



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, April 20, 2021 at 4:00 p.m.
MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Interim Deputy Town Manager*; Angie Stone, *Interim Deputy Town Manager*; John Troyer, *Finance Director*; Jennifer Ray, *Interim Director of Community Development*; Teri Lewis, *Deputy Director of Community Development*; Jeff Buckalew, *Town Engineer*; Krista Wiedmeyer, *Exec. Assist/Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:00 p.m.

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 Ben Fowlkes, Hilton Head Island Community Church

Pastor Fowlkes delivered the invocation.

5. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. By way of roll call, the agenda was approved by a vote of 7-0.

6. Approval of Minutes

a. Workshop – March 24, 2021

b. Regular Meeting – April 6, 2021

Mr. Harkins moved to approve the minutes as noted on the agenda. Mr. Stanford seconded. By way of roll call, the minutes were approved by a vote of 7-0.

7. Report of the Town Manager

a. Gullah-Geechee Land & Cultural Preservation Task Force – Lavon Stevens, Chairman

Lavon Stevens, Chairman of the Gullah-Geechee Land and Cultural Preservation Task Force provided an update on recent matters discussed with the Task Force. Mr. Stevens discussed the proposed amendments to the LMO to create Family Compound and Family Subdivision applications. He said that he had been told that the amendments were being held up due to a legal issue. Mr. Stevens said there has been much anxiety and heartburn about the recent challenges. He went on to say that we continue to have challenges and the community is being diminished. Mr. Stevens said that people need to be educated on the culture.

7(a) Discussion Continued

Mr. Ames asked about the delay and what legal challenges had come up.

Mr. Orlando said that Councilman Stanford has been working with Jennifer Ray and Teri Lewis with the revisions as discussed at the last meeting. He said as far as a legal delay, it was not aware of one, and was anticipating the item coming back to meeting in May for second and final reading.

Ms. Ray stated that the Town Attorney, Curtis Coltrane had weighed in on the questions and proposed edits. She said Mr. Coltrane has asked that besides applications the Family Compound and Family Subdivision should also be referenced as uses and the use tables should be updated. Ms. Ray said the reason for this update was because of property ownership. She said because this would be a new change, it would require a new public hearing before coming back to Town Council to consider.

Mr. Ames said that if one section of the ordinance is being reviewed, the entire ordinance should be reviewed. He went on to say, when Council last reviewed the ordinance, there was a question raised about administrative decisions and whether it applies to the entire ordinance or not.

Mr. Stanford said that as a result of the last meeting and there were questions raised about discretionary reduction of the setbacks. He said he researched the current draft, and sees that it does allow for up to a 30% reduction of five foot and ten foot setbacks. Mr. Stanford said that does not think the reductions should be discretionary, but rather if it is something that is necessary to have a variance from the setbacks that it be moved to the BZA which has the powers to make the decision. He said that he thought the draft ordinance would be amended accordingly. Mr. Stanford said he spoke to Ms. Lewis, and it was made clear that Mr. Coltrane is reviewing the ordinance regarding such decisions. He said after further research, the current ordinance would allow parcels that have not been owned by the traditional line of families since 1956, to become eligible for treatment under this. He said he felt that the language was very broad and should be narrowed. Mr. Stanford said that since the map showing the Historic Overlay District was stripped from the original ordinance, he said that means that any parcel can be subject to this.

Mr. Brown said as he understood, the item before Council, the Family Compound and Family Subdivision has an ownership criteria attached to it. He said that the overlay district as a whole is still with the Public Planning Committee. Mr. Brown said that he wanted to be clear that the two items that need to be cleared up before second reading are the use tables and the Official's discretionary changes.

Mr. Stanford clarified what he had previously said, noting that the problem is with there no longer being an overlay map attached to the current ordinance as written. By not having the map in connection to this and with the broad language, this leaves it open for any parcel to qualify for these applications.

