

**TOWN OF HILTON HEAD ISLAND**  
**PUBLIC SAFETY COMMITTEE REGULAR MEETING**

**Date:** July 11, 2016

**Time:** 10:00 AM

**Members Present:** Marc A. Grant, *Chairman*; Bill Harkins and David Ames, *Council Members*

**Members Absent:** None

**Town Staff Present:** Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Town Engineer*; Jeff Buckalew, *Assistant Town Engineer*; Darrin Shoemaker, *Traffic & Transportation Engineer*; James Cook, *Engineering Technician*; Bryan McIlwee, *Assistant Town Engineer/Storm Water Manager*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; Joheida Fister, *Fire Marshal*; and Lynn Buchman, *Senior Administrative Assistant*

**Others Present:** David Bennett, *Mayor*; Tom Lennox, John McCann, and Kim Likins, *Council Members*; various residents from the South Forest Beach area; and Eleanor O'Key, *Lowcountry Inside Track*;

**Media Present:** Teresa Moss, *The Island Packet*; Macey Lauren, *WTOC-TV*; Ashleigh Holland, *WSAV-TV*; and WJCL Representative

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**1. Call to Order**

**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**

**a. Regular Public Safety Committee Meeting of May 2, 2016**

A motion to approve the May 2, 2016 minutes was made by Mr. Harkins and seconded by Mr. Grant. The motion was approved by a vote of 2-0, with Mr. Ames abstaining since he was not present at that meeting.

**4. Executive Session**

**a. Legal Matters**

**Receipt of Legal Advice:**

**(1) Related to Issues Surrounding the Use of Lock-Out Units in the Town**

At 10:02 AM, Chairman Grant moved to enter into Executive Session for the reasons set forth above, and Mr. Harkins seconded the motion. The motion was approved by a vote of 3-0.

**5. Possible actions by Committee concerning matters discussed in Executive Session**

Chairman Grant called the meeting back to order at 11:26 AM, and explained that the Committee would move on to the other agenda items and return to Executive Session matters.

## **6. Unfinished Business**

None

## **7. New Business**

### **a. Discussion of Traffic and Related Safety Issues along Leg o’Mutton Road**

Scott Liggett, Town Engineer, explained he had no formal presentation prepared, but he and Town Staff were available to facilitate any discussion. Chairman Grant asked for public comments and hearing none, the Committee moved on to the next agenda item.

### **b. Discussion of Road Condition and Emergency Vehicle Access to Mustang Lane**

Mr. Liggett stated that Staff had been asked to provide an evaluation of Mustang Lane, and he noted Staff from the Engineering Department and Fire Rescue were present to share the results. He advised the Committee that Mustang Lane, along with approximately 80 other dirt roads, were last formally rated and ranked by the Town late last calendar year. More recently, he reported that representatives from Fire Rescue, including Chief Tadlock, have visited the site, and they are prepared to provide their evaluation, as well.

Jeff Buckalew, Assistant Town Engineer, reported that Town Staff, along with the Fire Chief and Fire Marshal, visited the road and have deemed that it is passable for emergency vehicles and determined that there is no threat to public health and safety. He noted the condition of the road in context with all other ranked dirt roads is 42 out of 78. He also reported the Town had attempted a drainage project in that community approximately 10 years ago, and at that time the Town was unsuccessful in obtaining drainage easements from the private property owners. Mr. Liggett and Mr. Buckalew stated that Staff is prepared to accelerate the drainage project and move forward quickly to solve the drainage problems once the property owners agree to donate the easements necessary. Mr. Liggett and Mr. Buckalew noted that Mustang Lane intersects with Old Wild Horse Road, which is owned by the SCDOT, but Mustang Lane does not abut nor is it adjacent to any Town owned land. Mr. Liggett noted the drainage project is separate and distinct from the future acquisition of any road right-of-way that may be pursued, as there will be other property owners to contact to secure the road right-of-way.

## **5. Possible actions by Committee concerning matters discussed in Executive Session**

Chairman Grant returned to this item, noting there was no action taken in Executive Session.

Mr. Harkins moved that the Committee recommend to Town Council that the Mayor ask the Town Manager to direct Staff with a Town Council representative to work with the Oceanwalk Board within the context of their inherent roles and responsibilities, to identify potential opportunities for development of a remedy related to issues surrounding the lock-out units. Also, to review the LMO within the context of lock-out units being used as short-term rentals as opposed to long-term rentals. Also, to obtain from the Sheriff’s Department incident reports for the past 3 years related to lock-out units at Oceanwalk. Further, to ask the law firm of Robinson McFadden to provide a risk assessment opinion related to the drafting of new legislation related to the rental of lock-out units. Mr. Ames seconded the motion.

Chairman Grant asked for public comments. Clarifications were requested by Jack Daly and Linda Ward. Mr. Harkins indicated the principles of thought would have a universal appeal to any situation, including Xanadu and subdivided houses in the Forest Beach area. He further indicated it would be premature to comment on specifics until Town Council as a whole approves the Committee’s recommendation. Chairman Grant noted any matters pertaining to the Fire Marshal involvement would be made available to the public at a later time.

Tom Weatherhead asked that the legal definition of legal dwelling units under the LMO be discussed, as well, and Mr. Harkins noted that within the context of this motion that relates to the LMO, the definition of short-term and long-term will be reviewed. Mr. Harkins outlined a two-fold approach: (1) the matter could be resolved with the Board of Directors of Oceanwalk through a review of their by-laws and opportunities available to them to create a curative plan; and (2) assuming that does not work, then concurrently, it is suggested that the Town look at the definition of short-term and long-term within the existing LMO and determine any opportunities for changes to the LMO that could assist with the situation. He noted this would be a more arduous, time-consuming and complicated approach that may need advisement before action is taken.

There being no further comments, the motion was passed by a vote of 3-0.

## **8. Adjournment**

A motion to adjourn was made by Mr. Harkins and seconded by Mr. Ames. The meeting adjourned at 11:42 AM.

Respectfully submitted:

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Lynn W. Buchman  
Senior Administrative Assistant

Approved by:

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/Approved August 1, 2016  
Marc A. Grant, Chairman