

**THE TOWN OF HILTON HEAD ISLAND**  
**REGULAR TOWN COUNCIL MEETING**

**Date:** Tuesday, October 4, 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*; Brian Hulbert, *Staff Attorney*; 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*; Marcy Benson, *Senior Grants Administrator*; Heather Colin, *Development Review Administrator*; Shawn Colin, *Comprehensive Planning Manager*; Teri Lewis, *LMO Official*; Ed Boring, *Deputy Fire Chief – Support Services*; Brad Tadlock, *Deputy Fire Chief- Operations*; Joheida Fister, *Fire Marshall*; Cinda Seamon, *Public Education Officer*; Vicki Pfannenschmidt, *Executive Assistant*; numerous members of Town of Hilton Head Island Fire and Rescue

**Present from Media:** Grant Martin, *Island Packet*

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**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**

**6) Approval of Minutes**

**a. Town Council Meeting – September 20, 2011**

Mr. Heitzke moved to approve. Mr. Williams seconded. The September 20, 2011 minutes were approved by a vote of 7-0.

**7) Report of the Town Manager**

**a. Semi-Annual Report of the Parks and Recreation Commission, Marc Stuckart, Chairman**

Mr. Stuckart provided Town Council with an update on the Parks and Recreation Commission activities for the first half of 2011.

**b. Update of the LMO Rewrite Committee, Tom Crews, Chairman**

Mr. Crews stated the Committee has been meeting weekly, with the exception of one week, since mid-April. He noted that Mrs. Likins has been very helpful with her attendance and

participation. He commented on the magnitude of the task and said the Committee took two and one half months reviewing the existing Land Management Ordinance (LMO) and from that developed a report. He explained within the report is a list of specific tasks for a consultant and staff. Mr. Crews also commented on the participation of citizens and General Managers of many of the property owners associations. He stated the Committee is now at the point where a consultant is needed to complete the charge.

Mayor Laughlin thanked Mr. Crews and the Committee members for the time and effort they have placed in the project stating he was very pleased with their work.

**c. Town Manager's Items of Interest**

Mr. Riley reported on some Items of Interest.

**d. Proposed 2012 Town Council meeting dates**

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion 2012 Town Council meeting dates were approved by a vote of 7-0.

**e. Community Vision of Hilton Head**

Mr. Riley referred to his memo within the agenda packet concerning the request from Community Vision of Hilton Head (CVHH) for \$75,000. He said if Town Council chooses to commit the funds spread over two fiscal years, Staff could likely find \$37,500 this fiscal year in the General Fund budget and budget the remainder for the next fiscal year. He commented this would take funds away from some other project and noted there are other unfunded projects that are being considered by Town Council.

Mr. Williams referred to the many other projects and requests Town Council was considering and stated he felt this would be a subject for discussion at the Town Council Workshop scheduled for the beginning of December. Mr. Williams moved to postpone any decision concerning this request until after the Workshop. Mr. Edwards seconded.

Mr. Harkins stated the CVHH is to be lauded for the work they have done so far concerning taking a long range view of what can be done to enhance the performing arts activity in the community. He noted there was a conspicuous absence of inclusion of board commitment from all of the performing arts entities. He said they need to take in to consideration they are requesting community dollars and community resources and this effort will have an impact on the entire Community and all of the groups should be included and have input. Mr. Harkins noted he has not heard an official response concerning this proposal from any board person speaking on behalf of their organization. He suggested this is something for the CVHH to address and come back to Town Council when that is accomplished.

Mrs. Likins spoke in support of Mr. Williams' motion. She stated it would not be advantageous for Town Council to commit the funds at this point with everything else they are considering. She stated she felt that if Town Council does move forward with supporting this effort that the project should be inclusive of more of the arts organizations throughout the Community.