Mr. Brown said, Town Council, as policy makers represent Gullah citizens and their properties. He said it is embarrassing that they are going in circles with this matter. Mr. Brown said that Council needs to take this seriously and engage a legal mind so they can move on.

Mr. Orlando asked staff to pull together a timeline for this item to report to Town Council.

b. Items of Interest

Mr. Orlando gave a high level overview of the American Rescue Plan to Town Council. Noting that as information becomes available, he would share it with Council.

8. Reports from Members of Council

a. General Reports from Council

Mr. Brown said he understands the need and the law behind executive sessions, but asks, as Council moves forward err on the side of transparency with the items that are discussed in executive session. Mr. Brown stated that the community is very engaged, and that we owe them the opportunity to understand the business at hand.

Mr. Stanford reported that at a recent LATS meeting, they received a report from the SCDOT. He said that Craig Winn reported that right now, the schedule for the release of the preferred alternative will be July at the public hearing. Mr. Stanford said that for fifteen days prior to the public hearing, the animations that were previously requested will be made public.

Mayor McCann reported that Ms. Wiedmeyer is working on a summary from the previous day's workshop on workforce housing, noting it would be sent out soon. He also asked Council to send any long reports they give during meetings to Ms. Wiedmeyer to ensure the information is accurate.

b. Report of the Community Services & Public Safety Committee – Bill Harkins

Mr. Harkins state he did not have a report.

c. Report of the Public Planning Committee – David Ames

Mr. Ames reported that the Committee would be meeting later in the week to discuss and provide guidance to staff regarding setbacks and buffers. He also stated that he hoped there would be a clear path forward with workforce housing.

d. Report of the Finance & Administrative Committee – Tom Lennox

Mr. Lennox reported that the Committee had met earlier in the day, where Mr. Troyer provided a financial report from the last nine months. He said that he was happy to report that current year to date revenue exceeded last year's.

9. Proclamations/Commendations – NONE

10. Appearance by Citizens

Skip Hoagland addressed Town Council concerning matters related to the Town and Chamber.

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2021-09 Permanent Drainage Easement at the Former Hilton Head Christian Academy Site

Second Reading of Proposed Ordinance 2021-09 authorizing the granting of a permanent easement on, over, and across Town-owned real property, to AB PR QOZB II Property, LLC, under the authority of S.C. Code Ann. § 5-7-40 (Supp. 2020), and § 2-7-20, the Municipal Code of the Town of Hilton Head Island (1983), and providing for severability and an effective date

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion and by way of roll call, the motion carried by a vote of 7-0.

12. New Business

a. First Reading of Proposed Ordinance 2021-11 – Volunteers in Medicine Parking

First Reading of Proposed Ordinance 2021-11 authorizing the execution of a lease with Volunteers in Medicine, related to real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-3-30, Code of the Town of Hilton Head Island, South Carolina (1983); and, providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion and by way of roll call, the motion carried by a vote of 7-0.

b. First Reading of Proposed Ordinance 2021-12 – Northridge Conservation Easement Modification

First Reading of Proposed Ordinance 2021-12 authorizing the modification of a conservation easement to the benefit of Hilton Head Island Land Trust, related to real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-3-30, Code of the Town of Hilton Head Island, South Carolina (1983); and, providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion and by way of roll call, the motion carried by a vote of 7-0.

c. Consideration of a Resolution – Workforce Housing Covenants and Agreements

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, approving Declaration of Covenants, Restrictions and Limitations Running with Certain Lands (“Covenants”) and Workforce Housing and Rental Workforce Housing Agreements and authorizing the Mayor and Town Manager to execute said documents for each project participating in the Workforce Housing Program.

Mr. Harkins moved to approve. Mr. Ames seconded. With no discussion and by way of roll call, the motion carried by a vote of 7-0.

13. Executive Session - NONE

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

15. Adjournment

By unanimous vote, the meeting was adjourned at 4:41 p.m.

Approved: May 4, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor