



The Town of Hilton Head Island Regular Intergovernmental and Public Safety Committee Meeting

June 4, 2018

10:00 a.m. – Benjamin M. Racusin Council Chambers

AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting

- 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. Intergovernmental and Public Safety Committee Meeting of May 7, 2018
- 4. Unfinished Business**
 - a. ASPPPO/CSA Land Use Management Committee
 - i) Current Findings
 - ii) Outcome of meeting with Town Staff
 - iii) Suggested next steps
- 5. New Business**
- 6. Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of Town Council members attend this meeting.

TOWN OF HILTON HEAD ISLAND
INTERGOVERNMENTAL & PUBLIC SAFETY COMMITTEE

Minutes of the Monday, May 7, 2018
Regular Meeting

Members Present: Bill Harkins, *Chairman*, David Ames, *Council Member*, Marc Grant, *Committee Member*,

Members Absent: David Bennett, *Mayor and Committee Member*

Others Present: Captain Angela Viens, *Beaufort County Sheriff's Office*; Kiera Morris, *Beaufort County Sheriff's Office*; Dana Guazzo; Richard Matthews, *CEBS*; and Various Members of the Public, Peter Kristian, *General Manager of Hilton Head Plantation*; and various members of the public

Staff Present: Greg DeLoach, *Assistant Town Manager*; Brian Hulbert, *Staff Attorney*; Charles Cousins, *Director of Community Development*; Shawn Colin, *Deputy Director of Community Development*; Thomas Dunn, *Emergency Management Coordinator* and Phyllis Deiter, *Senior Administrative Assistant*

Media Present: *Member of the media*

1. Call to Order

The meeting was called to order at 10:00 AM by Chairman Harkins.

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 motion to approve the minutes of the March 5, 2018 Intergovernmental and Public Safety Committee meeting was made by David Ames and seconded by Marc Grant. The motion was approved by a vote of 3-0.

4. Unfinished Business

None.

5. New Business

Chairman Harkins opened the meeting by reordering the agenda items as follows:

1. (5c) Sea Pines Land Use Management Committee Presentation – General discussion
2. (5a) 1st Quarter 2018 Crime Statistics – Capt. Angela Viens
3. (5b) Status of BCSO Consultant's Report

a. Status of Sea Pines Land Use Management Committee Presentation – General discussion regarding abandoned properties on Hilton Head Island

Richard Matthews began by stating purpose of the presentation is to look at the history with the Sea Pines property as a guide to help determine a course of action with future pieces of property that fall into disrepair affecting safety and quality of life. The property in the Sea Pines Plantation had gone through an 8 ½ year foreclosure process leaving the property as neglected and unsafe. There had been negligence from multiple parties involving legal issues with the current CSA management, the CSA Board, and the property owner. Today, there are still issues that need attention. A series of rhetorical questions were presented to the committee as a tool to start the conversation. (Reference attached presentation.)

Mr. Harkins thanked Mr. Matthews for his presentation. There were no further comments from the dais.

Public comments were solicited. Mr. Kristian, General Manager of Hilton Head Plantation, spoke about his experience as a manager dealing with properties within a gated community. He referenced these issues came to the forefront after the collapse of the real estate market in 2005 where the value of the homes were upside down and homeowners walked away. The two storms that followed, Hurricane Matthew and Tropical Storm Irma, caused significant damage to the Island. Due to building codes and insurance issues, some homes were left unoccupied and in disarray. Hilton Head Plantation covenants allow management to go onto private property for aesthetic maintenance; not structural maintenance. For example: cut grass, trim trees, and remove something that would be a danger to others. Hilton Head Plantation has the ability to fine the property owner and make it part of the yearly assessment. Mr. Kristian did note that Hilton Head Plantation does not have any remedy if the house is no longer structurally sound.

There were no other public comments for this agenda item.

b. 1st Quarter 2018 Crime Statistics – Capt. Angela Viens

Greg Deloach introduced to the committee Captain Viens, the newly appointed Southern Division Captain, referencing her expansive work history within our community.

Captain Viens began the presentation of the 1st Quarter 2018 Crime Statistics with *crimes against persons*. The statistics were noted as Murder 0, Aggravated Assault 14, Robbery 2, and Forcible Rape 3. The suspect in one of the three rape cases has been identified and this investigation is ongoing. The second case involved visitors and was noted as a familial situation. Both the second and third rape case are ongoing investigations. Mr. Ames asked Capt. Viens how Hopeful Horizons and the Sheriff's office respond in regard to rape cases. Hopeful Horizon initially sends an advocate to the hospital for the initial interaction. Hopeful Horizons has a network of advocacy centers providing necessary resources to the victim and the investigation. Hopeful Horizons will also accompany victims to court and is considered very proactive with the BCSO department.

