

# TOWN OF HILTON HEAD ISLAND

## Disaster Recovery Commission Annual Meeting

Thursday, July 29, 2010

*Members Present:* Thomas C. Barnwell, Ray C. Faust, Thad M. Gregory, Meredith I. Harlacher, Russell M. Hildebrand, Ward N. Kirby, Donna D. Lowman

*Members Absent:* none

*Council Members Present:* No council members present.

*Town Staff Present:* Scott Liggett, Jeff Buckalew, Jennifer Lyle, Paul Rasch, Trudie Johnson, Nancy Gasen, Bonnie Evans, Charles Cousins, Heather Colin, Jill Foster

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1. **CALL TO ORDER** – Chairman Kirby called the meeting to order at 9:00 am.
  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** – Chairman Kirby asked if anyone had any questions, changes or corrections regarding the minutes from the October 29, 2009 Work Session. There being no discussion, Chairman Kirby asked for approval of the minutes as presented. A motion to approve the minutes was made and seconded. The motion passed unanimously.
  4. **APPEARANCE BY CITIZENS** – none
  5. **UNFINISHED BUSINESS** – none
  6. **NEW BUSINESS**
    - A. **Annual Election of Board Officers:** Mr. Barnwell made a motion to retain the current Chairman (Ward Kirby) and Vice Chairman (Meredith Harlacher). Mr. Hildebrand seconded. The motion passed unanimously.
    - B. **Education Materials/EMI Training in Disaster Recovery/E-Subscription Service and New EOP:** Mr. Paul Rasch, Emergency Management Coordinator, presented a variety of information:
      - 2010 Seasonal Hurricane Forecast – It was pointed out that though the forecast for 2010 was rather dire, so far it has been far less intense than what was predicted.
      - Emergency Permitting Brochure – This brochure and program continues to be very popular and well subscribed to. It is often the primary item of interest when Mr. Rasch conducts public information meetings.
      - Citizens Guide to Emergency Preparedness – Paul was pleased to announce that the Guide is now available in Spanish and that the English version continues to be in high demand.
      - Week-long training at the Emergency Management Institute – Conducted at the EMI in Emmetsburg, MD, the program was awarded to Beaufort County to focus on disaster recovery issues. Attendees were from all over Beaufort County. Mr. Rasch commented that it was a very informative week, covering a number of processes for recovery programs. The Commission asked if there was any

high-level lessons learned from the session that the Town should incorporate. Paul replied that for our community and recovery purposes, the THHI plans stood up well and the THHI attendees did not come away with any high level individual lessons. The work that needs to be done is to continually ensure everyone is on the same page; that everyone is going in the same direction with the same goals, objectives, plans, etc.

- E-Subscription Service – This is available on the Town’s official website. It is easily signed up for, with minimal personal information required. The subscriber can customize what they want to be informed about, how often they want the information sent to them and if they want to receive the information via email, phone or both. Paul also stated that the server that runs this service is not housed locally, so in the event of a disaster, the server would still be able to send alerts to subscribers regardless of local damage and no matter what the subscriber’s location is. (To subscribe, go to <http://www.hiltonheadislandsc.gov/services/e-subscribe.cfm>, or look for the “E-Subscriptions” box on the left side of the homepage of the Town’s website: <http://www.hiltonheadislandsc.gov>.)

**Revised Emergency Operation Plan:** Mr. Rasch stated that this plan has been revised and reissued. It is a single volume rather than multiple volumes for the ease of users and in keeping with the requests to make it a more workable and readable document. It was reviewed and approved by Town staff before adoption. All emergency plans are centralized (including COOP and CEMP Overview) and included in the binder. The newly revised plan is designed not only to serve needs of Hilton Head Island, but also to be in harmony with the Beaufort County and the State plans.

The Commission asked if Beaufort County, other municipalities and the State have communicated with each other and have a clearer understanding of their roles and responsibilities since this seemed to be a bit of a problem previously. Mr. Rasch answered yes, that the way this plan has been developed; it should result in having a lot less adjustments and vastly improve coordination of efforts,

The oil difficulty in the Gulf was cited as an example where crisis management has been less than stellar. The Commission asked if the Town and the County learned any lessons about crisis management from that situation. Mr. Rasch replied, not so much lessons learned but an opportunity to exercise our intention with regard to awareness, preparedness and the gathering of intelligence and important information. Incident management by the groups directly involved in the Gulf oil spill, set up two centers: (1) a joint public information center and (2) a joint operation center - both in Florida. Rather than wait to information to come our way, we signed up for an e-mail list for both of them and contacted them on a regular basis by phone to stay informed as to what was going on each step of the way. This way we could take steps to be prepared in the event that anything came this way. This was the first non-weather event of significance that we were able to do that with. Even though predictions revealed that nothing would be coming to our beaches, we initiated our own safety net of a beach watch.

