relates to our beach renourishment program. One bit of good news that does come out of this report is the recommendations regarding the State's control lines and how those should be managed. In fact we have already established our local control lines. Two other areas of comment that we believe warrants further discussion on the part of the Committee is concerning the actual retreat policy as it is currently worded or accepted. There is a lot left up to interpretation as to what the State's retreat policy is. The terminology that we have used in the letter is that essentially we are operating as if we do not have a legislated duty to retreat. With respect to some of the other noteworthy items they mention in the report is the notion there would be some sort of text book style standards and subsequent specialized technical review committees that would be formed to assist the State and the Federal Government in the review of those projects that we think is unnecessary and unwarranted. Additionally, Jill Foster is serving on the Committee and is also here as a resource person here as well.

Councilman Williams stated in the letter we talk about the beach renourishment being expensive, but there is nothing in here about the concept that by moving the line backwards negatively impacts property values and individual's property rights. Somewhere there should be a discussion about not having a financial component vis-à-vis just arbitrarily moving the line back and forth. There also ought to be an analysis pertaining to what you are really doing to people's properties. Mr. Liggett stated he believed what Mr. Williams was referring to are the implications that could be associated with a landward retreat of those lines just as there are implications of a seaward advancement of those lines. Councilman Williams said that was correct and the landward retreats were not necessarily based on anything, just let's move the line. That is my concern because it will negatively impact property values.

Councilman Laughlin stated the substance of the letter is fine, but that it needed additional proofing.

Chairman Safay thought it was already a policy that for the next 20 years we will be retreating from the shoreline wherever possible or something to that effect. Mr. Liggett stated the fact there is non-consistent opinions with respect to what that retreat policy is part and part of why these folks have gotten together. The Management Act spoke to retreat, beach renourishment and armoring of the shoreline as the three items that were specifically made mention of. Obviously we have not chosen to expand any of the armoring that has existed on our shoreline. The fundamental point is when you have other options, particularly in deference to the cumulative investment that has been made in a community like ours, retreat is not something you get to until you are well down the list. Chairman Safay wanted clarification that staff wanted fundamental legislative clarification. Mr. Liggett stated that they need to clarify what the original intent was before they just assume what the legislature intended by their actions. They can't just jump to that conclusion and have the whole cascading series of recommendations be based on an assumption that may not be the intent.

Chairman Safay questioned what was meant by the paragraph that states “we do not support actions regarding the “elimination of inconsistent public subsidies of private property in a post storm scenario which would jeopardize our eligibility for FEMA and State post disaster funding. It is unclear how we may be affected by what is being proposed here.” Scott Liggett stated that was their term and this paragraph was meant to say “what are you guys talking about?” What exactly are these inconsistent public subsidies that you are referring to? How might that be related to any kind of support we might get from the Federal Government (FEMA) should we have an event that we are trying to respond to? Chairman Safay asked what they are talking about. Jill Foster stated if she remembers correctly in the meetings she attended, they got into descriptions of areas where we were spending public money in areas where the storm would come in and wipe it out – everyone having realized it was a risk, yet we were still pumping more public money into it. She believes what they are attempting to say is why are we continuing to put public money into these high risk areas for the benefit of a few private owners? Ms. Foster quickly read through the document and stated it states “this recommendation suggests the public subsidies along coastal shoreline be re-evaluated to reduce or eliminate those that may promote further development in vulnerable areas or that are inconsistent with the goals, policies and rules of the Act.”

After additional conversation, Councilman Laughlin moved the Committee forward this to Town Council with a positive recommendation and let Mr. Liggett and Ms. Foster take what they have heard and make whatever revisions they think might be appropriate. Councilman Williams seconded the Motion. The Motion unanimously passed.

**6. Adjournment:**

Councilman Williams moved to adjourn. Councilman Laughlin seconded the motion. The meeting was adjourned at 2:30 p.m.

Respectfully Submitted,

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**Karen D. Knox**  
**Senior Administrative Assistant**