

TOWN OF HILTON HEAD ISLAND  
**INTERGOVERNMENTAL & PUBLIC SAFETY COMMITTEE**

Minutes of the Monday, January 7, 2019

Regular Meeting

*Members Present:* Bill Harkins, *Chairman*, David Ames, *Council Member*, and Tom Lennox, *Committee Member*

*Members Absent:* None

*Others Present:* Tamara Becker, *Town Council Member*; Marc Grant, *Town Council Member*; Captain Angela Viens, *Beaufort County Sheriff's Office*; Lieutenant Colonel Allan Horton, *Beaufort County Sheriff's Office*, *Beaufort County Sheriff's Office*; Frank Babel, *Co-Chair of the Hilton Head Island Bicycle Advisory Committee*; Peter Kristian, *Hilton Head Plantation General Manager*; Chip Munday, *Indigo Run Community Owner's Association General Manager*; Brian Bobinchuck; Heather Rath; Patsy Brison; and Barry Ginn

*Staff Present:* Josh Gruber, *Assistant Town Manager*; Brian Hulbert, *Staff Attorney*; Scott Liggett, *Director of Public Projects & Facilities/ Chief Engineer*; Jeff Buckalew, *Town Engineer*; Charles Cousins, *Assistant to the Town Manager*; Shawn Colin, *Director of Community Development*; Darrin Shoemaker, *Traffic & Transportation Engineer*; Phyllis Deiter, *Senior Administrative Assistant*

*Media Present:* Eleanor Lightsey, *Lowcountry Inside Track*; Katherine Kokal, *The Island Packet*

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**1. Call to Order**

The meeting was called to order at 10:06 AM by Chairman Harkins.

**2. Freedom of Information Act Compliance**

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

**3. Approval of Minutes**

- a. A motion to approve the minutes of the November 5, 2018 Intergovernmental and Public Safety Committee meeting was made by Bill Harkins and seconded by David Ames. The motion was approved by a vote of 2-0. Tom Lennox abstained, stating he was not present.
- b. A motion to approve the minutes of the November 13, 2018 Intergovernmental and Public Safety Committee Special meeting was made Bill Harkins and seconded by David Ames. The motion was approved by a vote of 2-0. Tom Lennox abstained, stating he was not present.

**4. Unfinished Business**

**a. Discussion to Request to Enter into Agreement with Beaufort County to Allow Enforcement of Beaufort County Ordinances within the Municipal Boundaries of Hilton Head Island**

Lieutenant Colonel Allan Horton, from the Beaufort County Sheriff's Office (BCSO), spoke about the County ordinance regarding fleeing to evade arrest or detention. The Sheriff's office

has had this ordinance for the last 25 years. There are similar ordinances with the Town of Port Royal, Beaufort City Police Department and the Bluffton Police department. This ordinance has been used over the last 25 years with the Sheriff's office having made 155 arrests in the unincorporated areas of Beaufort County. BCSO is requesting that the Town consider adopting a similar ordinance to be put in place on Hilton Head Island.

Mr. Lennox asked if there were any changes or updates necessary to the current ordinance that could be incorporated into a potential new ordinance by the Town. Lt. Col. Horton indicated that the local municipality ordinances are in-line with the County ordinance. Mr. Harkins questioned from a legal standpoint, are we codifying something that is in actual practice. Brian Hulbert, Staff Attorney, explained that the State of South Carolina has not passed a statute that makes it illegal to flee from the Sheriff while they are trying to make an arrest. Several localities in the state have done so. The County has passed an ordinance that makes it against the law in the county. The Town of Hilton Head Island has not passed any ordinance in the past regarding this. Mr. Hulbert noted that what the Sheriff's office is requesting is reasonable and appropriate. There are four options Town Council has to consider: (1) Maintain status quo and do nothing; (2) Encourage the State to consider legislation to criminalize it throughout the state; (3) Enter into an agreement to allow for the County ordinance to be enforced throughout the Town; or (4), the Town can adopt its own ordinance, similar to the Town of Port Royal and the Town of Bluffton allowing BCSO to enforce the Town's law.

There were no public comments regarding this item. Mr. Lennox proposed the motion to recommend this be brought forward to Town Council for consideration. If Town Council believes that it is appropriate to criminalize evading law enforcement on Hilton Head Island, Town Council can adopt an ordinance for the Sheriff to enforce as they do with the other laws in our State and Town. Mr. Ames seconded the motion. With no further discussion, the motion was approved by a vote of 3-0.

