

# THE TOWN OF HILTON HEAD ISLAND

## REGULAR TOWN COUNCIL MEETING

**Date:** Tuesday, March 4, 2014

**Time:** 4:00 P.M.

**Present from Town Council:** Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Kim Likins, Lee Edwards, Marc Grant, John McCann, *Council Members*

**Present from Town Staff:** Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Lavarn Lucas, *Fire Chief*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Susan Simmons, *Director of Finance*; Brad Tadlock, *Deputy Fire Chief of Operations*; Julian Walls, *Facilities Manager*; Brian Hulbert, *Staff Attorney*; Shawn Colin, *Deputy Director of Community Development*; Jayme Lopko, *Senior Planner*; Joheida Fister, *Fire Marshal*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant*

**Present from Media:** Dan Burley, *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

#### a. Disabilities Awareness Month

Nancy Pinkerton, Member of the Beaufort County Disabilities and Special Needs Board, was present to accept the Proclamation.

#### b. Girl Scout Week

Donna Lee, Communications Manager of Girl Scouts of Eastern Carolina, Nancy Borghesi, Board Member, and several local Girl Scouts and Brownies were present to accept the Proclamation and presented Mayor Laughlin with his favorite cookies.

### 6) Approval of Minutes

#### a. Town Council Meeting – February 18, 2014

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the February 18, 2014 Town Council meeting were approved by a vote of 7-0.

**7) Report of the Town Manager**

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

Mr. Riley reported on some items of interest. He made reference to a letter received from the Beaufort County Council Chair concerning the creation of a Capital Projects Sales Tax Commission and that Town Council was asked to appoint one member within 30 days. After discussion, it was the consensus of Council to participate and the Town Manager was directed to create a short list of names to be considered for the appointment. It was also suggested that if any member of Council had suggestions for the appointment they should submit the name or names to the Town Manager and he will share them with Council. Mayor Laughlin noted this would be an action item for the March 18 Town Council Agenda with review and discussion first taking place in Executive Session.

**b. Ocean Point Beach Renourishment Project Update - Scott Liggett**

Mr. Liggett updated Town Council on the project in detail noting the bids had come in over budget. He explained there was June 30 deadline for completion of the project and of the need to move forward. He explained in order to do so a budget amendment would be needed of no more than \$200,000 but he would not know the exact amount until negotiations concerning the bids were complete. Mr. McCann moved to authorize the Town Manager to proceed with awarding the bid to get on with the construction of the beach renourishment project and to bring back to Town Council a budget amendment for up to an additional \$200,000 to cover the expected cost overruns associated with this project. Mr. Williams seconded. Mr. Edwards requested further information concerning the project and the bids. Mr. Liggett responded noting he did not want to jeopardize the negotiations by discussing the specifics in open session. Mr. Riley suggested the motion be tabled so Council could discuss it during Executive Session. Members of Council were in agreement to hold the motion and take it up after Executive Session.

**8) Reports from Members of Council**

**a. General Reports from Council**

Mayor Laughlin stated he was contacted concerning the progress of the LMO Rewrite project. He stated the Committee has implemented a process which will help expedite the project. Mayor Laughlin commented on the existing RM4 and related areas, including the Ward 1 Master Plan, noting there is a need for a comprehensive review of all of the areas.

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

No report.

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

No report.

**d. Report of the Planning & Development Standards Committee – John McCann, Chairman**

No report.

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

Mrs. Likins stated the Committee met earlier in the day and approved to move forward a recommendation to Town Council to authorize the Town Manager to work with Beaufort County on the sale of a small portion of land that will rectify an encroachment issue.

f. Report of the Public Safety Committee – Marc Grant, Chairman

Mr. Grant stated the Committee met on March 3 to review the Fire and Rescue Update to the 2013 Strategic Plan and Fire and Rescue Annual Report.

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

Ms. Likins noted the Committee would be meeting on Thursday, March 6 at 8:30 a.m.

**9) Appearance by Citizens**

None.

**10) Unfinished Business**

None.