Again, the Commission asked if there were any changes in policies or procedures that should be applied to the Town’s planning and public communication efforts. The concern seemed to be how the Town would manage its affairs should something significant of this type directly impact the Island. Paul replied that at this point, there was nothing significant that seemed to “leap off the page”. He stated that the Town did have the opportunity to speak to the Island Packet to present a public education segment about what we were doing with regard to the spill and the likelihood of it impacting the Island. We were able to keep the community informed and current on the situation.

- C. Debris Management Policies:** Mr. Scott Liggett, Director Public Projects & Facilities, made a few introductory remarks regarding use of Town property. Town staff undertook analysis and investigation on this topic and is in consultation with a debris management contractor regarding the need for the Town to establish a variety of sites to support what we believe will occur as it relates to our debris management mission. These uses are for a variety of things, and are not necessarily interchangeable, with each parcel having its own peculiar demands and specific criteria that relate to their use. The Town has over 125 parcels of land of various sizes, shapes, and accessibility. The bottom line is we believe that in a time of need we can make these properties available and use in a manner that we will describe today. Scott

introduced Jennifer Lyle as the person that would go into further detail regarding land usage for debris management.

Before Jennifer took the lectern, the Commission voiced concern about an article in the newspaper concerning a crack in the bridge, and in particular, whether or not there is any collaboration between SCDOT, the Town and the County for methods to handle a temporary traffic situation in the event the bridge would collapse.

Mr. Liggett replied that the Town participated with the County in the analysis report provided to SCDOT for response and comment. Though the pictures were very dramatic, Town staff does not believe there were any structural deficiencies worth concern as it relates to survivability or sustainability of the bridge. At this point we are waiting for a response from SCDOT as to what, if anything, they will do and to what degree. Some remedial maintenance was recommended as part of that report, but to what extent the SCDOT intends to pursue any or all of them is unclear at this point. With regard to handling traffic if the bridge would collapse or be out of service, Scott replied that the short answer is yes there is collaboration between the agencies involved, but is unsure as to who is required to do what in terms of retaining the viability of that crossing.

**Use of Town Land for Disaster Related Debris Operations.** Jennifer Lyle, Asst. Town Engineer, distributed a handout that breakdowns the use of Town land for debris management purposes (attached as a part of these minutes). She briefly described the types and amount of debris that would accumulate and reviewed the Town-owned properties staff has designated for Post-Disaster Debris Management Activities (she referred the audience to the table on page 3 and maps included in the handout). The sites were chosen according to need and estimated volume predictions (see table on page 2). Two methods were used to conduct the debris volume predictions, FEMA's HAZUS-MH software and the US Army of Engineers (USACE) Debris Estimating Model.

Staff recommends the Disaster Recovery Commission concur with the use of designated Town owned properties, as recommended by Town staff, for the collection, reduction, storage, and management of disaster related debris.

There was discussion on the benefits of incineration vs. chip and grind. Jennifer stated that the preferable method is to chip and grind due to the air pollution caused by incineration. It is the responsibility of the contractor to removed the mulch produced by the chip and grind method, but staff will look at areas "of need" for the mulch to be deposited and approve designated dump sites. At this time, no dump sites have been identified. The Commission voiced concern about the weight of the tub grinders going on and off the bridge and if there is a substantial amount of debris, the tub grinders would have to be operating around the clock. Another concern was at what point in terms of storm gravity would it necessary to consider incineration and what plans are needed to make sure incineration could be used within all the various rules and regulations that they may trigger. It was suggested that staff should look into that. Jennifer commented that if incineration is used, the ash pit needs non-permeable liner to contain the ashes to keep them from going into the ground. One advantage to the incinerator is that it would be smaller equipment to bring over across the bridge. Deposit areas for the ash will also be looked at.

The question came up regarding plans for restoration of Honey Horn to its previous condition. Jennifer told the Commission that pictures of the site have been taken and the agreement with the contractor states that they have to restore the condition of any site they use back to pre-storm condition.

The discussion came back to the chip and grind issue with the question "...at what point will there be an answer to what happens to the chip/grind matter and whose total responsibility it will be?" It was also suggested that the Town should find an alternative location from Honey Horn due to its historical value and the amount of money put into it. Chairman Kirby stated that the Commission as a whole is concerned about the long range planning and all the previous factors brought up including a back-up plan for debris removal if the bridge is not useable, etc., is of the highest priority.

