



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, August 18, 2020, 4:00 p.m.
AGENDA

In accordance with Emergency Ordinance 2020-13, this meeting is being conducted virtually and can be viewed on the Town's Facebook Page (<http://facebook.com/TownofHiltonHeadIslandSC>), and website (<https://www.hiltonheadislandsc.gov/>), as well as Hargray channels 9 & 113 and Spectrum channel 1304.

- 1. Call to Order**
- 2. FOIA Compliance:** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
- 3. Pledge to the Flag**
- 4. Invocation – Pastor Jeff Dorth, Island Lutheran Church**
- 5. Approval of Agenda**
- 6. Approval of Minutes**
 - a. Regular Meeting, July 21, 2020
 - b. Special Meeting, July 29, 2020
- 7. Report of the Town Manager**
 - a. U.S. 278 Corridor Project Update – Craig Winn, Project Manager, SCDOT
 - b. Parks & Recreation Commission Update – Ray Kisiah, Chairman
 - c. Proposed Town Council Meeting Dates for 2021
 - d. Items of Interest
- 8. Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Committee – Bill Harkins
 - c. Report of the Community Services & Public Safety Committee – Marc Grant
 - d. Report of the Public Planning Committee – David Ames
 - e. Report of the Finance & Administrative Committee – Tom Lennox
- 9. Proclamations/Commendations – NONE**
- 10. Appearance by Citizens**

Citizens who wish to speak before Town Council concerning matters not already on the agenda, must contact the Town Clerk at 843-341-4701, prior to 12:00 p.m. the day of the meeting. Those who wish to provide comments/feedback on scheduled agenda items may do so by visiting the Open Town Hall portal.

11. Unfinished Business

a. Consideration of Proposed Emergency Ordinance 2020-20 - Face Coverings

Consideration of Proposed Emergency Ordinance 2020-20 requiring individuals to wear face coverings in certain circumstances and locations in the Municipal Limits of the Town of Hilton Head Island, South Carolina; and providing for severability and an effective date.

b. Consideration of Proposed Emergency Ordinance 2020-19 - Virtual Meetings

Consideration of Propose Emergency Ordinance 2020-19 extending the standards for electronic meetings in the Town of Hilton Head Island, South Carolina; and providing for severability and effective date.

c. Second Reading of Proposed Ordinance 2020-03 – General 2019 Amendments Set 2

Second Reading of Proposed Ordinance 2020-03 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 2, 3, 4k 5k 10, and Appendix D. These amendments, commonly referred to as *General 2019 Amendments – Set 2* as noticed in the Island Packet on December 15, 2019, include changes that provide for General Amendments to a variety of sections in the LMO described on Exhibit “A” to the Ordinance, and providing for severability and an effective date.

12. New Business

a. Consideration of a Resolution – Donation from Hilton Head Cycling, Inc.

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, assigning the proceeds of a donation from Hilton Head Cycling, Inc. to be used for bicycle safety on Hilton Head Island.

b. Consideration of a Resolution – Park Planning, Programming, Funding & Implementation

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina authorizing staff to move forward with the recommendations per the Parks and Recreation Master Plan, Chaplin Linear Park, the Shelter Cove Connectivity Project, and to authorize an internal transfer of funds for parks operations and maintenance, and allocate additional funds for the Island Recreation Center.

c. First Reading of Proposed Ordinance 2020-18 – Electronic Meetings

First Reading of Proposed Ordinance 2020-18 to amend the Municipal Code of the Town of Hilton Head Island, South Carolina, by adding Section 2-5-15, to provide for regular and special meetings and public hearings of the Town Council and Town Boards and Commissions with final decision making authority, by Electronic Means during Declared States of Emergency; and by adding Section 2-5-16, to provide for meeting of Boards, Committees, and Commissions that do not have final decision making authority by Electronic Means; providing for exemptions; and providing for severability and effective date.

d. First Reading of Proposed Ordinance 2020-16 – Leg O’ Mutton Road

First Reading of Proposed Ordinance 2020-16 to amend Title 16, “The Land Management Ordinance,” of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map with respect to the certain 6.7 acre parcel located at 76 Leg O’ Mutton Road, identified as PIN R510 008 000 0275 000, within the Indigo Run Master Plan under the PD-1 (Planned Development Mixed Use) Zoning District, to change the existing allowed use and density of the parcel to either a Wholesale Landscape Nursery and Landscape Contractor’s Office with outside storage at up to 6,000 square feet per net acre, without any grinding or logging for the entire site or Residential at 8 unites per net acre for the entire site; and providing for severability and an effective date.

12. New Business (cont.)

e. **First Reading of Proposed Ordinance 2020-21 - General Obligation Refunding Bonds**

First Reading of Proposed Ordinance 2020-21 authorizing the issuance and sale of not to exceed \$13,500,000.00 General Obligation Refunding Bonds, in one or more series including a taxable series, if recommended, with appropriate series designations, of the Town of Hilton Head Island, South Carolina; fixing the form and certain details of the Bonds; authorizing the Town Manager or his lawfully authorized designee to determine certain matters relating to the Bonds; providing for payment of the Bonds and disposition of the proceeds thereof; and other matters relating thereto.

f. **Consideration of a Recommendation – Mitchelville Master and Business Plan**

Consideration of a Recommendation to Town Council from Town staff, recommending the approval of the Master Plan and Business Plan for the Historic Mitchelville Freedom Park (HMFP).

g. **Consideration of a Recommendation – Public Art Master Plan**

Consideration of a Recommendation to the Town Council of the Town of Hilton Head Island, South Carolina, recommending approval and adoption of the proposed Public Art Masterplan.

13. Executive Session

- a. **Personnel Matters:** Discussion of appointments of members related to Boards and Commissions.
- b. **Land Acquisition:** Discussion of negotiations incidents related to the proposed sale, lease, or purchase of property in the Stoney Area.
- c. **Land Utilization:** Discussion of negotiations incidents related to the proposed sale, lease, or purchase of property.
- d. **Right of Way Acquisition:** Discussion of incidents related to a proposed Right of Way in the Mitchelville Lane Area.
- e. **Contractual Matters:** Discussion of negotiations incidents to proposed contractual arrangements with Beaufort County.

14. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

15. Adjournment

Public comments concerning agenda items can be submitted electronically via the Town's Virtual Town Hall portal (<https://hiltonheadislandsc.gov/opentownhall/>). The portal will close **TWO (2) HOURS** prior to the scheduled meeting. All comments submitted to the portal will be provided to Town Council for review and made part of the official record.



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, July 21, 2020 at 4:00 p.m.
MEETING MINUTES

Present from Town Council: Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Marc Grant, Tom Lennox, Glenn Stanford, *Council Members*

Absent from Town Council: John McCann, *Mayor*

Present from Town Staff: Steve Riley, *Town Manager*; Josh Gruber, *Assist. Town Manager*; Shawn Colin, *Director of Community Development*; Teri Lewis, *Deputy Director of Community Development*; Nicole Dixon, *Development Review Administrator*; Alice Derian, *Assistant Facilities Manager*; Krista Wiedmeyer, *Exec. Assist/Town Clerk*

1. Call to Order

Mayor Pro-Tem Harkins called the meeting order at 4:00 p.m. By way of roll call, the attendance of Town Council was confirmed. All members were present except for Mayor McCann.

2. FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island

3. Pledge of Allegiance

4. Invocation – Pastor Steve Salvas, Grace Community Church

Pastor Steve delivered the invocation.

5. Approval of Agenda

Mr. Lennox moved to approve the agenda as written. Mr. Stanford second. The agenda was approved by a vote of 6-0.

6. Public Hearing

a. Palmer Simmons Appeal of Removal from the Planning Commission

Mayor Pro-Tem Harkins called the Public Hearing to order at 4:04 p.m. He asked Mr. Riley to provide an update on this matter.

Mr. Riley gave a brief status update as to the steps and actions that were taken leading up to the public hearing. Upon the conclusion of his update, Mayor Pro-Tem Harkins called on Mr. Simmons and/or his legal counsel to address Council on this matter.

6. Public Hearing (cont.)

Sean Bolchoz, legal counsel for Mr. Simmons said that he had been asked by his client to sit in on the hearing, but that Mr. Simmons would speak on his own behalf. Mr. Simmons addressed Council stating first that he objected to the holding of the public hearing since it could not be conducted in a live, in-person setting. He said that he did not understand why postponing the meeting until it could be conducted live causes any inconvenience or hardship to Town Council, stating that he felt it was only hurting him. Mr. Simmons said that removing him from the Planning Commission because of a citation he received last February was unfair. He continued by comparing this matter with another Town matter that took place with the Board of Zoning and Appeals; stating that he felt the situations were similar, but the outcome was different. Mr. Simmons stated that removing him from the Planning Commission was unnecessary as he would have recused himself from any discussions that were related to the use of his property. He said he felt that removing him from the Planning Commission was another way to punish him; stating that he represented both Hilton Head Island and his community well in his role on the Planning Commission. He went on to say that events leading up to the hearing was due to a complaint from a neighbor who he has been in a dispute with. Mr. Simmons stated that washing his truck on his land was fully legal, and at some point, he hopes there will be some clarification to this. He closed by stating that the culture coming out of the Town has become very unfriendly.

Mayor Pro-Tem Harkins opened the discussion to members of the public that signed up to address Council. Mr. Tai Scott, Mr. Ibrahim Abdul-Malik, and Mr. Skip Hoagland addressed Council in support of Mr. Simmons, and against his removal from the Planning Commission.

Mayor Pro-Tem Harkins asked the members of Town Council if they wished to comment on this matter. Mr. Ames stated that Mr. Simmons is a good person, and he wanted the broader community to know that. He said that he agreed that there is a distance to go to become one island, one community. Mr. Grant stated that he would like a little clarification concerning the matter Mr. Simmons brought up regarding the Board of Zoning Appeals Chairman and how that matter was different from this matter with Mr. Simmons. Mr. Riley stated that he recalled speaking about the Chairman from the BZA, noting that the situation was in violation of the LMO. He said that during a meeting of the BZA, they had overturned the recommendation from staff, and determined that this matter was an allowable use. Having had that determination, removal of the Chairman was no longer an option. Mr. Riley stated that in this current matter, there is a conviction by the courts of a violation, which gives the distinction of the two matters.

Having no further discussion, Mayor Pro-Tem stated that he would need a motion to either sustain Councils previous actions or to rescind them. Mr. Lennox moved to sustain the actions taken by Town Council at the May 5, 2020 Town Council meeting. Mr. Stanford seconded. By way of roll call, the motion was approved by a vote of 5-1, Mr. Grant opposing the motion.

At 4:34 p.m., Mayor Pro-Tem Harkins closed the public hearing.

7. Approval of Minutes

- a. Special Meeting of Town Council, June 16, 2020
- b. Special Meeting of Town Council, June 23, 2020
- c. Special Ad Hoc Meeting of Town Council, June 26, 2020
- d. Special Meeting of Town Council, June 29, 2020
- e. Special Meeting of Town Council, June 30, 2020
- f. Special Meeting of Town Council, July 8, 2020

Mr. Lennox moved to approve all the minutes as written. Mr. Stanford seconded. By way of roll call, the motion was approved 6-0.

8. Report of the Town Manager

- a. June Beach Statistics Report

Alice Derian, Assistant Facilities Manager, reviewed the June Beach Statistics report with Council, answering questions posed about the same.

- b. Items of Interest

Mr. Riley reviewed the current items of interest.

9. Reports from Members of Council

- a. General Reports from Council

There were no general reports from the members of Town Council.

- b. Report of the Intergovernmental Committee – Bill Harkins

Mayor Pro-Tem Harkins reported that the Committee had an open forum meeting where they discussed safety concerns related to COVID-19. He said that the Committee and staff provided feedback on comments submitted as well as had a couple citizens speak on the record.

- c. Report of the Community Services & Public Safety Committee – Marc Grant

Mr. Grant reported that the Committee last discussed safety measures the Town has taken with regard to COVID-19. He said the Committee has also reviewed and interviewed applicants for the ATAX Committee. Mr. Grant said that the Committee hoped to have a recommendation to Council soon.

- d. Report of the Public Planning Committee – David Ames

Mr. Ames stated that he did not have a report at this time.

- e. Report of the Finance & Administrative Committee – Tom Lennox

Mr. Lennox reported that the Committee had met earlier in the day where they were briefed on the budget and heard a presentation from Ms. Stone about the Town's compensation study. He said the Committee also discussed the DMO contract in executive session.

10. Proclamations/Commendations – NONE

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2020-01 – Zero Lot Line LMO Amendments

Second Reading of Proposed Ordinance 2020-01 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 5 and 10. These amendments, commonly referred to as *Zero Lot Line Amendments* as noticed in the Island Packet on October 20, 2019, include changes that provide for General Amendments to several section in the LMO described on Exhibit “A” to the Ordinance, and providing for severability and an effective date.

Mr. Ames moved to approve. Mrs. Becker seconded. Staff provided and reviewed an example of what a zero lot line was. With no further discussion, by way of roll call, the motion was approved by a vote of 6-0.

12. New Business

a. First Reading of Proposed Ordinance 2020-03 – General 2019 Amendments Set 2

First Reading of Proposed Ordinance 2020-03 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 2, 3, 4k 5k 10, and Appendix D. These amendments, commonly referred to as *General 2019 Amendments – Set 2* as noticed in the Island Packet on December 15, 2019, include changes that provide for General Amendments to a variety of sections in the LMO described on Exhibit “A” to the Ordinance, and providing for severability and an effective date.

Mayor Pro-Tem Harkins reported that this set of LMO amendments had been reviewed and vetted by both the Planning Commission and Public Planning Committee. He said that staff requested that Section 16-5-109 related to Stormwater Management and Erosion and Sediment Control Stands be removed from the current amendments. Mr. Harkins said this would allow the current, more stringent Stormwater requirement in the Town’s code to remain in place, better serving the Town’s needs. With this, he asked for a motion to include the change and removal of this amendment.

Mr. Lennox moved to approve the 2019 LMO amendments set 3 with the exception of the proposed amendment to Section 16-5-109. Mr. Stanford seconded. Staff provided an overview of the current LMO amendments being reviewed and answered questions from Town Council. Staff was asked to go back and review the amendment related to HVAC units, and report back to Council in time for the second reading. With no further discussion, by way of roll call, the motion was approved by a vote of 6-0.

b. Consideration of a Recommendation – 2020 ATAX Grantees Affected by COVID-19

Consideration of a Recommendation to that Town Council approve a one-year extension for all 2020 Accommodations Tax grants, enabling the grant recipients the ability to use the 2020 funding through December 31, 2021, if needed.

Mr. Ames moved to approve. Mrs. Becker seconded. With little discussion, but with full agreement from Council, the motion was approved by way of roll call 6-0.

c. Discussion Concerning the Proposed Relocation of St. James Church

Mr. Riley gave a brief overview of where things currently stood with the proposed relocation of the Church. Council discussed the matter at length, ultimately deciding that they would support the relocation efforts.

Mr. Lennox moved that Town Council publicly support the relocation efforts of the St. James Baptist Church and that the relocations plans currently requested by the Church be sent to the Federal Aviation Administration for review and consideration of approval. Mr. Stanford seconded. Council discussed a little more and by way of roll call, the motion was approved by a vote of 6-0.

d. Consideration of the Findings and Recommendation of the Town's 2020 Classification & Compensation Study

Mr. Stanford moved to approve. Mr. Lennox seconded. Staff reviewed the study with Council, answering questions that were posed. With no further discussion, by way of roll call, the motion was approved by a vote of 6-0.

13. Executive Session

Mr. Riley stated that an Executive Session was needed for the following items; Land Acquisition: discussion of negotiations incidents related to the proposed sale, lease, or purchase of property in the: (i) Automobile Lane area, and (ii) Stoney area; and Contractual Matters: discussion of negotiations incidents to proposed contractual arrangements with Beaufort County.

At 5:27 p.m., Mr. Stanford moved to go into Executive Session for the reasons described by Mr. Riley. Mr. Lennox seconded. The motion was approved by a vote of 6-0.

14. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

At 7:20 p.m., Town Council returned from Executive Session. Mayor Pro-Tem Harkins reported that Council would need to consider further actions concerning the contractual matters between the Town and Beaufort County. Mr. Riley reviewed the matter, providing the actions Council may wish to consider. He stated that the Town would agree to pay the County \$2 million annually for BCSO services, including Victim Services and the Detention Center for three years. The Town will accept responsibility for the operations and maintenance of all Town-owned parks and the County-owned Barker Field and jointly owned Hilton Head Park, entering into a three year lease-purchase agreement at one dollar per year. The Town will absorb the County's support of the Island Recreation Center programs and activities, with the exception of the youth swimming lesson programs, as long as the County continues to subsidize the youth swimming lessons County-wide through County pools. The Town will assume basic maintenance and repair of County-owned roads within the Town limits, entering into a three year lease-purchase agreement at one dollar per year. Mr. Riley stated that the Town encourages the County to engage an accounting firm with expertise in local government funding matters to undertake an analysis to examine opportunities for fair and equitable allocation of the costs for services.

Mr. Lennox moved for Council to accept the actions as described by Mr. Riley. Mr. Stanford seconded. After a short discussion, the motion was approved by a vote of 4-2. Mr. Ames and Mrs. Becker opposing.

15. Adjournment

By unanimous vote, the meeting adjourned at 7:27 p.m.

Approved: August 18, 2020

Krista M. Wiedmeyer, Town Clerk

William D. Harkins, Mayor Pro-Tem

DRAFT



Town of Hilton Head Island
TOWN COUNCIL
Wednesday, July 29, 2020, 8:00 a.m.
SPECIAL MEETING MINUTES

Present from Town Council: Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Marc Grant, Tom Lennox, Glenn Stanford, *Council Members*

Absent from Town Council: John McCann, *Mayor*

Present from Town Staff: Angie Stone, *Human Resources Director*; Krista Wiedmeyer, *Exec. Assist/Town Clerk*

1. Call to Order

Mayor Pro-Tem Harkins called the meeting order at 8:00 a.m. By way of roll call, the attendance of Town Council was confirmed. All members were present except for Mayor McCann.

2. FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island

3. Approval of Agenda

Mr. Lennox moved to approve the agenda as written. Mr. Stanford second. The agenda was approved by a vote of 6-0.

6. Executive Session

a. Personnel Matters: Discussions related to the employment of a Town Manager.

Mayor Pro-Tem stated that Council will not be taking any action as a result of their discussions in Executive Session, and would not be returning to adjourn live. With that, he asked if there was a motion to enter into Executive Session.

At 8:03 a.m., Mr. Lennox moved to enter into Executive Session. Mr. Stanford seconded. By way of roll call, the motion was approved by a vote of 6-0.

7. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

8. Adjournment

By unanimous vote, the meeting adjourned at 9:56 a.m.

Approved: August 18, 2020

Krista M. Wiedmeyer, Town Clerk

William D. Harkins, Mayor Pro-Tem



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Town Council
FROM: Ray Kisiah, *Chairman of the Parks and Recreation Commission*
DATE: July 31, 2020
SUBJECT: Parks & Recreation Commission Semi-Annual Report:
February 2020 – July 2020

The April, May and June 2020 Parks & Recreation Commission meetings were cancelled due to COVID-19.

Special Commission Workshop

February 2020 – Items discussed:

- Special Workshop with the Parks & Recreation Task Group.
- Presentation and discussion with LÖSE Design Consultants on the Draft Parks & Recreation Master Plan.

Regular Commission Meeting

March 2020 – Items discussed:

- Commission unanimously approved recommendation in support of allocating funds for staff to move forward with master planning and concept development of Chaplin Community Park renovation, Crossing Park renovation and the Mid Island Track Park.
- Commission unanimously approved recommendation in support of Town Council identifying a date for referendum in 2021 to: identify funding sources; inform the public in greater detail of items to be included in referendum or will be resulting from referendum; the development of master plan for Chaplin Community Park to include pickleball complex and supported by funds where appropriate.

Special Commission Meeting

July 2020 – Items discussed:

- Swearing in ceremony for reappointed and new commissioners.
- Presentation of Town's Crystal Awards to outgoing Parks & Recreation Commissioners – Mike Ray and Caroline Rinehart.
- Election of officers for the July 1, 2020 – June 30, 2020 term.
- Discussion of final version of Parks & Recreation Master Plan Part 1
- Commission unanimously approved recommendation to Town Council to adopt the Parks & Recreation Master Plan Part 1.



The Town of Hilton Head Island
Town Council
2021 PROPOSED MEETING DATES

January 5 th	July 6 th CANCEL
January 19 th	July 20 th
February 2nd CANCEL	August 3rd CANCEL
February 16 th	August 17 th
March 2 nd	September 7th CANCEL
March 16 th	September 21 ^{st**}
April 6 th	October 5 th
April 20 th	October 19 th
May 4 th	November 2 nd
May 11th BUDGET WORKSHOP	November 16 th
May 18 th	December 7 th
June 1 st	December 21 st
June 15 th	--

Regular meetings of the Council shall be held on the first and third Tuesday of each month at 4:00 p.m. in the Benjamin M. Racusin Council Chambers, unless changed by a majority vote of the members present at any regular or special meeting.

RECOMMENDATIONS:

February 2nd: Cancel the meeting due to the scheduling conflict with the Municipal Association's Hometown Legislation Action Day also on February 2nd.

July 6th: Cancel the meeting as the month of July traditionally had had only one meeting.

August 3rd: Cancel the meeting as the month of August traditionally had had only one meeting.

September 7th: Cancel the meeting as the month of September traditionally had had only one meeting.

September 21st: This meeting shall begin upon the conclusion of the *2020 Constitution Day Celebration*.



Items of Interest

August 18, 2020

Town News

- ◆ The U.S. Department of Housing and Urban Development (HUD) recently awarded the Town more than \$378,000 to assist low and moderate income families affected by COVID-19. These funds are part of HUD's Community Development Block Grant (CDBG) program and have been specifically earmarked to address the prevention, preparation, response, and recovery efforts related to COVID-19. The Town in collaboration with the Community Foundation of the Lowcountry are working to establish guidelines for applying for these funds.
- ◆ Installation of overhead street lights at the intersection of U.S. 278 and Yacht Cove Drive has started. This is a pilot project that was born out of discussions regarding pathway/crosswalk safety enhancements. Construction has been delayed due to the protracted acquisitions of easements, but is scheduled to be completed by mid-September. Once construction is complete, staff will seek public feedback on aesthetics and effectiveness.
- ◆ Work on Phase 2 of the Cordillo Courts project is anticipated to start in late September. This project includes the building of a small restroom, a storage building with a porch, and improvements to the existing parking. The Design Review Board and Development Plan Review permits are complete, and the invitation for Bids will be issued soon. This project should be completed by the end of this year.
- ◆ In observance of Labor Day, Town Administrative offices will be closed Monday, September 7, 2020.

Town Meetings

- ◆ Planning Commission – Wednesday, August 19, 2020, 9:00 a.m.
- ◆ Design Review Board – Friday, August 21, 2020, 9:00 a.m.
- ◆ Community Services & Public Safety Committee – Monday, August 24, 2020, 9:00 a.m.
- ◆ Planning Commission/Town Council Workshop – Wednesday, August 26, 2020, 9:00 a.m.
- ◆ Public Planning Committee – Thursday, August 27, 2020, 3:00 p.m.
- ◆ Board of Zoning Appeals – Monday, August 31, 2020, 9:00 a.m.

Currently all public meetings are being conducted virtually. The dates and times listed above are subject to change. For a complete list of meetings please visit the Town's website (www.hiltonheadislandsc.gov).



TOWN OF HILTON HEAD ISLAND

Legal Department

To: Stephen Riley, Town Manager
From: Stephen Ryan, Staff Attorney
Date: August 4, 2020
Subject: Emergency Mask Ordinance Extension

Recommendation:

Staff requests Town Council approval of the attached Mask Ordinance Extension.

Summary:

This Ordinance is an extension of the Emergency Mask Ordinance that has been in effect since July 1, 2020. It requires masks be worn in Commercial Business Establishments within the Town of Hilton Head Island. It will automatically expire after 60 days.

Background:

The transmission of COVID-19 continues to present a danger throughout the State and on Hilton Head Island. CDC and DHEC recommend the wearing of masks in public setting to decrease the spread of COVID-19. This ordinance does not conflict any laws or executive orders.

AN EMERGENCY ORDINANCE TO REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND LOCATIONS IN THE MUNICIPAL LIMITS OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, On March 16, 2020, Mayor John J. McCann , under the authority of § 7-7-20, *Municipal Code of the Town of Hilton Head Island* (1983), declared that a State of Emergency exists throughout the Town as a result of impacts arising from the COVID-19 pandemic; and

WHEREAS, as of June 29, 2020 the State of Emergency still exists in the Town of Hilton Head Island, and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) and South Carolina Department of Health and Environmental Control (“SCDHEC”) advise the use of cloth or other types face coverings to slow the spread of COVID-19; and

WHEREAS, the Centers for Disease Control and SCDHEC recommend taking measures to control the spread of COVID-19 such as wearing cloth or other types of face coverings, both of which limit the spread of COVID-19 in our communities and reduce the demand on the local the health care delivery system; and

WHEREAS, there are currently large numbers of visitors to the Town, who patronize grocery stores, pharmacies, restaurants, retail establishments and other establishments within the municipal limits of the Town; and

WHEREAS, public reporting and other sources reveal that the advice from the Centers for Disease Control and SCDHEC encouraging the wearing of cloth or other types of face coverings is not being widely followed within the municipal limits of the Town; and

WHEREAS, on August 3, 2020 South Carolina Governor Henry McMaster issued *Executive Order 2020-50, urging counties and municipalities to adopt and implement mask ordinances to combat the spread of COVID-19.*

WHEREAS, the Town Council finds that it is in the best interest of the Town that an Emergency Ordinance be adopted requiring the wearing of cloth or other types of face coverings in certain circumstances,, and that the Emergency Ordinance be put into immediate effect; and

WHEREAS, Town Council may, by two thirds majority vote of those members present, adopt emergency ordinances authorized and limited by S. C. Code Ann. §5-7-250(d) (Supp. 2019), during this State of Emergency.

NOW, THEREFORE, BE IT ORDERED, AND ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL, AS FOLLOWS:

- 1.** As used in this Ordinance, “Face Covering” means a cloth or other type of masking device that covers the wearer’s nose and mouth, and which remains in place without use of the wearer’s hands.
- 2.** As used in this Ordinance, “Commercial Business Establishment” means any establishment located in a closed building or other indoor environment that primarily sells or provides goods or services, or a combination of them, to the general public, including but not limited to, grocery stores, restaurants, lobbies and public spaces in hotels, motels, and timeshare complexes, pharmacies, bars, salons, retail stores, medical and dental offices.
- 3.** Subject only to the exemptions and exceptions stated in Section 6 of this Ordinance, any person entering any Commercial Business Establishment in the municipal limits of the Town must wear a Face Covering while inside the Commercial Business Establishment.
- 4.** Commercial Business Establishments shall post conspicuous signage at all entrances to the establishment informing its patrons of the requirements of Section (3) of this Ordinance.
- 5.** All Commercial Business Establishments in the municipal limits of the Town shall require all employees to wear a Face Covering at all times that the employees are in any area where the general public is allowed, or when the employees must be in close proximity to one another.
- 6.** The following persons are exempt from the requirements of this Ordinance:
 - (i) Any person who is unable to safely wear a Face Covering due to age, an underlying health condition, or who is unable to don or remove the Face Covering without the assistance of others is exempt from the requirements of this ordinance;
 - (ii) Persons eating or consuming food and beverages;
 - (iii) Persons receiving medical care or treatment;
- 7.** Any person found to have violated any mandatory provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to the penalties set forth in Section 1-5-10, Municipal Code of the Town of Hilton Head Island (1983).
- 8.** Any Commercial Business Establishment that is subject to this Ordinance at which three more violations of this Ordinance occur is hereby declared a nuisance. To abate the nuisance, the Town may:
 - (i) Seek a restraining order, preliminary injunction, permanent injunction, or any other means authorized under the Laws of the State of South Carolina to abate the nuisance; and,

(ii) Seek suspension or revocation of the business license issued by the Town, under the authority of Section 10-1-150 and Section 10-1-160, Municipal Code of the Town of Hilton Head Island (1983).

9. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

10. This Ordinance shall become effective immediately following the adoption by the Town Council for The Town of Hilton Head Island, South Carolina, , and will expire on the sixty first day following adoption or the end of the State of Emergency in The Town of Hilton Head Island, South Carolina, whichever occurs first.

MOVED, APPROVED, AND ADOPTED THIS _____ DAY OF August, 2020.

John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Legal Department

To: Stephen Riley, Town Manager
From: Stephen Ryan, Staff Attorney
Date: August 4, 2020
Subject: Emergency Electronic Meeting Ordinance Extension

Recommendation:

Staff requests Town Council approval of the attached Mask Ordinance Extension.

Summary:

This Ordinance is an extension of the Emergency Electronic Meeting Ordinance that has been in effect since the start of the COVID-19 pandemic. It allows meetings and votes to occur via electronic communications and is necessary to safely carry out Town duties.

Background:

The transmission of COVID-19 continues to present a danger throughout the State and on Hilton Head Island. Large gatherings are still a danger and increase the possibility of transmission. This ordinance does not conflict with any laws or executive orders.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, EXTENDING THE STANDARDS FOR ELECTRONIC MEETINGS IN THE TOWN OF HILTON HEAD ISLAND, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus (“COVID-19”) and declared that a State of Emergency exists in South Carolina; and

WHEREAS, on March 16, 2020, Hilton Head Island Mayor John J. McCann, pursuant to Hilton Head Island Municipal Code 7-7-20; has declared a Local State of Emergency; and

WHEREAS, on March 15, 2020 the Centers for Disease Control and Prevention issued guidance recommending the suspension of large events and mass gatherings that consist of 50 people or more in order to slow the spread of COVID-19; and

WHEREAS, on July 26, 2020, Governor Henry McMaster issued Executive Order No. 2020-48 extending the State of Emergency existing in South Carolina; and

WHEREAS, on August 4, 2020 South Carolina Department of Health and Environmental Control continued to report new cases of COVID-19 within South Carolina; and

WHEREAS, while it is imperative for local government to continue to operate during States of Emergency, it is equally imperative for local governments to take steps to minimized the need for large gatherings in order to protect the public health and safety and the health and safety of local government officials and staff; and

WHEREAS, the South Carolina Freedom of Information Act, which is codified at Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, (the “Act”) defines a “Meeting’ as “the convening of a quorum of the constituent membership of a public body, where corporal or *by mean of electronic equipment*, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power” (emphasis added); and

WHEREAS, due to the State of Emergency related to COVID-19, it is advisable to make provisions for the holding of electronic public meetings, while ensuring any electronic meeting fully complies with the open meeting requirements of the Act; and

WHEREAS, as of August 4, 2020 the Town of Hilton Head Island is still in a state of Emergency in response to the COVID-19 pandemic; and

WHEREAS, for the purpose of obtaining maximum citizen participation in Town government, Hilton Head Island Town Council has established various boards and commissions per Hilton Head Island Municipal Code 2-13-10; and

WHEREAS, it is hereby determined that a public emergency affecting life, health, and safety does exist, and therefore, it is appropriate and necessary to enact this Emergency Ordinance.

NOW THEREFORE, be it hereby ordained in this special meeting of the Town Council (the “Governing Body”), as follows:

Section 1. Standards for Electronic Meetings, The Governing Body, boards, or commissions are hereby authorized to conduct public meetings exclusively in electronic form, provided the medium for such meeting, whether telephonic, broadcast video, computer based, or other electronic media, or any combination of these, and the conduct of the electronic meeting, allows for the following standards and practices to be met:

- (a) At the beginning of any electronic meeting, the presiding officer shall poll the members of the Governing Body, boards, or commissions, to confirm attendance, and any member of the Governing Body, boards, or commissions attending by way of electronic media shall be considered present for the purpose of constituting a quorum.
- (b) Throughout the duration of the electronic meeting, all members of the Governing Body, boards, or commissions, as well as any officials, staff, or presenters required to speak at such meeting, must have the capability to be heard at all times by any other member of the Governing Body, boards, or commissions and by the general public.
- (c) Any vote of the Governing Body, boards, or commissions must be conducted by individual voice vote of the members of the Governing Body, boards, or commissions, who shall verbally indicate their vote on any matter by stating “yay” or “nay.” All individual votes shall be recorded by the clerk, secretary, or presiding officers as appropriate.
- (d) Meetings shall be recorded or minutes kept in the same manner as an in person meeting as required by the Act.
- (e) All members of the Governing Body, boards, or commissions, officials, staff, and presenters should identify themselves and be recognized prior to speaking. Members of the Governing Body, boards, or commissions shall strictly comply with the rules of the Governing Body, boards, or commissions as they relate to procedural matters in order to preserve order and allow for the effectiveness of electronic meetings.
- (f) Electronic executive sessions shall be permitted in accordance with the provisions of the Act and the Governing Body, boards, or commissions shall properly announce its reason for going into any executive session in conformance with Section 30-4-70 of the Act. Upon the entry into any electronic executive session, meeting minutes need not be kept and the electronic meeting utilized for such executive session may be held by (i) a separate telephonic, broadcast video, computer-based, or other electronic media, or any combination of these wherein the public shall not be permitted to participate, or (ii) on the initial telephonic, broadcast video, computer-based, or other electronic media, or any combination of these, with the implementation of necessary participation or listening restrictions, provided that in either instance all members of the Governing Body, boards, or commissions must have the capability to be heard at all times.
- (g) With respect to any electronic meeting or Public Hearing, any public comment periods provided for by local ordinance, Ordinance, policy, or bylaws are hereby suspended. For the purpose of any meeting or Public Hearing of the Town Council, If the electronic meeting platform has sufficient capability to allow members of the public to submit comments,

either in written form or by voice, during the meeting or Public Hearing, then Council will allow public comment in which ever form the capabilities of the electronic meeting platform allow. In the event that the electronic meeting platform does not have sufficient capability to allow members of the public to submit comments, either in written form or by voice, during the meeting, the complete agenda package for the meeting or Public Hearing shall be posted on the Town's web page one week prior to the date and time of the meeting, and members of the public may submit their comments via email up to two hours prior to the Public Hearings. Any comments submitted by the public shall be made a part of the record.

Section 2. Suspension of Local Provisions. During the period of effectiveness of this Ordinance, any ordinance, Ordinance, policy, or bylaw of the Governing Body, boards, or commissions that conflicts with the provisions hereof is suspended and shall be superseded hereby.

Section 3. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Effective Date; Expiration. The provisions hereof shall be effective upon a single hearing and two-thirds vote of the Hilton Head Island Town Council, and shall expire on the sixty-first day following the effective date hereof, or upon the termination of the local state of Emergency, whichever first occurs.

DONE AS AN EMERGENCY ORDINANCE AT A SPECIAL MEETING, and approved at a meeting duly assembled by no less than affirmative vote of two-thirds of the members of the Town Council present, this ____ day of August, 2020

MOVED, APPROVED, AND ADOPTED THIS _____ DAY OF August, 2020

John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
FROM: Teri Lewis, AICP, *Deputy Director of Community Development*
CC: Nicole Dixon, AICP, CFM, *Development Review Administrator*
DATE: August 5, 2020
SUBJECT: 2019 LMO Amendments – Set 2
Proposed Ordinance #2020-03

Town Council reviewed the proposed 2019 LMO Amendments- Set 2 at their meeting on July 21, 2020. At that meeting, Town Council voted unanimously to approve the proposed amendments with the following changes.

The amendments related to Stormwater were pulled from the proposed set of amendments at the request of staff for further review.

Staff is currently operating under a determination that HVAC units are permitted in the setback because staff found that they are no more objectionable than some of the other uses that are already permitted in a setback, including but not limited to, uncovered porches and patios. Staff, with the support of the LMO Committee and Planning Commission, took an amendment forward to allow HVAC units to encroach up to five feet into the setback. Town Council expressed concern with this proposed amendment and voted to remove it from the proposed set of amendments. The LMO does not specifically prohibit HVAC units from being located in the setback; therefore, staff will continue to operate under the current determination and will bring forward an amendment in the near future to clearly state where HVAC units are permitted on a site. Staff's current position is to encourage HVAC units to be located outside of the setback unless the lot is irregularly shaped or the house design precludes the HVAC units from being located outside of the setback.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2020-#

PROPOSED ORDINANCE NO. 2020-03

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE (LMO) , CHAPTERS 2, 3, 4, 5, 10 AND APPENDIX D. THESE AMENDMENTS, COMMONLY REFERRED TO AS *GENERAL 2019 AMENDMENTS – SET 2* AS NOTICED IN THE ISLAND PACKET ON DECEMBER 15, 2019, INCLUDE CHANGES THAT PROVIDE FOR GENERAL AMENDMENTS TO A VARIETY OF SECTIONS IN THE LMO DESCRIBED ON EXHIBIT “A” TO THIS ORDINANCE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, from time to time it is necessary to amend the LMO; and

WHEREAS, the LMO Committee held a public meeting on October 30, 2019 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed amendments; and

WHEREAS, the LMO Committee recommended that the proposed amendments be forwarded to the Planning Commission with a recommendation of approval; and

WHEREAS, the Planning Commission held a public hearing on January 15, 2020 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, after consideration of the Staff presentation and public comments the Planning Commission voted 8-0 to forward the proposed amendments to the Public Planning Committee with a recommendation of approval; and

WHEREAS, the Public Planning Committee held a public meeting on January 23, 2020 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, after consideration of the staff presentation and public comments, the Public Planning Committee voted 5-0 to recommend approval of the proposed LMO amendments with the exception of the amendment related to HVAC units being permitted to encroach up to five feet into a setback; and

WHEREAS, after due consideration of said LMO amendments and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public

interest to approve the proposed amendments with the changes recommended by the Public Planning Committee.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the *General 2019 Amendments – Set 2* are adopted and the Land Management Ordinance is amended as shown on Exhibit “A” to this Ordinance. Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2020.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

John McCann, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing: January 15, 2020
First Reading: July 21, 2020
Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Exhibit A

Proposed General 2019 Amendments – Set 2

Chapter 16-3: Zoning Districts

Section 16-3-106. Overlay Zoning Districts

F. Corridor Overlay (COR) District

2. Delineation of District

f. If a proposed *development* will not be visible from the *right-of-way* of the associated arterial, the OCRM Base Line within the Town or the OCRM Critical Line once the project is completed, the *Official* will review it through the Minor Corridor Review Procedure (Sec. 16-2-103.I.3).

16-10: Definitions, Interpretation, and Measurement

Section 16-10-103. - Use Classifications, Use Types, and Definitions

E. Commercial Recreation Uses

2. Use Types and Definitions

Indoor Commercial Recreation

An establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation *uses* include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, ~~health clubs and spas~~, indoor tennis and *swimming pools*, and indoor archery ranges.

G. Commercial Services

2. Use Types and Definitions

Other Commercial Services

A Commercial Services establishment other than those listed and defined above that primarily involves the sale, rental, and incidental servicing of consumer goods and commodities, or the provision of personal services or business-related services to consumers. This *use* includes, but is not limited to, day care centers, banks and other financial institutions, clothing stores, department and discount stores, furniture stores, hair and nail salons, health clubs and spas, laundry and dry-cleaning establishments, funeral homes, home electronics and small appliance stores, shoe *repair* shops, and tanning salons.

Bicycle Shop

An establishment that sells, services, or rents new or used bicycles, and accessories, with screened outdoor storage facilities permitted in certain zoning districts.

