

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, October 18, 2011

Time: 4:00 P.M.

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

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Lavarn Lucas, *Fire Chief*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Tom Fultz, *Director of Administrative Services*; Brian Hulbert, *Staff Attorney*; Jill Foster, *Deputy Director of Community Development*; Marcy Benson, *Senior Grants Administrator*; Heather Colin, *Development Review Administrator*; Shawn Colin, *Comprehensive Planning Manager*; Teri Lewis, *LMO Official*; Nicole Dixon, *Senior Planner*; Ed Boring, *Deputy Fire Chief – Support Services*; Brad Tadlock, *Deputy Fire Chief - Operations*; 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

Dyslexia Awareness Month

Nancy Foy was present to accept the proclamation.

6) Approval of Minutes

a. Town Council Meeting – October 4, 2011

Mr. Heitzke moved to approve. Mr. Williams seconded. The October 4, 2011 minutes were approved by a vote of 7-0.

7) Report of the Town Manager

a. Update on the Career Criminal Team - Duffie Stone, Solicitor for the 14th Judicial Circuit of South Carolina

Solicitor Stone thanked Town Council for their contribution to the Career Criminal Prosecution Team. He explained the Team was the winner of the 2011 Barrett Lawrimore

Memorial Regional Cooperation Award. He presented the Mayor with a plaque depicting appreciation from the office of the Fourteenth Circuit Solicitor.

b. Update on County Airport – Gary Kubic, Beaufort County Administrator

Mr. Paul Andres and Mr. Gary Kubic updated Town Council on the status of the Hilton Head Island Airport.

c. Town Manager’s Items of Interest

Mr. Riley stated he had two employees present that recently celebrated service anniversaries with the Town. He said Chief Lavarn Lucas has been employed with the Town of Hilton Head Island for thirty years and Greg DeLoach has been employed for twenty years. He asked them both to come forward. He thanked them for their service. Mayor Laughlin presented them with their service anniversary awards. Mr. Riley then reported on some items of interest.

8) Reports from Members of Council

a. General Reports from Council

Mr. Williams informed Council that Hargray is installing cable from Sea Pines to Dafauskie Island. He said they are doing a good job on sound suppression by utilizing a new technique. He encouraged all to visit the site to see what they are doing.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman
None.

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

Mr. Edwards reported the Committee conducted interviews for vacancies on the Design Review Board and Planning Commission. He stated the Committee will make recommendations in the near future.

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

Mr. Ferguson reported the Committee continued the special meeting concerning economic development and said they discussed the possibility of creating an agency to handle economic development.

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

None.

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

None.

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

Mrs. Likins reported the Request for Proposals has been released and will be out until the middle of November. She encouraged individuals to go to the website and view the RFP. Mrs. Likins explained there is a subcommittee of the LMO Rewrite Committee that will review all submitted proposals.

9) Appearance by Citizens

Mr. Robert Keegan spoke concerning his opposition to Town Council's recent approval to borrow funds.

10) Unfinished Business

a. Revised Second Reading of Proposed Ordinance 2011-25

Revised Second Reading of Proposed Ordinance 2011-25 authorizing the execution of an amendment to lease with the Museum-Chamber Partnership for property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2006), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mrs. Likins seconded. Mr. Williams expressed concerns about the condition of the Welcome Center and suggested encouraging the Chamber to do something about the facility and the parking lot. The motion was approved by a vote of 7-0.

b. Second Reading of Proposed Ordinance 2011-26

Second Reading of Proposed ordinance 2011-26 authorizing the execution of a lease with American Towers, L. L. C., for property owned by the Town of Hilton Head Island, South Carolina, and authorizing the execution of two easements in favor of American Towers, L. L. C., encumber town owned land, pursuant to the authority of S. C. Code Ann. Sec. 5-7-40 (Supp. 2010), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

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

11) New Business

a. First Reading of Proposed Ordinance 2011-24

First Reading of Proposed Ordinance 2011-24 to amend Title 16, "The Land Management Ordinance," of the *Municipal Code of the Town of Hilton Head Island, South Carolina*, by amending Section 16-4-102, the Official Zoning Map with respect to those certain parcels identified as parcels 25, 25b and 25c on Beaufort County Tax Map 11, from OL (Office/Institutional Low Intensity) to the CC (Commercial Center) Zoning District; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Harkins seconded. Mr. John Binkley spoke in opposition to the amendment. Mayor Laughlin asked if the normal buffer requirements were in place. Nicole Dixon stated the subject properties to be rezoned do have an adjacent use buffer and the Planned Unit Development adjacent to the properties has an exterior boundary buffer. She explained she has tried to ease the concerns of the adjacent property owners explaining that even with the change all lighting and noise standards will remain the same and be enforced. The motion was approved by a vote of 7-0.

b. Consideration of a Resolution denying Zoning Map Amendment ZMA11003 for South Island Square

Consideration of a Resolution by the Town Council of the Town Of Hilton Head Island denying the application for Zoning Map Amendment ZMA110003 which requests an amendment to Chapter 4 of Title 16, "The Land Management Ordinance" (LMO), of *The Municipal Code of the Town of Hilton Head Island, South Carolina*, by amending Section 16-4-102, the Official Zoning Map with respect to the certain parcels identified as Parcels 25, 25b and 25c on Beaufort County Tax Map 11 from OL (Office/Institutional Low Intensity) to the CC (Commercial Center) Zoning District.