Scott Liggett stated that all operational and logistical points that have been broached today are very valid, but would be addressed during the review of the Debris Management Plan, which will be distributed at the close of today's meeting. Scott further stated that staff is seeking the Commissions' approval today strictly for the use of the land; not necessarily the operations or logistics. He sees these as two distinct things and once the usage of the land is approved, there will be further discussion regarding operation and logistics in the coming months.

Jennifer went on to give an overview of debris management sites and the proposed collection centers and areas for equipment staging and storage. Another type of site needed would be a truck-certification site. This will need to be at the entrance to the Island, possibly Jenkins Island area, and would be used to certify each truck to show that they are with the debris removal contractor or debris monitor contractor.

The question was raised as to whether non Town-owned or County-owned property had been considered and would be suitable for use. Jennifer said that staff is recommending only Town-owned land at this point, but staff has talked to the County about schools and drop off centers. Regarding power line easements, staff is hesitant to use these locations if power lines go down, the electric company will need to work in there. Staff did look at outside private communities for debris locations. However, staff keeps coming back to use of a government location (as opposed to non-government), especially since it would be easier for reimbursement purposes from FEMA.

Jeff Buckalew, Town Engineer, told the Commission that staff had contacted Santee Cooper about use of these power line easements; they do not like the idea due to possible damage to equipment, and currently reject that idea.

The question arose again regarding use of jointly owned (Town and County) land, such as the Old Ulmer tract in Bluffton. Jennifer said not at this time. Staff's objective at this point is to reduce it before moving it off the Island rather than hauling it to that location unprocessed. Mr. Buckalew told the Commission that the Town's current agreement with the Ulmer family is more for development rights. So to use the land as a dumping site would require that agreements be reworked or altogether new agreements be drawn up. So at this time, it is not a viable land use option. The members, however, felt this should be pursued.

Mr. Barnwell made a motion that Town staff should look at the Ulmer tract for utilization as a debris, burning and storage of chips as an option. Mr. Hildebrand seconded. The motion passed unanimously.

### **Recommendation and conclusion**

Jennifer concluded by recommending that the Disaster Recovery Commission concur with designation land use as presented. Staff acknowledges that what has been presented is for planning purposes only. These are the basic types of locations needed, and depending on storm, there could be changes in locations if storm hits more on the North or South end. This is a part of the debris management plan that needs to be approved before staff can take it to the State and then to FEMA.

Chairman Kirby reiterated that staff is requesting concurrence by this Commission of the land usage report as submitted so that they can subsequently present it to Town Council for approval. Mr. Harlacher made the motion to accept the report as presented. Mr. Faust seconded.

Before continuing with the vote, and on behalf of the Commission, Mr. Harlacher stated that they had identified four questions they would like staff to address (as follows).

1. Are we limited to Town property and if so why? The Ulmer tract falls into that general category (town-owned) and what other sites may or may not be used.
2. At what point in terms of storm severity must we consider incineration and will we have things in place to actually incinerate?

3. How quickly would Honey Horn and other Town land sites be restored to their previous condition following a disaster and how would that be handled contractually?
4. Who is accountable for final debris disposal from whatever is left of the debris mgmt process (mulch, ash, etc.) – the contractor or the Town? It was emphasized that the Commission would like a specific answer to this and not an answer that is phrased “likely” or “generally”.

Jeff Buckalew took the opportunity to respond to the 4<sup>th</sup> question saying the Town’s contract requires the contractor to be responsible for disposal – ultimate disposal. It is part of their responsibility to the Town. This brought up the question of who makes the final decision to burn or chip the debris. Jeff responded that it would depend on the volume of debris and as stated in the Debris Management Plan, it would be by recommendation of Town staff and approval by Town Council to choose the best option. A discussion ensued regarding the factors that would go into determining the best option for reducing the debris.

For clarification on the motion, Chairman Kirby stated that the Commission is approving the report as presented to utilize these Town-owned areas for debris management, removal, handling and storage. In addition, the Commission is asking for these four points that were raised to be addressed and answered in the very near future. Mr. Liggett also wished to clarify the discussion by asking Chairman Kirby to confirm that staff was not being held back from going to Town Council with this recommendation due to the pending questions. Chairman Kirby confirmed that the Commission’s concurrence with the report was not dependant on answers to the questions and that staff would be able move on to Town Council for approval.

Having the motion and second already in place, Chairman Kirby then called for a vote. The motion to accept the recommendation for land usage was unanimously approved.

The commissioners complimented Jennifer for an outstanding job with this presentation.

