

THE TOWN OF HILTON HEAD ISLAND

REGULAR TOWN COUNCIL MEETING

Date: Tuesday, December 17, 2013

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Kim Likins, Marc Grant, John McCann, Lee Edwards, *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*; Jill Foster, *Deputy Director of Community Development*; Bret Martin, *Deputy Director of Finance*; Victoria Shanahan, *Accounting Manager*; Jim Alm, *Accounting Supervisor*; Julian Walls, *Facilities Manager*; Brian Hulbert, *Staff Attorney*; Jill Foster, *Deputy Director of Community Development*; Heather Colin, *Development Review Administrator*; Jayme Lopko, *Senior Planner*; Brian McIlwee, *Town Engineer*; Nancy Gasen, *Human Resources Director*; Melissa Cope, *Systems Analyst*; 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

a. Hilton Head Island High School Girls Cross Country Team – 3-A State Championship

Coaches and members of the Girls Cross Country Team were present to accept the Commendation.

b. Hilton Head Island High School Boys Cross Country Team – 3-A State Championship

Coaches and members of the Boys Cross Country Team were present to accept the Commendation.

6) Approval of Minutes

a. Town Council Meeting– December 3, 2013

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the December 3, 2013 Town Council regular meeting were approved by a vote of 7-0.

7) Report of the Town Manager

a. FY2013 CAFR and Audit Presentation – Gary Cooke, Elliott Davis, LLC

Mr. Riley invited Gary Cooke to approach the dais for review of the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2013. Mr. Cooke thanked Susan Simmons, Victoria Shanahan and the entire Finance Staff for their transparency, cooperation and timeliness during the audit. He referred to the opinion and stated the Town received an Unmodified Opinion which is the highest opinion indicating the Town financial statements were presented fairly and in compliance with generally accepted accounting principles and that there were no exceptions. Mayor Laughlin thanked staff and Mr. Cooke for their efforts. Mr. Riley informed Council that after they review the document, staff will be available to discuss and answer any questions they may have.

b. Town Manager's Items of Interest

Mr. Riley reported on some Items of Interest.

c. November, 2013 Policy Agenda, Management Targets and CIP Updates

Mr. Riley noted he was available for any questions concerning the updates that were included in the packet.

d. Semi-Annual Land Acquisition Update

Mr. Riley reviewed the information and stated he was available for any questions.

Mr. Riley invited Scott Liggett to update Council on the capsized shrimp boats. Mr. Liggett informed Council that today was the deadline for the boat owners to remove the boats and as of tomorrow, December 18, 2013, the owners are subject to a \$1800 fine and \$100 a day for each day thereafter that the boats remain in the water. He said that if Council wanted to have the Town remove the boats we would have to do a request for consent from the owners to remove them. Mr. Liggett explained that a budget amendment in the amount of \$175,000 would be required in order for the Town to enter in to a contract for removal of the boats. After discussion, it was the consensus of Council for staff to initiate the request for consent from the owners and that staff should bring forward a budget amendment in the amount of \$175,000 to Council for the cost of removing the boats.

8) Reports from Members of Council

a. General Reports from Council

None.

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

Mr. McCann reported the Committee met on December 5 and voted in favor of a zoning amendment and it would be coming forward to Town Council on January 7.

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

Mrs. Likins reported the Committee met earlier in the day and voted in favor of the Chaplin Linear Park Schematic Master Plan and the draft policy for the acceptance and dedication of private roads rights of way and they would be coming forward to Town Council on January 7.

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

No report.

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

Mrs. Likins stated the Committee would be meeting on Wednesday, December 18 at 8:30 a.m.

9) Appearance by Citizens

None.