**Exhibit A
Proposed General 2019 Amendments – Set 2**

Grinding Operation Amendments

Chapter 16-3: Zoning Districts

Section 16-3-105. - Mixed-Use and Business Districts

E. Light Industrial (IL) District

IL Light Industrial District			
2. Allowable Principal Uses			
		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES
Industrial Uses			
<u>Grinding</u>	<u>SE</u>	<u>Sec. 16-4-102.B.9.a</u>	<u>1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area</u>

Chapter 16-4: Use Standards

Section 16-4-102. - Principal Uses

A. Principal Use Table

6. Principal Use Table

TABLE 16 4 102.A.6: PRINCIPAL USE TABLE				
P Permitted by Right		PC Permitted Subject to Use Specific Conditions		
SE = Allowed as a Special Exception		Blank Cell = Prohibited		
USE CLASSIFICATION/ DISTRICTS	SPECIAL DISTRICTS	RESIDENTIAL DISTRICTS	MIXED USE AND BUSINESS DISTRICTS	USE SPECIFIC

Exhibit A

Proposed General 2019 Amendments – Set 2

USE TYPE	CO N	P R	RS F 3	RS F 5	RS F 6	R M 4	R M 8	R M 12	C R	S P C	C C	M S	W M U	S	M F	M V	N C	L C	R D	M ED	I L
INDUSTRIAL USES																					
<u>Grinding</u>																					<u>Sec. 16-</u> <u>4-</u> <u>102.B.9.</u> <u>a</u>

B. Use-Specific Conditions for Principal Uses

9. Industrial Uses

a. Grinding

All facility operations, including but not limited to, operating trucks and other equipment, loading and unloading of logs and materials, and grinding must comply with the decibel levels as stated in Title 17 (Noise Control) of the Municipal Code of the Town of Hilton Head Island. Additionally, all **grinding uses** in the IL district shall comply with the following conditions:

i. Locational Restrictions

A **grinding use** shall comply with the following locational restrictions:

01. It shall not be located within 200 feet of the boundary of an RM-4, RM-8 or PD-1 zoning district.
02. These distances shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any **grinding use** is located, and the perimeter boundary of the property on which any **use** from which the separation is required.

ii. The minimum acreage for a **grinding use** shall be four net acres.

iii. The site shall not have direct vehicular access onto a major or minor arterial.

The above conditions do not apply to properties located within the PD-1 zoning district.

~~a.~~ b. Light Industrial, Manufacturing, and Warehouse Uses

~~b.~~ c. Seafood Processing Facilities

~~e.~~ d. Self-Service Storage

Exhibit A

Proposed General 2019 Amendments – Set 2

d. e. [Reserved]

Chapter 16-5: Development and Design Standards

Section 16-5-107. Parking and Loading Standards

D. Parking Space Requirements

1. Minimum Number of Parking Spaces

TABLE 16 5 107.D.1: MINIMUM NUMBER OF PARKING SPACES		
USE CATEGORY/USE TYPE	MINIMUM NUMBER OF PARKING SPACES ^{1,2,3,4}	
	CR DISTRICT	ALL OTHER DISTRICTS
INDUSTRIAL USES		
<u>Grinding</u>	<u>n/a</u>	<u>1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area</u>

Chapter 10: Definitions, Interpretation and Measurement

Section 16-10-103. - Use Classifications, Use Types, and Definitions

I. Industrial Uses

2. Use Types and Definitions

Grinding

The reduction of vegetative materials in size or volume into materials such as but not limited to mulch or chips.

Exhibit A

Proposed General 2019 Amendments – Set 2

MINISTERIAL AMENDMENTS

Chapter 16-2: Administration

Section 16-2-103. Application Specific Review Procedures

D. Planned Unit Development (PUD) District

4. PUD District Review Standards

In determining whether to recommend that *Town Council* adopt a proposed PUD zoning district classification, the *Planning Commission* may consider and weigh the standards of Sec. 16-2-103.C.3, Zoning Map Amendment (Rezoning) Review Standards, and the extent to which the proposed PUD District complies with the standards of Sec. ~~16-1-101~~ 16-3-105.K, Planned Development Mixed-Use (PD-1) District or Sec. 16-3-106.G, Planned Development Overlay (PD-2) District.

Chapter 16-3: Zoning Districts

Section 16-3-105. - Mixed-Use and Business Districts

I. Mitchelville (MV) District

2. Allowable Principal Uses			
		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES
Vehicle Sales and Services			
<i>Watercraft Sales, Rentals, or Services</i>	PC	Sec. 16-4-102.B.8.e <u>f</u>	1 per 200 GFA

K. Planned Development Mixed-Use (PD-1) District

3. Principal Uses Restricted by Master Plan			
The Master Plans and associated text, as approved and amended by the Town, establish general permitted <i>uses</i> for the respective PUDs, except as may be modified by an <i>overlay zoning district</i> . Undesignated areas on these Master Plans shall be considered as <i>open space</i> .			
The following <i>uses</i> are restricted to locations where a Town-approved Master Plan or associated text specifically states such <i>uses</i> are permitted. In addition, the <i>use</i> -specific conditions referenced below shall apply to any new such <i>use</i> or change to the site for any existing such <i>use</i> .			
		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES
Vehicle Sales and Services			
<i>Gas Sales</i>	PC	Sec. 16-4-102.B.8.d <u>e</u>	
<i>Watercraft Sales, Rentals, or Services</i>	PC	Sec. 16-4-102.B.8.e <u>f</u>	1 per 200 GFA

Exhibit A

Proposed General 2019 Amendments – Set 2

Section 16-3-106. Overlay Zoning Districts

G. Planned Development Overlay (PD-2) District

5. PD-2 Listed Master Plans

The following PUDs are included in PD-2 Overlay Districts and their Town-approved Master Plans including associated text and any subsequent amendments are hereby incorporated by reference as a part of the *Official Zoning Map* and LMO text.

TABLE 16 3 106.G.4 5: PD 2 LISTED MASTER PLAN			
FILE NAME	NUMBER	PARCEL	TAX MAP #
Palmetto Headlands and H.H. Hospital	CUR-3-88	27/103/103A/337	4,8
Centre Court on Mathews Drive	CUR-1-89	88B	8
Presbyterian Conference Center	CUR-2-89	2	18
Marriott-South Forest Beach	CUR-1-90	67/69/71/73/252	15-A,18
Park Plaza Self Storage	CUR-2-90	336	15
Tidepointe Retirement	CUR-1-92	342/342A	14
Exec/Air Hilton Head	CUR-1-94	271A	5
Spanish Grove	CUR-1-95	34A/34B	10
First Baptist Church	CUR-1-96	138A/138C	18
Bermuda Point	CUR-1-97	1B	7
Waterside (Town Center)	N/A-JPC	202/202D	18
Palmetto Bay Marina	N/A-JPC	47/66A/273/273A/273C/314E	10
Tabby Village	ZA-000954-2017	223, 49, 14D, 16, 14I, 14, 58, 58A	3

Chapter 16-5: Development and Design Standards

Section 16-5-102. Setback Standards

C. Adjacent Street Setback Requirements

TABLE 16 5 102.C: ADJACENT STREET SETBACK REQUIREMENTS				
PROPOSED USE		MINIMUM SETBACK DISTANCE ^{1/} / MAXIMUM SETBACK ANGLE ²		
		ADJACENT STREET (BY CLASSIFICATION)		
		MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
<i>Single-Family</i>	Structure > 24 in high	50 ft ^{3,4} /75°	40 ft ^{3,4} / 70°	20 ft ^{3,4} /60°
	Structure ≤ 24 in high	50 ft ^{3,4} /n/a	30 ft ^{3,4} /n/a	10 ft ^{3,4} /n/a
All Other <i>Uses</i> ⁵		50 ft ^{3,4} /75°	40 ft ^{3,4} /70°	20 ft ^{3,4} /60°

Exhibit A

Proposed General 2019 Amendments – Set 2

Section 16-5-105. - Mobility, Street, and Pathway Standards

I. Access to Streets

7. Gates

c. Gates shall be located at least 100 feet from any arterial or collector *street* , and shall comply with the stacking distance standards in ~~Sec. 16-5-105.A.5.f~~ Table 16-5-107.I.1, Vehicle Stacking Distance for Drive-Through and Related Uses.



TOWN OF HILTON HEAD ISLAND

Legal Department

To: Stephen Riley, Town Manager
From: Stephen Ryan, Staff Attorney
Date: July 27, 2020
Subject: Dr. Garske Bicycle Resolution

Recommendation:

Staff requests Town Council approval of the attached Dr. Garske Bicycle Resolution.

Summary:

Hilton Head Island Cycling, Inc., is a non-profit bicycle advocacy group located on Hilton Head Island, South Carolina. Dr. Jeffrey Garske was a member of this group who was killed while riding on Hilton Head Island on August 18, 2016. In honor of Dr. Garske, the group is making a one-time \$15,000 donation to the Town of Hilton Head for bicycle safety improvements.

Background:

This is a one-time donation and does not create any ongoing obligations by Town or HHI Cycling, Inc. There is a memorandum of understanding that will be signed by both parties describing how the donation will be utilized, primarily increasing bicycle safety signage. Implementing the memorandum will not create financial obligations upon the Town.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ASSIGNING THE PROCEEDS OF A DONATION FROM HILTON HEAD CYCLING, INC TO BE USED FOR BICYCLE SAFETY ON HILTON HEAD ISLAND

WHEREAS, the Town Council recognizes the need for providing safe recreational services and facilities throughout the Town; and

WHEREAS, the Town is rated as a Gold Level Bicycle Friendly Community by the American League of Bicyclists and wishes to grow, maintain, and make safe the Town's bicycle infrastructure; and

WHEREAS, the Town of Hilton Head Island and the Hilton Head Cycling, Inc. desire to enter into an agreement wherein the Association will make a onetime donation of \$15,000 to the Town for the specific and sole purpose of supporting bicycle safety in the Town; and

WHEREAS, this donation was made in memory of Dr. Jeffrey Garske.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT the Town Council authorizes the donation from Hilton Head Cycling, Inc. of \$15,000 to be used for supporting bicycle safety on Hilton Head Island, South Carolina.

MOVED, APPROVED, AND ADOPTED THIS _____ DAY OF _____, 2020

John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Joshua A. Gruber, *Assistant Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
FROM: Jennifer Ray, ASLA, *Deputy Director of Community Development*
CC: Scott Liggett, *Director of Public Projects and Facilities*
CC: John Troyer, *Director of Finance*
DATE: August 6, 2020
SUBJECT: Recommendations for Park Planning, Programming, Funding and Implementation

Recommendation:

Staff recommends Town Council adopt a resolution supporting the path forward for parks and recreation planning and implementation including identification of funding sources. Additionally, staff recommends Town Council authorize the transfer of funds within the adopted Fiscal Year 2021 budget in order to replace the services and funding that was previously provided by Beaufort County but has since been removed from their annual budget.

Summary:

Approval of the resolution will allow staff to execute the next steps in planning for parks and recreation improvements, identify and implement phase 1 of the Chaplin Linear Park, and finalize and implement the Shelter Cove Connectivity project. Additionally, adoption of the Resolution will allow the transfer of existing budgeted funds from public safety services to the Facilities Maintenance and allow an additional distribution of \$140,000 to the Island Recreation Association.

Background:

In August 2019 the Town hired Lose Design to prepare a Parks and Recreation Master Plan for Hilton Head Island. After an extensive community engagement period and professional assessment, Part 1 of the Master Plan was presented to the Parks and Recreation Commission. Part 1 which will be incorporated into the Comprehensive Plan includes recommendations for improvements to existing parks as well as recommendations for new park construction. The path forward for Parts 2-4 is outlined in the attachments (Parks and Recreation Master Plan Summary and Process).

When the TIF district was established Chaplin Linear Park was scheduled third in the sequence of implementation with USCB Hospitality Management Facility and Lowcountry Celebration Park. Remaining TIF funds should be applied to development of phase 1 of the Chaplin Linear Park before the TIF expires in December 2024.

Staff completed a concept for the Shelter Cove Connectivity Project with additional parking and park improvements in the Shelter Cove area to include improved pathway enhancements and boardwalk connections along the marsh-front of Broad Creek and along Shelter Cove Lane, additional parking, improved view shed to Broad Creek, additional public art locations, and gateway, directional, and interpretive signage.

Beaufort County Council, as part of its annual budget adoption, acted to rescind all funding related to maintenance and repairs of both Town and County owned recreational properties located on Hilton Head Island. It is anticipated that unless the Town assumes these responsibilities, the quality of recreational programming and amenities on the Island will suffer substantially. The Town is prepared to assume these responsibilities and will look to transfer funds within the existing adopted Fiscal Year 2021 budget to satisfy these needs. Additionally, Beaufort County Council reduced its annual funding of the Island Recreation Association by \$140,000. This funding is directly utilized by the Island Recreation Association to cover its overhead and operating expenses, and if not replaced, will cause significant financial harm to the Association. Funding for both of these items is available within the existing budget and will not impact the Town financially.

Attachments:

Parks and Recreation Master Plan Summary

Parks and Recreation Master Plan Process

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AUTHORIZING STAFF TO MOVE FORWARD WITH RECOMMENDATIONS PER THE PARKS AND RECREATION MASTER PLAN, CHAPLIN LINEAR PARK, THE SHELTER COVE CONNECTIVITY PROJECT, AND TO AUTHORIZE AN INTERNAL TRANSFER FUNDS FOR PARKS OPERATIONS AND MAINTENANCE, AND ALLOCATE ADDITIONAL FUNDS FOR THE ISLAND RECREATION ASSOCIATION

WHEREAS, the Town of Hilton Head Island’s consultant, Lose Design, has prepared a Parks and Recreation Master Plan Part 1 including recommendations for new parks and recreation facilities and improvements to existing parks and recreation facilities; and

WHEREAS, the Town of Hilton Head Island desires to prioritize the consultant’s recommendations and develop a program and site specific plans for park development and improvements; and

WHEREAS, the Town of Hilton Head Island desires to refine plans for the Chaplin Linear Park and use the remaining approved TIF funds for implementation of phase 1 before expiration of the TIF in December 2024; and

WHEREAS, the Town of Hilton Head Island desires to make pathway enhancements and parking improvements as part of the Shelter Cove Connectivity project and put funding in place for implementation; and

WHEREAS, Beaufort County Council, as part of its annual budget adoption, declined to provide any funding for the maintenance, repair, or upkeep of any Town or County owned recreational properties that are located on Hilton Head Island; and

WHEREAS, in order to continue to meet the expectations of the residents of Hilton Head Island it is necessary to transfer funds from within the Town’s existing budget to ensure that the repair and maintenance of recreational properties on the Island continues without significant interruption; and

WHEREAS, Beaufort County Council, as part of its annual budget adoption, decreased the amount of funding provided to the Island Recreation association for recreational programming on Hilton Head Island; and

WHEREAS, it is the desire of Town Council to ensure that this funding is replaced within the Island Recreation Association’s annual budget in support of their recreational programming that is provided to Hilton Head Island residents.

NOW, THEREFORE BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT the Town Manager is authorized to move forward with implementation of parks and recreation planning and development including identification of funding sources. Additionally, the Town Manager shall be authorized to transfer sufficient funds from within the adopted Fiscal Year 2021 budget to ensure that all necessary maintenance and repairs of recreational properties on the Island occur as warranted and that an additional appropriation of \$140,000 be made to the Island Recreation Association from within these reallocated funds.

MOVED, APPROVED, AND ADOPTED ON THIS 18TH DAY OF AUGUST 2020.

John J. McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis Coltrane, Town Attorney

Introduced by Council Member: _____



Town of Hilton Head Island
Parks and Recreation Master Plan

Staff Summary
June 29, 2020

Lose Design, the consultant hired by the Town to prepare a parks and recreation master plan, delivered a report that evaluated the Town's public parks and recreation system, which includes recommendations designed to increase the level of service across the community over the next ten years. Their report, "Parks and Recreation Master Plan, Part 1", includes budget, staffing, maintenance, and needs assessments, with a gap analysis. The process involved extensive community input gathered through a variety of methods including stakeholder interviews, focus group meetings, open houses, and a community input survey. It also included input from the Parks and Recreation Task Group and the Parks and Recreation Commission.

This document, called a "master plan", is a technical document. The content is comprised of data analysis and assessment with recommendations. While the report is a good start, it is not the end, but rather part of a larger process to plan for and implement changes to the Island's parks and recreation system, including facilities, programs, and operations.

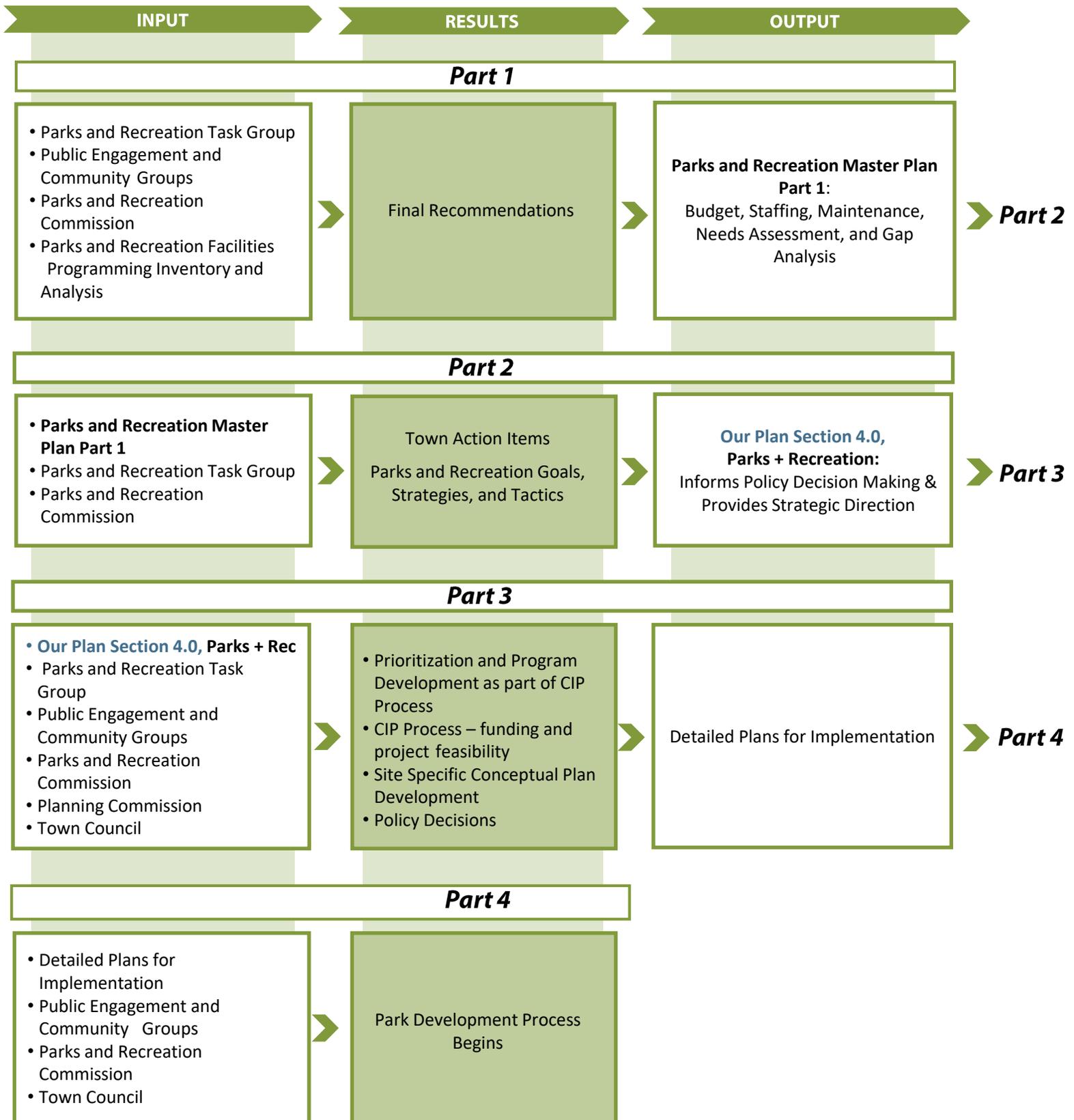
The plan provided by Lose Design comprises *Part 1* of the Town's overarching effort for the parks and recreation system. It provides a foundation that is integral to taking the next steps toward progress for parks and recreation. *Part 2* will utilize and incorporate this information into *Our Plan Section 4.0 Parks + Recreation*, which will guide recreation planning and policy direction for the Town of Hilton Head Island. *Part 2*, with input from the Task Group and the Parks and Recreation Commission, will result in Action Items for the Town as well as Goals, Strategies, and Tactics specific to parks and recreation on the Island.

Our Plan will serve as a foundation for *Part 3*, which will include prioritization of recommendations, program development for specific sites, funding and feasibility analysis, and development of conceptual site plans. *Part 3* will also include extensive community input, recommendations from the Parks and Recreation Commission and Planning Commission, and will guide policy decisions to be made by Town Council. *Part 4* includes the implementation process. Exhibit A, attached, provides a closer look at the break-down of the four parts comprising the Parks and Recreation Master Plan for the Town.

This process and its outcomes will result in the Town of Hilton Head Island being recognized for best-in-class parks and recreation through a diversity of recreational, arts, and quality of life offerings for all island residents and visitors.

Staff joins Lose Design in thanking our elected officials, board members, commissioners, staff, and citizens who participated in the development of *Part 1* of the Master Plan, and look forward to continued participation as we move forward through the other phases toward implementation.

Parks and Recreation Master Plan Process





TOWN OF HILTON HEAD ISLAND

TO: Hilton Head Island Town Council
VIA: Stephen G. Riley, ICMA~CM, *Town Manager*
FROM: Joshua Gruber, *Assistant Town Manager*
DATE: August 12, 2020
SUBJECT: Adoption of Ordinance Allowing for Electronic/Virtual Meetings

Recommendation:

Staff recommends Town Council adopt an Ordinance allowing for certain meetings of Town Council, Town Council Committees, and/or other Boards, Agencies and Commissions appointed by the Town to conduct meetings via electronic means under certain circumstances.

Summary:

With the onset of the COVID-19 pandemic, it has become necessary to conduct all meetings of public bodies associated with the Town in virtual electronic meeting formats due to ongoing public health concerns. The Town has been able to successfully implement virtual meeting platforms which facilitate these public meetings to occur in a safe and convenient manner while at the same time ensuring public access to both watch and participate in the meetings as is appropriate. Because of this, staff believes it is appropriate to amend the Town Code to allow for virtual meetings of public bodies to be conducted under certain circumstances both during a declared state of emergency and when not under a state of emergency but only after the approval of a super majority of the body who would be meeting in that manner. Additionally, the ability to meet virtually when there is not a declared state of emergency would only be applicable to those bodies that do possess final decision making authority on an item that would be discussed during an electronic meeting.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY ADDING SECTION 2-5-15, TO PROVIDE FOR REGULAR AND SPECIAL PUBLIC MEETINGS AND PUBLIC HEARINGS OF THE TOWN COUNCIL AND TOWN BOARDS AND COMMISSIONS WITH FINAL DECISION MAKING AUTHORITY, BY ELECTRONIC MEANS DURING DECLARED STATES OF EMERGENCY; AND BY ADDING SECTION 2-5-16, TO PROVIDE FOR MEETING OF BOARDS, COMMITTEES AND COMMISSIONS THAT DO NOT HAVE FINAL DECISION MAKING AUTHORITY BY ELECTRONIC MEANS; PROVIDING FOR EXEMPTIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council for The Town of Hilton Head Island, South Carolina, and its Boards and Commissions are required to hold regular and special meetings and public hearings in public, under the requirements of the South Carolina Freedom of Information Act [S. C. Code Ann. § 30-4-10, *et seq.* (Supp. 2020)], and S. C. Code Ann. 5-7-250 (Supp. 2020), and other applicable statutes; and,

WHEREAS, in times where a state of emergency is declared for The Town Of Hilton Head Island, South Carolina, it may become impractical or impossible for the Town Council for The Town of Hilton Head Island, South Carolina, or any Town Board or Commission to hold in-person public regular and special meetings and public hearings at Town Hall; and,

WHEREAS, a declared state of emergency has existed for The State of South Carolina since March 13, 2020, and for The Town of Hilton Head Island, South Carolina, since March 16, 2020, as a result of the COVID-19 pandemic, and during that time, the Town Council for The Town of Hilton Head Island, South Carolina, has conducted its regular and special public meetings electronically, and has live-streamed the meetings on the internet to enable anyone who wishes to observe and hear the meeting to be able to do so; and,

WHEREAS, during the state of emergency, certain Town boards and commissions have also conducted their regular and special public meetings electronically, and have live-streamed the meetings on the internet to enable anyone who wishes to observe and hear the meeting to be able to do so; and,

WHEREAS, for the meetings that have been held in this fashion, the agenda and the documents to be reviewed by Town Council at the electronic meetings are posted on the internet in advance of the electronic meetings, and a method is available for citizens and others to submit their comments related to any agenda item in advance of the electronic meeting for consideration by Town Council or board and commission members; and,

WHEREAS, the Town Council for The Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town, and its citizens and residents to adopt a permanent ordinance allowing for public meetings to be conducted electronically during declared states of emergency for The Town Council and any Board or Commission with final decision making authority; and,

WHEREAS, the Town Council for The Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town, and its citizens and residents to adopt a permanent ordinance allowing for public meetings to be conducted electronically by any Board or Commission that does not have final decision making authority upon a vote of a two-thirds majority of the Board or Commission.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE TOWN COUNCIL THAT THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, SHALL BE AMENDED AS FOLLOWS:

Underlined and bold-face typed text indicates additions to the Municipal Code of the Town of Hilton Head Island, South Carolina. ~~Stricken~~ text indicates deletions from the Municipal Code of the Town of Hilton Head Island, South Carolina.

Section 1. Amendment to the Municipal Code of the Town of Hilton Head Island. The Municipal Code of the Town of Hilton Head Island, South Carolina, is amended by adding “Section 2-5-15, Public Meetings by Electronic Means during State of Emergency.”

Sec. 2-5-15. Public Meetings and Public Hearings of Town Council and Boards and Commissions with Final Decision Making Authority by Electronic Means during Declared State of Emergency.

- (a) **During any state of emergency in The Town of Hilton Head Island, South Carolina, declared by the Governor of South Carolina, or by The Mayor of The Town of Hilton Head Island, the Town Council for The Town of Hilton Head Island, and any Boards and Commissions of The Town of Hilton Head Island, South Carolina, with final decision making authority, may conduct regular and special public meetings and public hearings solely and exclusively by means of telephone conference call, broadcast video, internet livestream, or any combination of them, or such other forms of electronic transmission of video and audio as may become available from time to time. Any such electronic meeting shall be conducted in conformity with standards set out in this Section 2-5-15, and the South Carolina Freedom of Information Act [S. C. Code Ann. § 30-4-10, et seq. (Supp. 2020)].**
 - (i) **No less than five (5) days prior to the beginning of any meeting to be conducted under the authority of this Section 2-5-15, a complete agenda package shall be posted on the Town of Hilton Head Island web page. Any citizen may comment on any agenda item through the “Open Town Hall” application, or such other application as may be used from time to time by the Town for that purpose, at any time up to two hours prior to the commencement of the public meeting. All comments made through the “Open Town Hall” application or such other application as may be used from time to time by the Town for that purpose, will be forwarded to Town Council or the members of the Board or Commission prior to the commencement of the meeting.**

- (ii) At the beginning of any meeting to be conducted under the authority of this Section 2-5-15, the presiding officer shall poll the members of the Town Council, or Board or Commission, to confirm attendance, and any member of the Town Council, or Board or Commission attending by way of electronic media shall be considered present for the purpose of constituting a quorum.
- (iii) Throughout the duration of any meeting to be conducted under the authority of this Section 2-5-15, all members of the Town Council, or a Board or Commission, as well as any officials, staff, or presenters required to speak at the meeting, must have the capability to be heard at all times by any other member of the Town Council, or a Board or Commission, and by the general public.
- (iv) Any vote of the Town Council, or a Board or Commission, must be conducted by individual voice vote of the members Town Council, or a board or commission, who shall verbally indicate their vote on any matter by stating “yes” or “no” or equivalent statement. All individual votes shall be recorded by the clerk, secretary, or presiding officer as appropriate.
- (v) Any meeting to be conducted under the authority of this Section 2-5-15, shall be recorded or minutes kept in the same manner as an in person meeting as required by the South Carolina Freedom of Information Act.
- (vi) All members of Town Council, or a board or commission, or any officials, staff, or other presenters shall identify themselves and be recognized prior to speaking. Members of the Town Council, or a Board or Commission shall comply with the rules of the Town Council, or a board or commission as they relate to procedural matters.
- (vii) In any meeting to be conducted under the authority of this Section 2-5-15, executive sessions shall be permitted in accordance with the terms of S. C. Code Ann. § 30-4-10, et seq. (Supp. 2020) and the Town Council, or a Board or Commission shall properly announce its reason for going into executive session in conformity with the terms of S. C. Code Ann. § 30-4-70 (Supp. 2020). The executive session may be held using a separate telephone, broadcast video, internet-based, or other electronic platform, or any combination of them, provided that the executive session shall not be broadcast, made available to the public for viewing or listening, or be distributed by any other means to the public.
- (viii) For the purpose of any Public Hearing of the Town Council, or any Board or Commission with final decision making authority, If the electronic meeting platform has sufficient capability to allow members of the public to submit comments, either in written form or by voice, during the Public Hearing, then Town Council or the board or commission will allow public comment in whichever form the capabilities of the electronic meeting platform allow. In the event that the electronic meeting platform does not have sufficient capability to allow members of the public to submit

comments, either in written form or by voice, during the meeting, the complete agenda package for the Public Hearing shall be posted on the Town's web page five (5) days prior to the date and time of the Public Hearing. Any citizen may comment on any agenda item through the "Open Town Hall" application on the Town's web page, or such other application as may be used from time to time by the Town for that purpose, at any time up to two hours prior to the commencement of the public hearing. All comments made through the "Open Town Hall" application or such other application as may be used from time to time by the Town for that purpose, will be forwarded to Town Council or the members of the board or commission prior to the commencement of the Public Hearing. Any comments submitted by the public shall be made a part of the record.

- (b) Except in the case of an emergency meeting of the Town Council for the Town of Hilton Head Island, South Carolina, during any state of emergency in The Town of Hilton Head Island, South Carolina, declared by the Governor of South Carolina, or by The Mayor of The Town of Hilton Head Island, in the event of any conflict between the text of this Section 2-5-15, and the text of any other Ordinance or adopted rule of procedure of the Town, the terms of this Section 2-5-15, shall control.

Sec. 2-5-16. Public Meetings of Boards and Commissions That Do Not Have Final Decision Making Authority by Electronic Means.

- (c) In addition to times where there is a state of emergency in The Town of Hilton Head Island, South Carolina, declared by the Governor of South Carolina, or by The Mayor of The Town of Hilton Head Island, Boards, Committees and Commissions of The Town of Hilton Head Island, South Carolina, that do not have any final decision making authority, may conduct regular and special public meetings and public hearings solely and exclusively by means of telephone conference call, broadcast video, internet livestream, or any combination of them, or such other forms of electronic transmission of video and audio as may become available from time to time. A decision to hold any meeting by any such electronic means must be by affirmative vote of two-thirds (2/3) majority of the membership of the Board, Committee or Commission, to conduct any subsequent meeting or meetings by electronic means. Any such electronic meeting shall be conducted in conformity with standards set out in this Section 2-5-16, and the South Carolina Freedom of Information Act [S. C. Code Ann. § 30-4-10, et seq. (Supp. 2020)].
- (i) No less than five (5) days prior to the beginning of any meeting to be conducted under the authority of this Section 2-5-16, a complete agenda package shall be posted on the Town of Hilton Head Island web page. Any citizen may comment on any agenda item through the "Open Town Hall" application, or such other application as may be used from time to time by the Town for that purpose, at any time up to two hours prior to the commencement of the public meeting. All comments made through the "Open Town Hall" application or such other application as may be used from time to time by the Town for that purpose, will be forwarded to the

members of the Board, Committee or Commission prior to the commencement of the meeting.

- (ii) At the beginning of any meeting to be conducted under the authority of this Section 2-5-16, the presiding officer shall poll the members of the Board, Committee or Commission, to confirm attendance, and any member of the Board, Committee or Commission attending by way of electronic media shall be considered present for the purpose of constituting a quorum.
- (iii) Throughout the duration of any meeting to be conducted under the authority of this Section 2-5-16, all members of the Board, Committee or Commission, as well as any officials, staff, or presenters required to speak at the meeting, must have the capability to be heard at all times by any other member of the Board, Committee or Commission, and by the general public.
- (iv) Any vote of the Board, Committee or Commission, must be conducted by individual voice vote of the members of the Board, Committee or Commission, who shall verbally indicate their vote on any matter by stating “yes” or “no” or equivalent statement. All individual votes shall be recorded by the clerk, secretary, or presiding officer as appropriate.
- (v) Any meeting to be conducted under the authority of this Section 2-5-16, shall be recorded or minutes kept in the same manner as an in person meeting as required by the South Carolina Freedom of Information Act.
- (vi) All members of the Board, Committee or Commission, or any officials, staff, or other presenters shall identify themselves and be recognized prior to speaking. Members of the Board, Committee or Commission shall comply with the rules of the Board, Committee or Commission as they relate to procedural matters.
- (vii) In any meeting to be conducted under the authority of this Section 2-5-16, executive sessions shall be permitted in accordance with the terms of S. C. Code Ann. § 30-4-10, et seq. (Supp. 2020) and the Board, Committee or Commission shall properly announce its reason for going into executive session in conformity with the terms of S. C. Code Ann. § 30-4-70 (Supp. 2020). The executive session may be held using a separate telephone, broadcast video, internet-based, or other electronic platform, or any combination of them, provided that the executive session shall not be broadcast, made available to the public for viewing or listening, or be distributed by any other means to the public.

Section 2. Severability: If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date: This Ordinance shall be effective upon adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2020.

By: _____
John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

First Reading: _____, 2020

Second Reading: _____, 2020

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Teri B. Lewis, AICP, *Deputy Director of Community Development*
FROM: Nicole Dixon, AICP, CFM, *Development Review Administrator*
DATE: July 21, 2020
SUBJECT: Proposed Ordinance 2020-16 - ZA-001245-2020 – Arbor Nature

Recommendation: The Planning Commission met on July 15, 2020 to review the proposed zoning map amendment application. The Commission voted 7-0-0 to recommend forwarding the application to Town Council with a recommendation for approval with the following conditions:

- **Grinding is prohibited on this site**
- **Logging or storage of logs is prohibited on this site**
- **Tree or log length trailer trucks carrying logs are prohibited from entering this site**
- **Dropping of logs is prohibited on this site**

Summary: The Town of Hilton Head Island, with the consent of ArborNature, LLC, is proposing to amend the Indigo Run Master Plan in order to change the permitted uses and densities available for the property pursuant to a settlement agreement entered into by and between the Town and ArborNature as part of the settlement of on-going litigation concerning the property. The settlement agreement requires the Town to rezone the Property on Leg O Mutton Road to specify that the permitted uses available on the property do not include grinding and logging activity. The proposed uses for the Property are Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre, without any Grinding or Logging Activity for the entire site, OR Alternatively Residential Use at 8 Units Per Acre for the entire site. The zoning will remain PD-1.

Background: The property was rezoned in 2006 to PD-1 as part of the Indigo Run Master Plan. The uses and densities designated for the site were "Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site." The property is currently developed as a Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage and also contains one single family home.

Several years ago, the Town was made aware that ArborNature had also been using the property for grinding and logging activity. The Town informed the property owner that grinding and logging activity is considered to be a Waste Related Services Other than Waste Treatment Plants use and is not permitted on the property. ArborNature disputed the Town's position on the use of the property for grinding and logging in an on-going litigation. After several years of litigation about the use of the property, the Town and ArborNature entered into a settlement agreement. As part of

that settlement agreement, the Town leased, and has now sold, 4 acres of Town property at Summit Drive to ArborNature for their operations, which will include the grinding and logging activity. ArborNature has ceased grinding and logging activity on the subject property, as required per the settlement agreement.

Please contact me at (843) 341-4686 or at nicoled@hiltonheadislandsc.gov if you have any questions.

Attachments:

- 1 – Staff Report
- 2 – Attachment A - Vicinity Map
- 3 – Attachment B – Zoning Map
- 4 – Attachment C – Leg O Mutton Road

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2020-#

PROPOSED ORDINANCE NO. 2020-16

AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-1-107, THE OFFICIAL ZONING MAP WITH RESPECT TO THE CERTAIN 6.7 ACRE PARCEL LOCATED AT 76 LEG O MUTTON ROAD, IDENTIFIED AS PIN R510 008 000 0275 0000, WITHIN THE INDIGO RUN MASTER PLAN UNDER THE PD-1 (PLANNED DEVELOPMENT MIXED USE) ZONING DISTRICT, TO CHANGE THE EXISTING ALLOWED USE AND DENSITY OF THE PARCEL TO EITHER A WHOLESALE LANDSCAPE NURSERY AND LANDSCAPE CONTRACTOR'S OFFICE WITH OUTSIDE STORAGE AT UP TO 6,000 SQUARE FEET PER NET ACRE, WITHOUT ANY GRINDING OR LOGGING FOR THE ENTIRE SITE OR RESIDENTIAL AT 8 UNITS PER NET ACRE FOR THE ENTIRE SITE; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and further, would be in conformance with the Land Management Ordinance and Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on July 15, 2020 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed zoning map amendment application; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and the criteria set forth in Section 16-2-103, voted 7-0-0 to recommend that Town Council approve the proposed zoning map amendment application with conditions; and

WHEREAS, after due consideration of said zoning map amendment application and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest to approve the proposed zoning map amendment application with conditions.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-1-107 of the LMO, be hereby amended as follows:

To modify the zoning designation of the certain 6.7 acre parcel located at 76 Leg O Mutton Road, identified as Parcel 275 on Beaufort County Tax Map 8, to change the allowed uses and density to EITHER a Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre, without any Grinding or Logging for the entire site OR Residential at 8 units per net acre for the entire site. The subject property would remain in the PD-1 (Planned Development Mixed-Use) Zoning District, in the Indigo Run Master Plan. The following conditions apply:

- **Grinding is prohibited on this site**
- **Logging or storage of logs is prohibited on this site**
- **Tree or log length trailer trucks carrying logs are prohibited from entering this site**
- **Dropping of logs is prohibited on this site**

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2020.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

John J. McCann, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing: July 15, 2020

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court | Hilton Head Island, SC 29928 | 843-341-4757 | FAX 843-842-8908

STAFF REPORT ZONING MAP AMENDMENT

Case #:	Name of Project	Public Hearing Date
ZA-001245-2020	ArborNature, LLC	July 15, 2020

Parcel Data	Property Owner	Applicant
<u>Parcel Number:</u> R510 008 000 0275 0000 <u>Size:</u> 6.70 Estimated Total Acres <u>Address:</u> 76 Leg O Mutton Road	Adam Congrove 76 Leg O Mutton Rd Hilton Head Island, SC 29926	Town of Hilton Head Island One Town Center Court Hilton Head Island, SC 29928
Existing Zoning	Proposed Zoning	
<u>Overlay District:</u> COR (Corridor Overlay District) – within 450 feet of an arterial road <u>Zoning District:</u> PD-1 (Planned Development Mixed Use) Indigo Run Master Plan <u>Existing Use:</u> <u>EITHER</u> a Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site <u>OR</u> Residential at 8 units per net acre for the entire site	<u>Overlay District:</u> COR (Corridor Overlay District) – within 450 feet of an arterial road <u>Zoning District:</u> PD-1 (Planned Development Mixed Use) Indigo Run Master Plan <u>Proposed Use:</u> <u>EITHER</u> a Wholesale Landscape Nursery and Landscape Contractors Office with Outside Storage at up to 6,000 square feet per net acre, <u>without any Grinding or Logging</u> for the entire site <u>OR</u> Residential at 8 units per net acre for the entire site	

Application Summary:

Request from the Town of Hilton Head Island, on behalf of ArborNature, LLC, to amend the Official Zoning Map for the property located at 76 Leg O’ Mutton Road, Parcel ID R510 008 000 0275 0000. The approved uses and density are EITHER a Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site. The request is to change the allowed uses and density to EITHER a Wholesale Landscape Nursery and Landscape Contractors Office with Outside Storage at up to 6,000 square feet per net acre, without any Grinding or Logging for the entire site OR Residential at 8 units per net acre for the entire site. The subject property would remain in the PD-1 (Planned Development Mixed-Use) Zoning District, in the Indigo Run Master Plan.

