



Town of Hilton Head Island  
**Community Services & Public Safety Committee**

Monday, October 28, 2019 at 9:00 am  
Benjamin M. Racusin Council Chambers

## **MEETING MINUTES**

**Present From the Committee:** Marc Grant, Bill Harkins, Tom Lennox

**Present from Town Council:** David Ames, Tamara Becker

**Present from Town Staff:** Scott Liggett, Josh Gruber, Charles Cousins, Jeff Buckalew, Shawn Colin, Taylor Ladd

**Present from Media:** Katherine Kokal, *The Island Packet*; Daniel Robinson, *WJCL*

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### **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. Approval of Minutes – September 23, 2019** – Councilman Lennox moved to approve. Councilman Harkins seconded. The September 23, 2019 Minutes were unanimously approved.

### **4. Unfinished Business**

### **5. New Business**

**a. Approval of Proposed 2020 Regular Meeting Dates** – Councilman Harkins moved to approve. Councilman Lennox seconded. The Proposed 2020 Regular Meeting dates were approved.

**b. Hilton Head Christian Academy Property – Town’s Right of 1<sup>st</sup> Refusal**

Josh Gruber, Assistant Town Manager said I am sure you all are familiar with Hilton Head Christian Academy parcel and the re-zoning and approval that was provided by Town Council. In conjunction with the property owner moving forward with that development, there is a strip of land which is fairly narrow in width that runs along the front portion of this property along the roadway on which we have a right of first refusal. The property owner/developer has reached out to the Town with regard as to whether we would waive our right of first refusal on this parcel. Given that the Town has no intended use of the property and we have approved the development as it stands now, staff would make a recommendation that you recommend to Town Council that we authorize the waiver of first refusal on that parcel.

After a brief discussion, Councilman Lennox moved that the Committee recommend to Town Council that we authorize the waiver of first refusal on that parcel. Councilman Harkins seconded. The motion was unanimously approved.

**c. Status of Street Light Pilot Project – US278 Yacht Cove Drive**

Jeff Buckalew, Town Engineer they solicited bids for the street lighting pilot project at Yacht Cove and 278. We received one bid of \$121,000 which is well over the Engineer's estimate and budgeted funds. We intend to re-solicit, re-advertise that project with another similar system. We are going to put a HAWK pedestrian crossing signal down at South Forest Beach Drive. We will reach out to Contractors. We directly emailed and solicited input from bidders last time, but only received that one bid from a firm out of Columbia. We will combine it with the HAWK signal and re-advertise and reach back out to Contractors that do this type of work and hopefully get more competitive bids.

Councilman Harkins said he recalls that this was to be a beta sight and if things went well we were going to multiply this throughout the Town. Mr. Buckalew said Town Council directed us to do a pilot. We received the necessary permits from SCDOT and our intention was to do a public opinion/survey to solicit feedback from the public and then go back to Town Council with a more programmatic plan. Councilman Harkins asked how many more installations will there be. Mr. Buckalew said when we looked at these unsignalized crosswalks on US278 there were 11 of those. We are going to rectify two of those in the Shelter Cove area by our Capital Improvements Projects. We are putting in a new traffic signal at the Sheriff's Office and we are going to put a pedestrian crosswalk by Hickory Tavern.

Councilman Harkins asked Mr. Buckalew if the end goal to populate throughout the Island more lights to provide more safety. Mr. Buckalew stated this was felt to be a mechanism to achieve more safety at those locations.

Councilman Lennox asked how long Mr. Buckalew thought the re-bidding process would take. Mr. Buckalew said they would be doing it within the next two weeks. I am getting the bid package together for the HAWK signal on South Forest Beach Drive and I will go through our Procurement Officer. We have to advertise for at least 14 days. We should have the bids back in mid-December. We will reach out to those types of Contractors and Vendors that do this type of work and try to pick their brains as to what we can do to make this solicitation more attractive.

Councilman Harkins said he is just trying to fast track implementation throughout the Island. This is a critical location. Josh Gruber said in his experience if the profit is significant enough, it doesn't matter the size of it as they will still make a profit. A lot of times you may only get one bidder because they have so much work already in front of them that they cannot practically bid on it. That may be the case here, or may not be the case. My recommendation would be to bid it out one more time because just getting one bid back may be an aberration and if you double down your efforts to make sure everyone is aware of it and if it comes back again with only one bid, then you know you have to change something because there is something in the bid itself that is causing a lack of competition.

