

TOWN OF HILTON HEAD ISLAND PUBLIC FACILITIES COMMITTEE

Date: March 26, 2018

Time: 9:00 A.M.

Members Present: Marc Grant, David Ames, Tom Lennox

Members Absent: None

Staff Present: Scott Liggett, Charles Cousins, Jeff Buckalew, James Cook, Julian Walls

Others Present: David Bennett, *Mayor*, Kim Likins, *Council Member*, Heather Rath

Media Present: None

1. Call to Order:

The meeting was called to order at 9:00 a.m.

2. FOIA Compliance:

Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Committee Business:

Approval of Minutes:

- February 26, 2018

Councilman Ames moved to approve the Minutes of February 26, 2018. Councilman Lennox seconded. The Minutes were unanimously approved.

4. Unfinished Business

- **Status report and recommendation on the acquisition of qualifying private unpaved roads.**

Scott Liggett stated with respect to this topic we had indicated at your last meeting that we would come back today with the intent being to bring you up to speed on the efforts regarding acquisition on Alfred Lane, Aiken Place and Cobia Court. You adopted a policy position including five points back in early January. Since that time and using that policy guidance as the backdrop, staff engaged the road owners on those aforementioned roads. Letters and mail outs were sent to each of the address points along those roads. Public meetings were held – road specific – so one public meeting for every road. There were follow-up on site meetings per the request of the road owners that came from those public meetings. We also commissioned some additional survey work which was thought to be helpful in identifying the limits of what we were asking for. All of this came with a request that these expressions of interest to donate or willingness to participate with a deadline of March 15th which has passed.

To this point we have received 5 of 39 responses indicated a willingness to participate. There may be others that are dripping in here day to day. I think it is safe to say that we will not, do not have right now the 100% participation the policy envisioned. Part of the staff presentation here today is to not only alert you to that circumstance, but also seek guidance if you have any as to what we are to do next. The Policy could suggest as we talked about in Committee and maybe at Town Council as well that absent that

participation we break off active communications and move on to the next four roads. Staff didn't want to necessarily do that without alerting the Committee and potentially Council of that fact or alternatively, if there is an interest that we stay engaged to try to drive this to some level of conclusion in theory realizing that it may cause us to bring back to Committee and to Council some of the specific requests that have come from the residents we certainly can. We do not have the 100% participation and the deadline has passed. In simple terms, what would you like us to do next?

Councilman Lennox asked if Mr. Liggett was surprised by the 5 out of 39 responses. Mr. Liggett replied he was not. A lot of the commentary they have gotten really falls into two general camps. 1) The acquisition and the acreage that we need, particularly to be donated. One of the common themes of the conversations at the public meetings was do you need so much land? Can you make that right of way narrower? 2) The other commentary had to do with the development rights that may be lost as a result of the acreage that is currently in private ownership being transferred to the Town in the form of this right of way.

The former issue can potentially be overcome. There are instances I would suggest where staff, i.e. me, would present to you advice based on my engineering judgment. Having said that, if Council would like to deviate from that advice and truly acquire less than what staff is recommending, we could certainly do that. I would have some concern because one of the ironies is that to maintain the full development potential of these properties we are talking about needing as much right of way as we can get, not less. I am not sure I have a proposed solution regarding the loss of development rights. That seems to run part and parcel with the requirements of the LMO and the land use and densities and zoning that are provided. The right of way issue like I said staff could be directed around that issue. We still may not have a narrow enough right of way to be satisfactory to the property owners. In all of these discussions, I would caution Council to not make arrangements or cut deals with any one road or road owner that you wouldn't be prepared to perpetuate.

Councilman Grant asked what would be suitable for a one way road. Mr. Liggett said we have talked in theory of as little as 30 feet for a one way road. My biggest concern about a one way road particularly in the context of Aiken is there is a use issue that I would be concerned about in that expecting the road owners that may be immediately adjacent to Marshland Road the notion that the first few homeowners are going to take the long way around to get to where they want to go coming and going. That doesn't seem reasonable to me. If you have a use issue which I think we would, that then speaks to an enforcement issue about effectively having a presence out there to site folks that might be driving the wrong way down a one way street and then the third, albeit minor, if both of those two things do occur, the liability that may come our way if we fail to take an enforcement action and there is an instance of a vehicle driving the wrong way and we have a car crash out there. I struggle to see how an institution of a one way traffic circulation plan is a functional way to approach things.