### **Clearing of Private Roads**

Scott Liggett reminded the Commission that though the issue of clearing private roads had been previously discussed, there have been many and varied changes over the last few years which has caused this item to evolve. This evolution has lead to a balance of three specific things:

1. Level of service provided to Town citizens
2. Extent of service
3. Tolerable and reasonable balance of costs

Scott pointed out the previous endeavors have been very robust and in part, an effort to be everything to everybody. At this time, it staff’s recommendation that we retreat slightly, that we be less robust but continue working in a positive direction with the three items listed as our focus.

Jennifer distributed a revised handout concerning the clearing of debris from private streets and easements. She reviewed the history of establishing the current debris removal policy, including debris quantities and removal costs. One of the essential elements in the decision is being able to prove that the debris in question needs to be removed as it presents a health and safety risk to the citizens. This is a factor FEMA uses in determining reimbursement, though there is no guarantee of reimbursement. Jennifer then reviewed “Table 1” showing estimated volumes and associated costs based on a 75% reimbursement by FEMA. She stated it would not be fair or reasonable to revise the Town’s debris removal policy for this hurricane season, as the owners of the private roads and easements should be given ample time to adjust their preparation measures. A policy revision should address the number of passes for debris removal and add a requirement for the private property owner to share in the funding of the work in an amount not to exceed 25% of the total cost.

The staff's proposed changes to the policy for the Disaster Recover Commission to consider are:

- (1) A procedure to conduct a preliminary damage assessment to determine the threat to the public
- (2) A determination of the number of passes for debris removal and the types of collection
- (3) The requirement for the private property owner to share in the cost of work at an amount not to exceed 25%.

The policy update would include updating as many of the private communities as possible, not just the major PDs, but all the private properties as well; and also the possibility of using a tiered arrangement for cost obligations.

The Commission questioned the 25% that was suggested that the PUDs and all private properties pay... as to whether it is 25% of the *total* cost. If so, does this mean when the total is presented to FEMA and they pay the Town 75% of the amount submitted, the Town is then going to expect the PUDs and private properties to pick up 100% of the remaining un-reimbursed amount? Jennifer confirmed that that is the way it has been presented.

It is the Commission's opinion that without these PUDs, the Town would not have the tourism it has today, considering that all the hotels are located in PUDs, as well as short-term rental homes and villas. This is economic engine of the Town, which was just stated as 63% or higher of the Town's revenue base. It would make no sense that a distinction would be made between public and private roads. Based on the information presented, the Town is removing debris at no cost for 25% of the population, i.e. those not in private communities, but asking 75% of the population to cover their own removal, plus that of the 25% not having to pay.

Jennifer said that she certainly understood this opinion, but on the other hand, research on the matter has shown that any debris removal from roadways not maintained by the Town would have to have an agreement associated with them for debris removal. An example of this is Hwy 278. The Town has contacted SCDOT about our contractor picking up debris from 278 even though it is a state maintained road and we are doing same with county roadways. With regard to private property roadways, FEMA looks at us to document that we would have responsibility for maintenance of these systems. Another example is the stormwater agreements that we have in place for day-to-day maintenance in a lot of private communities. We could collect debris out of ditches, but since we don't maintain the roadways on a day-to-day basis, we are not 100% sure FEMA will reimburse us.

Again, it was pointed out that FEMA would be more likely to reimburse if it was for restoration of the Town's economic engine. So staff is saying to the residents of the PUDs and other private roads that they are going to have to pick up the 25% non-reimbursed portion; and Town code does not allow PUDs to mitigate the cost. However, it *can* be mitigated, but the PUDs must have Town approval to mitigate and generally speaking that is not an easy situation when it comes to vegetative debris. Additionally, it appears that the Town is insulating private property owners from the 75% that FEMA may or may not reimburse. If that is the case, why is the Town recommending that private property areas pick up the remaining amount when they pay taxes just like everyone else?

Scott reiterated to the members that what is being proposed is related to changing positions, FEMA guidelines and policies, economic conditions etc. Yes, the residents living adjacent to the private roads pay taxes, but there are certain benefits and obligations that come from being responsible for private roads. The issue that the staff has right now and what it is doing is making financial commitments on behalf of the Town. There is no guarantee as we start this work that we will get reimbursed. What staff is suggesting and what has been discussed through the Town Manager's office is that there are hefty obligations, both financial and otherwise, and there is concern that the existing policy in place over extends the Town. What this policy will allow us to do and what is recommended is to take metered steps after storm. To have the Town Manager and elected officials involved, allowing the staff to go in to address the conditions. If this is what the residents want, there is a cost associated with this and it will be

estimated at that time. The current expectation by the residents is that the Town will clean up everything regardless of cost to the Town, with no cost to the residents whatsoever.