Staff Recommendation:

Staff recommends that the Planning Commission find this application to be **consistent** with the Town’s Comprehensive Plan and does serve to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein. Staff recommends that the Planning Commission recommend **approval** of this application to Town Council with the following conditions:

- **Grinding is prohibited on this site**
- **Logging or storage of logs is prohibited on this site**
- **Tree or log length trailer trucks carrying logs are prohibited from entering this site**
- **Dropping of logs is prohibited on this site**

Background:

The subject property is commonly referred to as ArborNature. The property was rezoned in 2006 to PD-1 as part of the Indigo Run Master Plan. The uses and densities designated for the site were “Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site” The property is currently developed as a Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage and also contains one single family home.

The site is surrounded by Magnolia Place to the west, which is a single family attached townhome development and zoned RM-4 (Low to Moderate Density Residential District), undeveloped Town-owned land to the north which is zoned PR (Parks and Recreation District), a contractors office and art gallery to the east which is zoned IL (Light Industrial District) and Indigo Run common property and single family lots to the south which is zoned PD-1 (Planned Development Mixed-Use). (See Attachment B- Zoning Map)

In 2010, the Town was made aware that ArborNature had also been using the property for grinding and logging activity. The Town informed the property owner that grinding and logging activity is considered to be a Waste Related Services Other than Waste Treatment Plants use and is not permitted on the property. ArborNature disputed the Town’s position on the use of the property for grinding and logging in an on-going litigation.

The Town has since adopted a definition of grinding in the LMO: “the reduction of vegetative materials in size or volume into materials such as but not limited to mulch or chips.” For the purposes of this rezoning application, logging is defined as “the process of cutting trees, processing them, and moving them to a location for transport”.

After several years of litigation about the use of the property, the Town and ArborNature entered into a settlement agreement. As part of that settlement agreement, the Town leased, and has now sold, 4 acres of Town property at Summit Drive to ArborNature for their operations, which will include the grinding and logging activity. ArborNature has ceased grinding and logging activity on the subject property, as required per the settlement agreement within 30 days after receiving development plan approval for the Summit Drive tract. The deadline for that was June 7, 2020.

The settlement agreement requires the Town to rezone the Property on Leg O Mutton Road to specify that the permitted uses available on the property do not include grinding and logging activity.

Applicant’s Grounds for ZMA:

The Town of Hilton Head Island, with the consent of ArborNature, LLC, is proposing to amend the Indigo Run Master Plan in order to change the permitted uses and densities available for the property

pursuant to a settlement agreement entered into by and between the Town and ArborNature as part of the settlement of on-going litigation concerning the property.

The settlement agreement requires the Town to rezone the Property on Leg O Mutton Road to specify that the permitted uses available on the property do not include grinding and logging activity. The proposed uses for the Property are Wholesale Landscape Nursery and Landscape Contractors Office with Outside Storage, without any Grinding or Logging Activity, or Alternatively Residential Use at 8 Units Per Acre. The zoning will remain PD-1.

Summary of Facts and Conclusions:

Findings of Fact:

- The application was submitted on June 15, 2020 as set forth in LMO Section 16-2-103.C and Appendix D-1.
- Per LMO Section 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
- The LMO Official scheduled the public hearing on the application for the July 15, 2020 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
- Per LMO Section 16-2-102.E.2, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
- Notice of the July 15, 2020 public hearing was published in the Island Packet on June 28, 2020.
- Per LMO Section 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
- The applicant mailed notices of the July 15, 2020 public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on June 25, 2020.
- Per LMO Section 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land.
- The LMO Official posted on June 24, 2020 conspicuous notice of the public hearing on the land subject to the application.

Conclusions of Law:

- The application was submitted in compliance with LMO Section 16-2-103.C and Appendix D-1.
- Notice of the public hearing was published, mailed and posted, in compliance with LMO Section 16-2-102.E.2.

As set forth in LMO Section 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions:

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Land Use Element

8.3 Planned Unit Developments (PUDs) Goal:

- A. To have an appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town’s high quality of life and should be considered when amending PUD Master Plans.

8.3 Planned Unit Developments (PUDs) Implementation Strategy:

- A. Consider flexibility within the PUDs to address appropriate commercial or service land uses in areas with a high residential concentration.

8.4 Existing Zoning Allocation Goal:

- A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town’s high quality of life and should be considered when amending the Town’s Official Zoning Map.

8.8 Nonconforming Parcels by Use Goal:

- B. To evaluate the locations of nonconforming uses to determine areas to consider for Zoning Map Amendments.

Conclusions of Law:

- The proposed rezoning is in accordance with the Comprehensive Plan, as described in the Land Use Element, as set forth in LMO Section 16-2-103.C.3.a.i.
- The proposed rezoning will modify the existing permitted land use to accommodate the desire of nearby residents and the Town’s quality of life consistent with the Land Use Element Goals 8.3A and 8.4A.
- The proposed rezoning will remove an intense service land use from the property, which is located near a concentration of residential use, consistent with Land Use Element Implementation Strategy 8.3A.
- The proposed rezoning will modify the permitted land use to ensure that the proposed use of the property will come into conformance consistent with Land Use Element Goal 8.8A.

Summary of Facts and Conclusions:

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103.C.3.a.ii):

Findings of Fact:

- The current PD-1 zoning specifically allows a Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site.
- The application proposes to rezone the property to continue to allow the Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre, but without any grinding and logging activity.
- The proposed zoning allows the site to be alternatively developed with residential use at 8 units per net acre.

- The subject property is surrounded by Magnolia Place Townhomes and Indigo Run which are both residential uses.

Conclusions of Law:

- The proposed rezoning will allow a use that is more compatible with the uses allowed on other property in the immediate vicinity in accordance with LMO Section 16-2-103.C.3.a.ii.
- The proposed rezoning will remove an intense land use from the property, which is located near a concentration of residential use and has been a nuisance to the surrounding neighbors.

Summary of Facts and Conclusions:

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii):

Findings of Fact:

- The current PD-1 zoning specifically allows a Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site.
- The application proposes to rezone the property to continue to allow the Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre, but without any grinding and logging activity.
- The proposed zoning allows the site to be alternatively developed with residential use at 8 units per net acre.
- The subject property is surrounded by Magnolia Place Townhomes and Indigo Run which are both residential uses.
- The proposed rezoning to remove grinding and logging activity from the subject parcel is required pursuant to the settlement agreement between the Town and ArborNature as part of the settlement of on-going litigation concerning the property.

Conclusions of Law:

- The proposed zoning is appropriate for the land in accordance with LMO Section 16-2-103.C.3.a.iii.
- The proposed rezoning will remove an intense land use from the property, which is located near a concentration of residential use and has been a nuisance to the surrounding neighbors, and is required per the settlement agreement between the Town and ArborNature.

Summary of Facts and Conclusions:

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103.C.3.a.iv):

Findings of Fact:

- The application proposes to rezone the property to continue to allow the Wholesale Landscape Nursery and Landscape Contractor’s Office with Outside Storage at up to 6,000 square feet per net acre, but without any grinding and logging activity.
- The proposed zoning allows the site to be alternatively developed with residential use at 8 units per net acre.
- The subject property is surrounded by Magnolia Place Townhomes and Indigo Run which are both residential uses.

- The Town has received complaints about the noise impacts of the grinding occurring on the subject property for many years.
- The proposed rezoning to remove grinding and logging activity from the subject parcel is required pursuant to the settlement agreement between the Town and ArborNature as part of the settlement of on-going litigation concerning the property.

Conclusions of Law:

- The rezoning would fulfill a demonstrated community need in accordance with LMO Section 16-2-103.C.3.a.iv.
- The proposed rezoning will remove an intense land use from the property, which is located near a concentration of residential use and has been a nuisance to the surrounding neighbors.

Summary of Facts and Conclusion:

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:

- The current PD-1 zoning specifically allows a Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site.
- The application proposes to rezone the property to continue to allow the Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre, but without any grinding and logging activity.
- The proposed zoning allows the site to be alternatively developed with residential use at 8 units per net acre.
- The Town's overall zoning program allows flexibility in the PD-1 Zoning District by allowing land uses and assigned density to change to address changing needs in the community.

Conclusions of Law:

- The proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town in accordance with LMO Section 16-2-103.C.3.a.v.
- The proposed rezoning will allow the PD-1 zoning designation to remain but will remove an intense land use from the property, which is located near a concentration of residential use and has been a nuisance to the surrounding neighbors.

Summary of Facts and Conclusions:

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103.C.3.a.vi):

Findings of Fact:

- The subject property is currently zoned PD-1 as part of the Indigo Run Master Plan.
- The proposed rezoning does not change the zoning designation, it only redefines the uses allowed for the subject property.

Conclusion of Law:

- The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO Section 16-2-103.C.3.a.vi because the existing base zoning district will remain PD-1.

Summary of Facts and Conclusions:

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

- The current PD-1 zoning specifically allows a Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre on 2.18 acres of the site and Residential at 8 units per net acre on the remaining 4.33 acres of the site OR Residential at 8 units per net acre for the entire site.
- The application proposes to rezone the property to continue to allow the Wholesale Landscape Nursery and Landscape Contractor's Office with Outside Storage at up to 6,000 square feet per net acre, but without any grinding and logging activity.
- The proposed zoning allows the site to be alternatively developed with residential use at 8 units per net acre.

Conclusions of Law:

- The proposed zoning would allow the subject property to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii.
- The proposed rezoning will allow the site to remain as currently developed but will remove the grinding and logging activity, which is a nuisance to the surrounding residential neighbors.
- The rezoning also allows the site to be redeveloped with residential use; making the site more compatible with the uses in the vicinity still allows the property to be put to a reasonably viable economic use.

Summary of Facts and Conclusion:

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

- The site has direct access to Leg O Mutton Road.
- The site already has adequate infrastructure and public facilities serving the existing development.
- Should the property owner wish to redevelop the site to residential use at a later date, a Major Development Plan Review or Subdivision application would be required. Any infrastructure or public facilities improvements needed for residential use would be required at that time.

Conclusion of Law:

- The proposed zoning would result in development that can be and is already served by available public facilities in accordance with LMO Section 16-2-103.C.3.a.viii.

Summary of Facts and Conclusion:

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings of Fact:

- The subject property is surrounded by Magnolia Place Townhomes and Indigo Run which are both residential uses.
- The Town has received complaints about the noise impacts of the grinding occurring on the subject property for many years.

- The proposed rezoning to remove grinding and logging activity from the subject parcel is required pursuant to the settlement agreement between the Town and ArborNature as part of the settlement of on-going litigation concerning the property.

Conclusions of Law:

- The proposed rezoning is appropriate due to the changes in the area, in accordance with LMO Section 16-3-103.C.a.ix.
- The proposed rezoning will remove an intense land use from the property, which is located near a concentration of residential use and has been a nuisance to the surrounding neighbors, and is required per the settlement agreement between the Town and ArborNature.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

ND

 Nicole Dixon, AICP, CFM
Development Review Administrator

July 6, 2020

 DATE

REVIEWED BY:

TL

 Teri B. Lewis, AICP
Deputy Director of Community Development

June 30, 2020

 DATE

REVIEWED BY:

AC

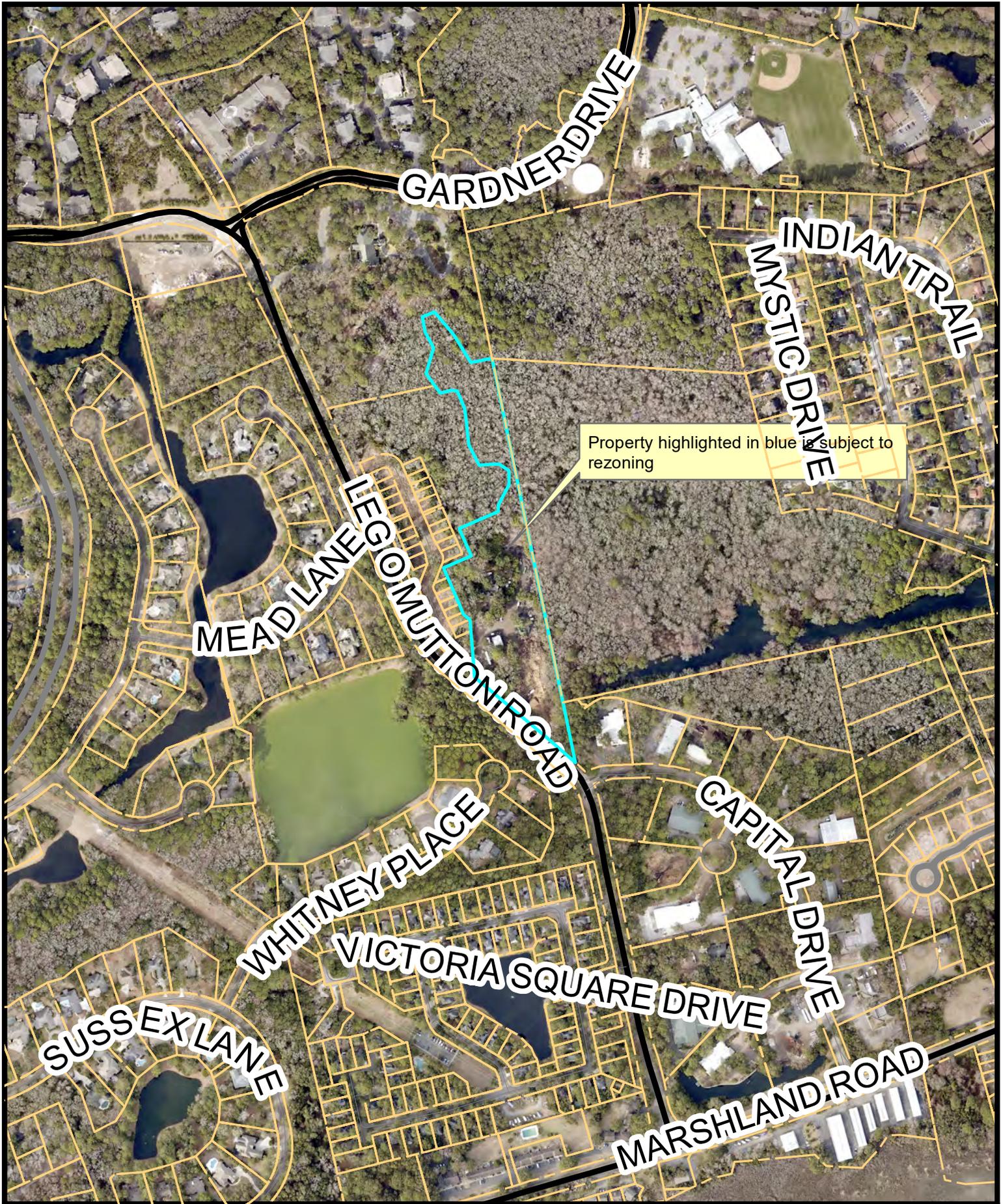
 Anne Cyran, AICP
Senior Planner & Planning Commission Board Coordinator

June 30, 2020

 DATE

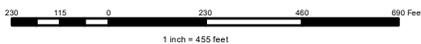
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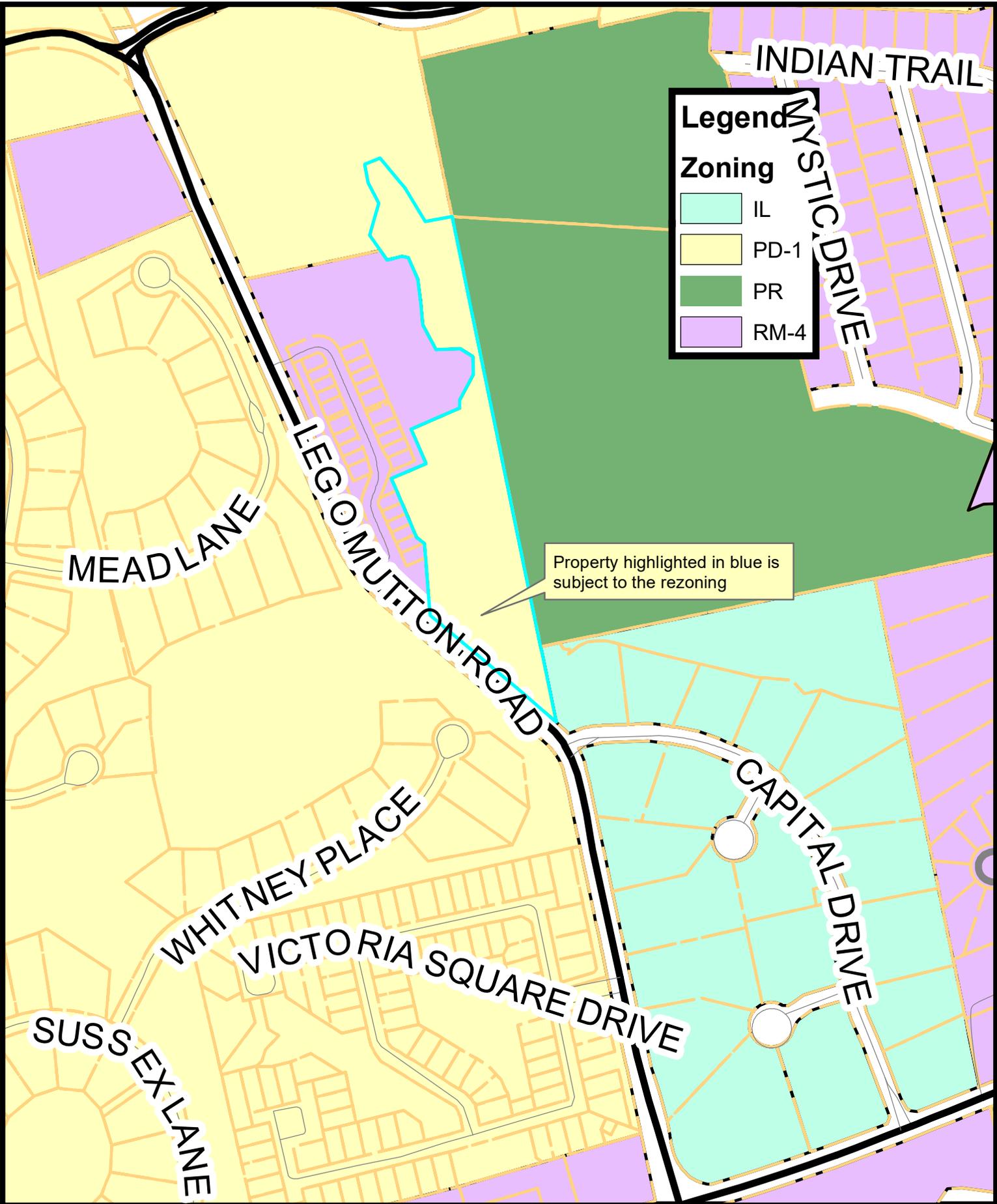
- A) Vicinity Map
- B) Zoning Map
- C) Site Survey



Property highlighted in blue is subject to rezoning

Town of Hilton Head Island
 ZA-001245-2020
 Attachment A - Vicinity Map





Legend

Zoning

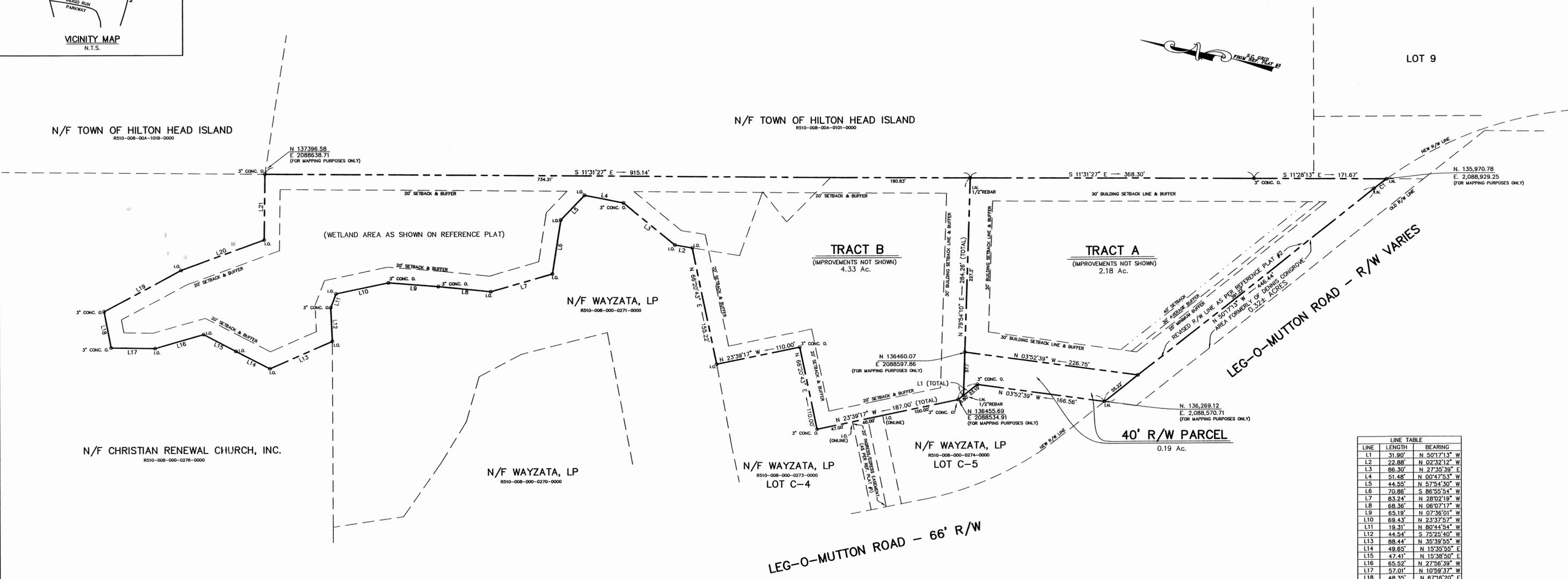
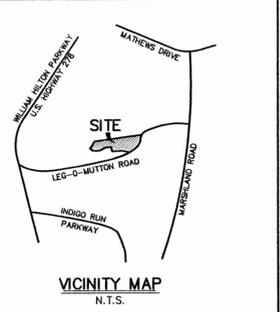
 IL
 PD-1
 PR
 RM-4

Property highlighted in blue is subject to the rezoning

Town of Hilton Head Island
 ZA-001245-2020
 ATTACHMENT B - Zoning Map



ATTACHMENT C



LINE	LENGTH	BEARING
L1	31.90'	N 50°17'13" W
L2	22.88'	N 02°32'12" W
L3	86.30'	N 27°35'39" E
L4	51.48'	N 00°47'53" W
L5	44.55'	N 57°54'30" W
L6	70.86'	S 86°55'54" W
L7	83.24'	N 28°02'19" W
L8	68.36'	N 08°07'17" W
L9	65.19'	N 07°36'01" W
L10	69.43'	N 23°37'57" W
L11	19.31'	N 80°44'54" W
L12	44.54'	S 75°25'40" W
L13	88.44'	N 35°39'55" W
L14	49.65'	N 15°35'55" E
L15	47.41'	N 15°38'50" E
L16	65.52'	N 27°36'39" W
L17	57.01'	N 05°59'37" W
L18	48.35'	N 67°16'20" E
L19	113.41'	S 40°08'44" E
L20	114.83'	S 31°51'15" E
L21	85.63'	N 78°50'40" E

CURVE	LENGTH	RADIUS	TANGENT	CHORD	BEARING	DELTA
C1	19.99'	480.04'	10.00'	19.99'	N 49°05'39" W	2°23'09"

AREA TABLE	
TRACT A	= 2.18 ACRES
TRACT B	= 4.33 ACRES
40' R/W PARCEL	= 0.19 ACRES
TOTAL AREA	= 6.70 ACRES

NOTES FOR ZONING MAP AMENDMENT APPLICATION NO. ZMA060013

- Area**
6.70 acres consisting of Tract A, Tract B, and 40' R/W Parcel, as shown on this plat.
- Permitted Land Uses and Density**
Tract A: Residential at up to four (4) dwelling units per net acre, or up to eight (8) dwelling units per net acre under the Town's Moderate Income Housing Program, or Wholesale Landscape Nursery and landscape contractor's office with onsite storage at up to 6,000 square feet per net acre.
Tract B and 40' R/W Parcel: Residential at up to four (4) dwelling units per net acre, or up to eight (8) dwelling units per net acre under the Town's Moderate Income Housing Program.
- Maximum Height**
35 feet above the base flood elevation.
- Setback and Buffer Areas**
As delineated on this plat.

TOWN OF HILTON HEAD ISLAND LMO SECTION 16-5-1402 DISCLOSURE STATEMENT

Some or all areas on this plat are flood hazard areas and have been identified as having at least a one percent chance of being flooded in any given year by rising tidal waters associated with possible hurricanes. Local regulations require that certain floor hazard protective measures be incorporated in the design and construction of structures in these designated areas. Reference shall be made to the development covenants and restrictions of this development and requirements of the Town Building Official. In addition, federal law requires mandatory purchase of flood insurance as a prerequisite to federally insured mortgage financing in these designated flood hazard areas.

We the undersigned, as the Representatives of the Owners of Record of parcel(s), R510-008-000-0275-0000, agree to the recording of this plat.

DENNIS ROY CONGROVE _____ DATE: _____

LEGEND

I.O. IRON OLD, 1/2" REBAR FOUND
I.N. IRON NEW, 1/2" REBAR SET
3" CONC. O. 3"x3" CONCRETE MONUMENT FOUND

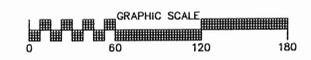
NOTES

- I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO OBVIOUS, APPARENT OR VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
- AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE A-7. A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.L.D. PANEL B-D, COMMUNITY NO. 450250, MAP DATED 9/29/86, BASE ELEVATION 14.0'. FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
- UNDERGROUND UTILITIES NOT LOCATED EXCEPT AS SHOWN.
- BEARING AND DISTANCE ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATES TAKEN FROM REFERENCE PLAT #3.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.

REFERENCE PLATS:

- 7.025 ACRES, LEG-O-MUTTON ROAD, A SECTION OF RAMSFORD ACRES, DATED: 10/7/1992, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059, RECORDED: P.B. 46, PG. 146, 6/25/97.
- THE RELOCATION OF LEG O' MUTTON ROAD, A SECTION OF INDIGO RUN AREA, DATED: 9/09/1994, LAST REVISED: 6/06/95, BY: MICHAEL R. DUNIGAN, S.C.R.L.S. NO. 11905, RECORDED: P.B. 53, PG. 43, 6/13/95.
- BOUNDARY, TREE & TOPOGRAPHIC SURVEY OF 11.00 ACRES, LEG-O-MUTTON ROAD, A SECTION OF RAMSFORD ACRES, DATED: 11/06/2000, LAST REVISED: 10/17/2005, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059,

PREPARED FOR: DENNIS ROY CONGROVE
ADDRESS: #78 LEG O' MUTTON ROAD
TAX PARCEL I.D. NO. R510-008-000-0275-0000



PLAT OF
TRACTS A, B & 40' R/W PARCEL
LEG-O-MUTTON ROAD
THE
DENNIS CONGROVE TRACT
A SECTION OF
RAMSFORD
ACRES

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
SCALE: 1" = 60' DATE: 11/14/2006 JOB NO: 922970-2

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MEMORANDUM

TO: Town Council

FROM: John M. Troyer, CPA, Director of Finance

VIA: Joshua A. Gruber, Assistant Town Manager

VIA: Stephen G. Riley, ICMA-CM, Town Manager

DATE: July 29, 2020

RE: First Reading of Proposed Ordinance No. 2020-21; General Obligation Bond. Second Supplemental Ordinance – providing for the issuance and sale of Town of Hilton Head Island, South Carolina, General Obligation Bonds, in one or more series, in the principal amount not exceeding \$ 13,500,000; delegating the authority to the Town Manager to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; other matters relating thereto; and providing for the severability and effective date.

Recommendation:

Staff recommends Council approve first reading of Proposed Ordinance No. 2020-21. The ordinance provides for the authorization to issue general obligation bonds to refund general obligation bonds Series 2011 A and Series 2013A to achieve savings and improve the Town's cash flow. The Town has previously directed the Financial Advisor and Bond Counsel to seek to take advantage of market opportunities to save the Town money on its outstanding debt. This recommendation is a result of those efforts.

Summary:

The Town has previously issued General Obligation Bonds Series 2011A and Series 2013A bonds. The bonds were sold competitively at the time. Current market conditions have reduced rates providing an opportunity to capture savings. At the moment, only the 2011A bonds provide savings. However, there is a chance that by the time the bonds are sold in the marketplace, the 2013A bonds would also provide savings. The Town seeks approval to refund both series, although the transactions would only be executed to provide a net economic benefit. If market conditions remain as today, only one bond would be refunded. The Town's Financial Advisor and the Town's Bond Counsel both recommend the action to save money, improve cash flow, and improve the Town's portfolio of outstanding bonds.

Details:

Included with these materials is a detailed report on the current market conditions and savings opportunities. The refunding plan uses a current refunding for the Series 2011 and an advanced refunding for the Series 2013A bonds.

Among the highlights of the report on the following page (and page references to amounts):

Original Issue amounts:

Series 2011 A	\$12,385,000
Series 2013 A	<u>\$ 9,000,000</u>
Total	\$21,385,000

Bonds outstanding (and bonds to be refunded):

Series 2011 A	\$ 6,665,000	(page 10)
Series 2013 A	<u>\$ 5,585,000</u>	(page 10)
Total	\$ 12,250,000	

Average coupon of existing bonds:

Series 2011 A	3.511%	(page 10)
Series 2013 A	<u>3.933%</u>	(page 10)
Total	3.768%	(page 10)

Expected bonds issued:

Series 2011 A	\$6,925,000	(page 10)
Series 2013 B	<u>6,270,000</u>	(page 10)
Total	\$13,195,000	(page 10)

Expected interest rate (TIC)

Series 2011 A	1.95%	(page 10)
Series 2013 A	<u>2.68%</u>	(page 10)
Total	2.39%	(page 10)

Expected Gross Savings \$300,150 (page 11)

Series 2011 A	\$300,150	
Series 2013 A	<u>0</u>	Only if market conditions achieve savings would a transaction be executed.
Total	\$ 300,150	

Present Value Expected Savings \$274,463 (page 11)

Series 2011 A	\$ 274,463	
Series 2013 A	<u>0</u>	Only if market conditions achieve savings would a transaction be executed.
Total	\$ 274,463	

Additional refunding details attached.

AN ORDINANCE

AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$13,500,000 GENERAL OBLIGATION REFUNDING BONDS, IN ONE OR MORE SERIES, INCLUDING A TAXABLE SERIES, IF RECOMMENDED, WITH APPROPRIATE SERIES DESIGNATIONS, OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE TOWN MANAGER OR HIS LAWFULLY AUTHORIZED DESIGNEE TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

WHEREAS, on August 3, 2011, the Town (hereinafter defined) issued its \$12,385,000 General Obligation Refunding Bonds, Series 2011A (the “2011A Bonds”); and

WHEREAS, on June 18, 2013, the Town issued its \$9,000,000 General Obligation Bonds, Series 2013A (the “2013A Bonds”); and

WHEREAS, Town Council (hereinafter defined) has been advised that due to the current interest rate environment, the 2011A Bonds and the 2013A Bonds are possible refunding candidates; and

WHEREAS, in order to take advantage of the opportunity to refund the 2011A Bonds and the 2013A Bonds, Town Council must enact an appropriate ordinance authorizing the issuance of general obligation refunding bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Findings and Determinations. The Town Council (the “Town Council”) of the Town of Hilton Head Island, South Carolina (the “Town”), hereby finds and determines:

(a) The Town is an incorporated municipality located in Beaufort County, South Carolina, and as such possesses all powers granted to municipalities by the Constitution of the State of South Carolina, 1895, as amended (the “Constitution”), and laws of the State of South Carolina (the “State”).

(b) Article X, Section 14 of the Constitution provides that general obligation debt may be incurred by the governing body of each municipality of the State for any public and corporate purpose in an amount not exceeding eight (8%) percent of the assessed value of all taxable property of such municipality and upon such terms and conditions as the General Assembly may prescribe. Such Article further provides that if general obligation debt is authorized by a majority vote of the qualified electors of the municipality voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except as specified in such Article.

(c) Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended (the “Municipal Bond Act”), provides that the municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limitation applicable to such municipality.

(d) The Municipal Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended (the “S.C. Code”), provides that if an election be prescribed by the provisions of the Municipal Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Municipal Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) Pursuant to State constitutional and statutory authorizations, the favorable results of a referendum held on November 4, 2003 (the “Referendum”), and Ordinance 2010-07 duly enacted by the Town Council on October 19, 2010, the Town issued the 2011A Bonds, the proceeds of which were used to refund the March 1, 2014 through March 1, 2029, maturities of the Town’s original principal amount \$15,000,000 General Obligation Bonds, Series 2004A, dated May 12, 2004 (the “2004A Bonds”). The proceeds of the 2004A Bonds were used to purchase developed and undeveloped land on Hilton Head Island, South Carolina, for the public use or uses of management of growth and development, public facilities, passive and active parkland and preservation of historic sites approved in the Referendum.

(f) Pursuant to State constitutional and statutory authorizations, the favorable results of referendum held on November 4, 2008, and Ordinance No. 2013-03 duly enacted by the Town Council on May 7, 2013, the Town issued the 2013A Bonds, the proceeds of which were used for land acquisition projects including, but not limited to, the Planter’s Row Golf Course and other capital improvements including, but not limited to, purchasing and equipping a new Sheriff’s Office and SHARE Center and making upgrades to the sewer systems in the Town.

(g) Sections 11-21-10 to 11-21-80 of the S.C. Code, empower any “public agency” to utilize the provisions of Article 5, Chapter 15, Title 11 of the S.C. Code (the “Refunding Act”), to effect the refunding of any outstanding general obligation bonds.

(h) The 2011A Bonds maturing on or after March 1, 2022 (the “2011 Bonds to be Refunded”), shall be subject to redemption at the option of the Town on or after March 1, 2021, as a whole or in part at any time, in such order of redemption as the Town may determine, at par, plus accrued interest to the date fixed for redemption.

(i) The 2013A Bonds maturing on or after March 1, 2024 (the “2013 Bonds to be Refunded,” and together with the 2011 Bonds to be Refunded, the “Bonds to be Refunded”), are subject to redemption at the option of the Town on or after March 1, 2023, as a whole or in part at any time, in such order of redemption as the Town may determine, at par, plus accrued interest to the date fixed for redemption.

(j) Pursuant to Ordinance No. 2013-03 duly enacted by the Town Council on May 7, 2013, the Town has adopted Written Procedures Related to Tax-Exempt Debt.

(k) The assessed value of all the taxable property in the Town as of June 30, 2019, for purposes of computation of the Town’s constitutional debt limit, is \$971,047,790. Eight percent of such sum is \$77,683,823. As of the date hereof, the outstanding general obligation debt of the Town subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$46,205,000. Thus, the Town may incur not exceeding \$31,478,823 of additional general obligation debt within its applicable debt limitation. Of the Bonds to be Refunded, only \$1,600,000 of the Series 2013A Bonds are subject to the 8% constitutional debt limitation.

(l) It is now in the best interest of the Town for the Town Council to provide for the issuance and sale of not exceeding \$13,500,000 aggregate principal amount general obligation refunding bonds of the Town to provide funds for the purposes of (i) refunding the Bonds to be Refunded; and (ii) paying costs of issuance of the Bonds (hereinafter defined).

SECTION 2. Authorization and Details of the Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State and the successful results of the referenda described above, there is hereby authorized to be issued not exceeding \$13,500,000 general obligation refunding bonds of the Town (the “Bonds”) for the purposes listed in Section 1(l) above.

The Bonds shall be issued as fully-registered Bonds; shall be dated as of their date of delivery; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of the Bonds maturing in each year; shall be numbered from R-1 upward; shall bear interest at such times as hereafter designated by the Town Manager or his lawfully authorized designee at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially in successive annual installments as determined by the Town Manager or his lawfully authorized designee. Regions Bank shall serve as Registrar/Paying Agent for the Bonds.

The refunding of the Bonds to be Refunded shall be effected with a portion of the proceeds of the Bonds which proceeds shall be used for the payment of the principal of such Bonds to be Refunded as and when such Bonds to be Refunded mature and are called for redemption in accordance with the provisions of the Ordinances authorizing the Bonds to be Refunded, the redemption premium thereon, if any, and interest on such Bonds to be Refunded as and when the same becomes due. If necessary, notice of the refunding of the Bonds to be Refunded for which a portion of the proceeds of the Bonds will be used shall be given in a financial paper published in the City of New York, State of New York.

Upon the delivery of the Bonds, the principal proceeds thereof to be used to refund the Bonds to be Refunded, less any issuance expenses, shall be deposited with an escrow agent to be named (the “Escrow Agent”) and held by it under a written refunding trust agreement (the “Refunding Trust Agreement”) in a special trust account. It shall be the duty of such Escrow Agent to keep such proceeds invested and reinvested to the extent that it shall be practical in obligations of the United States or any agency thereof and to apply the principal and interest of the trust so established in the manner prescribed in such Refunding Trust Agreement.

The Town Manager is hereby authorized and directed for and on behalf of the Town to execute such agreements and give such directions as shall be necessary to carry out the provisions of this Ordinance, including the execution and delivery of the Refunding Trust Agreement. The Refunding Trust Agreement shall be dated the date of delivery of the Bonds to the initial purchasers thereof.

SECTION 3. Delegation of Authority to Determine Certain Matters Relating to the Bonds. The Town Council hereby expressly delegates to the Town Manager the authority, with respect to each series of Bonds, to determine: (a) the par amount of the Bonds; (b) the maturity dates and the respective principal amounts maturing on such dates; (c) the interest payment dates; (d) the redemption provisions, if any; (e) whether to publish notice of the adoption of this ordinance under the provisions of Section 11-27-40(8) of the S.C. Code; (f) the date and time of the sale, including whether or not the Bonds should be sold on the same date as one or more series or on separate dates as separate series; (g) what portion of the Bonds should be issued as taxable; and (h) such other matters as are necessary or appropriate. The Town Manager is further directed to consult with the Town’s financial advisor and bond counsel in making any such decisions.

The Town Council hereby further delegates to the Town Manager or his lawfully authorized designee the authority to receive bids on behalf of the Town Council and the authority to award the sale of the Bonds to the lowest bidder therefor, in accordance with the terms of the Notice of Sale for the Bonds, provided the true interest cost does not exceed 4.00% for taxable bonds and 3.00% for tax-exempt bonds. After the sale of the Bonds, the Town Manager or his lawfully authorized designee shall submit a written report to the Town Council setting forth the results of the sale of the Bonds.

SECTION 4. Registration, Transfer and Exchange of Bonds. The Town shall cause books (herein referred to as the “registry books”) to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the Town, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the Town shall issue in the name of the transferee a new fully-registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The Town and the Registrar/Paying Agent may deem or treat the person in whose name any fully-registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the Town nor the Registrar/Paying Agent shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Bonds is exercised, the Town shall execute and the Registrar/Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. Neither the Town nor the Registrar/Paying Agent shall be obliged to make any such transfer of Bonds during the fifteenth (15th) day of the calendar month preceding an interest payment date on such Bonds.

SECTION 5. Record Date. The Town establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day (whether or not a business day) preceding an interest payment date on such Bond or, in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day (whether or not a business day) prior to the mailing of notice of redemption of Bonds.

SECTION 6. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the Town shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the Town and the Registrar evidence or proof satisfactory to the Town and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the

ownership thereof, and also such security and indemnity as may be required by the laws of the State or such greater amount as may be required by the Town and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

SECTION 7. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 8. Execution of Bonds. The Bonds shall be executed in the name of the Town with the manual or facsimile signature of the Mayor of the Town attested by the manual or facsimile signature of the Town Clerk under a seal of the Town which shall be impressed, imprinted or reproduced thereon. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar/Paying Agent in substantially the form set forth herein.