Councilman Ames asked how the residents of these roads identified the very first moment. Was it by a mailing? Mr. Liggett said they rely on the County Tax Records to identify legal ownership of record. Mail out notices had gone to them and then in that mail out notice there was an invitation to the Public Meetings, two of which were here at Town Hall and one which was held at Fire Station Number 4. Councilman Ames asked if they happen to know how many of the 39 people came to the public meetings. Mr. Liggett responded on Cobia Ct. we had 4 of 7 attend, 5 of 10 attended the Alfred Lane and the Aiken Place had 10 out of 16 attend.

Councilman Ames asked if there was something we could be doing to increase the likelihood of people saying yes they want to participate. Obviously there is either a serious doubt of wanting to participate or there are some misgivings.

Chairman Grant asked Mr. Liggett from past experiences, what is the ideal situation that you feel you can get everybody in agreement. Mr. Liggett said generally short, straight roads with a relatively small number of impacted and benefiting owners may likely arrive at a quick preferred destination and in fact one of the things that may come from the staff meeting with the Gullah-Geechee Task Force on April 2nd is if there is such a road where the owners themselves think they are ready to demonstrate or express 100% willingness to donate, they can come knock on the door of the Town at any time. If we have those circumstances they may jump to the head of the line if there is an area that we need to be prepared to strike in that regard to because of that, I think we are prepared to do that. We would set aside the roads that are more complicated to try to drive to conclusion one of those easier roads.

Councilman Lennox said that Councilman Ames is right – the response was so low that either the attempt to contact didn't work or the attempt to contact worked and the property owners didn't understand the benefits of this or maybe they understand the benefits and just don't want to do it. I think if we keep going and find property owners to agree to the project and build the road, that might motivate other property owners once they see the road built and see the benefits from having that road. It may motivate them to come forward and want to talk more.

Councilman Ames asked Mr. Liggett if there was any graphic depiction at the initial meeting of property owners. Mr. Liggett responded there is – proposed rights of way width, the potential impacts to any and all property owners is depicted. Those meetings were also followed up with field meetings to physically demonstrate or show folks in the field how the acquisition may impact their properties. The other thing I will tell you which I think we gleaned from the meetings that on each of those three roads there was at least one property owner that expressed what seems like an adamant position of opposition. A lot of that had to do with the future development plans that those individual owners had.

Chairman Grant asked in terms of legality, the Town has a lawyer to represent them as to why we would like to take the property so we can do a road. There is no one representing the property owners to say this is a good idea, I know we can't do that, but I am visualizing how we can make that better. There are pros and cons and we want the people to see the positive and the negative and how their property would be improved and what they are giving up. At the end of the day we tell them to see their lawyer to see if this is something that they really want to do because they are giving up property. Mr. Liggett said they could look at what their limitations are and clearly there would be limitations to what degree the Town can even attempt something that can even be construed or misconstrued as legal advice. It gets to be a very dangerous thing as Council's Attorney has indicated to them to even broach that topic.

Councilman Lennox stated he believes you have to work down through the rankings until you find property owners unanimous in their support of it and build a road and let everyone else see the benefit of it once it is built.

Mr. Liggett asked the Committee with respect to these three roads, we will see what continues to come in, but so I am clear what I understand what the position of the Committee is that we should begin to focus on the next four, begin to de-emphasize the previous three and see where the future lays but we stay the course as it relates to the policy position. As I mentioned earlier, clearly if someone comes forward that maybe deeper down the list we will try and respond there.

Chairman Grant asked if Mr. Liggett could get him a good description of what would be suited for one way roads on Hilton Head. Mr. Liggett said they would do that.

Chairman Grant asked if there was any public comment. Mr. Taiwan Scott said he is a property owner on Alfred Lane and attended one of the meetings in regard to the paving of the dirt roads. In my opinion, I think we have a big issue of what the LMO requires and what State Law requires and there needs to be a better understanding of that. As a property owner, if I have an option of driving down a dirt road and putting an additional home on my property for my child, then I am going to continue driving down that dirt road. That will be the main issue you will face. When you get into the right of way and the reduction of acreage that is going to be a big problem for the native island community and that is a big road block. We want paved roads but taking the option of reducing density for the dirt road vs. my child being to stay on my property that will be a hard one for the native islanders to deal with.