The following slide, *crimes against property*, showed an overall increase of 12 incidents:

Burglary 17, Larceny 132, and Auto Theft 3. All of these cases were repeat offenders. There was a string of burglaries and safe cracking that occurred on the Island in late February. Those cases have been tracked to three individuals in the North Charleston area and the department anticipates obtaining arrest records shortly. Mr. Harkins probed if these crimes were individuals or gang related. Capt. Viens indicated the department would not classify these incidents as a “gang” because the crimes did not profit an organization.

Vehicle collisions were up slightly with a total of 248. The department has seen an increase of over 300 warning and traffic citations issued this quarter. BCSO is beginning a county wide 6-member traffic team specifically responsible for traffic enforcement on the three major highways in Beaufort County: US Highway 278, 170 and 21. The statistics for *marine patrol*, *volunteer hours* and *calls for service* statistics were noted.

The sheriff has instituted Low Country Law Enforcement via You-Tube channel. <https://www.youtube.com/channel/UCuYi6DuzHAh2kKQ7OnumCgg>. This channel highlights different departments, such as: School Resource Officer Program, Forensics Services Laboratory and the new Hurricane Reentry Program. Mr. Harkins asked how the new Hurricane procedures were being communicated to the public. This program was set forth by Cornel Neil Baxley with the Beaufort County Sheriff’s Office, Emergency Management Division Commander and can be seen at: <https://www.youtube.com/watch?v=DuAvWwJnjGo>. Reentry program has also been communicated to the public through the BCSO Nixle Program as well as the Town’s website. <http://www.hiltonheadislandsc.gov/publicsafety/hurricane/reentry.cfm>

Marc Grant noted that he has seen more police presence on the Island. However, he asked if there were ways to be more proactive with the increase in gunfire throughout the country. Captain Viens went on to note that the BCSO partners with Crime Stoppers. The department has recently utilized the P3 App where children now have the ability to report anonymously situations such as: bullying, threats against school, and assault and battery. This corresponds with the schools’ program of, “See something, Say something.” The BCSO office was very active for about a week after the Florida incident. Mr. Grant noted specific incidents that occurred on the Island. Captain Viens indicated that the department have plain clothes officers, undercover vehicles and sheriff’s in uniform patrolling and providing a greater presence on the Island.

Mr. Ames spoke about the impact of crime with not only residents’ quality of life but also the Town’s tourism industry. He questioned if the Sheriff’s office could completely eliminate crime in the Coligny/ S. Forest Beach area, would that crime gravitate to another area? Capt. Viens did not believe so as there is an understanding of what those crimes are and why they occur. The tourists on vacation tend to have less self-protection and self-awareness. The department tries to impress upon the tourists to lock car doors, lock house doors, and watch their belongings.

c. Status of BCSO Consultant’s Report

Greg Deloach, Assistant Town Manager, updated the committee regarding the status of the Beaufort County Sheriff’s Office Consultant’s report. Starting back in late February, the Public Safety Strategy Group conducted in-person and some telephone interviews with Town Council, Town staff, the sheriff, and the Sheriff’s office personnel along with dozens of community leaders. To date, the firm has reviewed files related to the school resource officer, special events, various survey data, grant information, shift and deployment schedules, personnel policies, annual reports, organizational chart and budget information.

There was an additional public comment from Mr. Kristian, Manager of Hilton Head Plantation.

With no further discussion items, Chairman Harkins adjourned the meeting.

6. Adjournment

There was a motion for adjournment by David Ames, and seconded by Marc Grant. The meeting was adjourned at 10:57 A.M.

Respectfully submitted:

Phyllis Deiter
Senior Administrative Assistant

Approved on: _____

Bill Harkins, Chairman

Health Safety and Security

The reasons we are here today

Sea Pines specifically would like to work with the town to more efficiently and effectively deal with problem properties – we have a dedicated standing committee AND dedicated funding.

A Two Step Process

- Step 1. Explore what happened with 40 Sandfiddler so that together we can learn from this history and then determine the next course of action.
- Step 2. We wish to invite all of the gated communities to join us in working with the town to build a community-wide solution to what we believe will be an ongoing and significant problem.

Preparing for a Solution with Questions

- A series of questions to provide the **impetus** for research
- A series of questions to provide the **impetus** for development of new procedures and protocols to deal with problem properties in gated communities
- A series of questions to provide the **impetus** to deal with the challenging issues at hand that could possibly stand in the way of an elegant solution

Do current town ordinances allow for uninhabited, unsafe buildings to be demolished or remediated?

- What conditions make buildings unsafe?
- What conditions allow for remediation?
- What conditions allow for a building to be condemned?
- What circumstances or conditions stalled actions related to 40 Sandfiddler?