SECTION 9. Security for the Bonds. The full faith, credit, taxing power and resources of the Town are hereby irrevocably pledged for the payment of the principal and interest of the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary to provide for the prompt payment thereof. There shall be levied and collected annually upon all taxable property of the Town an ad valorem tax, without limitation as to rate or amount, sufficient for such purposes. The Town at its option may also utilize any other funds available therefor for the payment of the principal of and interest on the Bonds.

SECTION 10. Defeasance. The obligations of the Town herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) such Bond or Bonds shall have been purchased by the Town and surrendered to the Town for cancellation or otherwise surrendered to the Town or the Paying Agent and is canceled or subject to cancellation by the Town or the Paying Agent; or

(b) payment of the principal of and interest on such Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with the Paying Agent in trust and irrevocably set aside exclusively for such payment (1) moneys sufficient to make such payment or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the Paying Agent. At such time as the Bonds shall no longer be deemed to be outstanding hereunder, such Bonds shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean either of the following:

- (i) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America; or
- (ii) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”);

The Town has reserved the right to modify this definition to conform to amendments in State law regarding legal investments of public funds.

SECTION 11. Exemption from State Taxes. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the S.C. Code, from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 12. Eligible Securities. The Bonds initially issued (the “Initial Bonds”) will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York (“DTC”), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Initial Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds shall be issued in fully-registered form, one bond for each of the maturities of the Initial Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the Town, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Initial Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Town has advised DTC of its determination that DTC is incapable of discharging its duties, the Town shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the Town of the Initial Bonds together with an assignment duly executed by DTC, the Town shall execute and deliver to the successor securities depository bonds of the same principal amount, interest rate and maturity registered in the name of such successor.

If the Town is unable to retain a qualified successor to DTC or the Town has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bonds might be adversely affected if the book-entry system of transfer is continued (the Town undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the Town of the Initial Bonds together with an assignment duly executed by DTC, the Town shall execute, authenticate and deliver to the DTC participants bonds in fully-registered form in denominations of \$5,000 or any integral multiple thereof.

SECTION 13. Sale of Bonds, Form of Notice of Sale. The Bonds shall be sold at public sale. A Notice of Sale shall be distributed to prospective bidders and a summary of such Notice shall be published in a newspaper having general circulation in the State or in a financial publication published in the City of New York, State of New York, or both, not less than seven (7) days prior to the date set for such sale in substantially the form attached hereto as Exhibit B and incorporated herein by reference.

SECTION 14. Preliminary and Final Official Statement. The Town Council hereby authorizes and directs the Town Manager or his lawfully authorized designee to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The Town Council authorizes the Town Manager or his lawfully authorized designee to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”). The Town Manager or his lawfully authorized designee is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchasers of the Bonds.

SECTION 15. Filings with Central Repository. In compliance with Section 11-1-85 of the S.C. Code, the Town covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of an annual independent audit of the Town within thirty (30) days of the Town's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, event specific information of an event which adversely affects more than five (5%) percent of the tax revenues of the Town or the Town's tax base.

SECTION 16. Continuing Disclosure. In compliance with the Rule, the Town covenants and agrees for the benefit of the holders from time to time of the Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of a Continuing Disclosure Certificate in substantially the form attached hereto and incorporated herein by reference as Exhibit C. In the event of a failure of the Town to comply with any of the provisions of the Continuing Disclosure Certificate, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by the Town.

SECTION 17. Bank Placement. In the event the Bonds are sold to a bank pursuant to Section 13 above, the requirements of Sections 12, 14 and 16 hereof shall not be applicable, and the Town may serve as Registrar/Paying Agent as described in Section 4 hereof. Also, forms of the attachments to this Ordinance will be revised as necessary and appropriate.

SECTION 18. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds necessary to refund the Bonds to be Refunded shall be deposited with the Escrow Agent pursuant to the terms of the Refunding Trust Agreement between the Escrow Agent and the Town. The remaining proceeds, if any, shall be deposited with the Town in a special fund and shall be applied solely to the purposes for which the Bonds have been issued, including payment of costs of issuance of the Bonds.

SECTION 19. Federal Tax Covenants (Tax-Exempt Bonds Only). The Town hereby covenants and agrees with the holders of the Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the holders of the Bonds for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986 as amended and regulations promulgated thereunder (the “Code”) in effect on the date of original issuance of the Bonds. The Town further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be “arbitrage bonds,” as defined in Section 148 of the Code, and to that end the Town hereby shall:

- (i) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Bonds are outstanding;
- (ii) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and
- (iii) make such reports of such information at the time and places required by the Code.

SECTION 20. Miscellaneous. The Town Council hereby authorizes the Mayor and Town Clerk, the Town Manager, the Director of Finance and any lawfully authorized designee to execute such documents and instruments as may be necessary to effect the issuance of the Bonds or make modifications in any documents including but not limited to the form of the Bond or Notice of Sale, if necessary. The Town Council hereby retains Burr & Forman LLP as bond counsel in connection with the issuance of the Bonds. The Town Manager is authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

SECTION 21. Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 22. Codification. This Ordinance shall be forthwith codified in the Code of Town Ordinances in the manner required by law.

SECTION 23. Effective Date. This Ordinance shall be effective upon its enactment by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA ON THIS ___ DAY OF _____, 2020.

_____, Mayor

ATTEST:

Krista Wiedmeyer
Town Clerk

APPROVED AS TO FORM:

Town Attorney

First Reading: _____

Second Reading: _____

Introduced by Council Member:

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
THE TOWN OF HILTON HEAD ISLAND
\$ _____ [TAXABLE] GENERAL OBLIGATION REFUNDING BOND
SERIES 20 ____

No. R-

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>CUSIP</u>
%			

REGISTERED HOLDER:

PRINCIPAL AMOUNT: _____ DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that the Town of Hilton Head Island, South Carolina (the "Town"), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date shown above, upon presentation and surrender of this Bond at the principal office of _____ in _____ (the "Paying Agent"), and to pay interest on such principal sum from the date hereof at the interest rate per annum shown above until this Bond matures. Interest on this Bond is payable semiannually on _____ 1 and _____ 1 of each year commencing _____ 1, 20__, until this Bond matures, and shall be payable by electronic transfer or check or draft mailed to the person in whose name this Bond is registered on the registration books of the Town maintained by the registrar, presently _____, in _____ (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month next preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully-registered Bond shall be paid by electronic transfer, check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance of the Town authorizing the Bonds, nor become valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

For the payment of the principal and interest of this Bond as they respectively mature and for the creation of such sinking fund as may be necessary to provide for the prompt payment hereof, the full faith, credit, taxing power and resources of the Town are hereby irrevocably pledged, and there shall be levied and collected annually upon all taxable property of the Town an ad valorem tax, without limitation as to rate or amount, sufficient for such purposes.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Ordinance. One bond certificate with respect to each date on which the Bonds are stated to mature, registered in the name of the securities depository nominee, is being issued and required to be deposited with the securities depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the securities depository's participants, beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the securities depository and its participants pursuant to rules and procedures established by the securities depository and its participants. The Town and the Registrar/Paying Agent will recognize the securities depository nominee, while the registered owner of this bond, as the owner of this bond for all purposes, including payments of principal of and redemption premium, if any, and interest on this bond, notices and voting. Transfer of principal and interest payments to participants of the securities depository will be the responsibility of the securities depository, and transfer of principal, redemption premium, if any, and interest payments to beneficial owners of the Bonds by participants of the securities depository will be the responsibility of such participants and other nominees of such beneficial owners. The Town will not be responsible or liable for such transfers of payments or for maintaining, supervision or reviewing the records maintained by the securities depository, the securities depository nominee, its participants or persons acting through such participants. While the securities depository nominee is the owner of this bond, notwithstanding, the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements between the Registrar/Paying Agent or its successors under the Ordinance and the securities depository.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, date of maturity, denomination, [redemption provisions] and rate of interest, aggregating _____ Dollars issued pursuant to Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; _____; Title 11, Chapters 15 and 27, Code of Laws of South Carolina 1976, as amended; [the favorable results of a referendum held in the Town on _____]; and Ordinance No. _____ duly enacted by the Town Council of the Town.

[Redemption Provisions]

This Bond is transferable as provided in the Ordinance, only upon the books of the Town kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully-registered Bond or Bonds of the same aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The Town, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina (the "State"), this Bond and the interest hereon are exempt from all State, county, municipal, school district and other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the Town does not exceed the applicable limitation of indebtedness under the laws of the State; and, that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the Town sufficient to pay the principal and interest of this Bond as they respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Town, attested by the manual or facsimile signature of the Town Clerk and the seal of the Town impressed, imprinted or reproduced hereon.

TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

(SEAL)

Mayor

ATTEST:

Town Clerk

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This Bond is one of the bonds described in the within mentioned Ordinance of the Town of Hilton Head Island, South Carolina.

_____,
as Registrar

By: _____
Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

UNIF GIFT MIN ACT -

TEN ENT - as tenants by the
entireties

_____ Custodian _____
(Cust) (Minor)

JT TEN - as joint tenants with
right of survivorship
and not as tenants in
common

under Uniform Gifts to
Minors Act _____
(state)

Additional abbreviations may also be used though not in above list.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____
(Name and Address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

(Authorized Officer)

Notice: Signature(s) must be guaranteed by an institution which is a participant in the registered Securities Transfer Agents Medallion Program ("STAMP") or similar program.

Notice: The signature to the assignment must correspond with the name of the holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

A copy of the final approving legal opinion to be rendered shall accompany each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the Town with a manual or facsimile signature of the Town Clerk in the following form:

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the final legal opinion (except for date and letterhead) of Burr & Forman LLP, Columbia, South Carolina, approving the issue of Bonds of which the within Bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for the Bonds, and a copy of which is on file with the Town of Hilton Head Island, South Carolina.

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By _____
Town Clerk

FORM OF NOTICE OF SALE

\$ _____ * [TAXABLE] GENERAL OBLIGATION REFUNDING BONDS, SERIES 20 ____
TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that proposals will be received on behalf of the Town Council of the Town of Hilton Head Island, South Carolina (the "Town") by electronic means only until 11:00 a.m., South Carolina time, on _____, _____, at which time said proposals will be publicly opened for the purchase of _____ (\$ _____) [Taxable] General Obligation Refunding Bonds, Series _____ of the Town (the "Bonds"). The time as maintained by Parity (defined below) shall constitute the official time with respect to all proposals submitted.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Parity Electronic Bid Submission System ("Parity"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Parity may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 849-5021.

NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE TOWN AT THE DATE AND TIME APPOINTED.

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry-only form in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC.

Interest on the Bonds will be payable March 1, 2021, and semiannually on March 1 and September 1 of each year thereafter until maturity. The Bonds will be dated their date of delivery, on or about December _____, 2020, and will mature serially in successive annual installments on March 1 in each of the years and in the principal amounts shown below:

<u>March 1</u>	<u>Principal Amount*</u>	<u>March 1</u>	<u>Principal Amount*</u>
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*Preliminary, subject to adjustment.

Adjustment of Maturity Schedule. If, after final computation of the proposals, the Town determines in its sole discretion that the funds necessary to accomplish the purposes for which the Bonds are being issued are either more or less than the proceeds of the sale of the amount of the Bonds as shown in this Notice of Sale, it reserves the right either to decrease or increase the principal amount of the Bonds (all calculations to be rounded to the nearest \$5,000), provided that any such decrease or increase shall not exceed 15% of the par amount. Such adjustment(s), if any, shall be made within twenty-four (24) hours of the award of the Bonds. In order to calculate the yield on the Bonds for federal tax law purposes and as a condition precedent to the award of the Bonds, bidders must disclose to the Town in connection with their bid the price (or yield to maturity) at which each maturity of the Bonds will be reoffered to the public.

In the event of any adjustment of the maturity schedule for the Bonds as described herein, no rebidding or recalculation of the proposals submitted will be required or permitted. Nevertheless, the award of the Bonds will be made to the bidder whose proposal produces the lowest true interest cost solely on the basis of the Bonds offered, without taking into account any adjustment in the amount of the Bonds pursuant to this paragraph.

[Redemption Provisions.] [TBD]

Bidders' Special Option for Term Bonds. Bidders submitting proposals may specify that all the principal amount of Bonds maturing on any two or more consecutive annual payment dates may, in lieu of maturity on each of such dates, be combined to comprise one or more maturities of the Bonds scheduled to mature on the latest of such annual payment dates (the "Term Bonds"). Term Bonds shall be subject to redemption through mandatory sinking fund installments in the principal amount that would have matured in each year as set forth in this Official Notice of Sale, on each of the annual principal payment dates, except for the principal amount of the Bonds scheduled to mature on the latest such annual payment date, which the Bonds shall mature on such annual principal payment date. Bidders may specify one or more of such Term Bonds and such specifications must be made in the bidder's proposal.

Mandatory Sinking Fund Redemption. The Bonds will be subject to mandatory sinking fund redemption if and to the extent the option to establish Term Bonds is exercised by the successful bidder.

Registrar/Paying Agent: Regions Bank, Atlanta, Georgia, shall serve as Registrar/Paying Agent for the Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/100th, 1/20th or 1/8th of 1% with no greater difference than two percent (3%) between the highest and lowest rates of interest named by a bidder. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds or a bid at a price less than par will not be considered.

Good Faith Deposit: A good faith deposit is not required.

Official Statement: Upon the award of the Bonds, the Town will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the Town will deliver the Official Statement to the successful bidder in

sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the Town within 24 hours after the award of the Bonds all necessary pricing information and any Underwriter identification necessary to complete the Official Statement.

Security: The Bonds shall constitute binding general obligations of the Town, and the full faith, credit, resources and taxing power of the Town are irrevocably pledged for the payment of the principal and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary to provide for the prompt payment thereof. There shall be levied and collected annually upon all taxable property of the Town a tax, without limitation as to rate or amount, sufficient for such purposes.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission, the Town will undertake, pursuant to a Continuing Disclosure Certificate, to provide certain annual financial information and notices of the occurrence of certain listed events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The Town shall furnish upon delivery of the Bonds the final approving opinion of Burr & Forman LLP, Columbia, South Carolina, which opinion shall accompany each Bond, together with the usual closing documents, including a certificate that no litigation is pending affecting the Bonds.

Establishment of Issue Price: (a) The winning bidder shall assist the Town in establishing the issue price of the Bonds and shall execute and deliver to the Town at Closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the Town and Bond Counsel. All actions to be taken by the Town under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the Town by the Town’s Municipal Advisor identified herein and any notice or report to be provided to the Town may be provided to the Town’s Municipal Advisor.

(b) The Town intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because:

- (i) the Town shall disseminate this Official Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (ii) all bidders shall have an equal opportunity to bid;
- (iii) the Town may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (iv) the Town anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

(c) In the event that the competitive sale requirements are not satisfied, the Town shall so advise the winning bidder. The Town shall treat the first price at which 10% of a maturity of the Bonds (the “10% test” is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the Town if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The Town will not require bidders to comply with the “hold-the-offering-price rule” and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

(d) If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Town the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

(e) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

(f) Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (i) “public” means any person other than an underwriter or a related party,
- (ii) “underwriter” means (A) any person that agrees pursuant to a written contract with the Town (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that

agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),

(iii) a purchaser of any of the Bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) “sale date” means the date that the Bonds are awarded by the Town to the winning bidder.

Delivery: The Bonds will be delivered on or about December ____, 2020, in New York, New York, at the expense of the Town or at such other place as may be agreed upon with the purchaser at the expense of the purchaser. The balance of the purchase price then due (including the amount of accrued interest) must be paid in federal funds or other immediately available funds.

CUSIP Numbers: It is anticipated that CUSIP identification numbers will be set forth on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of its proposal. The CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the successful bidder. Application for the assignment of CUSIP identification numbers shall be the responsibility of the Town's Municipal Advisor.

Award of Bid. The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the Town. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded based on time received with the bid received earliest being the determining factor.. The Town reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 4:00 p.m., South Carolina time, on the date of the sale.

Postponement. The Town reserves the right to postpone, from time to time, the date established for the receipt of bids. The Town will communicate any such change in the sale date through an electronic information service not less than 48 hours prior to the time bids are to be received. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, any alternative sale date will be announced through an electronic information service at least 48 hours prior to such alternative sale date.

On any such alternative sale date, any bidder may submit an electronic bid for the purchase of the Bonds in conformity in all respects with the provisions of this Official Notice of Sale, except for the date and time of sale and except for the changes announced through Parity or other electronic information service at the time the amended sale date and time are announced.

Additional Information: Persons seeking information should communicate with: John Troyer, Director of Finance, Town of Hilton Head Island, telephone: (843) 341-4650, e-mail: johntr@hiltonheadislandsc.gov; the Town's Bond Counsel, Francenia B. Heizer, Burr & Forman LLP, telephone: (803) 799-9800, e-mail: fheizer@burr.com; or with the Town's Municipal Advisor, Brent Robertson, Stifel, Nicolaus & Company, Inc., telephone (803) 331-3848, e-mail: robertsonb@stifel.com.

Town of Hilton Head Island, South Carolina

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by the Town of Hilton Head Island, South Carolina (the “Town”) in connection with the issuance of \$ _____ [Taxable] General Obligation Refunding Bonds, Series _____ (the “Bonds”). The Bonds are being issued pursuant to an Ordinance adopted by the Town Council of the Town (the “Council”). The Town covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Town for the benefit of the beneficial owners and in order to assist the Participating Underwriter (defined below) in complying with the Rule (defined below).

SECTION 2. Definitions. The following capitalized terms shall have the following meanings:

“**Annual Report**” shall mean any Annual Report provided by the Town pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“**Bonds**” shall mean the \$ _____ [Taxable] General Obligation Refunding Bonds, Series _____, of the Town of Hilton Head Island, South Carolina, dated _____.

“**Dissemination Agent**” shall mean the Town or any successor Dissemination Agent designated in writing by the Town and which has filed with the Town a written acceptance of such designation.

“**Financial Obligation**” is defined by the Rule as and for purposes of this Disclosure Certificate shall mean (1) a debt obligation, (2) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (3) a guarantee of either of the foregoing; provided, however, that a “Financial Obligation” shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

“**Listed Events**” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“**National Repository**” shall mean for purposes of the Rule, the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

“**Participating Underwriter**” shall mean _____ and any other original underwriter of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“**Repository**” shall mean each National Repository and each State Depository, if any.

“**Rule**” shall mean Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“**State Depository**” shall mean any public or private repository or entity designated by the State of South Carolina as a state depository for the purpose of the Rule. As of the date of this Disclosure Certificate, there is no State Depository.

SECTION 3. Provision of Annual Reports.

(a) The Town shall, or shall cause the Dissemination Agent to provide, not later than February 1 of each year, commencing in 20___, to the Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than fifteen (15) business days prior to such date the Town shall provide the Annual Report to the Dissemination Agent, if other than the Town; provided, that if the audited financial statements required pursuant to Section 4 hereof to be included in the Annual Report are not available for inclusion in the Annual Report as of such date, unaudited financial statements of the Town may be included in such Annual Report in lieu thereof, and the Town shall replace such unaudited financial statements with audited financial statements within fifteen (15) days after such audited financial statements become available for distribution. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Town may be submitted separately from the balance of the Annual Report.

(b) If the Town is unable to provide to the Repository an Annual Report by the date required in subsection (a), the Town shall send a notice to the Repository, in substantially the form attached hereto as Exhibit A.

(c) The Dissemination Agent shall:

(1) determine each year prior to the date for providing the Annual Report the name and address of the Repository; and

(2) if the Dissemination Agent is other than the Town, file a report with the Town and (if the Dissemination Agent is not the Registrar) the Registrar certifying whether the Annual Report has been provided pursuant to this Disclosure Certificate, and, if provided, stating the date it was provided, and listing the Repository to which it was provided.

SECTION 4. Content of Annual Reports.

(a) The Town's Annual Report shall contain or incorporate by reference the most recent audited financial statements, which shall be prepared in conformity with generally accepted accounting principles (or, if not in such conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information) applicable to governmental entities such as the Town, and shall, in addition, contain or incorporate by reference the following, for the immediately preceding fiscal year:

- (1) Town population (most recent available);
- (2) Total anticipated state appropriations subject to withholding under Article X, Sec. 14, South Carolina Constitution;
- (3) Outstanding indebtedness of the Town;
- (4) Market value/assessment summary of taxable property in Town;
- (5) Tax Rates for Town;
- (6) Tax collections for Town; and
- (7) Ten largest taxpayers (including fee-in-lieu-of-tax) for Town.

(b) Audited Financial Statements prepared in accordance with GAAP as described in the Official Statement will be included in the Annual Report.

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the Town is an “obligated person” (as defined by the Rule), which have been previously filed with the National Repository or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The Town will clearly identify each such document so incorporated by reference.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Town shall give, or cause to be given, notice of the occurrence of any of the following events (the “Listed Events”):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Tender offers;
- (10) Defeasances;
- (11) Release, substitution, or sale of property securing repayment of the securities;
- (12) Rating changes;
- (13) Bankruptcy, insolvency, receivership or similar event of the Town;
- (14) The consummation of a merger, consolidation, or acquisition involving the Town or the sale of all or substantially all of the assets of the Town other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
- (15) Appointment of a successor or additional trustee or the change of name of a trustee.
- (16) Incurrence of a Financial Obligation of the Town; or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Town, any of which affect security holders; and
- (17) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Town, any of which reflect financial difficulties.

(b) Whenever the Town obtains knowledge of the occurrence of a Listed Event described in subsections (a)(2), (7), (8), (11), (14), (15) or (16) above, the Town shall as soon as possible determine if such event would be material under applicable federal securities laws. If the Town determines that knowledge of the occurrence of such event would be material under applicable federal securities laws,

the Town shall promptly, and no later than ten business days after the occurrence of the event, file a notice of such occurrence with the Repository.

(c) Whenever the Town obtains knowledge of the occurrence of a Listed Event described in subsections (a)(1), (3), (4), (5), (6), (9), (10), (12), (13) or (17) above, the Town shall promptly, and no later than ten business days after the occurrence of the event, file a notice of such occurrence with the Repository.

(d) Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8), (9), and (10) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to owners of affected Bonds. For the purposes of the event identified in (a)(13) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Town in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Town, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Town.

SECTION 6. Termination of Reporting Obligation. The Town's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of all of the Bonds.

SECTION 7. Dissemination Agent. The Town may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the Town.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Town may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to the Town, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Town from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Town chooses to include any information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is specifically required by this Disclosure Certificate, the Town shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Town, or the Dissemination Agent to comply with any provision of this Disclosure Certificate, any beneficial owner may take such actions as may be necessary and appropriate, including seeking injunctive relief or specific performance by court order, to cause the Town, or the Dissemination Agent, as the case may be, to comply with its obligations

under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Ordinance, and the sole remedy under this Disclosure Certificate in the event of any failure of the Town, or the Dissemination Agent to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of the Dissemination Agent. The provisions of this Section 11 shall apply if the Issuer is not the Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and to the extent permitted by applicable law and other public policy considerations, the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of their powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Town, the Dissemination Agent, the Participating Underwriters, and Holders from time to time of the Bonds and shall create no rights in any other person or entity.

SECTION 13. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By: _____
Town Manager

Dated: _____, 20__

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Town: Town of Hilton Head Island, South Carolina

Name of Bond Issue: \$_____ [Taxable] General Obligation Refunding Bonds, Series 20____,
Town of Hilton Head Island, South Carolina

Date of Issuance: _____

NOTICE IS HEREBY GIVEN that The Town of Hilton Head Island, South Carolina (the "Town") has not provided an Annual Report with respect to the above-named Bonds as required by Sections 3 and 4 of the Continuing Disclosure Certificate executed and delivered by the Town as Dissemination Agent. The Town has notified us in writing that the Annual Report will be filed by _____.

Dated: _____

TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

Details:

Included with these materials is a detailed report on the current market conditions and savings opportunities. The refunding plan uses a current refunding for the Series 2011 and an advanced refunding for the Series 2013A bonds.

Among the highlights of the report on the following page (and page references to amounts):

Original Issue amounts:

Series 2011 A	\$12,385,000
Series 2013 A	<u>\$ 9,000,000</u>
Total	\$21,385,000

Bonds outstanding (and bonds to be refunded):

Series 2011 A	\$ 6,665,000	(page 10)
Series 2013 A	<u>\$ 5,585,000</u>	(page 10)
Total	\$ 12,250,000	

Average coupon of existing bonds:

Series 2011 A	3.511%	(page 10)
Series 2013 A	<u>3.933%</u>	(page 10)
Total	3.768%	(page 10)

Expected bonds issued:

Series 2011 A	\$6,925,000	(page 10)
Series 2013 B	<u>6,270,000</u>	(page 10)
Total	\$13,195,000	(page 10)

Expected interest rate (TIC)

Series 2011 A	1.95%	(page 10)
Series 2013 A	<u>2.68%</u>	(page 10)
Total	2.39%	(page 10)

Expected Gross Savings \$300,150 (page 11)

Series 2011 A	\$300,150	
Series 2013 A	<u>0</u>	Only if market conditions achieve savings would a transaction be executed.
Total	\$ 300,150	

Present Value Expected Savings \$274,463 (page 11)

Series 2011 A	\$ 274,463	
Series 2013 A	<u>0</u>	Only if market conditions achieve savings would a transaction be executed.
Total	\$ 274,463	

Additional refunding details attached.

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UNREFUNDED BOND DEBT SERVICE

**Town of Hilton Head Island, SC
Current Refunding of Series 2011A**

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
03/01/2021	710,000	4.000%	14,200	724,200	724,200
	710,000		14,200	724,200	724,200

UNREFUNDED BOND DEBT SERVICE**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A**

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
03/01/2021	325,000	4.000%	23,750	348,750	348,750
09/01/2021			17,250	17,250	
03/01/2022	335,000	5.000%	17,250	352,250	369,500
09/01/2022			8,875	8,875	
03/01/2023	355,000	5.000%	8,875	363,875	372,750
	1,015,000		76,000	1,091,000	1,091,000

SUMMARY OF BONDS REFUNDED

Town of Hilton Head Island, SC General Obligation Refunding Bonds, Series 2020 *Preliminary, Subject to Change*

<i>Bond</i>	<i>Maturity Date</i>	<i>Interest Rate</i>	<i>Par Amount</i>	<i>Call Date</i>	<i>Call Price</i>
General Obligation Refunding Bonds, Series 2011A, 2011, SERIAL:					
	03/01/2022	3.000%	740,000.00	03/01/2021	100.000
	03/01/2023	3.000%	765,000.00	03/01/2021	100.000
	03/01/2024	3.250%	790,000.00	03/01/2021	100.000
	03/01/2025	3.375%	815,000.00	03/01/2021	100.000
	03/01/2026	3.500%	845,000.00	03/01/2021	100.000
	03/01/2027	3.500%	875,000.00	03/01/2021	100.000
	03/01/2028	3.625%	900,000.00	03/01/2021	100.000
	03/01/2029	3.750%	935,000.00	03/01/2021	100.000
			6,665,000.00		
General Obligation Refunding Bonds, Series 2013A, 2013, SERIAL:					
	03/01/2024	5.000%	370,000.00	03/01/2023	100.000
	03/01/2025	5.000%	390,000.00	03/01/2023	100.000
	03/01/2026	3.000%	410,000.00	03/01/2023	100.000
	03/01/2027	3.250%	420,000.00	03/01/2023	100.000
	03/01/2028	4.000%	435,000.00	03/01/2023	100.000
	03/01/2029	4.000%	455,000.00	03/01/2023	100.000
	03/01/2030	3.500%	470,000.00	03/01/2023	100.000
			2,950,000.00		
General Obligation Refunding Bonds, Series 2013A, 2013, TERM:					
	03/01/2033	4.000%	1,515,000.00	03/01/2023	100.000
General Obligation Refunding Bonds, Series 2013A, 2013, TERM02:					
	03/01/2035	4.000%	1,120,000.00	03/01/2023	100.000
			12,250,000.00		

ESCROW REQUIREMENTS

Town of Hilton Head Island, SC Current Refunding of Series 2011A

<i>Period Ending</i>	<i>Interest</i>	<i>Principal Redeemed</i>	<i>Total</i>
03/01/2021	113,109.38	6,665,000.00	6,778,109.38
	113,109.38	6,665,000.00	6,778,109.38

ESCROW REQUIREMENTS**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A**

<i>Period Ending</i>	<i>Interest</i>	<i>Principal Redeemed</i>	<i>Total</i>
03/01/2021	110,700.00		110,700.00
09/01/2021	110,700.00		110,700.00
03/01/2022	110,700.00		110,700.00
09/01/2022	110,700.00		110,700.00
03/01/2023	110,700.00	5,585,000.00	5,695,700.00
	553,500.00	5,585,000.00	6,138,500.00

ESCROW REQUIREMENTS**Town of Hilton Head Island, SC
General Obligation Refunding Bonds, Series 2020
*Preliminary, Subject to Change***

<i>Period Ending</i>	<i>Interest</i>	<i>Principal Redeemed</i>	<i>Total</i>
03/01/2021	223,809.38	6,665,000.00	6,888,809.38
09/01/2021	110,700.00		110,700.00
03/01/2022	110,700.00		110,700.00
09/01/2022	110,700.00		110,700.00
03/01/2023	110,700.00	5,585,000.00	5,695,700.00
	666,609.38	12,250,000.00	12,916,609.38

ESCROW STATISTICS

Town of Hilton Head Island, SC
Current Refunding of Series 2011A

<i>Total Escrow Cost</i>	<i>Modified Duration (years)</i>	<i>Yield to Receipt Date</i>	<i>Yield to Disbursement Date</i>	<i>Perfect Escrow Cost</i>	<i>Value of Negative Arbitrage</i>	<i>Cost of Dead Time</i>
Global Proceeds Escrow: 6,778,109.38				6,738,307.44		39,801.94
6,778,109.38				6,738,307.44	0.00	39,801.94

Delivery date 12/02/2020
Arbitrage yield 2.396489%

ESCROW STATISTICS

**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A**

<i>Total Escrow Cost</i>	<i>Modified Duration (years)</i>	<i>Yield to Receipt Date</i>	<i>Yield to Disbursement Date</i>	<i>Perfect Escrow Cost</i>	<i>Value of Negative Arbitrage</i>	<i>Cost of Dead Time</i>
Global Proceeds Escrow:						
6,138,500.00				5,831,245.53		307,254.47
6,138,500.00				5,831,245.53	0.00	307,254.47

Delivery date	12/02/2020
Arbitrage yield	2.396489%

ESCROW STATISTICS

**Town of Hilton Head Island, SC
 General Obligation Refunding Bonds, Series 2020
 *Preliminary, Subject to Change***

<i>Escrow</i>	<i>Total Escrow Cost</i>	<i>Modified Duration (years)</i>	<i>Yield to Receipt Date</i>	<i>Yield to Disbursement Date</i>	<i>Perfect Escrow Cost</i>	<i>Value of Negative Arbitrage</i>	<i>Cost of Dead Time</i>
Current Refunding of Series 2011A, Global Proceeds Escrow:	6,778,109.38				6,738,307.44		39,801.94
Advance Refunding of Series 2013A, Global Proceeds Escrow:	6,138,500.00				5,831,245.53		307,254.47
	12,916,609.38				12,569,552.97	0.00	347,056.41

Delivery date 12/02/2020
 Arbitrage yield 2.396489%

SUMMARY OF REFUNDING RESULTS

Town of Hilton Head Island, SC General Obligation Refunding Bonds, Series 2020 *Preliminary, Subject to Change*

	Current Refunding of Series 2011A	Advance Refunding of Series 2013A	Total
Dated Date	12/02/2020	12/02/2020	12/02/2020
Delivery Date	12/02/2020	12/02/2020	12/02/2020
Arbitrage Yield	2.396489%	2.396489%	2.396489%
Escrow Yield			
Value of Negative Arbitrage			
Bond Par Amount	6,925,000.00	6,270,000.00	13,195,000.00
True Interest Cost	1.950261%	2.678888%	2.396489%
Net Interest Cost	1.950000%	2.659517%	2.394131%
Average Coupon	1.950000%	2.659517%	2.394131%
Average Life	4.803	8.878	6.739
Par amount of refunded bonds	6,665,000.00	5,585,000.00	12,250,000.00
Average coupon of refunded bonds	3.510611%	3.933144%	3.768481%
Average life of refunded bonds	4.922	9.198	6.871
PV of prior debt	7,059,265.87	6,335,524.56	13,394,790.43
Net PV Savings	274,463.46	-71,282.41	203,181.05
Percentage savings of refunded bonds	4.117981%	-1.276319%	1.658621%
Percentage savings of refunding bonds	3.963371%	-1.136881%	1.539834%

SAVINGS

Town of Hilton Head Island, SC Current Refunding of Series 2011A

<i>Date</i>	<i>Prior Debt Service</i>	<i>Refunding Debt Service</i>	<i>Savings</i>	<i>Present Value to 12/02/2020 @ 2.3964890%</i>
03/01/2021	113,109.38	103,384.27	9,725.11	9,668.00
03/01/2022	966,218.76	928,672.50	37,546.26	36,985.33
03/01/2023	969,018.76	933,170.00	35,848.76	34,467.61
03/01/2024	971,068.76	937,277.50	33,791.26	31,712.74
03/01/2025	970,393.76	935,995.00	34,398.76	31,464.38
03/01/2026	972,887.50	934,420.00	38,467.50	34,256.52
03/01/2027	973,312.50	937,552.50	35,760.00	31,051.38
03/01/2028	967,687.50	930,295.00	37,392.50	31,626.65
03/01/2029	970,062.50	932,842.50	37,220.00	30,665.72
	7,873,759.42	7,573,609.27	300,150.15	271,898.34

Savings Summary

PV of savings from cash flow	271,898.34
Plus: Refunding funds on hand	2,565.12
Net PV Savings	274,463.46

SAVINGS**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A**

<i>Date</i>	<i>Prior Debt Service</i>	<i>Refunding Debt Service</i>	<i>Savings</i>	<i>Present Value to 12/02/2020 @ 2.3964890%</i>
03/01/2021	110,700.00	110,377.71	322.29	320.40
03/01/2022	221,400.00	226,825.00	-5,425.00	-5,152.34
03/01/2023	221,400.00	229,391.57	-7,991.57	-7,459.22
03/01/2024	591,400.00	598,010.50	-6,610.50	-5,739.18
03/01/2025	592,900.00	601,930.00	-9,030.00	-7,830.92
03/01/2026	593,400.00	600,476.00	-7,076.00	-5,964.72
03/01/2027	591,100.00	598,773.00	-7,673.00	-6,341.83
03/01/2028	592,450.00	596,821.00	-4,371.00	-3,422.68
03/01/2029	595,050.00	599,620.00	-4,570.00	-3,531.20
03/01/2030	591,850.00	597,045.50	-5,195.50	-3,976.94
03/01/2031	590,400.00	599,222.00	-8,822.00	-6,741.34
03/01/2032	591,000.00	596,025.00	-5,025.00	-3,706.53
03/01/2033	590,800.00	597,579.00	-6,779.00	-4,959.65
03/01/2034	594,800.00	598,759.50	-3,959.50	-2,817.83
03/01/2035	592,800.00	599,566.50	-6,766.50	-4,783.93
	7,661,450.00	7,750,422.28	-88,972.28	-72,107.91

Savings Summary

PV of savings from cash flow	-72,107.91
Plus: Refunding funds on hand	825.50
Net PV Savings	-71,282.41

SAVINGS

Town of Hilton Head Island, SC
General Obligation Refunding Bonds, Series 2020
Preliminary, Subject to Change

<i>Date</i>	<i>Prior Debt Service</i>	<i>Refunding Debt Service</i>	<i>Savings</i>	<i>Present Value to 12/02/2020 @ 2.3964890%</i>
03/01/2021	223,809.38	213,761.98	10,047.40	9,988.40
03/01/2022	1,187,618.76	1,155,497.50	32,121.26	31,832.99
03/01/2023	1,190,418.76	1,162,561.57	27,857.19	27,008.40
03/01/2024	1,562,468.76	1,535,288.00	27,180.76	25,973.56
03/01/2025	1,563,293.76	1,537,925.00	25,368.76	23,633.46
03/01/2026	1,566,287.50	1,534,896.00	31,391.50	28,291.81
03/01/2027	1,564,412.50	1,536,325.50	28,087.00	24,709.55
03/01/2028	1,560,137.50	1,527,116.00	33,021.50	28,203.97
03/01/2029	1,565,112.50	1,532,462.50	32,650.00	27,134.51
03/01/2030	591,850.00	597,045.50	-5,195.50	-3,976.94
03/01/2031	590,400.00	599,222.00	-8,822.00	-6,741.34
03/01/2032	591,000.00	596,025.00	-5,025.00	-3,706.53
03/01/2033	590,800.00	597,579.00	-6,779.00	-4,959.65
03/01/2034	594,800.00	598,759.50	-3,959.50	-2,817.83
03/01/2035	592,800.00	599,566.50	-6,766.50	-4,783.93
	15,535,209.42	15,324,031.55	211,177.87	199,790.43

Savings Summary

PV of savings from cash flow	199,790.43
Plus: Refunding funds on hand	3,390.62
Net PV Savings	203,181.05

SOURCES AND USES OF FUNDS

Town of Hilton Head Island, SC General Obligation Refunding Bonds, Series 2020 *Preliminary, Subject to Change*

Sources:	<i>Current Refunding of Series 2011A</i>	<i>Advance Refunding of Series 2013A</i>	<i>Total</i>
Bond Proceeds:			
Par Amount	6,925,000.00	6,270,000.00	13,195,000.00
	6,925,000.00	6,270,000.00	13,195,000.00
Uses:	<i>Current Refunding of Series 2011A</i>	<i>Advance Refunding of Series 2013A</i>	<i>Total</i>
Refunding Escrow Deposits:			
Cash Deposit	6,778,109.38	6,138,500.00	12,916,609.38
Delivery Date Expenses:			
Cost of Issuance	144,325.50	130,674.50	275,000.00
Other Uses of Funds:			
Additional Proceeds	2,565.12	825.50	3,390.62
	6,925,000.00	6,270,000.00	13,195,000.00

BOND PRICING

Town of Hilton Head Island, SC Current Refunding of Series 2011A

<i>Bond Component</i>	<i>Maturity Date</i>	<i>Amount</i>	<i>Rate</i>	<i>Yield</i>	<i>Price</i>
Capital One BQ Rates 1Jul2020:					
	03/01/2021	70,000	1.950%	1.950%	100.000
	03/01/2022	795,000	1.950%	1.950%	100.000
	03/01/2023	815,000	1.950%	1.950%	100.000
	03/01/2024	835,000	1.950%	1.950%	100.000
	03/01/2025	850,000	1.950%	1.950%	100.000
	03/01/2026	865,000	1.950%	1.950%	100.000
	03/01/2027	885,000	1.950%	1.950%	100.000
	03/01/2028	895,000	1.950%	1.950%	100.000
	03/01/2029	915,000	1.950%	1.950%	100.000
		6,925,000			

Dated Date	12/02/2020	
Delivery Date	12/02/2020	
First Coupon	03/01/2021	
Par Amount	6,925,000.00	
Original Issue Discount		
Production	6,925,000.00	100.000000%
Underwriter's Discount		
Purchase Price	6,925,000.00	100.000000%
Accrued Interest		
Net Proceeds	6,925,000.00	

BOND PRICING

**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A**

<i>Bond Component</i>	<i>Maturity Date</i>	<i>Amount</i>	<i>Rate</i>	<i>Yield</i>	<i>Price</i>
Capital One Cinderella Rates 1jul2020:					
	03/01/2021	60,000		2.614%	100.000
	03/01/2022	25,000		2.614%	100.000
	03/01/2023	40,000		2.614%	100.000
	03/01/2024	445,000		2.614%	100.000
	03/01/2025	460,000		2.614%	100.000
	03/01/2026	470,000		2.614%	100.000
	03/01/2027	480,000		2.614%	100.000
	03/01/2028	490,000		2.614%	100.000
	03/01/2029	505,000		2.614%	100.000
	03/01/2030	515,000		2.614%	100.000
	03/01/2031	530,000		2.614%	100.000
	03/01/2032	540,000		2.614%	100.000
	03/01/2033	555,000		2.614%	100.000
	03/01/2034	570,000		2.614%	100.000
	03/01/2035	585,000		2.614%	100.000
		6,270,000			