**11) New Business**

**a. First Reading of Proposed Ordinance 2014-04**

First Reading of Proposed Ordinance 2014-04 to repeal Chapter 7 of Title 9 of the Municipal Code of the Town of Hilton Head Island, South Carolina and to enact a new Chapter 7 of Title 9, Outdoor Burning; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. Chief Lucas explained the proposed changes/additions and deletions to the ordinance. He explained there would be two days per month that citizens could burn noting that if there was inclement weather, make-up dates would have to be scheduled. He reviewed the calendar and explained the process. Mr. Edwards suggested increasing the allowance to four days per month and Mr. Williams was in agreement as he felt it would not increase burning but it would spread it out. Mrs. Likins asked if an ordinance similar to Beaufort County was considered with four weeks during the year allotted. It was explained the Public Safety Committee reviewed many options and after considerable review of the options which included citizens input, two days per month was the recommendation. Beth Drake spoke in opposition to permitting burning. Dot Law thanked Town Council for working on a compromise and encouraged periodic review. Michael Cohen spoke in support of increasing it to four days per month. Viola Jones spoke in opposition to the entire ordinance requesting Council to return to the original ordinance. After further discussion, Mr. Edwards moved to amend the ordinance to increase the permitted days for burning to four days per month. Mr. Williams seconded. A gentleman from Ward 1 spoke suggested the Fire Chief control the number of people burning by limiting the number of permits per day. Denise Stringer spoke in opposition of burning. Michael Cohen spoke in support of increasing it to four days per month. The motion to amend the ordinance failed by a vote of 2-5 (Mr. Grant, Mr. McCann, Mrs. Likins, Mr. Harkins and Mayor Laughlin were opposed.) The original motion was approved by a vote of 6-1 (Mr. Edwards was opposed.)

**b. First Reading of Proposed Ordinance 2014-06**

First Reading of Proposed Ordinance 2014-06 authorizing the execution of an Easement Agreement granting and easement by the Town of Hilton Head Island to Synovus Bank for the construction, repair, maintenance, and use of a boardwalk located in the Singleton Beach Area on Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2011), 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. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

**c. Consideration of a Resolution – Public Art**

Consideration of a Resolution of the Town of Hilton Head Island, South Carolina, authorizing the execution of a gift agreement with the Community Foundation of the Lowcountry for the acquisition of the “Sail Around” sculpture.

Mr. Williams moved to approve. Mrs. Likins seconded. Ms. Carolyn Torgerson spoke on behalf of the Community Foundation of the Lowcountry. The motion was approved unanimously by a vote of 7-0.

**d. Consideration of a Resolution – Coligny Project**

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, asking the Town Manager to direct staff to engage a consultant to prepare a concept plan for the Coligny Area consisting of certain elements and to request the Planning Commission develop a recommendation to the Town Council on the plan.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

**e. Consideration of a Recommendation – Arts Center of Coastal Carolina**

Consideration of a request that Town Council authorize immediate release of ATAX Funds in the amount of \$86,000 previously awarded to the Arts Center of Coastal Carolina.

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

**12) Executive Session**

Mr. Riley stated he needed an Executive Session for contractual matters pertaining to land acquisition to include the use of condemnation, if necessary; contractual matters pertaining to a proposed Memo of Understanding with Heritage Plaza; contractual matters pertaining to a proposed Memo of Understanding with USCB; and contractual matters pertaining to the negotiations for the Ocean Point Emergency Beach Renourishment Project.

At 5:39 p.m. Mr. Harkins moved to go into Executive Session for the reasons given by the Town Manager. Mrs. Likins seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:52 p.m. and stated there were items to address as a result of Executive Session. He referenced the tabled motion concerning the Ocean Point Beach Renourishment Project. For reference the motion as noted above was: Mr. McCann moved to authorize the Town Manager to proceed with awarding the bid to get on with the construction of the beach renourishment project and to bring back to Town Council a budget amendment for up to an additional \$200,000 to cover the expected cost overruns associated with this project. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

Mayor Laughlin stated the two items below involve property acquisitions, one of which involves a property of his client and the other involves a group of properties, one of which involves his client. He stated he was recusing himself and handed the gavel to Mayor Pro-Tem Harkins. He then left the dais. The required Conflict of Interest forms are attached.

**f. Consideration of a Resolution for the purchase of land within the Pope Avenue Corridor.**

Mr. Williams moved that Town Council adopt a resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of a contract for purchase of 5.54 acres and two office buildings on Hilton Head Island, South Carolina from Carolina Office Park, L.L.C. now known as Glover Real Estate, LLC for one million six hundred seventy-five thousand dollars (\$1,675,000.00). Mrs. Likins seconded. The motion was approved by a vote of 6-0.

**g. Consideration of a Resolution for the purchase of land within the Pope Avenue Corridor, to include potential condemnation.**

Mr. Williams moved that Town Council adopt a resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing condemnation, if necessary, pursuant to S.C. Code Section 28-2-10, *et seq.*, of ownership rights over that certain parcel located in the Pope Avenue Corridor Area and known as R552-015-000-0406-0001. Mr. Edwards seconded. The motion was approved by a vote of 6-0.

**13) Adjournment**

Mr. Williams moved to adjourn. Mr. McCann seconded. The motion was unanimously approved by a vote of 6-0. The meeting was adjourned at 6:56 p.m.

---

Vicki Pfannenschmidt,  
Executive Assistant/Town Clerk

Approved:

---

Drew A. Laughlin, Mayor