5. New Business

- **Discussion on proposal from Beaufort County regarding the transfer of County-owned parks to the Town of Hilton Head Island**

Scott Liggett stated there is no staff presentation – Julian Walls, myself and Frank Soule are here. This was an assignment from the Mayor to essentially answer questions if there are any, but there is no staff presentation regarding the assignment.

Marc Grant asked what we are now paying for these different fields. Is the Town paying half of this? Julian Walls said it depends on what field you are talking about. The way it is working now with the list you have is the County has staff that maintains these fields internally. The report I gave you is for a contracted service to do exactly the same thing that the County is doing right now.

Scott Liggett stated everything that is on this list is what is in the offing right now should the Town elect to involve itself further or the County elect to involve itself less. The only one of these facilities that we are providing any of these services to now is at Chaplin. We took those responsibilities over subsequent to the debris management site being instituted there so we didn't have a third party jeopardize the ultimate restoration of that property. Otherwise our tax monies go to the County to maintain those facilities per the County extent and levels of service. Councilman Ames asked if the Chaplin arrangement is going to be going forward or is it only for a short period of time. Mr. Liggett said I would suggest it may be going forward as it has been included in the budget that we are executing now and is included in the budget you will see here in a couple of months. Councilman Ames said over and above what the County has been contributing to maintenance has the Town also been performing maintenance on any of our parks. Mr. Walls said yes, all of the parks except for Barker Baseball Field which is a County maintained and County owned park and for the two tennis courts and the basketball court at the old schoolhouse park. The rest of the parks you see on the list are actually Town owned – just County maintained. Julian Walls stated he does budget every year for things to get fixed in our parks, whether

County is maintaining them or not, especially when it comes to Capital Improvement Projects – large repairs because they are our structures.

Councilman Ames said one of the motivations for the Town to take over this responsibility is to maintain them perhaps at a higher level than the County has been maintaining them. Julian Walls said he believes what started this was two to three years ago the County had a group come in and do an analysis on whether the County should keep maintaining the parks within the municipalities or not. I think that really started the discussion.

Councilman Ames said he was having an issue with Crossing Park, the baseball field with some of my constituents in Wexford. It seems as though there is a problem with the light timers out there. They don't go off all the time. I think we may have it resolved, but if that needed to be replaced, would that be in your budget or in the County budget? Mr. Walls said he hoped in the County's budget and knows that the Maintenance Director or the Pals Director is getting cost estimates to put a timer on that. She has in the interim put a lock box on that. It will be managed a little better as it has not been managed properly in the past.

Councilman Lennox asked Mr. Walls if we did this today would you build into Fiscal Year 2018 budget \$904,000? Mr. Walls answered yes. Councilman Lennox said if they got a block grant from the County first year of \$600,000, that is a \$304,000 shortfall that would have to be made up somehow in the Fiscal Year Budget. Mr. Walls answered yes. Councilman Lennox said if we do this, we have to find a \$304,000 funding source to fund the shortfall and Mr. Walls said yes, if the County agrees to it.

Councilman Lennox asked if the County has parks they maintain in Bluffton and Beaufort and whether they were doing the same thing. Mr. Walls said he is assuming they are per the Company that came in a few years back and evaluated that. I am sure they would like Bluffton to take over the parks they are maintaining right now also.

Councilman Lennox stated he thought we had to be somewhat consistent with Bluffton and Beaufort. Councilman Lennox asked Mr. Walls what he recommended and Mr. Walls answered he would recommend taking care of our parks.

Scott Liggett said there is a certain amount of money that the County provides through their staff support to maintain the parks here. If any or all of this work came to the Town to do the same work, we would likely contract that out. There may be instances where we would endeavor to have a higher level of service or extent of service so we may end up paying this. In simple terms, the discussions in prior years has been about the County releasing at least the equivalent of what they would otherwise be spending their staff to do and then to what degree the Town wanted to fill the gap or fill the delta because of the way we would choose to pursue that work would fall to us. We have not yet been able to reach an understanding of how much the County is expending through their staff.