Dated Date	12/02/2020	
Delivery Date	12/02/2020	
First Coupon	03/01/2021	
Par Amount	6,270,000.00	
Original Issue Discount		
Production	6,270,000.00	100.000000%
Underwriter's Discount		
Purchase Price	6,270,000.00	100.000000%
Accrued Interest		
Net Proceeds	6,270,000.00	

BOND SUMMARY STATISTICS**Town of Hilton Head Island, SC
Current Refunding of Series 2011A**

Dated Date	12/02/2020
Delivery Date	12/02/2020
First Coupon	03/01/2021
Last Maturity	03/01/2029
Arbitrage Yield	2.396489%
True Interest Cost (TIC)	1.950261%
Net Interest Cost (NIC)	1.950000%
All-In TIC	2.418506%
Average Coupon	1.950000%
Average Life (years)	4.803
Weighted Average Maturity (years)	4.803
Duration of Issue (years)	4.560
Par Amount	6,925,000.00
Bond Proceeds	6,925,000.00
Total Interest	648,609.27
Net Interest	648,609.27
Total Debt Service	7,573,609.27
Maximum Annual Debt Service	937,552.50
Average Annual Debt Service	918,322.44
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

<i>Bond Component</i>	<i>Par Value</i>	<i>Price</i>	<i>Average Coupon</i>	<i>Average Life</i>
Capital One BQ Rates 1Jul2020	6,925,000.00	100.000	1.950%	4.803
	6,925,000.00			4.803

	TIC	All-In TIC	Arbitrage Yield
Par Value	6,925,000.00	6,925,000.00	6,925,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-144,325.50	
- Other Amounts			
Target Value	6,925,000.00	6,780,674.50	6,925,000.00
Target Date	12/02/2020	12/02/2020	12/02/2020
Yield	1.950261%	2.418506%	2.396489%

BOND SUMMARY STATISTICS**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A**

Dated Date	12/02/2020
Delivery Date	12/02/2020
First Coupon	03/01/2021
Last Maturity	03/01/2035
Arbitrage Yield	2.396489%
True Interest Cost (TIC)	2.678888%
Net Interest Cost (NIC)	2.659517%
All-In TIC	2.954652%
Average Coupon	2.659517%
Average Life (years)	8.878
Weighted Average Maturity (years)	8.878
Duration of Issue (years)	7.766
Par Amount	6,270,000.00
Bond Proceeds	6,270,000.00
Total Interest	1,480,422.28
Net Interest	1,480,422.28
Total Debt Service	7,750,422.28
Maximum Annual Debt Service	601,930.00
Average Annual Debt Service	543,995.32
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

<i>Bond Component</i>	<i>Par Value</i>	<i>Price</i>	<i>Average Coupon</i>	<i>Average Life</i>
Capital One Cinderella Rates 1jul2020	6,270,000.00	100.000	2.660%	8.878
	6,270,000.00			8.878

	<u>TIC</u>	<u>All-In TIC</u>	<u>Arbitrage Yield</u>
Par Value	6,270,000.00	6,270,000.00	6,270,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-130,674.50	
- Other Amounts			
Target Value	6,270,000.00	6,139,325.50	6,270,000.00
Target Date	12/02/2020	12/02/2020	12/02/2020
Yield	2.678888%	2.954652%	2.396489%

BOND SUMMARY STATISTICS

Town of Hilton Head Island, SC
General Obligation Refunding Bonds, Series 2020
Preliminary, Subject to Change

Dated Date	12/02/2020
Delivery Date	12/02/2020
First Coupon	03/01/2021
Last Maturity	03/01/2035
Arbitrage Yield	2.396489%
True Interest Cost (TIC)	2.396489%
Net Interest Cost (NIC)	2.394131%
All-In TIC	2.746061%
Average Coupon	2.394131%
Average Life (years)	6.739
Weighted Average Maturity (years)	6.739
Duration of Issue (years)	6.124
Par Amount	13,195,000.00
Bond Proceeds	13,195,000.00
Total Interest	2,129,031.55
Net Interest	2,129,031.55
Total Debt Service	15,324,031.55
Maximum Annual Debt Service	1,537,925.00
Average Annual Debt Service	1,075,580.30
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

<i>Bond Component</i>	<i>Par Value</i>	<i>Price</i>	<i>Average Coupon</i>	<i>Average Life</i>
Capital One BQ Rates 1Jul2020	6,925,000.00	100.000	1.950%	4.803
Capital One Cinderella Rates 1jul2020	6,270,000.00	100.000	2.660%	8.878
	13,195,000.00			6.739

	TIC	All-In TIC	Arbitrage Yield
Par Value	13,195,000.00	13,195,000.00	13,195,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-275,000.00	
- Other Amounts			
Target Value	13,195,000.00	12,920,000.00	13,195,000.00
Target Date	12/02/2020	12/02/2020	12/02/2020
Yield	2.396489%	2.746061%	2.396489%

DETAILED BOND DEBT SERVICE**Town of Hilton Head Island, SC
Current Refunding of Series 2011A****Capital One BQ Rates 1Jul2020 (SERIAL)**

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
03/01/2021	70,000	1.950%	33,384.27	103,384.27	103,384.27
09/01/2021			66,836.25	66,836.25	
03/01/2022	795,000	1.950%	66,836.25	861,836.25	928,672.50
09/01/2022			59,085.00	59,085.00	
03/01/2023	815,000	1.950%	59,085.00	874,085.00	933,170.00
09/01/2023			51,138.75	51,138.75	
03/01/2024	835,000	1.950%	51,138.75	886,138.75	937,277.50
09/01/2024			42,997.50	42,997.50	
03/01/2025	850,000	1.950%	42,997.50	892,997.50	935,995.00
09/01/2025			34,710.00	34,710.00	
03/01/2026	865,000	1.950%	34,710.00	899,710.00	934,420.00
09/01/2026			26,276.25	26,276.25	
03/01/2027	885,000	1.950%	26,276.25	911,276.25	937,552.50
09/01/2027			17,647.50	17,647.50	
03/01/2028	895,000	1.950%	17,647.50	912,647.50	930,295.00
09/01/2028			8,921.25	8,921.25	
03/01/2029	915,000	1.950%	8,921.25	923,921.25	932,842.50
	6,925,000		648,609.27	7,573,609.27	7,573,609.27

DETAILED BOND DEBT SERVICE**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A****Capital One Cinderella Rates 1jul2020 (CINDEREL)**

<i>Period Ending</i>	<i>Principal</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
03/01/2021	60,000	50,377.71	110,377.71	110,377.71
09/01/2021		100,912.50	100,912.50	
03/01/2022	25,000	100,912.50	125,912.50	226,825.00
09/01/2022		100,506.25	100,506.25	
03/01/2023	40,000	88,885.32	128,885.32	229,391.57
09/01/2023		76,505.25	76,505.25	
03/01/2024	445,000	76,505.25	521,505.25	598,010.50
09/01/2024		70,965.00	70,965.00	
03/01/2025	460,000	70,965.00	530,965.00	601,930.00
09/01/2025		65,238.00	65,238.00	
03/01/2026	470,000	65,238.00	535,238.00	600,476.00
09/01/2026		59,386.50	59,386.50	
03/01/2027	480,000	59,386.50	539,386.50	598,773.00
09/01/2027		53,410.50	53,410.50	
03/01/2028	490,000	53,410.50	543,410.50	596,821.00
09/01/2028		47,310.00	47,310.00	
03/01/2029	505,000	47,310.00	552,310.00	599,620.00
09/01/2029		41,022.75	41,022.75	
03/01/2030	515,000	41,022.75	556,022.75	597,045.50
09/01/2030		34,611.00	34,611.00	
03/01/2031	530,000	34,611.00	564,611.00	599,222.00
09/01/2031		28,012.50	28,012.50	
03/01/2032	540,000	28,012.50	568,012.50	596,025.00
09/01/2032		21,289.50	21,289.50	
03/01/2033	555,000	21,289.50	576,289.50	597,579.00
09/01/2033		14,379.75	14,379.75	
03/01/2034	570,000	14,379.75	584,379.75	598,759.50
09/01/2034		7,283.25	7,283.25	
03/01/2035	585,000	7,283.25	592,283.25	599,566.50
	6,270,000	1,480,422.28	7,750,422.28	7,750,422.28

Bond Variable Rate Table

<i>Begin Date</i>	<i>End Date</i>	<i>Interest Rate</i>
12/02/2020	12/02/2022	3.250%
12/02/2022	03/01/2035	2.490%

DETAILED BOND DEBT SERVICE**Town of Hilton Head Island, SC
Current Refunding of Series 2011A****Capital One BQ Rates 1Jul2020 (SERIAL)**

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
03/01/2021	70,000	1.950%	33,384.27	103,384.27	103,384.27
09/01/2021			66,836.25	66,836.25	
03/01/2022	795,000	1.950%	66,836.25	861,836.25	928,672.50
09/01/2022			59,085.00	59,085.00	
03/01/2023	815,000	1.950%	59,085.00	874,085.00	933,170.00
09/01/2023			51,138.75	51,138.75	
03/01/2024	835,000	1.950%	51,138.75	886,138.75	937,277.50
09/01/2024			42,997.50	42,997.50	
03/01/2025	850,000	1.950%	42,997.50	892,997.50	935,995.00
09/01/2025			34,710.00	34,710.00	
03/01/2026	865,000	1.950%	34,710.00	899,710.00	934,420.00
09/01/2026			26,276.25	26,276.25	
03/01/2027	885,000	1.950%	26,276.25	911,276.25	937,552.50
09/01/2027			17,647.50	17,647.50	
03/01/2028	895,000	1.950%	17,647.50	912,647.50	930,295.00
09/01/2028			8,921.25	8,921.25	
03/01/2029	915,000	1.950%	8,921.25	923,921.25	932,842.50
	6,925,000		648,609.27	7,573,609.27	7,573,609.27

DETAILED BOND DEBT SERVICE**Town of Hilton Head Island, SC
Advance Refunding of Series 2013A****Capital One Cinderella Rates 1jul2020 (CINDEREL)**

<i>Period Ending</i>	<i>Principal</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
03/01/2021	60,000	50,377.71	110,377.71	110,377.71
09/01/2021		100,912.50	100,912.50	
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03/01/2033	555,000	21,289.50	576,289.50	597,579.00
09/01/2033		14,379.75	14,379.75	
03/01/2034	570,000	14,379.75	584,379.75	598,759.50
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Bond Variable Rate Table

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12/02/2022	03/01/2035	2.490%



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Jennifer Ray, ASLA, *Deputy Director of Community Development*
FROM: Jayme Lopko, AICP, *Senior Planner*
DATE: August 4, 2020
SUBJECT: Historic Mitchelville Freedom Park Master Plan & Business Plan

Recommendation: Staff recommends that Town Council approve the Master Plan and Business Plan for the Historic Mitchelville Freedom Park (HMFP).

The Community Services and Public Safety Committee met on July 27, 2020, and forwarded a recommendation to Town Council to approve the Master Plan and Business Plan for the Historic Mitchelville Freedom Park (HMFP). The Committee stated that the conflicts between the language and the property boundary in the current lease and the language and the property boundary in the Master Plan and Business Plan, identified below, should be addressed by the Town Manager and the HMFP.

Language Conflict:

- According to Article 1.3 of the lease, Mitchelville acknowledges and accepts that the property will remain open as a public park, with the public's right to enter for parking and use of the amenities of the public park.
- According to the Master Plan Legend of Uses and Business Plan Exhibit 2, HMFP Operation Revenue Sources, Mitchelville is proposing to restrict access to the property by automatic gates and charging an admission fee to visitors.
- Mitchelville currently operates the property as a public park in compliance with the current lease agreement. The current lease allows Mitchelville to restrict access and charge admission for special events approved by the Town Manager.

Property Boundary Conflict:

- According to the lease, the only property subject to the current lease is parcel R510 005 000 0208 0000, which was formerly known as Fish Haul Creek Park.
- According to the Master Plan, there is an additional parcel located along Beach City Road included in the future development plans, parcel R510 005 000 0248 0000. This parcel is jointly owned by the Town and Beaufort County and would need approval from both agencies to be included in the lease and Master Plan.

Summary: Approval of the Master Plan and Business Plan will satisfy the requirements of the lease.

Background: Mitchelville appeared before the Town Council on September 7, 2010 where the Town Council voted to support leasing then Fish Haul Creek Park to Mitchelville contingent upon finalizing a master plan and showing the financial ability to implement via construction and long term management of the facility.

Mitchelville offers an opportunity to work with a diverse community of Hilton Head Island heritage groups to develop an imaginative and exciting place to visit and be informed and inspired about the story of African American's contribution to the Country's heritage of freedom. The vision of the HMFP encompasses preserving the historic site, a portion of which is now a beautiful park; commemorating freedmen's heritage by including an appropriate memorial for the site; reconstructing (on the bases of evidence) Mitchelville's significant structures and creating state-of-the-art technological and media platforms for exhibiting and interpreting the history and story of its freedom pioneers.

On April 18, 2017, Town Council approved a lease of then Fish Haul Creek Park to Mitchelville and a 2-year Memorandum of Understanding (MOU) detailing capital improvement and maintenance responsibilities for the park.

In September of 2018, Beaufort County awarded a contract to WLA Studio to create a Master Plan for HMFP. WLA Studio worked with the staff and Board of Mitchelville, conducted research, and held stakeholder and public meetings to assist in drafting the proposed Master Plan and Business Plan for Town and Beaufort County approval.

On March 19, 2019, Town Council approved a renewal of the MOU for an additional 2 years and amended the lease to update both the name of the park from Fish Haul Creek Park to Historic Mitchelville Freedom Park and to change the time required for approval of the Business Plan from 2 years to 4 years to be consistent with the time required for approval of the Master Plan.

Attachments:

Attachment A: Master Plan & Legend of Uses

Attachment B. Business Plan



- A** Visitor Center (~18,000 SF) with Terrace and Quarter Acre Lot Delineations
- B** Event Lawn with Interpretive Footprints/ and Quarter Acre Lot Delineations
- C** Entry Plaza with Mitchelville Map
- D** Group Shelter
- E** Freedom Plaza (see enlargement)
- F** Interpretive Houses
- G** Interpretive Garden/Rear Yard
- H** Church and Archaic Interpretive Area (see enlargement)
- I** Military Map Road Alignment
- J** Classroom, Lab, and Offices (~4,000 SF)
- K** Maintenance Building (~2,000 SF)
- L** Maintenance/Lab Parking (7 spaces)
- M** Main Parking Lot (54 spaces, 18 overflow)
- N** On Street Parking (11 spaces)
- O** Interpretive Trail
- P** Interpretive Boardwalk
- Q** General Store Interpretation
- R** Path to Beach
- S** Welcome/Pay Station
- T** Visitor Center Accessible Parking and Service Area (~13 spaces)
- U** Woodland Knoll Shelter

Historic Mitchelville Freedom Park Master Plan
Legend of Uses for Property
February 6, 2020

Visitor Center (A)	Up to 18,000 SF state of the art visitor center. First floor includes gift shop/bookstore, standing theater, lobby/welcome area, permanent and temporary exhibit areas, janitorial space, restrooms, general program storage. Visitor elevator and freight elevator. Second floor includes catering kitchen, offices, restrooms, A/V closet, event space with moveable walls (250-person capacity) with second story overlook/terrace, catering kitchen, restrooms, storage. Up to 1,750 SF terrace off back of building can serve as stage above event lawn (storage/loading dock underneath.)
Event Lawn (B)	This open lawn area serves as an event and interpretive space for the site. The lawn sits behind the visitor center terrace. The lawn includes interpretive footprints delineating Mitchelville-era houses and quarter acre lots. The group shelter (see below) is situated in the event lawn.
Entry Plaza (C)	The entry plaza serves as a gathering area and drop off location at the visitor center. The plaza features decorative paving (using colored concrete, pavers, etc.) to represent/interpret the Mitchelville-era Military Map.
Group Shelter (D)	This up to 1,275 SF open air structure can be used for special events, educational programming, and visitor picnics. It can also serve as VIP seating for events held in the event lawn/visitor center terrace.
Freedom Plaza (E)	This is a 5,250 SF plaza and lawn area. Stormwater from site is filtered through bog gardens, which ring the plaza. Footbridges cross over filtration bogs so visitors “cross the water” to enter the space. The middle of the space is occupied by a reinforced sloped lawn, which will house a memorial or piece of public art. Filtration bogs are lined with seatwalls and benches are spaced around the plaza. Shade trees are located near the benches.
Interpretive Houses (F)	8-10 interpretive houses with the same orientation and clustering as the Mitchelville-era Military Map. One house includes interpretation of the rear yard. Phase 1: Ghosted Structures (framed outlines with interpretive panels). Phase 2: Fully Reconstructed Houses – some with standalone interior exhibits.
Interpretive Garden (G)	This area, located behind one of the interpretive houses, will be a space for interpreting outdoor household practices in Mitchelville. The area may include a small interpretive garden with period-appropriate plants.
Church and Archaic Interpretive Area (H)	Plaza with hardscape and seatwall to interpret Native American occupation of the site and the location of a Mitchelville-era church. Space for contemplation, interpretation, and reflection.
Military Road Alignment (I)	Wide pathway interpreting the alignment of a road from the Mitchelville-era Military Map.
Classroom/Lab Building (J)	Up to 4,000 SF building with artifact storage and processing area, curatorial area, classrooms, offices, restrooms. Includes climate-controlled collections area as well as wet rooms for processing artifacts.

Maintenance Building (K)	Operations building (approximately 2,000 SF) to support equipment maintenance and personnel with service bays, work stations, and storage. Access from small parking area.
Maintenance/Lab Parking Lot (L)	7 pervious paver parking spaces
Primary Parking Lot (M)	54 pervious paver parking spaces 18 grass pave parking spaces (overflow)
On-Street Parking (N)	9 pervious or grass pave parking spaces
Interpretive Trail (O)	Accessible and partially following a historic road alignment, this natural surface trail skirts the marshline of the site and connects visitors to various interpretation points throughout the park. There will be interpretive panels along the trail describing the natural and historical features of the park. Interpretive trail connects with path to the beach.
Interpretive Boardwalk (P)	This boardwalk will include interpretation of the flora and fauna of the marsh, cultural influences of life on the marsh, and Gullah Geechee waterways traditions.
General Store Interpretation (Q)	Informed by future archeological work, this structure would be a representation of one of the Mitchelville-era general store with interior interpretation. Phase 1: Ghosted Structure (framed outline with interpretive panel). Phase 2: Fully Reconstructed General Store with standalone interior exhibits.
Path to Beach (R)	This accessible natural surface path connects visitors to one of the premier views at the site of Port Royal Sound.
Welcome/Pay Station (S)	Up to 275 SF building to house a payment center for ticket purchases. Will be a climate controlled space appropriate for housing staff or security for events. Entry and egress to the site would be gate controlled.
Visitor Center Accessible Parking & Service Area (T)	Visitor or staff lot with approximately 13 pervious parking spaces. These spaces would be "Reserved" or Accessible. This area will also include a service entrance for the visitor center for caterers, vendors, deliveries, trash collection, etc.
Woodland Knoll Shelter (U)	Small group shelter with picnic tables to accommodate outdoor classroom uses, small group gatherings, and environmental education efforts. No restrooms or kitchen facilities provided at this location.

Please Note: The list above is a general explanation of uses to correspond to the Physical Master Plan. Interpretive elements are included in the full master plan report.

Historic Mitchelville Freedom Park

Business Case and Long- Range Plan

February 2020

Executive Summary

Established in 1862, historic Mitchelville became the first self-governed town of the formerly enslaved in America. An “experiment in citizenship” and a “model for reconstruction,” historic Mitchelville succeeded, yet virtually faded from history. But, today Mitchelville is being rediscovered, not only because of its historical significance, but also because its story resounds as an inspiring and relevant chapter in America’s continuing quest to become a truly just society.

Historic Mitchelville Freedom Park, Inc. (HMFP) is a non-profit South Carolina corporation whose mission is to preserve, promote and honor Historic Mitchelville. HMFP envisions that Historic Mitchelville Freedom Park will become: “An imaginative and exciting place that celebrates the American spirit through the telling of the story of the first freedman’s town in America; and that informs and strengthens the fabric of our shared American heritage.”

The current Board and leadership of HMFP are indebted to the former leaders, directors, and supporters of the Mitchelville Preservation Project for their past efforts and continued support over the last decade. The opportunity to build upon their efforts has positioned HMFP to gain the momentum necessary to change the public mindset from “if” to “when” Mitchelville will be reborn as Historic Mitchelville Freedom Park.

Momentum behind the Park has been building rapidly recently for several reasons. Among them, HMFP has demonstrated effective stewardship of committed resources, prompting increasing levels of government commitment and support and public participation. Also, a strong Board, with appropriate structure and competencies, and key leadership are in place to undertake the next phase in Park development.

Our strategy is to position HMFP to have both niche appeal (particularly to the African American Cultural Tourist Segment, a particularly desirable niche of the culture and heritage tourism market) and the potential ability to reach and attract a wider audience on the basis of its contemporary relevance to today’s discussions of citizenship rights and responsibilities. We see HMFP not only as benefiting strategically from its historical uniqueness as the first self-governed town of the formerly enslaved, but also as having opportunities to create value from its continuing relevance as an exemplar of the importance of citizenship, helping to prepare citizens for 21st century America.

Informed by this framework, the Board, Executive Director, and an experienced consulting team, with community input, have collaborated to produce the HMFP Master and Interpretive Plans summarized within. Capital requirements for two-phased implementation are estimated to total \$22.8 million.

A preliminary Base Case operational model, including revenue and cost projections and organizational requirements, has been created, based upon comparisons to other arts and culture organizations. These projections will be refined further during Q1 of 2020.

Finally, we discuss the 2020 Long Range Plan (LRP) framework for HMFP under development by the Board and executive leadership. The LRP will be aimed at: Realization--Making HMFP a Reality; Validation--Ensuring Viability of HMFP’s Operating Model; and Sustainability--Maximizing HMFP’s Long-Term Outlook. HMFP will occupy a comfortable market niche—without a direct competitor, positioned to increase culture and heritage tourism in the local area.

Overview of Contents

Part One: Reviewing the History of HMFP

[Pages 3-16]

In the following sections, we review the purpose, milestones and achievements of the Mitchelville preservation and development effort to date. We:

- *Provide a brief summary of Mitchelville history.*
- *Present HMFP's mission, vision, and guiding principles.*
- *Review the history and background of the preservation effort, highlighting milestones and achievements.*
- *Summarize the amount and nature of the financial support behind the effort to date.*
- *Describe the Board, Leadership and organization in place, as well as HMFP's alliances and partnerships.*
- *Provide an overview of HMFP's current situation.*

Part Two: Planning the Future of HMFP

[Pages 17-50]

In the following sections, we explain the components of the current HMFP Business Plan and present the case that:

- *HMFP's "High Concept" Strategy Framework links freedom to citizenship.*
- *The Master Plan and Interpretive Plan concepts have been completed and vetted.*
- *The capital requirements for two-phased implementation of those plans have been estimated. A capital campaign is under development.*
- *Base Case P&L pro forma & organizational requirements are being analyzed and refined.*
- *A Long-Range Plan for HMFP's Realization, Validation, and Sustainability is under development.*

Exhibits

[Pages 51-62]

- 1. *Preliminary Costs for Master Plan and Interpretive Plan*
- 2. *HMFP Operational Revenue Sources*
- 3. *Capital Campaign Plan Outline*
- 4. *Illustration of Non-Traditional "Citizenship" Program*

Historic Mitchelville

“Where Freedom Began”

Unique Significance

Established by order of Civil War Union General Ormsby Mitchel in 1862, Mitchelville became the first self-governed town in America, where formerly enslaved Africans, though from different homelands, collectively proved themselves equal to the task of creating a democratic community with a vibrant culture, and capable of exercising the privileges and performing the responsibilities of free citizens.

As an “experiment in citizenship” and a “model for reconstruction,” Mitchelville succeeded, but virtually faded from history. Yet, it remains an inspiring and relevant chapter in America’s continuing quest to become a truly just society.

Brief History

On November 7, 1861, Union forces attacked two Confederate forts and the Sea Islands of South Carolina near Port Royal. “The Battle of Port Royal” later drove the Confederate forces to retreat to the mainland. One island, Hilton Head Island, immediately became the headquarters for the Union Army; and it soon would become the setting for the first self-governed town of freed Africans in the country.

After the Battle of Port Royal, men, women, and children fled the plantations to face an uncertain but promising freedom with the Union Army. These former slaves initially were considered to be “contrabands of war,” and were housed in ill-constructed shacks on the grounds of the Union outpost. In need of labor, the Union Army employed these “contrabands”, as carpenters, blacksmiths, launderers, coopers, clerks and cooks.

Due to overcrowding in the contraband barracks in the Union camp, as well as to animosity displayed by some of the Union soldiers towards contrabands living in the camp, General Mitchel found an ethical and practical solution. He set aside a large parcel of the land near the old Drayton Plantation for the newly freed Blacks that they would be able to cultivate and live on their own land and govern themselves. To that end, freedmen and families were given quarter acre lots and materials to build homes.

Named after General Mitchel following his death from yellow fever in 1862, Mitchelville became a template for the creation of future freedmen’s towns and, as the centerpiece of the “Port Royal Experiment,” served as a “rehearsal for Reconstruction” following the Civil War. This “experiment in citizenship” was a radical idea. It addressed the former enslaved persons’ longings for: their own land; the right to choose who would represent them; the responsibility of keeping families intact; the right to negotiate wages for their labor; and freedom to initiate their own religious institutions and commercial enterprises.

Mitchelville became vibrant with community life and dedication. Freedmen elected their own officials, created their own system of laws, built three churches, four stores and established the first compulsory school system in the state of South Carolina. Freedmen volunteered for the on-going Civil War, and Black soldiers built nearby Fort Howell to protect Mitchelville. On weekends for enjoyment, the marsh tacky work horses were raced along the beaches. Mitchelville citizens designed sweet grass baskets and fishing nets, and sang songs interpreting their burdens.

At its height, Mitchelville boasted 1,500 to 3,000 residents. However, the town declined after the Union Army left the area in 1868. Many residents then began farming and engaging in local commerce to sustain themselves, though remnants of the town would remain until the end of the century. Eventually, the residents took apart their homes and moved inland towards the areas of Squire Pope, Spanish Wells, Baygall and Chaplain.

Even though the citizens of this important community moved on from the town's physical property, their Native Islander descendants are justifiably proud of the town's importance and of their rich and unique Gullah Geechee cultural heritage.

And, at a national level, Mitchelville remains an important, but heretofore largely forgotten, chapter in the story of freedom, self-determination, opportunity, and citizenship rights in America—a story still being written.

As the first self-governed town of the formerly enslaved, Mitchelville truly is: "*Where Freedom Began.*"

Historic Mitchelville Freedom Park, Inc.

Mission Statement

Historic Mitchelville Freedom Park, Inc. (HMFP) is a non-profit South Carolina corporation established in 2010 originally as Mitchelville Preservation Project and renamed HMFP in 2018. HMFP's mission is:

“To preserve, promote and honor Historic Mitchelville, the first self-governed town of formerly enslaved people in the United States.”

Vision

HMFP envisions Historic Mitchelville Freedom Park as:

*“An imaginative and exciting place that celebrates the American spirit through the telling of the story of the **first freedman’s town in America**; and that informs and strengthens the fabric of our shared American heritage.”*

HFMP Guiding Principles

The efforts of the HMFP Board, executive leadership, staff and volunteers are aimed to:

- Present a truthful accounting of Mitchelville’s history in a way that respects and honors Native Islanders and their legacy, their importance to Hilton Head development and history, and their cultural contributions to the region and the nation.
- Operate this important site as a public historic park with meaningful public (including handicapped) access, taking all necessary steps to preserve and protect any significant resources at Historic Mitchelville Freedom Park.
- Follow the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation in all efforts undertaken at Historic Mitchelville Freedom Park.
- Protect the site during the current lease term and any extensions thereof, while allowing for sensitive additions to facilitate and enhance public use and enjoyment.
- Provide education and interpretation of the unique tangible and intangible resources at Historic Mitchelville Freedom Park.
- Promote a broad and diverse understanding of Historic Mitchelville’s local, regional, state and national significance.
- Pursue opportunities for creating alliances and partnerships with local, regional, state and national historical and cultural resources.
- Conduct and document a public engagement process that seeks input from the citizenry and other stakeholders.
- Establish a thorough process for record keeping so that all actions at Historic Mitchelville Freedom Park are well documented and can be referenced as an important tool in future decision-making.
- Develop an environmentally, economically, and culturally sustainable approach to provide and maintain a functional site and facilities.

Background and History of the Project

- *Momentum behind Mitchelville is building rapidly.*

Key Milestones and Achievements

The current Board and leadership of HMFP are indebted to the former leaders, directors, and supporters of the Mitchelville Preservation Project for their steady, dedicated effort and continued support over the last three decades. The opportunity to build upon their efforts has positioned HMFP to gain the momentum necessary to change the public mindset from “if” to “when” Mitchelville will be reborn as Historic Mitchelville Freedom Park.

A chronology of significant milestones and achievements on the journey includes:

- In 1988, Mitchelville was placed on the National Register of Historic Places (as the Fish Haul Archaeological Site), making the site important to preserving and understanding the nation’s difficulties during Reconstruction.
- In 1995, the Town of Hilton Head and the State of South Carolina recognized the historic value of the Mitchelville site and erected the official State historical marker at the corner of Beach City and Fish Haul Roads. (This marker has recently been relocated to what was the entrance to Fish Haul Creek Park, now the Historic Mitchelville Freedom Park site.)
- Also, in 1995, the Chicora Foundation completed their archaeological work at the Fish Haul site. This excavation uncovered 25,000 objects, causing Chicora to refer to the site as “the richest African American archaeological site in the Southeast.”
- In 2005, a diverse group of Hilton Head Island citizens took up the cause of preserving and promoting the heritage of Mitchelville. This first group kept the importance of the Mitchelville site to Hilton Head on the community’s agenda.
- In 2009, the group approached Thomas C. Barnwell and asked that he become chairman for a renewed effort to preserve the remains of the Mitchelville site, to interpret the heritage, and to commemorate the story.
- In 2010, the “Mitchelville Preservation Project” (MPP) was formally organized with Mr. Barnwell as chairman. That year, MPP developed a conceptual master plan (initial landscape architectural design) for the site.
- In 2012, the Chamber of Commerce conducted a leadership class in the Park, drawing attention and resources to the Mitchelville preservation effort.
- In 2013, MPP conducted its first annual Forum, established the USC McKissick Exhibit, and was honored by the choice of the Park as one of 20 sites for a Toni Morrison bench.
- By 2015, building on the efforts of prior Chairs, Dot Law and Fran White, Chairman, Randy Dolyniuk rekindled public support in the form of government grants, a significant factor in supporting an expanding Mitchelville development effort. Also, in 2015, MPP held its first Juneteenth Celebration in the Park.

- Since 2016, Chairperson Shirley "Peaches" Peterson has prioritized sound business practices and created a sense of stability that has encouraged the Town of Hilton Head Island to place their critical support behind the Project.
- In 2017, the Board revisited and revised the 2010 conceptual Master Plan, authorized the negotiation of leasehold control of the Park and the hiring of an executive to serve as founding director. In April, the Town of Hilton Head leased the Park site to the Mitchelville Preservation Project for 45 years. Additionally, the Town provided financial support for the hiring of the first Executive Director for the Project, Mr. Ahmad Ward, who joined in June.
- In 2018, WLA Studio from Athens, GA and Proun Design from Somerville, MA were awarded a contract to conduct a community-involved process to create a master plan and interpretive plan.
- Additionally, in 2018:
 - Mitchelville Preservation Project changed its name to Historic Mitchelville Freedom Park, Inc. (HMFP)
 - The Park, known as Fish Haul Creek Park (part of the original Mitchelville site) was renamed "Historic Mitchelville Freedom Park".
 - The Griot's Corner Literacy program was introduced in the spring of 2018, connecting with 200 school children in six programs.
- In 2019, the conceptual phase of the consultants' work was completed. Summaries of the Master Plan and the complementary Interpretive Plan appear below. These are integral components of this Business Plan.
- Additionally, in 2019, HMFP, through the efforts of the Board and Executive leadership, has:
 - Established connections with national /regional museum organizations, including the Southeastern Museums Conference, Association of African American Museums, and the Alliance of American Museums.
 - Secured a resolution from Beaufort County promising \$575,000 for Phase One development after approval of Master Plan by Town of Hilton Head Island and Beaufort County.
 - Received a \$165,000 appropriation from the South Carolina General Assembly for Phase I development of Mitchelville.
- 2018-2019: Also, to be noted are the efforts of archaeologists from the Master of Arts Public Archaeology program at Binghamton University who have been searching the Park for one of the historic churches. Based on their findings, with 70% probability, they have found the location of a structure of a religious nature. The team continues to work to confirm that location

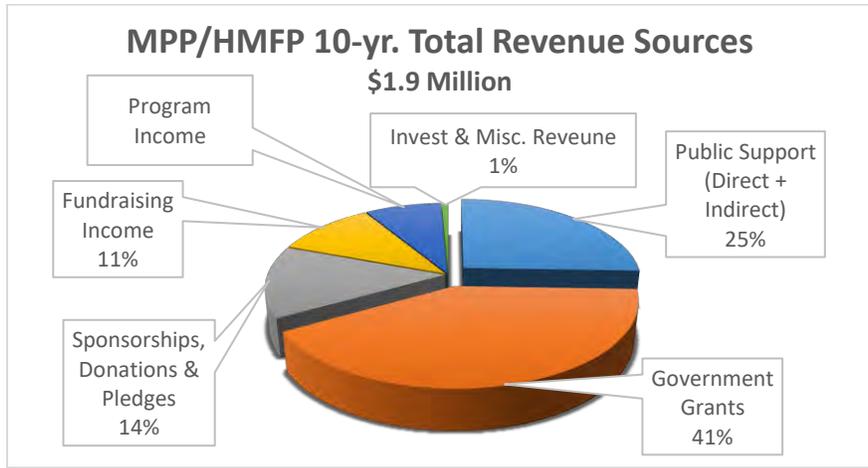
and to find evidence of the General Store on the property. (Both areas are considered and preserved in the Master Plan.)

- *HMFP has demonstrated effective stewardship of committed resources.*

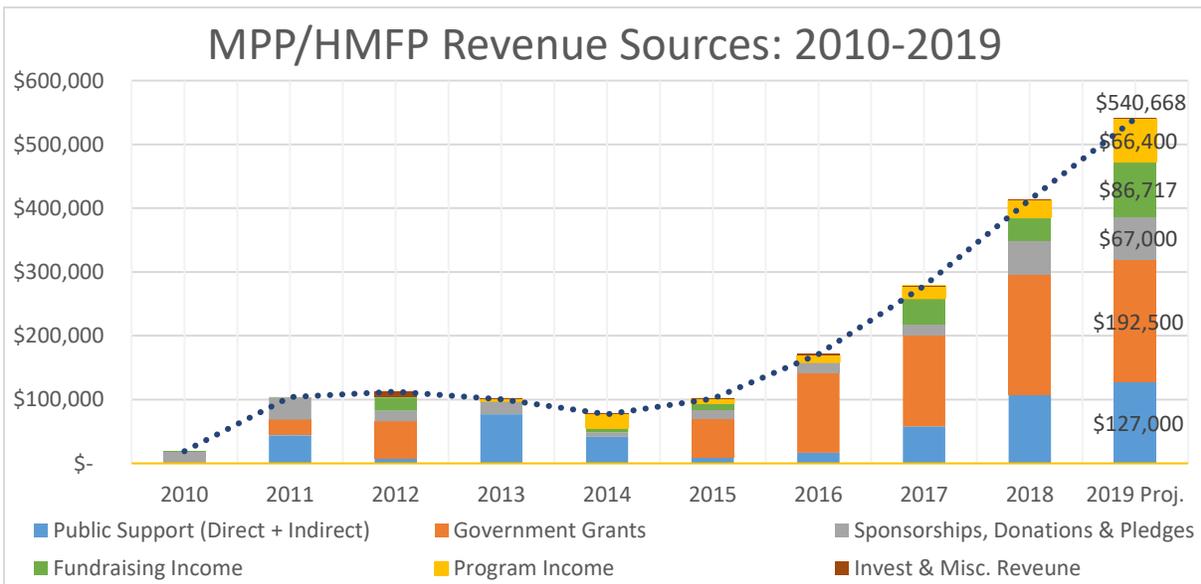
Financial History

Since incorporation in 2010, HMFP (formerly MPP) has raised and directly managed over \$1.9 million in financial (and in-kind) support for the Mitchelville preservation effort.

Over the ten-year period, two thirds (66%) of the revenue has come from the combination of public support and government grants. The other third has been generated by sponsorships, donations and pledges, as well as revenue generated through fundraising, program and event activities, and income from funds invested.

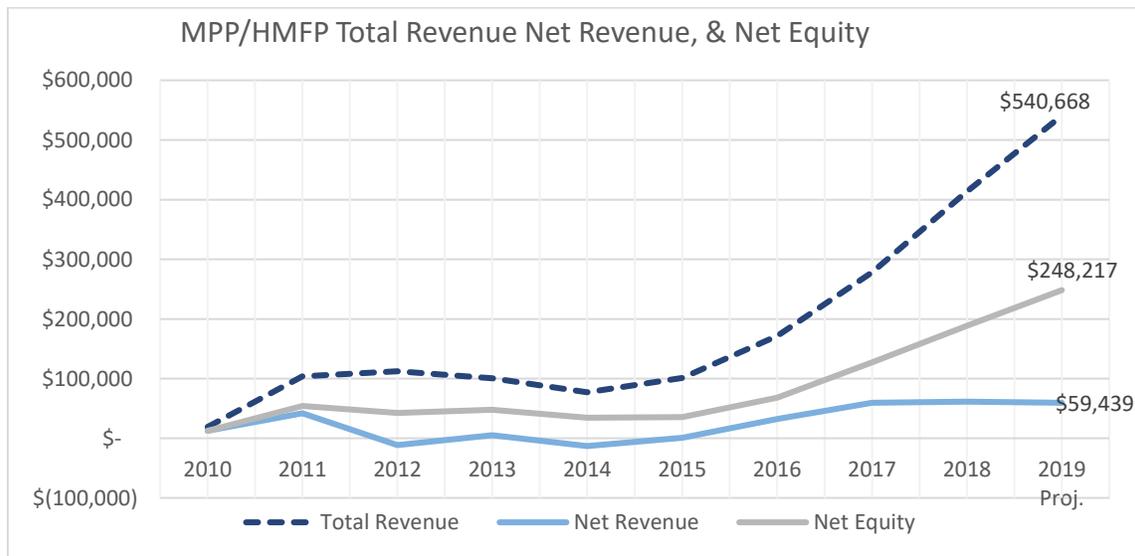


MPP/HMFP’s financial resources under budget management have increased significantly over the decade, from less than \$20,000 in 2010 to over \$540,000 in 2019.



- In 2010, MPP began operations dependent entirely on support from donations, reflecting the grass roots origins of the Mitchelville preservation effort.
- From 2011 to 2015, overall financial support (revenue) hovered around the \$100,000 level, perhaps an indication that the long-term viability of the project may then have been considered uncertain. Accordingly, the Boards and their Chairs focused less on revenue growth, and more on growing awareness, generating recognition and creating external relationships with businesses, educational institutions, the local community, the Town and the County, and others.
- From 2016 to date, HMFP revenue has grown significantly, expanding over 50% on average per year, with the period accounting for almost three quarters (73.2%) of total revenue generated. Significantly, over 80% of government grants (81.8%) and fundraising and program income (80.2%) were generated over this period. The more recent government support and public participation reflect growing confidence in and anticipation of progressing to the construction phase of development.