**b. Update on Overhead Lighting of William Hilton Parkway at Un-signalized High-Speed Crosswalks**

Scott Liggett, Director of Public Projects & Facilities/ Chief Engineer, began by providing an update about this initiative. Since the last report at the Town Council Workshop in December, staff has made the encroachment permit application to the South Carolina Department of Transportation (SCDOT) to implement the pavement marking and signage that has already been endorsed by Town Council. The Town remains on the previously scheduled trajectory for the potential implementation of those improvements during the first quarter of 2019. Mr. Liggett indicated that he will be reaching out to SCDOT this week with the expectation to urge a timely approval. The indication is a probable 30-day approval process because of preparation with SCDOT for this application. Once approved, they plan to implement with a combination of in-house staff resources to install the signage as well as on-call contractors to effect the pavement markings. It was reiterated that there has not been a void in dialog between SCDOT and the Town regarding the pavement markings, signage and overhead lighting. Scott Liggett continued with the update that the lighting will be broached with the Design Review Board (DRB) tomorrow. Further conversation about lighting was not recommended at this time because the Town is waiting for the results of the warrant study due by the end of this month. Currently Town staff is reviewing the recently received results of the William Hilton Corridor

Speed Study.

Mr. Harkins asked what guidance the DRB Committee is receiving regarding the lighting fixtures. Mr. Liggett noted that the DRB, being led by the Town Urban Designer, will have conversations to deliberate and impart advice on a design used to encapsulate an approved illumination system. The conversation continued regarding the lighting fixtures being Dark Skies compliant, utilizing the Complete Streets standards when appropriate as well as the overall vision for Hilton Head Island. There was additional conversation about speed on US 278 and the overall concerns for safety. Mr. Liggett indicated that any changes, whether permanent or a temporary experiment, would need SCDOT's approval.

Mr. Harkins requested public comments.

Patsy Brison, from the South Forest Beach area, spoke to the committee about her concerns with the timing of this project. She handed out a time-line to the committee. Ms. Brison also noted wanting to see the mid-Island corridor speed study and the specific recommendations.

Frank Babel outlined to the committee the different ways of crossing US 278, noting the underpass, signalized crosswalks, and un-signalized crosswalks. Mr. Babel indicated educating pedestrians on how to use the different crosswalks is a key issue. Another factor is enforcement of speeding traffic. The third factor is evaluation to mine the data to gain a better understanding of why citizens are injured on the roadways. Mr. Babel provided a copy of the Hilton Head Island Bicycle & Pedestrian Capital Projects Plan for 2019-2023.

Barry Ginn addressed the committee, speaking about a Salt Lake City study where the city posted signs in the community that said, "Your life is in danger, cars may not see you." He reiterated the points from Ms. Brison and Mr. Babel that education is important as well as BCSO being visible to slow down the traffic.

Marie Morris, a 30 year resident, read a statement that has been added to the minutes.

Heather Rath asked the committee for elaboration on the agenda items for Tuesday Jan. 8, 2019 Design & Review Board Committee meeting. Shawn Colin explained that the purpose of the discussion tomorrow at DRB is preliminary discussion about the design and aesthetics of the lighting fixtures. Members of the public may be attend. There was additional dialog regarding the preapproved fixtures, placement, SCDOT regulations coupled with vision of the Island's aesthetics.

Tamara Becker addressed the committee, agreeing with Patsy Brison and David Ames. She also noted that BCSO needs to become a visible force to slow the traffic speed.

There were no further comments on this agenda item.

## **5. New Business**

### **a. Proposed Ordinance Number 2018-14 Amendment to Title 17 (Noise Control)**

Brian Hulbert addressed the committee stating that this proposed ordinance was being brought forward from Town staff to hear from any affected members of the public. The changes were generated from the excessive number of complaints regarding chipping, and grinding. After several discussions with Council, direction was given to staff to prepare an ordinance and consider an LMO amendment that would regulate industry. Staff has added definitions for

chipping and grinding. The ordinance contains amendments to the exceptions in regards to chipping and grinding as far as the days, times and the noted decibel level. Mr. Ames asked how staff determined the separation between daylight decibels and night-time decibels. This was based upon a noise study done many years ago. Our code is set up with different areas to have different, reasonable noise decibel limits. Mr. Hulbert went on to explain the details of this pertaining commercial and noncommercial activity on the Island.

Public comments were solicited, noting the few Plantation Owner Association managers in Council Chambers.

Marc Grant, Town Council Member, asked if the staff spoke to the private business before the changes were drafted. Mr. Hulbert said this is the start of that dialog and he further spoke on the details of the decibel levels during the hours of operation. Many of the complaints deal with vibrations rather than noise ordinance violations. The Town does not measure vibrations, nor does it have the equipment to do this.

After much discussion there were no further public comments.

## 6. Adjournment

With no further business items, and no further items there was a motion for adjournment made by the Mr. Lennox. It was seconded by Mr. Ames. The meeting was adjourned at 11:40 AM

Respectfully submitted:

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Phyllis Deiter  
Senior Administrative Assistant

Approved on: 03/04/2019

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Bill Harkins, Chairman