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2013- 20

Second Reading of Proposed Ordinance 2013-20 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2013; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

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

b. Second Reading of Proposed Ordinance 2013- 19

Second Reading of Proposed Ordinance 2013-19 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2014; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

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

c. Second Reading of Proposed Ordinance 2013- 17

Second Reading of Proposed Ordinance 2013-17 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2014; to provide for the budgeted appropriations of prior year encumbrances and for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

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

d. Second Reading of Proposed Ordinance 2013-18

Second Reading of Proposed Ordinance 2013-18 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2014; to provide for the budgeted appropriations of prior year budget roll-forwards and the expenditures of certain funds; and to allocate the sources of revenue for the said funds

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

e. Second Reading of Proposed Ordinance 2013-27

Second Reading of Proposed Ordinance 2013-27 of the Town Of Hilton Head Island, South Carolina, authorizing the execution of a contract for purchase and sale; the execution of a deed for the sale of 0.24 acres of real property located near William Hilton Parkway and the Fresh Market Shoppes to HCP Acquisition, LLC, in exchange for 0.50 acres of real property located near William Hilton Parkway and the Fresh Market Shoppes from HCP Acquisition, LLC; and the granting of an access easement to HCP Acquisition, LLC, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 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.

f. Second Reading of Proposed Ordinance 2013-24

Second Reading of Proposed Ordinance 2013-24 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance, Chapter 4, Article XIII. this amendment, commonly referred to as the *LMO Amendment to Amend Auto Sales Standards*, as noticed in the Island Packet on August 11, 2013, includes a revision to Chapter 4, Article XIII, Section V, Auto Sales; 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.

g. Revised First Reading of Proposed Ordinance 2013-23

Revised First Reading of Proposed Ordinance 2013-23 of the Town Of Hilton Head Island, South Carolina, to amend Title 10 of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Franchises), specifically Section 10-5-90; 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.

h. Revised First Reading of Proposed Ordinance 2013-25

Revised First Reading of Proposed Ordinance 2013-25 of the Town Of Hilton Head, South Carolina, to amend Title 9 (Health and Sanitation) of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 6 (Collection of Solid Waste and Recycling); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. Mr. Williams motioned to amend Section 9-6-40(f) to read that all recyclable materials collected by any waste hauler will be transported to a town-approved recycling processing location. Mr. Harkins seconded the amendment. The amendment was unanimously approved by a vote of 7-0. The amended motion was unanimously approved by a vote of 7-0.

11) New Business

a. First Reading of Proposed Ordinance 2013-28

First Reading of Proposed Ordinance 2013-28 of the Town of Hilton Head Island, South Carolina, to amend Title 10 of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Franchises), specifically deleting section 10-5-90; 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.

b. Consideration of a Resolution – Hilton Head Plantation Drainage Agreement

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of a first amendment to amended and restated drainage agreement and a first amendment to modification of access, drainage and maintenance easement and partial assignment with Hilton Head Plantation Property Owners Association, Inc.

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

c. Consideration of a Resolution – Sea Pines Drainage Agreement

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of a first amendment to drainage agreement and a first amendment to access, drainage and maintenance easement with Community Services Associates, Inc.

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

d. Consideration of a Resolution establishing principles, goals, policy agenda and management agenda

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, establishing the Town of Hilton Head Island Destination 2029 Guiding Principles, the Five Year (2019) Goals, 2014 Policy Agenda/Targets for Action, and 2014 Management Agenda.

Mrs. Likins moved to approve. Mr. Harkins 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; contractual matters pertaining to a proposed pathway easement; and personnel matters pertaining to the review of the Town Manager.

At 4:37 p.m. Mr. Williams moved to go into Executive Session for the reasons given by the Town Manager. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 4:51 p.m. and asked if there was any business as a result of the Executive Session.

e. Town Manager Review/Compensation

Mr. Harkins moved to amend the Town Manager's Contract of Employment to provide for a base pay increase of 3% or \$5,103; provide for an increase from 8% to 9.5% in the Town's contribution to Mr. Riley's 457 Plan account; provide supplemental Long-Term Disability coverage to produce a benefit equal to 65% of Mr. Riley's base pay; provide additional individual life insurance coverage to produce a total life insurance benefit equal to at least 2 (two) times Mr. Riley's annual salary; and clarify language pertaining to reimbursement of Cross Island Parkway toll charges; to be effective with the Contract term starting July 1, 2013 or as soon as possible thereafter in the case of new disability and life insurance coverage (where policy review and medical underwriting are required). Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

13) Adjournment

Mr. Williams moved to adjourn. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 4:52 p.m.

Vicki Pfannenschmidt,
Executive Assistant/Town Clerk

Approved: 1/7/2014

Drew A. Laughlin, Mayor