With a growing overall budget, HMFP has focused wisely on building operating reserves (net equity) as a necessary element of fiscal responsibility. Reserves helped to cushion the impact of a couple of particularly lean early years, and now provide an operating reserve against any foreseeable operational funding anomalies.



It should be noted that, because the above financial performance reflects only financial (or in-kind) resources under HMFP’s direct management control, it does not include the following:

- A \$250,000 grant from Beaufort County Natural Resources Committee in 2019 has funded the development of the Master Plan and Interpretive Plan, both summarized below. The consultants producing those plans are being compensated directly by Beaufort County. (Including the contract in HMFP financials would have the effect of increasing 2019 Total Revenue to \$790,668 but would not change Net Revenue or Net Equity.)

- The monetary value of the effort of a group of 120 volunteers, including a dedicated core of 45-50 individuals. (A group of 50 averaging 8 hours for each of 5 events at \$20/hr. would equate to \$40,000 annually in volunteered service value.)
- The value of the time and expertise that directors of the HMFP Board have contributed in their non-compensated roles on the Board, its standing and ad hoc committees, as well as their efforts to support development and program activities, and to engage in various strategic planning and business planning efforts.

➤ *Board Governance and Executive Leadership are in place.*

Board Composition and Terms

The HMFP Board is comprised of an odd number of not less than seven nor more than twenty-one individuals, with one or more Directors from the Hilton Head Native Islander community. Currently the Board has thirteen directors, three of which are of Native Islander descent.

Board members serve staggered terms of three years each. Generally, members may serve no more than two consecutive terms of service on the Board, and lifetime Board service is limited to twelve years. However, at the request of the Board's Nominating Committee and upon a two-thirds vote of the entire Board, a member may serve a third consecutive three-year term, if the Board determines he/she possesses a special skill or knowledge that is consistent with the needs of the Board.

Board Officers and Standing Committees

To provide for proper oversight, and to facilitate the conduct of the Board's affairs, HMFP By-Laws require the following standing committees, as well as provide for the creation of ad hoc committees as desirable. Standing committees are:

- **Executive Committee:** An Executive Committee consisting of the four Board Officers, the Chair, the Vice-Chair, the Secretary, the Treasurer, and the chairs of all Standing Committees of the Board, and the Executive Director.
- **Finance Committee:** The Treasurer of the Board serves as the chair of the Finance Committee. All members are Board directors, except the Executive Director, who is an ex officio member. The Finance Committee:
 - Oversees HMFP's assets, reviewing the annual budget for each fiscal year, monitoring implementation of the budget and financial procedures, and reviewing monthly financial reports.
 - Through the Executive Director, supervises, directs, and controls all matters pertaining to HMFP's finances including, but not limited to, the placing of insurance, the filing of tax returns, the payment of taxes, the preparation of the annual operating budget, and the preparation of monthly and annual reports to the Board on HMFP's financial condition.
 - Commissions the annual preparation of audited financial statements and management letter by certified public accountants approved by the Board for the immediate past fiscal year.

- Supervises formulation and implementation of financial controls and audit procedures for the Corporation.
- **Development Committee:** The Development Committee, which may include members who are not Directors, including the Executive Director, who is an ex officio member, develops fundraising plans to ensure the long-term financial viability of the HMFP through funding of traditional unearned sources of income. These efforts include but are not limited to:
 - Annual campaigns, capital, endowment, and planned giving programs, and special events;
 - Business sponsorships;
 - Applications for grants for the use by and benefit of the HMFP;
 - Implementing and coordinating all such activities following approval by the Board.
- **Governance Committee:** All members of the Governance Committee are Directors, with the exception of the Executive Director, an ex officio member. The chair of the Nominating Committee is also a member of the Governance Committee. The Governance Committee meets at least quarterly to provide for the Board's effectiveness and continuing development, recommending to the Board policies and processes to provide for efficient governance, including, but not limited to:
 - Performance evaluations of the Board, the Chair, and Directors, the election and re-election of Board members, Board orientation and education, and the review and recommendation of descriptions detailing responsibilities and expectations for the Chair and Directors.
 - A statement of Directors competencies and personal attributes necessary or desirable to further the purposes and goals of HMFP to be used as a guideline for recruitment and election of Directors.
 - Conduct of a "gap analysis" when necessary to identify succession planning and recruitment needs, provide guidelines for overseeing the process for vetting the fitness of prospective nominees as Directors, develop and oversee a plan to maintain Board diversity, and evaluation of the performance of individual Directors and officers eligible for re-election.
 - Annual review of the By-Laws and recommend amendments to the Board and overseeing the Board's self-assessment and improvement process not less than every other year.
- **Planning and Operations Committee:** The Planning and Operations Committee may include members who are not Directors, including the Executive Director, who is an ex officio member. The Committee makes recommendations for actions to be taken by the Board on matters concerning the operations, site planning and development of HMFP's facilities, operation and maintenance of the facilities and equipment, development and implementation of programs and policies, and coordination of volunteers.

- **Nominating Committee:** The Nominating Committee may include members who are not Directors, including the Executive Director, who shall be an ex officio member. In conjunction with the Governance Committee, the Nominating Committee shall be responsible for developing a strong, functional Board. To that end, the Nominating Committee develops and maintains a recruitment plan for prospective Directors, identify and maintain a pool of prospective Directors, and nominate candidates for Directors and officers. Nominees for Directors and officers are presented to the Board at its annual meeting, and when necessary to fill any vacancy.

Executive Director

The Executive Director is the Chief Executive Officer of the HMFP, serving at the pleasure of the Board, and is responsible for the day-to-day management and operation of the HMFP (including fundraising) and the implementation of the HMFP's objectives and policies as established by the Board.

Hired in June 2017, Mr. Ahmad Ward is the Executive Director for the Historic Mitchelville Freedom Park. As the founding executive, Ward is responsible for leading the HMFP master plan development and implementation process, in addition to managing the day-to-day operations.

Prior to this position, Mr. Ward spent fifteen years leading the Education Department at the Birmingham Civil Rights Institute in Birmingham Alabama. There, he honed his expertise in telling the story of civil and human rights in America, with a focus on historical analysis and application to current social justice issues. With Masters-level training and years of experience in exhibition design, he brings a strong understanding of storytelling and the importance of technology in interpretation. He has been responsible for creating programming partnerships with local schools, universities and organizations; teacher and student resources; writing articles, blogs and essays for local, national and international platforms as well as for the development of public programming for the community-at-large on civil and human rights movements, multiculturalism and contemporary human rights issues.

Mr. Ward is a native of Elizabeth City, North Carolina. He received a BA in Art from Elizabeth City State University and a MA in Museum Studies from Hampton University. He is a Board member of the Association of African American Museums, a member of Rotary of Hilton Head Island Club and the Southeastern Museums Conference Jekyll Island Management Institute (JIMI) Selection Board. He is a former member of the Smithsonian Affiliates Advisory Board.

Current Organization

Current employees include the Executive Director and one staff person. The bulk of the manpower currently necessary to conduct operations is provided by volunteers. However, in the future, managing new facilities and implementing expanded programming will require additional paid employees. Future organizational needs and structure are discussed below.

As mentioned above, HMFP is ably assisted by a group of 120 volunteers, including a dedicated core of 45-50 individuals that help in administrative duties, as well as provide support for Mitchelville's programs, events, activities and services.

➤ *HMFP will benefit from alliances, associations, and affiliations with strong partners.*

Strong Local and Regional Alliances

HMFP is supported by dedicated partners that give of their time and resources to help preserve, maintain and develop opportunities to educate locals and tourists about Historic Mitchelville. These partners include:

- Beaufort County
- Town of Hilton Head
- Heritage Library
- National Parks Service – Network to Freedom Program
- NIBCAA
- Coastal Discovery Museum
- Community Foundation of the Lowcountry
- Gullah Heritage Tours
- Historic Churches of Mitchelville
- Historic Cherry Hill School

Associations and Affiliations

HMFP recognizes the importance of connecting with similar institutions and national organizations in the Museum field, with educational and historical affiliations and regional / national tourism interests. HMFP is currently a member of:

- The National Park Service Underground Network to Freedom;
- The Association of African American Museums; and
- The Association for the Study of African American Life and History.

In addition, HMFP is allied with:

- Hilton Head Island /Bluffton Chamber of Commerce;
- Gullah Geechee Cultural Heritage Corridor

In the future, HMFP also will seek:

- Membership with the Southeastern Museums Conference;
- Accreditation with the Alliance of American Museums;
- Membership in the Smithsonian Affiliates, which has over 200 members across the United States and Central America.

➤ *HMFP is amassing a trove of artifacts and objects from archaeological research.*

Collections

The Collection of Historic Mitchelville Freedom Park consists of artifacts and objects that have been collected over the years through archaeological research. However, many of these objects will not be available to HMFP until after the construction of buildings that can appropriately house them on site. Archaeological surveys have been conducted on the Beach City Road site since Michael Trinkley’s research in the 1980’s. As it currently stands, HMFP has no clear claim or agreement to the thousands of objects that Trinkley uncovered during his work at the “Fish Haul” site.

In 2013, Brockington and Associates performed archaeological data recovery mitigation for Talbert, Bright & Ellington Inc., Columbia, South Carolina connected to the extension of the Hilton Head Island Airport

runway. This research uncovered over 20,000 objects that under verbal agreement will be released to HMFP upon the completion of structures that have the requisite climate control/HVAC systems to support and protect the objects long term.

Some of these objects are currently on display at the Westin Hotel and Spa as part of an exhibition entitled "Finding Freedom's Home," which discusses the history of Mitchelville and chronicles the 2013 excavations. This exhibition is considered part of Mitchelville's collection and its placement at the Westin serves as HMFP's largest outreach element, welcoming over 25,000 people each year. (Please refer to "Archaeological Data Recovery at Mitchelville (38BU2301) Hilton Head Island Airport Improvements Study Area, Beaufort County, South Carolina" prepared by Brockington and Associates for detail about the objects.)

Since 2018, HMFP has sponsored archaeology on the Beach City Road site to determine the historic street grid and locations of homes, churches and the general store. Katherine Seeber, a PhD candidate from Binghamton University, has been the primary investigator for the recent excavations. She and her students and graduates from Binghamton have high confidence they have located the site of one of the historic churches from the Mitchelville era, and they believe they know the location of one of the general stores from the community. Items recovered during excavations or found during surveys will remain the property of HMFP but will be loaned to Binghamton for short-term curation. Short-term curation in this case is defined as a minimum of two to three years, but less than ten years. Any deviations to time period will be mutually agreed upon by Katherine Seeber, Binghamton and HMFP. Curation will be based on the amount of time needed to analyze said materials. Binghamton retains the right to refuse curation or to return items sooner than ten years if they decide they are of limited analytical value, have been fully analyzed, or require too much effort or cost to transport or analyze. After analysis, Binghamton will be responsible for returning artifacts to HMFP.

Objects, artifacts and historic documents will be made available for researchers to examine on site with the permission and guidance of a HMFP representative. Collections are accessible to the visiting public, with some under restriction due to conservation or security considerations. Storage will be maintained on the property in the Interpretive Center and the Classroom / Lab building. Certain objects will be available for short and long-term loans with museums, galleries and other cultural attractions after the coordination of loan agreements signed by both parties.

In addition, each interior and exterior artifact, exhibit and interpretive element on the 33-acre site, becomes a part of the HMFP collection and will be catalogued as such.

Current Situation Overview

- *Momentum behind Mitchelville has been building rapidly.*

The above review of HMFP milestones, achievements, financial growth and management performance establishes that steady, dedicated effort over many years is now reflected in exponential momentum behind development of Historic Mitchelville Freedom Park.

- *HMFP has demonstrated effective stewardship of committed resources.*

Since incorporation in 2010, HMFP (formerly MPP) has raised and directly managed over \$1.9 million in financial (and in-kind) support for the Mitchelville preservation effort. HMFP revenue is growing significantly, expanding over 50% on average per year recently. The increasing levels of government commitment and support and public participation reflect growing confidence in and anticipation of our progressing to the construction phase of development.

- *A Strong Board and Key Leadership are in place to execute.*

The appropriate Board structure and competencies, and board and executive leadership are in place to undertake the next phase in development.

Board Chairperson

Shirley “Peaches” Peterson, a Board member since 2015, has led HMFP as Chair since 2016. Almost three quarters HMFP’s financial support has been raised under her leadership. She has spearheaded the recruitment of the current Board of skilled and committed Directors, and built strong relationships in the Native Islander, local government, and philanthropic communities. She also oversaw the search for and selection process of Executive Director, Ahmad Ward. Having initiated a 2017 Board review of the 2010 conceptual master plan, Ms. Peterson has advocated successfully for Town support to produce an updated master plan complemented by an interpretive plan for preservation and enhancement of the Park.

Executive Director

Mr. Ahmad Ward is the Executive Director for the Historic Mitchelville Freedom Park. Hired in June 2017, as the founding executive, Ward is responsible for leading the HMFP master plan development and implementation process, in addition to designing the programming and managing the day-to-day operations of HMFP. While he currently leads an organization of two staff, supported by numerous volunteers, he plans to expand staff appropriately for the next phase of HMFP development, as indicated below.

2019 Board Composition

In order to guide the recruitment and election of new Directors, the Board annually undergoes an assessment of its composition, collective experience, and capabilities. The 2019 median age of the Board was 51-65; two-thirds of the Board are women. Except for two directors who currently reside out of state, directors have lived in Beaufort County over 18 years on average. The HMFP Board is racially and ethnically diverse, with Asian, Caucasian, and African American representation, and two current members are of Native Islander descent.

The 2019 Board reflects the effort to involve individuals who, in addition to possessing passion for the project, are in position to contribute experience and expertise at this critical phase of project evolution. Accordingly, the Board assessment indicates:

- 9 directors have previous Board experience, averaging 3 Boards per director;
- 6 directors have business management experience, 2 of which have public service/non-profit specific experience;
- 6 have finance industry expertise; 3 have fundraising/development experience;
- 4 have human resources management experience;
- 4 have expertise in community relations;
- 4 have backgrounds in supporting the arts and cultural heritage;
- 4 have planning and/or marketing and media expertise.

➤ *The Strategic Opportunity for HMFP is clearly in focus.*

Explicated below is our working strategic framework for HMFP, target market demographics, segment data on African American cultural tourists, and comparative analysis of HMFP to other relevant historical and cultural sites and attractions. We see HMFP as benefiting strategically from its historical uniqueness as the first self-governed town of the formerly enslaved, and also with potential to create value from its continuing relevance as an exemplar of the importance of citizenship, helping to prepare citizens for 21st century America.

➤ *Plans are in place for design and construction phases and being developed for operations.*

With community input and review, the Board, Executive Director, and an experienced consulting team have collaborated to produce the HMFP Master Plan and Interpretive Plan. Summaries of these plans are presented below. Following those summaries is an explication of the capital requirements for realizing these plans.

As will be described below, profiles and financial pro formas for HMFP operations after build out will be refined during the first quarter of 2020. However, we present a base case operating scenario and some preliminary assessments, also below, in order to characterize the economics of Park operations.

➤ *It's no longer "if", but "when" Mitchelville will be reborn as HMFP.*

After three decades of attention, particularly the last 10 years of organized effort, the project's tipping point has been reached. The apparent consensus at the State, County, and Town level, as well as the public's outlook, is that HMFP will become a reality. With the assistance of all who continue to support this effort, the HMFP board and leadership are looking forward to realizing the vision of transforming Historic Mitchelville Freedom Park into "an imaginative and exciting place that celebrates the American spirit through the telling of the story of the first freedman's town in America; and that informs and strengthens the fabric of our shared American heritage."

Part Two: Planning the Future of HMFP
[Pages 17-50]

In the following sections, we explain the components of the current HMFP Business Plan and present the case that:

- *HMFP’s “High Concept” Strategy Framework links freedom to citizenship.*
- *The Master Plan and Interpretive Plan concepts have been completed and vetted.*
- *The capital requirements for two-phased implementation of those plans have been estimated. A capital campaign is under development.*
- *Base Case P&L pro forma & organizational requirements are being analyzed and refined.*
- *A Long-Range Plan for **HMFP’s Realization, Validation, and Sustainability** is under development.*

Strategic Vision and Framework

➤ *The “High Concept” Strategy Framework is in place.*

A high concept is a simple, overarching statement of the principle value proposition framing the opportunities for realizing both HMFP’s immediate and future potential. Such a concept must flow from, and align with HMFP’s Mission and Vision, articulated above.

Citizenship in a Free Society

HMFP’s high concept, “Citizenship in a Free Society”, acknowledges that Mitchelville was fundamentally about the opportunity to live free in community.

This particular space (Sea Islands) and time was an epicenter of society-shattering war, devastation and upheaval; where two tectonic plates, North and South, inexorably clashed over slavery, with one bitterly (and only briefly) yielding to the other. It was where and when the ground shook beneath the feet of enslaved Africans, giving them freedom from bondage and a historically unique opportunity to build and govern their own town.

Mitchelville deserves celebration, not only because of this unique history, but also because, from a modern perspective, it is an important chapter in the story of citizenship rights in America--a story still being written.

The linkage of freedom to citizenship offers a positive and inspiring, relatable, message, with current relevance to today’s conversations on citizenship rights and responsibilities. This linkage will appeal, not only to African American culture and heritage tourists, but also to broad swaths of the public, as the American Dream is grounded in individuality (freedom of choice) and in community.

In a 2018 American Enterprise Institute Study, Americans were asked what makes the American dream a reality. Respondents did not select as essential factors being rich, owning a home or having a successful career. Instead, 85% indicated that having **“freedom of choice in how to live”** was essential to achieving the American dream. In addition, 83% indicated that **“a good family life”** was necessary. Seeing the American dream as more **about community and individuality** than material success and social mobility appeared across demographic and political categories, race, ethnicity and economic circumstances. The findings suggest that “Americans would be well served to focus less intently on the nastiness of our partisan politics and the material temptations of our consumer culture, and to focus more on **the communities they are part of and exercising their freedom to live as they wish.**”¹

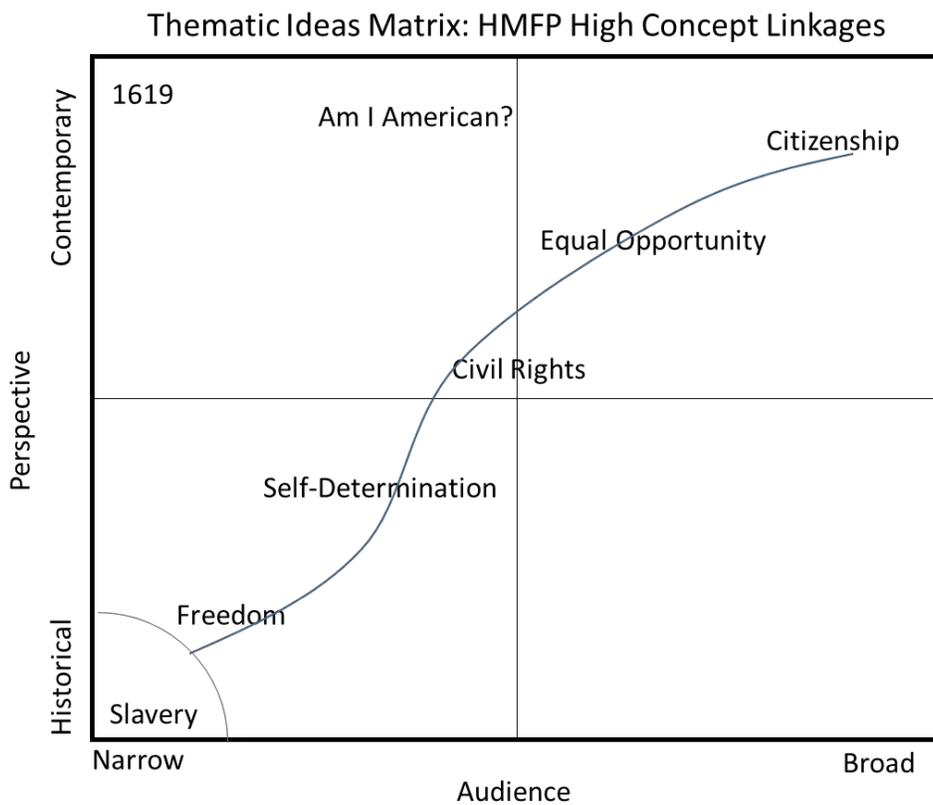
Mitchelville is a story of the triumph of freedom over slavery as a way of life, a pivotal point in American history, the start of the enjoyment of citizenship rights guaranteed to other Americans, but previously denied to America’s builders, the formerly enslaved. However, it also is a guidepost, reminding us that a country established upon the noblest and highest ideals has fully yet to achieve them, and has much to learn about itself from its own history.

¹ “We’re Still Living the American Dream,” by Samuel J. Abrams, **The New York Times** OP-ED, February 6, 2019.

HMFP, therefore, has the unique opportunity to impart historical knowledge and awareness; to heighten visitors’ understanding of themselves and the America we live in today; and to inspire them with a renewed sense of purpose that together, as Americans, we may strive for a better society.

➤ *HFMP High Concept Links Freedom and Citizenship to other Related Themes.*

Citizenship in a Free Society provides an overall platform for addressing related themes that, together, allow for Mitchelville to be experienced from a historical or a contemporary perspective. In this framework, historic Mitchelville was a democratic community enabled by **Freedom**, fueled by **Self-Determination**, grounded in **Civil Liberty and Opportunity**, and structured around **Citizenship**.



Additionally, it positions HMFP to have both niche appeal (particularly for African American culture and heritage tourists) and the potential to reach and attract an even wider audience based on its contemporary relevance to today’s discussions of citizenship rights and responsibilities.

(Note that we have not chosen to link Mitchelville to such modern discussion themes as “Am I an American,” or “1619”, despite being relevant in those conversations, because they currently appeal to narrow audiences, and do not offer the potential today to expand HMFP’s market reach.)

Target Market Segment and Competitive Positioning

Citizenship in a Free Society provides an overall platform for addressing related themes that, together, allow for Mitchelville to be experienced from both a historical and a contemporary point of view. Additionally, this theme positions HMFP to have both niche appeal (particularly to the African American Cultural Tourist Segment, a particularly desirable niche of the culture and heritage tourism market) and the potential to reach and attract an even wider audience based on its contemporary relevance to today's discussions of citizenship rights and responsibilities.

Local Demographics

HMFP is sited in an affluent area with a strong tradition of supporting art and culture institutions. According to the US Census Bureau, the 2018 population of Beaufort County was 188,715, including 39,639 on Hilton Head Island.² The County, is growing very rapidly; and according to a *2018 Vision and Strategic Action Plan for Hilton Head Island*, "the population of Hilton Head Island is forecast to rise to approximately 44,000 by 2020."

The median age of Hilton Head Island was 54.1 in 2015. The workforce participation rate for Hilton Head is 54.4% with major occupations including business and financial management and sales, which collectively account for 34.6% of occupations in the town. Major industries include accommodations and food service, retail trade, and construction.³ The median income for Hilton head is \$66,646.⁴

While philanthropic and governmental support is strong locally for arts and culture, so is the competition for grants and funds. Accordingly, HMFP must continue to prove its worth to the community, but also must attract its share of Hilton Head visitors, especially cultural tourists, to be a viable and sustainable addition to the area's culture and history attractions.

Tourism on Hilton Head Island

During peak tourism season, the Hilton Head population can increase to over 150,000.⁵ **The total number of visitors to Hilton Head Island in 2018 was 2,617,764.⁶ Those visitors spent an estimated \$745 thousand at parks and over \$4 million on cultural activities on Hilton Head during their visits.⁷**

Hilton Head Nonprofit and Cultural Organization Spending

According to the recent Arts and Economic Prosperity 5 study presented by the Town of Hilton Head Island's Office of Cultural Affairs, **spending by nonprofit arts and cultural organizations totaled \$15.8 million in Hilton Head Island during fiscal year 2018.** This spending is far-reaching:

- Organizations pay employees, purchase supplies, contract for services, and acquire assets within their community. These actions, in turn, support jobs, generate household income, and generate revenue to local and state governments.

² US Census Bureau, <https://www.census.gov/quickfacts/beaufortcountysouthcarolina>

³ Future IQ, "Town of Hilton Head Island Community Profile and Benchmark Analysis," May 2017, 5.

⁴ Future IQ, 11.

⁵ Future IQ, "Vision and Strategic Action Plan, Hilton Head Island, South Carolina," February 2018, 8, <http://lab.future-iq.com/hhiourfuture/>.

⁶ Regional Transactions Concepts, LLC Economic Modeling, "Estimated Total Impact of Tourism in Beaufort County, SC," March 2019, 3.

⁷ Regional Transactions Concepts, LLC Economic Modeling, 4.

- Hilton Head Island’s nonprofit arts and cultural organizations provide rewarding employment for more than just administrators, artists, curators, choreographers, and musicians. They also employ financial staff, facility managers, and salespeople.
- In addition, the spending by these organizations directly supports a wide array of other occupations spanning many industries that provide their goods and services (e.g., accounting, construction, event planning, legal, logistics, printing and technology).

In the preliminary base case operating HMFP pro forma explained below, we anticipate **HMFP will contribute \$1.1 million** initially to local nonprofit arts and cultural organization spending annually.

➤ *HMFP’s Target Market Segment is attractive and growing.*

Culture and Heritage Tourists Market Demographics

HMFP’s primary target market is the culture and heritage tourist, and especially the African American sub segment. We see this market as having extremely favorable size, characteristics, and growth dynamics:

- **Seventy-eight % of all U.S. leisure travelers** take part in cultural or heritage activities, spending an average of **\$994 per trip** and contributing more than **\$192 billion** a year to the U.S. economy, according to a 2009 Mandala Research study commissioned by the U.S. Cultural & Heritage Tourism Marketing Council.
- Heritage tourists **travel farther and more frequently** than other travelers, and are categorized as: passionate, well-rounded, self-guided, aspirational, or keeping it light. **Passionate, well-rounded and self-guided travelers** are considered the more serious travelers as they account for **40% of all leisure travelers** and contribute nearly **\$124 billion to the U.S. economy**.

Research by Louis Harris, Inc., Decima Research, the Travel Industry of America, and the National Trust for Historic Preservation establishes that today’s heritage tourist has the following overall profile, representing the kind of high-value-generating visitor the Town and County seek:

- **Well educated** – Most heritage tourists have advanced degrees. Education level is the single most significant factor that influences cultural and heritage participation and travel.
- **Older** – Participation in cultural and heritage events peaks between ages 45 and 65, when people are at the height of their careers, earning power, and discretionary income.
- **Influenced by women** – Women typically plan family vacations and group trips and control more personal discretionary income.
- **Cosmopolitan** – International travel is growing. Those travelers seeking heritage or cultural events are just as likely to travel to Europe, Asia, or Africa as to the U.S. and Georgia.
- **Accountability-driven** – Increasing access to global communication has made heritage travelers more discerning and better informed. They look for value for the dollar and experiences that will meet their expectations.

- **Generous in spending** – Visitors to historic and cultural sites spend about \$62 more per day than other visitors. They tend to spend money on antiques, art, gourmet food, wine, health food, and outdoor experiences such as biking, hiking, canoeing, and bird watching.
- More inclined to **stay overnight** in hotels and bed and breakfasts.
- More inclined to **stay longer** than the average traveler.
- More **likely to visit a diversity of sites, cities, and regions** than the average traveler.
- Wants **high quality services** – The tourist looks for quality in infrastructure and services, as well as in program content.
- Interested in **authenticity** – The heritage tourist seeks out experiences that are authentic in order to learn about a community’s history and culture.
- Wants **easy-to-do, accessible quality travel experiences** – Due to time constraints, including less leisure time, the heritage tourist wants a unique and enriching travel experience that combines education, entertainment, and authenticity.

➤ *African American Culture Tourist Niche is particularly desirable.*

In 2001, the African American market was identified by the United States Travel Association (USTA) as the **fastest growing segment in the travel industry**. According to a study conducted by Mandela Research in 2018, the **economic value of African American travelers has increased in 2018 to \$63 billion from \$48 billion in 2010**, an average growth of 3.5% per year. And, **African American “cultural” travelers are the highest spenders, averaging \$2,078 per trip versus \$1,345 for all African American travelers.**

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The Mandela Research study found that **African Americans pick travel destinations with cultural and historical significance.**

- **Some 64%** of the travelers reported those attractions are top destinations on their list because of its significance.
- The importance of African American cultural and heritage attractions rated at **43% for family reunion travelers.**

Cultural Heritage Tourism is **growing rapidly in the U.S. Southeast**, including in the Lowcountry. The area’s **historical significance** and its **Reconstruction Era National Monument designation** are drawing attention to the region. The **Gullah Geechee Culture** is an important staple of the Lowcountry, and its profile is rising, especially with the official recognition of the Gullah Geechee Cultural Corridor.

➤ *HMFP can be the “Beating Heart” of the Gullah Geechee Corridor.*

Mitchelville Positioned to be a Major Culture Attraction

The Gullah Geechee Cultural Heritage Corridor is a 12,000 square mile, federal National Heritage Area designated by the U.S. Congress to recognize the unique culture of the Gullah Geechee people who have traditionally resided in the coastal areas and the sea islands of North Carolina, South Carolina, Georgia and Florida — from Pender County, North Carolina, to St. Johns County, Florida. The Corridor is not a national park or a single site. It is comprised of many places of historical and cultural significance to the Gullah Geechee people.



NORTH CAROLINA

- Bellamy Mansion Museum, Wilmington, NC
- Poplar Grove Plantation, Wilmington, NC
- Brunswick Town/Fort Anderson, Winnabow, NC

SOUTH CAROLINA

- Brookgreen Gardens, Myrtle Beach, SC
- Gullah Museum, Georgetown, SC
- Hobcaw Barony, Georgetown, SC
- The Rice Museum, Georgetown, SC
- Avery Research Center, Charleston, SC
- Phillip Simmons House Museum, Charleston, SC
- Magnolia Plantation and Gardens, Charleston, SC
- Drayton Hall, Charleston, SC
- Boone Hall Plantation & Gardens, Charleston, SC
- Aiken-Rhett House, Charleston, SC
- McLeod Plantation, James Island, SC
- Caw Caw Interpretive Center, Ravenel, SC
- Penn Center, St. Helena Island, SC
- Gullah Museum of Hilton Head Island, SC
- Mitchelville, Hilton Head Island, SC**

GEORGIA

- Geechee Kunda Museum, Riceboro, GA
- Cumberland Island National Seashore
- Dorchester Academy Boys' Dorm, Midway, GA
- Sapelo Island, GA
- Harris Neck, GA

FLORIDA

- Red Bank Plantation House, Jacksonville, FL
- Kingsley Plantation, Duval County, FL
- Fort Mose NHL, St. Augustine, FL
- Lincolville Historic District, St. Augustine, FL
- Lincolville Museum, St. Augustine, FL

Geographically, Hilton Head is located at the midpoint of the corridor, a position that should allow HMFP to be a vibrant center, a “beating heart” of the regional effort to preserve, share, and honor the unique Gullah Geechee culture.

➤ *Master Plan and Interpretive Plan concepts are completed and vetted.*

Below is a description of the Master Plan and accompanying Interpretive Plan. They have been grounded in the Board’s strategic vision for Historic Mitchelville Freedom Park, are designed to be true to the historical Mitchelville experience and will be engaging to culture and heritage tourists and local visitors.



HISTORIC MITCHELVILLE FREEDOM PARK
 Draft Consolidated Concept
 November 4, 2019

Plan View of the Visitor Center and Entry Plaza



The Visitor Center is an 18,000 square foot state of the art building. The first floor includes a gift shop/bookstore, standing theater, lobby and welcome area, permanent and temporary exhibit areas, janitorial space, restrooms, and general program storage. There is a visitor elevator and a freight elevator connecting the first floor with the second floor. The second floor includes a catering kitchen, offices, restrooms, audiovisual closet, and an event space with moveable walls (250-person capacity). The second story features an overlook/terrace. A 1,750 square foot lower terrace off the back of the building overlooks the Event Lawn and can serve as a stage with storage and a loading dock underneath.

An Entry Plaza in front of the Visitor Center serves as a gathering area and drop off location for the building. There is room for buses to load and unload at the Entry Plaza, which features decorative paving to represent and interpret the Mitchelville-era Historic Map.

Adjacent to the Visitor Center there is a pervious paved accessible and staff lot with approximately 13 parking spaces. The area also includes a service entrance for the Visitor Center for caterers, vendors, deliveries, and trash collection.

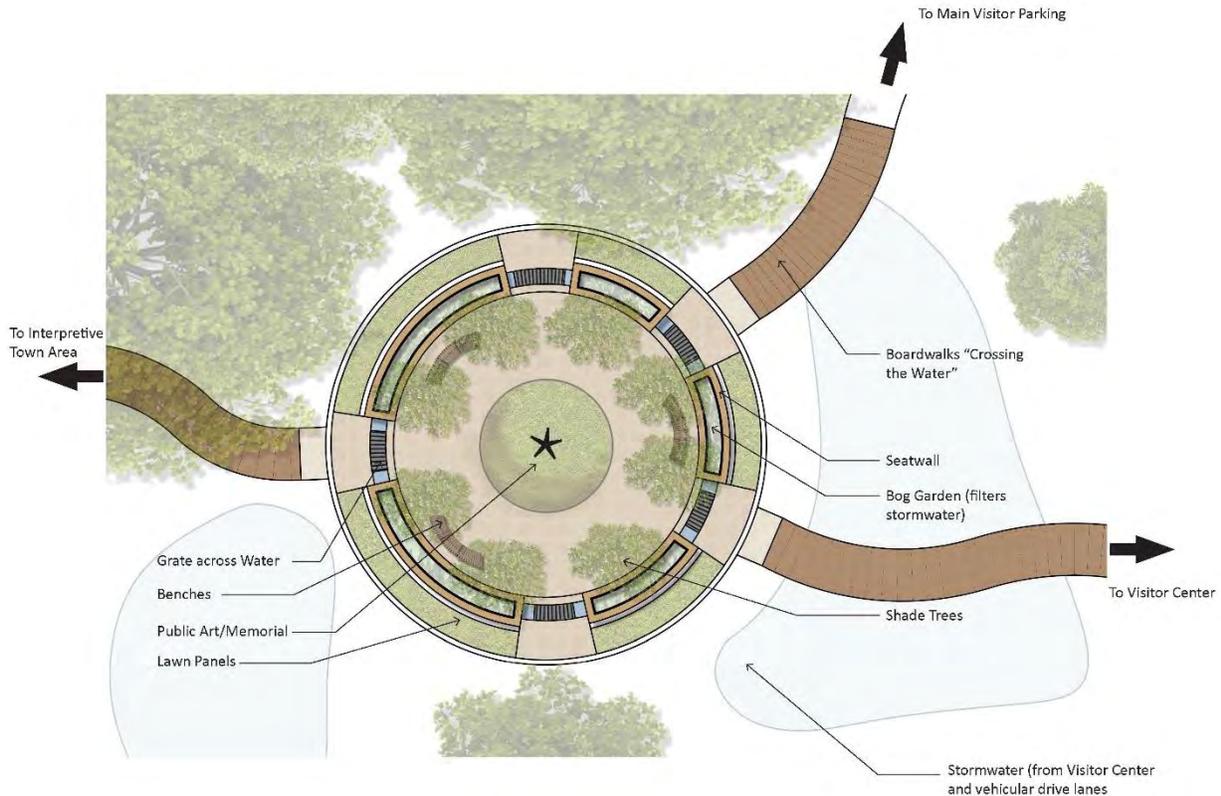
Plan View of the Event Lawn and Group Shelter



The Event Lawn is an open grassy area that serves as a gathering and interpretive space for the site. The lawn sits below the Visitor Center Terrace. The Event Lawn includes interpretive footprints delineating Mitchelville-era houses and quarter-acre lots. These footprints are flush with grade and can be constructed of tabby concrete or decorative pavers. The house footprints delineate the approximate size of a residential building in historic Mitchelville. The quarter-acre lots represent the approximate size of a property owned by residents of Mitchelville.

A Group Shelter is located in the Event Lawn and is a 1,275 square foot open air structure can be used for special events, educational programming, and visitor picnics. The Group Shelter includes restrooms. This space can be used as VIP seating for events featuring performances on the Visitor Center Terrace.

Plan View of Freedom Plaza



Freedom Plaza is a central gathering space within historic Mitchelville Freedom Park. The 5,200 square foot plaza includes paving, plantings, seating opportunities and lawn areas. Storm water from the site is filtered through bog gardens, which ring the plaza. Footbridges cross over the filtration bogs, and visitors “cross the water” to enter the space. The space includes benches and seat walls for seated contemplation as well as a central lawn area that will house the site’s most prominent memorial or piece of public art. Located centrally, visitors enter the plaza from the main visitor parking lot or the Visitor Center. Visitors follow a boardwalk carrying them over an ephemeral pond that stores storm water runoff from impervious surfaces and roofs at the site. This “crossing the water” zone could be an area for interpretation of the journey of freedmen and women during the Civil War from the mainland to Hilton Head Island. In the plaza, water is filtered through an “eco revelatory” design which uses native plants to filter and improve water quality in raised bog gardens. The plaza is large enough to stage small gatherings, but intimate enough to provide space for reflection and rest. Visitors exit the plaza to the east and make their way to the interpretive town area.

Plan View of the Classroom/Lab and Maintenance Area



Phase One includes construction of a 4,000 square foot Classroom/Lab Building with an artifact processing area (wet room), climate-controlled artifact storage, a curatorial area, at least two classrooms, offices, and restrooms.

A Maintenance Operations Building is also located in this area. The building will support equipment for maintenance and personnel. It will have service bays, workstations, and storage. The area is supported by a small seven-space parking lot.

Plan View of the Main Parking Area



Vehicular Access to the site is via two drive aprons located on the edge of the property for access from Beach City Road. These entrances will be two-way and will have automatic gates. The southern entrance will be limited to employee/permit access. The northern entrance will include a Welcome/Pay Station. Visitors will pay an entrance fee to activate the gate. The Welcome/Pay Station is 275 square foot building that is climate-controlled and appropriate for housing staff or security for events. For special events and free days, the gates may remain open.

The primary parking lot for the facility includes seventy-two total parking spaces with two-way vehicular circulation. Fifty-four spaces will be constructed with pervious pavers or gravel with wheel stops to promote on-site treatment and retention of storm water. Eighteen grass pave spaces will serve as overflow for large events. All spaces will include concrete curb stops and access to pedestrian circulation for the site. Site plans include an additional nine on street pervious parking spaces located on the south side of Beach City Road. These spaces can serve as both overflow parking and parking for buses.

Plan View of the Interpretive Boardwalk, General Store, and Woodland Knoll Shelter



Pedestrian circulation at the site uses existing trail clearing where possible to minimize impact to natural resources. A twelve-foot-wide path serves as an Interpretive Trail that partially follows a historic road alignment and skirts the marsh line to connect visitors to various interpretation points throughout the park. There will be interpretive panels along the trail describing the natural and historical features of the park. The Interpretive Trail also leads to the General Store. The General Store is an interpretive site, potentially informed by future archeological work, which is a representation of one of the Mitchelville-era stores with standalone interior interpretation. Phase One interpretation may include a ghosted structure with full build out during Phase Two.

The Interpretive Trail will be paved with stabilized aggregate screenings, which provides an accessible “natural” walking surface. The path leads to an Interpretive Boardwalk, which allows visitors to walk out across the marsh area. Interpretation along the boardwalk will include information about the flora and fauna of the marsh, cultural influences of life on the marsh, and Gullah Geechee waterways traditions. The Interpretive Trail leads to Woodland Knoll Shelter located at a high point on the site. This small group shelter will include picnic tables and can accommodate outdoor classroom uses, small group gatherings, and environmental education efforts. No restrooms or kitchen facilities will be provided at this location. The Interpretive Trail leads to a path to the beach. This accessible natural surface paths connects visitors to one of the premier views at the site with sweeping views of Port Royal Sound.