Mr. Walt Graver, founder and current President of CVHH, stated he felt Town Council was jumping ahead of where Committee is in the process. He said they are nowhere near making decisions like the kind Council is asking them about. He stated the next phase of the program is the community engagement process. He explained they will go to the leaders and the leadership of the Town to "test in the water" pertaining to what the CVHH

has come up with to this point, so that in effect if a broadening of the base is what is wanted it will come out of that step. He explained they are not asking for support for a building or program but for money to help them continue their exploration of the merits of this idea. Mr. Graver said when they find out what the Community really wants and needs, CVHH will make a firm presentation which will conform to what the Community wants. Mr. Heitzke asked if the request is not approved whether the CVHH would go on with their study. Mr. Graver said they would continue to move forward with the project.

Mr. Edwards said he was glad the Committee would not give up on the project. He said he would not be voting in favor of approving the request due to the number of projects and requests Town Council has at this time for consideration.

Mr. Graver said he understood. He encouraged Town Council to go to the arts consulting group's website to understand the quality of the organization that they are working with.

Mayor Laughlin asked if there was any further public comment.

Mary Briggs, President and CEO of the Hilton Head Symphony Orchestra approached the dais. She introduced Principal Guest Conductor, John Morris Russell, who will open the 30<sup>th</sup> Season presenting a favorite symphony by Dvorak, Sibelius' challenging and masterful Violin Concerto and a Beethoven Overture. Conductor Russell addressed Town Council and invited them to attend the performance.

Mr. Paul Gibson, Treasurer of CVHH said in order to build a multi-use facility the cost would be 40-50% higher than the cost to build a concert hall. He said the consultant suggested that direction not be taken. Mr. Gibson explained all the changes that would have to take place in order to build a multi-use facility. Mr. Gibson said in order for it to be a multi-purpose building there would be a significant impact not only in funds but also in operations.

Mayor Laughlin said he places a high importance on support for the arts. He said he shares doubts concerning the feasibility of the project but he said he could not make a decision without the results of the next phase. He said he would like to move ahead and consider funding half of the request.

Mayor Laughlin asked for additional comments from the audience.

Kathi Bateson, President and CEO of the Arts Center of Coastal Carolina approached the dais and said there is a new Arts & Cultural Council of Hilton Head Island. She added that she is vice-chair of the group. She offered to suggest to the group that they review the proposal over the next couple months. She added she would excuse herself from the leadership of such discussion. Ms. Bateson stated she is concerned there have been no results published from the two rounds of interviews the CVHH conducted in the past. She stated that the Arts Center hired a consultant last year and received results and is working on changes at this time. She further stated she is concerned that the group CVHH is working with is not helping them in the best way they can.

Mr. Graver said the difference between the situation at the Arts Center and CVHH is that the Arts Center has an on-going operation and they can make very quick decisions about changes and improvements. He explained the CVHH is a planning group and they do not wish to reveal what they are in the process of doing in the middle of the study. He said when they get the complete study that is worthy of a complete presentation, they will do so.

The motion was approved by a vote of 5-2. (Mr. Heitzke and Mayor Laughlin were opposed.)

### **Reports from Members of Council**

#### **a. General Reports from Council**

None.

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

Mr. Williams stated there is no meeting scheduled for October and the next scheduled meeting of the Intergovernmental Relations Committee is November 15, 2011.

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

Mr. Edwards reported the Committee will be scheduling interviews for vacancies in the near future.

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

Mr. Ferguson said the Committee met on September 26 to discuss economic development options for Hilton Head Island. He explained the meeting was Part 1 of the discussion and another special meeting will be scheduled in the near future to continue the discussion. He said the Committee held their regular meeting on Thursday, September 28 and reviewed an application for a zoning map amendment for South Island Square and their recommendation would be coming forward to Town Council at the November 18 regular meeting.

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

Mrs. Likins reported the Committee met earlier in the day and there was a presentation by the consultants of the master Plan for the Island Recreation Center. She said the plan would be coming before Town Council for discussion at a future date.

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

Mr. Harkins reported that at the last meeting there was discussion of illumination deficiencies at several commercial locations within the Town.

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

Mrs. Likins thanked Mr. Crews for his leadership on the Committee. She stated there has been a tremendous amount of work done and it has been very successful. She also stated she wanted to recognize the efforts of Committee Member Jim Gant who was in attendance at the meeting.

### **Appearance by Citizens**

None.