Councilman Lennox asked Mr. Liggett what his recommendation is. Mr. Liggett said I suppose it would be for the Town to be made whole. If they are providing similar services elsewhere, we should expect similar services or cash money to do that job. Again, if we have aspirations of a higher level of service or higher extent of service that would fall to us. I think an equalization of getting a fair shake for what they would spend per capita or per park, per facility. We are in search of information. I think to make the best recommendation we would have to understand the allocation that is coming from the

County to provide those services here on the Island and that is something that has been difficult to acquire from them in the years that this discussion has been ongoing.

Mayor David Bennett stated there are a couple of issues going on 1) having our parks maintained at a standard that is commensurate with our expectations and 2) bringing clarity to the roles of the parties that are in some way responsible for maintenance today. Currently the County, the Town and the Rec Center have some level of responsibility depending upon which park you are talking about. The idea is to bring some simplification to that effort which in my view really starts with the Town standing up and taking responsibility for its asset, including the maintenance of them. To me that is the simplest way to get what you want done when you want it done and have control over the costs and the process. This proposal that is before you is an effort to bring simplification to that process by taking on that responsibility. Mr. Liggett is correct as staff has tried historically for a couple of years at least to try and understand what the County is incurring for its maintenance of these facilities and that information seems very difficult to obtain. I would liken this to being in the real estate business and acquiring an existing development. While what is being expended by the current owner or the current party that is responsible for those assets may be useful to you, the real question is what it is going to cost you when you are responsible to maintain it to the standards that are important to you. That is what I asked Scott to do – put together an estimate of costs that it would take for us to fulfil that responsibility and take on that role. That is approximately the \$900,000 number you see before us. I think there is a standard that the County operates at and there is a standard that the Town would like to operate at and there is a differential. I don't think the County is spending \$900, 000 a year to maintain these assets. It is probably something less. In my view if we can get a block grant from the County within one, two or three years to reimburse us essentially for our out of pocket costs, I would be willing to do that in order to get control of these assets and maintain them acceptably for our citizens.

Kim Likins said she had a few questions that I would love to get as we move forward in making this decision. Clearly there are different price ranges when you out service all of this and obviously different quality. I would like to see a comparison of a couple of different company's quotes, the cost of providing these services and the details and specifics of what they will do for these particular amounts. It can be very variable. I was a little bit surprised about the need for two additional Facilities Technicians just to kind of oversee and outside crew that will be doing all of this work for \$134,000. I really would like to understand better what those individuals do on a daily basis and that way we can justify if we do need two or just need one so we can pull in and tighten up this number.

Frank Soule, Island Rec Association said he fully agrees with the Town's effort in trying to take over the maintenance of the Parks. It gives us one less organization for us to work with to coordinate that.

Councilman Ames moved that Public Facilities Committee recommend to Town Council to pursue conversations with the County leading to the acceptance of full responsibility of the parks. Councilman Lennox seconded. Mayor Bennett interjected and stated it would be my preference if we could charge staff with the responsibility to discuss with Bluffton the status of their negotiations with the County, if any, on park takeover, bring that information back to either the next Council Meeting or the Council Meeting thereafter again so we can keep it moving. I would appreciate your recommendation or response to what I have put before you, either yea or nay or modification thereof so that I can keep it moving with the County and Councilman Rodman and again hopefully try and get this resolved for us

during this budget cycle. Councilman Ames amended his motion to include the Mayor's suggestion regarding staff contacting Bluffton. The amended motion passed unanimously.

Councilman Ames said he had a matter and doesn't know which Committee this should land with. An issue that I think the Town needs to deal with sooner than later and has to do with the overcrowding of our parks, the inadequate parking for the parks if we are going to try and accommodate people who want to come to the parks. With what is projected out in Hardeeville, with what is happening in Pooler we have to recognize that the numbers of beach goers is going to increase over time far beyond our capacity to handle them. I think that the Town needs to wrestle with what are the financial impacts on infrastructure, on police, fire rescue and other municipal services as well as a strategy of dealing with parking. Clearly we are going to clog our parking lots if not this year, probably next year and we need to be analyzing what our alternatives are to pay for the infrastructure and deal with parking.

6. Adjournment

Councilman Ames moved to adjourn. Councilman Lennox seconded. The meeting was adjourned at 10:10 a.m.

Respectfully submitted,

Karen D. Knox
Senior Administrative Assistant