

TOWN OF HILTON HEAD ISLAND PUBLIC FACILITIES COMMITTEE

Date: June 5, 2012

Time: 2:00 P.M.

Members Present: George Williams, Bill Harkins, Bill Ferguson

Members Absent: Kim Likins

Staff Present: Steve Riley, Scott Liggett, Susan Simmons, Jeff Buckalew, Jill Foster, Nicole Dixon, Darrin Shoemaker, Jennifer Lyle, Galen Knighten, Erica Madhere

Others Present: Ken Heitzke, *Councilman*, Brad O' Keefe and Kelly Ferda, *South Island Public Service District*

Media Present: None

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: May 1, 2012

Councilman Harkins moved to approve the Minutes of May 1, 2012. Councilman Williams seconded. Councilman Ferguson abstained as he was not present at the May 1, 2012 meeting. The Minutes of May 1, 2012 were unanimously approved.

4. Unfinished Business: None

5. New Business

• South Island Public Service District Well Site – Palmetto Bay Road

Nicole Dixon, Senior Planner advised she has been working with the South Island Public Service District (SIPSD) to obtain easements for the new water storage well for their site off of Palmetto Bay Road. Staff recommends the Public Facilities Committee endorse the easement and land purchase requests made by the SIPSD for their new well site and recommend approval to Town Council.

In December, 2011 Town Council granted temporary construction easements as well as a 100' permanent pollution free radius easement to the SIPSD. Part of the 100' pollution free radius was encroaching onto the property to the west and north of the SIPSD owned property, Palmetto Bay Villas, a multi-family development. The SIPSD has been unable to get the HOA to sign off on this easement.

In an effort to continue with the new well project at the existing water tower site, the SIPSD wishes to purchase .21 acres of Town-owned property to the south and east of where the well site is proposed, to shift the well location over so that the 100' pollution free easement doesn't encroach onto the Palmetto Bay Villas property.

There is a freshwater wetland that encroaches into the temporary construction easement and the 100' permanent pollution free radius easement, but the proposed site plan demonstrates that the applicant will meet the wetland buffer requirements that are outlined in LMO Section 16-6-204. There are no specimen sized trees in this area that would need to be removed for this project.

Staff is unaware of any future proposed use of the subject Town property, but does not find that the purchase of the .21 acres of the Town-owned land would prohibit the property from being developed in the future.

After a brief discussion, Councilman Harkins moved the Public Facilities Committee endorse the easement and land purchase request made by the SIPSD and recommend same to Town Council for consideration.

- **Acquisitions of Private Road Rights of Way**

Jeff Buckalew, Town Engineer, advised that as part of the Town's Capital Improvements Program, staff shall pursue the acquisition of two private roads this fiscal year. Staff recommends these two roads be acquired based on a ratings analysis of the existing private roads on Hilton Head Island. If these are acquired, staff shall subsequently recommend they be dedicated to the County for rehabilitation and perpetual maintenance. We have ranked the roads and the top two candidates this year are Wiley Road and Outlaw Road.

The primary objective of this program is to acquire rights of way on selected private roads, with the intent of transferring these roads to the County for improvements and maintenance as necessary. These acquisitions are prioritized based on a rating scheme which emphasizes public safety, condition of the road and the number of dwellings served. \$25,000 has been budgeted for acquisition only. This entails the survey and legal costs necessary for acquisition and is not intended for compensation to property owners or physical infrastructure improvements.

The County has recently paved two former dirt roads on Hilton Head Island – Ned Court and Jessica Drive. These road rights of way were acquired by the Town under this program and later addressed by the County's dirt road paving program. Other private unpaved roads recently acquired by the Town include: Bayberry, Cassina, Dogwood, Elderberry, Firethorn, Sea Oak, Juniper, Laurel, and Blazing Star Lanes.

Councilman Ferguson stated that about 5-6 years ago Town Council passed a Resolution indicating that if we cannot get 100% of the property owners to agree to turn over their easement on these roads that we will use condemnation proceedings and asked Mr. Buckalew if he sees that in the near future being utilized. Mr. Buckalew advised that recent efforts to acquire Allen Road and Rhiner Drive have been unsuccessful to date due to the number of heirs, the property owner's lack of cooperation, or desire to dedicate the right of way and they are bound for condemnation due to the complexities and heirs rights and trying to get everyone to agree.

Councilman Harkins asked Councilman Ferguson what the reaction in the community is when the word condemnation is used. Councilman Ferguson advised there are mixed emotions as the majority of the property owners would like to have their roads paved and are in a quagmire because you have a minority living on these roads that do not want anything done minus some type of compensation. I think the term compensation is the key word with some people, but not the majority.

Councilman Ferguson moved the Public Facilities Committee make a recommendation to Town Council to accept staff's recommendation on the road issues and get these roads paved in the near future with the understanding that condemnation proceedings is still a tool that should be utilized in special cases. Councilman Harkins seconded. The motion passed unanimously.

Ms. Fran White stated she has been a resident of Hilton Head Island for 10 years after having come here yearly for 44 years. Ms. White stated the issue is fair compensation. I get the impression that the Town of Hilton Head Island feels that people who own property should give the property without just compensation. That issue has been a long running issue. Councilman Ferguson is correct that there is minority of people who are against it as they see the issue as being compensation. I urge the Town to be part of the 20th Century and not shy away from offering a fair value for the land that is needed to do the rights of way.

Councilman Ferguson asked that Ms. White's comments be included in the Minutes of this meeting.