Councilman Harkins asked Mr. Buckalew to go over the timeline again. Mr. Buckalew said we would re-bid within the next two weeks. We have to legally advertise for 14 days. We will get the bids in early December. Mr. Gruber said you are looking at 60 days from where we are at today. Hopefully you will get multiple bidders and you have brought the price back in line of what your expectations are and at that point you can move forward with it and get the pilot project in place and gage public feedback and response to that project itself. Assuming that it is favorably received, you can start looking at where we get the funds to do this on a much larger scale. Councilman Harkins said the downside on where we are is we are postponing up to 60 days addressing the one location. The upside is within the 60 day

period we may be in a position to help two locations. Mr. Gruber stated obviously that would have to come from Town Council and the appropriation of sufficient funds to allow us to do that, but I think if you can at least get the first one teed up in a manner in which your price points are going to within the lines of what your expectations are, it will make implementing it on an Island-wide scale much more feasible.

Chairman Grant asked if there was anyone from the public who wanted to speak. Mr. Brian Bobinchuck recalled that Palmetto Electric already had a plan and I thought it was kind of like a pre-approved situation. Mr. Buckalew said our first intent was to involve Palmetto Electric and not have to bid this project out and to have them install the lights, give us a service agreement and electric bills over a period of time and we talked to Palmetto Electric Engineers at length and they helped with some concept plans and did some preliminary engineering work themselves, but they did not want to get into the street light business. They advised that we hire a Consulting Engineer which we did who had permitted these types of projects through SCDOT in the past. We got the lighting design from them and we went to SCDOT to get approvals.

Mr. Joe Dimaria, a Yacht Cove resident the issue here concerns me for many reasons and should be of grave concern for you and speaks to our priorities. It has been over a year now that Mr. Bobinchuck lost his daughter at that intersection and there seems to be a lot of talk and proposals but I do not see anything happening. I think we spend our money is a reflection of what our priorities are. This is community safety – not just in Yacht Cove, but throughout the Island. As a Town we can do a better job of how we spend our money.

Linda Crosser a Yacht Cove resident asked if you are combining this with the one on South Forest Beach how will you know what the cost is going to be for the other 8 if they are combined. Mr. Buckalew said we will definitely keep them separate – they are separate funding accounts so there will be two separate bid packages. The Contractors that do that type of work could bid both of them. It is very similar type work. That is the benefit. Councilman Harkins said the bidder is compelled to bid for both and when you award the Contract you will award it to one company? Mr. Buckalew said that is not necessarily true. We will bid them together to provide more quantity of work but it hasn't been fully determined yet with Mr. Liggett and the Procurement Officer, but I can see bidding them both together to attract more bidders, but if Firm "A" was low on the street lights and Firm "B" was low on the HAWK signal we could give it to two separate bidders. Councilman Harkins thought the purpose was to enlarge the project so that you might get more people in and now you are telling us that you are going to bifurcate it if the costs are lower for one side or the other.

Scott Liggett said we desire to do whatever we believe is most advantageous to the Town – maximize the number of folks that might be interested in the project and if it is in our interest, we may reserve the right to award separate pieces. The advice to any of the bidders would be to sharpen your pencil as tight as you can on both of those projects because we may just do that and break it apart if we think it is most advantageous to the Town.

Councilman Harkins said if we could expedite the process by acting on the application that is before us now, albeit over budget, on a macro level that might be in the best interest of the Town. Even though it is over budget, I think we ought to go ahead. Mr. Liggett said what we would really like to do as has been said is re-bid this project immediately. From an over budget standpoint, my view on that is a little bit different than what has been stated before in that in FY2019 we had \$100,000 which was allocated to pathway accessibility and safety. Not long after the start of FY2019, this initiative emerged and we have been working to address it in increments around the Island. Right now we have \$67,000 that was brought