The question by the Commission then was “who constitutes the Town?” “Is it only areas on public roads?” Further, the point was made that the maintenance of private roads by the residents is a gift to the Town. The provision of security within the PUDs is also a gift to Town. The Commission understands that there is a great cost associated with a disaster, but it should still be the responsibility of Town government to address this issue Island-wide. If the economy of Hilton Head Island is going to be restored, that is the only way to do it.

Scott stated that with respect to costs, if at the time of the event the Town Manager and elected officials want to excuse these expenses, they can certainly do that.

The Commission’s response to Scott was that if they approve the policy changes as presented, his scenario won’t happen because the agreement to pay is a “done deal” at that point. There was a lively discussion regarding this issue along with contingencies, reserves, additional recovery needs (beyond clean up) and the fact that none of this comes into play unless there is a declared disaster decree that will bring FEMA into the mix. Another issue pointed out was that the proposal uses the term “property owner”, stating the property owners would be responsible for reimbursing the Town. The verbiage does not distinguish between property owners in private communities and those not in private communities, so apparently applies to ALL property owners. How will the private property owner’s outside the private communities pay their 25% and what collection process does the Town have in place for that? Scott responded that he could not respond definitively to the questions, but did confirm that there is some responsibility with this group also. Jennifer interjected that staff has considered this issue and every attempt would be made to secure agreements that are not currently in place with private developments and to update those that are. With the monitors in place, the Town would know what needs to be picked up and would be able to discuss an agreement with the property owner or PUD and have it in place before allowing the debris to be picked up.

There were a number of other scenarios discussed regarding other sources of money, the issue of health and safety, taxpayer obligations, etc. without resolution. Mr. Rusty Hildebrand stated that there is a clearly defined policy in place that is fair to all citizens of Hilton Head Island and making the proposed policy changes would only “muddy the waters”. In view of this, Mr. Hildebrand made a motion NOT to accept the policy change recommendations as presented by Town staff. Mr. Harlacher seconded.

Before taking a vote, Mr. Paul Rasch stated that in the interest of everyone being fully informed, even though a hurricane scenario was used in the presentation, he wanted to remind everyone that the Town is not allowed to differentiate between a declared disaster and undeclared disaster in policy. We cannot write or adopt a policy that does so, otherwise we void our possibility of reimbursement. For planning purposes, by FEMA’s definition and per the 2007 policy, the Town has agreed that a disaster is a disaster. If we commit as a Town to go in and clean it up, we cannot have a declared and an undeclared event.

Chairman Kirby stated that there may be a need for clarification since it was his understanding that the Town implementing this debris removal policy was only in event of declared disaster. If the event is not a declared disaster, then every man is out there for himself. Paul stated that he did not believe the word “declared” is in the current policy and sincerely hopes that it is not. He pointed out that the Town may be on thin ice as FEMA would likely take the stand that if the Town was taking this action only if the cost was picked up by FEMA, they would not want to hear it. They would not be agreeable to that type of arrangement. He cautioned that the Town should not make reimbursement by FEMA the criteria. The criteria would need to be that the Town is committed to doing this regardless of whether it was wholly on our dime or partially on our dime.

Paul also talked briefly about what would be considered reimbursable and stated that a larger event, especially one that would be a declared disaster, could cover uninsured losses. However, smaller,

localized disasters may not met the federal requirements established for the uninsured loss necessary to have 2<sup>nd</sup> homes figured into that total.

Chairman Kirby asked if there was any further discussion. There being none, the vote was called. The recommendation to NOT accept the policy changes as presented was passed unanimously.

Mr. Peter Kristian, GM of Hilton Head Plantation, thanked the Commission for their decision. He commented that sentiments of the PUD General Managers are represented in the Commission's words. He also stated that private communities are grateful for the Town taking on this complicated issue and for the time and effort they are putting into it.

Before adjourning, Mr. Harlacher suggested to staff that there have been lessons learned about high-level crisis management with what went on in the Gulf, but that there has been no elaboration on this locally. He requested that sometime in the future a workshop be convened to discuss this. He stipulated that the focus should not be on any specifics, but that the group look at the high-level crisis management needed for public relations, communication and other aspects in handling that kind of situation. Mr. Harlacher asked that the minutes reflect this request.

**7. ANNOUNCEMENTS** – No announcements

**8. ADJOURNMENT** – Chairman Kirby adjourned the meeting at 11:10 am.