Site Interpretive Elements

Visitor Center Interpretation

The Visitor Center will include multiple galleries with different modalities of interpretation to appeal to various ages and types of visitors. The following summarizes the main galleries and displays.

- ***Theater: Battle of Port Royal***
A dynamic five-minute media presentation using lights, video, and special effects to tell the story of the Battle of Port Royal: the event that forever changed the lives of African Americans in the region.
- ***Transition Space: Maze of Questions***
This space includes multi-sided forms that are emblazoned with questions confronted by the formerly enslaved in the aftermath of the Battle of Port Royal.
- ***Celebration + Uncertainty***
This gallery includes a series of exhibits using graphics, images, and objects placing Mitchelville within the greater regional and national context of the chaotic years between 1861 and 1870—a time when the status of African Americans was in constant flux.
- ***Gullah Culture***
This area includes a spiral-shaped, basket-like structure, which puts Gullah culture at the center of the gallery space. Imagery and text celebrate the Gullah people: their history, their unique traditions and language, and their continued presence in Hilton Head and the Sea Islands. A timeline of Mitchelville history is mounted to the exterior of the exhibit structure. This area celebrates the passing-down of traditions, food ways, and language through today.
- ***Mitchelville's Relevance***
This gallery has a series of kiosks that use imagery, object display, media, and text to connect the daily activities of Mitchelville with larger themes that remain relevant to African American communities today: political participation, education, religion, family, economic opportunity, and home or land ownership.
- ***What Does It Mean to Be A Citizen?***
This area includes multi-sided kiosks that invite visitors to weigh in on some of themes explored in the rest of the museum. The exhibit employs low-tech (response cards) and media techniques (“record your story” video stations) to ask such questions as: What are the advantages and responsibilities of citizenship? Who has access to their full rights as a citizen?

Virtual Mitchelville – Roof Overlook

The second story terrace will include three augmented reality (AR) stations to give visitors as sense of the activity level and density of Historic Mitchelville.

Exterior Interpretive Elements

Interpretation at the site will include eight to ten reconstructed houses that represent the orientation and clustering of homes at Mitchelville during the historic period. Phase One of the project will include “ghosted” structures, which are framed out houses without walls that represent the house form in three dimensions. Interpretation during this phase may include facade panels. This interpretive element uses windows and doors, which serve as a metaphor for freedom and opportunity. The front side of the structures would provide interpretation of historic Mitchelville. Visitors pass through the door to discover alternate graphics on the back side of these panels, which would include alternate graphics with a contemporary feel that address current relevant issues. Phase Two of the project will include full reconstructed houses. Some of these will be open for interpretation with standalone interior exhibits. One house will include interpretation of the rear yard. This area will be a space for interpreting outdoor household practices in Mitchelville. The area may include a small interpretive garden with period-appropriate plants. The area between the houses (“the road”) will be paved with stabilized aggregate screenings, which provides an accessible “natural” walking surface.

Plan View of the Interpretive Houses and Garden



Rendering of a Ghosted House Facade Interpretation



Rendering of the Archaic/Church Interpretive Area



Designed to be a contemplative space on the site of the former church, this area combines a ghosted facade interpretive element and a core sample (representing archeology at the site) in a circular plaza.

Graphics on the front of the façade interpret the former location of the church and the role of spirituality in the community. Passing through, visitors encounter a core sample and a semicircular seat wall. The footprint of the Mitchelville-era church intersects with the circular plaza. Impressions of artifacts found on the site are revealed in the sides of the seat wall and/or in the plaza paving. The core sample conveys the history of human habitation on this site and back of the facade will provide interpretation of the findings and the potential spiritual connection across the millennia. The approach to this plaza is a wide pathway interpreting the alignment of a road from the Mitchelville-era Historic Map.

Exterior exhibits will be located along the Interpretive Trail. These exhibits include six augmented reality stops and various exhibit panels. The augmented reality tour “Virtual Mitchelville” includes framed windows with silhouetted images that signal stops. Visitors that download the app can watch an animation depicting daily life at Mitchelville or survey the town as it once may have appeared. There will be five three-dimensional core samples highlighting the layers of human occupation at the site that have been revealed through archeology. Exterior exhibits along the trail include Bateau Panels, which will be used to interpret daily life of the residents at Mitchelville. From fishing and farming, to basket weaving and netmaking, to storytelling and dance—these panels will bring to life the Native Islander Culture. Additional wayfinding signage, welcome signs, and interpretive waysides may be located throughout the park.

Example of a Stop on the Augmented Reality Tour



Rendering of a Bateau Panel



Rendering of a Core Sample



➤ *Capital requirements for phased development have been identified.*

HMFP Master and Interpretive Plan Capital Requirements

Creating a commemorative Park on a site where no visible elements of the town remain is a challenging and rewarding undertaking, but also unavoidably a capital-intensive endeavor. Execution of the entire Master Plan and Interpretive Plan summarized above is estimated at **\$22.8 million**, of which 60% is for Master Plan implementation and contingency, 29% for interpretive design and elements, and 11% in assorted fees and archaeology costs.

HMFP’s design consultants are recommending a two-phased approach for implementation. Under this approach, Phase 1, at a cost of **\$5.8 million**, essentially would: lay the infrastructure for the Park; provide the outdoor interpretation areas; ghost interpretive houses; build the classroom/office and maintenance buildings; and put in place the complementary interpretive elements. Phase 2, **\$17 million**, would: complete the site preparation; finish the landscaping, and hardscaping; complete the interpretive houses, the Park’s shelters and main plaza; build the anchor facility, the Visitor Center; and implement the remaining interpretive elements.

Master Plan and Interpretive Plan Implementation	Phase 1	Phase 2	Total	Total%
Interpretive Plan				
Design Fees	\$140,500	\$691,000	\$831,500	3.64%
Interpretive Elements	\$1,090,000	\$3,446,000	\$4,536,000	19.86%
Contingency @ 25%	\$307,625	\$1,034,250	\$1,341,875	5.88%
Subtotal Interpretive Plan	\$1,538,125	\$5,171,250	\$6,709,375	
Site Plan				
Buildings and Site Elements	\$2,876,485	\$8,125,220	\$11,001,705	48.17%
Contingency @ 25%	\$719,121	\$2,031,305	\$2,750,426	12.04%
Subtotal Site Plan	\$3,595,606	\$10,156,525	\$13,752,131	
Grand Subtotal	\$5,133,731	\$15,327,775	\$20,461,506	
Permitting Fees @ 5%	\$179,780	\$507,826	\$687,607	3.01%
Landscape Arch., Eng., Arch. Fees @ 12%	\$431,473	\$1,218,783	\$1,650,256	7.23%
Archaeology	\$15,000	\$25,000	\$40,000	0.18%
Grand Total	\$5,759,984	\$17,079,384	\$22,839,369	100.00%
% Total	25.22%	74.78%	100.00%	

The detail behind this project cost summary is provided in Exhibit 1 to this document.

We aim to raise and deploy the \$22.8 million to complete the Park in two years. HMFP’s Board and executive leadership are confident Mitchelville will be considered a strong candidate for capital support of this magnitude. We also understand that the capital support necessary to implement these plans for HMFP would need to be incremental to the support the organization already receives.

However, we are now in position to make a strong case for such consideration. In this business case, we explain Historic Mitchelville Freedom Park will become a unique and substantial visitor attraction, having the power to bring high-value culture and heritage tourists to the Island, to stimulate the economy of the north end, and to generate national recognition for Native Islanders and the Gullah Geechee culture. Mitchelville will complement, rather than compete directly with, other existing history, art and culture

attractions, fill a void in the telling of local, regional, and national history, and make the telling of that story relevant to the present.

HFMP's Board and executive leadership are eager to engage the Town, County, public and private supporters and donors in the quest to secure the necessary incremental capital required to make a reality of the vision and potential of Historic Mitchelville Freedom Park.

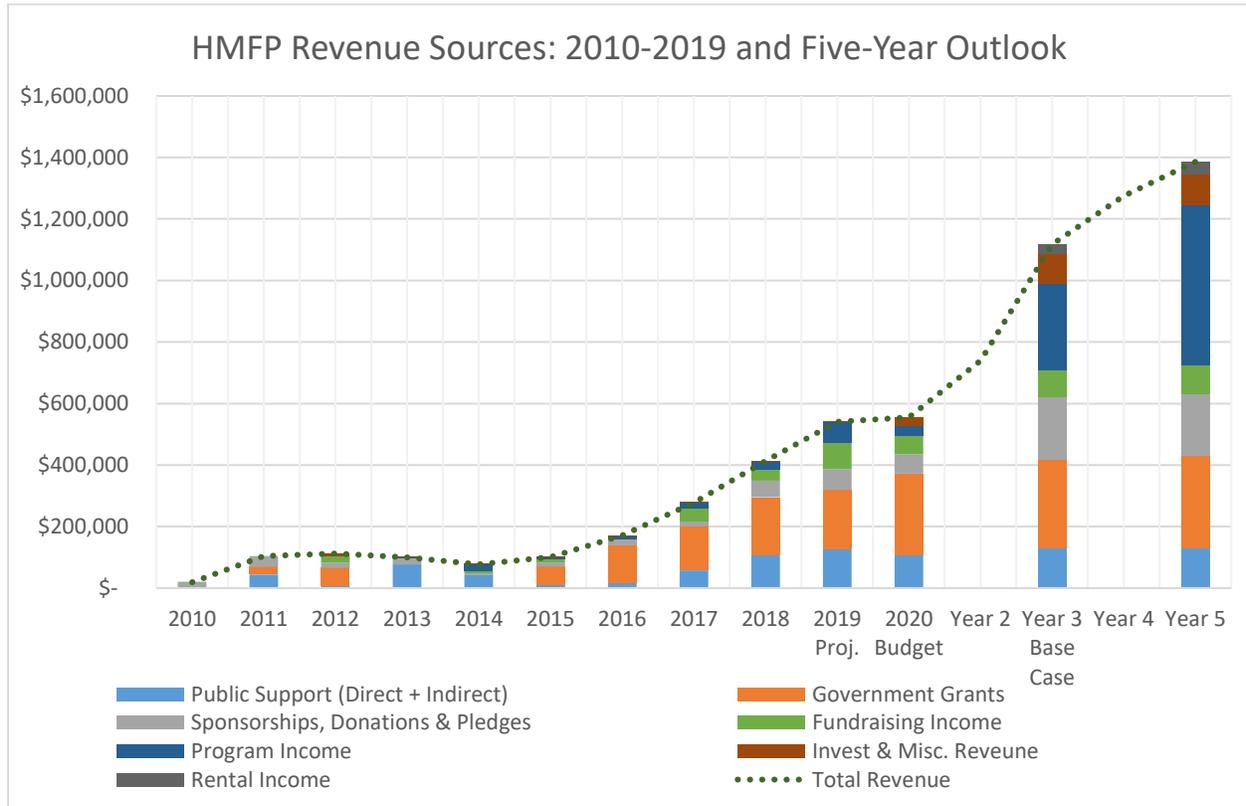
Base Business Case Overview

[Note: This is a preliminary assessment of a base case operating profile of HMFP post build-out. While it is indicative of future performance parameters, the Board and executive leadership intend to further refine the profile in early 2020.]

Base Case Revenue Projections

Current sources of revenue include public support, government grants, sponsorships, donations and pledges, fundraising income and program income.

Revenue Sources



However, with the full site build out, HMFP will generate additional revenue from visitor admissions, special event rentals, program fees, traveling exhibits, and gift shop sales.

This additional program income and new rental income source, coupled with higher local and national Mitchelville “brand” awareness leading to more effective fundraising events, accounts for much of the forecasted increase in HMFP revenue. The chart above shows a Year-3 (or 2022) base case revenue projection of \$1,118,000, with growth to \$1,386,000 in two years (2024.)

- In the past, especially the last five years, HMFP revenue growth has occurred largely from increasing levels of government and public support.

	2019 Proj.	2020 Budget	Year 3 Base Case	Year 5
Public Support (Direct + Indirect)	\$ 127,000	\$ 107,000	\$ 130,000	\$ 130,000
Government Grants	\$ 192,500	\$ 265,000	\$ 290,000	\$ 300,000
Sponsorships, Donations & Pledges	\$ 67,000	\$ 63,000	\$ 200,000	\$ 200,000
TOTAL Contributions, Gifts, Grants	\$ 386,500	\$ 435,000	\$ 620,000	\$ 630,000
% Total Revenue	71.5%	78.3%	55.5%	45.5%
Fundraising Income	\$ 86,717	\$ 60,000	\$ 90,000	\$ 95,000
Program Income	\$ 66,400	\$ 32,400	\$ 278,000	\$ 521,000
Invest & Misc. Revenue*	\$ 1,051	\$ 28,100	\$ 100,000	\$ 100,000
Rental Income			\$ 30,000	\$ 40,000
TOTAL Fundraising, Program, Inv & Misc.	\$ 154,168	\$ 120,500	\$ 498,000	\$ 756,000
% Total Revenue	28.5%	21.7%	44.5%	54.5%
Total Revenue	\$ 540,668	\$ 555,500	\$ 1,118,000	\$ 1,386,000

* Includes \$100,000 maintenance agreement.

- However, the completion of the Park significantly enhances HMFP's ability to generate revenue on its own.
 - While currently able to generate less than 30% of its revenue from operations, that will increase to the 45-55% range after build out allows for full operational status.
 - The enhancement in revenue generating potential will allow for relatively stable levels of support in the form of contributions, gifts, and grants. This, in turn will make HMFP less dependent, in percentage terms, on these sources.

As indicated above, HMFP will have an enhanced variety of program revenue generators after Park completion. They include: admissions, memberships, enhanced fundraising events, venue rentals, gift shop sales, traveling exhibits, additional programs including education, and opportunities for collaboration. These opportunities are more described in detail in Exhibit 2.

Base Case Operating Expenses

Below is a schedule of expenses in support of base case revenue projections.

Expenses		
Compensation/Benefits	\$465,000	39.4%
Dues and Subscriptions	\$4,500	0.4%
Travel and Training	\$25,000	2.1%
Accounting	\$15,000	1.3%
Operations	\$200,000	16.9%
Program Costs	\$200,000	16.9%
Advertising/Marketing	\$40,000	3.7%
Insurance	\$25,000	2.1%
Board Costs	\$1,500	0.1%
Archeology Program	\$27,000	2.3%
Legal Council	\$10,000	0.8%
Other Outside Services	\$50,000	4.2%
Exhibit Maintenance	\$15,000	1.3%
Depreciation	\$40,000	3.4%
Total Annual Expenses	\$1,118,000	100.0%

The base case assumes an expansion in the organization, from the current level of two paid employees, to a staff of ten in Year 3. As a result, compensation and benefits, the largest cost category at \$465,000, requires further explication. Accordingly, the following describes how HMFP will be organized and operated.

ORGANIZATIONAL MANAGEMENT

Current employees include the Executive Director and one Staff. While currently the bulk of the staff is primarily comprised of volunteers, new facilities and programming will require some permanent paid employees. Once the Visitor Center has been completed and begins earning revenue, the permanent paid personnel roster will be increased.

Future management staff will include:

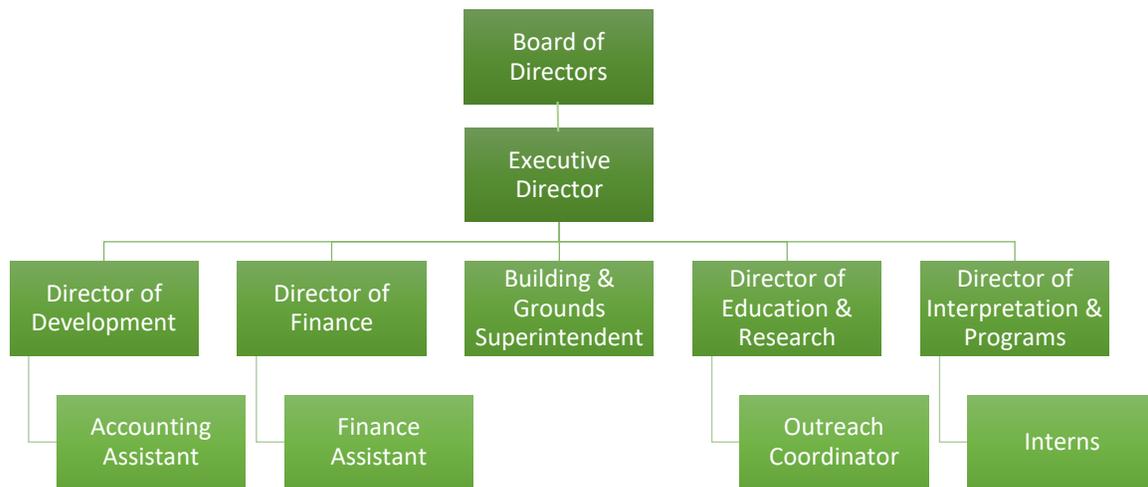
- **Director of Finance:** This staff member will oversee financial management and human resources, technology, and administration for HMFP. This staff member will work closely with the Executive Director and Board of Director in all day-to-day accounting operations including oversight of accounts payable and receivable, and maintenance of the general ledger. This staff member will oversee the Accounting Assistant.
- **Director of Development:** This staff position will oversee planning, organizing, and directing all of HMFP's fundraising including the major gifts program, annual fund, planned giving, special events and capital campaigns. This staff member will work closely with the Executive Director and Board

of Director in all development and fundraising endeavors. This staff member will oversee the Development Assistant.

- **Building and Grounds Superintendent:** This staff member will oversee maintenance and management of the park facilities including buildings, grounds, parking facilities, and trails.
- **Director of Education and Research:** This staff member will oversee designing and implementing educational programs directed at the public. This staff member will coordinate classes, lectures, conferences, and educational materials for HMFP. This staff member will oversee the Outreach Coordinator.
- **Director of Interpretation and Programs:** This staff member will oversee presenting the unique and exciting story of HMFP via exhibitions, public programs, and other media. This staff member will be responsible for coordinating strategy and the implementation of all programming relevant to the visitor experience and audience development. This staff member will oversee the Interns.
- **Accounting Assistant:** This staff member will perform clerical tasks, including processing and recording transactions, preparing reports and budgets, fact checking, filing, and other duties, as needed.
- **Development Assistant:** This staff member oversees advising on operating procedures, planning fund-raising programs, engaging with support agencies, promoting special events, creating development calendars, maintaining donor databases, and preparing prospect materials.
- **Outreach Coordinator:** This staff will oversee the planning and implementation of outreach strategies. This staff member will be primarily responsible for connecting people in the broader community with HMFP through educational and development efforts.
- **Interns:** Interns will work with HMFP on ongoing exhibit development projects and may be involved in one or more activities including but not limited to: content research, preparation of documentation for outgoing loans and the permanent collection, digitizing collection records, and research projects pertaining to donors.

Anticipated Compensation Chart (includes benefits)	
Executive Director	\$100,000
Director of Finance	\$58,000
Director of Development	\$58,000
Building and Grounds Superintendent	\$49,000
Director of Education & Research	\$58,000
Director of Interpretation & Programs	\$58,000
Accounting Assistant	\$28,000
Finance Assistant	\$28,000
Outreach Coordinator	\$28,000
Additional Staff (Admin Assistant)	\$28,000
Total Payroll	\$465,000

Future Organizational Flow Chart



Volunteers

Volunteers at HMFP will participate in meaningful, hands-on work.

- **Docents:** support HMFP’s collections, research, and exhibits by staffing interactive stations, assisting visitors in exhibition spaces, giving highlight tours, and facilitating hands-on activities.
- **Museum Ambassadors:** help people get the most out of their visits by welcoming groups, circulating throughout HMFP’s public zones to answer questions, and directing visitors to programs and exhibitions of interest.
- **Collections Volunteers:** involved in both short term and ongoing administrative projects managing the HMFP collections and archives
- **Development and Membership Volunteers:** perform administrative tasks as well as provide assistance during special events and fundraising. May assist with mailings, preparing “swag bags” and party favors, and setup for special events.
- **Private Event Volunteers:** provide general assistance during weddings, corporate and community parties, etc.

MARKETING AND SALES

The importance of a sound marketing and sales strategy is far greater than the cost it represents. Accordingly, while not insignificant an expense at \$40,000 in the base case, it is important to explain how those funds will be leveraged to drive awareness and participation.

Marketing Channels

According to a 2019 Hilton Head Island Marketing plan, as “travelers increase their domestic vacations, attractions are becoming more relevant in influencing vacation decisions. More than half of all vacations (53%) included at least one visit to an attraction last year. And of those 41.5 million households surveyed, 68% say that they chose those attractions before their vacations began. This means that travelers are building attractions into their travel planning instead of making the decision to visit the attraction while in the destination . . . research indicates that the top-ranking attractions are more educational and culturally based.”⁸

HMFP promotes itself through various forms of marketing.

- The **Exploremitchelville.org website** connects Mitchelville to potential “citizens” all over the world. According to analytics regarding 2018 vs. 2019, the website has seen a 57.9% increase in average page views per month. The website averages 27,116 page views a month and in 2019, 85% of visitors to the site were new visitors. HMFP also runs ticketing for special events such as Juneteenth and the Anniversary Forum through the site. The website is currently being updated and will have a new look starting in 2020.
- HMFP sends out a **monthly e-newsletter** that reaches about 3,000 people in and outside of the Southeast region. Once someone becomes a “citizen” (member) they are automatically added to the digital mailing list. The newsletter allows HMFP to promote programs, discuss project accomplishments, advertise events and highlight collaborations with sister institutions. The organization also maintains an effective social media presence through Facebook (<https://www.facebook.com/exploremitchelville>) and Twitter (<https://twitter.com/mitchelville>). The social media impressions and reach continue to grow year by year as the organizational profile increases.
- **Paid advertisement** also is a viable form of marketing outreach for HMFP. For two years, the organization has secured a full-page ad in the USA Today Black History Month 2019 periodical that reaches 5 million people each year. In addition, HMFP utilizes media buys (print, radio, TV and social media) that help to attract returning visitors and drive the interest of new visitors to the Park, and for specialized programming. Media buys are generally secured in South Carolina: Hilton Head, Beaufort, Columbia, Greenville, Charleston; Georgia: Savannah, Augusta and Atlanta; North Carolina: Charlotte and Raleigh; and Florida: Jacksonville. The tourism impact is measured through electronic and written surveys, Geofencing, online ticket sales and online analytics – website and social media.

⁸ Hilton Head Island marketing Council, 10.

Marketing Strategy

The Southeast region has a large amount of cultural institutions that are attracting cultural heritage travelers. HMFP benefits from the niche of being the “first self-governed freedman town in the United States.” This will allow us to tap into the same marketing lanes as institutions such as NMAAHC and the Center for Civil and Human Rights.

- In the start-up phase, HMFP has already begun to focus efforts in social media and its website to expand its reach. HMFP contracts with Foresight Communications to implement our marketing strategies. The Mitchelville Facebook and Twitter pages are already effective tools for event promotions, outreach to constituents and basic information. For example, Facebook strategies for the organization’s Juneteenth Celebration makes imprints in South Carolina, North Carolina, Georgia, Florida, Alabama and Mississippi.
- HMFP is connected to industry organizations such as the Association of African American Museums (AAAM) and Southeastern Museums Conference (SEMC) to promote events and programming. Mitchelville has secured ad space in national periodicals such as USA Today’s Black History Month issue and online vehicles such as Rolling Out.
- With completion of the Master Plan and Interpretive Plan, HMFP intends to increase the scope of all these connections, including the employ of national marketing experts to effectively connect with audiences throughout the country.

HMFP Short Term Marketing Initiatives

In the near term, in order to aid and complement capital development initiatives, marketing will aim to:

- Establish a six-month promotional campaign that brings awareness to the construction of HMFP and the importance of the park’s development. The campaign should be advertorial style content and included in a national advertisement including print, online and syndicated TV/Radio segments.
- Have an interactive booth at industry conferences that takes participants through a virtual experience of HMFP. This can be done through virtual reality technology headsets or an animated video.
- Maintain the existing relationships with program partners that have tourism, history and/or culture connections, such as the Smithsonian and National Parks Services.
- Maintain the existing program that exposes visitors and tourists to the history of HMFP and establishes HMFP marketing ambassadors.

The targeted tactical approach will utilize:

- Online (organic, paid social media content and videos)
- Print (news outlets, leisure magazines)
- TV (news features, black history moments)
- Radio (feature interviews)
- Special Events and Programs (Freedom Day, Blues and BBQ, Juneteenth, Big Tree Lighting)

HMFP Long Term Marketing Initiatives

The long-term goal will be to continue to build the momentum gained from the short-term strategy. Hosting industry events that bring groups of 100 or more to HMFP will promote the HMFP brand with educators and tourists.

The supporting targeted tactical approach will

- Online (organic, paid social media content and videos)
- Print (news outlets, leisure magazines)
- TV (news features, black history moments)
- Radio (feature interviews)
- Special Events and Programs (Freedom Day, Blues and BBQ, Juneteenth, Big Tree Lighting, Citizens Town Hall, Film Festivals)

Marketing Metrics

HMFP measures the effectiveness of marketing and programming by tracking the number of visitors, tourism trends and responses to each of the hosted exhibits, programs and events. Data is collected through online ticket sales, visitor surveys and on-site surveys at signature events.

HMFP also employs program / event specific evaluations, using both quantitative and qualitative data to measure the effectiveness of programmatic offerings.

- Regarding programs like the Roots of Reconstruction tour, we coordinate evaluation information with the Coastal Discovery Museum and the Hilton Head Land Trust.
- For Griot's Corner, the teachers are engaged before they leave the Park, to secure feedback about the story, activities and connection to literacy/reading standards.
- 2019's Juneteenth celebration survey was implemented by the Lowcountry and Resort Islands Tourism Institute at USCB. They gathered information on demographics, visitor information / motivations, and festival characteristics that connected with visitors. These methods will be expanded to include every function of the completed Park and all educational and programmatic offerings.

Long Range Plan

Realization, Validation, and Sustainability

The 2020 Long Range Plan (LRP) for HMFP under development by the Board and executive leadership is aimed at achieving three phased priorities:

➤ *Priority 1: Realization--Making HMFP a Reality*

In the next two years (Years 1 and 2 of 2020 LRP) HMFP leadership will engage in a vigorous national development campaign aimed at raising a significant amount of the \$19+ million that will be required to complete the design, phased construction and implementation of the Master Plan and Interpretive Plan. (The steps involved in pursuing such a campaign are outlined in Appendix, Exhibit 2.) Additionally, HMFP anticipates that the Town and County will undertake measures to provide a substantial portion of the capital required for the Park's completion, in addition to the financial support for annual operations the Town and County already provide through A-Tax allocations.

Additionally, HMFP will expand its organization, as per the plan detailed above, to provide the incremental operational expertise and capacity required to operate and service the Park. The organization will not be expanded, however, until the need for additional skills and manpower is justified by the extent of Park's completion and operation.

➤ *Priority 2: Validation--Ensuring **Viability of HMFP's Operating Model***

Upon the phased completion of the Park's facilities, executive leadership will begin implementing, testing, and refining HMFP's programs and activities in order to meet operational expectations (Years 2-4 of LRP). Validating and, as necessary, refining the HMFP base case operating model, described above, will substantiate HMFP's long-term viability. The opportunity to fine tune HMFP's offering will be enhanced by a broad array of opportunities for providing services and generating program revenues. By mid-Year 3, we expect that HFMP will exhibit Base Case attendance, revenue and operating expense projections and assumptions. By the end of Year 5, we anticipate that HMFP will have built a brand reputation as a destination venue known for its historical uniqueness and current relevance, drawing cultural tourists from afar, a must-see for all Island visitors, and an inviting place of pride for Native Islanders and HHI residents.

➤ *Priority 3: Sustainability--**Maximizing HMFP's Long-Term Outlook***

The ultimate concern of the Board and leadership is charting a path to sustainability for HMFP. Approaching this priority, the Board understands that few, if any, non-profit arts and culture institutions ever become self-sufficient, sustaining themselves through funds generated from their own operations, such as: admission fees, memberships, facilities rentals, programs, events, gift shop sales.

- Local statistics (\$15.8 million spent by arts and culture organizations locally, vs. \$4.75 million in arts, culture and park tourist dollars spent) suggest that in aggregate, local

institutions and organizations cover less than a third of their own costs with revenue they generate from serving tourists. The remaining two-thirds is generated through the development activities (fundraising events income) of the organizations and through government grants, public support, sponsorships, donations and pledges.

- HFMP Base Case preliminary revenue projections call for HMFP to generate about 45% of its revenue from base case operations (\$498 thousand of \$1.118 million) including: memberships, admissions, fundraising events, programs, gift shop sales, facilities rentals, and maintenance agreements. (The portion of revenues from operations increases to almost 55% in Year 5, 48% excluding fundraising income, representing funds from programs and services alone.)

Therefore, after the Park becomes a reality and the operating model has been substantiated, HMFP will have a significantly better than average ability to contribute to its on-going financial needs. However, notwithstanding this advantage, HMFP realizes how important it is to continue to demonstrate its worth and contribution to the local area, in order to justify the continuing support, it is likely to need in the form of public, private, and government funding.

Still, the Board and executive leadership has the long-term goal of reducing HMFPs dependence on outside support and is willing to explore both traditional and non-traditional means to chart a path towards financial independence over time. It is likely that the sustainability strategy decided upon will involve the pursuit of a combination of options, rather than rely on one option exclusively. As explained below, some are traditional options; while others derive from Mitchelville's uniqueness.

Among the traditional options the Board will pursue are:

- **Operating Reserves:** Accumulating operating reserves equivalent to six months of operating expenses, is a prudent approach for cushioning the operational impact of any unanticipated fluctuations in revenue generation and funding.
- **Endowment:** It is not uncommon for culture institutions like HMFP to be initially funded by grant or endowment. In HMFP's case, however, the first fund-raising priority must be to focus on making the physical improvements in the Park a reality. Nonetheless, the Board will respond to and pursue any significant source of endowment funds at any time from individuals, government entities and organizations that align with and support HMFP's mission, vision, and values.
 - For perspective, an endowment of \$3-5 million would generate \$90-150 thousand annually in interest (8% - 13% of base case operating expenses of \$1.1 million.) If left untouched for 20 years @3% annual percentage rate, a \$3-5 million endowment would grow to \$5.4-\$9 million, 5 to 9 times base case operating expenses, and generate \$162-\$270 thousand annually in interest.

- **Long-Term Sponsorships:** HMFP is exploring and developing alliances and relationships with arts and culture institutions and umbrella organizations. For example, we envision HMFP becoming a member of Smithsonian Affiliate, an association that would guarantee national exposure and broaden the support base for HMFP. Additionally, the HMFP Board will entertain proposals for naming and dedication rights for Park facilities, in exchange for appropriate levels of investment and/or continuing support.

For most cultural attractions, traditional operating economics dictate a tradeoff between “reach” and “richness”—of necessity they focus on a specific niche (limiting their “reach”) in order to deliver a “rich” experience to that certain audience (usually on-site); in turn, they are limited to delivering only a narrower experience (less richness) when attempting to serve a broader audience.

Technological advances and relationship marketing techniques are rapidly opening new, non-traditional avenues for engaging and providing rich experiences to large audiences remotely at little marginal cost. Of course, there must be an underlying message that has basic appeal to a large audience, for a technology-aided approach for revenue generation to work.

The HMFP Board believes that the unique nature of Historic Mitchelville as an “experiment in citizenship” offers just such an appealing message and platform for broadening HMFP’s audience (reach) and enriching the experience of its visitors and supporters (richness). When coupled with the use of modern information technology and current social media and relationship marketing techniques, HMFP has a unique opportunity to create value in a Mitchelville “citizenship” brand. A population of Mitchelville “citizens” could become a very valuable asset, creating opportunities to develop additional revenue streams while also helping to prepare citizens for 21st century America.

An illustration of a **possible non-traditional program** (in the conceptual stage, only) would be to create a virtual town of virtual citizens that become better informed members of their own communities by learning and practicing citizenship rights and responsibilities through HMFP remote programs and services. In effect HMFP would be a modern citizenship school, by providing both an incentive and an environment for learning and practicing citizenship. Such a program would be entirely incremental to traditional programs. It also would have the potential for generating small dollar amounts from many participants, aggregating to significant revenue with low marginal cost—the perfect complement to development efforts targeting small pools of large donors. (This concept is further developed in Exhibit 4.)

Epilogue: What is Historic Mitchelville Freedom Park?

In summary, with successful implementation of HMFP's strategy, business plan, master and interpretive plans, and long-range planning effort, Historic Mitchelville Freedom Park will be:

- A destination venue nationally known for its historical uniqueness, positive message, spiritual feeling, events and happenings, and natural beauty; drawing culture and heritage tourists from afar; a must-see for all Island visitors; and an inviting place of pride for Native Islanders and HHI residents.
- A unique resource in the heart of the Gullah Geechee Corridor, helping to preserve and share this important cultural tradition.
- An active advocate for better education in history, archaeology, and civics.
- A catalytic forum for relevant discussion, in both historical and current terms, of the meaning of citizenship in a free society.
- A source of pride and support for Native Islander families and descendants.
- And perhaps also, a vibrant extended community of "virtual citizens of Mitchelville who are actively engaged in citizenship activities and providing financial support.
- "An imaginative and exciting place that celebrates the American spirit through the telling of the story of the first freedman's town in America; and that informs and strengthens the fabric of our shared American heritage."

Exhibits
[Pages 51-63]

- 1. *Estimated Costs for Master Plan and Interpretive Plan*
- 2. *HMFP Operational Revenue Sources*
- 3. *Capital Campaign Plan Outline*
- 4. *Illustration of Non-Traditional “Citizenship” Program*

Exhibit 1

Interpretive Costs

Preliminary Cost Estimate - Concept Level -12.06.19				
Historic Mitchelville Freedom Park				
Hilton Head, SC				
<i>Item</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Quantity</i>	<i>Total Cost</i>
				Totals Phase 1
Interpretive Elements Phase 1				\$1,090,000.00
Ghosted Facade Panels	EA	\$25,000.00	6	\$150,000.00
WiFi	AL	\$350,000.00	1	\$350,000.00
Augmented Reality Program	AL	\$100,000.00	1	\$100,000.00
Augmented Reality Windows/Stations	EA	\$5,000.00	6	\$30,000.00
Interpretive Panels (Bateau Panels)	EA	\$10,000.00	6	\$60,000.00
Freestanding Temporary Pavilion Panels	AL	\$250,000.00	1	\$250,000.00
Archeology "Core" Samples	EA	\$50,000.00	3	\$150,000.00
Interpretive Elements Phase 1 - Design Fees				\$140,500.00
Ghosted Facade Panels Design	LS	\$30,000.00	1	\$30,000.00
Augmented Reality Windows/Stations Design	LS	\$6,000.00	1	\$6,000.00
Interpretive Panels (Bateau Panels) Design	LS	\$12,000.00	1	\$12,000.00
Freestanding Temporary Pavilion Panels Design	LS	\$62,500.00	1	\$62,500.00
Archeology "Core" Samples Design	LS	\$30,000.00	1	\$30,000.00
				Totals Phase 2
Interpretive Elements Phase 2				\$3,446,000.00
Boardwalk Waysides	EA	\$3,500.00	6	\$21,000.00
Visitor Center Interpretive Exhibits	SF	\$500.00	6,000	\$3,000,000.00
Interpretive Exhibits - House Interiors	SF	\$250.00	1,700	\$425,000.00
Interpretive Elements Phase 2 - Design Fees				\$691,000.00
Boardwalk Waysides	LS	\$4,200.00	1	\$6,000.00
Visitor Center Interpretive Exhibit Design	LS	\$600,000.00	1	\$600,000.00
Interpretive Exhibits - House Interiors	LS	\$85,000.00	1	\$85,000.00
				Phase 1 Subtotal
				\$1,230,500.00
				Phase 2 Subtotal
				\$4,137,000.00
				Grand Subtotal
				\$5,367,500.00
Unforeseen Contingency Conceptual Level @ 25%				\$1,341,875.00
				GRAND TOTAL
				\$6,709,375.00

Site and Building Costs

Preliminary Cost Estimate - Concept Level - 12-6-19				
Historic Mitchelville Freedom Park				
Hilton Head, SC				
<i>Item</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Quantity</i>	<i>Total Cost</i>
				Totals Phase 1
Site Preparation				\$165,025.00
Clearing and Site Prep	SF	\$0.80	105,500	\$84,400.00
Grading	AL	\$10,000.00	1	\$10,000.00
Erosion and Sediment Control	LS	\$7,500.00	1	\$7,500.00
Tree Protection	LS			
Site Security - Fencing, etc.	LS	\$63,125.00	1	\$63,125.00
Interpretive Houses				\$405,000.00
House Ghosting	SF	\$50.00	8,100	\$405,000.00
Interpretive Garden/Rear Yard				\$7,800.00
Sod	SF	\$1.00	2,800	\$2,800.00
Plants	LS	\$5,000.00	1	\$5,000.00
Church and Archaic Interpretive Area				\$26,250.00
Seatwall	LS	\$7,500.00	1	\$7,500.00
Pervious Pavers	SF	\$15.00	600	\$9,000.00
Footprint Paving	LF	\$12.00	100	\$1,200.00
Stabilized Screenings	SF	\$6.00	1,425	\$8,550.00
Military Map Road Alignment				\$9,360.00
Concrete Paving	SF	\$6.00	1,250	\$7,500.00
Flush Curb	LF	\$12.00	155	\$1,860.00
Classrooms, Lab, and Offices				\$1,080,000.00
Building	SF	\$250.00	4,000	\$1,000,000.00
FF&E	SF	\$20.00	4,000	\$80,000.00
Maintenance Building				\$300,000.00
Building	SF	\$150.00	2,000	\$300,000.00
Maintenance/ Lab Parking				\$41,750.00
Pervious Pavers	SF	\$15.00	1,330	\$19,950.00
Parking Lot Lighting	EA	\$2,800.00	2	\$5,600.00
Concrete Paving (Drive)	SF	\$6.00	2,700	\$16,200.00
Primary Parking Lot				\$365,800.00
Monument Signs	EA	\$5,500.00	2	\$11,000.00
Pervious Pavers	SF	\$15.00	8,900	\$133,500.00
Grasspave	SF	\$10.00	3,000	\$30,000.00
Concrete Paving (Drive)	SF	\$6.00	23,050	\$138,300.00
Bollard Lights	EA	\$1,500.00	15	\$22,500.00
Parking Lot Light Fixture	EA	\$2,800.00	10	\$28,000.00
Wayfinding Signage	AL	\$2,500.00	1	\$2,500.00
Interpretive Trail				\$144,000.00
Stabilized Screenings	SF	\$6.00	24,000	\$144,000.00
General Store Interpretation				\$50,000.00
Ghost Structure	SF	\$50.00	1,000	\$50,000.00
Path to the Beach				\$19,500.00
Stabilized Screenings	SF	\$6.00	2,000	\$12,000.00
ADA Access Mat	SF	\$7.50	1,000	\$7,500.00

Visitor Center Accessible Parking & Service Area					\$57,500.00
Pervious Pavers	SF	\$15.00	2,400	\$36,000.00	
Signage	LS	\$1,500.00	1	\$1,500.00	
Parking Lot Lighting	EA	\$2,800.00	2	\$5,600.00	
Concrete Drive Lane	SF	\$6.00	2,400	\$14,400.00	
Woodland Knoll Shelter					\$35,100.00
Building	SF	\$50.00	600	\$30,000.00	
Picnic Tables	EA	\$850.00	6	\$5,100.00	
Utilities					\$385,000.00
Sanitary Sewer	LS	\$145,000.00	1	\$145,000.00	
Stormwater	LS	\$60,000.00	1	\$60,000.00	
Water	LS	\$60,000.00	1	\$60,000.00	
Site Electrical (for lighting and bldgs)	LS	\$120,000.00	1	\$120,000.00	
Phase 1 Subtotal					\$2,876,485.00
Phase 2 Subtotal					\$8,125,220.00
Grand Subtotal					\$11,001,705.00
Unforeseen Contingency Conceptual Level @ 25%					\$2,750,426.25
Permitting/Fees @ 5%					\$687,606.56
Landscape Architecture, Engineering, and Architectural Fees @ 12%					\$1,650,255.75
Archaeology Phase 1					\$15,000.00
Archaeology Phase 2					\$25,000.00
GRAND TOTAL					\$16,129,993.56
* Assume Inflation Rate of 3.33% per year past 2019					
SF Square Feet					
AL Allowance					
LS Lump Sum					
EA Each					

Exhibit 2

HMFP Operational Revenue Sources

Admissions

Visitors to HMFP will pay to access the site (pay at booth at entry road). Pricing is as follows: Adults: \$12, Children: \$5, Military ID: \$5. There will be a free day every week (anticipated on Sunday). Annual passes will be available. The cost for an individual pass will be \$35 and a family pass will be \$50.