## **8) Unfinished Business**

### **a. Second Reading of Proposed Ordinance 2011-25**

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. Mr. Williams seconded. Mr. Riley stated Staff would like to suggest an amendment to the motion concerning the Proposed Ordinance that would change the participants from the Museum-Chamber Partnership to the Hilton Head Island-Bluffton Chamber of Commerce. He explained that the Museum has moved out of the building and the partnership has dissolved and because of that the Chamber has requested that only their name be on the lease. He said Staff was in support of the request. He referred to a Proposed Ordinance and Lease Amendment that was distributed for consideration. Mr. Riley noted there were no other changes and that due to the change the Proposed Ordinance will require a Revised Second Reading which would take place at the October 18, 2011 Town Council Meeting. Mr. Heitzke, the maker and Mr. Williams, who seconded the motion were in agreement to the amendment. The motion was approved by a vote of 7-0.

**b. Second Reading of Proposed Ordinance 2011-27**

Second Reading of Proposed Ordinance 2011-27 authorizing the Execution and delivery of easements encumbering Town owned real property, pursuant to the authority of S.C. Code Ann. Section 5-7-40 (Supp. 2010), and Section 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983, As Amended); 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.

**9) New Business**

**a. Consideration of a Recommendation for the LMO Rewrite Committee to obtain Consultant Services and approval of an Expanded Scope of Work**

Mr. Crews informed Town Council that the Committee has developed a position that it is appropriate to hire a consultant to work with the Committee and Town Staff to undertake the rewrite of the Land Management Ordinance. He said it is a large task and involves a number of components in the Community, as well as quite a bit of legal work. He stated the Committee wants to make certain the level of quality that was in the original LMO is continued with the rewrite. Mr. Crews said the Committee and Staff have put together a Request for Proposals (RFP) for the consultant and would like Town Council to give them authority to release it. He said they are looking at a date of November 1, 2011 to release the RFP with hopes of having a consultant on board working with the Committee beginning the first of the year.

Mr. Crews also requested Town Council approve expanding the scope of services to include issues related to Ward 1. He said the Committee has talked at great length and realized there is great potential for creative solutions for some of the issues within Ward 1 which they feel should be part of the new LMO.

After discussion, Mr. Heitzke moved to expand the scope of services for the LMO Rewrite Committee to include issues related to Ward 1. Mr. Ferguson seconded. Mr. Tom Barnwell, Jr. addressed Town Council in support of the expanded scope of services for Ward 1. The motion was approved by a vote of 7-0.

After further discussion, Mr. Williams moved to request that the LMO Rewrite Committee develop a Request for Proposals (RFP) for consultants. Mrs. Likins seconded. Mr. Chet Williams addressed Town Council in support of a consultant to work with the LMO Rewrite Committee. The motion was approved by a vote of 7-0.

Mr. Edwards informed Town Council he is quite often asked questions concerning the airport. He suggested Town Council request that the Beaufort County Administrator or his designee be present at a future meeting to update Town Council. Mr. Riley said he would contact Mr. Kubic and extend the invitation.

#### **10) Executive Session**

Mr. Riley stated he needed an executive session for contractual matters pertaining to a request for an easement across town-owned land and contractual matters pertaining to a proposed cell tower lease at Fire Station 7.

At 5:10 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 5:18 p.m. and asked if there was any business to take up as a result of executive session.

Mr. Edwards moved that the Town Council give approval on First Reading to an ordinance authorizing the Town to execute and deliver a lease of a portion of Town owned real property known as Fire Station 7, and easements encumbering Town owned real property in favor of American Towers, L. L. C., and that the Mayor and Town Manager be authorized to execute and deliver the lease and easements, and to take such other and further actions as may be necessary to complete the execution and delivery of the lease and conveyance of the easements. Mr. Heitzke seconded. The motion was approved by a vote of 7-0.

#### **11) Adjournment**

Mr. Williams moved to adjourn. Mr. Heitzke seconded. The motion was approved by a vote of 7-0. The meeting was adjourned at 5:20 p.m.

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Vicki Pfannenschmidt, Secretary

Approved: October 18, 2011

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Drew A. Laughlin, Mayor