forward from that budget year that was augmented with \$80,000 that you may recall was allocated for FY2020. Right now, to my mind, we have \$147,000 in available funds when you coagulate FY2019 funds with FY2020 funds. Right now that would be the funding source for anything that we advance. The \$80,000 estimate is something that we also need to pay attention to in that the bids came back significantly above that estimate which the Procurement Code requires that we revisit/reset to make sure that the estimate and the market are as synched as we can. Councilman Harkins said he does not see a true benefit of slowing this process down by developing another RFP for another location since when those bids come in we could end up with two Contractors, one for one site and one for the other. Why don't we just create focus – we already have one bid – we pull it together – why don't we throw it out again for that one site and see what happens. Mr. Liggett said we have what staff sees at this point of similar work that would be of interest to similar Contractors. We can discuss with the Manager how we best want to implement both of those projects, but to our mind we see something that can conceivably be combined given than the higher than expected bids on the standalone crosswalk lighting program.

Councilman Harkins said he does not see the downside of sending out the package again for one location and being in the position within 14 days to say up or down. I would get the same package out to the same population – 14 days turnaround and we could be in a position here in two to three weeks from now for a “go” “no go.” Mr. Liggett said he is happy to share that perspective with the Manager, along with staff's perspective. Ultimately we will do what the Town Manager directs us to do. At the staff level we will take direction and guidance from him.

Councilman Lennox said what we are seeing is typical over the past couple of years in receiving inflated bid proposals on the Island. There is so much work off the Island that a lot of these Contractors don't need the hassle to come on the Island that a project presents. I think it makes sense combining the work in an effort to get more response. I am sensitive to the time to the extent that we got proposals back in early December or even late November I would support holding a Special Meeting of this Committee to expedite this. This project is important at Yacht Cove, but it is also important for the remaining crosswalks that we are going to consider. Because of that, I am very sensitive to the timing and I think receiving a bid 50% more than what we had originally forecast is significant enough that we have to go out and get additional bids, either confirming that or not.

Several Hilton Head Island residents spoke in favor of moving this item forward as soon as possible due to the extremely dangerous area of US278 and Yacht Cove Drive. Councilman Harkins stated if we could be in a position within four weeks from now, going out for the two, I can live with that. I think we need to send a direction to staff that we want to have before us a firm recommendation, based on bids on or before our next meeting on November 25, 2019. Chairman Grant agreed. Councilman Harkins asked Mr. Gruber for his comments. Mr. Gruber said we should not have any issues with getting a bid turned around and getting back to you by this time next month. We will move forward with re-issuing it with a truncated timeline to have a response back to you at your meeting next month.

**d. Hands Free Driving Resolution**

Josh Gruber said this initial discussion came about as a result of the State of the Region luncheon that was held a couple of months ago. Lisa Sulka, Mayor of Bluffton challenged the other municipalities within Beaufort County to support the Town of Bluffton in their stance in encouraging the General Assembly to adopt legislation to require the operation of a vehicle free from inference of distracted driving such as a cell phone, eating food, etc. The

impetus of this is obviously a safety considerations with regard to people operating vehicles. My understanding is that the States that neighbor South Carolina have in fact put this same legislation already into effect. Essentially the Resolution that you have before you is a Statement of Policy suggesting that the General Assembly exercise their lawful authority to change the State Code regulating this kind of behavior while operating a motor vehicle. It is not actually passing any kind of law itself, it is just a statement that we would support the General Assembly in their pursuit of passing such a law and showing solidarity with some of the other Municipalities in Beaufort County that have already adopted a similar Resolution.

After a brief discussion, Councilman Harkins moved to that we recommend to Town Council support of this direction. Councilman Lennox seconded. The Motion unanimously passed.

**e. Mitchelville Lane Right of Way Acquisition – Status Report**

Scott Liggett said this particular discussion item we were intending to have the support of Curtis Coltrane here as it is more of a legal briefing than an engineering briefing. We are seeking your indulgence to reschedule this item on a future meeting agenda. Chairman Grant said to put it on a future meeting agenda.

**6. Adjournment**

Councilman Harkins moved to adjourn. Councilman Lennox seconded. The Meeting was adjourned at 9:58 a.m.

**Submitted by:**

**Karen D. Knox**

**Approved: November 25, 2019**