Annual attendance is anticipated to be 40,000 visitors per year at a weighted average of \$8 per visitor, yielding \$320,000 in projected ticket sales in the base year. In year 5 of full-site operations, the outlook is for 75,000 visits, yielding \$600,000 in admissions.

Memberships

Memberships as “citizens” is granted currently in exchange for donations of specified amounts to HMFP. In the future the concept of citizenship may be employed in different ways: perhaps to anchor a capital campaign concept (as founding citizens of New Mitchelville) or to create opportunities to broaden our program and services (to a population of “virtual” citizens of Mitchelville.)

Fundraising Events/Private Donors

- Fundraising Events – Blues and BBQ - \$70,000
- Corporate Foundation Gifts
- Grants (\$75,000 - \$100,000)
 - Federal
 - State Funding
 - Local Accommodations Tax Grant (\$200,000)

Special Event Rentals

Once the Park is fully developed, HMFP intends to promote itself as premier yet affordable site on the Island to host events and gatherings. Rentals of park facilities will be available to the public. (Discounts will be given to local nonprofit entities). The following rates are contemplated:

Indoor Rentals:

- Lab Classrooms - \$100/2 hours (local nonprofit \$100/2 hours)
- Visitor Center Conference Room (25 people) - \$150/2 hours (local nonprofit \$75/2 hours)
- Breakout Space in Visitor Center Event Room - \$150/2 hours (local nonprofit \$75/2 hours)
- Visitor Center Event Room (250 people) - \$1,750-\$2,000

Outdoor Rentals:

- Group Shelter - \$500/day; \$100/hour (local nonprofit \$250/day; \$50/hour)
- Event Lawn - \$2,500-\$3,000 (local nonprofit \$1,250)
- Freedom Plaza – \$50/hour (local nonprofit (\$25/hour)
- There will be an event fee for large rentals. These will include a \$50 maintenance fee and a \$50 security fee. Alcohol will only be allowed at events without minors (except for weddings.)

HMFP Event Venues

As an event venue, the Park will be a valuable resource to the Greater Hilton Head Island / Beaufort County community. There is a recognized lack of affordable event spaces on Hilton Head for programming and special events. The Mitchelville event space will address this need with a multi-purpose area (3,000 sq. feet) for programs and events that will accommodate 250 people, and provide:

- Caterer's kitchen (1,000 sq. feet)
- Storage for tables, chairs, serving materials and linens (1,500 sq. feet)
- Freight elevator (100 sq. feet)
- Janitorial storage (80 sq. feet)
- Staging area (500 sq. feet)
- Lobby / foyer area (1200 sq. feet)
- Restrooms (Male – 350 sq. feet)
- Restrooms (Female – 500 sq. feet)
- Audio / Visual nook (100 sq. feet)

In addition to the interior space, the Interpretive Center will include a terrace / stage area that connects to an event lawn and would be suitable for outdoor concerts, festivals, weddings and other functions.

The other exterior spaces that will be used for events are: Freedom Plaza, The Classroom / Lab area, The Event Lawn Group Shelter and the area with the Interpretive Home replicas.

Gift Shop Sales

A gift shop in the Visitor Center will allow guests to purchase both museum memorabilia and local craft goods. Items available at the gift shop may include books, snacks, gifts, HMFP logo memorabilia, consignments by local artisans, and affiliated group logo sales.

Programs

Once the Park is complete, HMFP's program offerings will be expanded. The goal of HMFP's programs is to inspire, educate and engage audiences with the incredible story of Mitchelville and how it continues to inform our understanding of Citizenship, Democracy, Opportunity, Freedom and Self-Determination.

- Guided Tours (\$50-100)
- Griots Corner (\$2 per person)
- Specialized Educational Programs (\$5 – 50)

Programming will include special exhibitions and educational activities geared to different levels and ages, both inside and outside the Interpretive structures. A varied program schedule will include gallery talks, slide lectures, art classes or audio-visual displays, publications, conferences, seminars, workshops, film and television programs.

Public Programming will be a key educational component of HMFP. Educational programs present a means through which staff can continuously interest the community in the organization's activities. HMFP endeavors to serve as a "common" place that promotes open dialogue on issues of concern to the public. The institution will welcome opportunities to host lectures, workshops, and gatherings with community groups interested in human rights, history and culture. In many ways, we seek to become a community-

gathering place for teenagers, families, and young children. In addition, we are building a constituency of people who will look to us for education, entertainment at times, and community.

HMFP's already established programming includes:

- **Freedom Day** Programming - Freedom Day is the official day where the concept of "Freedom" is celebrated through educational programming, cultural offerings and informative tours of the Park.
- **Griot's Corner** - *Griot's Corner* is a program tailored for Pre-K –through 3rd Grade that uses storytellers and children activities to highlight freedom, acceptance, multiculturalism and citizenship. The "Griot" (grē'ō, 'grēō) is a West African storyteller, historian and/or musician. The griot's role was to preserve the genealogies and oral traditions of the respective tribe. Griot's Corner uses the spirit of storytelling to promote literacy and to help young students build strong character traits. This series is especially designed to engage young learners with interactive activities that include reading, creative dramatics, art and music.
- **Annual Juneteenth Celebration** - Juneteenth is the oldest known celebration to recognize the end of slavery. It was on June 19, 1865, when Union officer Major General Gordon Granger arrived at Galveston, Texas with news that the war had ended and all slaves were now free. HMFP hosts its annual Juneteenth Celebration in Historic Mitchelville Freedom Park. This program highlights the park and features stage performances and cultural programming that gives visitors a unique look at Historic Mitchelville.
- **Mitchelville Anniversary Forum** – One-day symposium that examines aspects of the Mitchelville story and how it resonates in present time.
- **Holiday Kickoff** at Historic Mitchelville Freedom Park - Community event for the entire family to kick off the holiday season with entertainment and refreshments near the Big Oak Tree.

HMFP will also present special exhibitions that will attract larger and more diverse audiences and stimulate participation in other aspects of the HMFP's programs. Generally, the exhibitions will either complement our permanent collection or introduce new material to the public. The significance of an exhibitions' contribution to knowledge is a major factor in justifying its selection and presentation. In their totality, programs and special exhibitions will be responsive to the needs of widely different audiences.

Traveling Exhibits

HMFP will develop traveling exhibitions / displays based on its rich archaeological and historical resources. These exhibits may vary in size and scope, but will be available for rent by museums, libraries, galleries, educational institutions and other like-minded cultural attractions. A fee of \$1,500 (plus shipping - estimated) is assumed in the Base Case.

Education

Most museums and cultural attractions /institutions have a strong commitment to education. For the most part, these facilities are viewed as institutions of enrichment. They are centers of culture and "the finer things" intended to enhance and reinforce the quality of life. They can strengthen basic skills, basic knowledge, basic comprehension and basic understanding.

The educational goals of the Historic Mitchelville Freedom Park are as follows:

- To recreate the community, life and events related to the historic Mitchelville Community on Hilton Head Island, SC.
- To inspire, educate and engage audiences about the incredible story of Mitchelville and how it continues to inform our understanding of Citizenship, Democracy, Opportunity, Freedom and Self-Determination.
- To recognize the contributions of the Gullah Geechee community to American history and culture.
- To compel people to examine their perceptions of the past and appreciate the significance of the Mitchelville story to their lives.
- To examine the connection between the Pre-Reconstruction / Civil War era, Reconstruction and pre-Jim Crow era and how they influenced the 20th Century and the present.

Collaboration

HMFP collaborates with Local, State and National partners to provide programming and public events that drive tourists to Hilton Head Island. For example, HMFP currently works with organizations such as: The Westin Hotel and Spa, The Marriott Barony Beach Club, Hampton Inn, Gullah Heritage Trail Tours, The Gullah Museum, Gullah Geechee Cultural Heritage Corridor Commission, Island Rec, Santa Elena, The Heritage Library, The Arts & Cultural Council of HHI The Heritage Classic Foundation, the Historical Black churches of HHI and Hilton Head Island-Bluffton Chamber of Commerce to attract culturally specific tours to the area.

Specifically, HMFP works with Coastal Discovery Museum and the Hilton Head Land Trust to present the “Roots of Reconstruction tours” which traces the history of Reconstruction and concentrates on the African American historical presence on the Island. HMFP partners with the Hilton Head Island Airport to present the traveling component of the Finding Freedom’s Home exhibition (original housed at the Westin Hotel) to organizations, events and gatherings on the Island and in the greater Beaufort County area. HMFP is partnering with the Heritage Library, the Hilton Head Land Trust, the Gullah Museum, and the Historical Black churches of HHI to present “Historic Holidays on Hilton Head Island” which chronicles the history of the Island with Christmas as the prevailing theme.

HMFP cross promotes events and programs with NIBCAA in national publications such as the USA Today and for national conferences like the Association for the Study of African American Life and History.

HMFP is working with the Association of African American Museums, the Southeastern Museums Conference and the Association for the Study of African American Life and History to promote the Park as an upcoming cultural attraction as Phase I of Park development takes shape.

In addition, HMFP is working with the National Park Service Reconstruction Monument on promotional and programmatic efforts will move forward between the two institutions.

Finally, HMFP continues discussions with the National Museum of African American History and Culture and has begun discussions with the US Holocaust Memorial Museum (Washington, DC), The National Underground Railroad Freedom Center (Cincinnati, OH), the Birmingham Civil Rights Institute (Birmingham, AL), and the National Civil Rights Museum (Memphis, TN) regarding potential programs, workshops and promotional opportunities. These existing collaborations will increase with the completion

of the Park, and will include other organization, such as the Association for State and Local History, the Alliance of American Museums, and the Smithsonian Affiliates program.

Exhibit 3

Capital Campaign

Steps for launching Capital Campaign for Mitchelville.

1. MISSION-CASE DEVELOPMENT: Based on the value of Mitchelville and its goal to better serve the community and at same time improve financial stability of the organization
 - a. Articulate in actual numbers believable growth in service
 - b. Articulate the value and purpose of Mitchelville to Hilton Head tourism
 - c. Compel high priority giving consideration from major prospects
2. MAIN FUNDING STRATEGIES
 - a. Develop gift table that shows that most money will come from a small number of large donors;
 - b. Identify and rate key potential high gift donors;
 - c. Determine balance between trustee, individual, foundation, and corporate gifts;
 - d. Establish the Goal (construction, moving, furnishing, and operating costs)
 - e. Get first commitments from entire Board, goal is 100% participation; (Standard is for Board to meet 25-30% of overall goal)
 - f. Begin Silent Phase, avoid broad based solicitations early on and focus on big gift effort
 - g. Publicly announce campaign when 50% goal is committed
3. BUDGET
 - a. Establish cost of construction
4. ESTABLISH CAPITAL CAMPAIGN LEADERSHIP
 - a. Chairperson and vice chairs to lead campaigns to corporations, foundations and individuals
 - b. Six to eight members on solicitation committee
5. DEVELOP COMMEMORATIVE AND NAMED GIFT OPPORTUNITIES
 - a. Guidelines relative to important gift and visibility
 - b. Persuasive to prospect and helpful to solicitors
 - c. Keep secondary—not the main reason for giving to campaign
6. DEVELOP CAMPAIGN BROCHURE AND OTHER PRINTED MATERIALS
 - a. Brochure should be simple, well done, not too elaborate
7. CAPITAL CAMPAIGN FINANCIAL PROJECTION
 - a. Develop 12- to 14-month projection
 - b. Quarterly estimates for commitments
 - c. Cash payments needed to keep pace with expenses
8. DEVELOP A FULL AND COMPREHENSIVE CAMPAIGN CALENDAR AND ACTION PLAN FROM THE BEGINNING TO THE END OF THE CAMPAIGN

Exhibit 4

Illustration of Non-Traditional Program Concept: Mitchelville Virtual Citizens

An illustration of a **possible non-traditional program** (in the conceptual stage only) would be to create a virtual town of virtual citizens that become better informed members of their own communities by learning and practicing citizenship rights and responsibilities through HMFP remote programs and services. In effect HMFP would be a modern citizenship school, by providing both an incentive and an environment for learning and practicing citizenship. Such a program would be entirely incremental to traditional programs. It also would have the potential for generating small dollar amounts from many participants, aggregating to significant revenue with low marginal cost—the perfect complement to development efforts targeting small pools of large donors.

- **Virtual Citizens of Mitchelville:** Mitchelville “citizenship” could be made available to everyone under an “ideal” formulation: e.g., a virtual community open to all, (including youth) without distinction of birth, nationality, language, race, or religion, with equality under the “law,” and with civil and political rights guaranteed without restriction. “Citizens” might participate in virtual and/or real acts of civic responsibility, and receive credits/recognition in virtual Mitchelville, thus elevating their community status.

- To become a Mitchelville citizen, one potentially would need to:
 - Demonstrate knowledge of the historical significance of Mitchelville;
 - Attend/participate in a “Mitchelville citizenship activity” (in person, remote program, online); and
 - Vote, if of voting age, or otherwise participate (volunteer, canvas, etc.) in a local election.
 - Register, vote (in mock elections), and financially support (e.g., annual automatic renewal) HFMP.

- Benefits of being a Mitchelville “citizen” might include:
 - Regular contact, participation in discussion forums, etc., discounts.
 - Educational certification for completing courses (to be designed) in civics and history. (Relationships with educational institutions will be developed for both curriculum and certification.)
 - Value packages and educational materials for arts and culture tourists, including free access to museum exhibits etc.
 - Virtual community status and leadership.

- Citizens might be recruited from visitors over time, or by visitors who introduce others to Mitchelville citizenship online. For perspective, a Mitchelville virtual citizenry of 150,000 “citizens” (50 to 100 times Mitchelville’s original population) would:
 - Potentially generate \$1.5 million in annual revenue at a contribution level of \$10 (“tax”). An enticement appealing to a large number of small “donors” is

a good complement to HMFP's development efforts focused on the smaller pool of large donors.

- Could translate into attendance, visits, impression statistics that are an order of magnitude larger than those of other nearby cultural tourist sites.
 - Represent a valuable database of cultural tourists.
- To undertake and manage such a program, focused on a virtual Mitchelville, HMFP would need to incur planning and operating costs in addition to those incurred in operating the Park. The additional resources in the form of a Citizenship Management Department would develop and implement:
- Strategies for identifying and recruiting new citizens.
 - Programs that add value to the community of Mitchelville citizens.
 - Requirements for, and the obligations of Mitchelville citizenship.
 - Meet strict expectations and guidelines for generating net revenue, as the primary financial goals are to reduce HMFP's reliance on outside support while ensuring long-term sustainability.

MEMORANDUM

TO: Town Council

FROM: Jennifer McEwen, Director of Cultural Affairs

RE: Recommendation to approve public art masterplan

DATE: August 6, 2020

Recommendation: Staff recommends that Community Services Committee approves the adoption of the Town's Public Art Masterplan

Summary: The Community Foundation of the Lowcountry dissolved the Public Art Committee on January 17, 2020 and the recommendation is that management of the Town's permanent and temporary public art collection and exhibits are handled internally by the Office of Cultural Affairs following the recommendation of a national public art consulting firm.

Background: In August of 2019, the Community Foundation of the Lowcountry hired a national consultant to evaluate Hilton Head Island including interviews with some Town council, Town Manager Steve Riley, staff, members of the Public Art Committee, and local arts partners. The consultant drafted a list of recommendations, the most significant of which was the dissolution of the Public Art Committee and the management of public art being handled by the Office of Cultural Affairs. Jenn McEwen, Director of Cultural Affairs, and Michael Marks, Chair of the Public Art Committee worked together to draft the proposed masterplan for this transition. The goal is for more frequent and impactful public art offerings and stricter oversight of the current Town funds committed annually for public art.

THE PUBLIC ART EXHIBITION ON HILTON HEAD ISLAND



Acknowledgments

Public Art Committee

Donna Bafundo
Mark Baker
Jack Becker, *Forecast Public Art*
Sandra Benson
Linda Bloom
Ernst Bruderer
Sheri Farbstein
Amiri Farris
Rex Garniewicz
Jean Heyduck, *Community Foundation of the Lowcountry*
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Michael Marks, Chair
Patti Maurer
Beth Mayo
Jennifer McEwen, *Town of Hilton Head Island*
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C. Matthew Taylor
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The Town of Hilton Head Island

John McCann, Mayor
Steve Riley, Town Manager
David Ames, Councilmember
Bill Harkins, Councilmember
Mark Grant, Councilmember
Tom Lennox, Councilmember
Tamara Becker, Councilmember
Glenn Stanford, Councilmember



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01.



Why A Public Art Master Plan



In 2005 the board of directors of Community Foundation of the Lowcountry discussed the benefits that a public art program could bring to Hilton Head Island. Early conversations regarding this opportunity centered on the positive impacts of such a formal program for residents, tourists and school aged youth. Soon thereafter, the Public Art Fund was established by the Community Foundation, creating a means to secure permanent public art for the enjoyment of all who visit or live here.

Throughout this journey of bringing public art to Hilton Head Island, the Community Foundation managed a citizen volunteer Public Art Advisory Committee (PAAC) and the elected officials and staff of the Town have been extremely supportive. The efforts of these bodies have provided artistic guidance, placement advice, funding and installation assistance. Most notably, the production of a biennial public art exhibit at the Coastal Discovery Museum at Honey Horn anchored the program, putting on display 20 works that were juried and the winning work was purchased for the Town's permanent collection.

As of 2019, ten (10) large-scale sculptures have been acquired by and permanently installed in the public realm around the Town.

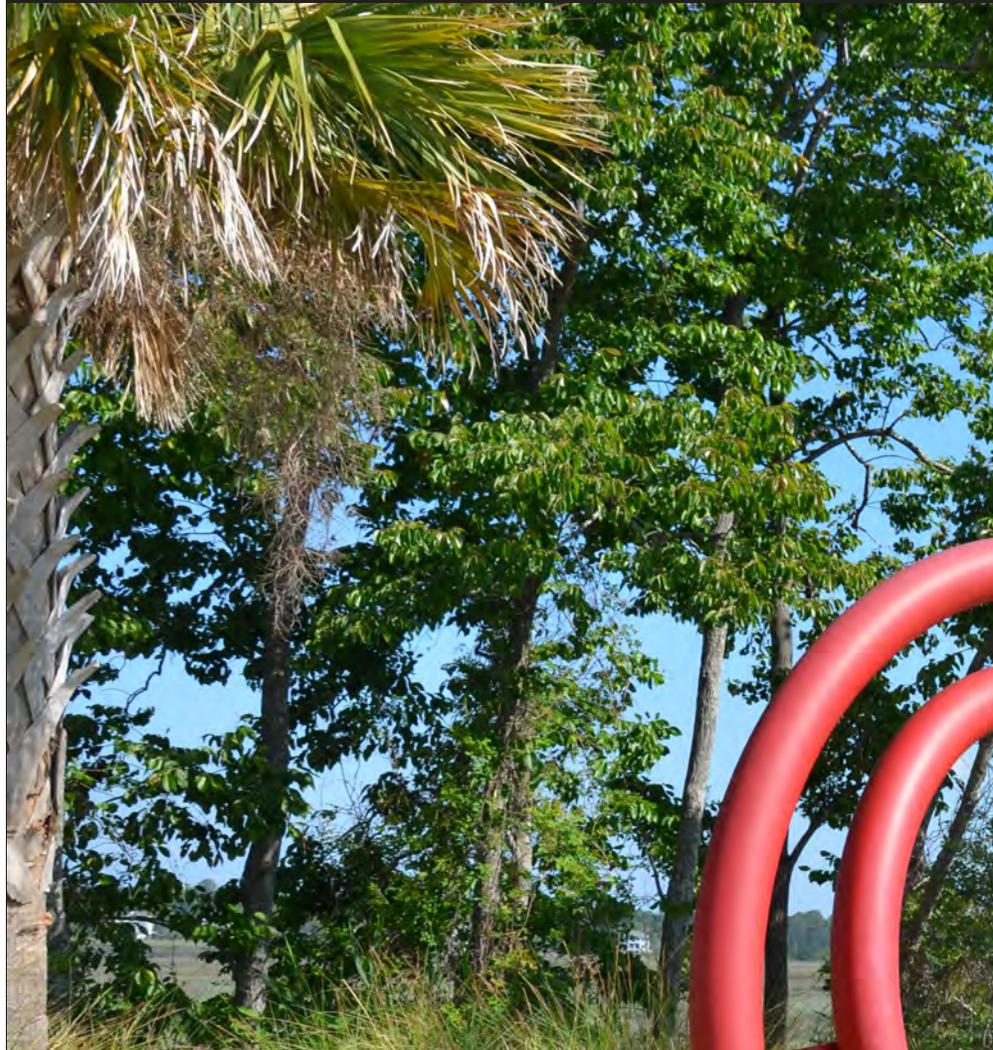
Since the establishment of this program some 15 years ago, much has evolved in the world of public art. Most importantly, the growing practice that public art encompasses many forms: permanent sculptures, temporary installations, murals in public spaces, and interactive art experiences. With these new trends in mind, along with the creation of the Town's first Office of Cultural Affairs, the PAAC engaged the services of a nationally-recognized public art consultant from Forecast Public Art to conduct an analysis of the Hilton Head Island community and make recommendations for the future of public art on our island.

The outcome of this consult was a list of 24 recommendations, the most significant of which was the transition of the Public Art Program from the Community Foundation of the Lowcountry to the Town's Office of Cultural Affairs whereby it would be managed by Town staff with assistance from a citizen volunteer committee.

This plan takes those recommendations into consideration in addition to priorities of the Town staff and Town Council. Because the Town recognizes the importance of public art, this masterplan has been created to better define guidelines for programs and installations.

As a community that visitors and residents seek out internationally, art is a tool that we value to speak to all people who set foot on our island.

Our permanent public art collection and temporary public art and creative placemaking programs tell all of our visitors and residents that we are a place that cares about who we are, what we do, and where we come from.



02.

Defining Who
We Are



MISSION of the OFFICE OF CULTURAL AFFAIRS

Our mission is to promote and support Hilton Head Island as a vibrant and diverse island that is celebrated locally, regionally and nationally for the ways in which arts and culture enrich and enhance the community. We use a broad definition of arts & culture. The definition includes the fine arts but also such creative expressions as traditional, ethnic, and folk art, music, the history and heritage of the island, landmarks, parks, and natural resources and sites.

The goal is for our definition of arts and culture to encompass our community's customs, beliefs and traditions.

PUBLIC ART VISION STATEMENT

Hilton Head Island is a unique blend of natural beauty, rich cultural heritage and environmentally sensitive design. This is a result of careful land planning and a continued focus on creating a built environment that respects this Lowcountry Island's natural setting while providing for the needs of our diverse community of residents and visitors. Therefore it is the vision to provide public art that:

- Enhances our unique natural and cultural environment
- Reflects our community values
- Honors the diversity of our neighborhoods
- Is in context and harmony with its setting
- Is accessible to all our residents and visitors; and
- Promotes the vitality of our public spaces and pride in our community.

STRUCTURE

DEFINITION OF PUBLIC ART

“Public Art” is hereby defined as any work of art that is displayed in any publicly owned space or any privately owned space that is accessible for public viewing on a regular basis. The focus of the public art initiative can be both permanent installations and temporary art installations consisting either of visual art installations or participatory or performance based initiatives.

FUNDING

Base funding shall be included in the Town general operating budget with the opportunity to secure funding from government, organizations, foundations, corporations and individuals in support of the mission. All funds secured beyond the Town general operating budget will be managed as part of the Arts Council of Hilton Head Fund administered by the Community Foundation of the Lowcountry.



CRITERIA FOR SELECTION OF PUBLIC ART

Public Art shall comply with the following criteria. Each criterion must be met in order for the artwork to be selected; however, the Town of Hilton Head Island's Office of Cultural Affairs will determine a scale of priorities in considering the criteria.

1) Adherence to the Vision Statement:

Any piece shall be determined to be in compliance with each element of the Vision Statement in order to be selected.

2) Ability and Qualification of the Artist:

The artist shall have sufficient experience and credentials.

3) Artistic Excellence:

Each piece shall be of exceptional quality and enduring value with the highest degree of excellence in concept, design, execution and installation.

4) Innovation and Originality:

Each piece shall demonstrate innovative design that takes into account its setting and the natural and cultural qualities of its specific location.

5) Safety, Durability & Maintenance Requirements:

Each piece shall be created to withstand the conditions of its location and not create any hazards to the public or the need for extensive maintenance.

6) Feasibility:

Each piece must be able to comply with budgetary requirements and Town Ordinances and Codes.



03.

Place Based Analysis



OUR COMMUNITY CHARACTER

Vital, celebrated, active, dynamic, historic and lush are a few adjectives that could be used to describe our Island. Our natural resources are prized and the beauty of our Island is revered. Because this unique environment is so valuable to our residents and visitors, we should work to highlight and celebrate these natural assets through our Island's public art collection.

Ideas for art, whether they be traditional pieces commemorating events in our Island's history or more contemporary or abstract, should be selected based on our Town's defining characteristics. Furthermore, we want the public art on our island to reflect the pride and love that we have for our community and to infuse the natural beauty of our landscape with the creativity and energy of our community.

We believe that some of the most prominent locations present themselves to embellish our landscape with art along our award-winning leisure pathways, at our beach parks, in our community green spaces and at our points of entry to enhance our daily experience and welcome our visitors.



APPROVED FUTURE LOCATIONS

- Former Welcome Center site on US 278
- Jarvis Creek Park Lake
- Town-owned parcels in the Chaplin Community (on west side of US 278 past Sherwin Williams store and before the old Cracker Barrel Site)
- Former Rock's Location
- Town-owned Marsh front Parcel in Stoney Area
- Shelter Cove Community Park
- Veterans Memorial at Shelter Cove Community Park
- Lowcountry Celebration Park
- Old Gullah Market
- NW corner of Squire Pope Road and William Hilton Parkway
- Coligny Beach Park



PROPOSED SITES FOR APPROVAL

- Town Hall
 - Ashmore Tract
 - Northridge Tract
 - Historic Mitchelville
- Freedom Park
- Chaplin Community Park
 - Jarvis Park
 - Crossings Park Area
 - Driessen Beach Park
 - Islanders Beach Park
 - Honey Horn
 - Rowing & Sailing Center at Squire Pope Community Park
 - Island Recreation Center (County owned)
 - Island Entry near Windmill Harbor
 - USCB (Hilton Head Island Campus)
 - Art League Academy (Former Rec Center on Cordillo)
 - Fish Haul Beach Park
 - Planter's Row



CURRENT TOWN OF HILTON HEAD ISLAND PERMANENT SCULPTURES

•“Charles E. Fraser” by Susie Chisholm (Savannah, GA) and Darrell Davis (Arlington, TX)

Value of Piece: \$126,600

Donated to the Town of Hilton Head Island 2010

Location: Compass Rose Park

•“Carocol” by John Clement (Brooklyn, NY)

Value of Piece: \$75,000

Donated to Town of Hilton Head Island 2015

Location: Shelter Cove Community Park

•“Cycle” by Kevin Lawless (Hilton Head Island, SC)

Value of Piece: \$7,500

Donated to Town of Hilton Head Island 2018

Location: Coligny Traffic Circle

•“Family” by Jonathan Bowling (Greenville, NC)

Value of Piece: \$20,000

Donated to the Town of Hilton Head Island 2011

Location: Chaplin Linear Park

•“Poppies” by Sandy Proctor (Tallahassee, FL)

Value of Piece: \$63,000

Donated to the Town of Hilton Head Island 2015

Location: Veteran’s Memorial Park

• “Sail Around” by Wayne Trapp (Vilas, NC)

Value of Piece: \$27,000

Donated to the Town of Hilton Head Island 2013

Location: Arrow Road & William Hilton Pkwy

•“Sandy Roads” by Mark Larkin (Bluffton, SC)

Value of Piece: \$12,000

Donated to the Town of Hilton Head Island 2018

Location: Coligny Beach Park

•“Setting Sun” by Tom Holmes (Greeley, PA)

Value of Piece: \$45,000

Donated to the Town of Hilton Head Island 2016

Location: Lowcountry Celebration Park

•“Tales of Hilton Head Island” by Walter Palmer (Hilton Head Island, SC)

Value of Piece: \$12,000

Donated to the Town of Hilton Head Island 2002

Location: Coastal Discovery Museum at Honey Horn

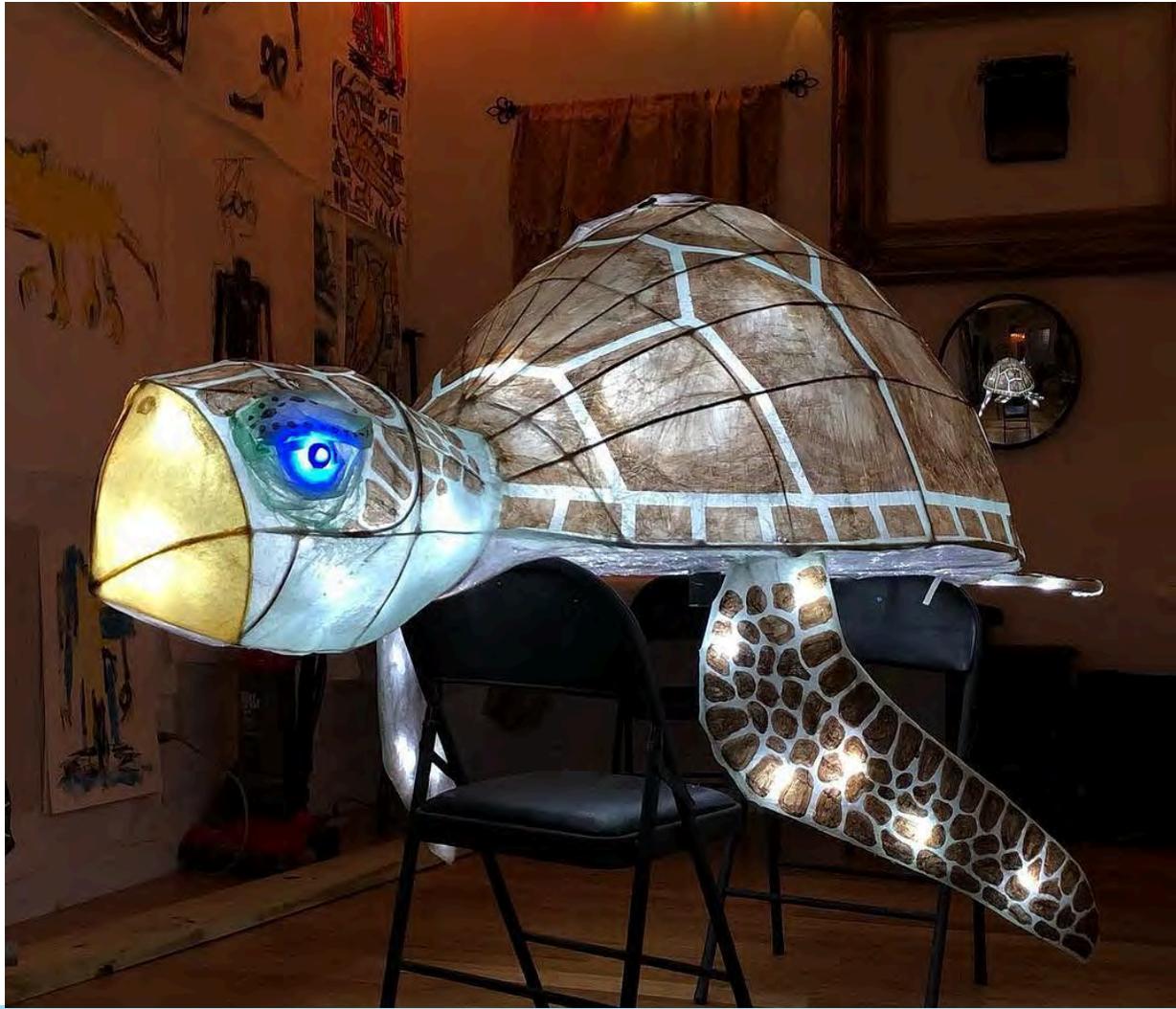
•“THEB: Tally” by Jeffrey Boshart (Charleston, IL)

Value of Piece: \$12,000

Donated to Town of Hilton Head Island 2016

Location: Stoney Area of William Hilton Pkwy

04.



Priority Action Plan

The Office of Cultural Affairs must carefully choose the public art projects it initiates, in order to make the most of its opportunities and resources. In partnership, the Office of Cultural Affairs and the Town's Community Development department should identify capital projects that provide the best chance of:

- Meeting the Town's expectations for placemaking
- Building productive relationships between Public Art, Town facilities and community partners and Artists
- Supporting the expertise of the Town's planning staff, capital project managers, and local design consultants
- Maintaining the highest level of artistic excellence for permanent installations.

Temporary projects will be researched, planned and executed by the OCA alongside the appropriate community partners. Recommendations from the community can be submitted to the Office of Cultural Affairs via the Community Creates Applications. Community Creates Applications will be reviewed by the OCA's Art Council quarterly and one to three projects will be executed annually pending budget availability.



As the OCA values Education as a primary component of its work, an education plan will be incorporated for each project launch.

The initial priority will be youth education and strong partnerships with our local schools, both public and private, with secondary education plans supporting life-long learning initiatives and specialized adult education partnerships.



A. Park and Pathways Enhancement

It is the belief of the OCA that the public parks and leisure pathway network can be enhanced for the user, whether that be the Island resident or guest, through the inclusion of public art. It is the desire of the OCA to work with the Town's Community Development department to identify sites along the pathways and in the green spaces that can be desirable locations for either permanent or temporary public art installations.

B. Site-planned initiatives

Public art is often site-specific, meaning it is created in response to the place and community in which it resides. It often interprets the history of the place, its people and perhaps addresses a social or environmental issue. The work may be created in collaboration with the community, reflecting the ideas and values of those for whom it's created. The OCA hopes to maintain and grow the established partnership between Public Art and the Coastal Discovery Museum, to support historic projects in augmenting and commemorating the experience on site, as well as build partnership with developers to encourage public art to be incorporated into new retail, business and residential development. Planning for site-specific commissions for additions to the Town's permanent collection is also a goal.



C. Temporary Creative Placemaking Initiatives

Creative Placemaking intentionally leverages the power of the arts, culture and creativity to create a space for more genuine public engagement. The end goal being to have community places that build character, inspire us and define the quality of our Town. Pairing art with our incredible natural assets is an impactful way to build a stronger identity for our Island and its residents and guests. Using visual art and performance based initiatives these temporary public art initiatives will be utilized to bring our community together.

D. County Partnerships

Placemaking within the Town of Hilton Head Island is core to the vision of the Public Art plan, but additional opportunities have been identified on County owned land located on our Island. Strengthening partnerships within the County is vital to the growth of the program on the Island and the beautification of important points of entry, welcome, and community engagement on the Island, including but not limited to the Hilton Head Island airport, County owned land along the 278 corridor, the Hilton Head Island branch of Beaufort County Library, and land around the public schools and recreation center.

2020 Proposed Project 1: Hilton Head Sculpture Trail

The Hilton Head Sculpture Trail is a pathway enhancement that will include a rotating exhibit of eight (8) temporary large scale sculptures along the leisure path and boardwalk at Shelter Cove Community Park. The exhibit will rotate every 12 months with the intent to draw people back to the space and create a reason for greater engagement.

Artists will be selected via open call and by invitation.

Projected Open Date: March 2021

Education components will be planned in coordination with the Island School Council for the Arts to engage students with installation of the art and STEAM projects in the classroom in partnership with the Artists on exhibit.



2020 Proposed Project 2: Community Mural Painting

The Office of Cultural Affairs is in discussion with potential partners to identify a community hub to partner with as a 2020 location for an indoor community mural.

Thematically similar to previous community mural painting projects at the Island Rec Center and Boys & Girls Club of Hilton Head. This site-planned initiative uses art as a civic engagement tool to invite the public to participate with the space in a unique way, creating a sense of ownership and community pride.



2020 Project 3: Hilton Head Island Lantern Parade

The Hilton Head Island Lantern Parade is a creative placemaking initiative that utilizes creativity to put our Island and community members on display as the largest temporary public art installation in the community. Nine months of community art making and education initiatives lead up to the installation to ensure inclusion across all aspects of our community. The inaugural parade in 2019 stretched 0.75 miles along the coastline.

Education components will include lantern making activities in the schools, in partnership with nonprofit organization partners and life-long learning opportunities.

The 2020 Lantern Parade will take place on November 7, 2020 on South Forest Beach.



4. Related Policies

a. PUBLIC ART SELECTION PROCESS (ACCESSION)

The Office of Cultural Affairs will manage recruitment and selection for temporary public art exhibitions and initiatives. Permanent public art selection will be done in partnership between the Office of Cultural Affairs, Facilities Management and potentially Community Development staff depending on location selected. Such recommendations shall comply with the previously stated Mission Statement and these Guidelines. The OCA may consider the following options, among others, in the selection of Public Art: juried competition, commissions, direct purchases and donations. Final approval of any Permanent Public Art shall be subject to the written approval of the Town Manager following staff recommendation. Final approval for temporary installations will lay with the Office of Cultural Affairs.

Selections that require expenditures from the Public Art Fund shall be approved/authorized by the OCA and comply with the bylaws of the Community Foundation of the Lowcountry. All permanent Public Art acquired shall become the sole property of the Town prior to the acceptance and installation of the piece.

b. INSTALLATION AND MAINTENANCE POLICY

No more than two permanent installations can be accepted per year. Town shall be responsible for all costs of installation. The Town, at its own expense, shall undertake adequate site preparation, including construction of a suitable base for the Artwork prior to delivery and installation.

The Town will not intentionally destroy, damage, alter, modify, or change the Artwork in any material way. The Town shall be responsible for the periodic maintenance, including cleaning, of the Artwork and otherwise keeping the Artwork in good condition and repair.

The same policies will be maintained for temporary exhibitions and installations.

c. PUBLIC ART REMOVAL (DE-ACCESSION)

When any artwork in the Program becomes no longer relevant to the Program, becomes deteriorated beyond reasonable conservation costs and methods or becomes a safety hazard, the OCA may recommend its removal. The Town Manager must grant the approval of any de-accession. Additionally, the OCA may recommend the relocation of any artwork that becomes recognized as better suited for a different site. The Town Manager must grant the approval of any artwork relocation. The Town will comply with all applicable laws and/or contractual arrangements with the artist or donor if any.

Artwork removed from the Program may be sold at public auction or donated to another governmental body or a nonprofit entity. Such auction or donation will follow Town Code provisions for such actions. Funds acquired by any sale of artwork will revert to the Public Art Fund. Destruction of the artwork may be considered in cases where the work is severely deteriorated or will be irreparably damaged by the de-accessioning process.

d. ACCEPTANCE OF GIFTS OF PUBLIC ART

Gifts of art intended by the donor to be considered for public display on Hilton Head Island (rather than immediate liquidation or placement elsewhere) shall be subject to review and acceptance in accord with these Guidelines and vetted and determined by the OCA. In addition to standard recognition procedures, public recognition for donors of such gifts to the Public Art Fund may be made as for all gifts accepted for public display, which have a value of \$50,000 or more per a written appraisal. Recognition will be in the form of a framed and weather-appropriate recognition to be posted in the vicinity of the piece of art, and shall include verbiage similar to that provided in Appendix A as approved in each case by the PAC. Any gifts of art must comply with all policies previously documented in this plan particularly in regard to installation and maintenance.