Due to the approval of the first reading of Proposed Ordinance 2011-24, there was no need to act on this item.

c. Consideration of a Recommendation for the Port Security Grant Program

Consideration of a Recommendation that the Town Council of the Town of Hilton Head Island accept the US Department of Homeland Security (DHS) grant #EMW-2011-PU-APP-00148 in the amount of \$292,045 for the purpose of purchasing a fire-rescue boat.

Mr. Heitzke moved to approve. Mr. Harkins seconded. Mr. Edwards asked for clarification on the location where the boat would be stored. Chief Lucas explained the board would initially be stored at a Fire Station and they would work on acquiring dockage at a local marina in the future. Mr. Williams stated that in reviewing the projected ancillary costs he felt they were inaccurate and would be much higher than predicted. Mr. Heitzke asked if additional personnel would be needed. Chief Lucas responded they would utilize existing personnel and not hire any additional personnel now or in the future.

Mr. Heitzke asked if there were any stipulations attached to the grant if accepted. Chief Lucas stated the only stipulation would be a verbal agreement to assist other agencies that are listed by Homeland Security. He said Savannah and Charleston are on the list. He said during the grant process they did have to stipulate they would respond to other agencies in need if they requested assistance from the Town. Mrs. Likins asked if Beaufort County was handling water emergencies at this time. Chief Lucas said it depended on the type of emergency as to which agency would respond. Mrs. Likins voiced concern about taking on the responsibility and the cost to citizens in the long run. Chief Lucas said if the Town was requested to assist another municipality that the costs would be reimbursed.

Mayor Laughlin asked if there was a deadline to accept the grant. Chief Lucas said there was none specified in the award letter but he has been contacted three times during the month since the grant was awarded asking for a response. After lengthy discussion concerning equipment, staffing, licensure requirements, renewals and updates Mr. Harkins moved to amend the motion to remand the agenda item to the Public Safety Committee for review with a request the meeting take place before the next regular Town Council meeting scheduled for November 1. The maker of the motion and the seconder agreed. The amended motion was approved by a vote of 7-0.

d. Consideration of a Recommendation for Redistricting

Consideration of a Recommendation that the Town Council of the Town of Hilton Head Island select the plan to be brought to the November 15, 2011 Town Council meeting for formal adoption.

Mr. Heitzke moved to approve. Mr. Williams seconded.

Mr. Riley explained that Plan 3 shifts the area of Chaplin that is oceanward of 278 back into Ward 4 and captures a larger section of Marshland Road into Ward 1. Marcy Benson approached the dais and explained in detail the differences between Plan 2 and Plan 3.

Mr. Williams moved Town Council select Plan 3 as their recommendation for redistricting. Mr. Harkins seconded. The motion was approved by a vote of 7-0.

The motion to bring the selection forward at the November 15, 2011 regular Town Council meeting was approved by a vote of 7-0.

e. First Reading of Proposed Ordinance 2011-23

First Reading of Proposed Ordinance 2011-23 of The Town of Hilton Head Island adopting the “Beaufort County Hazard Mitigation Plan” as an appendix of the “Hilton Head Island Comprehensive Plan”; and to provide for severability and an effective date.

Mr. Williams moved to approve. Mrs. Likins seconded. Mr. Williams asked if there would be any cost associated with this. Marcy Benson approached the dais and explained there were no costs. (Note: This item was taken up following the Public Hearing shown as Item 12 on the agenda.)

12) 5:30 P.M. – PUBLIC HEARING – ADOPTION OF THE BEAUFORT COUNTY HAZARDOUS MITIGATION PLAN

Mayor Laughlin called the hearing to order and requested public comments. There were none, so he closed the public hearing.

13) Executive Session

Mr. Riley stated he needed an executive session for contractual matters pertaining to land acquisition including a request for an easement over town-owned land; contractual matters pertaining to proposed storm water management agreements with Palmetto Dunes and Leamington; and legal matters pertaining to potential litigation regarding business license enforcement.

At 5:42 p.m. Mr. Heitzke moved to go into Executive Session for the reasons stated by the Town Manager. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:10 and stated Mr. Harkins was excused from the meeting due to a prior commitment. He then asked if there was any business to take up as a result of executive session.

Mrs. Likins moved that the Town Council for the Town of Hilton Head Island adopt a resolution authorizing the execution and delivery of an agreement related to drainage infrastructure in the planned unit development known as Palmetto Dunes. Mr. Williams seconded. The motion was approved by a vote of 6-0.

Mrs. Likins moved that the Town Council for the Town of Hilton Head Island adopt a resolution authorizing the execution and delivery of an agreement related to drainage infrastructure in the planned unit development known as Leamington. Mr. Heitzke seconded. The motion was approved by a vote of 6-0.

14) Adjournment

Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 6-0. The meeting was adjourned at 6:12 p.m.

Vicki Pfannenschmidt, Secretary

Approved:

Drew A. Laughlin, Mayor