- **Dedication of Town Roads to Beaufort County**

Jeff Buckalew stated staff recommends the Town dedicate certain road rights of way to Beaufort County for perpetual maintenance. Since its incorporation, the Town of Hilton Head Island has acquired several private rights of way. The current inventory of Town maintained roads includes 50 roads; totaling 11.60 miles. It has been the policy of the Town to ultimately turn ownership of these acquired roads over to the County for ongoing maintenance and improvements. We are recommending 31 of those roads to Beaufort County (Exhibit "A".) There are 19 roads, totaling 4.20 miles, that staff recommends the Town retain. Some of these lie within Town properties and are not encumbered by a recorded right of way and some involve pending Town projects and will be dedicated in the future.

This is a two step process – if Town Council agrees to offer the dedication of the roads to the County, the County must accept the dedication. We cannot predict how they will vote.

Mr. Buckalew advised that there was one more road he wanted to add to the list to be dedicated to the County. That road is Nature's Way and he apologized for it not being on the list.

Councilman Williams questioned whether Nassau Street (which is on the list to be dedicated to the County) should be on the list if there were plans to extend it in connection with the Coligny redevelopment. Mr. Buckalew stated it would look into it and if it were the case he would take it off the dedication list.

Fran White asked how these roads were chosen to be taken over for maintenance by the County. Mr. Buckalew stated we do not have a devoted road maintenance program in our budget and the County has a Public Works Department and have programs to do that type of work. These roads are roads where we have no pending projects or no Town facilities currently being served.

Councilman Harkins moved the Public Facilities Committee recommend to Town Council that we dedicate certain road rights of way to Beaufort County for perpetual maintenance as delineated in Exhibit "A" with the change of adding Nature's Way to the list and deleting Nassau Street. Councilman Ferguson seconded. The motion passed unanimously.

- **Power Alley Right of Way Acceptance from SCDOT**

Mr. Buckalew advised that staff recommends the Public Facilities Committee endorse the Town's acceptance of the maintenance responsibilities and ownership of the right-of-way for Power Alley to Town Council. This road is currently maintained by the South Carolina Department of Transportation as part of the State highway system.

Power Alley is a State maintained road that is 0.18 mile long and lies within a 50 foot wide right of way. The road runs from Mathews Drive, crossing Electric Avenue and dead ends at the gated entrance to the Central Electric Power Coop substation. There

are persistent on-street parking and drainage problems along this road from Mathews Drive to Electric Avenue. The SCDOT resurfaced the entire road in 2008, so the pavement is in good condition. The Town is currently preparing plans for a TIF district CIP project which shall provide on-street parking that is compliant with the Land Management Ordinance and also includes roadway and storm drainage improvements. Power Alley is included in this project's limits. In order to facilitate the improvements, the SCDOT has recommended the Town accept maintenance responsibilities. Without accepting the maintenance responsibilities for this road, it is unlikely the Town will be able to make the desired parking improvements along Power Alley. Once the streets are rehabilitated and the non-compliant parking is remedied, the Town may elect to dedicate these roads to Beaufort County for perpetual maintenance.

Councilman Harkins moved that the Public Facilities Committee endorse the Town's acceptance of the maintenance responsibilities and the ownership of the right of way for Power Alley to Town Council for their consideration. Councilman Ferguson seconded. The motion passed unanimously.

6. Adjournment:

Councilman Ferguson moved to adjourn. Councilman Harkins seconded the motion. The meeting was adjourned at 2:52 p.m.

Respectfully Submitted,

Karen D. Knox
Senior Administrative Assistant

EXHIBIT A

TOWN OF HILTON HEAD ISLAND ROADS TO BE DEDICATED TO BEAUFORT COUNTY (2012)

	ROAD NAME	SURFACE	LENGTH (FT)	R/W WIDTH
1	ALEX PATTERSON ROAD	UNPAVED	437	50
2	ARROW ROAD	PAVED	4037	60
3	AUTOMOBILE PLACE	PAVED	708	66
4	BAYBERRY LANE (partial)	PAVED	172	20
4A	BAYBERRY LANE (partial)	UNPAVED	362	50
5	BLAZING STAR LANE	UNPAVED	600	VARIES (40' - 66')
6	BOBWHITE LANE	PAVED	544	50
7	CASSINA LANE	UNPAVED	602	VARIES (20' - 50')
8	DOGWOOD	UNPAVED	315	50
9	DUNNAGANS ALLEY	PAVED	2505	50
10	ELDERBERRY LANE	UNPAVED	318	50
11	EXCHANGE STREET	PAVED	361	50
12	FIRETHORN LANE	PAVED	1838	50
13	HAIG POINT CIRCLE	PAVED	2181	66
14	HOSPITAL CENTER BOULEVARD	PAVED	2090	110
15	INDIGO RUN DRIVE	PAVED	3712	150
16	JACANA STREET	PAVED	1048	50
17	JARVIS PARK ROAD	PAVED	1602	50
18	JUNIPER LANE	PAVED	545	50
19	KATIE MILLER DRIVE	PAVED	507	60
20	KINGBIRD LANE	PAVED	1069	60
21	LAUREL LANE	PAVED	538	50
22	MAC DONOUGH LANE	UNPAVED	242	50
23	MALLARD STREET	PAVED	1301	50
24	NATURES WAY	PAVED	1186	50
25	NORTH MAIN STREET	PAVED	3028	50
26	OFFICE PARK ROAD	PAVED	2274	60
27	PELICAN STREET	PAVED	1421	50
28	SANDPIPER STREET	PAVED	1272	50
29	SEA OAK LANE	PAVED	964	50
30	WILD HORSE ROAD	PAVED	1151	50

RELEVANT QUANTITIES:

30 TOTAL	7.37	miles of roads
7 UNPAVED	0.54	miles of dirt roads
23 PAVED	6.83	miles of paved roads

June 19, 2012