What conditions should cause us to alert the town?

- Health code violations such as rat harborage? Abandoned vehicles? Mosquito breeding grounds?
- Building code violations?
- Pools left uncovered, empty or unfenced?

Do we need to amend the current code?

- Do we need codes to specifically address pools?
- Building codes seem to focus on uninhabited buildings. What about violations of *inhabited* buildings within gated communities?

Does the town view gated communities differently?

- Are problems less concerning because gated communities have covenants?
- Are gated communities expected to solve their own problem properties?
- Is there consideration given to the fact that residents in gated communities pay for the cost of health and safety as do all citizens? (For example, Sea Pines residents provide substantial tax revenue to Beaufort County)

What are the challenges in addressing problem properties in gated communities?

- Lack of town staff and funding?
- Inadequate or unclear routes of communication with gated communities?
- Multiple gated communities each with different covenants and staff?
- Political issues?

What would be the perfect town/gated community relationship?

- Should we establish a sub committee of the IPS composed of all gated community representatives that have an interest in solving these problems?
- At what point should/would the town become involved with problem properties/
- Would funding provided by the respective gated community have an effect – would it allow the town to move forward more quickly to condemn?

Let's join together for the Health and Safety of Hilton Head Citizens

- Let's meet in June to discuss this further
- We will attempt to get all other gated communities involved for the next meeting
- Let's use the questions to engage all parties so that we have a productive meeting in June – we don't need answers as much as we need a serious discussion on the way forward using questions to facilitate same

Intergovernmental & Public Safety Committee

Meeting

June 4, 2018

4. Unfinished Business

a. ASPPPO/ CSA Land Use Management Committee

ii. Outcome of meeting with Town Staff

Agenda for IPS Meeting
June 4, 2018

1. MEETING OF MAY 22, 2018 (refer to topics of discussion, item 2)

a. Outcome summary

- i. Town staff believes that current code/ordinances cover most cases they are engaged with
- ii. Enforcement discretion is a bad idea per Cousins as it leads to unequal enforcement
- iii. 40 SF is NOT currently in violation as an unsafe building per current code
- iv. Vacated structures are regulated under fire safety code; not building code
- v. Inhabited structures are regulated under building code; more enforcement potential
- vi. Private pool code ordinances do not exist (fencing, covers, etc.). No plans to implement the International pool/spa safety code.
- vii. Municipal code includes resolution options via an appeals committee prior to county involvement, which mandates court intervention (a potentially lengthy process)
- viii. The town is hesitant to take action on an owner willing to work with the town.

b. Next steps

- i. Discuss approach that should be taken with recalcitrant owners or “bad-actors”
- ii. Review rat harborage code which currently prevents action on harborage within a structure
- iii. Review Sea Pines Covenants and current town code/ordinances to determine gaps in ability to address unsafe structures.
- iv. Have regular meetings with town staff to discuss progress and potential need for additional ordinances to address gaps found.
- v. Determine the perfect town/gated community relationship
 1. Establish a sub committee of the IPS composed of all gated community representatives that have an interest in solving these problems
 2. At what point should/would the town become involved with problem properties?
 3. Would funding provided by the respective gated community have an effect – would it allow the town to move forward more quickly to condemn?

2. Discussion at the May 22nd meeting included the following questions:

- a. QUESTION 1. Do current town ordinances allow for uninhabited, unsafe buildings to be demolished or remediated?
 - i. What conditions make buildings unsafe?
 - ii. What conditions allow for remediation?
 - iii. What conditions allow for a building to be condemned?
 - iv. What circumstances or conditions stalled actions related to 40 Sandfiddler?
- b. QUESTION 2. What conditions should cause us to alert the town?
 - i. Health code violations such as rat harborage?
 - ii. Abandoned vehicles? Mosquito breeding grounds?
 - iii. Building code violations?
 - iv. Pools left uncovered, empty or unfenced?
- c. QUESTION 3. Do we need to amend the current code?
 - i. Do we need codes to specifically address pools?
 - ii. Building codes seem to focus on uninhabited buildings. What about violations of inhabited buildings within gated communities?
- d. QUESTION 4. Does the town view gated communities differently?
 - i. Are problems less concerning because gated communities have covenants?
 - ii. Are gated communities expected to solve their own problem properties?
 - iii. Is there consideration given to the fact that residents in gated communities pay for the cost of health and safety as do all citizens? (For example, Sea Pines residents provide substantial tax revenue to Beaufort County)
- e. QUESTION 5. What are the challenges in addressing problem properties in gated communities?
 - i. Lack of town staff and funding?
 - ii. Inadequate or unclear routes of communication with gated communities?
 - iii. Multiple gated communities each with different covenants and staff?